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### Introduction

This Compendium of Global Bioethics, as volume of the *Handbook of Global Bioethics*, is the first comprehensive systematic treatment of the major normative issues in contemporary global bioethics to date. The global issues, problems, and principles addressed in this work represent a genuinely new stage in the development of bioethics, especially since they are pertinent to developing and developed countries. This new stage in bioethics is furthermore promoted through the ethical framework presented in the *Universal Declaration on Bioethics and Human Rights*. This declaration is the first political statement in the field of bioethics, adopted unanimously by all member states of UNESCO in 2005. The declaration is distinct from other international documents such as the Declaration of Helsinki in formulating a commitment of governments. Being part of international law (though not binding as a convention), it presents a universal framework of ethical principles for the further evolution of bioethics at a global level. This chapter explores the roots and the development of the Universal Declaration. In addition, it shows how its principles inform the structure of the compendium. This may help to understand and comprehend the approach that is followed in most of the chapters of the compendium.

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### The Growth of Global Bioethics

Most developing countries still have a limited infrastructure in bioethics, lacking expertise, educational programs, bioethics committees, and legal frameworks. Due to the global nature of science and technology, however, there are similar bioethical questions emerging as in developed countries where bioethics has already existed

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for a long time. As a result, developing countries endeavor to develop and apply bioethics principles that are coherent with their own value system. They recognize the importance of bioethics but do neither have the capacity nor the facilities to fully engage in it. At the same time, they aim to have a bioethics framework in their country that would not be regarded as extraneous but would be considered as suitable for their own country and culture. For this reason, they have appealed to UNESCO as an impartial global organization to set universal ethical benchmarks for the analysis and assessment of the issues within bioethics. They wanted to work together in this international political platform toward identifying basic principles and shared values regarding science, technology, and health care to be put to use in the global bioethics conversation.

When the United Nations Educational, Scientific and Cultural Organization (UNESCO) was established more than 60 years ago, its constitution declared that peace must be founded upon the intellectual and moral solidarity of humanity. Julian Huxley, the first director general, pointed out that, in order to make science contribute to peace, security, and human welfare, it was necessary to relate the applications of science to a scale of values. Guiding the development of science for the benefit of humanity therefore implied “the quest for a restatement of morality [...] in harmony with modern knowledge” (Huxley, 1946, p. 41).

Since its foundation, UNESCO has been concerned with moral issues in relation to science. From the 1970s onward, the emergence of the life sciences, in particular, has led to the international examination of bioethical questions. In order to match the increasingly global scope of the bioethics debate, UNESCO established the International Bioethics Committee (IBC) with a work program and budget for international activities in 1993. The program was expanded in 1998 with the foundation by UNESCO of the World Commission on the Ethics of Scientific Knowledge and Technology (COMEST), which addresses other areas of applied ethics such as environmental ethics, science ethics, and technology ethics. Since 2002, UNESCO has been coordinating the activities of several international bodies in the area of bioethics through the Inter-Agency Committee on Bioethics of the United Nations (with, among others, FAO, OECD, and WHO). In the same year, the 191 member states decided that ethics should be one of the five priorities of the organization.

Against this backdrop, it is hardly surprising that UNESCO was considered by states to be the most appropriate international forum for the elaboration of a framework of bioethical principles, the more so since the organization has demonstrated its ability to fulfill a constructive standard-setting role in the field of bioethics. Over the past two decades, UNESCO, being the only specialized instance within the United Nations system that combines education, culture, science and social sciences in its field of competence, has developed a bioethics program that reflects the multidisciplinary and transcultural dimension of the discipline. UNESCO has been engaged in carrying out actions to involve countries around the world in order to bring out fundamental principles acceptable to all, without losing sight of respect for cultural diversity. The success of the Universal Declaration on the Human Genome and Human Rights, adopted in 1997 (and furthermore adopted by the General Assembly of the United Nations 1 year later), and the International Declaration on Human

Genetic Data, adopted in 2003, has reinforced UNESCO in its standard-setting action in the field of bioethics and has convinced states to place confidence in the organization's capability to develop a more general bioethics declaration.

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## Constructing Consensus

In October 2001, the general conference (the general meeting of all member states), supported by the Round Table of Ministers of Science, invited the director general of UNESCO to examine the possibility of developing "a universal instrument on bioethics." The feasibility study drafted by the International Bioethics Committee (IBC) concluded that it might be possible to find common ground in divergent bioethical positions by focusing on basic principles (Ten Have & Jean, 2009). Some of these principles had already been identified in previous declarations. The study also stressed the necessity to develop a universal instrument because of rapidly developing scientific practices increasingly extending beyond national borders. Consequently, it was deemed desirable that developed and developing countries alike achieve a consistent set of principles informing their regulations and policies.

Two years later, in October 2003, the general conference provided a mandate to submit a draft declaration within 2 years. In the meeting, then French President, Jacques Chirac, made a vigorous plea for a universal normative framework, preferably a convention, to guide the progress of the life sciences and to protect the integrity and dignity of human beings. Taking into account the short time frame, the variety of cultures and traditions to be taken into account, and the controversial nature of many bioethical issues, the subsequent process of drafting, entrusted to the IBC, was based on extensive consultations with many organizations (e.g., FAO, WHO, WIPO, Council of Europe, National Bioethics Committees, and international bioethics societies). Throughout the process of elaborating the text, several drafts were published on the website of UNESCO. The work of the IBC drafting group was conducted in as public a way as possible in order to facilitate consensus formation and early identification of any dissenting views.

Dealing with bioethics in an intergovernmental organization such as UNESCO implies a linkage between science and politics. Each normative instrument needs to reflect the scientific and ethical state of the art. But in the end, every draft is submitted for approval to the member states which then decide if they wish to adopt it. Thus, the draft text developed by the independent scientific experts of the IBC was subjected to political negotiations among the experts who represented the various governments of the UNESCO member states. As a result, the cogency of the final text may have been diminished, in some respects, due to textual adaptations to create maximum adherence by all of the governments involved. In order to facilitate the opportunities for compromise, the work of the independent IBC was connected at an early stage with that of governmental experts. Several amendments to the IBC text were made by the governmental experts. The Declaration, as adopted, represents the IBC draft as so amended. After 2 years of intense work, the member states adopted, unanimously and by acclamation on 19 October 2005, the Universal Declaration on Bioethics and

Human Rights, thus solemnly affirming the commitment of the international community to respect a certain number of universal principles for humanity in the development and application of science and technology.

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## **Universal Declaration on Bioethics and Human Rights**

The Universal Declaration aims to define the universally acceptable norms, principles, and procedures in the field of bioethics, in conformity with human rights as ensured by international law. It is thus conceived as a group of general provisions and principles that allow for a better evaluation of the implication of ethical issues at stake and to provide assistance in decision-making in this field. It does not pretend to resolve all the bioethical issues. In order to achieve its goals, the Universal Declaration incorporates a linkage to international human rights law as is reflected in its full title. Thus, it anchors its ethical principles in the international rules that govern respect for human dignity, human rights, and fundamental freedoms. By drawing on the 1948 Universal Declaration of Human Rights, it clearly enshrines bioethics in international human rights law thus applying human rights discourse to the specific domain of bioethics.

One of the contentious issues in the elaboration process was the scope of bioethics. At least three views were advanced stating that bioethics had to do with (1) medicine and health care as well as associated technologies; (2) the social context, such as access to health, solidarity, and justice; and (3) the environment. In different parts of the world, different conceptions, definitions, and histories of bioethics were prevalent.

The scope of the adopted text of the Declaration is an obvious compromise between these views. It addresses “ethical issues related to medicine, life sciences and associated technologies as applied to human beings, taking into account their social, legal and environmental dimensions” (Art. 1a).

The aims of the Declaration are multiple. However, the most important aim is to provide “a universal framework of principles and procedures to guide states in the formulation of their legislation, policies or other instruments in the field of bioethics” (Art. 2i). One characteristic of present-day bioethics is that it is not merely an academic discipline; it is also a subject of public policy. This is why the Declaration primarily addresses states. But at the same time, since the bioethical principles identified are founded on human rights and fundamental freedoms, the Declaration also aims “to guide the actions of individuals, groups, communities, institutions and corporations, public and private” (Art. 2). The ethical principles that should guide governments cannot be different from the ones guiding professional conduct.

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## **Ethical Framework for Global Bioethics**

The heart of the Declaration is to be found in the 15 principles that are listed. The principles express the different obligations and responsibilities of the moral subject

(“moral agent”) in relation to different categories of moral objects (“moral patients”). The principles are arranged according to a gradual widening of the range of moral objects: the individual human being itself (human dignity, benefit and harm, autonomy), other human beings (consent, privacy, equality), human communities (respect for cultural diversity), humankind as a whole (solidarity, social responsibility, sharing of benefits), and all living beings and their environment (protecting future generations and protection of the environment, the biosphere, and the biodiversity).

Fundamental ethical principles in the UNESCO Declaration:

1. Human dignity and human rights
2. Benefit and harm
3. Autonomy and individual responsibility
4. Consent
5. Persons without the capacity to consent
6. Respect for human vulnerability and personal integrity
7. Privacy and confidentiality
8. Equality, justice, and equity
9. Nondiscrimination and non-stigmatization
10. Respect for cultural diversity and pluralism
11. Solidarity and cooperation
12. Social responsibility and health
13. Sharing of benefits
14. Protecting future generations
15. Protection of the environment, the biosphere, and the biodiversity

Some of the principles are already widely accepted (e.g., autonomy and consent). Other principles have been endorsed in previous declarations (e.g., sharing of benefits). Innovative within the set of principles in the Universal Declaration on Bioethics and Human Rights is the balance struck between individualist and communitarian moral perspectives. The Declaration recognizes the principle of autonomy (Art. 5) as well as the principle of solidarity (Art. 13). It emphasizes the principle of social responsibility and health (Art. 14), which aims at reorienting bioethical decision-making toward issues urgent to many countries (such as access to quality health care and essential medicines especially for women and children, adequate nutrition and water, reduction of poverty and illiteracy, improvement of living conditions and the environment). Finally, the Declaration anchors the bioethical principles firmly in the standards governing human dignity, human rights, and fundamental freedoms.

The section on the application of the principles (Arts. 18–21) is also innovative because it addresses the spirit in which the principles ought to be applied. It calls for professionalism, honesty, integrity, and transparency in the decision-making process; the setting up of ethics committees; appropriate assessment and management of risk; and ethical transnational practices that help in avoiding exploitation of countries that do not yet have an ethical infrastructure. The Universal Declaration thus opens perspectives for future action and reiterates the need to place bioethics within the context of reflection open to the political and social world. Today,

bioethics goes far beyond the code of ethics of the various professional practices concerned. In addition, it involves and promotes reflection, as advocated by Potter, on the future of humankind and on the evolution of society and science (see ► [Chap. 1 on “Global Bioethics”](#) in this volume). The Universal Declaration paves the way for a new agenda of bioethics at the global level.

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## **Rationale of the Compendium**

Although the Universal Declaration constitutes a nonbinding instrument in the eyes of international law, its value and its strength are in no way diminished. For the first time in the history of bioethics, all states of the international community are solemnly committed to respect and implement the basic principles of bioethics, set forth within a single text. Also through the Universal Declaration, bioethics finds its place on the agenda of states. Furthermore, characterized by the transparency and active participation of all the actors concerned, the elaboration process of the Universal Declaration, involving extensive consultations, has already largely contributed to the renown of the text and its general acceptance. The innovative dimension of the Declaration is that it constitutes for the first time a commitment of governments to a set of bioethical principles. Previous international declarations, although sometimes very influential, such as the Declaration of Helsinki, have been adopted by professional organizations (such as the World Medical Association).

The Universal Declaration on Bioethics and Human Rights should therefore not be seen as the fruit of the reflection of just a few but as the result of a long and sustained common effort in which numerous actors have been involved, representing a wide range of countries in the world. It should also be regarded as the beginning of a long process implementing and applying the principles stated in the Declaration. First, it is important to make sure that scientists, healthcare professionals, and policy-makers all over the world are informed about the existence and the contents of the Declaration. Second, it is necessary to exchange experiences about possible ways of application of the principles in different settings. These aspirations have determined the structure of the Compendium for Global Bioethics. Taking the ethical principles of the Declaration as guides, the contributions in the compendium will explore how these principles are interacting with cultural and religious traditions and how they are helpful in analyzing many of the new issues on the agenda of today's global bioethics.

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## **Structure of the Compendium of Global Bioethics**

The first section of this compendium presents an introduction into global bioethics as well as an overview of its history. These chapters not only explain what is involved in using the terms “bioethics” and “global bioethics” but they also locate today's emerging global bioethics issues and discussions within an historical context.

The second section elaborates the 15 ethical principles adopted by UNESCO. These principles can be seen as foundational for global bioethics. It goes without saying that, in a global context, they are to be interpreted and applied differently according to the specifics of the manifold social and cultural local contexts. Against this backdrop, the authors in Section 2 proceed in roughly the same way: they explain the principle, present the various arguments pro and con, discuss the practical possibilities and problems in applications, and sketch the interrelations with other ethical principles. In this way, each of the ethical principles is explained in a similar manner, allowing a comparative assessment of strengths and weaknesses.

The third section presents the most significant cultural perspectives on the problems and practices of global bioethics. These perspectives influence the way in which ethical principles are specified and weighed. Application of the ethical principles always takes place within specific contexts that are influenced by culture and religion. The authors in this section discuss how the framework of ethical principles presented in Section 2 can be regarded and worked with from the specific perspectives of African, Arab, Asian, European, Latin-American, North-American, and Pacific cultures.

Section four focuses on religious perspectives. It follows the same methodological approach as the previous section. Only this time, the ethical principles are addressed from the perspectives of the world's major religions: Buddhism, Catholicism, Confucianism, Hinduism, Judaism, Orthodox Christianity, Protestantism, Islam, and Taoism.

The fifth section of the compendium presents the major ethical issues and challenges of current global bioethics. The emergence and significance of these issues have primarily been triggered by the globalization of science, research, technology, and health care. The authors use the framework of ethical principles, presented in Section 2, in order to analyze and discuss the specific issue at stake thereby demonstrating the practical use of the principles. Naturally, often, only a selection of the Declaration's principles will apply to the moral issue or dilemma at hand. Sometimes, the analysis is also still rather tentative, since a fair number of issues, such as bio-piracy, corruption, disasters, indigenous medicine, immigrants and displaced persons, malnutrition, and hunger, are rather new in bioethics as a topic of scholarly research.

The compendium concludes with an outlook focused on the future of global bioethics. Since global bioethics is a relatively young field, many issues and questions are still open for analysis and debate. Also, the debate will be enriched by the experiences with bioethics in an increasing number of countries. This section will outline the priorities for future research and development of global bioethics.

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## Conclusion

This chapter has presented the rationale for the Compendium of Global Bioethics. It has argued that present-day global bioethics is characterized by a common

framework of ethical principles defined in the UNESCO Universal Declaration on Bioethics and Human Rights. The various sections of this compendium are elaborating the ethical principles, examining the principles in various cultural and religious contexts, and applying the principles of topical issues in contemporary bioethical debate.

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## References

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