

**MEETING OF THE STATES PARTIES TO THE
CONVENTION ON THE PROHIBITION OF
THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL
(BIOLOGICAL) AND TOXIN WEAPONS AND
ON THEIR DESTRUCTION**

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Item 5 of the agenda

**Consideration of the content, promulgation, and
adoption of codes of conduct for scientists**

BIOETHICS RELATED ACTIVITIES IN INDONESIA¹

Prepared by Indonesia

1. Bioethics is a topic that still gives rise to hot and lengthy debates in Indonesia, for two main reasons. First, because ethics in Indonesia still causes some perplexity and confusion because it does not form a part of any specific scientific or technological domain. Second, because of the notion that biology is a natural science which enriches the understanding of the creatures of the universe. Moreover, in line with the development of biotechnology, there is a gap between what is happening now and what could or is likely to happen in the future, which creates uncertainties and raises questions. The development of human cloning and embryonic stem cells, for instance, is a case in point, where the boundaries between religious belief and the progress of science are blurred. For those reasons, it is strongly felt that bioethics is not only necessary for Indonesia, but should also be specified, in order to clarify these boundaries for society at large. Nonetheless, bioethics as well as codes of conduct for scientists are new to Indonesia.

2. The first seminar on bioethics held there was organised by the University of Atmajaya in 1988, which brought together a number of experts from The Netherlands, Belgium and the United States. Then, in 2000, Bioethics and Humanity Networking were established together, with the holding of the First National Conference on Health Bioethics and Humanity, at Gadjah Mada University, Yogyakarta. A second and a third seminar followed in 2002 and 2004, respectively.

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3. Other seminar include:

- (i) Bioethics, held by Inter-university Center for Biotechnology, University of Gadjah Mada, July 1998.
- (ii) Bioethics: Genetic Engineering from the Islamic Perspective, Center for Biotechnological Research, University of Muhammadiyah, Malang 6, March 2003.
- (iii) Stem Cells: Future prospects and obstacles, Medical School of the University of Indonesia, 5 April 2003.
- (iv) Cloning and Social Health, Faculty of Social Health, University of Indonesia, 14 June 2003.
- (v) Indonesian Position on the Convention on the Ban of Human Cloning, Ministry of Foreign Affairs, 4-5 September 2003.
- (vi) Prospects of National Bioethics, Ministry of Research and Technology, 13 November 2003.

4. The Ministry of Research and Technology, represented by the Indonesian Institute of Sciences (LIPI), has been conducting several activities -- which have been referred to the UNESCO -- within the framework of the Universal Declaration on Human Genome and Human Rights which is considered to be the first universal document in the field of life sciences. These activities are geared to achieve and maintain a balance between the safeguarding of human rights and fundamental freedoms, on the one hand, and the need to ensure the freedom of research on the other. Furthermore, the Indonesian Ministry of Health (MoH) and the WHO have conducted a joint study on the mapping of health research ethics committees in Indonesia. They found that there are 26 sub-national bioethics committees in 11 provinces. The study shows that there was no single standard among these various committees with regard to membership, procedure, as well as the perception of bioethics in health research. This would indicate that the slow development of bioethics in health research in Indonesia was likely caused by misperceptions among the committees. In order to resolve these discrepancies, the MoH on 29 October 2002 established a National Committee on the Ethics of Health Research.

5. Although the codes of conduct published by several UN specialized agencies do not refer specifically to Biological and Toxin Weapons as reported in the BWC/MSP/2005/MX/INF.2/Summary, we believe that, in view of the fact that BTWC is related to a broad range of sciences, the codes of conduct of scientists involved in these activities should take account of the prohibition of biological and toxin weapons. We fully agree with the US view whereby there is no "one size fits all" in this domain, and a universal code of conduct is not practically feasible at the present stage. However, we believe that existing codes of conduct should be harmonized.

6. There are at least three main characteristics to bioethics, namely it is interdisciplinary, international, and pluralistic. First, bioethics is interdisciplinary because it relates to other sciences such as the biomedical sciences, the Law, theology, the social sciences, philosophy, etc. The interdisciplinary aspect of bioethics is shown by the inter-relationships between the applications of these various sciences with one another. Secondly, science, by nature, is an international domain. It does not belong to any particular country and the impacts of the ethical problems linked to the biological sciences are global. The third characteristic of bioethics is the pluralistic factor. In other words, the dialog on bioethics has to consider as much as possible

other influencing factors, such as religion, not only of the majority group, but also of the minority, or minorities.

7. In order to accommodate these various parameters in a national context, Indonesia has sought to coordinate these related activities under one single coordinating body which, so far, has integrated three ministries: the Ministry of Research and Technology, the Ministry of Health and the Ministry of Agriculture. The three ministers have signed a joint declaration on establishing the Indonesian National Bioethics Commission (INBC). The Commission, which was established on 12 October 2004, consists of 33 members, comprising experts on the medical sciences, biology and other human sciences, ethics, theology, religion, the social sciences, and others.

8. The missions of INBC include:

- (i) advancing studies related to bioethical principles
- (ii) providing considerations to the Government on aspects of bioethics in research
- (iii) the development and implementation of science and life science-based technologies; and
- (iv) the dissemination of general understanding and knowledge on bioethics.

9. The functions of INBC are:

- (i) To promote the principles of bioethics in the advancement of science and technology and to study their impacts on the community
- (ii) To review and adapt ethics in line with the development of science and technology, particularly in the field of the life sciences
- (iii) To provide recommendations to the Government on matters pertaining to ethics for the various industries, especially bio-industries, research organizations, professional scientific organizations, and individuals, in conducting research relating to humans, animals, plants, micro-organisms, and the environment.
- (iv) To develop national bioethics guidelines through the study of guidelines for research ethics and the development of science and technology related to humans, animals, plants, micro-organisms and the environment
- (v) To provide information and services to and from the Government and the community on bioethics in its relation to the development of the modern life sciences
- (vi) To strengthen the network of groups dealing with aspects of ethics, on a periodical or ad hoc basis according to the experts or the community
- (vii) To cooperate on issues related to bioethics internationally
- (viii) All other functions in the field of bioethics related to the mission of the Commission.

10. Besides establishing the above-mentioned Commission, Indonesia has also published codes that are applicable to scientists. For instance, Law No. 15/2003 authorizes police, prosecutors and judges to use Indonesia's Anti-terrorism Law (Interim Law No 1/2002 and 2/2002). The government regulation in lieu of legislation No 1/2002 regulates the modalities of the fight against terrorism, contains special and specific provisions that accommodate new stipulations that did not feature in previous government regulations. In its application to biological weapons,

Article 10 of the law clearly stipulates that a person who “intentionally uses chemical or biological weapons, radiology, micro-organisms, radioactivity or its components to create an atmosphere of terror or fear” shall be sentenced. The law also penalizes any person who intentionally provides or collects materials that are likely to be used for the manufacturing of biological weapons (Article 12), or to assist and facilitate terrorism (Article 13). Likewise, any person outside the territory of the Republic of Indonesia who provides any assistance, facilitation, means or information for the committing of any criminal act of terrorism (Article 16) is subject to the provisions of this law.

11. In conclusion, although the National Bioethics Commission has been established, the ethics of research remain the responsibility of scientists and of the scientific community. In this case, the Bioethics Commission plays an important role as a filter to screen and supervise the activities carried out by scientists in the field of bioresearch and to ensure that these activities are not intended for undesirable activities or other criminal purposes. In this connection, capacity building is an important element in the empowerment of bioethics and of codes of conduct for scientists in Indonesia in order to support the national implementation of BTWC.
