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HELSINKI IN THE AGE OF HUMAN RIGHTS

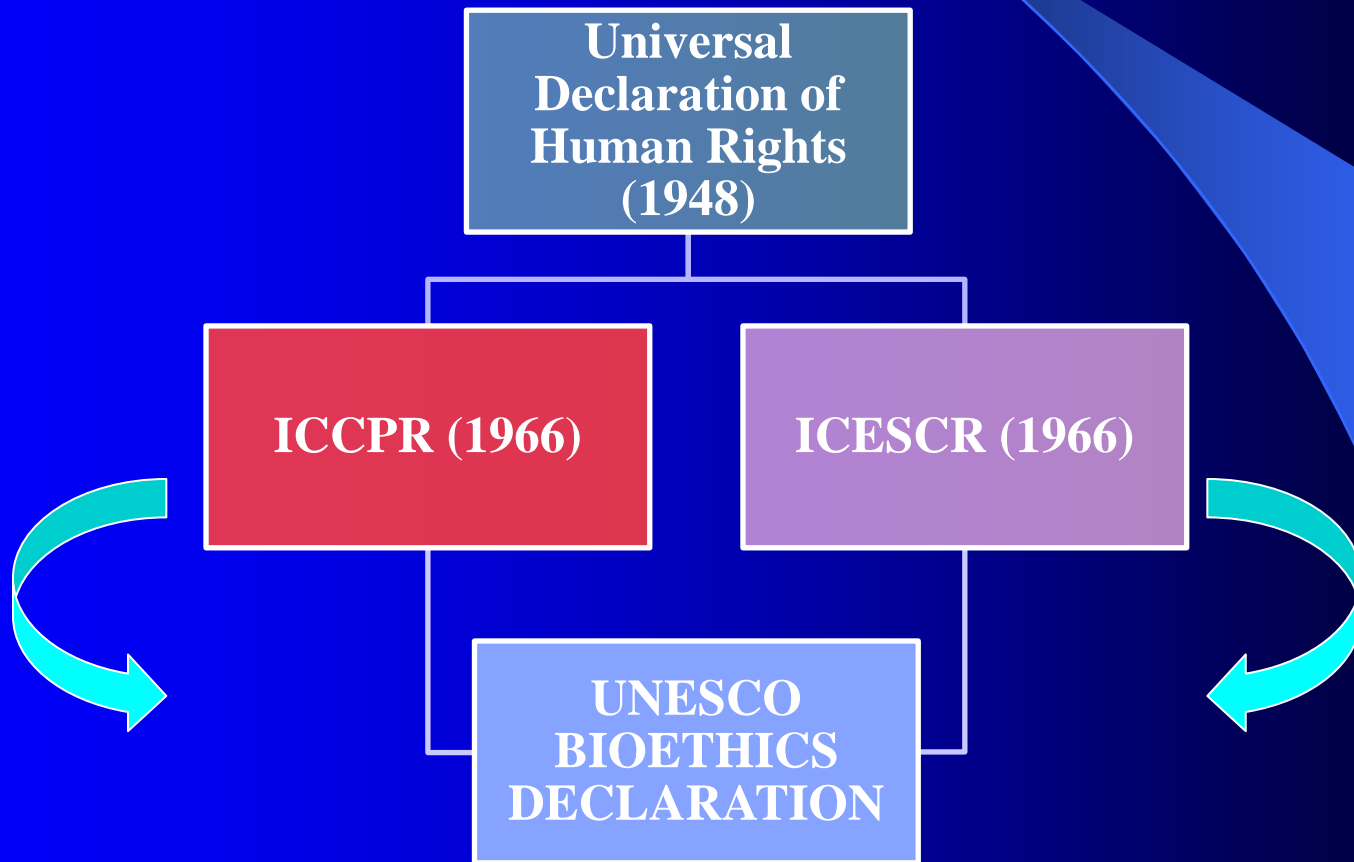
WMA Satellite Meeting during the 11th World Congress of Bioethics:
Thinking ahead – The future of the Declaration of Helsinki
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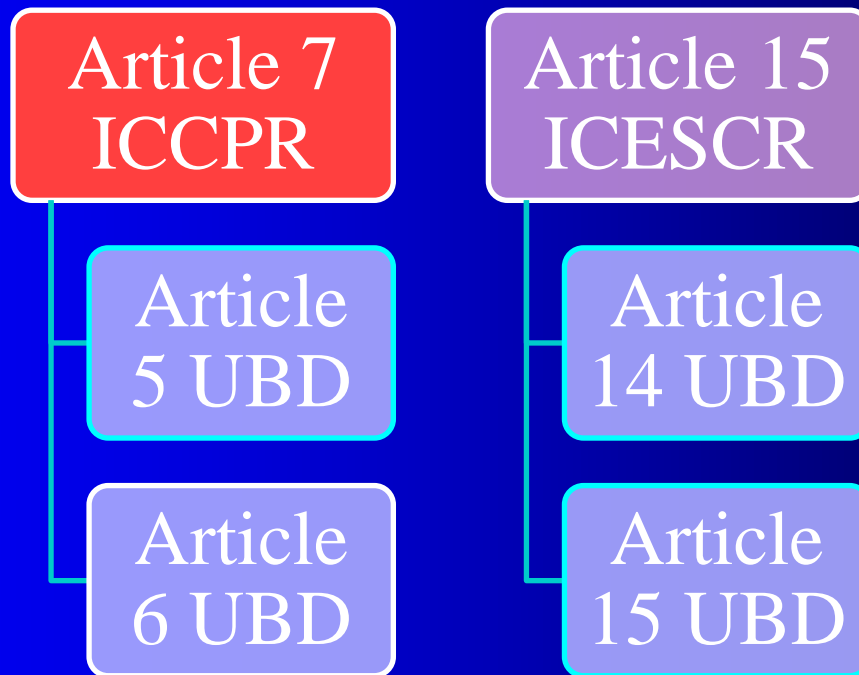
Aims

- Analyze the relationship between the Declaration of Helsinki and UNESCO's Bioethics Declaration (UBD)
- Situate UBD in the wider dual international human rights framework of the ICCPR & ICESCR
- Show that DoH is consistent with and a necessary complement to human rights instruments.

Hierarchy of Human Rights in International Law



Strict v. Progressive Obligations



International Covenant on Economic Social and Cultural Rights (1966)

Article 15

1. The States Parties to the present Covenant recognize the right of everyone:

- (a) To take part in cultural life;
- **(b) To enjoy the benefits of scientific progress and its applications;**
- (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

ICESCR: States Obligations

Article 2

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to **achieving progressively the full realization of the rights recognized in the present Covenant** by all appropriate means, including particularly the adoption of legislative measures.

Art. 15 implications & Helsinki

- Design and conduct trials should be sensitive to local context and needs (DoH - 17)
- The use of placebos may be consistent with human rights (DoH – 32)
- Rights to benefit-haring (DoH -33)

Human Rights & Ethical Codes

- The UNESCO Declaration is not intended to displace and cannot replace ethical codes conduct such as the Declaration of Helsinki – specifically noted in the Preamble to the Declaration.
- Like other human rights texts UNESCO's Declaration aims to provide a 'universal framework of principles to guide States'. The normative implications of these principles and their detailed implementation must be developed separately (by States)
- The Declaration of Helsinki 2008 has a critical and complementary role to play in the detailed elaboration of ethical guidance to ensure respect for human rights.
- Collaboration and dialogue between UN agencies, States, professional organizations and civil society is crucial to promote and enhance respect for human rights.



Thank You