



United Nations
Educational, Scientific and
Cultural Organization

SHS/EST/ABC/REP/02

UNESCO ASSISTING BIOETHICS COMMITTEES PROJECT
2007

Meeting to discuss the establishment of the National Bioethics Committee
Accra, Ghana, 22-23 March 2007

Background

The mission to Ghana was undertaken to realise the objectives of the ABC Project ('Assisting Bioethics Committees'). Ghana is one of the first African countries to have indicated the wish to participate in this project. The objectives of this project are:

1. to create a national bioethics committee in 12 Member States
2. to enhance the functioning of the committees established
3. to train members of established committees.

Participants

Besides Mr. Henk ten Have (UNESCO) and Mr. Jan Helge Solbakk (UNESCO), Professor J.J.M van Delden (Julius Center for Health Sciences and Primary Care, University of Utrecht, The Netherlands, and representative in the IGBC) and Dr. Dafna Feinholz (The National Commission of Bioethics, Mexico, and representative in the IGBC) participated in the Mission. Other participants in the meeting from Ghana were:

- Andrew Amegatcher, Chair of the Legal Committee of the National UNESCO Commission of Ghana;
- Mrs. Charity Amamoo, Secretary General, The National UNESCO Commission of Ghana;
- Apollonius Osei Akoto Asare, Programme officer, Natural Sciences, the National UNESCO Commission of Ghana;
- Dr. Bamela Quarm Goka, Associate Professor of paediatrics, Department of Child Health, Medical School, University of Ghana;

- Ms. Comfort Acheampong, National Coordinator, Agriculture and Environmental Education, Science Education Unit, CrES;
- Mrs. Sophia Awotwe, Director, Science Education Unit;
- M. Kari Amodatet, Director, National Commission on Culture, Accra;
- Dr. Yaw Opoku-Ankomah, Acting Director, Water Research Institute, CSIR;
- Ekow Gurah-Sey, Senior Programme officer, Environmental Protection Agency (EPA);
- E.K. Ogyiri, Programme officer for Culture and Communication, The National Commission for UNESCO Ghana;
- Andrew Amegatcher, Programme officer, Natural Sciences, The National Commission for UNESCO Ghana;
- George Kofi Azirigo, National Service Person, The National UNESCO Commission of Ghana and
- Professor Alfred A. Oteng-Yeboah, Former Acting Director, General Council for Scientific & Industrial Research, Ministry of Education, Science and Sports and Chairman of the Specialized Committee on Natural Sciences of the National Commission for UNESCO Ghana (present in the last part of the meeting of March 23).

The Meeting – March 22, morning session

The meeting took place at the Ministry of Education, Science and Sports, where the National UNESCO Commission of Ghana is located. Chair of the meeting was Andrew Amegatcher, Chair of the Legal Committee of the National UNESCO Commission of Ghana. The meeting was formerly opened by Charity Amamoo, Secretary General of the National UNESCO Commission of Ghana. In her opening speech she welcomed the ABC-initiative and thanked UNESCO for having included Ghana in the project and identified ways in which the Committee could be useful to the country.

The chair then asked Henk ten Have to introduce the audience to the subject matter. Henk ten Have thanked the Secretary General for having taken the initiative to realize this meeting and start an ethics cooperation with the Division of Ethics of Science and Technology. In his introduction ten Have paid attention to the history behind UNESCO's selection of ethics as its priority area, among which calls from several developing countries about UNESCO entering into ethics had played a crucial role. He also drew attention to the fact that the last normative instrument adopted by UNESCO, i.e. the Universal Declaration on Bioethics and Human Rights, encourages member states to establish bioethics committees. He continued his introduction by informing about the different bioethics programmes of the Division, including the GEO-databases. Finally, ten Have gave a brief account of the aims and objectives of the ABC-project, emphasizing the importance of Ghana being the first country entering into the project. In his account of the ABC-project ten Have highlighted the importance of:

- identifying the best approach to starting a committee;
- training committee members in working methods and operational procedures, including legal issues;
- addressing the particular needs of particular committees and of creating a network of existing committees, so that they can get feedback from each other, exchange policy documents between each other and establish partnerships.

He also informed the participants about the cooperation with the Georgetown University ethics library, and the possibilities of receiving for free relevant bioethics documents and materials. Finally, he emphasized the importance of this meeting ending up with a Memorandum of Understanding between UNESCO and the National Bioethics Committee in Ghana for the next three years.

After ten Have's introduction, Mrs. Amamoo, briefed the participants about the process so far of establishing a National Bioethics Committee (NBC) in Ghana. As a follow up of the last UNESCO General Conference, the National UNESCO Commission in Ghana invited representatives from a selected group of institutions to start discussions for setting up a NBC with the role of providing advice and guidance to professional institutions as well as to political authorities. In her briefing she drew attention to a terms of reference list which have been worked out as a result of these consultations and documents sent earlier to the Commission:

- To provide expertise and represent different viewpoints concerning ethical issues raised in biological, medical and life sciences,
- To provide guidance to institutions involved in physiological, biological, medical and other life sciences,
- To facilitate the acquisition and use of new knowledge directed towards improving the health, the biological, medical and other life sciences,
- To work to resolve bioethical dilemmas that emerge in various research training and participate in international encounters on behalf of the country,
- To facilitate the simplification and dissemination of information on bioethics for the benefit of policy and law-makers, media practitioners, educators as well as the general public,
- To relate, in the course of time, to other bioethics-committees of their Member States of UNESCO for experiential learning and exchange of ideas,
- To provide a forum for discussions at the national and sub-regional levels; e.g. press conferences, conferences, as well a publications.

Acknowledging possible weaknesses and shortcomings in these terms of reference list, Mrs. Amamoo emphasized the importance of having arrived at something concrete from which it was possible to proceed further. Finally, she emphasized the importance of discussing what is the best configuration of the committee, which statutes would be most adequate and what are the main issues to be addressed by such a committee. Before opening for a general discussion, she also touched upon the issue whether one should go from conceiving of the NBC as an advisory body to establishing it within a legal framework with executive power.

Highlights from the discussion

1. Concerns were raised whether a NBC would lead to confusions with respects to the responsibilities of existing scientific and/or supervisory bodies. E.g. what kind of relationship should a NBC have with a committee on bio-safety?
2. During the discussion it was emphasized that the Declaration encourages a pragmatic approach when it comes to the way committees should be set up.

3. The process of establishing a NBC: The way the National UNESCO Commission of Ghana has proceeded so far, indicates that it is on the right track; especially important is the fact that the Commission has invited representatives from different scientific, professional and faith-based bodies into the discussion of the process and procedures of establishing a NBC.
4. As to the function of a NBC, it differs greatly from country to country: In some countries there is for example a split between review and policy advice, in the sense that there are two different committees. In any case, the following items are important to take into consideration:
 - the creation of explicit statutes.
 - the establishment of explicit procedures for selecting the chair and committee members
 - the committee's budget
 - whether the committee meetings should be closed or open
 - frequency of meetings, forms of publication
 - whether awareness raising and public debates should be given priority
 - training of committee members (UNESCO can provide training of committee members as well as provide ethics teaching programmes and ethics teaching training).
5. The issue of independence of a NBC. Important key words here are confidence, trust and transparency. Article 19 of the Declaration emphasizes the importance of independent NBCs. It is important to acknowledge the importance of independence while at the same time looking at different possible ways of establishing independency. The different modes and practices of Poland, USA and France were highlighted. Mexico's formula was also described: "It is important to draft a committee which fits with the Ghanaian fabric. We tend to believe in the moral integrity of committee members. In the baby stage we are now (in terms of setting up a NBC), full independence is not the most important issue". But transparency is.
 - It was discussed whether the authority of the NAB should be moral or legal (at the end of the meeting it was clear that the legal status was very important, but at this stage it was not so, in fact at the end the bottom line issue come up again)
 - It was also suggested that the Commission should try to follow a stepwise procedure, identifying primordial and feasible projects in order to accomplish goals and gain credibility.
6. During the discussion the question was raised whether UNESCO, besides providing ABC-assistance and ethics training, may also provide financial support for activities started by the NBC, including running the secretariat. As UNESCO will not be able to give this kind of support, the Dutch representative at the meeting suggested the possibility of approaching the Netherlands for such support, as the Netherlands have already substantial collaboration with Ghana.

The morning session was rounded up by Henk ten Have making four observations of importance to further deliberations:

- Ghana is already on its way to inaugurating its NBC,
- It is evident that Ghana has a clear view of the necessary terms of reference of the committee,
- It will be important to discuss the issue of statutes,
- It will be important to make clear what Ghana (within the context of the ABC-project) will need from UNESCO for the next three years.

The Meeting – March 22, afternoon session

The first part of the afternoon session was dedicated to reports about the systems of ethics committees in the Netherlands, Norway and Mexico, followed by a discussion of the way to proceed for setting up a well functioning NBC able to address the particular bioethics needs in Ghana.

Highlights from the discussion

1. The area of traditional herbal medicine. Who controls, supervises the ethics of these professionals? Are traditional healers guided by ethical rules of play, or are they doing whatever they want? If the latter is the case, a system of ethical rules of play needs to be introduced. The other side of this issue is to introduce ways of taking care of the ‘valid’ forms of knowledge possessed by traditional healers.
2. The use of biological materials in research. The introduction of foreign genetic material into the environment. Genetically modified food. The National Biosafety Bill in Ghana is still to be discussed by the parliament before implementation. The Bill does not take into account the ethical aspects of such practices.
3. The failing ethics of product advertisements in Ghana.
4. Some observations made in the discussion about important functions of a NBC:
 - Advocacy
 - Dissemination
 - Training
 - Monitoring.

The chair suggested that the rest of the day’s meeting should be used by the Ghanaian representatives to discuss between themselves what they (based on the presentations and the material provided) need from UNESCO in the next three years to come.

The Meeting – March 23

The chair started the meeting by inviting Apollonius Osei Akoto Asare to read the minutes from the previous day’s meeting. The chair asked the participants to suggest additions and/or changes in the minutes. No changes were suggested. The chair, then, asked Henk ten Have to present a draft of suggested statutes for a NBC in Ghana, based on the previous discussions and deliberations, recognizing that the term “Statutes” is not appropriate in the Ghanaese context (since it relates to legal approbation; perhaps “guidelines” or “terms of reference” will be more appropriate). Further details need to be provided in a later stage, based on discussions among the future committee members.

STATUTES (draft)

Art.1

The National Bioethics Committee of Ghana has been created by the UNESCO National Commission on 2007

Art.2 Membership

2.1. The Committee shall consist of 10 members

2.2. The members will represent the following organizations and institutions

- National Commission on Culture
- Agriculture and Environmental Education Unit, Ministry of ...
- Water Research Institute
- Environmental Protection Agency
- School of Medicine, University of Ghana
- Legal Committee, National Commission for UNESCO
- National Council of Churches
- The National Chief Imam
- (life sciences)
- (philosophy)

2.3. The members are appointed by One of the members shall be appointed as chairperson

2.4. The members and chairperson are appointed for a term of 3 years. Reappointment may take place once.

Art. 3 Mission of the Committee

(see terms of reference)

Art. 4 Working methods

4.1. The Committee shall meet at least (2) times a year

4.2. The quorum for a meeting shall be the chairperson or his deputy, and 5 members

4.3. Decisions of the Committee are taken by simple majority vote of the members present

4.4. The Committee can create subcommittees for specific topics and issues. The subcommittees shall report during the meetings of the Committee

4.5. The Committee shall publish an annual report of its activities

4.6. The Committee shall lay down its own rules of procedure

Art. 5 Secretariat

5.1. The Committee shall have its own secretariat

5.2. The Secretariat shall draft and distribute the reports of each meeting, including the annual report

5.3. The Secretariat shall take care of collecting, archiving and providing basic documentation material relevant for the activities of the Committee

Art. 6 Accountability

The Committee is accountable to ...

Art. 7 Evaluation

The Committee shall evaluate its activities in 3 years and may revise its Statutes accordingly.

Highlights from the discussion following the draft presentation

1. A broader representation than that suggested in the statutes seems necessary, e.g. there seems to be a need for a representative for traditional herbal medicine. The ethics committee of the Ministry of Health was also mentioned and agreed to be included in the core group.
2. Certain bodies should be given the opportunity to decide how – and by whom – they want to be represented.
3. The word ‘represent’ is an ambiguous word in this context, because it may mean that members of the committee will not be free to act and deliberate without consulting their ‘home’-institutions in advance.
4. The present planning committee should make contact with and map already existing research ethics committees and relevant institutions.
5. There is a need to establish the ‘core’ of the NBC as soon as possible so that UNESCO has a body to deal with.
6. At present it is the National UNESCO Commission of Ghana, with the Minister of Health as its chairman, who will be the appointing body of the NBC.
7. It is important that the National UNESCO Commission of Ghana seeks ways of safeguarding a Secretariat with administrative competency as well as competency in bioethics.

The terms of reference that were presented will be elaborated into a mission and vision document which will need to reflect the character of the commission: advisory, advocacy, operational (review of protocols, establishing guidelines, receiving appeals etc.).

Proposed plan for further action

After the discussion Henk ten Have presented a draft plan for further ABC action in Ghana:

- 2007: Inauguration of the NBC – public event, followed by the signing of a Memorandum of Understanding between the NBC and UNESCO.
- 2008: Training of committee members
Documentation
Global Summit of ethics committees, Paris
Training of secretariat
- | |
|-------------------------|
| Participation Programme |
| Extra budgetary funding |
| Extra budgetary funding |
- 2009 Ethics training (e.g. research ethics, ethics and policy)
Partnership with National Commission of Bioethics in Mexico (south-south partnership)
Public event (on a bioethics topic important for Ghana)
- 2010 Ethics training (legal systems, ethics education)
Establishment of a network of bioethics committees.

Final deliberations

The Secretary General informed the newly arrived chair of the proposed NBC, Professor Alfred A. Oteng-Yeboah, of ten Have’s proposed plan for cooperation between UNESCO

and the NBC of Ghana for the next three years. The chair emphasized the importance of establishing the NBC within a framework of law, while he at the same time emphasizing the need for a bottom-up development of the NBC and the importance of giving the NBC time to function before further decisions on whether it should be attributed with executive power as well.

The Secretary General, in her closing remarks, highlighted the importance of the work to be done in the coming weeks: the finalization of the strategies, objectives and visions of the NBC, so that UNESCO's ABC-action plan for Ghana can be implemented. Henk ten Have thanked the National UNESCO Commission for the invitation and for their interest in bioethics and their willingness to establish a NBC and promote ethics debates in Ghana. He also emphasized the importance of this meeting for the ABC-project itself, because it provides a lot of information of high importance in relation to the further development of the project.