

INTERNATIONAL WORKSHOP ON GAMETE DONATION

UNISA's Biotechnology and Medical Law Flagship cordially invites all stakeholders in the fertility industry, legal and medical professionals and scholars, ethicists and government officials to our one-day workshop on gamete donation.



Date : 25 May 2015

Time : 09h00 – 16h00

**Venue : UNISA's Brooklyn Campus
Room G 72**

Participation is free of charge.

Gamete donation is a vital aspect of contemporary reproductive healthcare, as many infertile persons rely on donor gametes to have children. However, the practice of gamete donation entails various areas of ethical and legal concern. This workshop aims to provide a forum for the various stakeholders to interact on an equal basis, share information, unpack issues, and explore possible solutions.

Please confirm your attendance before 11 May 2015 to Ms Maureen Mswela at: mswelmm@unisa.ac.za or 012-433-9494

PROGRAMME

This one-day workshop will consist of three sessions, each session lasting about 1½ hour and focusing on a topical issue related to gamete donation, as indicated below. Each session will take the format of short (5–10 minute long) presentations by expert panellists, followed by facilitator-led discussion by all workshop participants.

Registration (9h00–9h20)

Welcome (9h20–9h30)

Session 1: Process and stakeholders (9h30–10h30)

To frame the debate, the workshop will start off with an explanation of the medical and legal process of sperm donation and egg donation. Concomitantly, the stakeholders in this process will be identified and the potential conflicts of interest identified.

Panellists: Dr Danie Botha, Dr Sulaiman Heylen, Ms Leanne van der Westhuizen, Ms Tertia Albertyn.

Tea break (10h30–11h00)

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Session 2: Incentives for donation (11h00–12h30)

In South Africa, remuneration of gamete donors is regulated by the National Health Act, which appears to outlaw trade in gametes, but allows gamete donors to receive compensation for costs incurred. The workshop will explore the alignment of current remuneration practice in South Africa with the relevant statutory provisions and with human rights, and will consider the question: How can potential gamete donors be incentivised in an ethical fashion?

Panellists: Dr Danie Botha, Dr Sulaiman Heylen, Ms Leanne van der Westhuizen, Ms Tertia Albertyn, Prof David McQuoid-Mason, Dr Amrita Pande

Lunch (12h30–13h30)

Session 3: The international dimension (13h30–15h00)

In today's global village, cross-jurisdiction reproductive healthcare is a reality. South African fertility clinics offer treatment that is sometimes not available in other African countries, making South Africa a cross-jurisdiction reproductive healthcare destination – especially for persons from African countries. However, cross-jurisdiction reproductive healthcare also entails an outbound dimension, given that there are South African women who travel to foreign jurisdictions to donate their eggs to foreign assisted reproduction programmes. These phenomena raise various legal-ethical questions, in particular the following:

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- a) What is the standard of care provided to South African women who donate abroad, and is this a valid legal-ethical concern?
- b) What are the distributive justice ramifications – should South African's gametes be perceived as a scarce national resource?

Panellists: Dr Markus Nitzschke, Dr Sulaiman Heylen, Dr Mariam Kukunashvili, Dr Danie Botha, Prof David McQuoid-Mason, Dr Amrita Pande

Closing statements and the way forward (15h00–16h00)

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UNISA's Flagship for Biotechnology and Medical Law appreciates the invaluable contributions by the expert panellists. The workshop's panellists are as follows, in alphabetical order:

Ms Tertia Albertyn

After many years of infertility treatment, Ms Albertyn has taken her experience as an infertility veteran and channelled it into something positive for others. In 2007, she co-founded South Africa's biggest infertility support portal which receives over 3,5 million hits per month and in 2008 she launched Nurture, the country's premier egg donor programme. In 2011 she established The Surrogacy Advisory Group, South Africa's leading surrogacy information portal. Widely respected and held in high regard, she has strong associations with both local and international fertility programmes. Ms Albertyn holds an MBA from the University of Cape Town.

Dr Danie Botha

Dr Botha is the Clinical Director of FEMBRYO Fertility Clinic in Port Elizabeth and is a specialist gynaecologist and registered sub specialist in reproductive medicine. He completed his fellowship at Tygerberg Hospital under Prof Thinus Kruger after qualifying as a gynaecologist at Pretoria University. His field of interest and further study is endometriosis and surgical endoscopy and its effect on fertility and quality of life. Dr Botha is currently a

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board member of SASREG (Southern African Society of Reproductive Medicine and Gynaecological Endoscopy) responsible for egg donation agency guidelines.

Dr Sulaiman Heylen

Dr Heylen qualified in 1988 as a medical doctor (*summa cum laude*) and in 1993 as a specialist in obstetrics and gynaecology at the University of Leuven in Belgium. He obtained the Gynaecological Endoscopist Certificate (with distinction) from the European Academy of Gynaecological surgery in 2013. Dr Heylen is the director of the Cape Fertility Clinic that performs around 1 200 IVF cycles per year and is one of the largest fertility clinics in the country. He has a wide experience in IVF, egg donation, sperm donation and surrogacy. In 2012, he drafted SASREG's ethics guidelines for egg donation agencies.

Dr Mariam Kukunashvili

Dr Kukunashvili is the founder and director of the New Life Global Network, and organisation that facilitates reproductive healthcare services, amongst others gamete donation, on an international level. She is a member of the European Society of Human Reproduction and Embryology, and has many years of experience in a fertility treatment and healthcare field. Dr Kukunashvili is extremely passionate about people dealing with infertility, as she has personally experienced the headache and disappointment associated with it. After eleven unsuccessful IVF attempts, suffering from endometriosis and recovering from four surgeries, then one successful but ectopic pregnancy, she turned to surrogacy with a great hope to

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become a mother. With the help of two wonderful surrogates, Dr Kukunashvili and her husband are now parents of three lovely children: a daughter and twin boys, born in 2011.

Prof David McQuoid-Mason

Professor McQuoid-Mason is Chairperson and Acting Director of the Centre for Socio-Legal Studies at the University of KwaZulu-Natal. He specialises in, amongst others, medical law and privacy law. He has authored and co-authored 21 books, and delivered over 115 papers at national and over 170 at international conferences. He runs frequent workshops on human rights and democracy and serves on the boards of several human rights and cultural bodies.

Dr Markus Nitzschke

Dr Nitzschke is an infertility specialist from Germany. He was trained in France, Spain, Switzerland, Germany, USA and Japan. He has worked for six years at EUGIN Clinics in Barcelona (Spain), the world's largest egg donation program with 8 000 – 10 000 egg donor treatment cycles per year. Furthermore, he has helped to establish the first donor egg bank of the UK at CRGH Fertility Clinics London. Actually, Dr Nitzschke is working as a senior consultant at ICI Las Palmas, a private IVF clinic in Canary Islands (Spain) and he is medical director at Grande City Clinic IVF in Kathmandu (Nepal) where he is supervising the local surrogacy and egg donor program. As an expert in Cross Border Reproductive Care, he is regularly invited to give lectures in meetings and workshops all over the world.

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Dr Amrita Pande

Dr Pande is a senior lecturer in the Sociology Department at University of Cape Town. Her research focuses on the intersection of globalization and reproductive labour. Her work has appeared in *Signs: Journal of Women in Culture and Society*, *Gender and Society*, *Critical Social Policy*, *International Migration Review*, *Qualitative Sociology*, *Feminist Studies*, *Indian Journal of Gender Studies*, *Anthropologica*, *PhiloSOPHIA*, *Reproductive BioMedicine* and in numerous edited volumes. She has written for newspapers across the world and has appeared on various television and radio shows. She is also an educator-performer, touring the world with a multimedia theatre production, *Made in India: Notes from a Baby Farm* based on her ethnographic work on surrogacy. Her next project will analyse the global 'fertility flows' connecting India, Nepal, Israel and South Africa.

Ms Leanne van der Westhuizen

Ms Van der Westhuizen is a registered counselling psychologist. After graduating and completing her internship, she was employed by the University of Stellenbosch Business School. During her tenure she counselled and lectured the MBA students and designed and facilitated EQ, Diversity and Stress Resilience workshops for the Business School's corporate clients. Subsequently, she started a private practice with a special interest in the emotional aspects of reproductive health. Ms Van der Westhuizen has been based at the Cape Fertility Clinic since 2007. In her current role she counsels patients who are having or considering fertility treatment, and assesses and counsels gamete donors and surrogates.

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Workshop organiser and facilitator: Dr Donrich Jordaan

Dr Jordaan is a research fellow with the Flagship for Biotechnology and Medical Law, UNISA, and regularly publishes in leading local and international academic journals. His research interests are the human rights dimensions of medical law – especially beginning-of-life issues. Apart from his academic pursuits, Dr Jordaan also actively practices law as an associate member of the Pretoria Bar. In his legal practice, he specialises in human rights and constitutional litigation, and has successfully argued cases before South Africa's highest court, the Constitutional Court.