Chapter 1

Ethics Dumping and the Need for a Global Code of Conduct

Abstract The UN’s *2030 Agenda for Sustainable Development* calls for more research and innovation to end poverty, leaving no one behind – and yet the export of unethical practices from high-income to lower-income settings is still a major concern. Such ethics dumping occurs in all academic disciplines. When research is regarded, on the one hand, as a dirty word among vulnerable populations who face ethics dumping, and, on the other, as a solution to many of humanity’s problems, how can the resulting gulf be bridged? This book describes one initiative to counter ethics dumping: the development and promotion of the Global Code of Conduct for Research in Resource-Poor Settings.

Keywords Ethics dumping · Global research ethics · Exploitation · Vulnerability · Research governance

Research has become a global enterprise. Individual researchers around the world are encouraged to be as mobile as possible (Sugimoto et al. 2017). At the same time, the activities of mobile researchers have made research “one of the dirtiest words in the indigenous world’s vocabulary” (Tuhiwai Smith 1999: 1). The indigenous communities in which Tuhiwai Smith, a Māori professor, grew up saw research as something that “told us things already known, suggested things that would not work, and made careers for people who already had jobs” (Tuhiwai Smith 1999: 3).

There is a gulf between those advocating more researcher mobility because “science is the engine of prosperity” (Rodrigues et al. 2016) and those who argue that research can represent harmful “visits by inquisitive and acquisitive strangers” (Tuhiwai Smith 1999: 3). When concerns about ethics dumping¹ are added, this gulf becomes almost unbridgeable.

¹ The term was introduced by the Science with and for Society Unit of the European Commission: “Due to the progressive globalisation of research activities, the risk is higher that research with sensitive ethical issues is conducted by European organisations outside the EU in a way that would not be accepted in Europe from an ethical point of view. This exportation of these non-compliant research practices is called ethics dumping” (European Commission [nda](#)).

There are two main reasons for ethics dumping – that is, the export of unethical research practices from a high-income to a resource-poor setting. The first is intentional exploitation, where research participants and/or resources in low- and middle-income countries (LMICs) are exploited *on purpose* because the research would be prohibited in the high-income country (HIC). The second is exploitation based on insufficient knowledge or ethics awareness on the part of the mobile researcher. In both cases a lack of adequate oversight mechanisms in the host LMIC is likely to exacerbate the problem (Schroeder et al. 2018).

Examples of ethics dumping in the 21st century include:

- In clinical research, misinterpreting the standard of care, leading to the avoidable deaths of research participants (Srinivasan et al. 2018).
- Research among indigenous populations that led to the publication of “private, pejorative, discriminatory and inappropriate” conclusions and a refusal to engage with indigenous leaders on the informed consent process (Chennells and Steenkamp 2018).
- The export of valuable blood samples from a rural area in China to a US genetic bank, leading to a large amount of research funding for the US team (Zhao and Zhang 2018).
- The use of wild-caught non-human primates in research by a UK researcher who undertook his experiments in Kenya, thus “bypassing British law” (Chatfield and Morton 2018).
- An attempt to seek retrospective ethics approval for a highly sensitive social science study undertaken among vulnerable populations following a local Ebola crisis (Tegli 2018).

How can one reconcile recent cases of ethics dumping with our generation’s highly ambitious call for more research and innovation? The United Nations *2030 Agenda for Sustainable Development* aims “to end all forms of poverty... while ensuring that no one is left behind” (UN ndb). To achieve these aims, the UN encourages “fostering innovation” (Goal 9 of Agenda 2030), as “without innovation ..., development will not happen” (UN nda).

This book describes one initiative to counter ethics dumping: the development and promotion of the Global Code of Conduct for Research in Resource-Poor Settings (GCC) and its sister code, the San Code of Research Ethics.

The GCC recognizes the considerable power imbalances that may be involved in international collaborative research and provides guidance across all disciplines. It is based on a new ethical framework that is predicated on the values of fairness, respect, care and honesty; values that are imperative for avoiding ethics dumping. The GCC opposes all double standards in research and supports long-term equitable research relationships between partners in lower-income and higher-income settings. This book introduces the GCC in the following manner:

- Chapter 2 reproduces the GCC as launched in the European Parliament in June 2018 and adopted as a mandatory reference document by the European Commission (ndb).

- Chapter 3 explains why values rather than standards, principles, virtues or ideals provide the best guidance in the fight against ethics dumping.
- Chapter 4 answers a philosophical question: how can the GCC can be defended against claims of moral relativism?
- Chapter 5 details 88 risks for ethics dumping, the analytical foundation of the GCC.
- Chapter 6 describes how the GCC was built, from extensive stakeholder engagements to its final translation into Russian, French, Spanish, German, Portuguese, Mandarin, Japanese and Hindi.
- Chapter 7 recounts the history of the San Code of Research Ethics, sister code of the GCC and the first ethics code launched by an indigenous group on the African continent.
- Acknowledging that an ethics code is not enough on its own to counter ethics dumping, Chapter 8 offers advice on community engagement, workable complaints procedures and negotiating fair contracts.
- Chapter 9 presents a brief conclusion.
- The names of the 56 authors of the GCC are set out in the Appendix.

Can an ethics code overcome ethics dumping and bridge the gulf between those for whom international collaborative research is exploitation by strangers, and those who believe it is essential to end all poverty? That is the hope of the authors of the GCC.

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