



NATIONAL COUNCIL OF ETHICS FOR THE LIFE SCIENCES
Presidency of the Council of Ministers

48/CNECV/06

**OPINION N° 48 OF THE NATIONAL COUNCIL OF ETHICS
FOR THE LIFE SCIENCES**

OPINION ON HUMAN CLONING

(April, 2006)



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The reflection of the *Conselho Nacional de Ética para as Ciências da Vida* (CNECV) (National Council of Ethics for the Life Sciences) on “human cloning” was undertaken at the Council’s own initiative and under its competence, as provided by paragraph a), of clause 1, of article 2, “Competence”, of Law nº 14/90 of 9th June.

This being so, and taking into account

- the direction of the reflection developed by the CNECV, namely in Opinions
- 44/CNECV/04, on “Medically Assisted Procreation”, and 47/CNECV/05, on “Stem Cell Research”;
- the high expectations relating to the present and future potential of human cloning;
- the heavy investment in human and financial resources in the field of cloning research;
- the interest of society in following and participating in the debate on human cloning;
- the opportunity to contribute with a broad ethical reflection to the necessary internal regulation of human cloning and to take a stand in international proceedings;

Furthermore, taking into account that

- ☐ Cloning can be achieved by using various techniques that tend to replicate biological structures, whether for reproductive purposes or for biomedical research;
- ☐ Human cloning by nuclear somatic transfer for reproductive purposes has not been scientifically tested, and there are doubts as to its feasibility;

The CNECV is of the opinion that

1. Cloning for reproductive purposes and cloning for the purpose of biomedical research both raise specific ethical problems.
2. Irrespective of its viability, human cloning for reproductive purposes should be prohibited because it constitutes a violation of human dignity.
3. The practice of cloning for biomedical research purposes may be recommended under the principles of utility and solidarity given the potential therapeutic benefits for human beings.



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However, the ethical assessment of the use of cloning depends on the nature attributed to the product of the nuclear somatic transfer:

3.1. if it is considered an embryo it can not be used because that would constitute a violation of its intrinsic dignity;

3.2. if it is considered as a laboratory artefact, it may be used in biomedical research without giving rise to ethical problems apart from those inherent to the use of human biological material, namely the avoidance of commercialisation.

4. In the present situation of lack of unanimity or widespread scientific and philosophical agreement as to the nature of the product of nuclear somatic transfer, the ethical principle of precaution ought to be applied:

4.1. by promoting research on stem cells obtained without resorting to cloning by nuclear somatic transfer and in accordance with Opinion 47/CNECV/05, under the principle of beneficence;

4.2. also promoting research in somatic cell reprogramming, which may allow for current stem cell research to continue without the production of any biological neostructure which could be identified as a human embryo.

Lisbon, 11th April, 2006

Paula Martinho da Silva

President

Conselho Nacional de Ética para as Ciências da Vida

(National Council of Ethics for the Life Sciences)

This opinion was approved in a plenary session on the 11th April, where the following were present: Paula Martinho da Silva, Agostinho Almeida Santos, António Vaz Carneiro, Daniel Serrão, João Lobo Antunes, Jorge Sequeiros, Jorge Soares, Pedro Nunes, José Oliveira Ascensão, José Pedro Ramos Ascensão, Maria do Céu Patrão Neves, Maria Fernanda Henriques, Marta Mendonça, Michel Renaud, Miguel Oliveira e Silva, Pedro Fevereiro, Rita Amaral Cabral, Salvador Massano Cardoso.