

Abstract Details

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Ethical justifications of Spanish Fertility Society to preserve anonymity of gamete donation

Biography

Specialist in human reproduction, working in this field since 1985. Post-doctoral training at University of Pennsylvania Medical Center. Senior Embryologist from ESHRE. Member to the board of various scientific societies .. From 2005 to 2017, deputy director of the Tambre Clinic, head of Quality, secretary of the Tambre Foundation and founder of the Ethics Committee.

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Study question:

What is the view of Spanish Society of Fertility (SEF) regarding ethical aspects of the removal of anonymity in gamete donation?

Summary answer:

SEF recommends disclosure to the donor-conceived children their biological origin preserving the anonymity since there are no convincing ethical arguments for removal.

What is known already:

Although most gamete donations in the world are made anonymously, a growing number of countries have questioned the morality of preserving anonymity, and laws are being enacted that allow children born by donation to identify donors.

The main criticisms of the anonymity of gamete donation focus on the primary interest of donor-conceived children, and more specifically on health and interest in forming their own identity. On the other hand, those who support anonymity argue that its practice respects the interests of the donor as well as the parents' wishes to determine the best interest of offspring.

Study design, size, duration:

Reflecting concern about the anonymity of gamete donation, the Spanish Society of Fertility convened a focus group with key figures in ethics, law and reproductive medicine to identify scientific, psychological, legal and ethical arguments supporting the anonymous gamete donations. The project was set-up as a qualitative study to call in to question the justifications that are often thought to ground a right to know one's genetic origins and took place between May and October 2019.

Participants/materials, setting, methods:

One of the objectives of the focus group was to deliberate about the ethical justifications that support the right to know the genetic origins, mainly based on the protection of health and the right to identity, but also taking into account other values that affect the different participants in the donation. For this, we used the deliberative method to deal with conflicts, as it seeks to protect the values that may be at stake.

Main results and the role of chance:

Spanish Society of Fertility has produced an Anonymity in Donations Framework Document, divided into five distinct parts: demographic, clinical, psychological, social, ethical and legal aspects. From an ethical perspective, the following arguments regarding gamete donation anonymity were suggested:

Health of children: Spanish policy, despite its requirement of anonymity, explicitly indicates that donor-conceived individuals should have access to non-identifiable information about the donor, including medical information, so, the anonymous donation is not incompatible with providing relevant medical information.

Sense of identity: there is no solid empirical evidence to show that children conceived by the donor in general suffer "genealogical confusion".

Other values examined were: autonomy of the parents and the right to privacy, genetic inheritance, donor confidentiality, justice, responsibility, quality and economic value.

Following the bioethical deliberation mentioned above, and after having examined the main values that become part of the two extreme courses (anonymity of the donation against its suppression), the best intermediate course would be the one that tried to safeguard the greater number of values involved, namely, donor-conceived individuals are morally entitled to access general (non-identifying) information about their origin.

Limitations, reasons for caution:

Although there is no evidence of any conflict in Spain for the rule of anonymity, the opinion of the patients, donors and offspring, would be lacking.

Wider implications of the findings:

Before introducing mandatory disclosure of the donor's identity, the commitment should be to ensure that this change entails advantages for those involved, which have not been demonstrated so far. Strategies should be adopted to implement education programs that do not stigmatize the fact of being born through donor gametes.

Keywords:

anonymity
gamete donation
ethics
donor-conceived children