



**The European Affairs Committee and the Committee on Health
The EU-Secretariat of the Folketing**

Date: 12 February 2009

**Opinion adopted by the
European Affairs Committee of the Danish Parliament**

**On the Commission's proposal for a Directive of the European
Parliament and of the Council on standards of quality and safety of
human organs intended for transplantation - COM(2008) 818 final**

At the request of COSAC, the European Affairs Committee of the Danish Parliament has conducted an assessment of whether the "proposal for a Directive of the European Parliament and of the Council on standards of quality and safety of human organs intended for transplantation" complies with the principle of subsidiarity.

It is the assessment of a majority of the European Affairs Committee and the Committee on Health, composed of the Liberal Party, the Social Democrats, the Conservatives, the Socialist People's Party, the Social-Liberal Party and Ms. Pia Christmas-Møller (Non-attached Member), that the objectives of the Directive can best be attained through regulation at the European level, and that the proposal therefore complies with the principle of subsidiarity.

A minority composed of the Danish People's Party furthermore holds the view that the subsidiarity principle can be regarded as respected given that the directive seeks to resolve a concrete problem within the area and that the purpose of the directive is minimum harmonisation as described by the Minister of Health in his answer to question no. S 891 and S 1034 (Session of the Folketing 2008-2009)

Finally a minority composed of the Red-Green Alliance has expressed the view that they find that the proposal does not comply with the principle of

subsidiarity. The Red-Green Alliance's Member of the Health Committee has handed in the following minority statement:

Minority opinion:

"It emerges clearly from the Government's explanatory note that the proposal for a Directive "on standards of quality and safety of human organs intended for transplantation" does not provide any guarantees for high standards in the field. That is why Member States preserve the right to maintain and introduce stricter measures at a national level.

Hence it follows that the directive does not guarantee that the exchange of human organs and substances of human origin, blood and blood derivatives across borders will be facilitated.

When the Government finds the proposal in compliance with principle of subsidiarity, it simply underlines the fact that the principle has no real substance".

Yours sincerely

Preben Rudiengaard
Chairman of the Committee on Health

Svend Auken
Chairman of the European Affairs
Committee