REPORT BY THE DIRECTOR-GENERAL ON THE WORK OF THE
INTERNATIONAL BIOETHICS COMMITTEE (IBC) AND
OF THE INTERGOVERNMENTAL BIOETHICS COMMITTEE (IGBC)

OUTLINE

Source: Article 11, paragraph 2, of the Statutes of UNESCO’s International Bioethics Committee (IBC).

Background: In accordance with Article 11, paragraph 2, of the IBC Statutes, the Director-General shall transmit to the General Conference the opinions of the Intergovernmental Bioethics Committee (IGBC), together with the advice and recommendations of IBC.

Purpose: This report reviews the work carried out by IBC and IGBC since the 35th session of the General Conference.
I. INTRODUCTION

1. In terms of statutory meetings, IBC held its sixteenth session in Mexico in November 2009, its seventeenth session in Paris in October 2010 and its eighteenth session in Baku, Azerbaijan, in June 2011, while IGBC held an extraordinary session in October 2010 to consider revising the Rules of Procedure, and its seventh session in September 2011. Moreover, a joint session of IBC and IGBC was convened by the Director-General in October 2010.

2. Based on the work programme of IBC fixed by its Bureau at the beginning of the biennium, the work of the two Committees focused on three thematic areas:

   (i) the principle of respect for human vulnerability and personal integrity (Article 8 of the Universal Declaration on Bioethics and Human Rights);

   (ii) the issue of human cloning and international governance; and

   (iii) the issue of traditional medicine and its ethical implications.

II. WORK OF IBC

Report of IBC on Social Responsibility and Health

3. The Report of IBC on Social Responsibility and Health (2009) was the result of a long reflection which IBC began at its twelfth session (December 2005). It was much discussed and reflected upon, including within the framework of IGBC, and was finalized by IBC at its sixteenth session.

4. The report was published in English and French, widely disseminated among Member States, national bioethics committees, UNESCO Chairs in bioethics and made publicly available on the Internet as resource available for activities raising the addressed issue. It was also used as reference source within the framework of UNESCO’s core curriculum on bioethics and the related activities in the Ethics Education Programme.

Report of IBC on human vulnerability and personal integrity

5. As a result of a reflection within IBC started in 2008 and further developed at its seventeenth session and at the joint session of IBC and IGBC, and based on the work carried out by the working group devoted to this topic, IBC could finalize its Report on the principle of respect for human vulnerability and personal integrity1 at its eighteenth session.

6. IBC has investigated the multiple ethical implications of this basic inequality among human beings particularly exacerbated in the context of advances in the fields of scientific knowledge, medical practice and associated technologies. The report is neither exhaustive, nor prescriptive, but it paves the way for a broader reflection and indicates possible lines of action for States, individuals, groups, communities, institutions and corporations, public and private. It enjoins them all to protect the especially vulnerable ones, as for example female children or women affected by war who are both more exposed to the risk of being uncared for, abused and rejected, but also elderly, poor, marginalized and physically or mentally disabled people.

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1. The Report of IBC on social responsibility (Ref. SHS/EST/CIB-15/08/CONF.502/3 REV. 3 of 26 November 2009) and the Report of IBC on human vulnerability (Ref. SHS/EST/CIB-17/10/CONF.501/2 Rev 2 of 22 June 2011) as well as all the documents mentioned are available, in English and French, upon request from the Division of Ethics of Science and Technology, Bioethics Section as well as on the Internet (www.unesco.org/bioethics).
Traditional medicine and its ethical implications

7. A small working group was established to reflect upon the ethical implications of traditional health practices. A preliminary draft report – discussed at the seventeenth session of IBC and at the joint session of IBC and IGBC in October 2010 – emphasized the importance of traditional medicine for a major part of the world’s population and the relevance of analysing this issue from the ethical perspective.

8. As a first step, IBC considered appropriate to better clarify the scope of traditional medicine through concrete actions:

- a consultation with almost 100 specialized research institutes worldwide;
- hearings – organized at the seventeenth session in October 2010 – with specialists from the UNESCO Natural Sciences and Culture Sectors, presenting programmes and activities relevant for the work of IBC;
- hearings – organized at the eighteenth session of IBC in June 2011 – with traditional health practitioners from China, India, Kenya and Peru.

9. Members of IBC expressed diverging opinions on the question whether IBC should pursue its reflection on this issue or not. These divergences partly stem from the difficulty of properly identifying the practices of traditional medicine to be dealt with and isolating them from harmful practices.

10. The Committee therefore entrusted its Bureau to consider all opinions expressed within IBC and figure out the best way of moving forward in this respect.

Human cloning and its international governance

11. Positive feedback received regarding the 2009 Report encouraged IBC to pursue its reflection on the issue of human cloning and international governance by focusing on three areas:

- new scientific developments in the field of human cloning, the use of terminology and its ethical impact;
- legal developments and different options for legal regulation of human reproductive cloning (including the possibility of a moratorium); and
- options for activities designed to disseminate information and raise public awareness on the issue of human cloning and its governance.

12. After extensive discussions at the seventeenth and eighteenth sessions and exchanges with IGBC at the joint session, IBC members persistently disagreed on the ethical implications of techniques of human cloning and the best option for international governance. IBC was therefore unable to reach a consensus on a new final document on human cloning and international governance and entrusted the Bureau to evaluate if and how the draft document could be revised to accommodate the different positions expressed.

III. WORK PROGRAMME OF IBC FOR 2012-2013

13. Entrusted by the Committee, the Bureau finalized the work programme of IBC for 2012-2013 at its meeting of September 2011, based on the discussions at the eighteenth session of IBC, the conclusions of the seventh session of IGBC and on the input of UNESCO’s Secretariat. It agreed that IBC will continue its work on traditional medicine and its ethical implications, with the aim of finalizing its report on this topic at its nineteenth session in 2012. Moreover the Committee will focus
on the principle of non-discrimination and non-stigmatization, as set forth in Article 11 of the Declaration, by using this principle as a “conceptual umbrella” under which to address the new risks and responsibilities arising in different sensitive areas of medicine, life sciences and associated technology (including but not limited to i.e. biobanking; organs transplantation and trafficking; neuroscience; HIV/AIDS and nanotechnologies). The possibility to further develop new topics, including regenerative medicine or neuroscience, will be considered by the Committee as a whole at its nineteenth session in 2012, also based on the progress made on the two other topics.

IV. WORK OF IGBC

14. The following Member States of IGBC were represented at the seventh session on 5 and 6 September 2011: Austria, Brazil, Chile, Colombia, Democratic People’s Republic of Korea, Denmark, Dominican Republic, Georgia, Germany, Ghana, Greece, India, Indonesia, Islamic Republic of Iran, Japan, Kenya, Lebanon, Madagascar, Nigeria, Philippines, Portugal, Republic of Korea, Saudi Arabia, Switzerland, United States of America and Venezuela. At the outcome of the session, IGBC approved the following conclusions:

At its Seventh Session, the Intergovernmental Bioethics Committee (IGBC):

In relation to item 3 of the agenda – Revision of Rule 3 of the Rules of Procedure of the Committee,

1. Decides to amend Rule 3 of the Rules of Procedure as follows:

“Rule 3 – Elections

3.1 The Intergovernmental Committee shall elect from among its members a Chairperson, four Vice-Chairpersons and a Rapporteur, with due regard to the need to ensure equitable geographical representation.

3.2 The election of the Bureau will be held at a session convened as soon as possible after the election of the members of IGBC by the General Conference.

3.3 The members of the Bureau shall remain in office until the election of the new Bureau.

3.4 Members of the Bureau shall be eligible for election for a second consecutive term.”

In relation to item 5 – Progress report on UNESCO bioethics programme: promotion and dissemination of the Universal Declaration on Bioethics and Human Rights and capacity-building activities,

2. Acknowledges the work carried out by the UNESCO Secretariat to stimulate reflection on the recurring and newly emerging bioethical issues, and to successfully implement the capacity-building initiative in the developing countries;

3. Welcomes the continued efforts of the Secretariat to implement the UNESCO Assisting Bioethics Committees (ABC) project, which has already achieved the establishment and strengthening of the national bioethics infrastructure in many developing countries and invites the Secretariat to pursue and further expand the project;

4. Reiterates its support to the UNESCO Ethics Education Programme and its various components which have been effective in raising the quality of ethics teaching in many Member States, and calls for closer involvement of UNESCO Chairs in implementing the programme and promoting UNESCO’s mandate in bioethics education;
5. Aware of the risks of duplication and overlap among activities carried out by United Nations bodies working in the area of bioethics, 
welcomes the on-going inter-agency collaboration and coordination in this field, especially through the United Nations Interagency Committee on Bioethics, and invites UNESCO to take steps towards enhanced coordination and complementarity with other UN agencies in implementing current initiatives and planning future activities in bioethics, to promote inter alia an optimal use of the available resources;

6. Recognizes the significant role Member States can play in assessing the impact of UNESCO’s action at regional and national level, and towards this end encourages the Secretariat to offer means to the Member States for providing feedback on a range of bioethics activities within their borders, including the promotion and dissemination of the Declaration, through a standardized and user-friendly template;

7. Calls for a stronger emphasis on inter- and intra-sectoral collaboration within UNESCO and within its advisory bodies in order to more effectively deal with cross-cutting themes under the framework of bioethics, including environmental issues and protection of biosphere.

In relation to item 6 – Progress report on work carried out by IBC in 2010-2011 and the preliminary work programme of IBC for 2012-2013,

8. Recognizes the relevance of the issues that have been identified by IBC as possible themes to be considered for its future work programme for 2012-2013, and expresses preference for topics of particular significance such as the issues of bio-banking, neurosciences, organs, tissues and cells transplantation and trafficking;

9. Invites IBC, in finalizing its work programme, to carefully take into account the wealth of analytical and regulatory activities already carried out, in particular by other international and regional organizations and institutions, in order to ensure complementarity and avoid duplication of work.

10. Recognizes the importance of the topic of human cloning and international governance, and acknowledges the extensive work carried out by IBC on this topic, in particular the Report produced in 2009;

11. Also recognizses the existing differences in the positions of various countries on this topic, as well as among members of the IBC, and acknowledges the difficulty of reaching consensus on such a highly controversial issue;

12. Encourages UNESCO, with the assistance of IBC as appropriate, to continue to follow the developments in this field in order to anticipate emerging ethical challenges;

13. Recognizes the significance and time-sensitiveness of the issue of traditional medicine and its ethical implications, particularly in the context of developing countries, and considers appropriate that IBC pursues its reflection on this topic.

In relation to item 7 – Principle of respect for human vulnerability and personal integrity: Report of IBC (Ref. SHS/EST/CIB-17/10/CONF.501/2 Rev. 2 of 22 June 2011),

14. Acknowledges and values the work carried out by IBC on the issue of respect for human vulnerability and personal integrity, which has resulted in a comprehensive but concise Report that manages to find an appropriate balance between the academic discourse and applied policy considerations of the issue;

15. Welcomes the fruitful discussion and collaboration on this report between IBC and IGBC on various occasions, including the joint meeting in 2010, which has led to the improvements in the document, and encourages such collaboration to become an established trend between the two bodies;
16. *Welcomes* the content of the Report structured around real cases that illustrate the circumstances in which specific vulnerabilities arise, and *stresses* that the examples cannot be considered exhaustive and cannot be viewed as pertaining exclusively to the developed or the developing world, but should rather be considered illustrative of various situations in which vulnerability can be identified;

17. *Supports* the use of the Report as a tool for policy-makers to guide their decision-making on relevant issues, as well as for the general public to raise awareness about the concept of vulnerability and its practical application.