

LEGA NAZIONALE CONTRO LA PREDAZIONE DI ORGANI E LA MORTE A CUORE BATTENTE

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SOCIAL AFFAIRS COMMITTEE HEARING IN THE HOUSE OF DEPUTIES THE PROPOSED LAW NO. 5083 HAS BEEN STOPPED

“Instructions regarding the donation of a body after death for scientific research and studies”

an initiative of Battaglia, Bogi, Bolognesi, Giacco, Petrella, Turco and Zanotti of the D.S. (Democratici di Sinistra)

AFTER EXPLANTS/TRANSPLANTS, WILL VIVISECTION AND TORTURE ENTER ITALIAN HOSPITALS AND UNIVERSITIES?

Representatives and advisors of the Lega Nazionale Contro la Predazione di Organi e la Morte a Cuore Battente were invited to the Social Affairs Committee on **July 14th** by the president of the committee Hon. Giuseppe Palumbo (FI) and deputies Hon. Domenico Di Virgilio (FI), Undersecretary of the Health Minister, formerly president of Catholic doctors, Hon. Cesare Ercole (LNFP), chairman of the proposed law (**PDL**) **5083**, Hon. Tiziana Valpiana (RC) and some officials. **Extensive reports were filed in advance.**

Nerina Negrello, president of the Lega Nazionale Contro la Predazione di Organi e la Morte a Cuore Battente reminded the deputies that in our culture *post mortem* means *after death in the traditional and usual sense*, which is when two vital functions - the cardiocirculatory and respiratory systems are suspended simultaneously for 24 hours. Nerina Negrello stigmatized that the bill under examination in art. 1 introduces the **“Donation of bodies of persons where death has been ascertained according to the law of 29 December 1993 n. 578”**. Do any members of the public or members of parliament know the content of this law?

The law **L. 578/93 “Regulations regarding the verification and certification of death”** regards so-called brain death with a still beating heart, declared in *“persons affected by encefalic lesions who have undergone resuscitation”* (art.2 c.2) in only 6 hours based on a variable protocol on ministerial recommendation.

In this case the patient undergoes life sustaining treatment, he or she breathes, his or her heart beats independantly, his or her blood reaches all areas of the body and keeps him or her alive.

Therefore these patients forcibly declared to be “brain dead” are not corpses on which to practise surgery. They are not corpses biologically, ethically or legally.

They aren’t corpses biologically because the patient’s organs are completely functional.

They aren’t corpses legally because the regulation states *“corpse is identical to human body without the cardiorespiratory and the brain function”* (**DPR 285/90, circular no. 24/93**).

They are not ethically corpses because that which breathes is alive.

The law No. 578 of 1993 has **redefined** death transforming coma into so-called “brain death” and brain death into absolute death in order to protect explanters and transplanters.

Even though this redefinition has been repeatedly condemned in the international scientific world it is useful also to the lobbyists who would like to use new surgical techniques and carry out chemical and radiological experiments and more on those patients who have lost consciousness in this ever-increasing crime.

France is cited as an example in the introduction of the proposed law and this is deceptive because the bodies which are donated to the French universities are bodies of people who have died due to cardiac arrest and have been observed for 24 hours and are not so-called “brain deaths” as appears in the Italian proposal. Prof. Milhaud tried to introduce this practise on live bodies but this was greatly criticized by Le Monde: “The doctors risk being charged with voluntary abuse. For some doctors this means opening the doors to Buchenwald”.

There is no mention of England in this introduction because no law concern the use of the dead and dying for study, teaching and research. Total block: since the Alder Hey scandal where organs were taken from true corpses without the consent of relatives.

Italian law already foresees the use of corpses for study, teaching and scientific research with the law DPR 285/90 art. 40-41-42 inherited from the R.D. no. 1592/33. This proposal is therefore deceptive and useless.

The president Hon Palumbo emphatically confirms that: “... *of course, the donation of a body after death: only where the body is cold, rigid and long dead, as you say...*”. **They get the message.**

Prof. Dr. Massimo Bondi, pathologist and general surgeon, has high-lighted that “brain death” is the central point around which explants and this absurd proposal of human vivisection for research rotate. He said that the neurosciences had already modified the non-scientific concept of “brain death” in 1992 with the famous work by Truog MD and Fackler MD of the Harvard School, where the erroneous concept was conceived in 1968 in order to protect explant surgeons. He also highlighted that those suffering from head injuries are now taken straight to large hospitals and not to the nearest one as used to be the case before the practise of explants and transplants and therefore do not receive immediate decompression care. Hon. Di Virgilio replied stating that explants and transplants, which he says save lives, must be separated from exercises for research and study.

Dr. Marialuisa Robbiati, anaesthetist, pointed out that those in so-called irreversable coma (on ventilators) the ones the proposed law under examination wanted to use as “experimental dummies” for a year, require the active intervention of an anaesthetist to keep them alive by administering medicines, liquids, transfusions and enteral and parenteral feeding etc. whilst for surgical exercises curarizing medicines need to be used to paralyze reaction movements during surgical incisions.

This is sadism and high costs for research which is anything but scientific. A tombal silence followed.

Prof. Laura Corradi, Health Sociologist, professor at the University of Calabria, has highlighted the violence that the institutions inflict on relatives who would have to wait for a year before they could hold the funeral of their loved one. The psychological and social effects of delaying a funeral have been studied in depth and it is difficult to measure the discomfort that it would cause. The members of parliament agree.

Don Curzio Nitoglia, ethics, of the Mater Boni Consilii Institute in Verrua (TO) **and Don Marco Nely, theologist** of the Fraternalità Sacerdotale San Pio X in Albano Laziale (RM), pointed out that the body and soul are one and that the soul is present in each and every cell of the body and sacrilegious act of torturing and murdering human beings for scientific curiosity and advantage is to be condemned. A human being who breathes either spontaneously or with the help of a ventilator is alive.

Hon. Cesare Ercole, the sponsor of the bill, thought it right to have hearings with cultural associations and the Comitato Nazionale di Bioetica (National Bioethical Committee) due to the many ethical, medical and juridicial implications. Hon. Tiziana Valpiana is of the same view.

All deputies present **completely understand the implied risks in the proposal no. 5083** and will present an amendment to limit study and research to dead bodies in cardiac arrest. **We ask that cardiac arrest be observed for 24 hours and not by means of a 20 minute elettrocardiogram (as forseen in L. 578/93).**

The proposed law has been stopped but we must still be cautious because even though the committee has given its reassurances a vote in favour of the law is still possible.

Infact during the examination of the 91/99 Silenzio-Assenso (opting out) law in January 1999 the lobbyists, lead by the then president of the Commissione Affari Sociali (Social Affairs Committee) Marida Bolognesi, the wording “for transplants” was strangely omitted in the first 5 articles which would have meant that the explant was without restrictions. The wording was modified after we discovered the deception and article 6 was inserted which states: “The explant of organs and tissues regulated by this law is for therapeutic use only”. They didn’t get their way then but they will try again with the PDL 5083.

CONSIGLIO DIRETTIVO

Presidente
Nerina Negrello

