



New Global Governance on Human Cloning and Gene Editing: The DNA Revolution

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Abstract

Global science brings constant challenges to the law, whether national or international, as it exposes the fractures that the legal edifice usually presents, transcending the current omissions of the international legal community.

The speed of changes in technological society translates into the acceleration of time and the destruction of the current ethical limits of human rights, transforming customs, attitudes, ways of life and the very ontological essence of what a human being is.

The theme that permeates all interfaces between the different fields of knowledge and has almost infinite potential for the progress of human society or its failure is human cloning.

The constant interactions between reality and science fiction become reality with the complete mastery of human DNA mapping technology, with almost daily evolutions in the possibilities of organ cloning, 3D tissue printing, artificial blood and the total cloning of a human being to a variety of uses.

These new frontiers of human knowledge transform the very identity of the human being, generating legal controversies that range from the cure to a range of diseases, to the possibility of the individual identity of the cloned being and its legal and philosophical implications. The concrete possibility of new forms and methods of cloning organs, animals and humans must be at the center of the concerns of the international community, due to its high destructive potential, already widely covered by different films, books and science fiction stories.

Reality gives way to fiction, and the possibility of a cloned human being already exists is very high, as there is no binding legal discipline on the matter. There is no international treaty that prohibits, in a compulsory and global way, the cloning of human beings for any purpose.

The absence of such international norms produces a highly dangerous limbo for development and the full respect for human rights already enshrined in history and reproduced in what is understood as IUS COGEM in International Law. This hole opens a real portal to unimaginable cloning experiments involving animals, humans, plants or any other element that can penetrate the scientist's creativity.



The performance of large economic conglomerates, monopoly companies and even governments outlines the gloomy picture that international society is currently experiencing, without knowing what its fate will be in the coming years. The extreme speed of Technological change requires urgent treatment of this problem, with the resumption of a global negotiation for an International Treaty aimed at human cloning.

In this way, this work traces the problems related to human cloning, personal identity and personality, bringing to light the urgent need for a new international discipline, occupying the current normative vacuum on the subject.

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