Abstract: The Dutch System and Foundation Donorchild (StichtingDonorkind).

**Legal position**

**Donors** have never been paid in the Netherlands. They have no knowledge of their offspring. They cannot be made accountable in any way for offspring when identified.

**Conceived after 2004**: These people are by law registered at StichtingDonorgegevensKunstmatigeBevruchting(SDKB further on) ([www.donorgegevens.nl](http://www.donorgegevens.nl/)) part of the Ministry of Health. Clinics are not allowed to use anonymous donors. (Winter, et al., 2012)

When the donor conceived is 16 years of age and they are entitled to have personal information about the donor(Winter, et al., 2012). In 2020 FIOM probably will guide the first steps in making contact between both parties.

Parents and doctors can get either social or medical information at an earlier age. (Winter, et al., 2012)

**Conceived before 2004**: Since there were no regulations from the start in 1949 using donor conceiving people until 2004 these people have no strong legal position. Rights (of origin and accurate medical records) are registered but said not possible to execute.

Donor conceived people from before 2004 have two options.

1. Register at the DNA database at FIOM ([www.fiom.nl](http://www.fiom.nl/)) in which donor conceived (€250) and donors (€150) can register. Its possible to registers for natural children of a donor as well as donor conceived from Belgium and Germany borders. Success rate at the moment is about 10% for a match.
2. Donor conceived can, with their birth certificate, ask for information about theredonor at SDKB, the Dutch central registry, where all clinics should have shared their older dossiers. If possible SDKBwill share some social and medical information. Personal identifying information can only be shared if the donor allows it after request by SDKB. (Winter, et al., 2012)

A lot of clinics seem not to have shared their dossiers with SDKB.Although law requires this.(Winter, et al., 2012) These dossiers have to be maintained for 80 years since law in the Netherlands since start of the century changed and also old dossiers about family connections have to stay in tact. This has not been tested in court.

**Parents** Birth certificates and medical files in the Netherlands just state the social parents. They can have no claim on the donor. Cannot have person-identifying information about the donor(Winter, et al., 2012).

If parents use anonymous gametes conceiving abroad they are allowed. Have same rights as non-assisted conceiving parents. Before 2004 only rights where those normal between medical setting. After 2004 they have a right for good information about implications for family function(Winter, et al., 2012). Yet clinics and SDKB state that do not have the proper knowledge or means to do this (ZonMw, 2014)

**Current events**

* In the media has been revealed, by surveying the DNA-databank, that before 2004 many parents have been misinformed about the donor. Some donors had important medical problems (Autism, genetic inheritated breast cancer) and clinics have destroyed archives so donor and/or siblings can not be notified. 60% of the families who requested both children to be from the same donor have in fact kids from 2 donors. Several families are taking juridical steps. This is a clear failure of the self regulation that was requested by clinics since the late 1980's when parliament started trying to have laws and regulations about using gamete.
* Parliament has raised questions about these findings and the costs for enrolling in the DNA-databank.
* Ministry of Health has a research request for how to form policy that helps inform, counsel and help, parents, children and donors, before conception, during infancy and childhood and guiding the moment that the DI conceived requests to meet de donor(ZonMw, 2014).

**StichtingDonorkind**

StichtingDonorkind is the Dutch initiative for donor conceived in the Netherlands. Volunteers are mostly donor conceived and donors (total of about 15 active volunteers).

The board is formed by:

Mr. Ties van der Meer, chairman, donor conceived/donor in 2012

Mr. Julian Veraart, secretary, donor conceived

Mr. Lex van Wietingen, treasurer, donor in 1986

StichtingDonorkind aims to collect and share information with media, researchers and policy-makers in order to secure the needs of DI offspring and if possible those of donors and parents. Newsletter has 250 followers since start of 1,5 year ago.

**StichtingDonorkind organizes meetings for donor conceived.**(about 60 the last year) Working toward a evidence based intervention.

**Informs (prospect) parents who consider or raise a donor conceived child.**(about 120 (prospect) parents the last year), working toward full psycho-education course.

Works together with different organizations;

Policy making;

Ministry of Health,

StichtingDonorgegevensKunstmatigeBevruchting

Matching process and social services for DI offspring;

FIOM

Legal advise for DI offspring, donors and parents;

Defence for Children

Research;

Fertility clinics (mostly counselors) in the Netherlands, Phd. Anne Breawys, Prof. Ken Daniels, Phd. Astrid Indekeu,

**Momentarily main aims are:**

* Fair policy for people from before 2004.
* Strategies for enforcing current legal system.
* Recruitment strategies for donors who fit this system. Which means thinking about donor-families.

# Bibliografie

Winter, H., Dondrop, W., Ploem, M., Woestenburg, N., Akerboom, C., Legemaate, J., et al. (2012). *Evaluatie Embryowet en Wet donorgegevens kunstmatige bevruchting.* ZonMW. Zoetermeer: Schultenprint.

ZonMw. (2014, juli 11). *Oproep tot indienen Subsidieaanvragen (De Psychosociale kant van kunstmatige inseminatie; voorlichting en begeleiding.* Opgeroepen op augustus 29, 2014, van ZonMw: www.zonmw.nl/nl/subsidies/subsidiekalender/detail/item/etiek-en-gezondheid/