

Positioning neurorights in Ibero-America

José M. Muñoz (jmunozorteg@unav.es),¹⁻³ Diego Alejandro Borbón Rodríguez,³⁻⁴ María Isabel Cornejo Plaza,⁵ Agustín A. Herrera Fragoso,^{3,6} José Ángel Marinaro,⁷⁻⁸ Sahara Lucía Rosero Huertas,⁴ José Julián Tole,⁴ Karen Herrera-Ferrá³

¹ Grupo Mente-Cerebro, Instituto Cultura y Sociedad (ICS), Universidad de Navarra, Spain; ² Centro Internacional de Neurociencia y Ética (CINET), Fundación Tatiana, Spain; ³ Asociación Mexicana de Neuroética (AMNE), Mexico;

⁴ Observatorio Latinoamericano de Derechos Humanos y Empresas, Universidad Externado de Colombia; ⁵ Universidad Autónoma de Chile; ⁶ UNESCO Chair in Bioethics and Human Rights, Rome, Italy; ⁷ Universidad Nacional de La Matanza, Argentina; ⁸ Fundación de Estudios para la Justicia (FUNDEJUS), Argentina

Our working group: NEURORIGHTS IBERO-AMERICA

Emergent concerns regarding **human rights** related to the use of **neurotechnology and AI** (Ienca & Andorno, 2017; Yuste et al., 2021) are increasingly a priority in academic discourse. However, it is necessary to include greater **cultural diversity** in this discussion to better achieve a global consensus, which can be attained by developing groups of scholars that represent specific cultural regions. Accordingly, we have created the **interdisciplinary group “Neurorights Ibero-America,”** represented by scholars from Mexico, Colombia, Spain, Argentina, and Chile, to further analyze regional concerns. Our **nascent group** is sponsored by the **Asociación Mexicana de Neuroética (AMNE)**. This **work-in-progress presentation** summarizes our **main goal** and central **research lines**.

Research line 1: CULTURAL CONTEXTS

When considering diversity and contexts, we believe that reaching a consensus about the **definition of universal neurorights** should be complemented by **heterogeneous specific implementations**. Like many world regions, **Ibero-America is a cultural mosaic** in which issues related to privacy, autonomy, and neuroenhancement, among others, are influenced by **structural inequalities** both between and within countries. This characteristic results in ethical and practical problems that directly affect the **effective implementation of human rights**.

Research line 2: CONCEPTUAL HETEROGENEITY

Regional concerns about neurorights are also related to the **conceptual depiction of these rights** (see Muñoz, 2019). Ideas such as **free will, identity, privacy, and equality are culturally changeable** and take on **different meanings** depending on the country or region being considered (see Berniūnas et al., 2021). **Cultural diversity within countries** is also of critical relevance, as in the case of **indigenous cosmovisions** in Latin America and many other parts of the world. These issues invite us to reflect on how cultures, philosophical concepts, and the law are intimately intertwined and cannot be adequately analyzed as strictly separate realms.

Research line 3: NORMATIVE TAXONOMY

Among our group’s main goals is the search for a taxonomy (see Ienca, 2021) including **hierarchical and horizontal, axiological, and conceptual interdependencies** between the neurorights proposed by Ienca and Andorno (2017) and the NeuroRights Foundation (see <https://neurorightsfoundation.org/>). This taxonomy may facilitate establishing Ibero-American specific regulations that include basic expressions of **autonomy, agency, identity, and integrity** adapted to our **specific legal tradition and legal systems**. It is also important that the creation of **country-specific norms** be compatible with—and supplement, if necessary—**regional treaties and protection systems** (e.g., the Inter-American Human Rights System).

OUR MAIN GOAL

We aim to **promote a dialogue** in conjunction with academic, social, and political stakeholders to anticipate potential neurotechnological risks and **promote universal neurorights** not by adopting relativistic positions but with the conviction that such rights should **suit our specific sociocultural context**.

REFERENCES

- Berniūnas, R., Beinorius, A., Dranseika, V., Šilius, V., & Rimkevičius, P. (2021). The weirdness of belief in free will. *Consciousness and Cognition, 87*, Article 103054.
- Ienca, M. (2021). On neurorights. *Frontiers in Human Neuroscience, 15*, Article 701258.
- Ienca, M., & Andorno, R. (2017). Towards new human rights in the age of neuroscience and neurotechnology. *Life Sciences, Society and Policy, 13*, Article 5.
- Muñoz, J. M. (2019). Chile—Right to free will needs definition. *Nature, 574*(7780), 634.
- Yuste, R., Genser, J., & Herrmann, S. (2021). It’s time for neuro-rights. *Horizons, 18*, 154–164.

ACKNOWLEDGMENTS



Asociación Mexicana
de Neuroética AC



Universidad
de Navarra



CINET
Centro Internacional
Neurociencia y Ética



Universidad
Externado
de Colombia



UNIVERSIDAD
AUTÓNOMA
DE CHILE



United Nations
Educational, Scientific and
Cultural Organization



UNESCO Chair in
Bioethics and Human Rights
Rome, Italy



Universidad Nacional de La Matanza



FUNDEJUS
Fundación de Estudios para la Justicia