

# How can a legally binding agreement on human cloning be established?

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Since Dolly the Sheep was cloned in 1996, the question of whether human reproductive cloning should be banned or pursued has been the subject of international debate. In an attempt to address the issue, the UN formulated a Declaration on Human Cloning in 2005, but this was ambiguously worded and received ambivalent support from UN member states. Now Adèle Langlois of the University of Lincoln, UK, argues that those in pursuit of a robust global governance framework on human cloning will do well to look at recent successes in the areas of climate change and business ethics. The report is published in Springer Nature's open access journal *Palgrave Communications*.

Langlois' study focuses specifically on official records and first-hand observations at various bioethics meetings to examine the impasse in the human cloning debate currently experienced by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

The UN Declaration on Human Cloning prohibits "all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life," but the lack of support it received from some member [states](#) and the ambiguous way it can be interpreted galvanised UNESCO to set up a working group in 2008 made up of members of its International Bioethics Committee.

The working group had to investigate the feasibility of a legally binding convention to ban human reproductive cloning. It found that the current lack of clarity in international law is unhelpful for those states yet to

formulate national regulations or policies on the topic. Despite this, member states of UNESCO resisted the idea of a convention for several years. This changed in 2015 but, according to Langlois, no practical progress has been made since.

She believes this impasse can be addressed by establishing a robust global governance framework which uses a deliberative format. It should be based on knowledge sharing and feasibility testing rather than the interest-based bargaining that is common to intergovernmental organisations. It should also involve numerous stakeholders. This framework is similar to that which the Conference of the Parties to the United Nations Framework Convention on Climate Change, another intergovernmental forum, used to move forward on [climate change](#) talks. It also allowed the UN to adopt the Guiding Principles on Business and Human Rights in 2011 after years of failing to agree on a set of norms on this topic.

Langlois says human cloning talks should move away from short, formal discussions within committees towards more in-depth information exchanges among a broader range of stakeholders. It needs bottom-up pledges of action and the development of best practice through feasibility studies. This might not result in a decision to begin negotiating a treaty, but could at least give light to a set of resources and commitments that could prove effective in promoting ethical behaviour on the part of states and other actors.

"If there was a more flexible deliberative format, and we were able to mirror successful moves in other global forums, we could move towards a robust governance [framework](#) for [human cloning](#), which would see less interest-based bargaining and more buy-in from stakeholders," she adds.

**More information:** Langlois, A. (2017). The global governance of human cloning: the case of UNESCO, *Palgrave Communications*, [DOI:](#)

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