

# Infertility Network

## Embryo Adoption/Donation

### PAYMENT

In Canada, the Assisted Human Reproduction (AHR) Act, passed into law in spring/2004, bans payment or the exchange of goods/services for embryos; however, genuine expenses which meet regulated guidelines are allowed.

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### EMBRYO ADOPTION/DONATION

Critics have argued that this practice, whether altruistic or commercial, violates a child's fundamental human rights because it involves the deliberate conception of a child with the intention that he will be separated from his genetic parents and full siblings. This contrasts with the conventional adoption of a child which is a compassionate response to an existing social tragedy – a child without parents to care for him. Thus, embryo adoption/donation can be seen to fragment parenthood into its component parts which, as a rule, are safeguarded for the wellbeing of the child, including his sense of identity.

Several countries have recognized this and banned embryo adoption/donation. At the time the *Royal Commission on New Reproductive Technologies* completed its report (Nov/93), embryo adoption/donation was not taking place in Canada, and so no recommendations were made, nor does the AHR Act address it, other than to ban payment for embryos. There is still very little research and nothing is known about the long-term implications. Certainly, if egg/sperm donation are complex issues, then embryo adoption/donation is even more so.

Given all this, plus the fact that we don't yet have the system of egg/sperm donation working well enough in Canada to meet the needs of those it impacts the most directly and for the longest period of time, i.e. the offspring, it seems reckless to proceed with embryo adoption/donation at this time.

Despite this, a few clinics have been offering anonymous embryo donation for several years. In February 2002, the *Embryo Adoption Program of Canada (EAPC)* announced it would soon begin operation, offering to match couples who have excess embryos with those wishing to adopt. The EAPC said it planned to import embryos from the *Snowflakes Embryo Adoption Program*, a Christian-based organization in the USA, until a sufficient supply could be obtained from Canadian clinics.

The EAPC estimated the total cost at \$5,000 - \$7,000 in program, legal, counselling and "adoption" homestudy fees; critics see this as a troubling example of how private enterprise is developing a business opportunity in the potential trade of frozen "spare" embryos. Moreover, having lawyers, counsellors and social workers involved suggests a legitimacy that may be undeserved.

While the EAPC said it planned to encourage openness and information-sharing between the families, there is no way to enforce this should either the donating or recipient couple object or subsequently change their minds. Moreover, the

provincial ministries which regulate conventional adoption have said they have no jurisdiction to oversee embryo adoption to protect the interests of all those involved.

The use of assisted reproductive technologies (ARTs) is far more than just a *personal* matter; because ARTs involve children and the creation of life, society has a responsibility to that life and, therefore, a stake and a say in how the technologies should be used.

Whether to allow embryo adoption/donation, and if so, how it should be practiced, are matters of social policy, yet there has been no public debate as to whether this practice is inherently a good thing, or whether the legal, counselling and social work professions should be employed in this field. These questions should more properly be decided by our elected representatives (Members of Parliament), in consultation with experts (ethicists, adoption professionals, counsellors) and stakeholder groups (representing offspring and adoptees, parents of adopted and donor-conceived children, birth families, donors, religious and professional organizations, etc. as well as infertility patients), rather than by fertility clinics and the marketplace.

Certainly, *if* the practice is to be allowed, safeguards must be put in place to protect the interests of all parties, particularly those of the "child" who is not in a position to give consent to a procedure that will affect his life the most. Where there is a real or possible conflict of interest, it is essential that the adult interests are not allowed to take precedence over the needs and rights of the child.

In a statement to the U.S. House of Representatives in July 2001, William L. Pierce, Senior Fellow of the Washington, DC Office of Discovery Institute ([www.discovery.org](http://www.discovery.org)) outlined a number of concerns about embryo adoption/donation; some of these are listed below. (Pierce has 31 years experience in child welfare, 20 as the Founding President of the USA National Council For Adoption.)

- *"A close examination is needed before, once again, accepted practice outpaces public policy and ethical considerations. The issues raised by such 'adoptions' are many and should receive scrutiny by religious leaders, ethicists, mental health and family counselors and medical experts before anyone carves in stone a policy that will result in unintended consequences. After all, the fact that there are thousands of supposedly 'excess' embryos is itself an unintended, but predictable, consequence of allowing IVF to flourish without hewing to appropriate guidelines."*
- *"A major concern that ought to be discussed in more depth and disclosed to all concerned is the long-term prognosis for children born from frozen embryos. Could freezing cause subtle damage to embryos, and thereby damage the people subsequently grown from them? So far, most researchers say there is little evidence that it does. But none of the children are old – the first human baby from a frozen embryo is only just [17 as of this writing] and the numbers are still small. In addition, no one knows whether freezing an embryo for a long time could increase the likelihood of problems developing."*

- *“Ethically, is it acceptable to ask people to ‘adopt’ embryos when the prospective adoptive parents have not been told that, scientifically, no one knows what the future health will be of the children that are born? Who will be financially responsible if it turns out that freezing causes subtle mental or other damage once humans reach mature adulthood?”*
- *“If family law is not amended, then embryos might well be treated as property in the transfer, a precedent that would have ominous implications. The United States fought a long Civil War over the proposition, strongly held by some, that humans were property.” [In fact, according to the EAPC, Canada Customs will treat embryos shipped to Canada by Snowflakes as “property;” as well, donors and recipients will be required to sign contracts regarding the ‘ownership’ of the embryos – as if they were property.]*
- *“Reproductive law is very unsettled. Moving ahead with adoption, guardianship or informal transfer of embryos in a time when there are serious questions being raised – about parenthood, responsibility for damaged children and inheritance rights – is quite risky.” [e.g. Most Canadian provinces lack legislation clarifying the rights and responsibilities of sperm/egg/embryo donors, surrogates and the parentage of children conceived this way.]*
- *“There is a question about the relative practicality of ART, as compared with adoption, given the uneven success rate of ART. With a single cycle of IVF running \$11,000, and a statistically slim chance of success, one has to ask why infertile couples and the lobbying groups that supposedly represent their best interests continue to recommend IVF. An average fee of \$20,000 today can result 100% of the time in a couple having a healthy baby, if they choose adoption. Why try IVF to hope for the birth of a baby when there are large numbers of children already born who are in need of a family?”*
- *“The ART clinics intentionally attempt to convince couples that reproduction in one form or another is inherently better than adoption and that families created from genetic ties (or partial genetic ties) are stronger and more desirable than those created by adoption. Objective counseling would surely steer more infertile couples away from technological means of reproduction to adoption.”*
- *“Another potential conflict of interest [is] the approach taken by RESOLVE, a [USA] charitable organization [which] funds much of its advocacy for public funding of infertility treatments through money given by the same pharmaceutical industry [and fertility clinics] that directly stands to benefit from changes in the law.” [This is true of many ‘patient support organizations’ around the world, including Canada, whose boards of directors frequently include representation from industry. NB: **The Infertility Network is completely independent.**]*
- *“Adopting existing children does not usually provide revenues for physicians, does not allow for self-marketing opportunities by clinics and entrepreneurial ART practitioners, does not enhance the power of the medical profession and does not result in tissue or material of human origin which can be used for experimentation, whether for stem cells or other purposes.”*

#### **Comments from those with “direct lived experience” of donor conception or adoption**

What follows are comments by various groups of people – donor offspring, adoptees, parents of donor-conceived children, birth mothers, almost all of whom are strongly opposed to embryo adoption/ donation.

This issue touches them in their deepest core so it is not surprising that there is a lot of emotion attached to their

views. This is, after all, *their* lived experience. Unless we fall into one of these categories, we cannot know what it is like to live this any more than we can know what it is to be someone of the opposite gender, of a different race or socio-economic level, etc. We can only know our *own* experience.

Over the years, a lot of people have made decisions *for* them, especially about what they could or could not know about their genetic links and medical history. Few parents today would think they could tell their adult child what city to live in, whom to marry, what job to take, and yet – unfortunately – many people still think they can decide what those same adult children can know about themselves, their genetic background, their medical history, their 1/2 or full siblings being raised in other families.

We need to listen to those with the lived experience, and ask not just *how* to make donor conception work better, but address the fundamental question as to *whether* it should exist at all, and if so, in what form(s). It is an essential and valid question that has not been addressed at all, much less adequately. These practices have simply sprung up, almost all in the private sector, where profit plays a very significant role, and with very little, if any, research into their impact on the people whose lives they will affect.

#### **Donor insemination (DI) offspring**

(At various forums held by the Infertility Network on donor conception, adult donor offspring have called upon the audience to ‘Please listen - We could be *your* children, 20 years or more down the road, all grown up.’)

- *“We belong in our biological families. We are not ‘spare parts’ to be bought, sold or given away.”*
- *“Being born through embryo adoption is similar to our situation as DI offspring, but more extreme.”*
- *“Adopting a ‘left-over’ or ‘spare’ embryo is like shopping for left-over merchandise in the sales. Human reproductive tissue (and, thus, parentage) is not something to be bought, sold, traded or given as a ‘gift.’”*
- *“As for the Christian Fundamentalists [the basis of the Snowflakes Embryo Adoption Program], there is nothing Christian or decent about making babies out of the frozen spare parts and leftovers gleaned from anonymous strangers.”*
- *“It seems that, for some people, the pain of their infertility is so great that it prevents them from thinking about what the child’s experience will be.”*
- *“The whole idea of embryo adoption makes me want to cry. There is a very real difference between familial loss in conventional adoption and that in embryo donation. The **intentional, pre-arranged** loss is being completely glossed over in the attempt to provide children for ‘wanting or loving’ commissioning parents.”*
- *“In DI, the social father is often disconnected emotionally from the child and sometimes even leaves the marriage. What effect will embryo adoption have, given that the mother is also genetically unrelated to the child?”*
- *“Professionals may think they are ‘triumphing’ over infertility, and ‘helping’ infertile couples to have a family; however, in the process, they are creating significant problems for the children. Children eventually become adults - a fact that many doctors, other professionals in the fertility field and parents tend to forget or try to ignore. It is the children who are left to deal with the problems created for them by these ‘well-intentioned’ adults.”*

- *"It appears that the buying, selling, bartering and 'giving' of human beings did not go out with the slave trade!"*
- *"How can embryo adoption be allowed to go ahead when the government still hasn't fixed the problems in DI: anonymous donors, a lack of access to medical and identifying information, money changing hands, etc.? Surely, these problems need to be corrected before we allow other forms of treatment like embryo adoption which will only further complicate matters for the child, the couple and the donors."*
- *"At least with conventional adoption, there are records that can be obtained when, and if, the laws change so that adoptees can find out who their birth parents are. However, in donor conception, there are often no records at all: either they weren't kept in the first place; or they were destroyed or lost when the doctor moved, retired or died; or the doctor deliberately destroyed them (as some have threatened to if a central registry is set up). Moreover, until very recently, most donor records contained minimal information (e.g. blood type, hair and eye colour, height, weight). Who is going to maintain the 'embryo adoption' records? What will happen if the private agency/clinic that matched the donors and recipients shuts down?"*
- *"With embryo adoption, infertile couples seem to be trying to avoid the dealing with their fear that the birthparent will reclaim the baby."*
- *"The child will be totally devoid of any genealogical history. If the parents never disclose the truth, the child will grow up in absolute genealogical bewilderment, as many, if not most, DI offspring and adoptees have."*
- *"We know (from adoption reunion stories and from genetic studies) that genes determine not only our appearance but many of our behaviours as well. As a member of an adoption support group for many years, I've heard stories from lots of adoptees who find birth families who not only look like them but share the same interests, talents, personalities, habits, hobbies and even the same gestures. The adoptee usually experiences an enormous sense of relief at finding someone who is like them. Studies of adopted twins separated at birth and reunited as adults reveal uncanny similarities, even identical hair styles, preferences in cigarettes and specific food brands. Two brothers even had the same breed of dog, both with the same name."*
- *"In embryo adoption, there is an actual pregnancy. This may make it very tempting for the parents to deceive the child. They can even show him (as parents usually do) photos of himself in an ultrasound, in his mother's bulging stomach, being born."*
- *"Imagine this child, 'adopted' as an embryo, growing up thinking he is supposed to be his parents' biological child and yet feeling like an absolute stranger within the family. The parents who believe they can mold this 'blank slate' into the clone of the one they would have had if they were fertile, may-unconsciously - force the child to deny his true identity and develop an artificial sense of himself. For example, if the father is a sports fanatic, are they going to try to mold him into a football player when he really wants to be an artist?"*
- *"After the initial excitement of 'helping' other infertile couples, many of the parents who give into the temptation of donating their 'leftover' embryos may come to wonder about, or even be obsessed with, their lost children - the siblings of the children they are raising. How will these children feel about the siblings they'll never know. Will the ones who were 'adopted' by other families wonder why they were given away?"*
- *"I suspect that the people who are perpetrating this will have a lot of explaining to do when these babies grow up into adults and start demanding answers."*
- *"In some parts of the UK, IVF is covered under the National Health Service, but has long waiting lists and a limit of only 3 trials; other parts of the country have no IVF programs or coverage. If you need IVF but cannot afford the £3,000+ cost, private clinics will match you with a couple who have more money, who will pay for your IVF treatment in return for a share of your embryos. This gets around the ban on payment for embryos; it also amounts to emotional and financial blackmail for the poorer couple who 'donate' out of desperation. They decrease their own chance of conceiving and may well find themselves spending the rest of their lives wondering if someone else is raising their genetic child."*
- *"Embryo adoption is a potentially lucrative way for clinics, agencies, counsellors and lawyers to enable those whom Mother Nature has denied the role of parenthood to become quasi mommas and pappas to a generation of reproductive foundlings."*
- *"Many offspring are afraid to say what we really think about donor conception because if we do, usually we're discounted - by infertility patients intent on 'getting a baby,' by parents who want very much to believe that 'love will be enough' to overcome any problems; by doctors who want no impediment to their lucrative practices; and by counsellors who see only the infertile couple as their 'clients' rather than the future family."*
- *"We're told we 'are lucky to have been so wanted', or we 'must have come from dysfunctional families' to feel this way. When we speak at seminars, most 'professionals' don't even bother to come to listen to what we have to say. They think **they** are the 'experts' but we are the ones who are living the life and know what it's really like. And so, we keep quiet. As a result, there's never any in-depth analysis of the real consequences of donor conception. Instead, offspring are keen to show that they are fine, upstanding well-adjusted people with no problems in their happy lives. They keep to an unwritten rule that we offspring only talk in public about the general need for family openness and for donor information because to say, openly, that we believe donor conception to be inherently wrong, or that we are desperate to have contact with our real fathers and paternal families, would be counter-productive. It could jeopardize our chance to be invited to seminars and might lose us the chance to be listened to with some respect and thus press home the message of openness which is perceived as vital to the current and subsequent generation of young offspring."*
- *"Since there seems to be **no** chance that we can **stop** DI, the best we can do is ensure it is **better** for those who come behind us. However, it is not too late to stop embryo donation/adoption because this practice has only just begun and has not yet become a full-fledged commercial operation."*
- *"My views are all too easily dismissed as Utopian and out-dated, especially by adults who have been unimpressed by their own inadequate and flawed parental relationships and find it easy to see no value in the essence of blood ties. They are happy to sacrifice the biological bonds of donor offspring."*
- *"It is an absurd suggestion that donor-conceived babies are so 'wanted' and 'special' as to be guaranteed to be loved. I know full well, that I, the specific little bundle of joy and covert product of the unknown donor, was **not** desired above all else by my parents - the baby they wanted more than anything in the whole world was the one they were unable to have - the one that was really biologically **theirs**."*
- *"It can be difficult to feel good about yourself when you started life as a spunk-spurt in a clinical procedure procured with a financial transaction. It is easier for most offspring to say 'I am fine about my DI origins!' because if they were not 'fine' they would be morally obliged to do something about it, which would*

put them into conflict with their own families and their emotions.”

- “It is not unthinkable that the donor embryo offspring of the future may feel doubly angry and emotionally disturbed about their situation as DI offspring currently do, and might chose to inflict their wrath upon those who enabled their ‘adoption’. “I don’t support any of this. They may think they can excuse it all with openness, but they are creating even more pain and loss for the next generation than DI has.”
- “This is not the way to parent, it is wrong from the start. If people argued that being open about child abuse made it alright, they would be looked upon as horrible and stupid. I think that the type of identity crisis embryo adoption induces for the child is similar; the argument that just being open about it makes it OK is just proof that they don’t know much about adoption and the life long issues of loss for many adoptees.”
- “The people involved in embryo adoption are creating the same life-long and inter-generational issues caused by conventional adoption but these are further inflamed by the intentional and premeditated nature of this practice.”

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### **Parents of children conceived through sperm donation**

- “I find embryo donation quite scary. The risks of full siblings meeting and forming relationships is very worrying.”
- “These children will probably feel more of a sense of loss and grief that their biological parents didn’t give birth to them but chose instead to donate them to other people. They will have a double loss of both genetic parents.”

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### **Adoptees**

- “How is embryo adoption justifiable? As far as I am aware, having a child is not a ‘right.’ How can it be morally right to create an individual who will likely have problems due to the nature of their birth simply to meet the desire of another individual?”
- “Many adoptees and offspring are not in favour of the respective processes. However, our culture is so deeply invested in the idea that we should be grateful for having a life and that a having a loving home is a child’s sole need that we are reluctant to look too deeply or consider any other perspective. While I empathize with couples suffering from infertility, I do not think their needs deserve to be met at any price.”
- “I am always astounded how people forget the best interests of the child in order to fulfill their own needs and wants.”
- “The premise that love will overcome not being able to tell a child what their true origins are is absolutely self-serving rubbish! That same nonsense was the mantra of social workers in the past and today’s adoptees are living proof that love does not conquer all. The social workers are long gone but the adopted persons are left with their unanswered questions.”
- “Here we go again: a seemingly innocent proposed ‘practice’ disguised by a perceived humanitarian term, ‘adoption.’ We are not possessions to be owned and operated, to be bought or sold, to fill or replace voids in others’ lives.”

### **The Adoption Council of Ontario** ([www.adoption.on.ca](http://www.adoption.on.ca))

March 2002; Letter to the Editor, Globe & Mail

The Adoption Council of Ontario condemns the current practice of embryo adoption. There are thousands of children in foster care in Ontario. They need permanent loving homes. Embryos do not. Under the current law, individuals adopted as embryos will never have access to medical or background information about their family of origin. Generations of adoptees have spoken of the pain and confusion that result from growing up without access to this basic information. Why aren’t we listening to the voice of experience?

Monica Byrne & Nicki Weiss  
Co-Chairs, Adoption Council of Ontario

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### **Birth Mothers**

- “I read about the Embryo Adoption Program with shock and horror. I hope that this outfit never gets off the ground.”
- “Embryo adoption is creating a problem for the child and is certainly not in the child’s best interests. Hasn’t any thought been given to the offspring’s feelings down the road?”
- “The people who want to set up this program need to read a lot and talk to many more people, especially offspring and adoptees. If we think we have problems with adoption as it stands now, the problems will increase ten-fold with embryo adoption. “
- “From first-hand experience, I know that prospective adoptive parents will agree to almost anything, but once they have adopted and are emotionally involved, they then become more protective rather than open/educated to the child’s need to know its origins.”
- “Why are fertility clinics allowed to freeze embryos when they don’t know what to do with them? Why would frozen embryos be allowed to be imported into Canada?”
- “The whole issue opens up too many questions. I give it a thumbs down.”
- “We cannot support embryo adoption because there is no way that it can be defensible as being ‘in the best interests of the child.’”
- “All adoptions are the result of tragedies. The adoptee lost a family and the natural parents lost a child. Promoting such loss before the fact of birth is unthinkable. “
- “Adoption is about finding families for children who have lost their original family, not about finding children for infertile couples, or gay or single people.”
- “We have tons of evidence about the damage caused by adoption, even ‘good’ adoptions. There is growing evidence that surrogacy is bad for surrogate mothers. Do we have any idea of the impact of embryo donation on the genetic parents? No!”
- “How will an embryo adoptee feel about having been created in a dish, treated as ‘property’ and then grown in the womb of a stranger? What kind of existential dilemma will this inflict on him or her? It surely won’t be dissimilar to the pain experienced by ‘normal’ adoptees, yet no one in the infertility/adoption business is consulting with or listening to the lived experiences of adult adoptees; in fact, it comes as a surprise to them when this issue is raised.”
- “Given that we haven’t even resolved the dilemma of secret adoption in most provinces, should we be planning yet another variety of adoption which could also end up being secret if the adoptive parents or donors decide not to disclose information to the offspring?”

- *“This practice, if adopted in Canada, will feed the coffers of industry i.e. fertility clinics, pharmaceutical corporations, social workers and individual doctors.”*
- *“Canadian society needs to ask an important question. Is this a good way to create community? What will be the long-term impact on society if we allow the use of this technology to create people? We surely need to consider the human rights outcomes of these practices by consulting those who have lived similar practices in adoption and sperm/egg donation.”*

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**The Canadian Council of Natural (i.e. birth) Mothers**  
([www.ccnm-mothers.ca](http://www.ccnm-mothers.ca))

Excerpts from an article by Karen Lynn, President

*“The passing on of identifying information or even non-identifying information (as in legal adoptions) is not guaranteed, not even by the Embryo Adoption Program of Canada (EAPC), because the process is not legislated. It is not even covered in The Child & Family Services Act, Ontario, or in any other adoption law in Canada. Instead, it will be managed by private corporations and individuals (the EAP, fertility clinics, lawyers and social workers) which have no stake in the future of these children or in passing on information to them.*

*In the past, fertility clinics generally did not keep information on sperm or egg donors beyond a few very basic physical characteristics (e.g. height, weight, eye and hair colour, blood type). In addition, they have often refused to divulge even this basic information to adult donor offspring.*

*In recent years, clinics have begun keeping more extensive records on both sperm and egg donors, but have opposed any requirement that donors make their identifying information available to offspring before being accepted into the program. There are even reports of a few doctors threatening to ‘shred their records’ if this practice should come to pass. Moreover, doctors, lawyers and social workers will retire or pass away; clinics and agencies (e.g. the EAPC) may go out of business. Medical records only have to be kept for 10 years. What will happen then to the identifying information that rightfully belongs to the offspring?*

*There are no legal requirements as to how information is to be collected. Will the EAPC guarantee that medical information is updated, that non-identifying information will be passed on if the genetic family, adoptive family or the adult adoptee requests it and that identifying information will be available to offspring at age 18? The potential consequences are significant for the offspring in terms of:*

- *health. There are more than 3,000 genetically identified diseases, many of which can cause disease or death in unsuspecting individuals.*
- *the potential for secrecy. Embryo offspring will have on their original (and only) birth certificates the names of the people who gave birth to them, not their genetic parents. This contrasts with present day adoptees who have two birth certificates.*
- *the unresolved identity issues spoken of by many adoptees as well as by those conceived through anonymous sperm donation.*

*Because embryo adoption currently falls outside of the scope of Ontario adoption legislation, guidelines for the home study for prospective parents are not enshrined in law. There are also no federal laws to regulate it. What would happen if the prospective adopting parents failed the home study? There is a real and substantial conflict between the business interest in facilitating the adoption and the public interest in ensuring the prospective adoptive parents are qualified and prepared.*

*Traditional adoption law claims to revolve around the principle of ‘the best interests of the child.’ Adoption is supposed to be the practice of finding a family for a parentless child, never the practice of finding a child for parents. However, embryo adoption focuses on the needs of parents-in-waiting, the potential parents of the offspring, without necessarily considering the real needs of the offspring.*

*The emergence of embryo adoption raises the issue of whether society should condone the creation of babies on demand for people who can’t have them any other way. Up until now, reproductive technology has been limited to helping couples overcome infertility by joining their own egg and sperm, or one partner’s egg or sperm and an accompanying donor. And while using donor egg or sperm raises its own issues, the resulting child is still linked genetically to at least one parent.*

*What is next? Deliberately matching up sperm and egg from donors to create embryos with certain desirable characteristics (as was tried by a clinic in the USA until public furor forced this to stop)? Cloning so that someone can have a child without having to introduce a donor’s genes to their family? Just because we can do something, should we?*

*Many adult offspring (conceived via sperm donation) are appalled by the prospect of embryo adoption.*

*[The EAPC] suggests that this program is protecting embryo rights, the solution to ‘denying life to the child’. Why is it more ‘moral’ to create – in the words of one donor offspring – a generation of ‘reproductive foundlings’? The troubling ethical dilemma of what to do with existing frozen embryos is a problem for our generation to solve. Embryo adoption may make us feel nobler, but are we simply passing on our problems to the next generation? A much better solution would be to create only the number of embryos (2 - 3) which can be safely transferred to the patient.*

*Moreover, if we are concerned about the rights of children, are we any less concerned about the 70,000 already-born children in foster care in Canada? In the face of the tragedies lived daily by these children, it is to be hoped that all potential adopting parents strongly consider providing permanent homes for some of these children.*

*M.P. Bonnie Brown [Chair of the House of Commons Standing Committee on Health which held hearings with stakeholder groups and reviewed draft legislation on assisted human reproduction] was astute in her observation [in a recent interview on CBC radio] that the EAPC commodifies children by turning frozen embryos into products – another fact which will impact on these children’s sense of identity. Who among us would like to know that we were bought by our parents and that we may be at risk of many genetically acquired diseases, yet unable to know our genetic origins – the rivers and streams of our ancestry?*

*What about the problems that may arise for the genetic parents? This is hinted at in Lisa Priest’s article in the Globe & Mail on March 4, 2002, which states that, ‘[an embryo donor] is already grappling with some of the emotions that come with what will be equivalent to giving up a child for adoption.’ What sort of independent counselling did she receive as to the long-term implications before she gave (what is supposed to be) ‘informed consent’?*

*It has been well documented that birth parents frequently suffer great loss and long term unresolved grief. Under the Embryo Adoption Program, who will ensure that the original parents are fully aware prior to signing the ‘consent’ of the long-term consequences for themselves, for the children they are raising and for their other children, the embryo adoptees/offspring who will grow up with different families? Why would we assume that the EAPC or fertility clinics are even qualified to take these ‘consents to adoption’?*

*The offspring of embryo donors, unlike other adopted people, will almost certainly have full siblings out there, blood siblings. Quite possibly, some of these siblings will want to contact each other, may even yearn for each other. The spectre of anonymous practice in embryo donation precludes this possibility – one more recipe for heartbreak. Who will represent the interests of the children in these families to know their siblings?*

*Given all the problems that we as a society are facing today with information disclosure to adopted persons, birth parents and offspring of sperm/egg donation because of antiquated laws or the absence of laws, coupled with resistance from the fertility clinics and sperm banks, why would we even consider putting another adoption system in place – one that is privately run by those standing to gain financially?*

*We cannot endorse the emergence of this new, unregulated form of adoption when the old system is still fraught with legal and moral challenge – challenges which have prevented adopted individuals and offspring from fully knowing their identity, have stopped birth parents from finding the children they surrendered, and forestalled adoptive parents from having information about their children which could be of invaluable help in raising them.”*

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### **For further information on embryo adoption/donation:**

*Mar/2009: To the best of our knowledge, Leslie Perkins did not proceed with her plans to set up “The Embryo Adoption Program of Canada” nor has anyone else started a similar agency. The EAPC website never became operational, the email address is bouncing, the phone number is no longer in service and an Internet search via google.com for “Embryo Adoption Program of Canada” turns up only the original news article from 2002.*

You may be able to find out more by contacting:

- Sherry Levitan, a lawyer who handles surrogacy and egg donation contracts, and who was involved with trying to set up the EAPC. 416-784-1222, [www.FertilityLaw.ca](http://www.FertilityLaw.ca)
- Snowflakes Embryo Adoption Program, 714-278-1020, [www.Snowflakes.org](http://www.Snowflakes.org) (This is the program the EAPC was affiliated with.)