

EUROPEAN BIOETHICS COMMITTEES IN BERLIN

The national ethics committees of the Member States of the Council of Europe and of the European Union have held a joint meeting for the first time. With Germany holding the Presidency of the Council of the European Union, the German National Ethics Council welcomed the 145 participants from 38 European countries together with the members of the European Group on Ethics in Science and New Technologies (EGE) to Berlin from 23 to 25 May 2007.

The role of bioethics advisory bodies in democratic societies was one of the subjects on the agenda of the Ninth European Conference of National Ethics Committees (COMETH). The Chair of the German National Ethics Council, Kristiane Weber-Hassemer, stated that the function of ethics committees was to initiate learning processes in society and to engage in discourses that called for prolonged reflection. Governments and parliaments must also involve themselves in such discourses. The Chair of COMETH, Daniel Tarschys, stressed that the ethics committees of all countries faced substantially the same issues, so that exchanges between them were of paramount importance and should be intensified. Lutz Diwell, Permanent Secretary at the Federal Ministry of Justice, too, referred in his address of welcome to the growing significance of international cooperation in matters of bioethics. For this reason there was also an increased need for the development of international standards. The Council of Europe had an important part to play in this respect.

Claude Huriet, Vice Chair of UNESCO's International Bioethics Committee, discussed the role of bioethics advisory bodies in the democratic debate from the standpoint of politics and legislative assemblies. UNESCO, he said, encouraged states to establish bioethics committees, as they forged a link with human rights, and these bodies needed time for their work. "However, time is against us," remarked Professor Huriet, who called for the establishment of a connection between the right to innovate and the right to reflect.

Claude Longchamp, a Swiss political scientist, saw the current role of bioethics committees, which he provocatively termed bioethics agencies, as that of external observers. He compared ethics councils to a fire brigade: they were summoned in the event of a conflagration. He suggested that it would be better, figuratively speaking, for them to have a fire protection role. He called upon bioethics bodies to act as lobbyists and to constitute a counterweight in the political process. Like all other actors, they too should be able to engage permanently in the process of direct democracy by communication vis-à-vis the emerging will of the state and opinion formation among the public. In this way they would be ahead of the field in terms of experience precisely where novel issues were concerned. Only well established platforms designed for the long term were likely to succeed. In his view, the work of bioethics advisory bodies was far too unsystematic. The crux of an ethical argument was the benefit to humanity or to individuals.

New international processes were suggested in the discussion, such as inviting two representatives of ethics committees of African countries to the next COMETH conference to enable them to learn from well functioning ethics bodies. Professor Huriet stated that

UNESCO already had a programme for new bioethics committees, which was supporting countries such as Togo.

Elmar Doppelfeld, Chair of the Council of Europe's Steering Committee on Bioethics, summarized the presentations and discussion by saying that in his view ethics committees had a responsibility to strike a balance between the fundamental rights of the individual and the demands of society. As an example of how prolonged the relevant processes were, he mentioned the Oviedo Convention, which was not submitted for signature until six years after work on it began. He encouraged the delegates by noting that, as the German saying had it, constant dripping wore away the stone.

Brain research and the limits of the scientific paradigm

The first joint meeting of COMETH and the EU Forum of National Ethics Councils (NEC) was devoted to issues of brain research and the limits of the scientific paradigm in explaining human thought and action, as well as to the distinction between medical and social problems.

Adducing the results of brain research using present-day imaging techniques, Karl Zilles, of the Jülich Research Centre, showed that cognition and behaviour were based on localizable cerebral activity. He said that the aim of this work was to understand the underlying brain mechanisms and to devise possible therapies for their malfunctions. However, brain research could throw light on cognitive processes only to the extent that they were amenable to experimental investigation. The scientific paradigm precluded a dualistic mind-brain conception a priori and could lead to a naturalization of our image of man. Questions of the neuronal foundations of free will, ethics and religion would then again and again be reduced to cerebral mechanisms. Where such issues were concerned, one should beware of a naïve crossing of categorial boundaries between the natural sciences and philosophy.

“Social failure is defined as a biological process,” said Jean-Claude Ameisen, of the French National Consultative Ethics Committee (CCNE) in his presentation on the medicalization of social problems. This was only one aspect, he went on; “the other is the technicization of medicine, which detaches processes from their social context.” In the discussion, Spiros Simitis, a member of the German National Ethics Council, called for medicine to be seen in its social context and to be regarded not as technology but as a human science.

In the Ninth NEC Forum on 24 and 25 May, the Chairs and Secretaries of the ethics committees of the 27 Member States of the EU discussed collaboration in the European Research Area and the subject of governance and ethics. The agenda included contributions on the dual role of the scientist as researcher and entrepreneur and on enhancement and the human body as property. Taking artificial reproduction as an example, the participants discussed the influence of different national legislations on medical practice.

Bettina Schöne-Seifert, a member of the German National Ethics Council, defined enhancement as measures to improve intellectual capacity or psychological states over and above the treatment or prevention of disease by biochemical means. The development of such techniques was still in its infancy and raised important ethical issues. “Enhancement is not natural because the relationship between actuality and appearance is severed,” said George

Maniatis, Deputy Chair of the Hellenic National Bioethics Commission. While opposed to a categorical ban on enhancement, he favoured a case-by-case consideration based on medical and ethical criteria.

Dialogue on ethics

In his address of welcome, Thomas Rachel, Parliamentary State Secretary at the Federal Ministry of Education and Research, emphasized the vital importance of the Europeanization of the discourse on bioethics. Ethics committees allowed the expression of ethical principles that might otherwise be lost sight of in the free interplay of forces.

How realistic was the achievement of a joint approach to bioethical issues in Europe having regard to the sociocultural diversity of the EU's Member States? Was this a procedural aim or was it possible to arrive at a consensus on the substantive fields of ethics? These questions were asked by Eugenijus Gefenas, Chair of the Lithuanian Bioethics Committee, who saw the NEC Forum as a suitable platform for promoting examples of best practice and joint approaches on bioethical issues in Europe. Professor Gefenas distinguished the philosophical and academic debate on bioethics from its political and public counterpart. Whereas the philosophical standpoint followed the arguments without preconceived notions as to their outcome, political considerations concentrated on the social consequences and on possible ways of securing regulatory compromises.

Integrity and misconduct in research

Göran Hermerén, the Chair of the EGE, warned of the consequences of scientific misconduct, which in his view called the integrity of research into question. He advocated the establishment of a central, independent body to investigate all charges of cheating and misconduct. João Lobo Antunes, a member of the Portuguese National Ethics Council for Life Sciences, considered that the incidence of deception was hard to determine. It might well be greater than was generally expected. For all its shortcomings, the system of peer review was indispensable and the only appropriate gatekeeper. The conflicts of interest arising out of the relationship between research institutions and industry were a source of anxiety and impaired the credibility of scientific publications, warned Siobhán O'Sullivan, Scientific Director of the Irish Council for Bioethics, while Martin Lohse, of the University of Würzburg, drew attention to successful examples of links between industry and science. Other participants stressed the need for transparency and warned against excessively close relations between commercial interests and the world of research.

For bioethics experts cross-border exchanges were very important, as well as an occasion for initiating a debate on the approaches of the other ethics committees in one's own country, said Daniel Tarschys, the President of the Swedish National Council on Medical Ethics. The dialogue would continue at the next NEC Forum, to be held in Lisbon on 11 and 12 October 2007. The next Conference of COMETH was scheduled for 2009.

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