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REPORT BY THE REPRESENTATIVE OF UNESCO
AT THE SECOND INTERNATIONAL SUMMIT
OF NATIONAL BIOETHICS ADVISORY COMMISSIONS
TOKYO, JAPAN, 3 NOVEMBER 1998

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1. On 3 November 1998 I represented UNESCO and the International Bioethics Committee (IBC) at the Second International Summit of National Bioethics Advisory Commissions held in Tokyo, Japan. Prior to that meeting I attended a satellite session held in Tsukuba, Japan at which many of the participants in the Tokyo meeting were also present. In Tsukuba on 1 November 1998 I addressed the conference dinner on the subject of the work of the IBC and, in particular, the *Universal Declaration on the Human Genome and Human Rights*.

Member of the UNESCO, IBC and Justice of the High Court of Australia.

2. The Tokyo Summit was chaired by Professor Harold Shapiro, President of Princeton University (United States). Co-chairs of the Summit were Professor Imura (Japan) and Dr. Changeux (France).

3. Both at the Tsekuba satellite meeting and at the Summit, I was accorded a place of prominence, out of respect for the work of UNESCO and, in particular, the IBC. At the Summit, I was seated with the co-chairs. As anticipated, the organisers circulated the paper prepared for the Summit by the Division of the Ethics of Science and Technology within UNESCO. They also agreed to table, as a room document, the complimentary paper which I had prepared, outlining some personal views on the importance of UNESCO, the IBC and the *Universal Declaration on the Human Genome and Human Rights*. Copy of the *Declaration* was annexed to my paper as a supplement. Accordingly, the text was available to all participants.

4. My principal oral observations to the Summit, which were restricted to ten minutes, amounted to a summary of the points made in the UNESCO document and a review of the terms of the *Declaration*. I briefed the members at the Summit on the wide range of work in which IBC has been involved and to which it is committed in the future. There was considerable interest in this work, both around the table and in the corridors. Many of the issues being studied by the IBC parallel those which are under consideration in the National Bioethics Commissions around the table. It has to be said that IBC is a more global and representative body than the

Summit is, of its nature. The Summit is still very substantially representative of official bodies in Europe, North America and other developed countries.

5. During the presentation on behalf of the World Health Organisation (WHO), Dr Daniel Wikler made a proposal which he had earlier notified to me. I attach copy. It suggested that WHO should take over the somewhat informal and *ad hoc* organisational arrangements of the Summit and provide a permanent secretariat to ensure the exchange of information and the proper organisation of future meetings of the Summit. I was not aware whether UNESCO would wish to offer a counter-proposal. However, I did stress the point (made in the paper prepared by the Division) that IBC is the only general bioethics advisory body within the United Nations system. I also stressed that bioethics is not wholly an issue for medical practitioners or healthcare workers - but reaches beyond to philosophers, ethicists, theologians, lawyers and many other disciplines, as represented within the IBC. I referred to joint cooperative efforts in the past between UNESCO and WHO, including a meeting in June 1998, in Geneva, at which ethical policies on vaccine developments were discussed in the context of HIV/AIDS. I urged that any consideration of the WHO proposal should include the indication that it should be developed in consultation with UNESCO, and specifically with the IBC. There appeared to be general consensus in favour of that proposition.

6. Several important and useful points were made during the debates at the Summit which I summarise as follows:

(a) It was urged that future Summits should include the participation, as observers, of international drug companies and consideration of simple initiatives which could improve quality of life in the developing world.

(b) It was suggested that the Summit, and National Commissions, should ensure that the public was involved in consultations about bioethics; that the media were educated in the complexity of the issues involved; and that politicians were also exposed to the subtle considerations which arise which are not always brought out by the popular media.

(c) Several participants stressed the need for a sense of urgency about bioethical concerns, particularly as they affect developing countries. It was proposed that National Commissions in developed countries should invite interns from the developing world to participate in their work so as to lay the ground for the future development of National Bioethics Commissions in the developing world.

(d) A number of participants emphasised the need for constant review of bioethical opinions. This view was reinforced by a reflection on the sequential debates over AID

(Artificial Insemination Donor), AIH (Artificial Insemination Husband), IVF (In vitro Fertilisation), and now cloning.

(e) One participant suggested that National Commissions should take urgent initiatives to ensure that medical and other healthcare students were made aware of the *Nuremburg Code*, the *Helsinki Declaration*, revisions of these principles and, I proposed, the *Universal Declaration on the Human Genome and Human Rights*.

(f) Dr Imura (Japan) emphasised the need for future consideration of the importance of the decisions made in multinational and international corporations and agencies which were effectively beyond the power or influence of National Bioethics Commissions or governments.

(g) Several interventions urged the need to avoid the "reinvention of the wheel" in bioethical concerns and thus for a better system for pooling information on the work done or being done in the IBC and in National Commissions.

(h) The special vulnerability of developing countries as the subjects of genetic research was stressed by Mrs Muthuswamy of India. Mrs Charo of the United States offered the suggestion that different cultures tended to take different

starting points in bioethical decisions. Countries such as the United States took a prima facie position that scientific developments were healthy and that a heavy onus rested upon those who would inhibit or restrict them. Other countries, influenced by culture, religion or economic perspectives took the view that science must serve their society and that, in the case of doubt, restrictions should be interposed. Mrs Charo indicated her view that these differences were likely profoundly to affect the approaches taken to bioethical concerns, in the Summit, in the IBC and in other international and national deliberations.

(i) Professor Vermeesh of the Belgium Commission expressed some concern about what he saw as the level of "dogma" evident in the prohibition on cloning stated in the UNESCO *Universal Declaration*. He said that his Commission was divided on the issue and was not convinced that the prohibition should be in such broad, absolute and apparently immutable terms as stated in the *Universal Declaration*. I emphasised the language of the *Declaration* with its reference to entire human beings and that this language did not, on its face, necessarily apply to experiments with the cloning of human biomaterial. It seems obvious that this issue is going to be one that will need further elucidation and reflection by the IBC in its follow-up to the *Universal Declaration*.

(j) In my closing remarks I urged the National Bioethics Commissions present to consider the ways in which the IBC could cooperate with them and help them in the performance of their functions. By reference to a number of analogies I pointed to the way in which the IBC's work could reduce duplication of effort and provide basic principles around which national legal, administrative and other responses could coalesce. The *Universal Declaration* was cited as an example of a useful initiative in this regard.

7. The Summit was a friendly and cooperative meeting. I will send with this report the full set of papers which were presented to the Summit. They represent the reports of National Commissions around the world. In due course it could be useful for discussions to be had with Dr Daniel Wikler to see whether a cooperative arrangement could be worked out with WHO by which to support and stimulate the work of the national bioethics commissions in future meetings of the Summit. Several participants stated that, whereas in the past they had been sceptical about the need for a more formalised structure for the Summit, they had now come to the view that this was needed. It will be up to UNESCO to decide the level of its involvement (if any) in, and relationship to, future meetings of the International Summit of Bioethics Commissions.

Canberra
5 November 1998

World Health Organization Proposal Secretariat for the Summit of National Bioethics Commissions

Presented to the Second International Summit of National Bioethics
Commissions, Tokyo, November 1998

The World Health Organization wishes to extend its support to the group of nations whose representatives will participate in this year's Summit of National Bioethics Commissions. These Summits reflect the value placed by participating nations on the opportunity for mutual education and cooperative action in the field of bioethics.

WHO offers this group of national and international bioethics commissions its services as a secretariat or bureau to assist the group in planning future Summits. WHO will offer staff resources needed to maintain mailing lists, to issue invitations to future meetings on behalf of the leaders of this Summit group, and, perhaps in collaboration with other agencies, to maintain a repository for commission reports for the use of member organizations and other interested parties.

WHO'S proposal can be summarized as follows:

1. WHO invites delegates to this 1998 Summit of National Bioethics Commissions to form a council of national bioethics commissions and advisory bodies, dedicated to meeting on a biennial basis to share work in progress and to initiate cooperative endeavors. In WHO's view, this council should be autonomous, electing its own leaders and setting its own agenda. This council could build on, and include, existing international cooperative groups of national bioethics commissions.
2. WHO offers a modest secretariat or bureau in support of this council, active primarily in preparing for future meetings but also acting as a conduit for inter-commission communication.
3. WHO would hope that this council would put particular emphasis on the issues and needs involving bioethics which face developing countries, particularly those lacking the academic and institutional infrastructure for bioethics. This council, and WHO itself, can act to assist in the development of resources to this end.
4. Details on the structure of this council, and its relationship to other existing and proposed international bioethics organizations may be determined in dialogue between WHO, members of this Summit, and the other organizations, on a schedule permitting the determination for the agenda of a meeting of this Summit by or before the year 2000.

This proposal is submitted to the Summit on behalf of WHO by Daniel Wikler, Ph.D.,
representative of WHO to the Summit.