



CMEL

THE UNIVERSITY OF HONG KONG
CENTRE FOR MEDICAL ETHICS AND LAW

The Centre for Medical Ethics and Law (CMEL) develops new ideas and solutions in response to the big ethical, legal and policy questions of medicine and health.



EDITORIAL

NEW WHO GUIDANCE ON AI FOR HEALTH

On 28 June 2021, the World Health Organization (WHO) published its [guidance](#) on "Ethics and Governance of Artificial Intelligence for Health". The guidance, in respect of which our Dr Calvin W. L. Ho served as an expert reviewer, emphasises that ethical considerations and human rights must be placed at the centre of the design, development, and deployment of Artificial Intelligence (AI) technologies for health. Key ethical challenges and risks are discussed in the guidance, along with six ethical principles that are intended to ensure that AI works to the public benefit of all countries. These ethical principles are: (1) Protect human autonomy; (2) Promote human well-being, human safety, and the public interest; (3) Ensure transparency, explainability, and intelligibility; (4) Foster responsibility and accountability; (5) Ensure inclusiveness and equity; and (6) Promote AI that is responsive and sustainable. In addition, the guidance contains a set of recommendations that seeks to ensure the governance of AI for health maximises the promise of the technology and holds all stakeholders accountable and responsive to the healthcare workers who rely on these technologies and affected communities and individuals. At the end of the guidance, specific considerations are set out for AI developers, ministries of health, and healthcare institutions and providers.

We are also pleased to announce new "knowledge exchange" reports and publications. On the theme of AI, readers may wish to note an [interview](#) (in Chinese) given by our research fellow Dr Chih-hsing Ho on the impact of personal data protection regulatory regimes (like the European Union's General Data Protection Regulation) on the development of AI technology, and an [open-access publication](#) by our Dr Calvin W. L. Ho that discusses the regulatory challenges posed by AI-based medical devices. On the Planetary Health front, the [open-access](#)

[publication](#) by our Dr Eric C. Ip on the constitutional determinants of Planetary Health may be of interest.



LATEST CMEL RESEARCH

BOOK CHAPTER

"When Learning is Continuous: Bridging the Research–Therapy Divide in the Regulatory Governance of Artificial Intelligence as Medical Devices" [Open Access]

By [Calvin W. L. Ho](#)

In *The Cambridge Handbook of Health Research Regulation* (Cambridge University Press, 2021)

https://www.cambridge.org/core/services/aop-cambridge-core/content/view/13C5C9E4E8BCFDA60ABF69C3D5B8452F/9781108475976c28_277-286.pdf/when_learning_is_continuous.pdf

《持續性學習：監管作為醫療器材的人工智能時融合研究與治療的分歧》 [免費閱覽]

作者: [何維倫](#) 副教授

收錄於《劍橋健康研究規管手冊》(劍橋大學出版社, 2021)

https://www.cambridge.org/core/services/aop-cambridge-core/content/view/13C5C9E4E8BCFDA60ABF69C3D5B8452F/9781108475976c28_277-286.pdf/when_learning_is_continuous.pdf

COMMENT

"The Constitutional Determinants of Planetary Health" [Open Access]

By [Eric C. Ip](#) & Shing Fung Lee

In *The Lancet Planetary Health* (2021)

[https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196\(21\)00078-4/fulltext](https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196(21)00078-4/fulltext)

《星球衛生的憲制決定因素》 [免費閱覽]

作者: [葉子暘](#) 副教授 與 李成峰 醫生

刊登於《刺針—星球衛生》(2021)

[https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196\(21\)00078-4/fulltext](https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196(21)00078-4/fulltext)

RESEARCH ARTICLE

"Regulation of E-Commerce Platforms and Strict Product Liability" [Open Access]

By [Minsung Kim](#)

In *The Journal of Property Law* (2021)

<https://www.kci.go.kr/kciportal/ci/sereArticleSearch/ciSereArticleView.kci?sereArticleSearchBean.artid=ART002722046>

This paper argues that the South Korean Product Liability Act should be refined to better protect consumers harmed by defective products purchased through e-commerce platforms. [Abstract in English/ Korean & full article in Korean only]

《電子商業平台的監管與嚴格產品責任》 [免費閱覽]

作者: [金玟成](#) 博士

刊登於《財產法期刊》(2021)

<https://www.kci.go.kr/kciportal/ci/sereArticleSearch/ciSereArticleView.kci?sereArticleSearchBean.artid=ART002722046>

本文就南韓的《產品責任法》，建議作出修定以保障因於電子商業平台購買有問題的產品而受傷害的消費者。[摘要有英文/韓文版本，全文只有韓文版本]



KNOWLEDGE EXCHANGE

PERSPECTIVE FROM A FORENSIC PATHOLOGIST AND EXPERT WITNESS IN COURT

In a TV programme on Radio Television Hong Kong, our Dr [Philip Beh](#) shared his experience as a Forensic Pathologist and as an expert witness in the Coroner's Court.

Click [here](#) for the video [video in Chinese only].

本中心 [馬宣立](#) 醫生在「香港電台」的電視節目中分享他作為法醫及死因裁判法庭專家證人的經驗。

[按此](#) 觀看影片。

YOUTH VACCINATION

In an interview with *Sing Tao Daily*, our Dr [Calvin W. L. Ho](#) shared his views on Hong Kong's youth vaccination arrangements and vaccine donation.

Click [here](#) for the article [article in Chinese only].

在《星島日報》的訪問中，本中心[何維倫](#)副教授分享了他對香港青少年接種疫苗的安排及捐贈疫苗的看法。

[按此](#)閱讀報道。

ETHICAL CONTROVERSIES OVER VACCINATION INCENTIVES

In an interview with the *South China Morning Post*, our Dr [Calvin W. L. Ho](#) shared about the ethical implications of offering incentives and rewards to encourage people to get vaccinated.

Click [here](#) for the article.

在《南華早報》的訪問中，本中心[何維倫](#)副教授從倫理角度分析以誘因和獎勵吸引市民接種疫苗的影響。

[按此](#)閱讀報道。

PROSPECT OF RETURNING TO NORMALITY DESPITE CONTINUING COVID-19 CONCERNS

In an interview with the *South China Morning Post*, our Dr [Calvin W. L. Ho](#) shared his views on the process of returning to normality in the community despite continuing COVID-19 concerns.

Click [here](#) for the article.

在《南華早報》的訪問中，本中心[何維倫](#)副教授分享了他對在 2019 冠狀病毒病風險持續下社會恢復正常的過程的看法。

[按此](#)閱讀報道。

ARTIFICIAL INTELLIGENCE IN HEALTHCARE AND COVID-19 PREVENTION POSES CHALLENGES TO PRIVACY IN TAIWAN

In a recent interview, Academia Sinica's Associate Professor/ Associate Research Fellow and CMEL's Research Fellow Dr [Chih-hsing Ho](#) shared her views on the personal data privacy challenges in Taiwan in relation to Artificial Intelligence in healthcare and COVID-19 infection control.

Read more about this on [Academia Sinica's popular science website](#) [article in Chinese only].

在最近一個訪問中，中央研究院副教授/副研究員及本中心研究學者[何之行](#)博士分享了台灣個資保護在應用人工智能於預防 2019 冠狀病毒病和醫療時面臨的挑戰。

[按此](#)瀏覽中央研究院的科普媒體《研之有物》的網站了解更多。

CURRENT AFFAIRS



DRUGS GIANT REACHED US\$230M SETTLEMENT AGREEMENT FOR OPIOIDS LAWSUIT IN THE US

Drug companies have been accused of promoting the prescription of opioid painkillers beyond medically necessary levels, leading to widespread addiction and overdose deaths in the United States. In settling an opioids lawsuit brought by the attorney general of New York State, the drugs giant Johnson & Johnson has recently committed to paying US\$230m. Read more [here](#).

藥企被指推廣使用超過醫療所需分量的鴉片類止痛藥，導致美國廣泛出現上癮及過量服藥致死的個案，當中美國製藥巨企強生就鴉片類藥物的一起訴訟與提告的紐約州檢察長近日達成和解，強生承諾支付2.3 億美元。[按此](#)閱讀更多。

CENTRE FOR MEDICAL ETHICS AND LAW HKU

ABOUT



The Centre for Medical Ethics and Law (CMEL) develops new ideas and solutions in response to the big ethical, legal and policy questions of medicine and health.

CMEL is the first cross-faculty interdisciplinary institution of its kind in the region. It was founded in 2012 by the LKS Faculty of Medicine and Faculty of Law at The University of Hong Kong as a joint inheritor of their vibrant intellectual traditions dating back to 1887 and 1969 respectively.

Today, CMEL brings together bioethicists, academic lawyers, medical scientists, and other scholars to conduct cutting edge bioethical and legal research and contribute to policy development in flagship areas like population and global health, mental health and capacity, and digital health and emergent technologies.

Research, teaching and knowledge exchange—CMEL's core initiatives—aim to ensure that developments in biomedicine and public health will be underpinned by ethical and legal considerations.

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