

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 104

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, AFFIRMING THE FUNDAMENTAL IMPORTANCE OF THE NUREMBERG CODE IN GUIDING MEDICAL AND SCIENTIFIC RESEARCH, AND RECOGNIZING THE PRINCIPLES OF THE NUREMBERG CODE AS ESSENTIAL TO PROTECTING HUMAN RIGHTS, HEALTH, AND DIGNITY IN THE STATE OF IDAHO WHILE ACKNOWLEDGING COMPLEMENTARY ETHICAL STANDARDS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Nuremberg Code was established in 1947 in response to the atrocities of nonconsensual and inhumane medical experiments conducted during World War II, serving as the first international framework for ethical medical and scientific research; and

WHEREAS, the Nuremberg Code sets forth the following essential principles:

(1) Voluntary consent of the human subject is absolutely essential, requiring individuals to have full knowledge of the nature, purpose, and risks of the research and the freedom to participate without coercion.

(2) Research must yield results beneficial to society and not obtainable by other means, with all experiments grounded in sound scientific methods.

(3) Unnecessary physical and mental suffering must be avoided, and no experiment should proceed if it is likely to result in death or disabling injury, except where the experimenter also serves as a subject.

(4) The degree of risk should never exceed the humanitarian importance of the problem addressed by the research.

(5) Adequate safeguards and facilities must be in place to protect participants, and research must be conducted by qualified and skilled professionals.

(6) Participants must retain the right to withdraw from research at any time, and researchers must terminate experiments if continuation is likely to cause harm; and

WHEREAS, the Nuremberg Code remains the cornerstone of ethical research practices and has influenced subsequent international declarations and guidelines, including the World Medical Association (WMA) Declaration of Helsinki, the Belmont Report, and the United Nations Educational, Scientific, and Cultural Organization's (UNESCO) Universal Declaration on Bioethics and Human Rights; and

WHEREAS, the WMA Declaration of Helsinki reinforces the Nuremberg Code by emphasizing informed consent, independent ethical oversight, and the prioritization of participant welfare in research, particularly for vulnerable populations; and

WHEREAS, the Belmont Report further complements the Nuremberg Code by identifying the principles of respect for persons, beneficence, and justice

1 as essential to ensuring fairness, autonomy, and the minimization of harm in  
2 research practices; and

3 WHEREAS, UNESCO's bioethics and human rights framework highlights  
4 the integration of human rights into ethical research, emphasizing trans-  
5 parency, equity, solidarity, and responsibility toward future generations  
6 as critical considerations in addressing modern scientific advancements;  
7 and

8 WHEREAS, the State of Idaho is committed to safeguarding the health,  
9 dignity, and rights of its citizens, upholding the ethical principles of  
10 the Nuremberg Code while incorporating modern advancements to address the  
11 complexities of contemporary medical and scientific research.

12 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
13 sion of the Sixty-eighth Idaho Legislature, the Senate and the House of Rep-  
14 resentatives concurring therein, that the Idaho Legislature:

15 (1) Reaffirms the Nuremberg Code as the foundational framework for eth-  
16 ical medical and scientific research, prioritizing the protection of  
17 human rights and the principles of voluntary consent and the prevention  
18 of harm;

19 (2) Recognizes the complementary contributions of the WMA Declara-  
20 tion of Helsinki, the Belmont Report, and UNESCO's bioethics and human  
21 rights framework in addressing modern ethical challenges while rein-  
22 forcing the core principles of the Nuremberg Code;

23 (3) Urges all medical, academic, and research institutions within the  
24 State of Idaho to strictly adhere to the Nuremberg Code and these com-  
25plementary guidelines, ensuring that all research involving human sub-  
26jects meets the highest ethical standards;

27 (4) Commits to reviewing and strengthening state laws and policies to  
28 ensure compliance with the Nuremberg Code, particularly in areas of in-  
29 formed consent, protection of vulnerable populations, and independent  
30 ethical oversight; and

31 (5) Encourages the education of medical professionals, researchers,  
32 and the public on the principles of the Nuremberg Code to foster a cul-  
33 ture of ethical responsibility and respect for human dignity.

34 BE IT FURTHER RESOLVED that copies of this resolution be sent to Idaho  
35 medical institutions, research organizations, and other relevant entities  
36 to reaffirm the State's commitment to the ethical principles of the Nurem-  
37 berg Code as central to all research and medical practices conducted within  
38 Idaho.