

United Nations Declaration on Human Cloning: 2002-2005

Costa Rica, United States, Italy and Honduras Lead Successful Effort

Summary prepared by Thomas W. Jacobson (2005)

Here is a brief summary of the effort, led largely by COSTA RICA and the UNITED STATES, and in the final phase also by ITALY and HONDURAS, to pass a pro-life resolution on human cloning at the United Nations. The UN General Assembly approved the Honduran “United Declaration on Human Cloning” on March 8, 2005.

- 2002:** GERMANY and FRANCE brought the cloning issue to the UN, trying to get a "reproductive ban" only that would have allowed the creation and destruction of human embryos for scientific research, and only prohibited the carrying to birth of an implanted cloned human embryo (if that should ever become scientifically and medically possible).
- 2003:** COSTA RICA President Abel Pacheco decided, in part because of the encouragement of Sr. Sixto Porras, head of Enfoque a la Familia Costa Rica, to take the lead internationally for a total ban on human cloning, and it became COSTA RICA’S number one foreign policy goal.
- Under the guidance of COSTA RICA Foreign Affairs Minister Dr. Roberto Tovar Faja, Ambassador José Chaverri led the effort from the capital, and Ambassador Bruno Stagno Ugarte, Costa Rica’s Permanent Representative to the United Nations, along with his skilled legal adviser, Carlos F. Díaz Paniagua, led the effort at the United Nations in New York.
 - They co-labored with the UNITED STATES, other nations, Focus on the Family USA, and Enfoque a la Familia Costa Rica to build support among nations for a total ban on human cloning.
 - COSTA RICA drafted and introduced a United Nations resolution, and by November had 65 other nations signed on as co-sponsors, plus about 40 additional nations expressing support. Just before the resolution was brought up for a vote, opposing countries blocked it via a procedural move.
- 2004:** COSTA RICA introduced a new United Nations resolution, identical to the first, and gained 63 other national co-sponsors. However, countries were more polarized on the issue than in 2003, and COSTA RICA was not able to gain majority support.
- Not to be dissuaded, COSTA RICA Amb. Stagno Ugarte entered into negotiations with BELGIUM and the Europeans, and finally reached a compromise when ITALY drafted a political declaration (the *Italian Declaration*) that would set a high standard but be non-binding on countries.
- 2005:** Negotiations in the UN 6th Committee (legal affairs/international law) on the *Italian Declaration* were scheduled for the week of February 14-18, 2005, with the hopes of finally passing, by consensus, a resolution on human cloning.
- BELGIUM and the other European countries that supported the *Italian Declaration* withdrew their support before debates started.

Mr. Jacobson originally wrote this paper in 2005 when he was serving as Representative to the United Nations for Focus on the Family (U.S.A.), from 2001 to 2010.

- COSTA RICA, the leader on the pro-life side, worked with the chairman of the committee and BELGIUM to slightly revise the text. BELGIUM agreed to the revised chairman's text, but the next day backed out again. By Friday (18th), both sides were deadlocked.
- HONDURAS stepped forward to sponsor the revised (chairman's) text.
- BELGIUM tried to amend it by removing the pro-life language.
- COSTA RICA Amb. Stagno Ugarte objected, politely and diplomatically rebuking the Belgium delegate for not negotiating in good faith, and for the third time, attempting to block consensus or a vote on the pro-life human cloning *Declaration*.
- Votes were taken. The *UN Declaration on Human Cloning*, sponsored by Honduras, was approved without substantive change (71 Yes; 35 No; 43 Abstain).

This most pro-life declaration approved at the United Nations calls on nations to:

- "prohibit all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life";
- "adopt all measures necessary to protect adequately human life" and to "prevent the exploitation of women in the application of life sciences"; and
- "prohibit the application of genetic engineering techniques that may be contrary to human dignity."

United Nations Declaration on Human Cloning (on next page).

United Nations Declaration on Human Cloning

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration on the Human Genome and Human Rights, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 11 November 1997, and in particular article 11 thereof, which states that practices which are contrary to human dignity, such as the reproductive cloning of human beings, shall not be permitted,

Recalling also its resolution 53/152 of December 1998, by which it endorsed the Universal Declaration on the Human Genome and Human Rights,

Aware of the ethical concerns that certain applications of rapidly developing life sciences may raise with regard to human dignity, human rights and the fundamental freedoms of individuals,

Reaffirming that the application of life sciences should seek to offer relief from suffering and improve the health of individuals and humankind as a whole,

Emphasizing that the promotion of scientific and technical progress in life sciences should be sought in a manner that safeguards respect for human rights and the benefit of all,

Mindful of the serious medical, physical, psychological and social dangers that human cloning may imply for the individuals involved, and also conscious of the need to prevent the exploitation of women,

Convinced of the urgency of preventing the potential dangers of human cloning to human dignity,

Solemnly declares the following:

(a) Member States are called upon to adopt all measures necessary to protect adequately human life in the application of life sciences;

(b) Member States are called upon to prohibit all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life;

(c) Member States are further called upon to adopt the measures necessary to prohibit the application of genetic engineering techniques that may be contrary to human dignity;

(d) Member States are called upon to take measures to prevent the exploitation of women in the application of life sciences;

(e) Member States are also called upon to adopt and implement without delay national legislation to bring into effect paragraphs (a) to (d);

(f) Member States are further called upon, in their financing of medical research, including of life sciences, to take into account the pressing global issues such as HIV/AIDS, tuberculosis and malaria, which affect in particular the developing countries.

United Nations Document A/C.6/59/L.27/Add.1. 18 February 2005.