

International Anniversary Conference

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 / 1<sup>st</sup> floor



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# 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**, Assistan 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 Univeristy 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 Fernandez**, General Director of Health Research Institute Valdecilla IDIVAL (Spain)

**Eleni Rethymiotaki**, President of National Bioethics Commission (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 impact of the Oviedo Convention on the elaboration of the Universal Declaration on Bioethics and Human Rights**

**Myrto Dragona-Monachou**, Emerita Professor, Department of Philosophy, National & 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**

**Hara 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 health care**

**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 **Health care fraud**

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

16.45-17.00 **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, 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, HEI National Academy of Management, Kiev (Ukraine)
- 20.30-20.45 **Liver transplantation in the UK. Review in the literature**  
**Stylliani Stylianidou**, MD Radiation Oncology, 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**, Postdoctoral Researcher, Institute of Criminological and Penal Studies, Faculty of Law, 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**, 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**, PhD, Faculty of Law, University of Pécs (Hungary)

- 10.45-11.00 **Ethical issues concerning genetic modification of human embryos**  
**Nashmill Motazedi**, Postgraduate Student, 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)
- 11.45-12.00 **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)

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**, Lecturer, University of Tartu (Estonia)
- 12.15-12.30 **Clinical trials in hospitalized psychiatric patients: the issue of autonomy**  
**Stavroula Paraskeuopoulou**, 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 **Science, society and politics: The case of embryonic stem cell research**  
**Ioannis Petrou**, Emeritus Professor, Faculty of Theology, Aristotle University of Thessaloniki (Greece)
- 13.00-13.15 **Legal aspects of umbilical cord banking**  
**Efi Tziva**, Associate Professor of Commercial Law, Faculty of Law, Aristotle University of Thessaloniki (Greece)

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, 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, 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**  
**Andre den Exter**, Assistan Professor of Health Law, School of Health Policy and Management, Erasmus University Rotterdam (The Netherlands)

## Conference Directors

**Joaquin Cayon De las Cuevas**, IDIVAL-University of Cantabria (Spain)

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

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**Andre den Exter**, ESHPM-Erasmus University Rotterdam (The Netherlands)

**Katerina Fountedaki**, Laboratory for the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

**Markus Frischhut**, Management Center Innsbruck (Austria)

**Galo Peralta Fernández**, Health Research Institute Valdecilla IDIVAL (Spain)

**Evangelos Protopapadakis**, Applied Philosophy Research Lab/National and Kapodistrian University of Athens (Greece)

**Jose Ramon Salcedo**, CEBES-University of Murcia (Spain)

**Elisavet Symeonidou-Kastanidou**, Laboratory for the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

**Blanca Torrubia**, UOC Open University of Catalonia (Spain)

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

**Evmorfia Tziva**, Laboratory for the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

## Organizing Committee

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**Marina Dimopoulou**, Laboratory for the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

**Kalliopi Kipouridou**, Laboratory for the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

**Maria Madrazo**, University of Cantabria (Spain)

**Maria Paz-Zulueta**, University of Cantabria (Spain)

**Galo Peralta**, Fémandez, Health Research Institute Valdecilla IDIVAL (Spain)

**Antonis Tsalidis**, Laboratory of the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

**Marianna Vasileiou**, Laboratory for the Research of Medical Law and Bioethics/Aristotle University of Thessaloniki (Greece)

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## ORGANIZERS

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