

56th GENERAL ASSEMBLY OF THE OAS - PANAMA**AGENDA ITEM 28 OF THE OAS GENERAL ASSEMBLY AND THE NOTION OF DIGNITY**

The *Fundación Colombiana de Ética y Bioética* (FUCEB), a Civil Society actor with professionals specialized in ethical and bioethical cultural production, respectfully suggests that the Organization of American States, in its 56th General Assembly in Panama, consider, under agenda item 28 “Extension of the Decade of the Americas for the Rights and Dignity of Persons with Disabilities and its Action Program”, the grounding of the concept of dignity proposed here.

The first Preamble of the Universal Declaration of Human Rights states, “Freedom, justice and peace in the world have as their foundation the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family” (UN, 1948). These are not rights granted, but recognized for every member of the human species.

This Considering is related to arguments of three types: legal, biological, and political. Legal, because it is related to national and international law, which includes rights and duties necessary to achieve the common good; biological, because it describes the human species¹ as a guarantor of rights, indicating a genetic basis recognized in the Universal Declaration on the Human Genome and Human Rights, which reads: “The human genome is the fundamental unity of all members of the human family and the recognition of their inherent dignity and diversity” (UNESCO, 1997). This recognition refers to the spiritual-corporeal unity as a distinctive trait of the human being, which allows us to know ourselves as part of the same family as a species; thirdly, it has a political application since care, respect, and recognition of intrinsic dignity and equal and inalienable rights are the condition for achieving and promoting the common good.

Despite the scientific evidence about how the human genome² is structured, which suggests that every human being is a person at all stages of life, it is currently common to debate this fact and question the definition of a person, no longer as something inherently tied to being human, but as a qualitative condition based on abilities that are acquired and lost over time.

The prevalence of that condition undermines the recognition of the dignity of those who may have or lose some ability, for example: rationality (before birth, or in states of coma), a physical or psychological ability (in cases of disability), the possibility of relieving pain

¹ Group of living beings that can interbreed.

² It includes the neocortex as a specific structure of our species, necessary for coordinating the two constituent perfections of the human being: spirit and body.

(in cases of chronic pain), and an endless list of elements that—if accepted as the basis for defining a person—would ultimately exclude inherent dignity, overlooking the fact that

Being a person is not a trait that develops: there are no potential people; people have certain abilities, understood as potentials, according to their nature. Consequently, a person can develop, but nothing that isn't a person can turn into one (Rodríguez, 2026, p. 93)

The declaration of every right and duty inherently implies a moral commitment to the virtues being protected; the recognition of human dignity is a fundamental principle for this, in whose inherent trait values like autonomy, respect, and humanity are articulated (Baertschi, 2014). The recognition of human dignity supports rights on an ontological basis; the opposite does not occur: no need for contextual legislation changes the ontological, hence the scope of human dignity serves as a universal normative reference. Therefore, those who do not recognize the rights of every human being not only fail in their own duty, but what they prescribe lacks binding force.

An inherent good, when addressed in the political arena, is not to be questioned, but to ensure its protection in the new contexts that arise day by day.

For example, Law 1164 of 2007, which establishes provisions regarding Human Talent in Health in Colombia, in Article 36, defines Humanity as a value “superior to any other and its priority over other values must be recognized. Every human being must be treated by personnel who practice a profession or occupation in health according to a reasonably supported hierarchy of their biological, psychological, social, and spiritual needs” (Laws since 1992 - Express Validity and Constitutional Control [LAW_1164_2007], 2007). In the same article, it states that Dignity must be recognized “for every being of the human species, understood as the highest excellence among living beings, by which they cannot be mistreated by themselves or by others, nor be instrumentalized or discriminated against, but must be promoted according to their characteristics” (Laws since 1992 - Express Validity and Constitutional Control [LAW_1164_2007], 2007).

However, the same Colombian legislation, in other laws, uses the term dignity to go against the principle of care as the motive of health, and rather uses it as a justification for harm subordinated to the natural desire to avoid suffering, forgetting that “a human being can never stop being a person, because they already are by virtue of what they are, not of what they may come to do” (Rodríguez, 2026, p.94). Nor should the inherent dignity of a human being be disregarded based on how they are, or how useful they are to society. The current instrumentalization and relativization of the term dignity to go against goods such as life, health, and equality, is contradictory.

It is true that there are other virtues at stake and situations of vulnerability, pain, and injustice that cannot be silenced in favor of an absolutized defense of dignity as if by

defending it those goods were set aside. It is rather a matter of achieving an appropriate hierarchy of human goods, preventing certain relativized values from being stated without the proper foundation in the dignity from which they derive.

It is true that there are other goods at stake, situations of vulnerability, pain, and injustice that cannot be silenced by an absolutized defense of dignity (as if defending it meant setting aside those goods). It is rather a matter of achieving an appropriate hierarchy of human goods, preventing certain relativized values from being stated without proper foundation in the dignity from which they derive.

To avoid any instrumentalization, dignity must link the other ethical and bioethical values, as well as the legal regulations (Messetti and Dallari, 2018). All political, social, and personal means should be sought to contribute to each person being able to exercise their inherent dignity consistently.

From the above, the convenience of recognizing the non-relative basis of dignity and reaffirming the recognition of the constituent perfections of every person as a human being is deduced. This would be achieved by linking scientific, ethical, and bioethical evidence with the Law.

The equality that is advocated by appealing to the principle of dignity cannot be defended for specific populations based on their differential traits; rather, these differences, in order to avoid discrimination or injustice, must be understood from the respect for the equal human dignity that belongs to all people in each population as members of the human family. In conclusion, what is truly dignified is to articulate freedom and responsibility with mutual supportive care, which is the source of all human progress.

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