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Agenda item 162

International convention against the reproductive cloning of human beings

Belarus, Belgium, Brazil, Canada, China, Cuba, Denmark, Finland, France, Germany, Greece, Hungary, Japan, Latvia, Liechtenstein, Luxembourg, Norway and Switzerland: draft resolution

International convention against the reproductive cloning of human beings

The General Assembly,

Recalling the Universal Declaration on the Human Genome and Human Rights,¹ 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 reproductive cloning of human beings, shall not be permitted,

Recalling also its resolution 53/152 of 9 December 1998, by which it endorsed the Universal Declaration on the Human Genome and Human Rights,

Bearing in mind Commission on Human Rights resolution 2001/71 of 25 April 2001 entitled "Human rights and bioethics", adopted by the Commission at its fifty-seventh session,

Mindful of the importance of the development of the life sciences for the benefit of mankind, with full respect for the integrity and dignity of the human being,

Aware that the rapid development of the life sciences opens up tremendous prospects for the improvement of the health and the restoration of human dignity of individuals and mankind as a whole, but also that certain practices pose potential dangers to the integrity and dignity of the individual,

¹ United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-ninth session*, vol. I, *Resolutions*, resolution 16.

Concerned by the seriousness of problems posed by the development of techniques of reproductive cloning of human beings applied to mankind, which may have consequences for respect for human dignity,

Particularly concerned, in the context of practices that are contrary to human dignity, at recently disclosed information on research into and attempts at the reproductive cloning of human beings,

Determined to prevent, as a matter of urgency, such an attack on the human dignity of the individual,

Recalling its resolution 56/93 of 12 December 2001, by which it decided to establish an Ad Hoc Committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, for the purpose of considering the elaboration of an international convention against the reproductive cloning of human beings,

Resolved to address issues related to other forms of human cloning, including through the elaboration of an appropriate separate international instrument, as soon as negotiations on a convention against the reproductive cloning of human beings have been concluded,

Bearing in mind that this purpose does not preclude the possibility of States parties adopting stricter national regulations,

Determined to adopt provisional measures at the national level to prevent potential dangers to the human dignity of the individual pending the adoption and entry into force of an international convention against the reproductive cloning of human beings and any other instrument in the field of cloning of human beings,

1. *Welcomes* the report of the Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings on its work from 25 February to 1 March 2002;²

2. *Decides* that the Ad Hoc Committee shall be reconvened from ___ to ___ February and from ___ to ___ September 2003 in order to prepare, as a matter of urgency and if possible by the end of 2003, a draft international convention against the reproductive cloning of human beings;

3. Requests the Ad Hoc Committee, in developing the draft convention:

(a) To consider, inter alia, the following indicative elements: scope, definitions, prohibition of reproductive cloning of human beings, national implementation, including penalties and preventive measures, jurisdiction, promotion and strengthening of international cooperation and technical assistance, collection, exchange and analysis of information and mechanisms for monitoring implementation;

(b) To specify that the prohibition of reproductive cloning of human beings does not imply the endorsement of any other form of cloning of human beings for any purpose;

² *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 51 (A/57/51).*

(c) To ensure that States parties shall not be prevented from adopting or maintaining stricter regulations on the prohibition of cloning of human beings than those contained in the draft convention;

4. *Requests* the Ad Hoc Committee to take into consideration the relevant existing international instruments;

5. *Decides* that it will consider, as a priority, proposals to address issues related to other forms of cloning of human beings, including one or more appropriate separate international instruments, as soon as negotiations on a draft international convention prohibiting the reproductive cloning of human beings have been concluded;

6. *Invites*, to that end, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization to start elaborating, without delay, in close cooperation with the appropriate United Nations bodies, a joint preparatory document outlining from a scientific and ethical perspective the relevant issues to be considered, inter alia, the current state of the art of the human cloning technologies and the possible dual use of the existing non-human cloning techniques, and to submit this document no later than the end of 2003;

7. *Calls upon* those States which have not yet done so, pending the entry into force of an international convention against the reproductive cloning of human beings and their becoming party thereto, to adopt at the national level a prohibition of reproductive cloning of human beings;

8. *Also calls upon* those States which have not yet done so to adopt at the national level a moratorium on or a prohibition of, other forms of cloning of human beings that are contrary to human dignity;

9. *Requests* the Secretary-General to provide the Ad Hoc Committee with the facilities necessary for the performance of its work;

10. *Invites* the Ad Hoc Committee to take into consideration the contributions of United Nations bodies and to closely involve the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the United Nations Conference on Trade and Development in the process of negotiations;

11. *Requests* the Ad Hoc Committee to report on its work to the General Assembly at its fifty-eighth session;

12. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "International convention against the reproductive cloning of human beings".