

CONGRES PAN AFRICAIN D'ETHIQUE ET DE BIOETHIQUE
PAN AFRICAN CONGRESS FOR ETHICS AND BIOETHICS
PAN AFRICAN CONGRESS FÜR ETHIK UND BIOETHIK

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FOSTERING BIOETHICS IN AFRICA

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COLLOQUIUM SERIES ON AFRICAN PHILOSOPHY, GENETICS AND GENOMICS

**SCHOOL OF LAW – UNIVERSITY OF KWAZULU-NATAL (UKZN) & INTERNATIONAL
ASSOCIATION OF BIOETHICS (IAB)**

THEME :

The Emergence of an African Bioethics?



School of Law
<http://healthlaw.ukzn.ac.za>



INTERNATIONAL ASSOCIATION
OF BIOETHICS

Genetics & bioethics network
<http://iab-website.iab-secretariat.org>

Colloquium series on:
African philosophy, genetics and genomics

The emergence of an African bioethics?

Should we strive towards universal bioethical standards, or is it more realistic to establish regional approaches to bioethics? How do the calls for the decolonisation and Africanisation of intellectual thought affect bioethics – especially in the age of CRISPR?

The colloquium will take place via Zoom on Wednesday, 9 September 2020, at 2-4pm Central African Time (GMT+2). The agenda is as follows:

1. Welcoming
2. Opening address – Prof Effa (President, Pan African Congress for Ethics & Bioethics)
3. Presentations
 - a. Prof Metz (University of Pretoria) – Afro-communal bioethics
 - b. Dr Iyioke (Michigan State University) – Bio-eco-communitarianism
 - c. Prof Ogunrin (University of Liverpool) – A generational gap?
 - d. Dr Machirori (Newcastle University) – An Afro-Western synthesis?
4. Moderated discussion
5. Closure

If you would like to attend the colloquium, please register – free of charge – here: <https://forms.gle/Jm6gnxGkq3UbnXXE6>.

1- BACKGROUND AND PROBLEMATICS

Following my invitation by the Organizers to deliver the Opening Address and send it for publication, I suggest that the Opening Address should be accompanied by a normal paper on the state of play and prospects for the development of bioethics in Africa. Indeed, the UKZN & IAB webinar on African Philosophy, Genetics and Genomics series, questioning the Emergence of an African Bioethics, probably beyond the intentions of the Organizers, takes place in a complex international context. France, a European leader in bioethics¹, is revising its Bioethics Law. The French Parliament seems to be divided on whether or not to legalize the suppression of the frontier between humans and animals². The World Health Organization is considering the introduction of legislation on the Global Governance of Human Genome Research³, and has initiated a broad consultation to this effect. Africa's voice is eagerly awaited. African populations, who are essentially vulnerable⁴, are under pressing pressure to be included in experiments to manipulate the human genome or that of other living organisms in the African environment. African Union is called upon to express the voice of Africa. The stakes are in the definition of the future of Humanity.

Basically, it is a question of the manipulation of life. Does African Conscience have an answer to this question?

It is of the utmost importance to inform the African Youth, which is considered today as the future of Humanity⁵, that these questions have already been addressed, the paths of response already proposed for these issues and the places of the Word for inter-African and international dialogue, already determined, as much by its Elders in the field of bioethics as by the Political Leaders of the continent. The quotations below shed light on the questions and the main lines of response in Africa.

Drawing on the sources of African cosmology with regard to respect for life, the African paradigm of bioethics has made African bioethics emerge from the African philosophy of life, in close connection with African spirituality. The mission of the African bioethicist, architect and messenger of the triumph of life, is to ensure the triumph of the forces of life over the forces of death.

¹ Statement of His Excellency Raul Mateus Paula, Ambassador of the European Union, at the opening ceremony of the Cameroon National Advisory Ethics Committee in June 2011. Consultation on the draft Bioethics Law as Ethics and Bioethics Code. See the Interministerial Working Group on the Implementation of the OAU Resolution AHG/RES.254(XXXII), Ministry of External Relations, Yaoundé, Cameroon.

² Cf. GenEthique Newsletter, Fondation Jérôme Lejeune : <https://www.fondationlejeune.org/defense-vie-humaine/influence/revisionloibioethique/les-chimeres-les-embryons-homme-animal/>

³ WHO Advisory **Committee** on Developing Global Standards for Governance and Oversight of Human **Genome Editing**,

⁴ Cf. LCI French TV _ Doctor Camille Lotch on April 1, 2020. <https://www.nouvelobs.com/coronavirus-de-wuhan/20200403.OBS27028/lci-diffuse-une-sequence-suggerant-des-tests-de-vaccins-en-afrique-sos-racisme-saisit-le-csa.html>

⁵ Cf. https://en.wikipedia.org/wiki/World_population - <https://www.visualcapitalist.com/mapped-the-median-age-of-every-continent/>

- a) "WHEN WE TALK ABOUT THE MANIPULATION OF LIFE, AFRICAN MAN CAN ONLY TREMBLE. BECAUSE FOR THE AFRICAN MAN, LIFE IS THE LIFE OF THE BODY, THE LIFE OF THE SPIRIT, THE LIFE OF THE SOUL, THE LIFE OF TODAY, YESTERDAY AND TOMORROW, THE LIFE HERE BELOW AND THAT OF THE BEYOND, THE PHYSICAL, MORAL AND SPIRITUAL LIFE, THE INTELLECTUAL, ECONOMIC, SOCIAL AND CULTURAL LIFE" -The Declaration of Yaoundé, February 1995⁶.
- b) "DO YOU BELONG TO THE CAMP OF LIFE OR THE CAMP OF DEATH?" Professor Engelbert MVENG⁷
- c) "THERE IS A HISTORY AND A GEOGRAPHY OF BIOETHICS" Professor Jean Bernard⁸
- d) "WHAT HISTORY WILL REMEMBER FROM THIS OAU SUMMIT IN YAOUNDÉ IS THE RESOLUTION WE ARE ADOPTING ON BIOETHICS." President Nelson Mandela⁹

⁶ a) The Declaration of Yaoundé, as the Declaration of the African Delegates to the first international symposium on bioethics on African soil, at the 1995 JIB, 16 February 1995 in Yaoundé, Cameroon.

⁷ b) Summary of the African bioethics paradigm defined by Professor Engelbert Mveng, in his inaugural lecture at the 1995 JIB , the African International Days on Bioethics, in February 1995 in Yaoundé. Cf. Newsletter « l'Effort Camerounais » N° ... of February 1995.

⁸ c) Opening Address by Professor Jean Bernard, founder Chairperson of the National Advisory Ethics Committee of France at the opening ceremony of the JIB 1996, on February 1996 in Yaoundé. Bioethics in Africa has emerged within the framework of international dialogue and Africa has imprinted its own genius on it.

⁹ d) Statement by the President of the Republic of South Africa, President Nelson Mandela, during the debates of the Bioethics Summit held under the chairmanship of President Paul Biya, President of the Republic of Cameroon, at the 32nd Ordinary Conference of the Organization of African Unity on 10 July 1996 in Yaoundé; Cf. adoption of Resolution AHG/RES.254(XXXII) on Bioethics and development of Africa.

2- THE AFRICAN PARADIGM OF BIOETHICS. Thirty years ago, the foundation of the African Bioethics Movement.

Cradle of Humanity, of the first civilizations and of the most brilliant in the history of mankind, namely Pharaonic Egypt, Africa is a particular concern, linked to anthropological questioning on the meaning of life and man's place in the universe. To these eminently bioethical questions, Africa outlines its answers in the observation of nature and respect for the guiding principles of the universe, that is to say in conformity with African rationality.

With regard to the birth of bioethics, with reference to the conditions of its emergence and the paradigm developed by Potter van Ransselaer in 1971 and his contemporaries, the question of African bioethics integrates singular concerns. On the one hand, this continent saw the birth of human life, the first civilizations and the matrix of all sciences and religions. Life, called "ankh" in the Egyptian Khamite community, is, according to African cosmology, timeless and sacred. On the other hand, the inhuman and degrading treatment to which the peoples of Africa have been subjected as a result of the barbarity of appalling aggression and violence of history has left stigmata within them that calls for specific holistic care, as it concerns life.

The ethical stakes of life: bioethics, are and will remain in conformity with it. The African Ethics and Bioethics Movement was born some thirty years ago to promote bioethics, the ethics of life, according to the African vision. It is a bioethics that addresses the issues of life, society, environment and development in accordance with the characteristics of the Ankh. For the African vision, bioethics is above everything else because life is the first of the reference values; it concerns all human activities.

The major challenge was to bring the bioethical issue and debate to the heart of concerns in Africa, to the highest decision-making levels. The OAU Resolution AHG/Res.254 (XXXII) on Bioethics and African Development adopted by the Summit of African Heads of State on Bioethics at the 32nd Ordinary Conference of the Organization of African Unity (OAU) in July 1996 in Yaoundé is the major materialization of this. For the popularization of the concept, for more than a decade from 1992¹⁰, International African Bioethics Days (JIB : Journées Internationales africaines de Bioéthique) were organized every year in Yaounde, according to the African palaber, to debate ethical and bioethical concerns, intercultural dialogue on life issues¹¹, the survival of the human species and the preservation of human dignity, integrity and freedom¹². The African framework for

¹⁰ Activities of the Association of Catholic Pharmacists of Cameroon, the first meetings on issues on Bioethics in Africa. See CBS Activities Report 1990-2003, Introduction

¹¹ JIB 94 : Scientific Symposium with the theme: "Traditional Medicine, Health Community and Medicine: developments and Solidarity"

¹² JIB 95 : Scientific Symposium with the theme: "Exploration of the Culture of Life of African World Ethics and Health"

the field of bioethics is specific to Africa. The legal texts and instruments¹³ and the institutions¹⁴ ¹⁵created make it possible to serenely envisage the establishment of the "Integrated Ethical Sphere in Africa", the consecration of the Pan African System of Certification in Ethical Evaluation which aims at offering to each African State, a safe protection of persons, by working for the promotion of scientific research, under the ethical authority of regulatory bodies, and to "promote among and within nations, fundamental and universal human values".

Beyond Potter's institutionalization of the concept of bioethics, the historical and legal reference for bioethics is the Nuremberg Code. Thus bioethics has its origin in the rejection and punishment of the indescribable horrors of the Nazi crimes of the Holocaust. African bioethics makes its contribution to the reflection on the derives of the human condition and the indispensable provisions to prevent and put a definitive end to them. The Holocaust Department of the UNESCO Chair in Bioethics at the University of Haifa provides a framework for this endeavour within the global ethics community.

Of course, the history of the continent and its peoples, which has witnessed the barbarity of the appalling aggressions of the violence suffered, serves as a common thread in African thought and guides the actions of recognition of the return of the African man to life as a human being, to the human condition and status long and permanently denied to the women and men of Africa for nearly a millennium. The African Man, according to the words of Frantz Fanon¹⁶ yesterday and the person of the African-American George Floyd today, is only asking to breathe!

Will the African Man be able to breathe at last? The return of demography to this continent, which is at the origin of the population of all five continents of our planet, but which was emptied of its populations and left drained by the atrocities of the trans-Saharan and transatlantic slave trade, the slavery of the black man, colonization, allows us to hope for a return to human life for the present and the future. It is now necessary to rebuild peace, because life is lived in peace and peace is built through justice¹⁷, on the basis of bioethical awareness. Africa's response is outlined in the vision of African Union adopted in June 2015 by its 25th Summit in Johannesburg, South Africa, in Agenda 2063, THE AFRICA WE WANT. The African Movement for Ethics and Bioethics promotes for Africa a foundation of perennial values for the reconstruction of this Africa, African Africa,

¹³ The Protocol to the African Charter of Human Rights and Peoples on Ethics and Bioethics and its project orientation declination the Orientation Law - type wearing Code of Ethics and Bioethics ", based on the African reference texts, namely the African Charter of Human Rights and Peoples and the Charter of the African Cultural Renaissance.

¹⁴ The African Platform for Ethics and Bioethics, as the place of the African scientific and thematic Palaver, for the resolution of ethical dilemmas concerning life, research and development, to which the member States of African Union and communities could face and as the network of the Pan African Certification System for Ethics Evaluation,

¹⁵ The African Fora on Ethics

¹⁶ Frantz Fanon – 'Peau noire, masques blancs', p.220, Editions du Seuil, 1952. ISBN 978-2-7578-4168-6

¹⁷ Référence au thème des JIB 1998, mars 1998 à Yaoundé, Cameroun, en lien avec la préparation du programme UNESCO de Culture de la paix.

because the children of Africa are at home nowhere in the world. At the same time, through the activities of COPAB, the extending door of this movement, it convokes the whole world community of ethics for a fruitful dialogue in the construction of an advanced humanity referred to fundamental human values, agreed upon collegially as universal, in ethical consciousness, and not imposed by a few by the violence of the gun or duplicity. Life in an equitable relationship, with respect for the ethics of life.

The announcement of your Colloquium on African Philosophy, Genetics and Genomics is a sign of the hope that the world community of ethics and the entire international community will be sensitized to listen to the African Word on life, to Respect for African Rationality.

For in the one hand, in spite of the legislations on Human Rights and the Declarations of Ethics, powerful pernicious interests are at work to confirm the century-old role and the iniquitous place of the black man and the African populations as laboratory and experimental animals¹⁸ in the biomedical research of the Western powers and with the risk that this is perpetuated today on the human genome, as the raw material for the commodification of the human being and his genes.

This is the place to launch a solemn appeal to the African Youth, to the women and men of Africa, to the African Leaders, to the world community of ethics, to all men of good will, for the awakening of ethical and bioethical awareness, in order to guarantee, for the greater good of our Humanity, in the effectiveness of ethics, the preservation and protection of the great richness of human and natural biodiversity in Africa, as an incredible asset for all our humanity, in the respect of African Rationality, in the name of the Dignity of the human person and respect for life.

3- BENCHMARKS OF BIOETHICS

3.1- Belmont Report, 12 July 1974

Anchoring.

Belmont Report, the American paradigm of Bioethics is anchored in the Nuremberg Code, the very first code of reference for Bioethics after the Nuremberg Trial.

Scope

¹⁸ Grégoire CHAMAYOU - « Les corps vils : Expérimenter sur les êtres humains aux XVIIIe et XIXe siècles » Edition : La découverte/Poche, 2008.

Mame Fatou NIANG - « L'Afrique cobaye ou le corps noir dans la médecine occidentale »

http://www.slate.fr/story/189360/afrique-cobaye-medecine-occidentale-corps-noir-empire-colonial-lci-vaccin?fbclid=IwAR096S5IAeKN3eWMrZ2bbEC_rNVQSYCeowkEw1rBehX51oKJLn4akk-tYY

"Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research " is the identification of basic ethical principles that should underlie the conduct of research involving human subjects, and the development of guidelines to assure that such principles are followed.

It mainly concerns medical research on human subjects. Its bases are the following three principles: respect for the person, beneficence and justice, and their applications, in particular the consent of the research participant).¹⁹

Implementation.

The implementation of Belmont Report mainly concerns the consent of the participants, the "application of the general principles to the conduct of research leads to consideration of the following requirements: informed consent, risk/benefit assessment, and the selection of subjects of research."²⁰

2.2- Oviedo Convention. Council of Europe. Convention on Human Rights and Biomedicine, 4 April 1997.

Anchoring

The Benchmarks with regard to the European paradigm of bioethics which is the Oviedo Convention are notably clear in the Preamble of the Convention: « Conscious of the accelerating developments in biology and medicine; Convinced of the need to respect the human being both as an individual and as a member of the human species and recognizing the importance of ensuring the dignity of the human being;; »²¹

Scope

The Convention aims "at protecting the dignity and identity of all human beings and guarantee everyone, without discrimination, respect for their integrity and other rights and fundamental freedoms with regard to the application of biology and medicine."²²

It sets out fundamental principles applicable to daily medical practice and is regarded as such at the European treaty on patient's rights. It also deals specifically with biomedical research, genetics and transplantation of organ and tissues.

Implementation.

Its implementation is organized by the Committee on Bioethics, an intergovernmental body, consisting of delegations of Member States with expertise in the various aspects of bioethics, the Parliamentary Assembly and the Consultative Committee

¹⁹ Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research. Basic principles.

²⁰ Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research. Applications.

²¹ Convention sur les Droits de l'Homme et la biomédecine, Préambule

²² Convention sur les Droits de l'Homme et la biomédecine, Art. 1

which discuss bioethical dilemmas relating to the Convention or new bioethical derivatives. Additional protocols attached to the basic text of the Convention are then adopted after some of the dilemmas thus debated.

Moreover, the Council of Europe's Bioethics Committee (DH-BIO) promotes public debate in the field of bioethics in the Member States of the European Union²³.

3.3- UNESCO. Universal Declaration on Bioethics and Human Rights. 19 October 2005

Anchoring.

“*Conscious* of the unique capacity of human beings to reflect upon their own existence and on their environment, to perceive injustice, to avoid danger, to assume responsibility, to seek cooperation and to exhibit the moral sense that gives expression to ethical principles, *Reflecting* on the rapid developments in science and technology, which increasingly affect our understanding of life and life itself, resulting in a strong demand for a global response to the ethical implications of such developments,

Considering that all human beings, without distinction, should benefit from the same high ethical standards in medicine and life science research”,²⁴

Scope.

“The Declaration addresses ethical issues related to medicine, life sciences and associated technologies as applied to human beings, taking into account their social, legal and environmental dimensions. It is also addressed to States. As appropriate and relevant, it also provides guidance to decisions or practices of individuals, groups, communities, institutions and corporations, public and private”.²⁵

The implementation.

Its implementation is organized by the Member States of UNESCO. “States should take all appropriate measures, whether of a legislative, administrative or other character, to give effect to the principles set out in this Declaration in accordance with international human rights law. Such measures should be supported by action in the spheres of education, training and public information.

States should encourage the establishment of independent, multidisciplinary and pluralist ethics committees....”²⁶

²³ Guide pour le débat public relatif aux droits de l’homme et la biomédecine Adopté par le Comité de Bioéthique (DH-BIO) lors de la 16ème réunion (19-21 novembre 2019)

²⁴ Universal Declaration on Bioethics and Human Rights, Preamble.

²⁵ Universal Declaration on Bioethics and Human Rights, Art. 1&2

²⁶ Universal Declaration on Bioethics and Human Rights, Art. 22

3.4- World Medical Association- Declaration of Helsinki – Ethical principles for medical research involving human subjects, June 1964

Anchoring.

The Declaration of Helsinki binds physicians with the words, “The health of my patient will be my first consideration,” and the International Code of Medical Ethics declares that, “A physician shall act in the patient’s best interest when providing medical care.”²⁷

Scope

The Declaration of Helsinki is “a statement of ethical principles for medical research involving human subjects, including research on identifiable human material and data. It should be followed as a whole and is primarily addressed to physicians, then to others who are involved in medical research involving human subjects”²⁸

Implementation.

As stated by the Declaration, research Ethics local/institutional committees monitor the implementation.²⁹

3.5- CIOMS- International Ethical Guidelines for Biomedical Research Involving Human Subjects (1993)

Anchoring

The Council for International Organizations of Medical Sciences (CIOMS) is an international nongovernmental organization in official relationship with World Health Organization (WHO).

Accordingly, CIOMS set out, in cooperation with WHO, the guidelines aim to provide internationally vetted ethical principles and detailed commentary on how universal ethical principles should be applied, with particular attention to conducting research in low-resource settings. The outcome of the CIOMS/WHO collaboration was entitled Proposed International Ethical Guidelines for Biomedical Research Involving Human Subjects.^{30,31}

Scope

Elaborated as a re-enforcement of the Declaration of Helsinki, these Guidelines address research involving humans and “focus primarily on rules and principles to protect humans in research, both virtues and protections are essential to reliably safeguard

²⁷ Declaration of Helsinki, General Principles, Art. 3

²⁸ Declaration of Helsinki, Preamble.

²⁹ Declaration of Helsinki, Art. 23

³⁰ International Ethical Guidelines for Biomedical Research Involving Human Subjects, Preface.

³¹ International Ethical Guidelines for Biomedical Research Involving Human Subjects, Preamble.

the rights and welfare of humans”³². Progress towards a world where all can enjoy optimal health and health care is crucially dependent on all kinds of research including research involving humans.

Implementation

According to the provisions of the Declaration of Helsinki

3.6- Benchmarks with regard to legislation (legalization)

With a view to effective ethics, UNESCO and the Inter-Parliamentary Union have recommended that states put in place national legislation on bioethics.

Very few reactions followed this recommendation. However, it has been observed:

France

Law n ° 2004-800 of August 6, 2004, relating to bioethics, confers the status of independent authority on the National Consultative Ethics Committee for Life Sciences and Health (Official Journal of the French Republic, no. ° 182, August 7, 2004).

“Art. L. 1412-1. - The mission of the National Consultative Ethics Committee for the Life and Health Sciences is to advise on ethical problems and social questions raised by advances in knowledge in the fields of biology, medicine and health.

3.7- Benchmarks with regard to institutionalization

It is a question of finding strategies to effectively frame bioethics both in states and in communities.

UNESCO

Created in 1993, the International Bioethics Committee (IBC), is the UNESCO institution for the production of opinions and recommendations on specific ethical questions. The CIB thus contributes to the supervision of progress in the life sciences and their applications, while ensuring respect for the principles of human dignity and freedom.

European Union

At the Council of Europe, the ad hoc Committee for Bioethics (CAHBI) born in 1985, in 1992 took the name of Steering Committee for Bioethics (CBDI) and was entrusted with the task of drawing up the future convention of Oviedo. Without affecting its role and functions, this committee, thanks to a recent reorganization of the Council of Europe, was attached to the Human Rights Committee and is now called the Steering Committee on Bioethics (DH- BIO)³³

The European Group for Ethics in Science and New Technologies (European Group of Ethics - EGE) is the body set up to take into account ethical issues in the development of policies for The union. The EGE was created by the Commission of the

³² Ibidem.

³³ Quelle place pour la bioéthique en Europe? Rapport d'information n° 67 (2013-2014) de MM. Simon SUTOUR et Jean-Louis LORRAIN, fait au nom de la commission des affaires européennes, déposé le 10 octobre 2013

European Union in December 1997, with the mission of advising the latter on ethical questions raised by science and new technologies. Its institutional role was recognized in 1998 by Directive 98/44 / EC on the legal protection of biotechnological inventions, which expressly gave it the mandate to assess "all ethical aspects related to biotechnology. ». ³⁴

France.

Created by presidential decree on February 23, 1983, the French National Consultative Ethics Committee is the independent administrative authority responsible for "giving opinions on ethical problems and social issues raised by the progress of knowledge in the fields of biology, medicine and health" ³⁵

USA

The Council of the President of the United States on Bioethics (CPBE), had been established by a presidential executive order in November 2001 of President George W. Bush. The Council was created to advise on this and other issues. But when a key bioethical decision was already taken, the independence of the Council - its ability, for example, to recommend a different course

than that of the President - was questioned from the start. In mid-June 2009, the Obama administration dissolved it. Its eight years of existence have been marked from start to finish by controversy ³⁶

Volunteering in institutional ethics and bioethics committees.

Clinical ethics committees take 2-3 years to establish guidelines on a topic: it's too long, it's demotivating, demobilizing. Research Ethics Committees analyze 10-12 research protocols per month: adequate preparation requires 3-4 hours per protocol. For serious work, it is impossible to count on volunteering alone. To participate in a bioethics committee, one must, among other things, have the taste and the time. To participate in a bioethics committee, one must, among other things, have the taste and the time. It takes interest and availability, ... really putting in time: time for research, time for writing, time to keep records, time for contacts, time to follow up, etc. opinion, ... a stubborn misunderstanding consists in thinking that ethical work and remuneration are incompatible ³⁷

4- AFRICA'S APPROACH

Even if it is initially perceived as a contribution to intercultural dialogue, the African reaction has indeed marked the whole world by the relevance of its remarks. Example what he says: "Cultures like men, are diverse and conceited. But, the historical

³⁴ Idem.

³⁵ [Loi n° 2004-800 du 6 août 2004 relative à la bioéthique](#)

³⁶ LE CONSEIL DU PRÉSIDENT DES ÉTATS-UNIS POUR LA BIOÉTHIQUE : REQUIESCAT IN PACE Ronald M. Green Éditions du Cerf | « Revue d'éthique et de théologie morale » 2010/1 n°258 | pages 51 à 77

³⁷ Guy DURAND - Misères et grandeurs de la bioéthique Les trente ans de la bioéthique Volume 7, numéro 1, Théologiques I/I (1999) 51-73. Misères et grandeurs de la bioéthique

necessity of their cooperation leads them to a mutual regard”³⁸. According to Effa, for Africa, the tool of intercultural dialogue and its basis is: "The relationship between man and man [...] others as a particular extension of himself, of which he has the duty to preserve dignity and integrity ”³⁹⁴⁰

The lines that follow will show that Africa has been at the forefront of reflection on Bioethics.

4.1- International African Bioethics Days (JIB)

Those who have been milestones for the African paradigm of Bioethics and subsequent development are the JIB 1995

- JIB 1995

Africa defines the anchoring of its perception of bioethics and presents to the world the values that will make it the preeminence of its paradigm⁴¹.

These JIBs received the mandate from UNESCO to carry out the first review of the “Outline for a Declaration on the Protection of the Human Genome, the Common Heritage of Humanity”.

These JIB produced the Declaration of the African Delegates to the International Symposium of Bioethics of Yaoundé: “Declaration of Yaoundé” (February 16, 1995)

Subsequently, 1996 JIB received the Patronage of the Director-General of UNESCO.

The 1997 JIB benefited from the Patronage of the Assembly of the Inter-Parliamentary Union.

In addition, the JIBs benefited from the high attention of Heads of State from within and outside the continent. These included messages from President Nelson Mandela, and those carried by their personal representatives, Presidents François Mitterrand and Jacques Chirac⁴².

4.2- The OAU/AU Bioethics Summit in July 1996 in Yaoundé

The Bioethics Summit at the 32nd OAU Summit in July 1996 in Yaoundé, the outcome of which was the adoption of Resolution N ° AHG / RES. 254 (XXXII) on Bioethics and the Development of Africa. This basic legal instrument posed the sociological and political foundations of the international bioethics movement in Africa. This easily followed the birth of the Pan African Congress for Ethics and Bioethics, whose acronym is COPAB, as a tool for the implementation of Resolution AHG /RES.254(XXXII), in application of the provisions of its Article N°4.

³⁸ Pierre Effa, « La bioéthique peut-elle être africaine? », Journal international de bioéthique, vol. 11, nos 3-4-5, 2000, page 186

³⁹ Ibidem

⁴⁰ Michèle STANTON-JEAN Faculté des Arts et des sciences Sciences humaines appliquées,- Thèse présentée à la Faculté des Arts et des sciences en vue de l’obtention du grade de Ph.D. Programme Sciences humaines appliquées Option bioéthique, Octobre 2010, p 41.

⁴¹ Voir Conférence Inaugurale délivrée par le Rév. Prof. Engelbert MVENG lors des JIB 1995 sous le thème« *Exploration de la Culture de la Vie du Monde Africain. Ethique et Santé* »,

⁴² Cameroon Bioethics Society (CBS) Activity Report from 1990 to 2003.

4.3- The 14th UNESCO IBC May 17-19, 2007 in Nairobi (Kenya) Dedicated to African perspectives in bioethics and to the deepening of two of the principles set out in the Universal Declaration on Bioethics and Human Rights: consent, social responsibility and health.

In terms of African perspectives

The African perspectives are based on "an integrated global solidarity as an axiological reference both in the practical work of protecting life and the environment and in the theoretical work of defining the standards of this protection"⁴³.

4.4- The Pan African Congress for Ethics and Bioethics (COPAB)

Born from the will of the African Union Commission as a tool for the implementation of Resolution AHG /RES.254(XXXII), in application of the provisions of its Article 4, COPAB held two sessions, in 2008 and in 2010 in Yaoundé

COPAB 2008

Following on from the perspectives set out in Nairobi (Kenya), Africa proposed to set up an integrated Ethics and Bioethics sphere⁴⁴.

The other highlight of this COPAB session is the Yaoundé Declaration of May 2008 to frame health research in Africa.

COPAB 2010

This session was the place for the African Movement of Ethics and Bioethics to validate the first draft of the African Directive on Ethics and Bioethics: the Protocol to the African Charter on Human and Peoples' Rights on Ethics and Bioethics, proposed in application of Resolution AHG/RES.254.(XXXII) on Bioethics and the Development of Africa, which is the outcome of the Bioethics Summit of the 32nd Ordinary Conference of the Organization of African Unity on 10 July 1996 in Yaoundé, Cameroon.

This 2nd Congress of COPAB also adopted the COPAB Strategic Plan. The participants undertook to produce, through the African Platforms of Ethics and Bioethics, the supports of the Pan African Certification System in Ethical Evaluation.

4.5- The Proposed Draft Law on the Code of Ethics and Bioethics

Anchoring

The development of bioethics on African soil has been organized around the need for this legalization. This concern has rightly been addressed by the terms of Resolution AHG / Res.254 (XXXII) of the Bioethics Summit at the 32nd Summit of Heads of State and Government of OAU / AU Member States in July. 1996, in Yaoundé - Cameroon.

⁴³ COMITE INTERNATIONAL DE BIOETHIQUE DE L'UNESCO (CIB) quatorzième session SPECIFICITE DE LA BIOETHIQUE EN AFRIQUE : UNE VUE D'ENSEMBLE actes Prof. Pierre Effa, p 169

⁴⁴ Conférence Inaugurale sous le thème : « Enjeux d'un espace éthique et bioéthique intégré en Afrique à l'ère de développement des Objectifs du millénaire », prononcée par professeur Honorat AGUESSY, Président du Conseil Mondial du Panafricanisme, Institut de Développement et d'Echanges Endogènes, Ouidah, Bénin

Scope

Article 4 of the said Resolution specifically commits member States “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 experiences obtained, among such bodies”;

Implementation

The Proposed Draft Law on the Code of Ethics and Bioethics, drawn up by the Secretariat of the Pan African Congress of Ethics and Bioethics (COPAB), validated by the competent authorities for the elaboration legal texts in Cameroon was adopted by the COPAB meeting in April 2014 in Brazzaville, Congo This text is in fact the national version of the African Directive on ethics and bioethics: the Protocol to the African Charter on Human and Peoples' Rights relating to Ethics and Bioethics. This Draft Law is made available to Member States of African Union with a view to enabling specific regulatory texts.

4.6- The Ethics and Bioethics Forum established in 2014 at the 23rd AU Summit in Malabo, Equatorial Guinea

In this process, during its meeting in Brazzaville, Congo in April 2014, COPAB created the Ethics and Bioethics Forum. The Government of the Republic of Congo endorsed this Forum and introduced the proposal to the 23rd African Union Summit in June 2014 in Malabo, Equatorial Guinea. It is the institution taking the place of the Palaver for the security of life and respect for human dignity, by building peace and promoting living together. This Forum which was adopted by the Decision AU/Assembly/Dec.524(XXIII) of the 23rd Conference of Heads of State of the AU. in Malabo, Equatorial Guinea in June 2014 takes place in a National Forum in the Member States of the AU, in a Regional Forum in the five African Regions and in the Continental Forum and the World Forum.

4.7- AU Continental Workshop of Bioethics.

Operationalization of African Ethics and Bioethics Platforms

The 1st Workshop was organized in November 2015 at the African Union Headquarters in Addis Ababa, Ethiopia, by the African Union Commission with the support of COPAB, in pursuance of Decision Ex.Cl./Dec.746(XXII) of 25 January 2013 of the 20th African Union Conference in Addis Ababa, Ethiopia.

It is the Continental Bioethics Workshop of African Union, for the expression of African Opinion. It is the venue for the presentation of the exercises of the Task Force on Science and Ethics for Africa's development program, in this case, the implementation of the African Union's Agenda 2063 "The Africa We Want".

For COPAB :

- The annual ordinary session of this Continental Workshop is part of the official program of the African Ethics Week.
- This Cenacle issues the opinions of African Opinion, to the highest attention of the very high hierarchy, on strategic orientations and issues of life, society and development.
- It is composed of delegates from the following institutions

- the African Union Commission (AUC)
- the African Permanent Representatives Committee (PRC)
- the Specialized Technical Committees involved in the study on the agenda
- the Pan-African Parliament
- the Regional Economic Communities
- the Executive Committee of COPAB.

4.8- Operationalization of the African Union Ethics and Bioethics Forum, pursuant to Decision Assembly/AU/DEC.524(XXIII) of the 23rd African Union Summit in June 2014 in Malabo, Equatorial Guinea.

AFRICAN ETHICS WEEK

1st Edition from 19 to 24 April 2021 in Addis Ababa, Ethiopia. See proposed program.

Texts, Instruments and other tools expected :

- 1- Final Communiqué and Report of the 1st Edition of the African Ethics Week
- 2- Updating of the Protocol to the African Charter on Human and Peoples' Rights on Ethics and Bioethics
- 3- Updating of the Model Law on the Code of Ethics and Bioethics
- 4- Updating of the African Calendar and of the Memorial Record of African Classical Humanities: from the African Cosmology on the Respect of the Sacredness of Life to the Ma'at and the Manden Charter
- 5- AFROGUIDE:
 - African Guidelines for Operationalization and Resilience for Public Health and Biomedical Research in Africa
 - African Operational Guidelines for Research and Management of the Human Genome and Other Living Things
- 6- Addis Ababa Declaration on Biomedical Research in Africa and Respect for African Personality and Human Dignity
- 7- Fact sheet on African Rationality. Epistemology, foundations, bibliographical lexicon.
- 8- Integrated Socio-Economic Emergency Program for Crisis Situations in Africa:
 - Guidelines for the Operationalization and Resilience of AFRICAN LIFE: Integrated Emergency Socio-Economic Program for Crisis Situations in Africa, in support of the realization of the African Union's Agenda 2063 "The Africa We Want".
 - Guidelines for the Operationalization of the African Economic Task Force for Medicines, in response to the COVID-19 pandemic and any other health, social or political crisis in Africa.
- 9- Updating of the COPAB's Strategic Plan from 2021 to 2026.
- 10- Declaration on the Return of Africa, Cradle of Humanity and Sanctuary of the World, to the high attention of the United Nations General Assembly.

4.9- Project for institutional transformation of COPAB into a scientific and political commission of African Union in charge of bioethics and development ethics.

Following Decision N ° EX.CL / Dec.746 (XXII) of January 25, 2013 of the 20th Conference of the African Union taken on January 25, 2013 in Addis Ababa, endorsing the decisions on COPAB and its missions adopted by the 5th AMCOST Conference in November 2012 in Brazzaville, Congo, (Cf. Decisions and Recommendations of AMCOST V, Brazzaville, Congo November 15, 2012, AU / MIN / ST / Rpt. (V) Ministerial Report). During the Operationalization Workshop of the African Ethics and Bioethics Platforms of African Union organized by the African Union Commission from November 26 to 27, 2015 in Addis Ababa, Ethiopia, the COPAB executive committee proposed the roadmap of ethics and bioethics activities for Africa, with a view to rooting harmonious and sustainable development in progress, justice and peace through the values of living together on the Continent and in the whole of the International community.

In its phase of sociological transition and historical reconstruction, Africa considers these values as the pillars of the achievement of the African Union's Vision for Agenda 2063. The Workshop for the Operationalization of African Ethics and Bioethics Platforms of African Union organized from 26 to 27 November 2015 in Addis Ababa, Ethiopia was to provide the African Union Commission with sufficient arguments for the finalization of the institutionalization of the issue of ethics and bioethics in the within the African Union.

4.10- Conventions and collaboration with other institutions

For the purposes of implementing the Resolution, COPAB has signed numerous conventions. These target specific aspects of the development of the said program.

- Partnership agreement between the Ministry of Higher Education of Cameroon April 2016.

According to the terms of the agreement, the major effects are: the academic supervision of institutions and educational programs to be set up, in particular the transformation of the Ethics and Bioethics Research Centre (CERB) of Yaoundé into a University Center for Research and Teaching in Bioethics and Development Ethics (CUBE)

- Collaboration with UNESCO Chair of Bioethics, Haifa

This partnership is rich in the exchange of experiences on various occasions, through the units of the Chair grouped within the African Division of the Chair.

COPAB intends to develop an ongoing collaboration, especially for the celebration of the World Bioethics Day, the World Bioethics Conference and much more with the Departments of Education and Holocaust.

The other achievement of this collaboration is the proposal of teaching bioethics in schools.

A model that respects African values and African anthropology is being developed according to an African reading of the Syllabus for the Education of Youth in Bioethics promoted by the Chair.

- Partnership with academic and university institutions

Under the terms of these partnerships, these institutions will support the operation of the Doctoral School of COPAB in the University Centers of Bioethics and development Ethics (CUBE).

- Hochschule University of Applied Sciences and Arts, Hanover, Germany; here the collaboration has already enabled the establishment of the continental institutional monitoring tool in terms of ethics: the African Bioethics Survey (ABS)

- Pontifical Athenaeum Regina Apostolorum of the Holy See

- European Catholic University of Rome

- “ UNESCO Chair of Bioethics and Human Rights at the Vatican

- The International Academy of Ethics, Medicine and Public Policy of Paris Descartes University in France

- The National University of Athens, Laboratory of Applied Philosophy in Greece

- TAMERY, Kamite Pan African Bookstore, its Editions and its set of Schools, teaching in Paris, France

- Academic and University Institutions of India, under the coordination of Nanded School of Medical Sciences in Nanded, India.

- Collaboration with development partners

We will only mention here the ongoing implementation of the African Life (La Vie Africaine) Platform, a development model for rural and suburban areas conducive to the well-being of communities, with the contribution of local and international solidarity.

5- The future of the implementation of the African instruments, namely the AU Agenda 2063 THE AFRICA WE WANT

The African Bioethics Movement led by COPAB aims at building in Africa the anchorage of the foundation of life values referred to the African Rationality, through the establishment of an integrated ethical sphere⁴⁵ on the entire African continent as well as the inauguration of a New Human Civilization, for an advanced Humanity focused on the values of being, and this, through the animation of the African Ethics Platforms⁴⁶.

⁴⁵ Proceedings of the AU Workshop organised at the AU headquarters in Addis Ababa, Ethiopia, in November 2015, with the technical support of COPAB, on Perationalization of African Ethics Platforms

⁴⁶ Proceedings of the 2nd congress of COPAB in April 2010 in Yaoundé

The major challenges are:

In the short term :

- the realization of the African Ethics Week, with the participation of all member States of African Union
- the finalization of the institutionalization of COPAB within African Union
- the opening of the CUBE in coherence with the Specialized Institutes of the Pan African University.

In the medium term :

- the setting up of national and regional ethics fora.
- the integration of the Model Law on the Code of Ethics and Bioethics into the basic texts of AU Member States
- the effectiveness of certification in ethical evaluation.

In the long term :

For the African continent:

the implementation of the Vision 2063 of African Union THE AFRICA WE WANT, i.e. the reconstruction of Africa focused on African Rationality in the perspective of Living together on the basis of the values of the maat and the ankh. The values of the maat as a code of life include respect for Human Rights and go far beyond them; the values of the ankh imply the recognition of the place of Man and impose on him the respect of the guiding principles of the universe. Africa thus inaugurates the premises of a New Human Civilization. Africa invites the whole of humanity to join it.

For the whole of the International Community :

the realization of the fundamental project of creating the World Ethics Committee under the Secretary General of the United Nations⁴⁷, a guarantee for the promotion of Peace, Justice and harmonious and sustainable Development between and within nations and the crucible for the anchoring of the New Human Civilization within the International Community.

Professor Pierre EFFA

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⁴⁷ Statement of the African Delegation by President Paul Biya at the Millenium Summit on the Development of the United Nations Assembly in September 2000 in New York.