

Abstract

The thesis deals with the concept of distributive justice in the context of health care, whereas the main point of view is transplantation medicine. The field of transplantology has been globally struggling with the lack of resources, but unlike other medical sectors, the deficiency is not in financial resources, but life saving organs. The vital organs need to be distributed in a justifiable way among patients registered on waiting lists. The paper aims to explore different approaches to such allocation and to assess them from the legal and ethical perspective. The first part of the thesis introduces the concept of distributive justice with an emphasis on the right to health care. Further focus is on transplantation, with a brief description of the history of transplantation activities and the development of the whole society's perception of this method. Another part of the paper is devoted to the ethical discussion and associated controversial issues, especially to those that may potentially influence the general lack of organs. The next chapters describe current legislation on transplantation at international, European and national level, as a legal framework for the system of allocation criteria, on basis of which the distribution of organs takes place in practice. For their assessment, criteria systems for kidney allocation in the Czech Republic and Eurotransplant have been compared. In the final part, the thesis explores two examples of the transplantation medicine development - uterine transplantation and kidney paired donation. Especially the second method may have a significant impact in increasing the number of available organs if properly legally set up.