



Republic of San Marino

National Bioethics Committee of Republic of San Marino

Law n° 34 of January 29, 2010

ANSWER

TO THE REQUESTED OPINION ON RELEVANT ETHICAL ISSUES USING ANATOMICAL PARTS DERIVED FROM CORPSES

Approved in the plenary session of October 8, 2014

Translated by Luisa Borgia

The National Bioethics Committee (CSB) of the Republic of San Marino received from the National Secretary of Health and Social Safety the request to express an opinion on ethical issues related to the use of anatomic parts derived from corpses that originated the AMT.sm project.

The National Bioethics Committee unanimously agreed to issue the following statement:

The CSB, aware of the complexity of the issues related to the use of human cadaver, expresses a detailed opinion as required, reserving the right to formulate a broader and deeper reflection in a proper further document.

Considering that:

- the respect of human corps has always characterized the history of human settlements since the primitive times, taking place in the cult of the corpses and in the obligation of the burial and pervading every form of society in every time and in every place;
- the respect and the inviolability of the human corps has been one of the first expressions of *lex naturalis*, believed superior to the positive law, whenever there is a conflict;
- the human body, after death, is recognized as “*res*” but considered as “*res sacra, extra commercium*”, assigning value and pietas to the dignity of the people alive and their body;
- the donation derived from human corpse is based only on the principle of solidarity, for saving another life through the transplantation of tissues and organs, and for educational and scientific aim, contributing to the protection of human health with a more exhaustive theoretical and practical knowledge;

the National Bioethics Committee believes that the use of anatomic parts derived from human corpse is ethically justified for educational, research and training aim and, according the AMT.sm project, as long as the following conditions are fulfilled and documented:

- the person, before dying, has to give the necessary informed consent to authorize the *post mortem* use of his body or parts of it for educational, research and training aim;
- the donation of the body or parts of it occurred in effective gratuity conditions;
- the informed consent was expressed by an adult, conscious person, in absence of any material or psychological coercion;
- the body parts do not come from prisoners or sentenced to death;

- there will be traceability of body parts, in order to guarantee the safety for the health of health professionals and of the community, taking the whole responsibility.

The answer to the question on the ethical issues relevant to the use of anatomic parts derived from corpses, referring to AMT.sm project, was argued during the CBS meeting of October 8, 2014 and approved unanimously by the following present members: Borgia, Bottari, Cantelli Forti, Carinci, Casali, Daniele, Mangiarotti, Monachese, Tagliabracchi, Tonelli. President Sacchini, was absent during the meeting, but express its agreement.

National Bioethics Committee's Vice President and President
during the meeting of October 8, 2014

Luisa Maria Borgia