

UC DAVIS OFFICE OF RESEARCH

Nuremberg Code: Why it's Important

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Outreach and Training

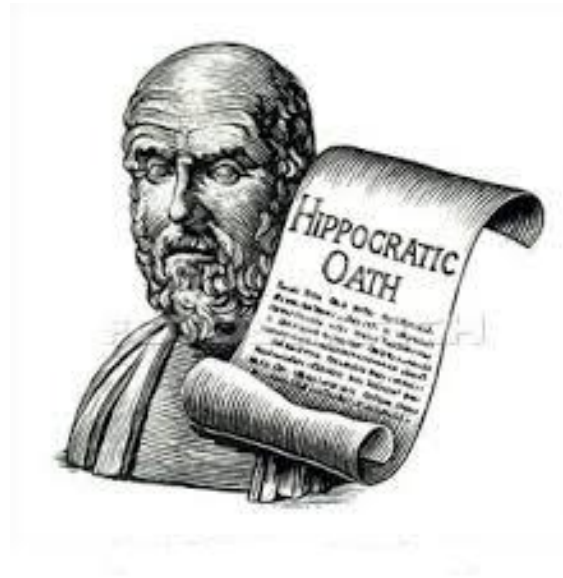
Nuremberg Trial 1946 -1947: “Doctors’ Trial”

- 23 defendants
 - 22 men
 - 1 woman
- 16 convictions
 - 9 prison sentences
 - 7 death sentences
- War Crimes:
 - Performing medical experimentation without subjects consent
 - Experimentation led to permanent disfigurement, disability, and/or death
 - Experimentation conducted on vulnerable populations



Nuremberg Trial (cont.)

The Hippocratic Oath on Trial?



Nuremberg Code

1. The voluntary consent of the human subject is absolutely essential.
 - Ethical Principal: Respect for Persons
2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
 - Ethical Principal: Beneficence
3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study, that the anticipated results will justify the performance of the experiment.
 - Ethical Principal: Beneficence
4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
 - Ethical Principal: Beneficence

Nuremberg Code

5. No experiment should be conducted, where there is an *a priori* reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.
 - Ethical Principal: Beneficence, Justice

6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
 - Ethical Principal: Beneficence

7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.
 - Ethical Principal: Beneficence

Nuremberg Code

8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment
 - Ethical Principal: Respect for Persons, Beneficence , and Justice

9. During the course of the experiment, the human subject should be at liberty to bring the experiment to an end, if he has reached the physical or mental state, where continuation of the experiment seemed to him to be impossible.
 - Ethical Principal: Respect for Persons

10. During the course of the experiment, the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him, that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.
 - Ethical Principal: Beneficence

Nuremberg Code

Protected the Rights of the Subjects



Nuremberg Code Today

- ❑ Adopted into the Declaration of Helsinki
- ❑ Basis for the Code of Federal Regulations
(45 CFR 46)
- ❑ Basis of the Protection of Human Subjects in
Medical Experimentation Act for California
(Health and Safety Code 24170-24179.5)

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