REPUBLIC OF CAMEROON

PEACE – WORK – FATHERLAND

LAW No 2025/009 OF 15 JUN 2025

RELATING TO THE DONATION, REMOVAL AND TRANSPLANTATION OF HUMAN BIOLOGICAL MATERIAL IN CAMEROON

The Parliament deliberated and adopted, the President of the Republic hereby enacts the law set out below:

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SECRETARIAT GENERAL
SERVICE DU FICHIER LEGISLATIF ET REGLEMENTAIRE
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CHAPTER I
GENERAL PROVISIONS

SECTION 1: (1) This law relates to the donation, removal and transplantation of human biological material in Cameroon.

(2) It lays down the principles and rules applicable to the donation, removal, biobank, transplantation and destruction of human biological material.

SECTION 2: The following shall be governed by special instruments:

- blood donation, its components and derivatives;
- transfer and preservation of gametes and embryos;
- donation, auto-transplantation and transplantation for research purposes.

SECTION 3: Within the meaning of this law and its subsequent implementing instruments, the following definitions shall apply;

Biobank: authorized facility for the preservation and management of human biological samples and related data.

Cell: morphological and functional unit of every living being.

Stem cell: undifferentiated cell with the ability to self-renew, multiply endlessly and create specialized human cells.

Haematopoietic stem cell: primitive cell accounting for only a tiny fraction of the haematopoietic tissue that generates all of the body's blood cell lines.

Accredited centre: public or private health facility authorized by the State to remove, preserve, store or transplant human biological material.

Conditioning: all activities related to the preparation, preservation, storage and transfer of human biological material for therapeutic, diagnostic or scientific research purposes.

Free and informed consent: voluntary, informed and written consent of an individual who has been properly informed of their rights, the type of surgery and the related risks, and who agrees to undergo the removal or transplantation of human biological material.

Preservation: technic used to keep human biological material viable before they are used.

Death: permanent and irreversible loss of consciousness and brainstem functions, resulting from prolonged cardiorespiratory arrest that prevents oxygenation of the body.

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Donation: voluntary and free act of donating human biological material for therapeutic use.

Donor: a living person who, either before their death or during their lifetime, decides to donate their human biological material free of charge to a patient for therapeutic use.

Transplantation: medical or surgical procedure involving the replacement of unhealthy biological material in a patient with healthy biological material from another person.

Human biological material: substances from the human body, such as cells, tissues or organs

Brain death: irreversible loss of brain and brainstem functions, characterized by coma, loss of spontaneous breathing and brainstem reflexes.

Organ: distinct part of the human body made up of various tissues.

Removal: medical or surgical process of extracting human biological material from a living or deceased person.

Recipient: patient who receives human biological material.

Storage: preservation of removed human biological material under controlled and appropriate conditions until it is used.

Tissue: constitutive part of the human body made up of cells.

CHAPTER II
GENERAL PRINCIPLES

SECTION 4: The donation, removal and transplantation of human biological material in Cameroon shall be consistent with the following principles:

- non-discrimination;
- compliance with clinical best practices;
- compliance with ethical and bioethical rules;
- compliance with human dignity and human rights;
- guarantee of self-determination and personal responsibility;
- guarantee of special protection for persons under legal age and adults with a disability;
- respect for human vulnerability and personal integrity;
- respect for privacy and confidentiality of personal data;
- respect for diversity and cultural values;
- protection of the environment, biosphere and biodiversity.

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SECTION 5: (1) The donation, removal and transplantation of human biological material shall only be carried out for therapeutic purposes.

(2) Human biological material shall not be transferred or acquired for therapeutic use in exchange for remuneration or any other material benefit.

SECTION 6: (1) The donation of human biological material shall be voluntary, free of charge and without duress.

(2) For deceased donors, it shall be anonymous.

SECTION 7: (1) The removal and transplantation of human biological material must be justified and carried out without posing any health risks to the living donor or recipient.

(2) The removal of vital human biological material from a living person for transplantation purposes is strictly forbidden, even with their consent.

SECTION 8: The importation and exportation of human biological material shall be forbidden.

SECTION 9: Any advertisement promoting the donation of human biological material to a particular person or authorized centre shall be forbidden.

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CHAPTER III
CONSENT

I - CONSENT OF THE DONOR

SECTION 10: The free and informed consent of the donor of human biological material shall be required prior to any removal or transplantation surgery.

SECTION 11: The donor shall only validly express their consent after the physician has provided them with information about their state of health, the type of surgery or treatment, the expected outcomes, other options, and the risks involved, as well as any necessary measures to mitigate such risks.

SECTION 12: (1) The donor shall express his/her consent in the presence of at least a spouse, parent or child under one of the following conditions:

(a) before the national body responsible for ethical issues, referred to in Section 40 hereto;

(b) before the President of the High Court upon an ordinary application;

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(c) before a notary public.

(2) Where (b) and (c) above apply, the court ruling or notarial act, as applicable, shall be submitted and registered with the national body responsible for ethical issues.

SECTION 13: The donor shall have a deadline of 72 (seventy-two) hours before surgery to withdraw his/her consent. The national body responsible for ethical issues shall then forward this information to the recipient.

SECTION 14: (1) The consent of a living adult donor shall only be validly expressed if they can prove that they have full mental capacity.

(2) The consent of adult donors with disabilities shall be validly expressed under the following conditions:

(a) the assent of the adult with a disability;

(b) the informed consent of the legal representative in accordance with the provisions of Section 12 above.

SECTION 15: The consent of persons under age shall be expressed, *mutatis mutandis* under the conditions set out in Section 14 (2) above.

SECTION 16: The removal of human biological material from a deceased person or a person in a state of brain death shall only be carried out where that person gave his free and informed consent while he was alive, in accordance with the provisions of this law.

II - CONSENT OF THE RECIPIENT

SECTION 17: The provisions of Sections 10 to 15 shall apply *mutatis mutandis* to the consent of the recipient.

CHAPTER IV
REMOVAL, TRANSPLANTATION AND DESTRUCTION OF HUMAN BIOLOGICAL MATERIAL

I - REMOVAL AND TRANSPLANTATION

SECTION 18: Human biological material may be removed from living, deceased or brain-dead persons under the conditions stipulated in this law.

SECTION 19: (1) In line with the general conditions provided for in this law, donors and recipients of human biological material shall meet selection criteria prior to any removal, especially those pertaining to compatibility and safety.

(2) Specific selection criteria shall be governed by regulation.

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SECTION 20: Qualified healthcare personnel shall verify the identity of the donor and potential recipient and ensure that compatibility requirements and potential contraindications are met, as well as complying with applicable health and security measures, before removing human biological material from a living, deceased or brain-dead person for subsequent transplantation into a living person.

SECTION 21: (1) The removal of human biological material from a person under the age of 18 or an adult with disability shall be limited to haematopoietic stem cells.

(2) The restriction referred to in paragraph (1) above may be waived in cases of *force majeure* with the express authorization of the national body responsible for ethical issues.

(3) The special conditions and terms for implementing Paragraph (2) above shall be laid down by regulation.

SECTION 22: Notwithstanding the consent of the donor, recipient or their legal representatives, prior to any removal or transplantation surgery, the physician may request a second medical opinion or additional medical examinations, especially where the life of the donor or recipient may be at risk.

SECTION 23: (1) The removal of any biological material from a deceased person shall only be carried out after his death has been reported by a physician.

(2) The removal of any biological material from a person in a state of brain death shall only be carried out after this condition has been reported by a team of two physicians, one of whom must be a neurologist or a neurosurgeon.

SECTION 24: The terms and conditions governing the removal and transplantation of human biological material shall be laid down by regulation.

II - DESTRUCTION OF HUMAN BIOLOGICAL MATERIAL

SECTION 25: (1) Human biological material may be destroyed.

(2) The destruction of human biological material is subject to the prior approval of the national body responsible for ethical issues.

(3) The destruction of human biological material must be carried out:

(a) in accordance with health, environmental and ethical standards;

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(b) by qualified personnel;

(c) under conditions that avoid any risk of reuse, whether partial or otherwise.

SECTION 26: The terms and conditions governing the destruction of human biological material shall be laid down by regulation.

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CHAPTER V
ACCREDITED CENTRES AND THE BIOBANK

I - ACCREDITED CENTRES

SECTION 27: (1) An accredited centre shall be a public or private health facility that carries out the collection, preservation or transplantation of human biological material.

(2) Operations involving the collection, transplantation and destruction of human biological material shall be carried out only in an accredited centre.

(3) The list of accredited centres shall be drawn up annually by the Ministry in charge of public health.

SECTION 28: (1) Each accredited centre shall have its own institutional ethics committee.

(2) The centre must ensure the traceability of human biological material and guarantee donor anonymity.

(3) The organization and functioning of institutional ethics committees shall be laid down by regulation.

SECTION 29: Accredited centres shall be required to ensure the validity of consent beforehand, in accordance with the provisions of this law.

SECTION 30: Accredited centres shall take all necessary measures to ensure the preservation of all documents related to each activity, in accordance with the Code of Ethics and Professional Conduct, as well as best practices.

SECTION 31: (1) All information relating to the health status of the donor and recipient, including their personal, family, medical and surgical history, must be completed by authorized healthcare professionals.

(2) Information obtained from the donor, recipient or their legal representatives shall be recorded in their medical files and kept at the centre.

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(3) The accredited centre must not disclose any information that could enable the identification of the donor or recipient of human biological material, under penalty of sanctions against the centre and its managers.

SECTION 32: The obligation to preserve information as referred to in Section 31 above shall apply throughout the life of the donor and the recipient, even after their death.

SECTION 33: Accredited centres shall submit an annual report on their activities to the Minister in charge of public health. A copy of this report shall be forwarded to the national body responsible for ethical issues.

SECTION 34: The terms and conditions governing the issuance of accreditation shall be laid down by regulation.

II - THE BIOBANK

SECTION 35: (1) A biobank may be established at an accredited centre to ensure the preservation and management of human biological samples and associated data.

(2) The preservation of biological material must:

(a) guarantee the quality of the human biological material, from collection to transplantation;

(b) comply with the relevant biosafety and biosecurity requirements, taking into account the specific nature of each material.

SECTION 36: (1) Human biological material may only be stored in the biobank of the accredited centre from which they were collected.

(2) Human biological material removed for therapeutic use must be stored in a biobank for a maximum of 5 (five) years.

SECTION 37: (1) Notwithstanding the provisions of Section 36 above, human biological material may be transferred between accredited centres within the national territory.

(2) The terms and conditions governing the transfer referred to in paragraph (1) above shall be laid down by regulation.

SECTION 38: The terms and conditions for establishing and closing biobanks, as well as their standard operating procedures, shall be laid down by regulation.

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SECTION 39: All information relating to the collection, biobank operations, transplantation and destruction of human biological material must be recorded and archived at the accredited centre.

CHAPTER VI
NATIONAL BODY RESPONSIBLE FOR ETHICAL ISSUES

SECTION 40: (1) The national body responsible for ethical issues shall provide a scientific and ethical opinion on the collection, transplantation, preservation and destruction of human biological material.

(2) The organization and functioning of the body referred to in paragraph (1) above shall be laid down by regulation.

SECTION 41: The national body responsible for ethical issues shall keep a national register of donors and a national waiting list of recipients.

SECTION 42: (1) Any person who consents to the collection of human biological material after his death must be listed on the national donor register.

(2) He/she may withdraw his/her consent at any time, through the national body responsible for ethical issues.

SECTION 43: Potential recipients of human biological material from deceased donors must be registered on the national waiting list, which is compiled by the national body responsible for ethical issues. Registration shall be based on the severity and urgency of cases requiring a transplant.

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CHAPTER VII
PROHIBITIONS AND PENALTIES

I - PROHIBITIONS

SECTION 44: It shall be prohibited:

- to remove human biological material from a person without their prior free and informed consent;
- to collect human biological material outside accredited centres;
- to sell or purchase human biological material;
- to destroy removed human biological material, in violation of the rules laid down by this law and its implementing instruments;
- to carry out transplantation without medical supervision or outside an accredited centre;
- to carry out transplantation without the prior free and informed consent of the recipient;

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- to destroy any document relating to the donation, collection or transplantation of human biological material;
- to disclose confidential information obtained in the process of donation, removal or transplantation of human biological material.

II - PENALTIES

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PARAGRAPH I
ADMINISTRATIVE SANCTIONS

SECTION 45: Without prejudice to the criminal liability of accredited centres in their capacity as legal persons, their promoters and health personnel shall be liable to the following sanctions in the event of failure to meet their obligations under this law:

- seizure or destruction of medical equipment and data, at the offender's expense;
- suspension or permanent withdrawal of the authorization to carry out the collection and transplantation of human biological materials;
- suspension of authorization to practise medicine, or any other profession related to operations involving the collection and transplantation of human biological material;
- suspension or withdrawal of the centre's accreditation;
- exclusion from public contracts for a period of 5 (five) years or permanently;
- payment of penalties, the amounts of which shall be specified by regulation.

SECTION 46: The system of administrative sanctions referred to in Section 45 above shall be defined by regulation.

PARAGRAPH II
PENAL SANCTIONS

SECTION 47: Whoever discloses confidential information relating to the donation, collection or transplantation of human biological material without authorization from the relevant person shall be punished with imprisonment for from 3 (three) months to 3 (three) years, and with fine of from 200 000 (two hundred thousand) to 2 000 000 (two million) CFA francs.

SECTION 48: (1) Whoever collects human biological material:

- from a person without his/her prior free and informed consent, or after such consent has been withdrawn; or
- outside accredited centres;

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shall be punished with imprisonment for from 10 (ten) to 20 (twenty) years and with fine of from 2 000 000 (two million) to 20 000 000 (twenty million) CFA francs.

(2) Whoever carries out a transplantation without the recipient's free and informed consent shall be liable to the same penalties as set out in paragraph (1) above.

SECTION 49: Whoever:

- carries out the removal or transplantation of human biological material without the assent of a person under the age of 18 or an adult with disability, or without the consent of their legal representative;
- carries out transplantation of human biological material without medical supervision;
- donates human biological material for commercial reasons;
- requests, obtains, promises or grants any benefits or consideration whatsoever in connection with the donation, removal or transplantation of human biological material;
- destroys or causes the destruction of human biological material to be removed or collected in violation of the rules laid down by the provisions of this law and its implementing instruments;
- destroys or causes the destruction of any document relating to the donation, removal or transplantation of human biological material;
- violates the anonymity of the deceased donor;
- advertises a donation of human biological material in favour of a given person or a specific accredited centre;

shall be liable to the penalties provided for in Section 48 above.

SECTION 50: Notwithstanding the penalties provided for in Sections 47 to 49 above, the court to which the matter has been referred may pronounce the forfeitures provided for in Section 30 of the Penal Code.

SECTION 51: The provisions of the Penal Code shall remain applicable for offences not specifically punishable under this law.

CHAPTER VIII
MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

SECTION 52: Health personnel involved in the removal, preservation, transplantation or destruction of human biological material must be authorized under the conditions laid down by regulations.

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SECTION 53: Health facilities carrying out the removal or transplantation of biological material, as well as their medical personnel, shall be required to comply with the provisions of this law within 12 (twelve) months of its enactment.

SECTION 54: Regulatory instruments shall specify, as and when necessary, the terms and conditions for implementing this law.

SECTION 55: This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

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YAOUNDE, 15 JUIL 2025

RÉPUBLIQUE DU CAMEROUN
PAIX-TRAVAIL-PATRIE
LE PRÉSIDENT
THE PRESIDENT
PEACE-WORK-FATHERLAND
REPUBLIC OF CAMEROON

PAUL BIYA
PRESIDENT OF THE REPUBLIC

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