

Development of contemporary genetics and human dignity (2nd part) - equal belonging to mankind

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The paper deals with criminological and criminal law aspects of controversial conducts in the area of contemporary genetics, which are in conflict with the principle of an equal belonging to mankind as an expression of human dignity. Conducts, which are so denoted, include above all discriminatory treatment on the basis of genetic characteristics, the creation of persons with "better" genetically determined characteristics, creation of such characteristics in already living persons, creation of people with "worse" genetically determined characteristics and creation of hybrids between humans and other species. In discussing discrimination on the basis of genetic characteristics, the author also addresses the question of the admissibility of genetic research. In regard to discrimination on the basis of genetic characteristics, he makes a distinction between the discrimination of individuals and discrimination of groups of people or eugenics. By comparing the French and Slovene legal order, he indicates the need to formulate criminal law norms concerning conducts that are contrary to the principle of an equal belonging to mankind and suggests some possible solutions.

Keywords: genetics, equal belonging to mankind, discrimination, criminal sanctioning

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