

Regulating Human Enhancement: The Role and Challenges for Human Rights

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Abstract: Within the governance of technologies framework at the European Union level no specific and comprehensive regulation, so far, addresses human enhancement interventions. There is, however, an emerging regulatory trend that is characterized by its reliance on the distinction between therapy and enhancement and on the reference to fundamental/human rights. The paper addresses some problems dealing with the definition of ‘enhancement’, the specific challenges, which the regulation of enhancement practices give rise to and focuses on the role of human rights for a sound regulatory framework. In this sense, the analysis aims (i) to show, in this emerging regulatory trend, some shortcomings depending on the normative use of the distinction between therapy and enhancement and on the understanding of human rights that is implicitly embraced; (ii) to argue for a different approach to the role of human rights in the underway regulatory framework, one that makes it explicit the multifaceted relation between human rights and innovation and gives emphasis to the positive function of human rights as tools for achieving purposes and not only to their negative function in protecting from damages and interferences.

Keywords: Human enhancement, Governance of technologies, Human rights.

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