

# 'We don't want to be judged'

Finding an egg donor is a challenge in Canada. For those of South Asian descent, it's even harder. **Dakshana Bascaramurty** explores the struggles and a push to end the criminalization of buying and selling eggs in Canada so donors could be legally compensated.

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Priya had 40 egg donor profiles to choose from. From her phone in Mississauga, Ont., the 46-year-old scrutinized their head shots, imagining her own future child with their features: Donor 13's narrow nose, or Donor 26's large eyes. Earlier in her exhausting search for an egg donor, she'd only paid attention to colouring, but all these women had glossy black hair and mocha skin that matched her own, so she could be pickier now.

A few months after making her selection, Priya (not her real name) bought a ticket to India. She booked time off and, without telling even her closest friends at work the real reason for her trip, she flew 11,000 kilometres to Delhi to have a stranger's fertilized eggs implanted in her uterus.

Thousands of other Canadians who are infertile or have same-sex partners have taken similarly radical measures. Unlike in the U.S., where would-be parents can buy eggs from a local egg donor, in Canada, women cannot legally sell their eggs. Intended parents here must either find an altruistic donor — typically, someone they know, although some clinics keep rosters of volunteers — or look beyond our borders, if they are willing to pay. This process would be difficult enough without the added challenges of ensuring the eggs are from a donor who is a racial match.

Under these circumstances, most East and South Asians often do have to purchase eggs from markets outside Canada, a process that can cost upwards of \$20,000, including medical and travel expenses. Across some of these cultures, there is a taboo with donating or receiving eggs, which means even in foreign markets they might be in short supply. And for Asian donors who do step up, some face a biological disadvantage: some research suggests they can't produce as many eggs as their counterparts, which means fewer are available on the market.

Priya's parents are from the state of Punjab in north India but she now lives in Mississauga, a city with a population that is 21.7 per cent South Asian (in Brampton, the city next door, 38.4 per cent are South Asian). When she learned she could not have a child with her own eggs, she figured it would be easy to find a donor in the region who matched her race. But after checking with local clinics and placing ads on Kijiji, she was unsuccessful.

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For her, going with a white donor was out of the question. Her partner is white, and she imagined if her child was, as well, her maternal claim would always be questioned.

“I never want someone to come up to me and say, ‘That’s not your child.’ That would be the most devastating thing to hear,” she said.

If the pregnancy is successful, Priya has decided she and her partner will not tell anyone about their child’s true maternity — her partner’s parents aren’t even aware of the real reason behind their trip to India.

“We don’t want to be judged or looked at in any other different way than any other family. We don’t want to explain ourselves. We just want to enjoy ourselves like anyone else,” Priya said.

Technological advances have expanded the options for intended parents. Whereas historically, egg donor and recipient had to be in the same location for a successful transplant, more recent innovations allow for donors and recipients to be in two different places: a donor’s eggs can be harvested, frozen and either stored for later use, or transported to the recipient’s location. Some women even freeze their own eggs for use later in their lives. While purchasing eggs in Canada is illegal, Canadians can legally buy frozen eggs from U.S. egg banks and have them transported to Canada for use, or travel anywhere in the world to buy fresh ones.

In 2015, the latest year for which data is available, there were 722 fresh donor egg cycles in Canada — most from altruistic donors — and 417 frozen donor egg cycles, the majority of which likely came from egg banks outside of Canada (specifically the U.S.), according to Mark Evans, the executive director of the Canadian Fertility and Andrology Society. There are no hard numbers on how many women travel overseas for in-vitro fertilization using a donor egg, but fertility specialists interviewed across the country said it was common. Jeff Roberts, the co-director of Vancouver’s Pacific Centre for Reproductive Medicine, said hundreds of his patients have travelled to India over the years for IVF, many of them using eggs from Indian donors.

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When Priya was researching potential egg banks in India, she came across dozens, but had no way to vet them. “That’s the scary part. There’s so many clinics. And people say the standards are all different. One place could be like a chop shop or something,” she said.

She selected one in Delhi after being referred to it by an American egg bank, which specializes in finding South Asian donors. She didn’t consult any doctors in Canada for advice before making the leap.

Ellen Greenblatt, the medical director at Mount Sinai Fertility in Toronto, said she would feel uncomfortable guiding Canadian patients towards clinics in India.

“There have been some — I don’t want to call them horror stories — but some not-so-good outcomes that have occurred, so I think people are leery of going to a foreign country where they

don't have someone personally who's experienced it and can give them a good recommendation," she said.

In 2005, the Toronto Star reported that a Toronto couple travelled to India, where they hired a surrogate who was implanted with an embryo: a donor's egg fertilized with the husband's sperm. After the surrogate gave birth to fraternal twins in 2006, the couple discovered there had been a mix-up during the process and one of the twins shared no genetic link with the Canadian man who believed he was the father. In another case covered by the Star in 2010, a couple who travelled to India to have children via a surrogate returned home without the twins because their fertility clinic had implanted the wrong embryos and neither parent had a genetic claim to the children.

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The lucky few who find willing donors in Canada complain of a common barrier: the country's policy on compensation, which not all donors want to follow.

Amrit, who did not want his real name used, said he and his wife (both 36 years old, both Indian immigrants) posted online ads and found two Indo-Canadian women in their mid-30s willing to donate eggs to them, one from Windsor, Ont., and one from Hamilton, Ont. But once he got into serious talks with them, both revealed they wanted cash compensation. Intended parents are only allowed to pay altruistic donors for expenses (and receipts are required), but many donors request or are offered illegal cash bonuses under the table.

"When people contact you, they actually ask you if you want to give some money or no. It's pretty much illegal stuff," Amrit said. Nervous about getting in trouble with the law, the couple declined both women's offers.

Dr. Greenblatt says the 2004 Assisted Human Reproduction Act, which prohibits the sale of eggs, needs to be revisited. She said expecting someone to go through all the screening, testing and monitoring required to be an egg donor without reasonable compensation is unrealistic.

"You think you're protecting potential donors who could be taken advantage of, but you're also putting people at risk when you force a service to go underground," she said.

At the end of last year, the federal government said it would be reviewing the Assisted Human Reproduction Act in 2017. On May 11, the Canadian Fertility and Andrology Society released a statement calling for the federal government to make it legal to compensate those who donate eggs or sperm or provide surrogacy services.

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“As a consequence of the law, many Canadians either wait indefinitely for an opportunity that may never come, or resort to other means such as cross-border reproductive tourism, sometimes incurring risks that are out of the control of Canadians and the Canadian health-care system,” the statement said.

Anthony Housefather, the Liberal MP for Mount Royal in Quebec, said he, too, wants to see an end to the criminalization of buying and selling eggs in Canada — a move he believes will go a long way to improve things for intended parents, especially those who have specific race and ethnic criteria.

“We recognize that this is the one place left in our Criminal Code where the state is telling women what she can do with her body,” he said.

Mr. Housefather said he is in talks with Health Minister Jane Philpott to see which of three options to pursue to get the law in question amended: the government will take the lead, Mr. Housefather or a colleague will introduce a private member’s bill, or a senator will carry forward a bill in Senate.

But even if selling eggs becomes legal in Canada, intended parents like Priya and Amrit may still struggle to find donors who meet their criteria because of the cultural barriers that exist in their communities.

If an altruistic match cannot be found in Canada, Dr. Greenblatt’s Mount Sinai clinic refers patients to Donor Egg Bank USA, one of the largest outfits in America that works with frozen eggs. In 2016, 140 egg lots were sent from Donor Egg Bank USA to clinics in Canada. But the options for intended parents such as Priya or Amrit are limited: of the 285 donors the bank works with at the moment, only 10 are Asian.

“I think culturally, many of these women do not donate because it’s not as accepted in their community,” says Heidi Hayes, the chief executive officer of Donor Egg Bank USA. Skin tone and eyelids are important to the East Asian population her clinic serves, she said, and many seek what is referred to as a “pure ethnicity” donor — not someone who is of mixed race. These criteria often mean slim pickings.

Over the years, she’s noticed that South Asian intended parents may insist on having a South Asian donor but after years in the system without a match or failed IVF cycles, they adjust their expectations and will settle for what the egg bank classifies as a Hispanic donor, whose colouring is a close-enough match.

Ultimately, intended parents of any race have one goal, she says: “They want a baby that will fit into their family, and will be culturally accepted by their family.”

At Olive Fertility Centre in Vancouver, only a small portion of patients — 12 per cent — use anonymous donors, ones they’ve found through egg banks, usually in the U.S. Most will bring in a friend, family member or acquaintance to donate eggs. But 57 per cent of the clinic’s Indian patients used anonymous donors, suggesting it was much more difficult for them to find someone they knew to donate.

Priya canvassed her extended family looking for someone who might donate an egg but was unsuccessful. “People don’t really want to talk about it,” she said. “I think in my community, sperm is just nothing. I think for an egg, it’s like saying, ‘I’m going to give you one of my kids.’ I think that’s how precious it is.”

Dana (not her real name), a 40-year-old Filipino woman in Montreal, said she felt she couldn’t turn to her own family or community for support when she learned she couldn’t have children on her own, let alone ask them if they would donate eggs.

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“You’re considered bad for asking. And you’re considered faulty because you can’t have children yourself,” she said.

She spent years trying to have a child through IVF, without success (a small 2010 study out of Stanford University found that Asian women also have more difficulty getting pregnant through IVF compared to their white counterparts). She tried to adopt from Vietnam or Cambodia, unsuccessfully, then searched for an Asian egg donor online, and later through an egg bank in the U.S., to whom she prepaid \$16,000.

Dana finally found one altruistic donor in 2012 in Montreal — a white woman — who was willing to give her eggs. Meanwhile, the egg bank she was working with in the U.S., which she had gotten into the habit of calling every few months for updates, came through and transferred frozen eggs from a Vietnamese donor to her fertility clinic in Montreal. But by then the process with the altruistic donor, who has green eyes and blondish-brown hair, was well under way and Dana stuck with her. Later that year, she had a baby boy. She says strangers and new acquaintances are quick to make assumptions about her relationship with him.

“People can see there’s a difference between my son and I. They don’t really refer to him as my son and I realize they think I’m his nanny,” she said.

Part of the reason Dana waited so long for the egg bank to find a match for her wasn’t only because Asian egg donors are few in number, but when they take hormone injections to get their body to produce more eggs, they don’t biologically stimulate as well as others, says Ms. Hayes of Donor Egg Bank USA.

“If the yield is lower, there are fewer individuals who can be helped for that cycle,” Ms. Hayes says.

The enormous expense tied to getting eggs from the U.S. has been a barrier for Cheryl Wong and her partner, who have spent a few years trying to track down a Chinese egg donor.

In 2012, she had surgery after a miscarriage, which caused an infection and left her with scarring that proved to be a serious obstacle to getting pregnant again. After exhausting her savings trying and failing with both intrauterine insemination and six rounds of in-vitro

fertilization, she began hunting for an egg donor. One potential donor said she'd travel from Asia for the procedure but told Ms. Wong she'd have to pay for her flight and accommodations for several weeks, which, in addition to the costs of the procedure itself, would make the whole process too expensive.

"I was really drained and feeling kind of depressed. We knew we had to stop at that point. We didn't want it to ruin our relationship as well. And you feel it financially," she said.

She and her husband are going to wait until the end of the year to see if they can find an altruistic donor before considering other options, like adoption.

Anjali, 48, who did not want her real name used, had twins thanks to an Indian egg donor she was matched with in the U.S. She travelled with her husband to Seattle for two weeks in 2014 for the treatment, and said they were only able to afford the \$33,500 (U.S.) bill that came with it because their families covered it. The three-year odyssey cost her in other ways though, straining her already unstable marriage. They since separated. But now, at last, after her long journey, she can say she is mother to two daughters.

Anjali chose the egg donor in part for the resemblance they shared and is secretly pleased whenever strangers say of one daughter, "She looks so much like you."

She doesn't bother correcting them.