

Human Rights and Biomedicine

A. Den Exter (ed.)

Contents

Preface	7
Introduction: The Biomedicine Convention <i>André den Exter</i>	9
PART ONE: Setting the Scene: Human Rights and Health Ethics	21
Chapter I: Dwelling on the Threshold: On the Interaction Between the European Convention on Human Rights and the Biomedicine Convention – <i>Rick Lawson</i>	23
Chapter II: Promoting and Applying Bioethics – the Ethics Programme of UNESCO – <i>Henk ten Have</i>	37
Chapter III: Universal Principles and Universal Rights – <i>Tom Beauchamp</i>	49
PART TWO: Equitable Access to Health Care	67
Chapter IV: Equality and the Right to Health Care – <i>Martin Buijsen and André den Exter</i>	69
Chapter V: The Right to Health Care for Vulnerable Population Groups in the Netherlands and Europe – <i>Walter Devillé</i>	87
PART THREE: Medical Research	103
Chapter VI: Appropriate Regulations for Different Types of Medical Research <i>Elmar Doppelfeld</i>	105
Chapter VII: Regulatory Discrepancies between the Council of Europe and the EU regarding Biomedical Research – <i>Roberto Andorno</i>	117

PART FOUR: Genetics and Health Care Rights	135
Chapter VIII: Recent Developments in the Legal Discourse on Genetic Testing in Germany – <i>Jürgen Robiński and Jürgen Simon</i>	137
PART FIVE: Patients Rights	157
Chapter IX: Patient’s Rights and Human Dignity <i>Carlos Romeo Casabona</i>	159
Chapter X: Patient Rights in the United States: Beyond or Behind the Convention? – <i>Tim Stoltzfus Jost</i>	183
Chapter XI: Protection of Persons Not Able to Consent: A Feminist View <i>Hilde Lindemann</i>	207
PART SIX: Organ Transplantation	219
Chapter XII: Legal Protection of the Deceased Organ Donor in Europe <i>Herman Nys</i>	221
Chapter XIII: Organ Donation from Brain-dead Donors: A Dead End Street <i>Erwin Kompanje</i>	237
Contributors	253
About the Erasmus Observatory on Health Law	259
Annex	261

ISBN: 978-90-466-0219-5