

Activities of the members of the Inter-University Chair

Carlos María Romeo Casabona has been awarded the Gold Insignia of the Federación Nacional ALCER (2007). Additionally, he has been a speaker in numerous events of a national and international nature, among which the following can be highlighted: Congress "Human Dignity: sociological, ethical and bioethical aspects" (Rabat, 26-28 June, 2007), with the conference entitled "Uses and abuses of the Human Dignity principle in relation with Bio law"; Conference in the Facultad de Ciencias Jurídicas y Sociales de la Universidad Nacional del Litoral (Santa Fe, Argentina, 2 July, 2007), with the presentation entitled "Libertades en Internet y sus límites penales"; Jornada sobre medio ambiente y derecho penal, organised by la Defensoría General de la Nación, el Superior Tribunal de Justicia de Entre Ríos y el Gobierno de la Provincia de Entre Ríos. (Paraná-Entre Ríos, Argentina, 3 July, 2007), with the report "Represión penal de la contaminación y las formas de prevención"; Conference in the Law School of the University of Buenos Aires (5 July, 2007), with the address entitled "La nueva ley española de fecundación artificial"; IV Congreso Internacional de Derecho penal "Las transformaciones de la delincuencia organizada y sus impactos político-criminales y dogmáticos" organised by the Government of Chiapas through the Fiscalía General del Estado, el Centro de Estudios de Política criminal y Ciencias Penales and the Academia Mexicana de Ciencias Penales (Tuxtla Gutiérrez, Chiapas, México, 13-17 August 2007), with the speech "Los delitos de manipulación genética"; XVI Congreso Nacional do Conpedi, organised by PUC Minas, Programa de Pos-Graduação em Direito (Belo Horizonte, 15-17 November 2007), with the presentation "Direitos fundamentais e globalização: uma análise a partir da Bioética"; Jornadas "Artificialmente natural. El impacto de la biotecnología en las personas, las sociedades y la naturaleza", organised by Artium of Vitoria-Gasteiz (Vitoria-Gasteiz, 12-13 December, 2007), with the speech "De las células madre a la clonación humana ¿hacia una vida inmortal?"; XVIII Summer Courses of the UNED "Los derechos humanos ante el reto de los avances biotecnológicos", organised by the Department of the Philosophy of Law, School of Law, UNED (Logroño, 9-13 July 2007), with the conference "Nuevas iniciativas legislativas sobre investigación biomédica"; Course "Derecho penal del siglo XXI", organised by the Consejo General del Poder Judicial, Continuous Learning Education (Madrid, 22-24 October 2007), with the address "La expansión del Derecho Penal en el campo de la Biotecnología humana: últimas tendencias"; Il Master in Health Law and Bioethics organised by the Escuela de Práctica Jurídica de la Universidad de Murcia and the Fundación para

la Formación e Investigación Sanitaria de la Región de Murcia (FFIS) with the backing of the Servicio Murciano de Salud and the Consejería de Sanidad (Murcia, 5 November, 2007), with the speech "Marco normativo de derecho, genoma humano y reproducción asistida para sanitarios"

Aitziber Emaldi Cirión, has recently addressed the conference entitled "Análisis genéticos en la nueva ley de investigación biomédica", at the XIV Congreso Nacional de Derecho Sanitario, organised by the Asociación Española de Derecho Sanitario, Madrid. Likewise, she has taught in the Intensive Programme "General Problems of Transnational Law and Its Implications for the Companies in International Trade", organised by the Faculty of Law of the University of Deusto, Bilbao, September 2007.

She has also written an article on "La selección de embriones: Planteamiento ético-jurídico", in the *Revista electrónica Euskonews-Media* (ISSN 1139-3629), No. 410, October 2007, and has participated in the Seminars "Embedding Science in Society Science, Social Innovation and New Humanity" (Brussels, December 2007); and "Formación Continua como estrategia de empoderamiento de las mujeres", organised by the University of Deusto (Bilbao, July 2007).

Additionally, she has recently joined as a Professor of Human Resources at the Escuela de Secretariado of the University of Deusto.

Pilar Nicolás has addressed conferences related with the legal implications of the use of biological samples and the processing of genetic data in: Seminar of continuous education *Nuevas perspectivas de investigación con material biológico humano: el proyecto de Ley de Investigación Biomédica*, organised by the Comité Ético de Investigación Clínica de Euskadi; in the Seminar *Ley de Investigación Biomédica: análisis genéticos y utilización de muestras biológicas en investigación biomédica. Biobancos*. Hospital Valle de Hebrón; in the Seminar *Genetic data opportunities and threats*, at the University of Trento, Italy; and in the Seminar *Bancos de tumores: implicaciones ético-legales y sociales*, coordinated by the CNIO and the Fundación Instituto Roche. She has published: "Discussing options between patients and health care professionals in genetic diagnosis: ethical and legal criteria", in *Hereditary cancer in Clinical Practice*, vol. 5, No. 3, 2007. She is part of the Research Project Team underwritten by the Basque Government: "Mamografía digital. Evaluación de la problemática de su introducción en el programa de detección precoz del cáncer de mama de la Comunidad Autónoma del País Vasco"

Leire Escajedo San Epifanio was a professor in the Summer course entitled "*Bioética, encuentro con la ciencia y los valores*", which was directed by Prof. María Ángeles del Brío León, at the University of Oviedo, from the 9th to the 13th of July, 2007. She addressed the issue "El Genoma Humano y sus implicaciones ético-jurídicas" and participated in the round table discussion on "Ciencia y sociedad".

She was a speaker on the Jornadas Técnicas Colegiales **ICOMBi** 2007 with the report entitled "Los límites de los colegios profesionales", organized by the Colegio Oficial de Médicos de Bizkaia, from the 18th to the 20th of October 2007. She participated as a member in the round table *La Medicina del siglo XXI: ¿Tiene límites la actividad profesional?*, with the presentation entitled "*Sobre la creciente presencia de la Bioética y el Derecho en el ejercicio de las Actividades biomédicas (porqué, para qué, hacia dónde)*".

Iñigo de Miguel Beriain has addressed the following: "La clonación: ¿derecho a la intimidad genética?", in the XVIII Summer Courses of the UNED, within the course entitled "La Biotecnología", which took place in Denia from the 2nd to the 6th of July, 2007; "Clonación y producción de niños vacuna: su incidencia en la dignidad y Derechos Humanos", pronounced in the Summer Course of the UNED entitled "Los Derechos Humanos ante el reto de los avances biotecnológicos", held in Logroño, 9-13 July, 2007; "La globalización y la inmigración", addressed in the XVIII Summer Courses of the UNED, within the course "Inmigración, multiculturalismo y derechos humanos", which took place in Denia from the 9th to the 13 of July, 2007; "El embrión humano", at the Summer Courses at the University del Mar, within the course "Inmigración, multiculturalismo y derechos humanos", which took place in Murcia, from the 16th to the 20th of July 2007; "La investigación con células troncales", in the Seminar "Nuevas Perspectivas de investigación con material biológico humano: el Proyecto de Ley de Investigación Biomédica", organised by CEIC and held in Bilbao, 18th of September, 2007. He has also published the article "La clonación, diez años después. Luces y sombras de una aportación científica de primer orden", in *Cuadernos de Realidades Sociales*

Sergio Romeo Malanda has published "Non-treatment of severely disabled newborns and criminal liability under Spanish law", en Charles Erin/Suzanne Ost (Eds.), *The Criminal Justice System and Health Care*, Oxford University Press, 2007.

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Perspectivas

en Derecho y Genoma Humano

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Inter-University Chair BBVA Foundation-Provincial Government of Biscay in Law and the Human Genome. University of Deusto, University of the Basque Country

Director: Prof. Dr. iur. Dr. med. Dr. h.c. mult. Carlos María Romeo Casabona

This issue is also published in Basque and Spanish

Obituary

José María Cantú Garza passed away due to an unexpected and sudden illness. In this issue, we want to offer our modest but heart-felt homage to him and his work.

As a doctor specialised in Human Genetics, José María developed his main activities in the Health Centre of the University of Guadalajara in Mexico. He was early to realise that the new techniques and new medicine should also reach Latin American countries, taking into account their particularities and idiosyncrasies. He put great effort in that all Latin America, even assuming its modest possibilities in these fields, would have a strong presence in international forums. And he achieved it. With this purpose, he created or backed the creation of diverse platforms in the region, such as PLAGH (Latin American Program for the Human Genome). Likewise, he was aware of the need to introduce the bioethical argument in these matters, from the perspectives of the Latin American people, especially those of indigenous populations, which once again could be victims of a biological and cultural pillage. With this common interest for Bioethics, for a Bioethics adapted to the cultural characteristics of the people, the Chair in Law and the Human Genome contacted with him, particularly when a group of researchers and legal scholars were preparing and approving the "Declaration of Manzanillo" (1997) at an important international congress that Chema organised in this city. This Declaration, which was reviewed several times by this same group (Santiago de Chile and Buenos Aires), gathered the bioethical aspects related with the research on the human genome and its possible applications from the needs of Latin America. More recently we also coincided in our collaboration with the Human Genome Organisation (HUGO) in its Ethics Committee.

In these and other activities in which we participated with José María Cantú, who also participated as a speaker in the Seminars of the Chair, we were able to see that he was greatly appreciated and that his criteria was valued as much. Nothing less could be expected, as on top of his broad knowledge, affection and humility, he was a man of good, who always had a word of stimulus and encouragement for everyone.

Opinion

A new challenge for Law: the issue of chimeras and hybrids

One of the problems raised by every attempt to universalize Law is that the way of conceiving what is legal, in itself, is by no means the same throughout all the corners of our planet. In some African or American cultures, the individual lacks specific weight when facing the community, while in oriental civilisations it is not uncommon to find ancestral regulation systems that are based on a vision of the human being in which the latter is but another piece in a reality far superior to him. However, in our cultural ambit, Law has been traditionally constructed following an internal organisation based on rigid categories in which everything turned around the human being, the absolute centre of the legal world. This is so much so, that in fact; all the occidental regulation systems share an essential basis: the radical division of all that exists into two types of entities, persons and things, clearly perceptible. The Law affords a different legal statute to each of these two entities. People are subjects of rights, that is, beings to which the regulation recognises rights, while objects, that is, the rest of the remaining beings and objects, don't go beyond being objects of law, mere goods that the human being can use as suits him best. At the beginning of the 21st century, however, we could well say that the new advances in biotechnology are making it more difficult for the aforementioned paradigm.

The problems, all things considered, are not really new. We are all aware, to a greater or lesser extent, that the aforementioned division has always had dark areas to which we have tried to provide solutions that haven't satisfied, by all means, all view points. Along these lines, the discussion on the legal statue

of the human embryo is a paradigm, an entity to which some want to attribute the dignity of a person by considering it as the subject of rights while others do not show many objections in labelling it as an object of rights, that is, as a thing, no matter how the expression is coated with an attractive wrapping (similar to "a legally protected good, for example). More recently, some visions have arisen that try to substantially alter the mentioned classification, postulating the consideration of some animals, mainly large apes, as non-human persons, that is, situating them within the groups of subjects of rights, even when they are not part of our species, not to speak of the claims by some radical ecologists who consider the biosphere in itself as the only real subject of rights. These stances, though they are still truly extravagant, can not be simply dismissed as some have been hasty to do so, in a time where it is beginning to be perfectly possible to merge in one sole ontological categories that up until now had been perfectly perceptible.

The truth of the matter is that although these discussions are truly lively, they are by themselves a growing challenge for our occidental conception of Law. In our judgment, its importance is not even comparable to that which the experiments which are now taking place or that shall take place in the future could achieve.

Let us propose a simple example, it is possible that in the short term someone will use the technique of nuclear cell transfer developed in these last years in order to bring to life one of our ancestors in the biological scale. Let us think, in reference to this issue, to



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the effect that the re-creation of a *Cro-Magnon*, *Homo erectus* or *Neanderthal man* would have on the regulation system of any of our neighbouring countries. What would be the legal status that we should provide them? That of human beings, and therefore, subject of rights? Or that of animals, which entails being no more than the object of rights? Unfortunately, answering these questions would not be easy within the framework of a legal system such as ours. Nonetheless, the aforementioned example can be labelled by some as science fiction. However, there are at least two good reasons to bring it up. Firstly, maybe it is not as fictitious as it seems at first sight. If up until a few months ago, the creation of a hominid through some variation of the technique which created Dolly seemed still impossible, nowadays maybe it is not as risky to foretell that this achievement is within our reach. Last summer, Doctor Shoukhrat Mitalipov, of the *Oregon National Primate Research Centre*, announced that his research team had achieved two embryonic cell lines from a nuclear cell transfer from *macaco rhesus*, obtained through a substantially different method to those that we had known until now. This biotechnological development shall constitute, once verified (and after the fraud committed by Korean researcher Woo Suk Hwang, which surely shall remain recent in our memory for a long time, it seems hard to imagine that anyone shall dare to repeat the attempt), the scientific confirmation that there exists an open door towards the cloning of human beings, that is, that it is possible to create persons through a method different than fertilisation. But if this procedure is capable of giving birth to hominids, then it is within what is imaginable that someone would use it to recuperate, in the future, lost species which we have sufficient biological samples with which to “revive them”. Let us only allow time to adequately perform its function and then we shall see.

Secondly, let us state in our defence, that if we have alluded to this example, it has been only to place the reader in a scenario very similar to that which could occur with the undertaking of other experiments, much simpler from a biotechnological point of view. To be precise, these are so simple to undertake that they habitually take place in many research centres, Asian as well as North-American or European. Naturally, we are making reference to those manipulations aimed at creating chimeras and hybrids that is, living beings that have mixed genetic material from different species. Having already begun in the nineteen eighties, nowadays, researches related with the production of this type of entities have reached a degree of development that can't be undervalued. Thanks to the technique that are available in our times to the bio technician, it is now possible, for example,

to create chickens that are capable of imitating the tweet of quails. To achieve this, it is enough to introduce neuron segments of the latter in embryos or foetuses of a chicken, thereby generating a mutation that is sufficiently important so as to alter the functioning of the brain of the resulting creatures. These same techniques are being used nowadays in experiments as interesting as the introduction of human neurons in mice, or even in apes, whose characteristics shall be altered as a consequence of this, which certainly could give rise to the onset of, for example, chimpanzees capable of reasoning, though in a basic manner.

The worrying reality that hides behind the facts that we have just mentioned is that we are facing a new era, an era in which biotechnology seems each time more capable of destroying the category system drawn by Aristotle. In a few years, we fear, the creation of chimerical beings shall be possible and we shall not be able to easily classify them as things, especially if they end up being capable of communicating with us. A scenario as this, in general, shall not pose a greater problem to biology than that of redefining the classifications that are nowadays traced by zoology, including new categories in the habitual taxonomies. For the alternative legal systems that we have mentioned at the beginning of this text, it also does not seem that these types of developments could entail an essential challenge. The lack of real importance of the human being within his Cosmo vision provides him with sufficient flexibility to face a challenge of this magnitude. Nonetheless, when dealing with our Law, a situation like this can reach dramatic proportions, in so far as there would be no other remedy but to re-think the anthropocentric axis on which it has rotated during decades of centuries. In other words, Law shall have to decide whether it wishes to maintain the old categories, dealing as a mere object that being with a capacity superior to that of many human beings (for example, think of foetuses, advanced Alzheimer patients or persons in a vegetative state), for the mere fact of not being human, or if there should be a re-thinking of all the structure on which it is based, introducing new parameters in the legal equation which shall permit to elevate certain genetically improved animals to the rank of subject of rights.

Obviously, to choose the latter would mean as much as to separate the concept of subject of rights and human being, or if one prefers, of human being and person. In turn, this would imply changing the definition of a person, which always has been associated with that of a specific being, the human, with another that, rather than distinguishing among species, with no other reason, would

take as a reference point the possession of specific characteristics, such as rationality, autonomy, or any other, whether they are in full state or have the potential, or as a mere residue to which nonetheless, would still owe respect. Obviously, in order to adopt a solution of this type, Law would have to not only already have the ability to overcome all the technical difficulties that it would undoubtedly have with it, but also manifest enough courage to face the wrath that such an important change would certainly generate in a broad social sector. Naturally, we are making reference to all those who, in order to keep the sacred nature of human life, would be more than willing to leave our improved dolphin so unprotected as were in other times persons of other races, which were considered less valuable for the mere fact of not belonging to the white race.

Nonetheless, all these problems could be avoided if we would directly try to prohibit this type of experiments. Surely, a decision along these lines would please many, not only from an ethical or theological field, but also, we fear, from the legal world. In the end, Law, or at least a substantial part of jurists, are usually relatively reluctant to changes, which are often times seen as a threat rather than a value as basic as that of legal certainty. However, there are good reasons why a decision like this would be catastrophic. Firstly, of course, we must take into account that it would not be very successful in practice, insofar as there are many countries which do not share our Cosmo vision, thus being impossible to adopt this type of restrictions. A prohibition of these practices that would not be universal would stop being useful.

Beyond this reason, nonetheless, there is the fact that a veto of this magnitude would contribute very little to the vital human need to develop by knowing each time better the limits to which we are subject. The history of the human being is the history of a struggle to dominate the world. If we use Law to slow down the pulse of history, instead of using it to adequately channel the rhythm of changes, then we would be seriously perverting the aim for which it was created: to serve the human being in the fulfilment of his objectives. In turn, if we have enough courage to go outside our own view point, not only anthropocentric, but also that which is extremely closed towards the conception of the world of other cultures, maybe we will reach to discover that it was not so necessary to feel as the protected species or to trace limits that are so broad as those that we nowadays sustain.

Iñigo de Miguel Beriain

News on the Inter-University Chair in Law and the Human Genome

Grant to Groups

The Department of Education, Universities and Research of the Basque Government has provided a grant to the Inter-University Chair in Law and the Human Genome within the framework of grants to Research Groups within the Basque University System. The grant is for a period of six years (2007-2012) and will be allocated to continue and broaden the activities of the Chair.

New European Project POSEIDON

The Inter-University Chair participates in the European Project POSEIDON, which aims to improve the safety in the transplant of non-related haematopoietic stem cells and to achieve a more equal access to this therapy throughout the European Union. The project is directed by Anne Cambon-Thomsen of the Institut National de la Santé et de la Recherche Médicale (Toulouse, France) and there are seven other members besides a collaborating organisation: The World Marrow Donor Association (WMDA). The Chair is responsible for the study of the legal aspects involved in the donation of haematopoietic stem cells and the putting into practice of Directive 2004/23/EC on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells. Likewise, it shall be responsible for examining the ethical framework which sets the limits on this matter.

Meeting of the European Project Xenome in Paris

A meeting was held in Paris, on the 24th and 25th of September 2007, on the scientific, economic, sociological, ethical and legal aspects of Xenotransplantation. This expert's meeting is within the framework of the European Project in which the Chair in Law and the Human Genome participates and in which academic institutions as well as research centres of the greater part of the member States of the European Union take part in order to study the implications of Xenotransplantation from a cross disciplinary perspective. Mainly, the objective was to specify the perspectives in the medium and long range in relation with this technique, developing a joint labour at a supranational scale from which to be able to establish a regulation in this field at the European level.

Seminar entitled “Retos en la investigación y comercialización de nuevos fármacos” was held.

The Inter-University Chair in Law and the Human Genome held on the 29th of October its traditional annual seminar, which this time was entitled “Retos en la investigación y comercialización de nuevos fármacos”.

The presentation was made by the Director of the Chair, Carlos Romeo Casabona. Following this, the first session began, which addressed the issue of the “research and commercialising of new medicines in a globalised world”, moderated by Dr. Aitziber Emaldi Cirión, Professor of Law of the University of Deusto and Researcher of the Inter-University Chair in Law and the Human Genome. In this session, Professor Vicente Bellver Capella, Professor of Philosophy of Law at the University of Valencia, spoke on the “principios jurídicos implicados en la comercialización de nuevos fármacos”; Dr. Amelia Martín Uranga, of the Spanish Technological Platform for Innovative Medicines, of Farmaindustria, whose theme was “investigación biomédica con medicamentos innovadores”; Professor Ricardo de Ángel Yagüez, Professor of Civil Law at the University of Deusto, addressed the conference “medicamentos, salud pública y responsabilidad jurídica”; and Professor Carlos Espulgues Mota, Professor of International Private Law of the University of Valencia, disserted on “comercio internacional de medicamentos”.

The second session dealt with “patents and licences”. Leire Escajedo San Epifanio, Professor of Constitutional Law at the University of the Basque Country was responsible for moderating this session, which had the collaboration of Mr. Francisco J. Fernández Brañas, Director of the Biotechnology Area of the European Office of Patents (Munich), who disserted on “la oficina europea de patentes y la patente biotecnológica”; Professor Susana Borrás Pentinat,

Professor of Public International Law at the University Rovira Virgili of Tarragona, spoke on “bioprospección, acceso a recurso genéticos y aprovechamiento compartido de los beneficios”; and Dr. Jorge Guerra González, Researcher at the Martin-Luther-Universität Halle-Wittenberg (Germany) ended the day by speaking on “desarrollo sostenible, aspectos sociales y biomedicina. El paradigma de la patente biomédica”.

Iñigo de Miguel, Research Award of the Fundación Víctor Grifols i Lucas

The work entitled “La clonación, diez años después”, submitted by Iñigo de Miguel Beriain, Researcher of the Inter-University Chair in Law and the Human Genome, has obtained the research award on Bioethics by the Fundación Víctor Grifols i Lucas in its 2006/2007 edition.

This award-winning monograph deals with the problems related with the cloning of human beings and with the use of stem cells obtained through nuclear cell transfer with the perspective provided with the passage of ten years since the birth of sheep Dolly. It includes new scientific realities, which the author tries to reflect in the most objective manner possible and provides arguments that try to avoid those prejudices which often weigh down this type of discussions. The award-winning prize shall be published in the near future.

Final Report on the Research Project entitled “Implicaciones jurídicas de la utilización de muestras biológicas y biobancos en investigación científica”

Once the Research Project entitled “Implicaciones jurídicas de la utilización de muestras biológicas humanas y biobancos en investigación científica” (underwritten by the Basque Government) has concluded, the research group of the Chair in Law and the Human Genome, co-ordinated by its Director, Carlos María Romeo Casabona, has drafted a report which includes its main conclusions. This report can be freely accessed by all those interested through the Chair's web page. It has five sections:

The first section studies the use of human biological samples for biomedical research. The second section deals with the processing of human biological samples for diagnostic and therapeutic purposes. The third section deals with the issue of biobanks. The fourth section undertakes an analysis of comparative law on genetic data, biological samples and biobanks. Lastly, the fifth part collects a complete and exhaustive documentary listing that comprises both references to the national and international regulations and documents, from diverse entities, as well as the bibliography on the issues studied.

Translation of the Law of Biomedical Research into Italian

Among the news in the web page of the Chair in Law and the Human Genome, we should like to mention the possibility to have access to the Italian version of Law 14/2004, of 3 July, on Biomedical Research. The translation has been done by Dr. Simone Penasa, Researcher of the Constitutional Law Department of the University of Trento, who undertook a stay in the Chair for this purpose. Soon, we shall be able to see the English version of this important legislative text.

Seminar on Criminal Law, Science, Technology and Technological Innovation (I)

The Inter-University Chair in Law and the Human Genome held during the 26 and 27 of November, 2007, its “Seminar on Criminal Law, Science, Technology and Technological Innovation (I)”. Divided into four sessions, the Seminar was moderated by Professors Carlos Suárez González, Professor of Criminal Law of the University of the Basque Country (San Sebastián); Esteban Sola Reche, Professor of Criminal Law at the University of La Laguna (Tenerife); Mercedes Alonso Álamo, Professor of Criminal Law at the University of Valladolid (Valladolid); and Norberto de la Mata Barranco, Professor of Criminal Law at the University of the Basque Country (Leioa).

The beginning of the Seminar was by Dr. Miguel Ontiveros Alonso, Director of the Instituto de Formación

Profesional de la Procuraduría General de Justicia del Distrito Federal de México, who disserted on «Globalización, desarrollo tecnológico y Derecho Penal»; next, Andrea Castaldo, Professor of Criminal Law at the University of Salerno spoke on «Tradición y obsolescencia en el Derecho Penal»; Prof. Hans Lilie, Professor of Criminal Law and Dean of the Law School Martin Luther de Halle-Wittenberg (Germany) addressed the issue of «Política criminal y sociedad del riesgo»; Professor Manuel Tello León, Professor of Physics at the University of the Basque Country, closed the first session by giving a detailed account of the current state of affairs of the «Investigación científica e innovación tecnológica».

The second session allowed us to have the opportunity to listen to dissertations entitled: «Causalidad, incertidumbre científica y resultados a largo plazo» by Dr. Carmen Gómez Rivero, Professor of Criminal Law of the University of Sevilla; «Reglas de imputación, problemas causales y ciencia» by Dr. Edgardo Alberto Donna, Professor of Criminal Law at the University of Buenos Aires (Argentina); and lastly, the conference entitled «Causalidad, incertidumbre científica y resultados a largo plazo» by Prof. Dr. Carlos María Romeo Casabona, Professor of Criminal Law of the University of the Basque Country/EHU and Director of the Seminar.

The third session had the participation of Dr. Manuel Lezertua Rodríguez, Director of Legal Counsel and Public International Law of the Council of Europe, who spoke on «Instrumentos jurídico-tecnológicos en el ámbito europeo para la prevención y la persecución del terrorismo»; likewise, Dr. Ulises Hernández Plasencia, Professor of Criminal Law at the University of La Laguna, dealt with the issue of «Efectos colaterales del desarrollo científico y tecnológico: delitos de peligro abstracto y leyes penales en blanco»; and lastly, the Adjunct Director General of the Fundación Española para la Ciencia y la Tecnología (FECYT) Mr. Alfonso Beltrán García-Echaniz, spoke on the issue of «El Desarrollo de la política científica y tecnológica en España».

To finalise the seminar, the last session had the interventions of Dr. Fátima Flores Mendoza, Professor of Criminal Law at the University of La Laguna, who took a close look at «El tratamiento del error en el cibercrimen»; following this we listened to Dr. M^a Angeles Rueda Martín, Professor of Criminal Law at the University of Zaragoza, who dealt with «Los ataques contra los sistemas informáticos: conductas de hacking, cracking y ciberpunking. Cuestiones político-criminales»; and Dr. Miguel Ángel Boldova Pasamar, Professor of the University of Zaragoza, who spoke on «Pornografía infantil en la red: fundamentos y límites de la intervención del Derecho Penal».

The debate generated among the participants (among which were professionals and students, both Spanish as well as from several Latin American countries), at the end of each of the sessions was evidence of the great interest by the academic community to analyse the challenges and problems that the social and technological development are posing for the Science of Criminal Law. Finally, the Seminar was closed with a lecture of conclusions drafted by Dr. Emilio José Armaza Armaza, Pre-doctoral Researcher of the Ministry of Education and Science/University of the Basque Country.

This seminar is encompassed within the Research Project «Derecho Penal y Nuevas tecnologías: sobre los intentos de adaptación del Derecho Penal al desarrollo social y tecnológico», financed by the Ministry of Education and Science.

Soon to be held XV Seminar on Law and the Human Genome

The XV Seminar on Law and the Human Genome shall be held on the 21st and 22nd of April, 2008 in the Auditorium of the University of Deusto. The complete programme of this event shall be available soon to all those interested in the web page of the Chair in Law and the Human Genome.

Publications of the Inter-University Chair

Revista de Derecho y Genoma Humano/Law and the Human Genome Review. Issue No. 27, July-December 2007, has been published with the following content: *La Ley 14/2007 de Investigación Biomédica: algunos comentarios sobre aspectos éticos y científicos* (Juan Ramón Lacadena); *Reserva judicial y otras cuestiones relacionadas con el empleo del ADN*

en la investigación penal (Parte I) (José Francisco Etxeberria Guridi); *Eugenesia: ¿avance o retroceso?* (Emilissen Gonzalez de Cancino); *Protection of Genetic Data in Medical Genetics: A Legal Analysis in the European Context* (Sergio Romeo Malanda/Dianne Nicol); *El Tribunal de Cagliari (Italia) da luz verde al diagnóstico genético preimplantatorio* (María Jorqui); *Ley*

Orgánica 10/2007, de 8 de Octubre, reguladora de la base de datos policial sobre identificadores obtenidos a partir del ADN: Antecedentes históricos y visión genética (Oscar García); *A comparative Analysis of Selected European Guidelines and Recommendations for Biobanks with Special Regard to the Research / Non-Research Distinction* (Bert Heinrichs)