

Grace Attard

## Humanity of human embryo

The Health Parliamentary Secretariat has announced it will be “evaluating IVF legislation within the context of outcomes of current regulations, new local legislation involving various sectors of the Maltese community and recent judgments of the European Court of Human Rights”.

The statement is in itself already misleading, because it should be referring to the Embryo Protection Act and not, in a general, sweeping manner, to IVF legislation. The title of the law enshrines the protection of the embryo in the law itself. It acknowledges the human right of the human embryo, who is none other than the pre-born child, to life. Any amendments proposed need to be loyal to this.

The title of the law enacted three years ago speaks for itself and should remain so, no matter what proposals are made.

The scope of the Embryo Protection Act is the protection of the human embryo and not access to IVF. Hence, although it provides a framework to regulating assisted procreation, it does so with the rights of the human embryo in mind.

It safeguards the human embryo from abuse, manipulation, selection and freezing. It is limited to couples, based on natural law, which, in itself, provides that a male and female are required for new life to ensue. Hence, the law does not de facto discriminate against gay couples because, by the same law, single people are also excluded from access to IVF.

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Who, on the ad hoc Legislation Review Working Committee, is voicing the concerns of the unborn child and defending its human rights to be treated as a human being and not just as a commodity to be made use of, scrapped, used for experiments or thrown away on a decision taken by a few individuals?

It is pertinent to ask what the role of the Embryo Protection Authority, established three years ago as regulator, is in this legislation review. The preservation of the female egg, instead of the embryo, considered to be the first cell of a new human being, eliminates legal and ethical

problems of ownership. The female gamete (unfertilised egg) belongs to the female, as opposed to the embryo, which belongs to both partners. The ethical and legal issues involved during the process of embryo freezing, which no court is comfortable with when deciding on the matter of who owns the frozen embryo, are eliminated when oocyte (egg) vitrification is opted for.

Complex problems of a legal nature result when split couples enter into acrimonious battles over ownership of the embryo, due to the negative aspects of embryo freezing.

The increasing lucrative business practices by groups that are making money out of surrogate mothers cannot be ignored either.

What about the consequences to individuals conceived through an IVF donor?

As has been already indicated in the local media, many adults aged 18 to 45 conceived in this manner struggle deeply with their identity as a result of not knowing their biological father and the lack of human dignity in the manner in which they have been conceived.

Besides these, there are other consequences, including depression, delinquency and substance abuse, among other problems, once they are aware that they exist only as a commodity for adults at the expense of their basic human needs.

Adoption should be an alternative that can offer a win-win situation respecting the dignity of the child if it provides the necessary environment for a child to be brought up in a stable environment, where there is no manipulation of nature and where the child's basic need for love for his or her own sake are paramount.

This moves beyond the selfish needs of the adoptive parents, whether they are of the same sex or heterosexual.

It must be emphasised that the law, as it stands, respects the dignity of the human embryo.

It treats the unborn child with the respect that he or she deserves.

Today, in Malta, we have a lot of children that have been born through IVF and they are themselves testimony to the humanity of the human embryo.

We have a law that works, that is giving great results without abusing the nascent human life.

It should not be changed to satisfy the whims of any ideology or individual if it is to remain true to its name and protect the human embryo as its primary prerogative.

**Grace Attard** is a member of **Pro-life Network**.