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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Sindhi Adhikar Manch (Association), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 January 2024]

* Issued as received, in the language of submission only.



Human Rights and Cadaver Organ Donation

Human rights and cadaver organ donation are interconnected topics that involve ethical, legal, and social considerations. Let's explore the relationship between human rights and organ donation from deceased individuals:

1. Autonomy and Informed Consent:

- **Human Rights Perspective:** The principle of autonomy and the right to informed consent are fundamental human rights. Individuals have the right to make decisions about their own bodies.
- **Organ Donation:** In the context of cadaver organ donation, respecting the deceased person's autonomy involves obtaining prior consent or ensuring that the individual had expressed a willingness to donate their organs.

2. Dignity and Respect:

- **Human Rights Perspective:** Human rights emphasize the inherent dignity and worth of every person. This includes treating the deceased with respect and ensuring their dignity is maintained.
- **Organ Donation:** Organ retrieval procedures must be conducted with the utmost respect for the deceased person's body, considering cultural and religious beliefs. The process should not compromise the dignity of the individual.

3. Equity and Non-Discrimination:

- **Human Rights Perspective:** Human rights principles call for equality and non-discrimination. Organ allocation should be based on medical criteria rather than factors like race, gender, or socio-economic status.
- **Organ Donation:** The organ allocation process must adhere to principles of fairness and non-discrimination to ensure that organs are distributed based on medical need rather than other factors.

4. Privacy and Confidentiality:

- **Human Rights Perspective:** The right to privacy is a fundamental human right. Medical information, even after death, should be handled with confidentiality.
- **Organ Donation:** Donor information and medical records should be treated with confidentiality to protect the privacy of the deceased and their family.

5. Right to Health:

- **Human Rights Perspective:** The right to health is recognized as a fundamental human right. Access to medical care, including organ transplantation, is considered a part of this right.
- **Organ Donation:** Facilitating organ donation contributes to fulfilling the right to health by providing life-saving treatments for those in need.

6. Legal Framework:

- **Human Rights Perspective:** An effective legal framework is essential to protect and promote human rights.

- Organ Donation: Laws and regulations surrounding organ donation should be clear, transparent, and ensure that the rights of both donors and recipients are protected.

7. Cultural and Religious Sensitivity:

- Human Rights Perspective: Respect for cultural and religious diversity is a key aspect of human rights.
- Organ Donation: Organ donation practices should take into account cultural and religious beliefs to ensure sensitivity and respect for diverse perspectives.

In summary, while organ donation from deceased individuals can contribute to saving lives and improving health outcomes, it is crucial to uphold human rights principles throughout the process. This includes obtaining informed consent, respecting dignity, ensuring equity, maintaining privacy, and adhering to legal and cultural considerations. Balancing the benefits of organ donation with the ethical treatment of donors and their families is essential for a comprehensive and rights-based approach.

Worldwide Actual Deceased Organ Donors 2022 (PMP)

1. Italy 46.03
2. The United States of America 44.50
3. Iceland 330
4. France 25.80
5. India 0.70
6. Cuba 0.20
7. Germany 10.34
8. Austria 25.17
9. Canada 20.95
10. The United Kingdom of Great Britain and Northern Ireland 21.08
11. Sweden 20.90
12. The United Arab Emirates 5.50

If we review above data Per Million Population (PMP) Donation is higher in those countries where is Opt-out System of cadaver Organ donation.

What Is Opt-out System

The "opt-out" system, also known as presumed consent or deemed consent, is a model for cadaver organ donation in which individuals are considered potential donors by default unless they explicitly express a wish not to donate their organs. In other words, under an opt-out system, organ donation is presumed to be the default choice unless an individual has actively opted out of the donation process.

All the countries should universally agree to adopt Opt. Out System to cater the demand of Human Organs.

<https://www.irodat.org/?p=database>

<https://notto.mohfw.gov.in/>