

**STATEMENT BY DR. M. GANDHI, COUNSELLOR & LEGAL ADVISER ON
WORKING GROUP ON THE INTERNATIONAL CONVENTION AGAINST
THE REPRODUCTIVE CLONING OF HUMAN BEINGS AT SIXTH
COMMITTEE OF THE 58TH SESSION OF THE UNGA ON SEPTEMBER 30,
2003**

Mr. Chairman,

Allow me at the outset to congratulate you on your election to the Chairmanship of the Working Group.

Mr. Chairman,

The Clonaid's announcement of the supposed birth of a cloned baby last December had caused worldwide dismay. In spite of the speculation surrounding the reliability of the announcement, the international community expressed concerns about the scientific possibility of such a cloned baby. We do share the concerns of the international community.

Being concerned about the doubtful nature of the safety, success, utility and ethical acceptability of reproductive cloning, India had already prohibited research on cloning which intended to produce identical human being.

We believe it is imperative for the international community to elaborate an international Convention prohibiting reproductive cloning without any further loss of time.

Mr. Chairman,

- We believe that freedom of research which is necessary for the progress of knowledge is a part of freedom of thought. Research in the area of genetics, medicine and biotechnology that carries immense hopes in finding new possibility of healing diseases which do not have known treatment, should not be restricted unreasonably.

- In our view, technology is neutral and one cannot characterize a technology immoral. Quantum physics has not been characterized as immoral because it has been used to design nuclear weapons.
- The moral question surrounding any technology needs to be answered on the basis of its general efficacy, social impacts and social benefits. For these reasons, the somatic cell nuclear transfer *per se* cannot be characterized as immoral.
- However, it is incumbent upon all responsible States to ensure that any research or application of a new technology should not be a cause for the erosion of human dignity or infraction of human rights.
- We believe that the technique of somatic cell nuclear transfer should not be used for creating a child because that kind of experimentation leads to unacceptable risks.
- Yet, the potential of this technology in finding new ways and means to provide healing for innumerable people hitherto waiting to see a ray of hope needs to be exploited. In other words, this technology could be used for making tissues or organs which could help to heal diseases like diabetes, Parkinson's disease, AIDS, cystic fibrosis, and certain types of cancer. Using technology in such a restrained way could contribute significantly towards the enhancement of dignity and worth of the human person, the basic object of human rights.
- A responsible State has to regulate the use of technology in research with stringent conditions. But prohibition of research without testing its implications on the ground would be an unreasonable decision.

For these reasons, article 2(1) of draft international convention on the prohibition of all forms of human cloning (the Costa Rican proposal) is not acceptable to my delegation. However, we see merit in the proposal in the German-French non paper circulated yesterday which supports the idea of a comprehensive convention banning reproductive cloning with no possibility to make any reservations, and regulating the other forms of cloning under national legislation.

Thank you Mr. Chairman.

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