

## 8. Human cloning

B5-0710, 0751, 0753 and 0764/2000

### European Parliament resolution on human cloning

*The European Parliament,*

- having regard to the proposal by the United Kingdom Government to permit medical research using embryos created by cell nuclear replacement (so-called 'therapeutic cloning'),
  - having regard to its resolutions of 16 March 1989 on the ethical and legal problems of genetic engineering<sup>1</sup> and on artificial insemination 'in vivo' and 'in vitro'<sup>2</sup>, of 28 October 1993 on the cloning of the human embryo<sup>3</sup>, of 12 March 1997 on cloning<sup>4</sup>, of 15 January 1998 on human cloning<sup>5</sup>, and of 30 March 2000<sup>6</sup>,
  - having regard to the Council of Europe's Convention for the protection of human rights and dignity of the human being with regard to the application of biology and medicine – the Convention on human rights and biomedicine – and its own resolution of 20 September 1996 on this subject<sup>7</sup>, and the additional protocol which forbids the cloning of human beings,
  - having regard to Recommendation 1046 of the Parliamentary Assembly of the Council of Europe on the use of human embryos,
  - having regard to the Community's Fifth Framework Research Programme and specific programmes thereunder,
  - having regard to Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions<sup>8</sup>,
- A. whereas human dignity and the consequent value of each human being are the main aims of Member States, as stated in many modern constitutions,
- B. whereas the undoubted need for medical research resulting from advances in knowledge of human genetics must be balanced against strict ethical and social constraints,
- C. whereas there are other ways than embryonic cloning of curing serious illnesses, such as those that involve taking stem cells from adults or from the umbilical cords of new-born babies, and other external causes of disease which require research,

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<sup>1</sup> OJ C 96, 17.4.1989, p. 165.

<sup>2</sup> OJ C 96, 17.4.1989, p. 171.

<sup>3</sup> OJ C 315, 22.11.1993, p. 224.

<sup>4</sup> OJ C 115, 14.4.1997, p. 92.

<sup>5</sup> OJ C 34, 2.2.1998, p. 164.

<sup>6</sup> *Texts Adopted*, Item 9.

<sup>7</sup> OJ C 320, 20.9.1996, p. 268.

<sup>8</sup> OJ L 213, 30.7.1998, p. 13.

- D. whereas the Fifth Framework programme and Council Decision 1999/167/EC of 25 January 1999 adopting a specific programme for research, technological development and demonstration on quality of life and management of living resources (1998 to 2002) state 'In the same way, no research activity understood in the sense of the term "cloning", with the aim of replacing a germ or embryo cell nucleus with that of the cell of any individual, a cell from an embryo or a cell coming from a later stage of development to the human embryo, will be supported',
- E. whereas therefore there is a prohibition on the use of Community funds, either directly or indirectly, for any such research,
- F. whereas aforementioned Directive 98/44/EC states that there is a consensus within the Community that interventions in the human germ line and the cloning of human beings offends against *ordre public* and morality,
- G. whereas an attempt is being made to use linguistic sleight of hand to erode the moral significance of human cloning,
- H. whereas there is no difference between cloning for therapeutic purposes and cloning for the purposes of reproduction, and whereas any relaxation of the present ban will lead to pressure for further developments in embryo production and usage,
- I. whereas Parliament defines human cloning as the creation of human embryos having the same genetic make-up as another human being, dead or alive, at any stage of their development, without any possible distinction as regards the method used,
- J. whereas the proposals of the United Kingdom Government require the assent of the Members of both Houses of the United Kingdom Parliament, who are to be permitted a free vote of conscience on the issue,
1. Believes that human rights and respect for human dignity and human life must be the constant aim of political legislative activity;
  2. Considers that 'therapeutic cloning', which involves the creation of human embryos solely for research purposes, poses a profound ethical dilemma, irreversibly crosses a boundary in research norms and is contrary to public policy as adopted by the European Union;
  3. Calls on the UK Government to review its position on human embryo cloning and calls on its honourable colleagues, the Members of the United Kingdom Parliament, to exercise their votes of conscience and reject the proposal to permit research using embryos created by cell nuclear transfer when it is laid before them;
  4. Repeats its call to each Member State to enact binding legislation prohibiting all research into any kind of human cloning within its territory and providing for criminal penalties for any breach;
  5. Urges maximum political, legislative, scientific and economic efforts to be aimed at therapies that use stem cells taken from adult subjects;
  6. Reaffirms its support for biotechnological scientific research in medicine, provided that is

balanced against strict ethical and social constraints;

7. Renews its call for human artificial insemination techniques that do not produce an excess number of embryos in order to avoid generating superfluous embryos;
8. Calls on the appropriate national and Community authorities to ensure that the ban on patenting or cloning human beings is reaffirmed and to adopt rules to this end;
9. Calls on the Commission to guarantee full respect for the terms of the Fifth Framework Programme and all specific programmes thereunder, and points out that the best way to implement this decision is to ensure that no research institution that is in any way involved in the cloning of human embryos gets money from the EU budget for any of their work;
10. Repeats its insistence that there should be a universal and specific ban at the level of the United Nations on the cloning of human beings at all stages of formation and development;
11. Considers that any temporary committee set up by this Parliament to examine the ethical and legal issues raised by new developments in the field of human genetics should take as a starting point the views already expressed in resolutions of this House. The committee should examine questions for which Parliament has not yet expressed a clear position. Its powers, composition and term of office shall be defined on a proposal from the Conference of Presidents, without any limitation of the powers of the permanent committee responsible for matters relating to the monitoring and the application of Community law on these issues;
12. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States, the Members of the UK Parliament, and the Secretary-General of the United Nations.