

RESOLUTION OF BIOETHICS

The Assembly of Heads of State and Government of the Organization of African Unity meeting in its Thirty-Second Ordinary Session in Yaounde, Cameroon, from 8 to 10 July, 1996,

Bearing in mind that a recognition of the intrinsic dignity and the equal and inalienable rights of all members of the human family constitutes the bedrock of freedom, justice and peace in the world in general and in Africa in particular,

Recalling the ideals of the free human being liberated from fear and misery as recognized by the Universal Declaration on Human Rights and the international instruments on human rights, and bearing in mind the determination to preserve the dignity and integrity of the human being.

Also recalling that the inviolability of the human person and the right of every human being to respect for his/her life and for the physical and moral integrity of his/her person have been formally reaffirmed in the African Charter on Human and Peoples' Rights adopted by the Assembly of Heads of State and Government meeting in its Eighteenth Ordinary Session in Nairobi, Kenya, in June 1981,

Further recalling the right of the individual to the benefits of scientific progress as well as application thereof, as recognized by the International Pact on Economic, Social and Cultural Rights, and **bearing in mind** the advantages resulting from the encouragement and development of international cooperation and contacts in the field of science,

Recognizing of the rapid progress achieved in the area of life sciences, and the dangers which could be posed to the dignity and integrity of the individual by certain practices,

Determined to ensure that scientific progress benefit the individual human being and is achieved under condition of respect for fundamental human rights, and stressing the need

for international cooperation in order to enable humanity as a whole benefit from the achievements of the science of life and obviate any use thereof for purposes other than the promotion of humanity's well being.

Aware of the seriousness of the stakes involved, the complexity of scientific and human problems, the limitations of everything human being, and the need to contribute to the triumph of life:

1. **DECIDES** that giving priority and urgent attention to issues pertaining to Bioethics have become an absolute necessity to all societies be it in the South or in the North;
2. **ENDORSES** the ideas of the International Pact on Civil and Political Rights which prohibits the subjection of any person without his/her freely given consent to medical or scientific experiment, and to the principles of medical ethics applicable to health personnel especially doctors, in the area of protection of prisoners and detainees from torture and other forms cruel, inhuman and degrading treatment as contained in Resolution 37/194 adopted by the United Nations General Assembly in 18 December 1982;
3. **PLEDGES** to promote within the Continent the following universal rights and principles under conditions of respect for cultural, social and religious values:
 - a. **access to health care for all;**
 - b. **inviolability of the human body and of the genetic heritage of the human species;**
 - c. **inalienability of the person which prohibits the subjection of the human body, its components particularly the human genes and the sequences thereof to commercial and property rights purposes;**

- d. the anonymity of both the donor and the beneficiary of human organs and human products, subject to the exceptions spelt out in the legal codes of Member States;
 - e. the obligation to obtain the free and enlightened consent of any one to submit himself/herself to bio-medical research, and the definition of rules to protect vulnerable populations, the incapacitated, persons deprived of freedom as well as the sick under emergency conditions;
 - f. supervision of research facilities on embryos especially those produced as a result of medical procedures offering assistance towards procreation and the attendant application of such procedures, so as to obviate selective eugenic by-products particularly those relating to sex considerations;
 - g. the right to benefit from scientific progress and application thereof without any discrimination whatsoever;
 - h. the right of everyone, especially children, to protection from all forms of trade and exploitation;
4. **PLEDGES** to take legislative and other measures to give effect to this resolution, and to set up consultative bodies at both country and inter-African levels to promote the exchange of experience obtained, among such bodies;
5. **APPROVES** Resolution 1995/82 of the United Nations Human Rights Commission adopted in Geneva on 8 March 1995, as well as Resolution CONF/93/4-DR.21 of 1 April, 1995 adopted in Madrid at the 93rd Inter-Parliamentary Conference on Bioethics.

1996

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