

<https://i-med.ac.at/ethucation/>

- Begrüßung und Vorstellung
- 2 x 15 min Impuls-Vortrag: „Was wir unterrichten und wie“
- Diskussion
- Ausblick nächster Termin

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Ethucation - Netzwerk für Bioethik in Lehre und Fortbildung

English

Österreichische Niederlassung Internationaler Lehrstuhl für Bioethik (UNESCO
Lehrstuhl für Bioethik bis Juni 2021)

Austrian Unit of the
Network of Institutions for Medical Ethics
Education

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Ethucation Workshop „train the trainer“

- Begrüßung und Vorstellung
- 2 x 15 min Impuls-Vortrag: „Was wir unterrichten und wie“
- Diskussion
- Ausblick nächster Termin: Themen, Personen für Impuls-Vorträge

Input Markus Frischhut: „Was mache ich und wie?“

26. Juni 2024 | CCB

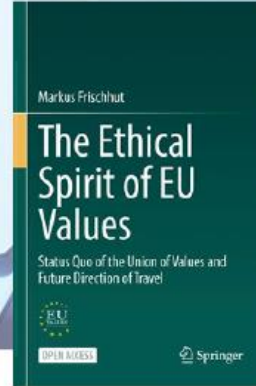


JeanMonnet.mci.edu



**1st Chair:
EU & Ethics.**

2016 to 2019



**2nd Chair:
EU Values.**

2019 to 2022



Ongoing

Sources: Frischhut, M. (2019). *The Ethical Spirit of EU Law*. Springer. <https://doi.org/10.1007/978-3-030-10582-2> | Frischhut, M. (2022). *The Ethical Spirit of EU Values: Status Quo of the Union of Values and Future Direction of Travel*. Springer. <https://doi.org/10.1007/978-3-031-12714-4>

EU law | references to other disciplines

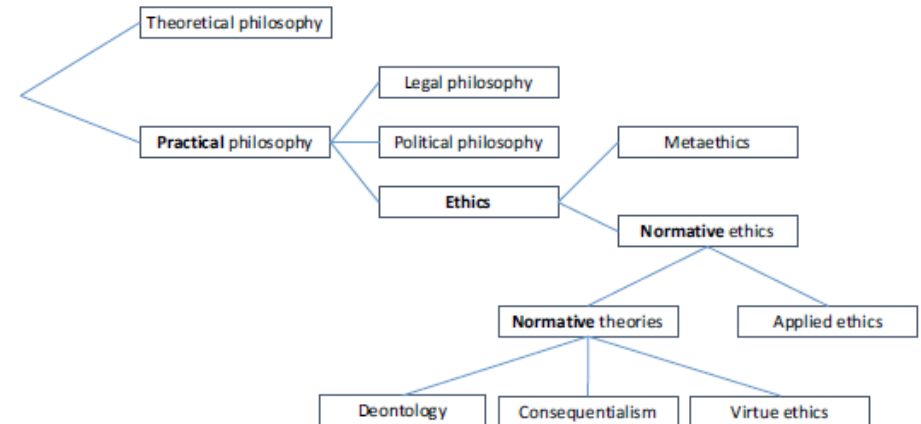
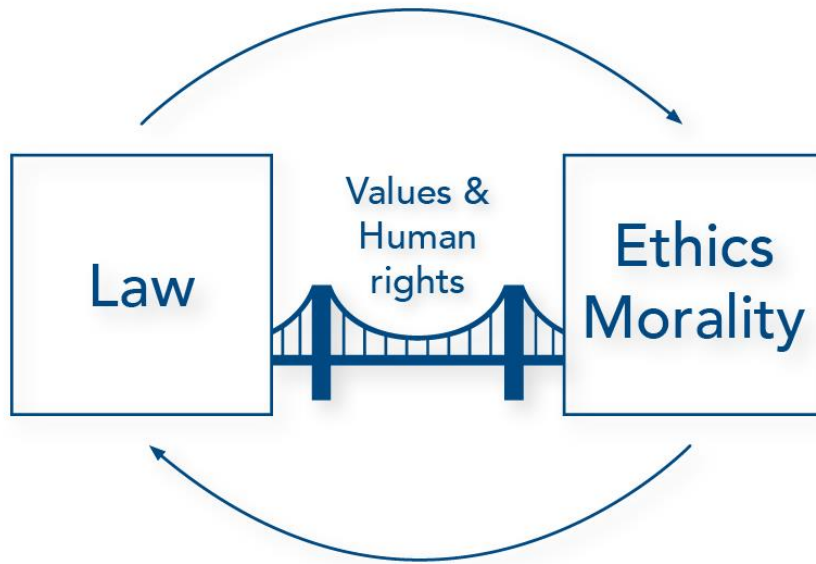
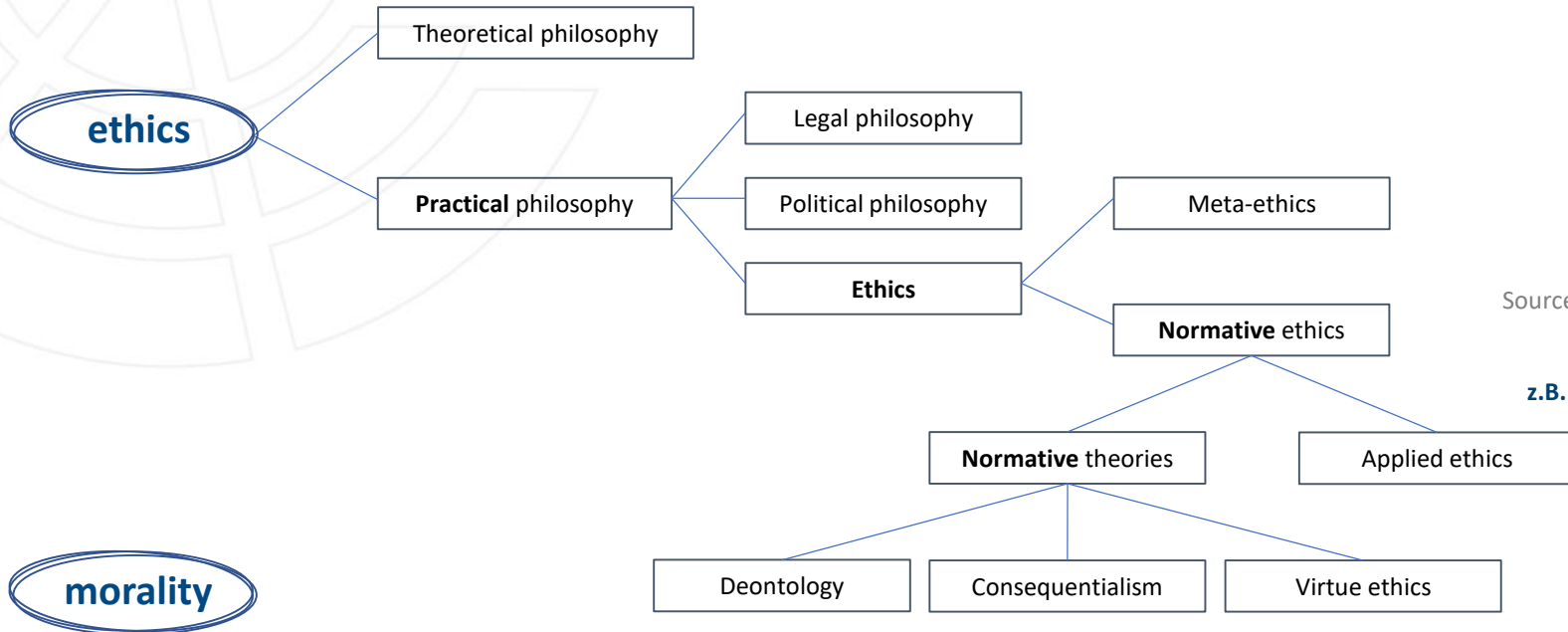


Fig. 1.4 Overview philosophy [The author would like to thank Bruno Niederbacher (University of Innsbruck | Department of Christian Philosophy) for this (non-exhaustive) overview]

Terminology | ethics and morality



Source: Frischhut, 2019, p. 9

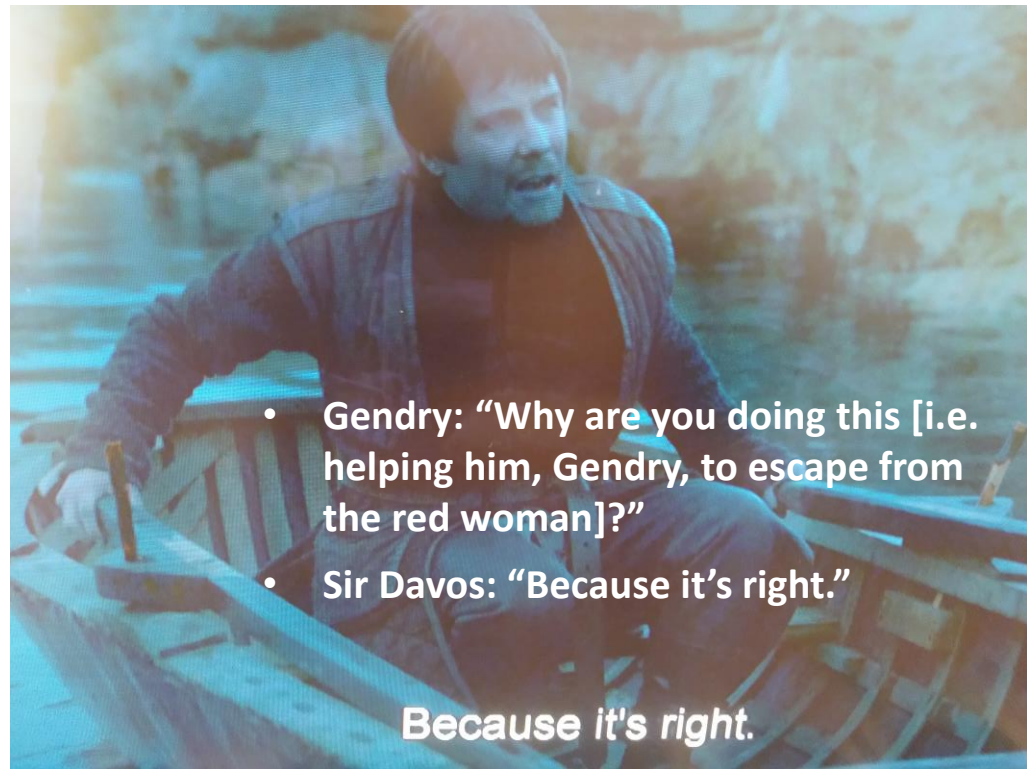
z.B. Bioethik

“In its most familiar sense, the word **morality** [...] refers to norms about **right and wrong** human conduct that are **widely shared** and form a stable **societal compact**. As a social institution, morality encompasses many standards of conduct, including moral principles, rules, ideals, rights, and virtues. **We learn about morality as we grow up** [...]”

Source: Beauchamp, T. L., & Childress, J. F. (2019). *Principles of biomedical ethics* (Eighth edition). Oxford University Press. | p. 3.

Ethics

ethics



- Gendry: “Why are you doing this [i.e. helping him, Gendry, to escape from the red woman]?”
- Sir Davos: “Because it’s right.”

Because it's right.

Deontology

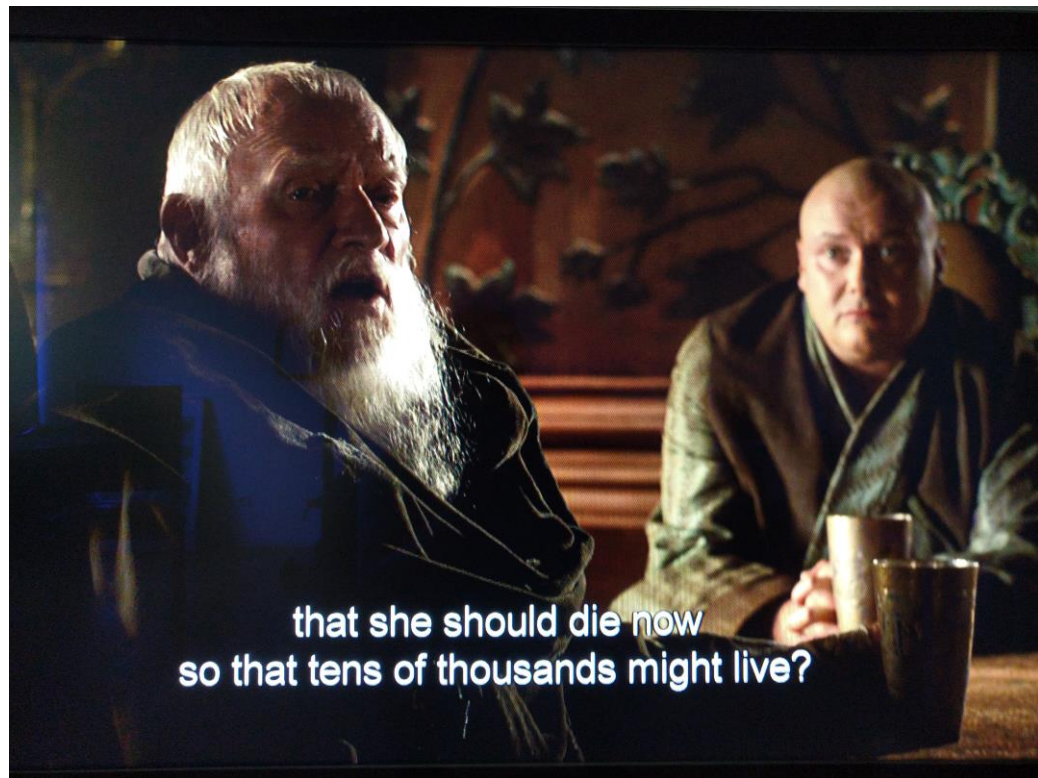
Consequentialism

Virtue ethics

Picture source: Game of Thrones, Season 3, Episode 10 | 51:10

Ethics

ethics



Deontology

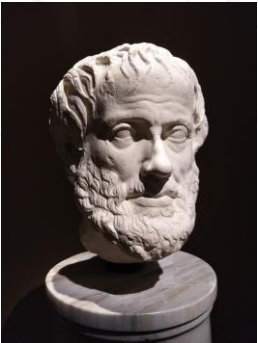
Consequentialism

Virtue ethics

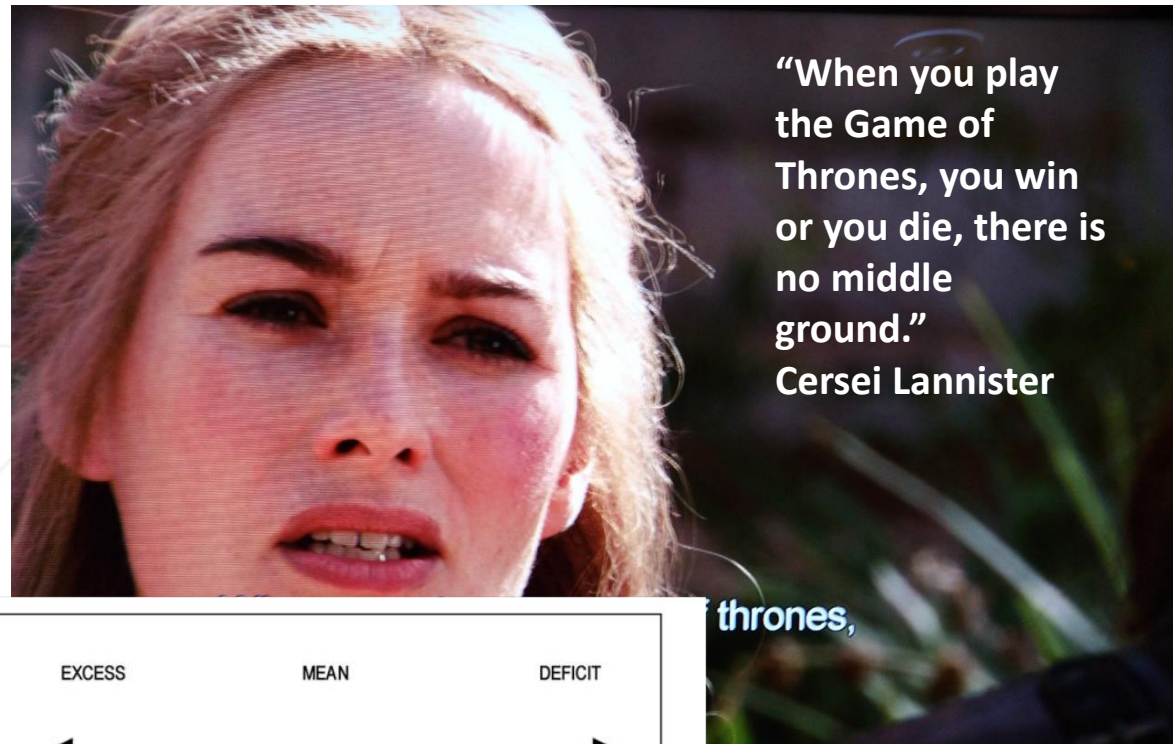
Picture source: Game of Thrones, Season 1, Episode 6 | idea of killing the pregnant Daenerys Targaryen

Ethics

ethics



Picture credit: Frischhut | Vienna, KHM



“When you play the Game of Thrones, you win or you die, there is no middle ground.”
Cersei Lannister

thrones,

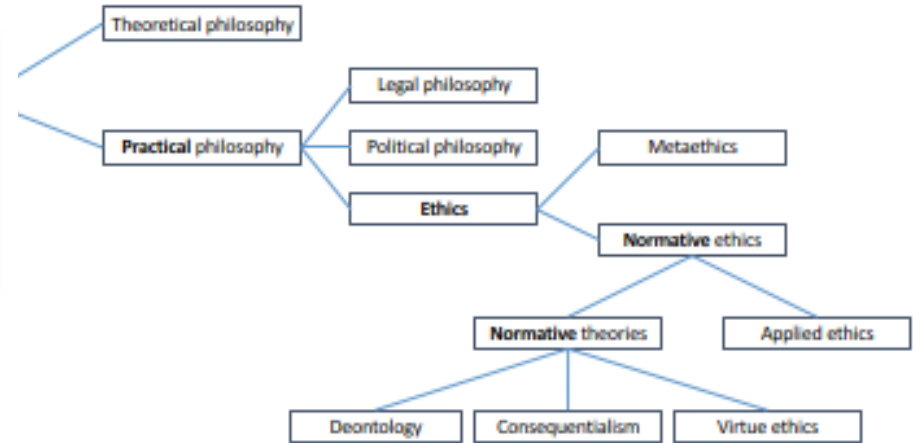
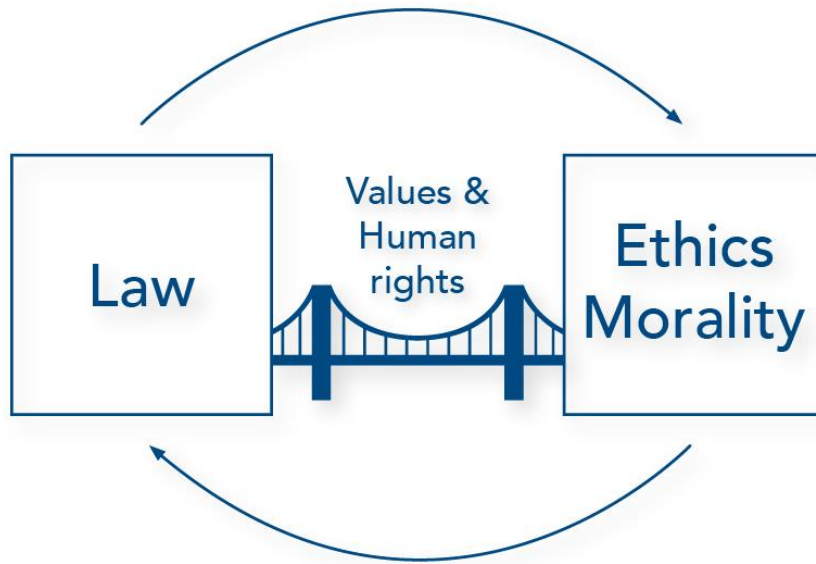
EXCESS	MEAN	DEFICIT
RASHNESS	COURAGE	COWARDICE
INJUSTICE	JUSTICE	INJUSTICE
LICENTIOUSNESS	TEMPERANCE	INSENSIBILITY
CORRUPTED BY PLEASURE	PRUDENCE	CORRUPTED BY PAIN

Picture credit: <https://videographyinwords.wordpress.com/tag/goldenmean/>

Virtue ethics

Picture source: Game of Thrones, Season 1, Episode 7 | 00:09 | “When you play the Game of Thrones, you win or you die, there is no middle ground.” Cersei Lannister

EU law | references to other disciplines

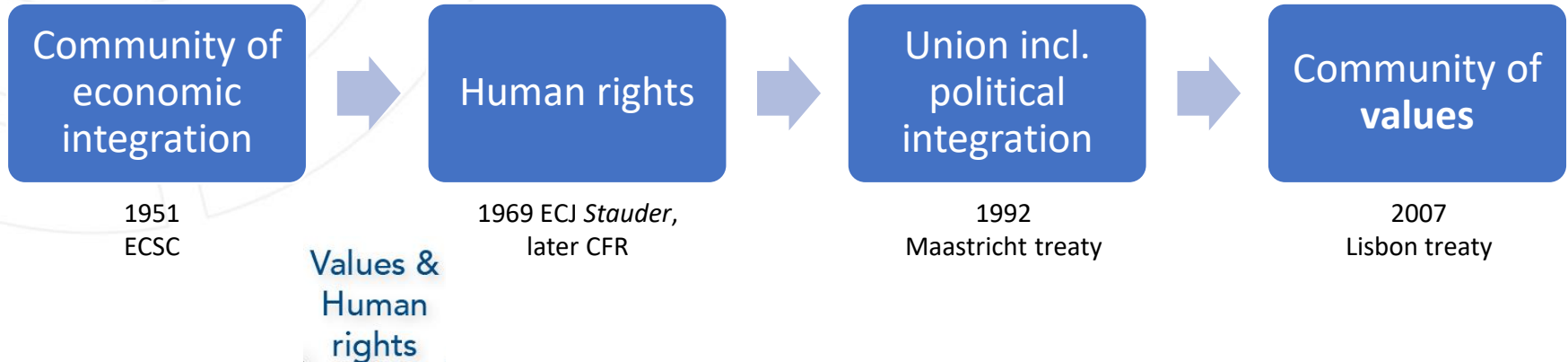


Source: Frischhut, M. (2022). *The Ethical Spirit of EU Values*. Springer.

Source: Frischhut, M. (2019). *The Ethical Spirit of EU Law*. Cham: Springer | p. 9.

EU law | historic development

Aim: to safeguard
peace



CFR = Charter of Fundamental Rights of the EU
ECJ = Court of Justice (EU), Luxembourg
ECSC = European Coal and Steel Community

Source: Frischhut, M. (2022). *The Ethical Spirit of EU Values*. Springer.

Common values

Article 2 Treaty on European Union (TEU)

The **Union** is **founded on the values** of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

These values are **common to the Member States in a society in which** pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Values &
Human
rights



Picture Source: The Economist, December 9th – 15th 2006 ([Link](#)).

(Specific) Health values and principles

22.6.2006

EN

Official Journal of the European Union

C 146/1

I

(Information)

COUNCIL

“2006 Council Conclusions may help shape the interpretation of fundamental rights in the context of EU health law” (Ruijter, 2017, p. 486; cf. also 2019, p. 188)

Council Conclusions on Common values and principles in European Union Health Systems

(2006/C 146/01)

- **Overreaching values:**

universality, access to good quality care, equity, and solidarity

specific

general

- **Operating principles:**

quality, safety, care that is based on evidence and ethics, patient involvement, redress, privacy and confidentiality

Cf. Ruijter, A. de. (2017). The impediment of health laws' values in the constitutional setting of the EU. In T. K. Herve, C. Young, & L. E. Bishop (Eds.), *Research Handbook on EU Health Law and Policy* (pp. 479–495). Edward Elgar Publishing. | Ruijter, A. de. (2019). *EU Health Law & Policy: The Expansion of EU Power in Public Health and Health Care*. OUP.

Source: Council Conclusions on Common values and principles in European Union Health Systems, [OJ 2006 C 146/1](#).



EU values, principles, etc. (excerpt)

Trust (as an overarching goal)

General field

Health field (additionally)

Common values (Art 2 TEU):

- human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including minority rights
- pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men

Health values (2006):
universality, access to good quality care, equity, and solidarity

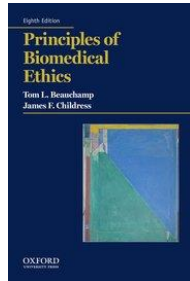
principles of biomedical ethics':

- respect for autonomy
- nonmaleficence
- beneficence
- justice

legal principles:

- non-discrimination
- privacy
- traceability
- transparency
- responsibility
- proportionality & balance
- precaution
- solidarity

Operating principles (2006):
quality, safety, care that is based on evidence and ethics, patient involvement, redress, privacy and confidentiality



Beauchamp, T. L., & Childress, J. F. (2019). *Principles of biomedical ethics* (Eighth edition). Oxford University Press.

(other) law as minimum standard (e.g. General Data Protection Regulation, [GDPR](#))

more abstract

more concrete

Cf. Frischhut, M. (2020). EU Values and Ethical Principles for AI and Robotics with Special Consideration of the Health Sector. In M. Hengstschläger & Austrian Council for Research and Technology Development (Eds.), *Digital Transformation and Ethics* (pp. 244–274). Ecowin. | Frischhut, M. (2019). *The Ethical Spirit of EU Law*. Cham: [Springer International Publishing](#).

Ethical principles | AI



Fig. 2 | Geographic distribution of issuers of ethical AI guidelines by number of documents released. Most ethics guidelines are released in the United States ($n = 21$) and within the European Union (19), followed by the United Kingdom (13) and Japan (4). Canada, Iceland, Norway, the United Arab Emirates, India, Singapore, South Korea and Australia are represented with 1 document each. Having endorsed a distinct G7 statement, member states of the G7 countries are highlighted separately. Map created using https://d-maps.com/carte.php?num_car=13181.

Source: Jobin, A., Ienca, M., & Vayena, E. (2019). The global landscape of AI ethics guidelines. *Nature Machine Intelligence*, 1(9), 389–399.

Table 3 | Ethical principles identified in existing AI guidelines

Ethical principle	Number of documents	Included codes
Transparency	73/84	Transparency, explainability, explicability, understandability, interpretability, communication, disclosure, showing
Justice and fairness	68/84	Justice, fairness, consistency, inclusion, equality, equity, (non-) bias, (non-)discrimination, diversity, plurality, accessibility, reversibility, remedy, redress, challenge, access and distribution
Non-maleficence	60/84	Non-maleficence, security, safety, harm, protection, precaution, prevention, integrity (bodily or mental), non-subversion
Responsibility	60/84	Responsibility, accountability, liability, acting with integrity
Privacy	47/84	Privacy, personal or private information
Beneficence	41/84	Benefits, beneficence, well-being, peace, social good, common good
Freedom and autonomy	34/84	Freedom, autonomy, consent, choice, self-determination, liberty, empowerment
Trust	28/84	Trust
Sustainability	14/84	Sustainability, environment (nature), energy, resources (energy)
Dignity	13/84	Dignity
Solidarity	6/84	Solidarity, social security, cohesion



Kick-off example

Was wird als
"Kugelschreiber-
grenze" bezeichnet?



Picture source:
http://www.geocaching.com/seek/cache_details.aspx?wp=GC30GNP



Picture credit: Was wird als "Kugelschreibergrenze" bezeichnet? - Was gibt es Neues? vom 09.11.2023 um 11:00 Uhr ([Link](#))

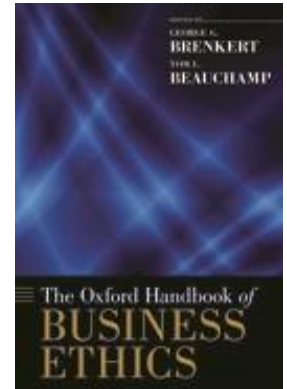


Debate

- Do you think that this falls under ‘corruption and bribery’, yes (pro), or not (con)? And what do our experts say?

Pre-readings to be prepared by **different expert groups** (in total: 26 persons, incl. incomings):

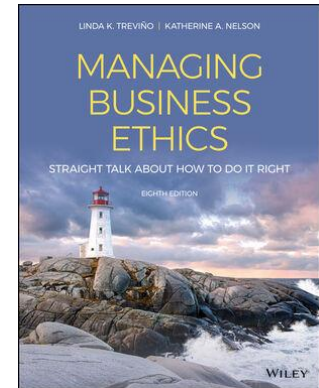
- (1) **Group No 1** | Velasquez, M. (2010). **Corruption and Bribery: Chapter 16**. In G. G. Brenkert & T. L. Beauchamp (Eds.), *The Oxford Handbook of Business Ethics* (pp. 471–500). OUP. <https://doi.org/10.1093/oxfordhb/9780195307955.003.0017>
- (2) **Group No 2** | Brenkert, G. G. (2010). **Whistle-blowing**, Moral Integrity, and Organizational Ethics: **Chapter 19**. In G. G. Brenkert & T. L. Beauchamp (Eds.), *The Oxford Handbook of Business Ethics* (pp. 563–601). OUP. <https://doi.org/10.1093/oxfordhb/9780195307955.003.0020>
- (3) **Group No 3** | Norman, Wayne, MacDonald, Chris. (2010). **Conflicts of Interest: Chapter 15**. In G. G. Brenkert & T. L. Beauchamp (Eds.), *The Oxford Handbook of Business Ethics* (pp. 441–470). OUP. <https://doi.org/10.1093/oxfordhb/9780195307955.003.0016>
- (4) **Group No 4** | Stark, A. (2010). Business in Politics: **Lobbying** and Corporate Campaign Contributions: **Chapter 17**. In G. G. Brenkert & T. L. Beauchamp (Eds.), *The Oxford Handbook of Business Ethics* (pp. 501–532). OUP. <https://doi.org/10.1093/oxfordhb/9780195307955.003.0018>
- (5) **Group No 5** | Boxill, B. (2010). **Discrimination, Affirmative Action, and Diversity** in Business: **Chapter 18**. In G. G. Brenkert & T. L. Beauchamp (Eds.), *The Oxford Handbook of Business Ethics* (pp. 535–562). OUP. <https://doi.org/10.1093/oxfordhb/9780195307955.003.0019>



Ethical Decision Making in Business

1. Step one: gather the facts
2. Step two: define the ethical issues
3. Step three: identify the affected parties (the stakeholders)
4. Step four: identify the consequences
5. Step five: identify the obligations
6. Step six: consider your character and integrity
7. Step seven: think creatively about potential actions
8. Step eight: check your gut

(Treviño & Nelson, 2021, pp. 37-42)



Source: Treviño, L. K., & Nelson, K. A. (2021). *Managing business ethics: Straight talk about how to do it right* (Eighth edition). Wiley.

Ethical Decision Making (via analogy)

- 1. The ethical problem and the options for action are **described as precisely as possible**
- 2. All **facts and circumstances** that seem morally relevant for the problem at stake are **documented and explained**. These involve medical aspects (e.g., diagnostic findings, treatment options, risks and side effects, etc.) as well as **broader** circumstances such as personal backgrounds of people involved, societal conditions, societal perceptions of unfairness, etc.
- 3. The basic **principles are specified** to become relevant for the circumstances of the case and the solution of the moral problem. This is the core work of **principlism** in practice and should be done in a **detailed** manner. Strings of specification may be needed, with attention to the formal requirements of specification as well as to the **plausibility** and **coherence** of the specified norms' content. In clinical settings, it is useful to first specify the principles of **beneficence** and **nonmaleficence** and to balance them with regard to the overall well-being of the patient. This deliberation is related to the determination of the "**medical indication**" for a particular treatment. Next, the **patient's choice and competence** to choose are determined, and the principle of **respect for autonomy** is specified independently of considerations of well-being. Finally, it is specified how **third parties** such as physicians, relatives, and society are **affected**, including their preferences and well-being.
- 4. Once the proposed **specifications** are determined, the **problems** of the case or issues are worked out by **examining any conflict of norms** that may be present. For a solution of a prima facie conflict, the norms must be **critically revised**, further specified as appropriate, and **balanced** against each other, as described previously.
- 5. The **resulting recommendations** are **critically assessed** by addressing the strongest objections and the reasons favoring and disfavoring these objections.

Source: Beauchamp, T. L., & Rauprich, O. (2016). Principlism. In H. ten Have (Ed.), *Encyclopedia of global bioethics* (pp. 2282–2293). Springer. https://doi.org/10.1007/978-3-319-09483-0_348 [pp. 2288–2289]



UN Global Compact

Table 11.2 UN Global Compact core principles

HUMAN RIGHTS	<i>Principle 1:</i> Businesses should support and respect the protection of internationally proclaimed human rights
	<i>Principle 2:</i> Businesses should make sure that they are not complicit in human rights abuses
LABOUR	<i>Principle 3:</i> Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining
	<i>Principle 4:</i> Businesses should uphold the elimination of all forms of forced and compulsory labour
	<i>Principle 5:</i> Businesses should uphold the effective abolition of child labour
	<i>Principle 6:</i> Businesses should uphold the elimination of discrimination in respect of employment and occupation
ENVIRONMENT	<i>Principle 7:</i> Businesses should support a precautionary approach to environmental challenges
	<i>Principle 8:</i> Businesses should undertake initiatives to promote greater environmental responsibility
	<i>Principle 9:</i> Businesses should encourage the development and diffusion of environmentally friendly technologies
ANTI-CORRUPTION	<i>Principle 10:</i> Businesses should work against corruption in all its forms, including extortion and bribery

Source: Matten et al., 2019, p. 512 (on Global Compact)

Versuch einer Zusammenfassung

- ✓ Versuch (natürlich nicht neu), Studierende mit konkreten Beispielen anzusprechen
 - ✓ Konnex von Ethik (weniger Moral) zu EU-rechtlichen Themen (KI, Lobbying, Bioethik, etc.)
 - ✓ Konnex von Ethik und Werten, bzw. Prinzipien
 - ✓ Diskussionsrunden (pro, contra, neutral)
 - ✓ Lehrdidaktik: siehe Magdalena
-
- ✓ Nächster ‚train the trainer‘-Termin: DO 6. Februar 2025 (save-the-date)
 - ✓ Nächster Weltbioethiktag: SA 19. Oktober 2024, mit dem Thema „Non-discrimination and non-stigmatization“, vgl. Artikel 11 der UNESCO Universal Declaration on Bioethics and Human Rights (UDBHR), <https://www.unesco.org/en/ethics-science-technology/bioethics-and-human-rights>





https://www.instagram.com/markus_frischhut



<https://www.linkedin.com/in/mafrischhut/>



<https://twitter.com/mafrischhut>



<https://jeanmonnet.mci.edu>

EU health law:

<https://research.mci.edu/en/jean-monnet-chair/eu-health-law-en>

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Dr. Markus Frischhut, LL.M.

Jean Monnet Professor &
Study Coordinator European Union Law

Universitaetsstrasse 15, 6020 Innsbruck, Austria

Phone: +43 512 2070 -3632, Fax: -3699

<mailto:markus.frischhut@mci.edu>, www.mci.edu

