

An analysis of global bioethics from the perspective of international human rights law

Un análisis de la bioética global desde el derecho internacional de los derechos humanos

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Abstract

This article discusses the need to integrate global bioethics with International Human Rights Law (IHRL) in order to coherently address the ethical and legal dilemmas of an interconnected world. Starting from the principle of universality, it argues that certain values, such as human dignity, care for future generations, and the protection of the common home, must be guaranteed to all people without distinction. Based on this foundation, global bioethics provides an interdisciplinary framework that allows for addressing issues such as the climate crisis, health

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inequities, and the violation of the rights of vulnerable groups. At the same time, the interdependence and indivisibility of human rights is recognized, meaning that their defense requires comprehensive approaches that do not fragment reality, but instead offer integrated ethical, legal, and political solutions.

Keywords: human dignity, universal justice, interdisciplinarity.

1. Introduction

Global bioethics, as a multidimensional and interdisciplinary discipline, offers a broad and structured framework to analyze conflicts in the field of life sciences, providing innovative tools for addressing them. This discipline is founded on the protection of human dignity and therefore must apply ethical principles that range from biomedical dilemmas to challenges related to the survival of present and future generations. To achieve this, it is necessary to take on the task of building and proposing useful principles that promote balance in the points of friction generated between human beings, peoples, the environment, and future generations.

In light of the growing complexity of these issues, this article proposes an approach to global bioethics linked to IHRL; a discipline that has often been underutilized in international bioethical debates, despite having an established ethical-legal framework built and grounded over decades of continuous work carried out by doctrine, international courts (in their various forms), assemblies, expert groups, international commissions, rapporteurs, and other international institutions dedicated to the development of IHRL.

Similarly, the historical evolution of bioethics reflects a rich theoretical diversity that, at times, complicates the identification of a unifying conceptual core. The bioethical imperative of Fritz Jahr (1), the global bioethics of Rensselaer Van Potter (2), the medical bioethics proposed by Warren Reich (3), and the Kennedy Institute each made significant contributions to the development of the disci-

pline. However, despite this diversity, there is a common thread: the necessary protection of human dignity. Nevertheless, although this perspective uses a clear scientific methodology to ground arguments in life sciences, it can be enriched by employing an interdisciplinary methodology based on the structures created by IHRL. In this way, it would be possible to extend its application to existing conflicts, which are more focused on sociology than on life sciences, and that, in the same way, jeopardize human life and dignity. This combination would provide holistic and cross-cutting solutions to the bioethical conflicts arising in the global realm of human relations.

2. Methodology employed

This article adopts an exploratory approach with the goal of establishing a theoretical and conceptual foundation that justifies the integration of global bioethics with IHRL. The methodology employed in this study involves the conceptual and theoretical review of the concepts of global bioethics and IHRL, analyzing their historical evolution and application frameworks. For this integration exercise, an interdisciplinary approach was used, combining elements of ethics, law, politics, sociology, and environmental sciences. This allows for addressing global problems from a comprehensive perspective, emphasizing the interdependence between human rights, bioethics, and sustainability. Finally, the points of convergence between global bioethics and IHRL were identified, recognizing the need for a methodology that allows their integration to address global ethical and legal dilemmas. This includes the application of tools such as the balancing of interests, the pro persona principle, and the intergenerational justice approach, among others.

In conclusion, this article aims to demonstrate that the interrelation between global bioethics and IHRL can offer a practical and effective tool to address contemporary ethical, legal, and social challenges, contributing to the creation of more inclusive, sustainable, and human dignity-respecting policies.

3. Conceptualization of global bioethics within the framework of IHRL

To begin this section, it is important to analyze two key concepts in the history of global bioethics, those proposed by Van Rensselaer Potter and Henk ten Have. First, Van Rensselaer Potter, introduced the term “global bioethics” as an integration of biology and ethics to address the global problems faced by humanity and the planet. He defined it as a discipline that seeks to guarantee human survival and environmental sustainability, addressing ethical issues related to technological development, the environment, and human well-being (4). On the other hand, Henk ten Have expanded on Potter’s idea and placed it within a more interdisciplinary and inclusive context, emphasizing that global bioethics must address ethical issues related to global justice, health inequities, and human interactions with the environment. According to Henk ten Have, global bioethics focuses on the ethical problems arising from global interconnections and inequalities, proposing a solidarity-based approach grounded in human rights (5).

The definitions of *global bioethics* proposed by Van Rensselaer Potter and Henk ten Have shown both similarities and fundamental differences, reflecting a conceptual evolution in the field. It is important to note that both definitions share a central concern for global problems and an ethical focus on the interaction between humans and the environment. In this sense, both Potter and Henk ten Have recognize the importance of sustainability and human well-being, stressing that bioethics should transcend the individual or local sphere to address issues affecting all of humanity. Furthermore, both authors argue that global bioethics must be interdisciplinary, integrating knowledge from various fields to address contemporary ethical challenges (6).

However, differences can be identified between the two definitions. For example, Potter’s definition emphasizes the integration of biology and ethics to ensure human and environmental survival.

Thus, his perspective focuses on ethical issues related to technological development and sustainability, with a more technical approach oriented toward the relationship between science and the environment. In contrast, Henk ten Have expands this vision by explicitly including aspects of global justice and health inequities, positioning global bioethics within a more inclusive framework based on human rights. His approach acknowledges the interconnections between social, economic, and environmental inequalities, promoting bioethics that not only addresses environmental and technological problems but also structural inequities and the ethical implications of globalization.

Therefore, while Potter laid the foundation for an ethical-global approach in relation to biology and the environment, Henk ten Have broadens the conceptual horizon by incorporating a social, political, and human rights dimension. This expansion of disciplinary boundaries reflects a necessary evolution of global bioethics from a more technical view to an interdisciplinary and solidarity-based stance, aligned with the ethical challenges of an increasingly interconnected world, regulated in the international arena.

In this evolution from Potter to Henk ten Have, the trend to include the social, political, and human rights dimensions within the discipline is clear. This highlights the need to establish dialogue bridges between global bioethics and IHRL, as ultimately, the international community is the political, social, economic, and legal stage where the conflicts to be analyzed will take place. Moreover, the primary theoretical and practical development of human rights has been in international law.

4. Building bridges between global bioethics and IHRL

As previously mentioned, the international community¹ has collectively built a legal and institutional structure that has made significant

¹ Under international law, the international community is defined as the set of sovereign states and other international actors that interact and cooperate within a

advances in the protection of human rights and dignity on the global stage, particularly since the end of World War II. This historical moment, marked by the Nuremberg Trials (7), was a pivotal event for both the development of bioethics and IHRL. However, despite both disciplines seemingly arising from the same need, an ethical and political crisis that caused immense suffering to humanity, bioethics and IHRL took distinct paths, with the former focusing on the biomedical field and the latter on the legal and political realms. Nevertheless, despite this separation, both share similar foundations and objectives.

In this regard, the need for the protection of human dignity was crystallized in binding legal instruments within the Universal Human Rights System, which incorporates natural law arguments developed over centuries² into a legal framework that obligates states to protect human rights. Moreover, it is important to note that the human rights recognized in these international texts are directly interrelated with the conflicts analyzed from the perspective of global bioethics.

Therefore, there is a need to analyze the points of convergence between global bioethics and IHRL to establish bridges and mechanisms for cooperation between the two disciplines.

To advance in this regard, it is important to start with several key definitions, among which the definition of human rights is fundamental. According to the Universal Declaration of Human Rights, Article 1 states that:

Human rights are a set of principles, guarantees, and freedoms inherent to all people simply by virtue of being human, regard-

normative framework based on international law, with the aim of regulating their relations and achieving common goals in matters of global interest, such as peace, security, human rights, and sustainable development.

² Human rights are rooted in the philosophical and religious traditions of diverse cultures. Among the earliest codifications is the Code of Hammurabi in Mesopotamia (1750 BC), which already contained principles of justice and protection against abuse. Likewise, the Cyrus Cylinder (539 BC) is considered by many to be one of the first documents to recognize certain basic rights, such as freedom of religion and equality (29).

less of their race, sex, nationality, ethnicity, language, religion, or any other condition. These rights are universal, indivisible, interdependent, and inalienable, and are aimed at protecting human dignity, ensuring freedom, justice, equality, and peace.

Additionally, from a more sociological perspective, Alain Touraine defines the subject as: The subject is any person, as an individual aware of being a bearer of rights and being recognized as such, beyond any justification and beyond any belonging to a category (8).

Therefore, based on the international awareness of the need for the humanization of contemporary international law (9), this crystallization occurred in 1948 through an international consensus that endowed the Charter of Human Rights with binding force based on universal law and ethics within the international community.

Thus, all progress in the content and obligatoriness of human rights can be found in the developments of IHRL, defined by the United Nations as the discipline that:

Establishes the obligation of governments to act in a certain manner or refrain from undertaking certain actions, to promote and protect human rights and the fundamental freedoms of individuals or groups (10).

This means that there is not only universal agreement on human rights, but also international obligations directed at their guarantee by states.

The Universal Declaration of Human Rights (UDHR), for example, is a crucial document in the international realm that establishes the fundamental rights that must be protected for all people, regardless of their nationality, race, gender, religion, or other characteristics. This instrument was adopted by the United Nations General Assembly on December 10, 1948, and since then, it has served as the foundation for the relationship between states and their populations, as well as between states themselves, in terms of obligations and rights (11).

Although part of the doctrine argues that the Universal Declaration of Human Rights does not have binding legal force by itself (12), there is another view with broad support that defends the *erga omnes* (applicable to all) obligatory nature of its norms.³ In any case, the UDHR has influenced the creation of international treaties and conventions that are undeniably obligatory for states. For example, many countries have ratified the International Covenant on Civil and Political Rights (ICCPR) of 1976, as well as the International Covenant on Economic, Social, and Cultural Rights (ICESCR) of 1976. Both treaties complement and expand the principles established in the UDHR, that is, they develop its content, are subject to affirmation and ratification by states, and generate obligations *inter partes* (between the parties).

In general terms, the International Human Rights Charter, that is, the UDHR and its respective Covenants, (13) has established fundamental norms and principles that are considered international human rights standards endowed with binding force. These norms are strengthened by international pressure and public opinion, actors that often exert influence on states to respect and protect these rights. Additionally, many countries have incorporated these principles into their constitutions and internal legal systems, which strengthens their commitment to respect human rights.

³ The Universal Declaration of Human Rights (UDHR) has ceased to be a mere political declaration and has progressively become a norm of *jus cogens*, that is, a peremptory norm of international law that admits no derogation. This status is supported not only by the implicit recognition it received in the Tehran Declaration (1968) and its reaffirmation at the World Conference on Human Rights in Vienna in 1993, but also by its consolidation as an international custom supported by State practice and its incorporation into numerous national regulatory frameworks. The Vienna Programme of Action, adopted by consensus, explicitly recognizes the centrality of the UDHR and reaffirms its universal, indivisible, and interdependent nature, reinforcing its value as a cornerstone of the international human rights system. Furthermore, the widespread acceptance of the UDHR can be interpreted as a unilateral declaration by States with binding legal effects, insofar as it clearly and publicly expresses an intention to respect and promote the rights proclaimed. In accordance with the principle of good faith enshrined in Article 26 of the Vienna Convention on the Law of Treaties, such declarations generate international legal obligations.

Without wishing to elaborate extensively on the universality and obligatoriness of the agreement on human rights and the prerogatives they entail, it is important to differentiate between internationally binding instruments, such as the Charter of Human Rights (hard law), and those that lack such obligatoriness (soft law), such as the Declaration on Bioethics and Human Rights. Soft law refers to international legal instruments that, while not formally binding like treaties or customs, play an essential role in the evolution of international law. Its main purpose is to give meaning and scope to the norms of hard law, complementing, interpreting, and adapting them to new contexts. In the 21st century, known as the “century of soft law,” these instruments have gained unprecedented relevance, due to the growing reluctance of states to ratify binding international treaties, as these often imply stricter obligations. States, aware that treaties may limit their sovereignty more rigidly, have opted to develop international law through non-binding declarations, resolutions, principles, and guidelines, but with significant normative impact.

Soft law has the advantage of being more agile and adaptive, allowing states to collaborate on emerging issues without committing to strict obligations. However, its importance should not be underestimated, as when invoked in litigation before international or national courts, it can transform into hard law if the court considers that such a provision is necessary to interpret and give effect to a binding norm. A paradigmatic example is the Istanbul Protocol, a soft law instrument that sets standards for the investigation and documentation of torture, but which has been used by courts to interpret the Convention Against Torture, elevating its content to a practical level of obligatoriness. Thus, soft law has become a key mechanism for the evolution of international law, enabling its continuous development in an increasingly complex and dynamic global environment (14).

In addition, the United Nations fulfills its mission regarding the defense of human rights alongside the development of regional systems for the protection of human rights, such as the African, Inter-American, and European systems. These bodies have made significant efforts to clarify the content and scope of human rights

within their respective territories and to expand jurisprudence on the matter.

Therefore, today no one doubts the role of human rights as a tool for the protection of human dignity. However, despite this established framework, we live in a reality where respect for human dignity is suffering a significant setback in the international system, particularly after the events of September 11, which marked a turning point where the interests of states began to weigh more heavily than the structures protecting human dignity (15).

Previously, and even more so today, the question arises as to whether human rights are effective, that is, whether they have adequate structures to guarantee their exercise by all people, when it comes to supporting the struggles of the excluded, the exploited, and the discriminated. It is precisely to overcome this crisis of effectiveness in human rights that interdisciplinary work with global bioethics is proposed; and (*a contra sensu*) *conversely*, it would be of great help to global bioethics and its international effectiveness to start from the structures and binding nature of IHRL, all to remember what is being protected, namely human dignity.

5. Human rights as a convergence element between global bioethics and IHRL

Having arrived at this point, the next question arises: what are the points of interaction between global bioethics and human rights? To answer this, it is illustrative to look at the main characteristics of human rights. These include:

- Universality: human rights are applicable to all people everywhere, without distinction of race, gender, social status, sexual preference, religion, etc.
- Inalienability: people cannot renounce them, and states cannot limit or suspend them except in exceptional situations.

- Interdependence and Indivisibility: all rights are interconnected and of equal importance. All these characteristics will be analyzed in the following paragraphs considering global bioethics.

5.1. *The universality of human rights from the global bioethics perspective*

The universality of human rights has been the subject of intense debate, with critics highlighting the difficulties of establishing universally applicable prerogatives in contexts marked by cultural, religious, and political differences—debates that also unfold within the field of bioethics. However, the essential and fundamental nature of these rights suggests that no individual, in freedom, would voluntarily renounce them. Rights such as the right to the highest attainable level of health, to freedom, to education, or to food represent the satisfaction of vital human needs, ensuring the necessary conditions for people to develop their life plans.

Moreover, the previous argument is reinforced by the legal perspective, as many United Nations member states have ratified international treaties that recognize and protect these rights, thereby consolidating a global consensus on their universal validity, as explained earlier. In this sense, human rights function as protective tools against the abuse of state power, applying regardless of the cultural, social, or political circumstances of the individuals who claim them.

Similarly, the principle of universality in human rights is rooted in its vocation of equality, meaning that rights must be recognized and guaranteed for all people without any form of discrimination. This principle is closely linked to the principle of non-discrimination, as universality requires that human rights be applied equally, regardless of race, gender, social status, sexual orientation, religion, nationality, or other personal characteristics. In essence, this principle reflects that all human beings, by the mere fact of being human, are holders of inherent and inalienable rights that do not depend on the will of states or arbitrary criteria.

Furthermore, universality carries a global vocation, meaning that human rights transcend borders and cultural or political particularisms, establishing a common standard for human dignity worldwide. This global approach reinforces the idea that human rights are not exclusive prerogatives of a specific group or region but are designed to protect the dignity and freedom of all people within the framework of an interconnected international community. Thus, universality not only promotes equality in access to rights but also underscores the shared responsibility of the international community to protect and guarantee these rights across the world, against any form of exclusion or violation.

Despite this consensus, the failure to uphold human rights in authoritarian regimes or in conflict contexts does not invalidate their obligatory nature but rather highlights violations of the law in question as a result of international offenses. A highly emblematic case of such violations was the genocide in Rwanda in 1994, (16) where the fundamental principles of international humanitarian law (17) were flagrantly ignored. This law is a set of rules that regulate the behavior of the parties involved in armed conflicts, protecting the human rights of people who do not participate in hostilities and limiting the means and methods of war. (18) Incidents like this not only underscore the importance of human rights but also reveal the need to strengthen their implementation to prevent them from becoming abstract principles without practical application.

However, the universality of human rights is not free from criticism. One of the most recurrent critiques is the tendency toward homogenization in their application, which can be insensitive to cultural particularities. For example, a policy designed to fulfill the right to food, such as the distribution of school breakfasts in vulnerable communities, can have unintended consequences if it is not adapted to the specific needs of the context. This was the case for an indigenous community that received food with a high lactose content, which caused health issues for the children due to the common intolerance within their population. (19) This example illustrates that the issue is not with the right to food, which remains essential and

universal, but rather with the implementation of measures meant to guarantee it. Global bioethics, by considering both universal principles and cultural particularities, can offer approaches that respect diversity and minimize tensions between universality and particularity.

Therefore, the relationship between human rights and global bioethics not only allows for the addressing of concrete problems but also reinforces the idea that universal rights should be adaptable⁴ to the needs of each individual and community, all within the framework established by international standards. Methodological tools such as balancing interests, the principle of equity, and positive discrimination measures are fundamental for conflict resolution. For example, balancing allows for the resolution of conflicts between rights or principles by evaluating their relevance in specific contexts to reach just and proportional solutions. The principle of equity introduces a corrective dimension in the application of law, adapting rules to the particularities of each case to avoid unjust decisions resulting from a rigid interpretation. Finally, positive discrimination measures, also known as affirmative action, aim to compensate for historical structural inequalities through policies that favor the access of vulnerable groups to rights and opportunities, thereby promoting substantive equality and not merely formal equality.

These methodologies, combined with the holistic approach of global bioethics, can help overcome the limitations of homogenizing strategies and ensure that human rights are respected in an effective and just manner.

Another crucial point is that the obligatory nature of human rights does not depend on their recognition in internal state legislation. If a right is enshrined in a binding international treaty, that is,

⁴ The concept of “ductile law,” proposed by Gustavo Zagrebelsky, posits that law should be flexible, adaptable, and sensitive to social complexity, not rigid or absolute. This approach recognizes the need to balance conflicting principles and values, interpreting norms with contextual consideration to achieve justice. It is linked to democratic pluralism and promotes a law capable of responding to social, cultural, and political changes, maintaining a balance between legal certainty and openness to change (30).

ratified by the state itself,⁵ its compliance is mandatory, regardless of whether the state has formally incorporated it into its national laws. This principle reinforces the idea that human rights are not concessions granted by states, but rather inherent prerogatives of individuals simply by virtue of being human. A significant example of this is the treatment of migrants in irregular situations. Although they are often labeled as “illegal,” this term violates the *pro-persona* principle and contradicts the fundamental idea that no person can be considered illegal. According to the International Court of Justice, no internal law can nullify the inherent dignity of the person or their fundamental rights (20,21).⁶

The tension between legal positivism, which prioritizes state norms, and natural law theory, which highlights the inviolability of human dignity, generates conflicts in the interpretation and application of human rights. According to natural law, legal norms are only valid if they are based on universal ethical principles or an objective idea of the good, accessible to human reason. Thus, the law is not merely a set of rules imposed by authorities but should aim at justice (22).

In this context, global bioethics can play a crucial role by providing an ethical framework that complements the limitations of law. By focusing on the inalienability of rights and the criteria for their possible limitation in exceptional circumstances, global bioethics promotes a more inclusive and adaptable perspective.

In conclusion, the universality of human rights should not be understood as a rigid imposition but as an adaptable framework that

⁵ Many of the provisions contained in international human rights treaties are considered norms of customary international law, that is, principles or practices accepted by the international community as binding, regardless of their formal codification in a treaty. When these customary norms are incorporated into an international instrument, their legal force does not depend on ratification by States. Consequently, even States that have not ratified a treaty are obliged to respect those norms, as long as they reflect universally accepted customary practices.

⁶ In cases such as the Namibia Council (1971) and the Palestine Walls Case (2004), the ICJ stressed the importance of protecting fundamental human rights and human dignity as essential values of international law, without the internal norms of States being able to justify violations of these principles.

respects cultural diversity and local particularities. The integration of global bioethics with the International Bill of Human Rights (DIDH) offers an innovative approach to address ethical, legal, and social dilemmas and conflicts, ensuring that universal rights are effective and respect the inherent dignity of all people, regardless of their context. This approach not only strengthens respect for human rights but also promotes more equitable and sustainable solutions to global challenges.

5.2. *The inalienability of human rights*

The inalienability of human rights is a fundamental principle that asserts that these rights cannot be renounced, transferred, or revoked, regardless of the circumstances. From the perspective of global bioethics and the International Bill of Human Rights (DIDH), this principle takes on special significance, as it is directly related to the inherent dignity of the individual, their capacity for autonomy, and the universal obligations of states to respect, protect, and guarantee these rights.

In this regard, both global bioethics and human rights, with their holistic and transversal approaches, must address the inalienability of rights from a framework that transcends cultural, political, and social boundaries. This principle holds that human rights are inherent to the human condition and cannot be negotiated, even in contexts where cultural or social norms might suggest otherwise. For example, in the realm of the right to health, global bioethics emphasizes that no person can be deprived of essential medical care, regardless of their migration status, economic condition, or cultural identity. Cases such as the denial of medical treatment to migrants in irregular situations illustrate how global bioethics can provide an ethical framework to reinforce the idea of the inalienability of human rights by insisting that fundamental human needs should not depend on administrative or legal considerations (23).

Moreover, global bioethics addresses the challenges that arise when universal rights come into conflict with cultural practices. A

recurring example is female genital mutilation (FGM), a practice that persists in some communities as a cultural tradition. From the perspective of human rights, this practice is rejected as a violation of the right to physical and psychological integrity, arguing that no cultural value can justify the deprivation of inalienable rights. However, despite the clarity of the argument, it is necessary to establish an ethical dialogue that seeks to protect universal rights while promoting intercultural understanding. For example, while FGM is deeply rooted in cultural and social traditions, the human rights approach does not seek to impose cultural homogenization but to protect the dignity, health, and rights of girls and women.

Recognizing that the eradication of FGM faces significant challenges, including cultural resistance, lack of resources in regions where the practice is prevalent, and the stigmatization of girls who do not undergo mutilation (additionally, migration has led to FGM being practiced in diasporas of communities in countries where it is banned, raising additional legal and social challenges), it is imperative that both global bioethics and human rights work together to ensure the protection of human dignity. In this context, a culturally sensitive approach has been promoted to eradicate the practice. This approach combines legal strategies with community education, intercultural dialogue, and female empowerment programs (24). For instance, in communities where FGM persists, alternative ceremonies have been implemented that preserve certain symbolic aspects of the tradition without causing physical or psychological harm (25).

On the other hand, the concept of inalienability also implies that states have the obligation to guarantee these rights even in the absence of formal recognition in their internal legislation. For example, the *pro persona* principle, widely applied in international law, establishes that in case of a conflict between a national norm and an international human rights treaty to which a state is a party, the norm that guarantees greater protection to the individual must prevail. This perspective aligns well with global bioethics, as this discipline can guide the application of the *pro persona* principle when gaps exist in its interpretation (26).

A recent example of this obligation can be found in the context of the rights of people displaced by armed conflicts. While some states have attempted to justify restrictions on human rights based on national security reasons, international law has made it clear that these individuals retain their fundamental rights, including the right to seek asylum and the right not to be returned to dangerous situations (non-refoulement principle) (27). In this way, the norms of *jus cogens* international law⁷ have been developed.

The intersection between global bioethics and international law strengthens the inalienability of human rights by providing complementary tools to address ethical and legal dilemmas. Thus, while international law provides a binding normative framework, global bioethics adds an ethical dimension that allows for consideration of cultural, social, and contextual factors in the application of these rights.

For example, regarding the right to food, international law sets clear standards regarding the obligation of states to ensure access to adequate food. Global bioethics, in turn, allows for questioning and adapting the implementation of these policies to avoid standardized measures that ignore cultural needs, such as the case of school breakfasts with high lactose content in indigenous communities, or the use of pork in school cafeterias with Muslim populations, among other relevant examples. Here, global bioethics proposes adaptive solutions that respect cultural particularities without compromising the universality of the right.

The inalienability of human rights, from the perspective of global bioethics and the International Bill of Human Rights (DIDH), reinforces the idea that these rights are inherent and indivisible and must be guaranteed without exception. However, international law provides the legal bases for their protection and finds legal argu-

⁷ International *jus cogens* constitutes a set of fundamental ethical and legal norms, non-derogable for all states, that safeguard universal values such as human dignity. In the field of global bioethics, these norms can serve as analytical tools for developing new normative categories that respond to contemporary human rights challenges.

ments that could potentially lead to the invalidation of this principle. In this sense, global bioethics could contribute by expanding the approach to considering the ethical dilemmas and cultural particularities that arise in its application. This convergence provides an integrated framework that enables addressing global challenges in an ethical and effective manner, reaffirming that human rights are not only inalienable but also adaptable to the diverse realities of an interconnected world.

5.3. *Interdependence and Indivisibility*

The principles of interdependence and indivisibility of human rights establish that all rights, civil, political, economic, social, cultural, and environmental, as well as those called solidarity rights or third-generation rights, are intrinsically connected and of equal importance. This holistic approach ensures that the realization of one right cannot be separated from the realization of others. From the perspective of global bioethics and the International Bill of Human Rights (DIDH), these principles acquire essential significance, addressing ethical and legal dilemmas arising from global problems in the context of justice, equity, and human dignity.

In the framework of international law, the Vienna Declaration of 1993 reaffirms that human rights are interdependent, indivisible, and universal. This recognition implies that the protection and promotion of civil and political rights cannot be disassociated with the guarantee of economic, social, and cultural rights. For instance, the right to health (a social right) is deeply linked to the right to life and equality (civil and political rights), as the lack of access to healthcare services can undermine these fundamental rights.

A clear example of the interdependence of human rights, including third-generation rights, those collective rights that promote solidarity and protect common goods such as development, peace, the environment, and the heritage of future generations, is access to clean drinking water. Denying this fundamental right not only impacts the

right to health by making it difficult to access clean water for consumption and sanitation but also compromises other essential rights. Among these, the right to self-determination is affected when indigenous or local communities cannot manage their essential natural resources for development and survival. Moreover, cultural rights are violated when practices and traditions that depend on access to water, such as rituals, ways of life, and ancestral customs, are endangered. This deprivation also impacts economic rights, particularly on the right to work, especially in sectors like agriculture, which critically depend on water resources.

These interconnected effects highlight how the violation of one right can trigger a series of violations that affect the exercise of multiple rights. This phenomenon underscores the importance of a solidarity-based approach and international cooperation to ensure the comprehensive respect of human rights, recognizing their indivisibility and interdependence. It also highlights the role of third-generation rights, which seek to promote equity, social justice, and common well-being at a global level by recognizing the collective interests of people.

In this regard, global bioethics amplifies this vision by addressing human rights from an ethical and holistic perspective, recognizing that the protection of human rights, especially third-generation rights, cannot be achieved in a fragmented way, particularly in an interconnected world where environmental, social, and biomedical issues transcend borders and affect more actors than is often recognized. For example, the climate crisis has direct implications for the right to health, food, and water, but also for the rights of future generations, a key focus in global bioethics.

An emblematic case is the intersection between the right to food and health in communities affected by food insecurity. While the right to food guarantees access to sufficient food, the ethical approach of global bioethics emphasizes that such food must be culturally appropriate and nutritious to avoid compromising the right to health. This reinforces the need to address these rights as an integrated whole.

The indivisibility of human rights means that there is no hierarchy between them. This principle challenges traditional views that prioritize civil and political rights over economic, social, and cultural rights. International law strengthens this notion by requiring states to take immediate measures to guarantee essential rights, while progressively working to fulfill rights that require structural changes, such as the right to housing or the right to health.

From the perspective of global bioethics, this indivisibility is crucial when evaluating ethical conflicts in contexts with limited resources. For instance, in overloaded healthcare systems, the allocation of resources can create tensions between the right to health for different groups. Global bioethics proposes methodological tools such as balancing interests and the principle of distributive justice to ensure that these decisions respect the inherent equality of all rights.

A unique contribution of global bioethics is its focus on environmental rights and the rights of future generations, elements that are often underrepresented in discussions about human rights. The interdependence between the environment and human rights is evident: environmental degradation not only affects the right to a healthy environment, but also basic rights like health, food, and water.

For example, the impact of unregulated mining in indigenous territories not only violates cultural and property rights, but also jeopardizes the health of the communities, their access to basic resources, and their very survival as a human group, damaging the future generations of that community. From international law, instruments like the United Nations Declaration on the Rights of Indigenous Peoples (2007) emphasize the obligation of states to protect these rights comprehensively, respecting both individual and collective rights. However, in these cases, the future of human groups is rarely considered.

Thus, the interdependence and indivisibility of human rights is a principle where global bioethics and international law converge to address contemporary challenges. While international law provides a normative framework to guarantee the equality and universality of

rights, global bioethics adds an ethical dimension that allows for understanding the cultural, social, and environmental complexities in the application of these rights.

This integration is evident in cases like the COVID-19 pandemic, which highlighted the interconnectedness of rights like health, work, and education. The lack of equitable access to vaccines showed how the denial of one right (the right to the highest attainable standard of health) can exacerbate economic and social inequalities, while global bioethics proposed strategies such as equitable distribution and priority access for vulnerable groups.

The interdependence and indivisibility of human rights emphasize that they cannot be guaranteed in isolation. Both from a global bioethics' perspective and international law, these principles reinforce the need for comprehensive and ethical approaches to address global challenges. The collaboration between both fields provides normative and methodological tools that ensure human rights are respected in their entirety, preserving dignity, justice, and equity in local and global contexts. This approach is essential for tackling the complex problems of an interconnected world, ensuring that no dimension of human rights is neglected.

6. Necessary Reflections from the Relationship between Global Bioethics and International Human Rights Law (IHRL)

After analyzing the previous points, this section will develop some reflections on the relationship between global bioethics and IHRL.

6.1. The study and application of human rights through the lens of global bioethics could lead to a shift in trends, generating a renewed commitment to their implementation by states and the international community

Global bioethics addresses human rights in the context of complex and multidimensional problems, such as climate crisis, pandemics,

economic inequalities, and cultural conflicts. By expanding the traditional perspective on human rights toward a more inclusive and transversal understanding, it fosters a dialogue that not only considers immediate needs but also long-term implications for future generations.

For example, integrating global bioethics into the implementation of the right to health could lead to a more equitable distribution of medical resources in emergency situations like the COVID-19 pandemic. Likewise, its focus on environmental rights and intergenerational rights can drive more effective policies to combat climate change, a global issue that requires renewed commitment from states.

In this sense, global bioethics emphasizes the need to adapt the universal principles of human rights to the cultural, social, and political particularities of each context. This adaptability can reduce tensions between universalism and cultural relativism, paving the way for more effective and acceptable human rights implementation.

Thus, global bioethics adds an ethical dimension that complements the normative framework of IHRL. By highlighting the interconnection between human rights, global ethical dilemmas, and collective responsibilities, it reinforces the notion that human rights are not only legal obligations but essential ethical commitments for global coexistence. This approach may encourage states to reconsider policies that have marginalized specific rights, such as those of migrant populations or vulnerable communities. For example, the principle of equity, central to global bioethics, could guide reforms in immigration policies to ensure that individuals in irregular situations are not deprived of their fundamental rights.

Moreover, the global bioethics perspective underscores the interdependence of human rights and the need for collective action to address global issues. This emphasis on international cooperation can revitalize multilateral commitments that have weakened in recent decades. The implementation of joint mechanisms, such as global funds to guarantee essential rights or common protocols for global crises, could be driven by this more comprehensive vision.

The human rights perspective from global bioethics not only has the potential to reopen the debate on their implementation but also to renew the commitment of states and the international community as a whole. By combining a robust ethical framework with an adaptive and contextualized understanding, this approach can generate more inclusive, sustainable, and effective solutions to global challenges. This could mark a paradigm shift, where human rights are seen as both a normative obligation and a practical, ethical tool for building a more just and equitable future.

6.2. If global bioethics has the potential to place the environment and future generations at the center of human rights discussions and binding instruments, displacing the administrative approaches that have facilitated ecosystem degradation

This approach not only recognizes the interdependence between human rights and the environment but also proposes an ethical vision that transcends the limitations of conventional policies.

Global bioethics, with its emphasis on intergenerational justice and ecosystem balance, offers a perspective that links human rights to environmental sustainability. This approach integrates the needs of both present and future generations, promoting a paradigm shift where environmental rights are not secondary but central to political and normative agendas. For example, the right to a healthy environment, recognized in Human Rights Council Resolution 48/13 (2021), could benefit from global bioethics by incorporating ethical principles that emphasize the preservation of natural resources and climate change mitigation. This approach prioritizes long-term life and well-being over immediate economic or administrative interests.

Traditional theories, predominantly administrative, tend to manage natural resources as transactional goods, subordinated to economic policies. In this sense, global bioethics challenges this logic by proposing a model based on ethical values, such as respect for biodiversity, intergenerational equity, and responsibility, which prioritize collective well-being and planetary preservation.

For instance, the management of resources such as water or forests would not be limited to maximizing their exploitation under permissive regulations but would consider their conservation as an ethical imperative and a fundamental right of future generations. This would transform how states and international institutions design and implement environmental policies.

In this sense, integrating the perspective of global bioethics into binding human rights instruments could strengthen the implementation of international agreements like the Paris Agreement (2015) or the Convention on Biological Diversity. Additionally, explicitly incorporating environmental protection and the rights of future generations into these frameworks would expand their reach, turning them from political commitments into ethical and legal obligations.

Therefore, global bioethics could influence the creation of new international mechanisms that monitor environmental protection based on ethical principles, such as justice, equity, and sustainability. For example, international committees, like hospital committees, specializing in environmental justice could be developed to ensure state and corporate responsibility in protecting ecosystems through the application of bioethical principles.

As a result, placing the environment and future generations at the center of human rights discussions represents a necessary paradigm shift in the face of the climate crisis and biodiversity loss. Thus, global bioethics, with its ethical and holistic vision, can play a key role in connecting environmental obligations with human rights, promoting a development model that respects planetary boundaries and ensures intergenerational justice.

Thus, global bioethics can revitalize the human rights approach, transforming binding instruments into more effective tools to protect the environment and guarantee the well-being of future generations. By overcoming administrative approaches and adopting an ethical perspective, states and the international community have the opportunity to implement policies that respond not only to immediate needs but also to long-term justice and sustainability demands.

6.3. *If, through the interdisciplinarity proposed by global bioethics, it is possible to build a useful tool that offers holistic and transversal solutions to the most complex and deep-rooted problems of the human family*

Based on the *pro-persona* principle, the care of present and future generations, and the protection of the “common home” (our planet), this approach has the potential to transform how ethical, social, and environmental dilemmas are addressed globally.

The *pro-persona* principle, which prioritizes the protection of human rights in their fullest expression, naturally integrates into global bioethics. This principle ensures that any proposed solution centers on human dignity, especially of the most vulnerable sectors, while considering the interdependence between people, communities, and the natural environment.

For example, in contexts of food insecurity, an interdisciplinary tool could combine policies guaranteeing equitable access to nutritious food with sustainable agricultural practices, ensuring both the immediate well-being of people and the conservation of resources for future generations.

Similarly, global bioethics expands the notion of intergenerational justice, recognizing that current decisions directly impact the rights and opportunities of future generations. This approach fosters policies and strategies that balance immediate needs with long-term sustainability considerations. For example, in the management of natural resources, a tool based on this framework could prioritize equity in present access without compromising the ability of future generations to meet their own needs.

Another element to consider is the concept of the “common home,” widely promoted in ethical and environmental circles, which reinforces the connection between human well-being and the health of the planet. Thus, applying an interdisciplinary tool that incorporates global bioethics would be highly appropriate for addressing complex issues such as the climate crisis, biodiversity loss, and pollution, as it would have the depth to propose integrated solutions

involving local communities' active participation, international co-operation, and responsible technological innovation.⁸

Therefore, the interdisciplinary nature of global bioethics allows the integration of perspectives from various fields, such as law, medicine, economics, sociology, and environmental sciences, to address issues from multiple angles. This facilitates the creation of transversal solutions that consider not only technical and normative aspects but also ethical and cultural ones. For example, in the climate refugee crisis, a tool based on global bioethics could combine IHRL, climate change adaptation strategies, and international cooperation mechanisms to provide inclusive and sustainable responses.

Reaffirming the above, building an interdisciplinary tool grounded in global bioethics would have great potential to propose solutions that address humanity's deep-rooted problems in an integrated and sustainable manner, focusing on the *pro-persona* principle, the care of present and future generations, and the protection of the common home. This approach not only guarantees justice and equity but also promotes a model of global coexistence that is more ethical, inclusive, and resilient.

7. Conclusion

In conclusion, this article emphasizes the importance of integrating global bioethics with International Human Rights Law (IHRL) to effectively address the ethical, social, and legal dilemmas of the contemporary world. Global bioethics, based on the protection of human dignity, care for future generations, and the preservation of the common home, provides a holistic vision that complements traditional legal frameworks. This discipline not only allows for the analysis

⁸ International jus cogens constitutes a set of fundamental ethical and legal norms, non-derogable for all states, that safeguard universal values such as human dignity. In the field of global bioethics, these norms can serve as analytical tools for developing new normative categories that respond to contemporary human rights challenges.

of issues related to health and the environment but also addresses emerging challenges, such as corporate responsibility in the protection of human rights and the ethical implications of artificial intelligence development, among many others.

The interdisciplinary methodology proposed here, based on tools like interest balancing, the *pro-persona* principle, and intergenerational justice, is presented as a solid alternative for generating sustainable solutions. This approach promotes more effective international cooperation, considering both cultural contexts and local particularities while upholding the universal principles of equity and justice. Thus, it strengthens the need for collective action to ensure respect and protection of all human rights, especially in a globalized world where climate crises, structural inequalities, and social vulnerabilities demand comprehensive and adaptive responses.

Finally, the methodological proposal of this article suggests that global bioethics, in dialogue with IHRL, can become an ethical and practical guide for tackling the challenges of the 21st century, promoting more inclusive, sustainable policies that respect human dignity. This approach has the potential to transform how states, institutions, and communities address conflicts and ethical dilemmas, laying the foundation for more equitable, just, and solidaristic global development.

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