

# Canada still without regulations for genetic and reproductive technologies

By RACHEL FUREY

(CUP) — If Canadian scientists wanted to, they could legally clone animals, alter the genetic make-up of humans or even implant an animal embryo into a woman's womb.

Genetic engineering is no longer confined to the pages of science fiction novels and Hollywood movies. It is being practised in laboratories across the country with few federal restrictions or monitoring procedures in place.

Even the cloning of human beings could be a reality in one or two years, predict the researchers who recently created Dolly the sheep, the world's first adult animal clone.

As genetic and reproductive technologies rapidly advance, governments around the world are left scrambling to design policies for procedures that few people, including medical professionals, understand.

The Canadian government's solution was to create a royal commission to look into the ethical, social and political implications embedded in the reproductive technology debate. It recommended the banning of several controversial aspects of new reproductive technologies, and the establishment of a national regulatory and licensing body to oversee the development of genetic technologies in Canada. That was in 1993.

Four years and \$28 million later, the government still hasn't passed legislation to ban procedures like cloning and sex-selection, let alone set up the regulatory body.

Even the legislation the government has prepared is in serious jeopardy of failing to become law.

Bill C-47, known as the Human Reproductive and Genetic Technologies Act, which would ban 13 controversial practices, has been introduced in the House of Commons, but is unlikely to pass during the

current session of parliament.

Besides prohibiting what many see as gross experimentation, the bill also tackles the clinical aspect of reproductive technologies by banning the sale of human embryos, eggs and sperm and disallowing surrogate mothers to accept money for their service.

Violators could face fines of up to \$500,000 and prison terms of up to 10 years. This prohibition concerns members of Canada's medical community, who want financial compensation for sperm and egg donors and surrogate mothers.

Currently, Canadians can make anywhere from \$40 for donating sperm, to \$20,000 for carrying the embryo of another person.

"We feel it's ridiculous [to ban compensation]," says Clifford Librach, head of the infertility division at the Toronto Women's College Hospital. "This law is so constraining that it's going to hurt a lot of people's ability to have children."

Librach says separate attention needs to be given to the research and clinical elements of the bill.

"Most people don't think it's good legislation but there's not as much controversy on the research part. [The two elements] deserve separate attention instead of being lumped into a big hodgepodge."

But even within the professional community there is disagreement.

Tim Caulfield, research director of the Health Law Institute at the University of Alberta, is concerned some of the banned research practices could be useful in the future.

"My fear is that this [legislation] creates a chill over useful genetic and reproductive research," says Caulfield. He points to the ban on using embryos for research as hindering researchers' ability to make advances in the area of in vitro fertilization, a process

whereby women are surgically implanted with fertilized eggs.

However, Canada is guilty of failing to implement the regulatory body to monitor new genetic and reproductive technologies which was recommended by the royal commission.

Doris Cook, a policy analyst for Health Canada, says the government is committed to passing a second set of legislation which would create the regulatory body, even though they have yet to introduce any such legislation in parliament.

According to Patricia Baird, chair of the royal commission, the government must move quickly to implement the regulatory body.

A November article by Baird printed in newspapers across the country called on the government to put the regulatory body in place immediately. "The bill is only half of what is needed," wrote Baird. "A licensing and regulatory body is the other part of what is needed."

Although there is consensus among women's groups and the medical profession about the need for a

regulatory body, the vision each has for it differs dramatically.

The government's plan is to create a body that would issue licenses for acceptable new reproductive and genetic technology practices. The regulatory body would pay for itself by charging a fee to those receiving the licenses.

Caulfield likes the idea. "The regulatory body can respond to social changes, criminal law is not good at responding to change," he says.

The government's model may please the medical community, but it has sparked concern among women's groups.

"There is a great danger in taking the licensing approach the doctors want," says Miller. "A model that pays for itself serves the people who pay for it." Miller adds that besides issuing licenses, a regulatory body has to restrict practices as well.

Lippman agrees and is adamant that the body be made up primarily of citizens, rather than "experts". Lippman sees the issue of genetic and reproductive technologies as one that affects the entire popula-

tion and says it must be treated as such.

Although the government may be stalling on its commitment to implement legislation and a regulatory body for new reproductive technologies, it is clear the issue won't go away. As new discoveries and rapid changes in the field of biology continue to widen the range of genetic and reproductive possibilities, many are asking whose issue is this and who should control the debate.

The government says it wants to protect the public, researchers say they want to make advances for science, doctors say they want to help their patients and women say they want control of their own bodies.

Miller says the issue is one for all women. "It's about women's equality on a fundamental level," she says. "Women's reproduction has been a battleground for how we're seen in society."

But without a clear commitment from the government or a clear consensus among stakeholders, it seems the battle will continue, and the question of whose issue it is will have to remain unanswered.

## What will they think of next?

By LORIBABINEAU

Well. Hello Dolly! The scientific world has wandered into a new pasture and has taken the hands of God with them through the process of cloning. As I understand it, all mammals on this earth reproduce with a partner of the opposite sex, not a petri dish. Are scientists trying to pull the wool over our eyes? Little do they realize that diversity is what makes the world go round, and was there not a World War already over Hitler's desire for a supreme race? Through cloning we would be "rammed" into a society of monotony. Although humans have not been cloned yet, it is only a matter of time until our "eweniverse" has been sheared of every ounce of culture and mystery that we hold.

