
Special Issue - Discussions from Japan on the Moral Status of Human Embryos and Fetuses**Hitoshi ARIMA**

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The Japanese Association for Philosophical and Ethical Researches in Medicine was founded in 1981, nearly 40 years ago. Since then, the association has published the journal *Igaku Tetsugaku Igaku Rinri (Philosophy of Medicine and Medical Ethics: PMME)* every year, collecting peer-reviewed articles of high quality written in Japanese by members of the association. For this volume of the Journal of Philosophy and Ethics in Health Care and Medicine, the editorial board has selected three articles from the archive of *PMME*, each exemplifying different elements of ongoing discussions on the moral status of human embryos and fetuses in Japan. I would like to express my personal gratitude to the authors who agreed to prepare English translations and allow publication of the articles for this special issue. The members of the editorial board hope this journal issue will energize international interest in bioethical discussions in Japan.

In the first article, “A Literature Review of Instructional Requirements when Requesting Consent to Use Aborted Fetuses in Research,” Takiko KATO surveys both international rules pertaining to the ethics of using fetal tissues for research purposes as well as governmental reports and academic articles that discuss these rules. Kato is primarily concerned with the imperative that the possibility of donating fetal tissue should not influence a women’s decision regarding abortion and that researchers must eliminate such influence from the process of approaching potential donors and informing them of the research protocols. Drawing on the results of some studies that interviewed fetal tissue donors in the UK and Japan, Kato points to some risks in the way potential donors are currently approached. The paper concludes with concrete suggestions for improvement of the rules.

The second article in this volume, “Current Methods of Dead Fetus Disposal in Germany

and their Implications for Japan,” by Yoshichika MORI, discusses treatment of aborted fetuses in non-medical contexts. The issue attracted public attention recently, in Japan, when an obstetric clinic in Yokohama City was reported to have disposed of aborted fetuses as part of general waste. (This case occurred at about the same time as when the Japanese Ministry of Health, Labor and Welfare organized a committee to discuss the ethics of research using aborted human fetuses and embryos.) Mori shows that regulations on the treatment of aborted fetuses vary across different prefectures in Japan and that the relevant laws and governmental guidelines contain no rules for dead fetuses resulting from natural abortion within 12 weeks after conception. The article discusses how these rules may violate the inherent dignity of fetuses as well as the moral rights of parents, by comparing these rules with German laws concerning burial and cremation.

Both Kato and Mori received the Young Researcher’s Award of the Japanese Association for Philosophical and Ethical Researches in Medicine, in 2013 and 2015, respectively, for the original Japanese versions of these two articles.

The third article in the special issue is “Philosophical Discussion of “Human Life” and “Benefits for Humankind” in the Study of Human Embryos,” by Shuku FUNAKI. As Funaki maintains, discussions on the morality of human embryonic research typically assume that the value of a human life must be balanced against the value of benefitting humans generally. Japan’s 2001 Guidelines for Derivation and Utilization of Human Embryonic Stem (ES) Cells, issued by Ministry of Education, Culture, Sports, Science and Technology (MEXT), can be understood to share the same assumption. The MEXT Guidelines allow destruction and utilization of human embryos for research purposes, within 14 days after conception. Funaki critically examines this assumption. For this purpose, he discusses

a few distinctions that have prima facie moral significance, including the distinction between the duty to actively confer benefits to a human individual and the duty to refrain from harming or destroying a human individual.

In addition to these articles for the special issue, this volume also contains a timely report from Italy on an important ethical issue concerning the ongoing COVID-19 pandemic. The virus outbreak has caused a serious shortage of medical resources (beds, respirators, etc.), and the criteria for triage is being intensely discussed worldwide. In “SARS-COVID-19 Pandemic and Persons with Disabilities in Italy and Europe,” Giampiero Griffo and Luisa Borgia, both members of the National Bioethics Committee of the Republic of San Marino, express their concern that the triage criteria recommended by the Italian Scientific Society of Anaesthesiologists, Intensivists, and Pain Therapists (SIAARTI) suggest a weaker claim to medical care for vulnerable populations, including the elderly and the disabled, due to their smaller probability of survival and shorter life expectancy. The article also describes how the National Bioethics Committee of San Marino attempted to make triage compatible with moral rights of vulnerable populations, by adopting its own recommendations.