

"Bioethics: Science, Economy and Society"
Symposium organized by the Office for Science & Technology of the French
Embassy
June 18th, 2009
Weizmann Institute for Science, Rehovot, Israel.

The laws of bioethics

Moderator: Prof. Michel Revel (WIS), President of the Israeli Committee on Bioethics
Doctor Valérie Sebag, Lecturer at the University Paris XIII and Mrs. Talia Agmon, lawyer, Head of the Department Rights of the Patients of the Legal Inspection of the Ministry of Health in Israel) presented the French and Israeli bioethics laws.

Ms Valérie Sebag reviewed the historic and scientific context from which bioethics were born in France, while Talia Agmon recalled that in Israel, the laws of bioethics kept a reference to Judaism: before forty days, the foetus is not considered a human being, while it acquires it from fertilization according to the Roman Catholic Church, and at day hundred and twenty in the Muslim religion. This is why research on stem cells was authorized earlier in Israel than in France. This was remedied by the creation INSERTECH in Israel, a joint laboratory that develops research on stem cells. The Israeli law authorizes surrogate mothers since 1996. Even though Israel is not opposed to human cloning, under the American pressure, the Knesset (the Israeli Parliament), voted a law forbidding it.

The patentability of living

Moderator: Prof. Tobie Nathan, Counsellor for Cooperation and Cultural Action at the French Embassy

On the Israeli side Eyal Bressler, Lawyer, a specialist in intellectual property in the field of life sciences explained that it is necessary to adapt patents to every country. Valérie Sebag underlined the fact that in France, the patent covered the invention process but not the material. So it is possible to patent a technical process but not a DNA sequence. The principle is that the patent is aimed at protecting the inventor, while complying with the bioethics.

The genetic tests

Moderator: Prof. Eric Seboun, Attaché for Science and Technology of the French Embassy
The third session was dedicated to genetic testing in medicine and in forensic. Meir Sheetrit, member of the Knesset, former Minister and President of the Committee on Science and Technology of the Israeli Parliament, explained that numerous domains were not covered by the current Israeli law. He enumerated a series of problematic situations: who is the owner of a biological sample, the patient or the institution where blood was drawn? Do we have to communicate medical information to an employer and break the medical confidentiality? He also suggested a vote for a law limiting the legal proceedings against the obstetrician who did not detected an abnormality during the pregnancy. On the French side, Attorney Mrs. H el ene Miller focused her talk on the genetic tests in medicine, explaining, both medical and psychological accompaniment in the case of a predictive diagnosis of the Huntington disease in potentially adult carriers of the disease gene.

Marie-H el ene Cherpin, former Head of the Scientific Police Laboratory of Paris, and now Head of the laboratory of genetic fingerprints at BIOMINS in Lyon, underlined the importance of the legal frame of genetic fingerprints. Gali Ben-Or, Head of the department "Legislation and Legal Advice" at the Israeli Ministry of Justice, explained that DNA imprints had been used to identify soldiers that died at the battle field. She explained that in Israel, the national database contained genetic fingerprints of suspects and culprits and, unlike France, fingerprints and passport photos. In Israel, the court considers that identification of suspects by DNA fingerprint constitutes a sufficient proof and even superior to confessions.

Stem cells and their applications

Moderator: Doctor Max Herzberg, CEO of Sepal Pharma

During this session, Dr. Daniel Aberdam (INSERM, co-director of the INSERTECH) and Prof. Michel Revel presented the multiple applications of stem cells (myocardial infarction, neuro-degenerative pathologies, etc.), showed progresses making these applications more realistic, particularly the use of "reprogrammed" stem cells. The professor Michel Revel stressed that the Jewish tradition see science as a mean to save human lives.

Message to take home

This first bi-national conference dedicated to the bioethics law allowed discussing the situation in both countries. Contrary to France, in Israel there is no general law, but a series of laws covering very specific issues. Paradoxically, the cultural and religious bases of Judaism make the Israeli law less restrictive than the French law. This general glance must be moderated as Prof. Michel Revel underlined it differences between France and Israel are very minor now. It was obvious that the specialists of both countries shared the same questions.