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The use of new genetic technologies in human beings

Reply to Recommendation¹: Recommendation 2115 (2017)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2115 \(2017\)](#) on “The use of new genetic technologies in human beings”. It also communicated it to the Committee on Bioethics (DH-BIO), as well as to the Steering Committee for Human Rights (CDDH), for possible comments. The Committee of Ministers considers it important to be highly vigilant with regard to the human rights implications of developments in biology and medicine. It welcomes the interest and work of the Assembly in this area.

2. Referring to paragraph 1 of the recommendation, the Committee of Ministers agrees with the Assembly regarding the “potential to diagnose, prevent and eventually cure diseases in the future” offered by new genetic technologies. However, it also shares the concerns expressed about the risks of certain technological developments and their possible applications to human beings. In this context, it recalls, as does the Assembly, that Article 13 of the Convention on Human Rights and Biomedicine (Oviedo Convention) limits the purposes for which interventions on the human genome may be undertaken and prohibits intervention intending to introduce any modification in the genome of descendants.

3. With regard to paragraph 5 of the recommendation, the Committee of Ministers would draw attention to the Statement on Genome Editing Technologies adopted by the DH-BIO in December 2015 which underlines that the Oviedo Convention provides a framework and principles that could be used as reference for the debate called for at international level on the use of new genetic technologies in human beings. In line with this statement, the Committee of Ministers would invite those member States which have not yet ratified the Oviedo Convention to consider doing so or to consider, as a minimum, putting in place a national ban on establishing a pregnancy with germline cells or human embryos having undergone intentional genome editing.

4. The Committee of Ministers agrees with the Assembly (paragraph 3 of the recommendation) that there is a need to “foster a broad and informed public debate on the medical potential and possible ethical and human rights consequences of the use of new genetic technologies in human beings”. These considerations also find their expression in Article 28 of the Oviedo Convention, which calls to Parties to see to it that “the fundamental questions raised by the developments of biology and medicine are the subject of appropriate public discussion in the light, in particular, of relevant medical, social, economic, ethical and legal implications, and that their possible application is made the subject of appropriate consultation.” In view of this undertaking and as part of its initiatives to address human rights challenges raised by emerging technologies, the DH-BIO will develop guidance on how to promote public discussion and consultation on fundamental questions raised by the developments of biology and medicine.

5. With regard to the paragraph 5.4 of the recommendation, the Committee of Ministers can inform the Assembly that the DH-BIO has already started to examine developments in this area, which has led to the adoption of the above-mentioned Statement on Genome Editing Technologies where it agreed, “as part of its mandate, to examine the ethical and legal challenges raised by these emerging genome editing technologies, in the light of the principles laid down in the Oviedo Convention.”

1. Adopted at the 1306th meeting of the Ministers' Deputies (7 February 2018).



6. Finally, the Committee of Ministers notes that the DH-BIO will continue to address human rights issues raised by genome editing technologies and will develop a Strategic Action Plan addressing human rights issues raised by emerging technologies and developments in the biomedical field. The Strategic Action Plan will be based on the outcome of the Conference organised on the occasion of 20th anniversary of the Oviedo Convention under the auspices of the Czech Chairmanship of the Committee of Ministers, which covered, *inter alia*, human rights challenges raised by new technological developments in the fields of genetics and genomics.