

Rechtliche Herausforderungen moderner Verfahren der Intervention in die menschliche Keimbahn

Ein deutsch-französischer Rechtsvergleich zum Einsatz von CRISPR/Cas9 und hiPS-Zellen sowie zum Mitochondrientransfer

Abstract:

The discovery of new biotechnological processes calls into question the ability of the law to provide sufficient protection for human beings from the beginning of their life. These new methods, such as the CRISPR/Cas9 method - also known as "genome editing" - mitochondrial donation, and the creation of human induced pluripotent stem cells (hiPS cells), make it possible to manipulate and influence in a fundamental way the genetic make-up of one's offspring and future generations. This thesis aims to prepare a draft law addressed to the German legislature. In so doing, it takes into account two aspects: on the one hand, it aims to optimise, on the basis of a comparative analysis of German and French law, current German legislation by identifying possible advantages of the regulatory approach in France. On the other hand - assuming that the techniques in question can one day be applied with controllable risks - it examines, on the basis of an analysis of German constitutional law, whether such a future application could, in principle, be justified and implements these considerations by drafting a legislative proposal.