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**GENERAL ASSEMBLY ADOPTS UNITED NATIONS DECLARATION ON HUMAN
CLONING BY VOTE OF 84-34-37**

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Fifty-Ninth General Assembly

Plenary

82nd Meeting (AM)

GENERAL ASSEMBLY ADOPTS UNITED NATIONS DECLARATION

ON HUMAN CLONING BY VOTE OF 84-34-37

The General Assembly this morning adopted the United Nations Declaration on Human Cloning, by which Member States were called on to adopt all measures necessary to prohibit all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life.

Acting on the recommendation of the Sixth Committee (Legal), contained in its report A/59/516/Add.1, the Assembly adopted the text by a vote of 84 in favour to 34 against, with 37 abstentions (See Annex).

By further terms of the Declaration, Member States were also called on to protect adequately human life in the application of life sciences; to prohibit the application of genetic engineering techniques that may be contrary to human dignity; to prevent the exploitation of women in the application of life sciences; and to adopt and implement national legislation in that connection.

The Declaration adopted today was the product of a Working Group established by the Assembly to finalize the text of a United Nations declaration on human cloning, which met in New York last month. Last November, the Sixth Committee averted a divisive vote on the question of an international convention against human reproductive cloning by deciding to take up the issue as a declaration.

Regretting the failure to achieve consensus, several delegations said they had voted against the text today because the reference to “human life” could be interpreted as a call for a total ban on all forms of human cloning. The Assembly had missed an opportunity to adopt a convention prohibiting reproductive cloning, said the United Kingdom representative, because of the intransigence of those who were not prepared to recognize that other sovereign States might decide to permit strictly controlled applications of therapeutic cloning. Echoing the views of a number of speakers, he said the Declaration was a non-binding political statement, which would not affect his country’s position on the issue.

Those in favour of the Declaration welcomed its adoption, saying it constituted an important step in the protection of human dignity and the promotion of human rights, as well as a stepping stone in the process towards a complete ban on human cloning. The text, noted Costa Rica’s representative, sought to advance science in a clear framework of ethical norms. The text, added Ethiopia’s representative, sent a clear message against unethical research which made human life the object of experimentation.

Also this morning, the Assembly conveyed its deepest condolences to the families of the nine United Nations peacekeepers from Bangladesh who were killed in the Democratic Republic of the Congo on Friday, 25 February.

In addition, the Assembly was informed that Afghanistan, Cape Verde, Côte d’Ivoire, the Dominican Republic, Palau and the Solomon Islands had made the necessary payments to reduce their arrears below the amount specified in Article 19 of the Charter.

The next meeting of the Assembly will be announced in the Journal.

Explanations after Vote

The representative of Mexico, speaking in explanation of position after the vote, said that those negotiating the Declaration had had to take into account uncertainty over new scientific advances, as well as its ethical, cultural and religious implications. There was a dichotomy between reproductive and therapeutic cloning and, during the entire process, Mexico had focused on seeking a consensus, first on the negotiation of a mandate and subsequently on the text itself.

Regretfully, it had not been possible to achieve a consensus that would facilitate a universal norm, he said. Despite the fact that some delegations had decided not to yield in their original positions, many of their concerns had, in fact, been included in the final text just adopted. The text had the fundamental concern of guaranteeing human dignity and it reflected a realistic form of compromise. Hopefully, the National Parliament would take the necessary action, as the letter and spirit of the Declaration were in step with Mexican legislation and jurisprudence.

The representative of China, also speaking in explanation after the vote, said that different countries varied in their understanding of the text's inherent moral, ethical and religious aspects, and it was regrettable that the Declaration failed to give effect to the concerns of those countries. The prohibitions contained in the text could be misunderstood as covering all forms of cloning. Having voted against the Declaration, the Chinese Government would continue to adhere to its position against reproductive human cloning, while maintaining strict controls over therapeutic cloning.

The representative of India expressed deep regret that the Sixth Committee had been unable to recommend to the plenary a text that was acceptable to all Member States on a matter of such paramount importance as an international convention against the reproductive cloning of human beings. India had voted against the political Declaration, as some of the provisions of the Declaration could be interpreted as a call for a total ban on all forms of human cloning.

India remained totally opposed to reproductive cloning owing to the doubtful nature of its safety, success, utility and ethical acceptability, he said. However, the merits of therapeutic cloning were considered on a case-by-case basis within the bioethical guidelines laid down with the approval of the National Bioethical Committee. The Declaration voted upon today was non-binding and did

not reflect agreement among the wider membership of the General Assembly. India's approach to therapeutic cloning, thus, remained unchanged.

Belgium's representative regretted that it was not possible to find agreement on a Declaration that could have found consensus in the Assembly. Today's vote reflected the wide divergence in the international community on the text. Rather than bringing States together, it had divided them. It was essential that reproductive human cloning be prohibited. However, it was reasonable to preserve, at the national level, the possibility of carrying out therapeutic cloning.

The representative of the United Kingdom said he voted against the Declaration, because the reference to "human life" could be interpreted as a call for a total ban on all forms of human cloning. He could not accept such an ambiguous Declaration, which might sow confusion about the acceptability of that important field of research. The Assembly had missed an opportunity to adopt a convention prohibiting reproductive cloning because of the intransigence of those who were not prepared to recognize that other sovereign States might decide to permit strictly controlled applications of therapeutic cloning. The Declaration voted on today was a weak, non-binding political statement that did not reflect anything approaching consensus within the Assembly, and would not affect the United Kingdom's strong support of stem cell research.

Hungary's representative said he voted in favour of the Declaration because it attached the utmost importance to sending a strong message that the birth of cloned human beings was not acceptable. Furthermore, during the conduct of life sciences, there was a need for a delicate balance between the freedom of research and the adequate protection of human life and dignity. Also, the Declaration was in line with the existing obligations of Hungary under international law. He hoped the Declaration was only one step in the consideration of human cloning, and not the final stage. Hungary was open for further discussions in the international community at the appropriate time.

The representative of the Republic of Korea said his country had voted against the political Declaration, which had not achieved a political consensus. It was not binding and would not affect the Republic of Korea's future position on therapeutic cloning, which would reaffirm human dignity by relieving pain and suffering.

The representative Thailand expressed regret that the General Assembly and the Sixth Committee had been unable to adopt a consensus Declaration. The Declaration just adopted was not binding and the text was ambiguous. In light of that, Thailand had voted against the Declaration and

felt that it should be left to Member States to use their own interpretation as to whether or not to prohibit therapeutic cloning.

The representative of Spain said that the term “human life” contained in the text was confusing and should be replaced by the term “human being” as used in scientific texts. The Declaration did not cover the well known fundamental differences between the two types of cloning. The fact that there had been no consensus on the issue after four years of discussion showed just how precarious the text was as adopted. Spain was opposed to reproductive cloning, but favoured therapeutic cloning, which was looked upon positively by the scientific community. The issue would now be passed on to the National Parliament.

Japan’s representative said he had voted against the resolution. The Declaration was difficult to interpret and did not respect the various views of Member States. The adopted text would not affect Japan’s domestic legislation on the issue.

The representative of Brazil regretted the lack of consensus on the text adopted, which highlighted the deep division in the international community on the issue. He also regretted that the Sixth Committee had deviated from its original mandate to elaborate an international convention on human cloning. He had voted against the text, which did not contain language consistent with his country’s position on the issue.

Singapore’s representative said he had voted against the resolution because it did not capture the diversity of views on the issue. Four years ago, the Assembly endorsed an initiative to begin work on an international convention on human cloning. There was still unanimity that reproductive cloning should be banned. It was unfortunate that that initiative was hijacked, and culminated today in the adoption of a text which sought to impose a single set of regulations on States regarding all forms of human cloning.

The representative of the United States, welcoming the adoption of the Declaration, recalled that his delegation had explained its position in the Sixth Committee and would not give a further explanation today. The full text of that explanation was on the web site of the Permanent Mission of the United States.

The representative of Poland said his delegation had voted in favour of the Declaration and unequivocally opposed the cloning of human embryos. Any use of human stem cells should be permitted only when the stem cells or stem cell lines were obtained from supernumerary cells, or when donors had expressed their willingness to permit it.

The representative of South Africa said his delegation had abstained from the vote and found that the language of the text was deliberately ambiguous so as not to infringe on the rights of those who wished to continue with research in their own jurisdictions. South Africa was against reproductive human cloning and would continue with the strict regulation of therapeutic cloning. South Africa considered therapeutic cloning to be aimed at protecting human life and, as such, it was not inconsistent with the Declaration just adopted.

The representative of Canada, emphasizing that his country's position was clear, said reproductive cloning was illegal in Canada in whatever form. The ambiguity of the Declaration might give rise to certain political and other concerns.

Norway's representative said that his Government opposed both reproductive human cloning and therapeutic cloning, as reflected in its domestic legislation. It had sought to contribute to the elaboration of an international convention on the issue. At the same time, it had been willing to go along with a declaration, as long as it enjoyed consensus. He had voted against the Declaration, since it did not reflect the views of all States and did not enjoy consensus.

The representative of Costa Rica said the adoption of the Declaration today constituted a historic step to promote human rights and guarantee human dignity in all circumstances. The text urged the scientific community to advance, bearing in mind the value of human dignity and human life. It was impossible to reach a consensus because a small group of States had rejected all reference to human life in the text. The Declaration sought to advance science in a clear framework of ethical norms. It was of concern that some delegations had undermined the value of the Declaration, which had received majority support.

France's representative said she regretted the failure to find consensus. She was convinced that there was a clear consensus regarding the prohibition of reproductive human cloning. Also, given the threat of dangerous experimentation, it was essential to prohibit reproductive human cloning. However, she could not agree on prohibiting all forms of cloning. France had voted against

the Declaration, and regretted the inability of the Assembly to send a universal message on such a vital issue.

The representative of Nigeria regretted that he was not in the room when the voting took place. He was fully in favour of the Declaration. His country supported the Declaration because there was no alternative to it, for the time being. Human life was sacrosanct, and there was no reason for its violation. It was an inconceivable paradox that proponents of therapeutic cloning would sacrifice the life of one in order to serve another. He stressed that human cloning was unethical and a direct assault on human dignity. Today's Declaration was only a stepping stone in the process towards a convention on a complete ban on human cloning.

The representative of Mali said, had his delegation been present, it would have abstained from the vote, in accordance with the common position of the Organization of the Islamic Conference.

The representative of the Russian Federation said that the question involved complex scientific and ethical issues and that his country had always been in favour of consensus. Regrettably, there had been no consensus. But, the Russian Federation had voted in favour of the Declaration, in order to send a message to the international community about the impermissibility of reproductive human cloning.

The representative of Uganda said that her country had voted in favour of the Declaration because it opposed the destruction of human embryos and believed in the protection of human dignity. The Declaration was consistent with humanity's responsibility to protect the sanctity of human life.

The representatives of the Netherlands said his country had opposed the Declaration because it could be interpreted as a total ban on all forms of cloning. There was a need for strict oversight, but not a total ban. The Declaration just adopted was not binding.

The representative of Ethiopia said he had voted in favour of the Declaration, which sent a clear message against unethical research, that made human life the object of experimentation. He hoped the funding for research into human cloning could be redirected towards research and development to find cures for those affected by HIV/AIDS, tuberculosis and malaria.

The representative of Antigua and Barbuda said that, had she been in the room during the vote, she would have voted in favour of the text.

Kyrgyzstan's representative also said that, had he been in the room, he would have voted in favour.

Libya's representative congratulated the international community for adopting the Declaration, which was a step forward in the process towards a future convention to ban all forms of human cloning. The Declaration was a starting point in the protection of human dignity. He had voted in favour of the Declaration.

ANNEX

Vote on Declaration on Human Cloning

The United Nations Declaration on Human Cloning (document A/59/516/Add.1) was adopted by a recorded vote of 84 in favour to 34 against, with 37 abstentions, as follows:

In favour: Afghanistan, Albania, Andorra, Australia, Austria, Bahrain, Bangladesh, Belize, Benin, Bolivia, Bosnia and Herzegovina, Brunei Darussalam, Burundi, Chile, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Georgia, Germany, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iraq, Ireland, Italy, Kazakhstan, Kenya, Kuwait, Lesotho, Liberia, Liechtenstein, Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Federated States of Micronesia, Monaco, Morocco, Nicaragua, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Sudan, Suriname, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, United States, Uzbekistan, Zambia.

Against: Belarus, Belgium, Brazil, Bulgaria, Cambodia, Canada, China, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Estonia, Finland, France,

Gabon, Iceland, India, Jamaica, Japan, Lao People's Democratic Republic, Latvia, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Republic of Korea, Singapore, Spain, Sweden, Thailand, Tonga, United Kingdom.

Abstain: Algeria, Angola, Argentina, Azerbaijan, Bahamas, Barbados, Burkina Faso, Cameroon, Cape Verde, Colombia, Egypt, Indonesia, Iran, Israel, Jordan, Lebanon, Malaysia, Maldives, Mongolia, Myanmar, Namibia, Nepal, Oman, Pakistan, Republic of Moldova, Romania, Serbia and Montenegro, Somalia, South Africa, Sri Lanka, Syria, Tunisia, Turkey, Ukraine, Uruguay, Yemen, Zimbabwe.

Absent: Antigua and Barbuda, Armenia, Bhutan, Botswana, Central African Republic, Chad, Congo, Dominica, Fiji, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Kiribati, Kyrgyzstan, Libya, Malawi, Mali, Mauritania, Mozambique, Nauru, Niger, Nigeria, Papua New Guinea, Peru, Russian Federation, Senegal, Seychelles, Swaziland, Togo, Turkmenistan, Tuvalu, Vanuatu, Venezuela, Vietnam.

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