

1997-2017

20 years after
Oviedo Convention
on Human Rights
and Biomedicine

What are
the achieved
gains and its
potential?

8-9 December 2017

Friday 8 December 2017-13.00 p.m.

Saturday 9 December 2017-9.00 a.m.

Venue

Medical Chamber of Thessaloniki
4, Aristotle Square / 1st floor



PROGRAM

FRIDAY 8 DECEMBER 2017

12.30-13.00 **REGISTRATION**

13.00-13.30 **WELCOME ADDRESSES BY CONFERENCE CO-DIRECTORS**

Joaquin Cayon De las Cuevas, Associate Professor of Health Law, IDIVAL-University of Cantabria (Spain)

Andre den Exter, Assistant Professor of Health Law, ESHPM-Erasmus University Rotterdam (The Netherlands)

Elisavet Symeonidou-Kastanidou, Dean of Faculty of Law, Professor of Penal Law, Aristotle University of Thessaloniki-Director of Laboratory for the Research of Medical Law and Bioethics (Greece)

Theodoros Trokanas, Laboratory for the Research of Medical Law and Bioethics-Aristotle University of Thessaloniki (Greece)

INAUGURAL ADDRESSES BY AUTHORITIES

Pericles Mitkas, Rector of Aristotle University of Thessaloniki, Professor, School of Electrical and Computer Engineering (Greece)

Athanasios Exadaktylos, Chairman of Medical Chamber of Thessaloniki (Greece)

Dimitrios Tsamis, Chairman of Disciplinary Board, Medical Chamber of Thessaloniki (Greece)

Galo Peralta Fernández, General Director of Health Research Institute Valdecilla IDIVAL (Spain)

Eleni Rethymiotaki, President of National Bioethics Commission, Associate Professor of Sociology of Law, Faculty of Law, National and Kapodistrian University of Athens (Greece)

13.30-14.00 **KEYNOTE LECTURE: The European Convention on Biomedicine and Human Rights: A pragmatic ambition**

Christian Byk, Judge, Paris Court of Appeals, President of UNESCO Intergovernmental Bioethics Committee (France)

SESSION I: GENERAL ISSUES

Chair: **Leda Kovatsi**, Forensic Pathologist, Assistant Professor of Forensic Medicine and Toxicology, School of Medicine, Faculty of Health Sciences, AUTH (Greece)

14.00-14.15 **The impact of the Oviedo Convention on the interpretation of the European Convention on Human Rights**

Tomasz Sroka, Assistant Professor, Chair of Criminal Law, Department of Bioethics and Medical Law, Jagiellonian University (Poland)

- 14.15-14.30 **The Oviedo Convention and the Universal Declaration on Bioethics and Human Rights**
Myrto Dragona-Monachou, *Emerita Professor, Department of Philosophy, National and Kapodistrian University of Athens (Greece)*
- 14.30-14.45 **The Oviedo Convention: Bioethics in the public square**
Tina Garani-Papadatos, *Senior Lecturer, National School of Public Health, Attorney-at-Law (Greece)*
- 14.45-15.00 **Oviedo Convention and the primacy of dignity as the solution to the "autonomy paradox"**
George Boutlas, *Orthopedic Surgeon, PhD Candidate, Faculty of Methodology, History and Theory of Science, National and Kapodistrian University of Athens (Greece)*
- 15.00-15.15 **Embryo, human being and person in the Oviedo Convention**
Chara Kafka, *Doctor Juris, Attorney-at-Law (Greece)*
- 15.15-15.30 **Vaccines and parents' consent: It's not about the sides, it's about the data**
Marianna Vasileiou, *LLM, MBE, Phd Candidate, Attorney-at-Law (Greece)*

SESSION II: EQUITABLE ACCESS TO HEALTH CARE

Chair: **Chrysanthi Sardeli**, *Obstetrician-Gynecologist, Associate Professor of Clinical Pharmacology, School of Medicine, Faculty of Health Sciences, AUTh (Greece)*

- 15.30-15.45 **To care or to cure? Demographic reality and bioethical choices**
Eleni Rethymiotaki, *Associate Professor of Sociology of Law, Faculty of Law, National and Kapodistrian University of Athens (Greece)*
- 15.45-16.00 **The need for rationing and the demand for equitable access to health care**
Nadia Primc, *Associate Lecturer, Faculty of Law, University of Heidelberg (Germany)*
- 16.00-16.15 **Evidence-based medicine and denial of reimbursement**
Andre den Exter, *Assistant Professor of Health Law, School of Health Policy and Management, Erasmus University Rotterdam (The Netherlands)*
- 16.15-16.30 **Equitable access to medicines for all: Oviedo Convention as a remedy for human rights violations in medicine development process**
Inez Braber, *Junior Researcher, Ethics Institute and the Institute of International Human Rights, Utrecht University (The Netherlands)*
- 16.30-16.45 **Privatization of health care services and the human right to equitable access. Lessons learned from the water sector.**
Vicky Tzatzaki, *PhD, Legal Advisor, Hellenic Ministry of Environment and Energy (Greece)*
- 17.00-17.30 COFFEE BREAK

SESSION III: CONSENT & RIGHT TO INFORMATION

Chair: **Galo Peralta Fernández, MD**, General Director of Health Research Institute Valdecilla (IDIVAL), Spain

- 17.30-17.45 **Case law of the ECHR on informed consent and the Oviedo Convention or the failure of informing in informed consent cases**
Maria Bottis, Associate Professor, School of Information Science and Informatics, Ionian University, Attorney-at-Law (Greece)
- 17.45-18.00 **Therapeutic privilege: An exception to informed consent doctrine and a Convention washing its hands of a dilemma**
Theodoros Trokanas, DEA, Doctor Juris, Scientific Collaborator at Hellenic Open University, Attorney-at-Law (Greece)
- 18.00-18.15 **Human dignity and end-of-life decisions: A long way from Pretty (2002) to Gard (2017)**
Joaquin Cayon de las Cuevas, Associate Professor of Health Law, IDIVAL-University of Cantabria (Spain)
- 18.15-18.30 **The principle of protection for persons with incapacity to consent or with mental disorders under the Oviedo Convention**
Antonios Tsalidis, LL.M, MSc, PhD Candidate, Attorney-at-law (Greece)
- 18.30-18.45 **Therapy, consent and autonomy in perspective**
Konstantinos Papageorgiou, PhD Candidate, Faculty of Philosophy, Pedagogy and Psychology, National and Kapodistrian University of Athens (Greece)
- 18.45-19.00 **Evolution of privacy and data protection from Oviedo Convention to present**
Gustavo Merino Gomez, Senior Researcher IDIVAL-University of Cantabria (Spain)
- 19.00-19.30 **KEYNOTE LECTURE: Of genes and embryos: Genome editing, embryo manipulation and germline modification**
Rita Vassena, Scientific Director EUGIN Group (Spain)

SESSION IV: NATIONAL EXPERIENCES

Chair: **Ioannis Iglezakis**, Associate Professor of Law and Informatics, Faculty of Law, AUTH (Greece)

- 19.30-19.45 **The impact of Oviedo Convention on the evolution of Greek health law. Basic principles**
Theofano Papazisi, Emerita Professor of Civil Law, Faculty of Law, Aristotle University of Thessaloniki (Greece)
- 19.45-20.00 **Limited access to health care as a tool to combat tax evasion in Latvia: Human rights perspective**
Solvita Olsena, Associate Professor, Faculty of Medicine, University of Latvia (Latvia)
- 20.00-20.15 **Biomedicine Convention in Russian Federation. Meaning and law enforcement**

Alexey Goryainov, *Head of Center for Comparative Analysis in Health Law, Doctor Juris, Attorney-at-Law (Russia)*

20.15-20.30 **Obstacles to ratification of Oviedo Convention in Ukraine**

Ivan Demchenko, *Associate Professor, Theory and History of Law Department, HEl National Academy of Management, Kiev (Ukraine)*

20.30-20.45 **Liver transplantation in the UK. Review in the literature**

Styliani Stylianidou, *MD Radiation Oncologist, Theologist (Greece)*

SATURDAY 9 DECEMBER 2017

SESSION V: POSTER PRESENTATION

09.00-09.10 **The right to health equity and how this could be applied to improve women's access to health services**

Athina Sophokleous, *LLB Student (Greece)*

09.10-09.20 **Using brain imaging as criminal evidence: Implications for Human Rights**

Georgia-Martha Gkotsi, *Doctor Juris, Postdoctoral Researcher, Institute of Criminological and Penal Studies, Faculty of Law, National and Kapodistrian University of Athens (Greece)*

09.20-09.30 **Genetic dishonesty; Obligation of disclosure?**

Nikoleta Tsalafouta, *Postgraduate Student of AUTH Interdisciplinary Program "Modern Medical Acts: Legal regulation and Bioethics dimension", Attorney-at-Law (Greece)*

09.30-09.40 **The State of Council No 3896/2009 Decision: Organ transplantation-financial gain-advertising**

Kalliopi Kipouridou, *Doctor Juris, Attorney-at-Law (Greece)*

Maria Milapidou, *Doctor Juris, Attorney-at-Law (Greece)*

09.40-09.50 **ECtHR: Case Parillo v. Italy (Grand Chamber): Research on embryos**

Maria Milapidou, *Doctor Juris, Attorney-at-Law (Greece)*

Kalliopi Kipouridou, *Doctor Juris, Attorney-at-Law (Greece)*

09.50-10.00 **The recent Recommendation of Greek National Bioethics Commission on Mitochondrial Replacement Technologies**

Emmanouil Laskaridis, *Doctor Juris, Attorney-at-Law (Greece)*

10.00-10.30 **KEYNOTE LECTURE: The use of genetic technologies in human beings**

Petra de Sutter, *Parliamentary Assembly of the Council of Europe Rapporteur, Professor of Reproductive Medicine, Ghent University, Senator (Belgium)*

SESSION VI: HUMAN GENOME & SCIENTIFIC RESEARCH

Chair: **Efi Kounougeri-Manoledaki**, *Emerita Professor of Civil Law, Faculty of Law, AUTH (Greece)*

- 10.30-10.45 **The breaking point of evolution - Therapeutic interventions and human enhancement in the light of the Oviedo Convention**
Judith Zeller, *Doctor Juris, Faculty of Law, University of Pécs (Hungary)*
- 10.45-11.00 **Ethical issues concerning genetic modification of human embryos**
Nashmil Motazed, *Phd Candidate, Medical Law and Ethics, Nottingham Trent University (United Kingdom)*
- 11.00-11.15 **A systematic overview of reasons for or against the clinical application of germline genome modification in the clinic**
Ivy Van Dijke, *PhD Candidate, Amsterdam Research Institute for Reproduction and Development (The Netherlands)*
- 11.15-11.30 **The social value of pragmatic trials**
Shona Kalkman, *Assistant Professor of Medical Ethics, University Medical Center, Utrecht (The Netherlands)*
- 11.30-11.45 **Bio-medical research on human material and privacy protection: Recent evolutions in the light of the GDPR and the difficulties to guarantee anonymity**
Tom Balthazar, *Professor, Department of Criminology, Penal Law and Social Law, Ghent University (Belgium)*
- Chair: **Lina Papadopoulou**, *Associate Professor of Constitutional Law, Faculty of Law, AUTH (Greece)*
- 12.00-12.15 **Genetic research: On the crossroads of human and data research**
Kärt Pormeister, *PhD Candidate, University of Tartu (Estonia)*
- 12.15-12.30 **Clinical trials in hospitalized psychiatric patients: The issue of autonomy**
Stavroula Paraskevopoulou, *Postdoctoral Researcher, National and Kapodistrian University of Athens (Greece)*
- 12.30-12.45 **Conditions for involving persons who are not able to consent in biomedical research under article 17. Too permissive or too prohibitive?**
Panagiota Nakou, *General Dental Practitioner, MA Health Care Ethics and Law, University of Manchester (United Kingdom)*
- 12.45-13.00 **Legal aspects of umbilical cord banking**
Efi Tziva, *Associate Professor of Commercial Law, Faculty of Law, Aristotle University of Thessaloniki (Greece)*
- 13.00-13.15 **Looking backward to look forward: Sustaining Oviedo Convention achievements in the era of genetic engineering and nanotechnologies**
Ilise Feitshans, *Executive Director of The Work Health and Survival Project, Legal Advisor for Greek National Platform on Nanomedicine (USA)*
- 13.30 LIGHT SNACK BREAK
- 16.00-16.30 **KEYNOTE LECTURE: Oviedo Convention in the case-law of the European Court of Human Rights**
George Serghides, *Cypriot Judge, European Court of Human Rights (France)*

SESSION VII: NEW REPRODUCTIVE TECHNOLOGIES

Chair: **Katerina Fountedaki**, *Professor of Civil Law, Faculty of Law, AUTH (Greece)*

16.30-16.45 **Novel ART methods and equality of access to health care: A new challenge for article 3 of the Oviedo Convention?**

Maria Milapidou, *Doctor Juris, Research Fellow, Faculty of Law, AUTH (Greece)*

16.45-17.00 **Article 14 of the Oviedo Convention and its application within the European framework**

Narine Harutyunyan, *PhD Candidate in Interdisciplinary Program "Law, Science and Technology", University of Bologna (Italy)*

17.00-17.15 **Human rights and surrogacy: Association between rights and ethical approaches**

Kalomoira Sakellaraki, *PhD Candidate of Applied Ethics, National and Kapodistrian University of Athens and University of Peloponnese (Greece)*

17.15-17.30 **One baby, three parents, many ethical concerns. Enlightening future dark sides**

Georgia Livieri, *Postgraduate Student in Moral Philosophy, National and Kapodistrian University of Athens (Greece)*

17.30-18.00 COFFEE BREAK

SESSION VIII: ORGAN TRANSPLANTS

Chair: **Aspasia Tsaoussi**, *Assistant Professor of Sociology of Law/Law and Economics, Faculty of Law, AUTH (Greece)*

18.00-18.15 **50 shades of grey: The Oviedo Convention, the actual issues of organ transplantation and the results of regulation**

Konstantinos Diamantikos, *PhD Candidate, Faculty of Law, Department of International Studies, National and Kapodistrian University of Athens (Greece)*

18.15-18.30 **Human organ trafficking and the prohibition of financial gain in donations within the scope of the Oviedo Convention**

Athina Koufou, *PhD Candidate, Faculty of Law, Department of Penal Sciences, National and Kapodistrian University of Athens (Greece)*

18.30-18.45 **Organ trafficking and transplantation tourism**

Kalliopi Kipouridou, *Doctor Juris, Attorney-at-Law (Greece)*

18.45-19.00 **The removal of regenerative tissue from persons with incapacity to consent under article 20: A fertile ground for state interventions and reservations**

Nikos Zeniou, *Postgraduate Student, Criminal Law and Criminal Justice, University of Edinburgh (United Kingdom)*

19.00-19.15 **Research on the issues of the criteria of death and organ transplantation from the Buddhist perspective**

Chun-Han Tu, *Post Doctoral Researcher, Department of Languages and Cultures, Ghent University (Belgium)*

19.15-19.30 **CONCLUSIONS**

Martin Buijsen, *Professor of Health Law, School of Health Policy and Management, Erasmus University Rotterdam (The Netherlands)*

Conference Directors

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