In the Name of God

Ethical Guidance for Research on Vulnerable Groups in the Islamic Republic of Iran

۲۰۱۳

Introduction

An individual or group is considered vulnerable who have special susceptibility or indefensibility against injury, damage or invasion (whether physical or mental). In the general sense, all human beings are vulnerable, and researchers thus need to be aware and sensitive about the vulnerability of all participants – and other people involved – in their studies.

However, particular features such as age, disease or social conditions may render individuals with a more special vulnerability at times. When considering research, the most significant aspect of this special vulnerability would be their lacking or insufficient ability for voluntary and informed consent, meaning that the possibility of the consent being "voluntary" or "informed" for vulnerable individuals or groups will be considerably lower than ordinary people.

Research on vulnerable groups entails special ethical concerns and aspects, but would also be advantageous, or at times necessary for such groups. Hence, these studies should not be prohibited, but rather accompanied with observation of ethical and legal considerations, so that they would benefit vulnerable groups while preventing any unreasonable loss or injustice for them.

This guidance includes the most important ethical requirements in regard to vulnerable groups. The sections entitled "Introduction" and "General Provisions" apply to research on all vulnerable groups, which are followed by chapters on particularly significant groups, including infants and children, mentally disabled individuals, pregnant women and fetuses, prisoners and emergency patients.

Before designing their research projects, researchers working with participants from vulnerable groups should peruse the provisions of this guidance, and implement them in all stages of designing, executing and reporting their research project. Moreover, they should know and follow the provisions of this guidance, the "General Ethical Guidance for Medical Research", special domestic guidances for research ethics in different disciplines, and any other related regulations or requirements.

Chapter ١: General Provisions

١ Vulnerable individuals shall not be used for research in medical sciences as preferential participants, but only if valid reasons existed for their participation.

٢ Vulnerable individuals shall be specially protected in all stages of designing, executing and reporting the research project.

٣ Research projects shall be designed and executed in a manner that observes and protects the participants' human dignity and respect, as well as their physical and mental integrity.

٤ If necessary to use vulnerable individuals in research, individuals with lower degrees of vulnerability shall be selected as participants to the extent possible.

٥ Non-treatment research projects may use vulnerable individuals only if the results are predicted to benefit the participants themselves, or other individuals belonging to the same vulnerability category, and if the risk of the research for each participant does not exceed that of their ordinary life.

٦ Treatment research projects may use vulnerable individuals only if the expected benefits (based on the participant's personal interests) outweigh the expected damage at a degree that justifies the research project.

٧ Having surrogate decision-makers does not eliminate the necessity of obtaining the participant's own informed consent. In case of individuals with surrogate decision-makers (including legal guardians), the participants' voluntary and informed consent shall be obtained to the extent possible.

٨ An individual's refusal to cooperate or continue cooperation with the research project shall be taken seriously and respected.

Chapter ٢: Infants and Children

١ For the purposes of this guidance, the "infancy period" shall be considered from birth until ٢٨ days, and "childhood" from infancy until ١٨ years. Moreover, "legal guardian" shall mean a parent, guardian or any other adult with legal custody of that child.

٢ Research projects shall be aimed at advancing sciences focusing on infants' and children's health, or promoting health and care aspects of that group.

٣ For infants, written consent of both parents shall be obtained. The consent of one parent shall suffice in cases of inaccessibility or incapacity of the other parent. In case of inaccessibility or incapacity of both parents, the consent of a competent legal guardian shall suffice for treatment research projects, yet non-treatment research projects shall be prohibited under such conditions.

٤ In terms of capacity for consent, children shall be divided into three age groups of below ٧ years, ٧ to ١٥ years and above ١٥ years.

٤.١ For children below ٧ years, written consent of both parents shall be obtained. The consent of one parent shall suffice in cases of inaccessibility or incapacity of the other parent. In case of inaccessibility or incapacity of both parents, the consent of a competent legal guardian shall suffice for treatment research projects, yet non-treatment research projects shall be prohibited under such conditions.

٤.٢ For children between ٧ to ١٥ years, written informed consent shall be obtained from the legal guardian, as well as the children themselves, commensurate to their level of understanding and cognition. The children shall be entitled to receive relevant information commensurate to their understanding, express their opinions and make decisions. Methods for providing information and obtaining consent shall also be proportionate to the child's age and understanding.

٤.٣ For children above ١٥ years, written informed consent shall be obtained from both the legal guardian and the children themselves.

٥ For children with adulthood decrees from judicial authorities, the child's consent shall be necessary and sufficient.

٦ A legal guardian below ١٨ years may express consent on behalf of a child only if decision-making capacity has been proved for the guardian.

٧ Research on infants or children may be executed only if its execution on higher ages is impossible or ethical justification exists for such research on children.

٨ In terms of certain ethical considerations in research, infants shall be divided into three groups:

٨.١ Infants with the ability to survive;

٨.٢ Infants with dubious ability to survive; and

٨.٣ Infants without the ability to survive.

٩ In infants unable or with dubious ability to survive, any decisions on whether or not to perform cardio-pulmonary resuscitation, use ventilators, or continue or stop using ventilators shall be made solely with the health interests of the infant in mind, not the infant's possible participation in research projects.

١٠ Infants with unclear survival prospects (dubious in terms of being resuscitated) shall not be used in research projects, unless when ensured that:

١٠.١ Participation in the research project will promote the infant's survival ability, and all possible risks are minimal; and

١٠.٢ The research project is aimed at achieving important medical information otherwise inaccessible, and no additional risks will be imposed on the infant as a result of participating in the research project.

١١ Research projects without direct benefits for the participating infants or children shall be considered ethical provided that they benefit infants or children in general, and no damage will be inflicted on the participants.

١٢ In treatment research projects, the expected benefits for the participants (based on their interests) shall outweigh the expected damage at a degree that justifies the research project.

١٣ Risk assessment shall be conducted by all individuals involved in the research project, including legal guardians, researchers, experts involved, the relevant research ethics committee and the participating children (if possible).

١٤ During risk assessment for the research project, researchers shall bear in mind that some interventions recognized as low-risk for adults (such as venipuncture) shall not be regarded low-risk for infants and children, due to the pain and anxiety they experience, and the resulting possible impacts on the evolution of their nervous systems.

١٥ If the research project does not require participation a certain age group of children, older children shall be held prior for participation.

١٦ In research projects involving questions (in the form of interviews or completing questionnaires), the researcher(s) shall prevent the induction of any feeling of undue anxiety, guilt, or pessimism in the parents involved. For that purpose, relevant explanations shall be provided at the time of obtaining their informed consent.

١٧ Children or their legal guardians shall not be reimbursed any sums in return for their participation in the research project, except for compensating the expenses inflicted on them as a result of such participation. Awarding small gifts without high financial value (such as small boxes of colored pencils, stickers or simple snacks) to the children participating in research projects shall be ethically permissible and encouraged.

١٨ Legal guardians shall be entitled to accompany children during the research process.

١٩ Legal guardians, if interested, shall be allowed sufficient opportunity to confer with relatives, health care experts and independent consultants in regard to participating in the research project.

٢٠ Researchers shall properly respond to all questions and concerns of legal guardians during the research project.

٢١ Informed consent of children and their legal guardians shall be preferably obtained by individuals not involved in the research project.

Chapter ٣: Pregnant Women and Fetuses

١ The research methodology shall be scientifically correct, meaning that pre-clinical research (on pregnant animals) and clinical research (such as research on non-pregnant women) shall be previously conducted, and the required information be gathered for assessing possible risks arising from the research project for pregnant women and fetuses.

٢ The researcher(s) shall hold a defined plan for monitoring the status of mothers and fetuses during the research project, as well as its long- and short-term consequences for them.

٣ During the process of decision-making and obtaining consent, sufficient information shall be provided to pregnant women on advantages and disadvantages of participating or not participating in the research project, including results and impacts on the mother, fetus, pregnancy process, infant and the mother's future fertility.

٤ Information about participation in the research project, required for obtaining informed consent, shall not be provided to the parents at the time of delivery (especially labor, when individuals are naturally unable to concentrate on the details of such information).

٥ In case the research project entails direct benefits for the fetus only, informed consent shall be obtained from both the mother and father. The mother's consent shall suffice if the father is inaccessible or lacks the capacity to decide.

٦ In assessing advantages and disadvantages of the research project on the fetus, and providing information to obtain informed consent, the possible risks and benefits for the mother shall also be considered as well. The researcher(s) shall create conditions for the pregnant woman to decide on whether or not to participate in the research project, without feeling any pressure and after considering her own priorities, along with the possible advantages and disadvantages for the fetus.

٧ In case information from research on placentae, dead fetuses, fetal remains, or cells, tissues or organs from a dead fetus is recorded and reported in a manner

that reveals the identity of living individuals involved in the research project (i.e. parents), such individuals shall be regarded as participants in that research project and subject to all relevant research ethics considerations.

٨ If the research project leads to changes in the routine treatment or examination of the pregnant woman, separation of infant from mother, or alterations in the assessment, follow-up or treatment of an infant after birth, the issue shall be fully explained to the parents when demanding their informed consent.

٩ In case clinical and pre-clinical studies identify a medicine as a teratogen, that medicine shall not be used for pregnant women, unless possible benefits extensively outweigh the probability of its being teratogenic, and the participant needs medicine treatment.

١٠ Research ethics considerations for living fetuses removed from uterus shall be similar to research on infants.

١١ For research on dead fetuses, death of the fetus(es) shall be confirmed by a physician not involved or interested in that research project.

١٢ Any decisions for terminating pregnancy in a woman shall be made solely on the basis of relevant legal and medical considerations, and not influenced by the prospects of using the fetus for research. The individual(s) deciding on whether or not to terminate pregnancy shall not be involved or directly interested in the research project. Informed consent for terminating pregnancy and research on the fetus shall be obtained separately and using different documents.

١٣ Research on a fetus removed from the mother's uterus shall not compromise the care provided to the mother.

١٤ No financial incentives shall be offered to mothers or fathers to obtain their consent for research on their fetuses.

١٥ Parents shall be informed on the potential probability of commercial uses of research findings regarding on the mothers, placentae, dead fetuses, fetal

remains, or cells, tissues or organs from a dead fetus, and the fact that the parents shall not be included among the financial beneficiaries.

١٦ When obtaining their informed consent, parents shall be informed about the possibility of placentae, dead fetuses, fetal remains, or cells, tissues or organs from a dead fetus being sent to other countries.

Chapter ٤: Mentally Disabled Individuals

١ For the purposes of this guidance, mentally disabled shall be applied to individuals that lack the capacity to analyze real conditions and decide on that basis, as a result of a disease or any other mental deficiency. Such individuals shall be distinguished from those unable to express their decisions for physical reasons. Individuals shall be considered to have the capacity to decide if they are capable of understanding the meaning of the available choices and their liberty in choosing them, as well as assessing (based on his/her interests and preferences) the benefits and damages they would confront as a result of participating or not participating in the research project.

٢ A mental disability (whether retardation or mental diseases) shall not be automatically construed as incapacity for expressing informed consent. Such capacity shall be assessed separately for each individual, and voluntary and informed consent obtained proportionate to that.

٣ For individuals with legal guardians, informed consent shall be obtained from both the guardian and participant, proportionate to the participant's capacity.

٤ Incapable individuals without legal guardians shall not participate in research projects, unless the research intervention appears necessary or highly beneficial for the participants' treatment. In such cases, the relevant research ethics committee may approve the research project to be executed.

٥ Informed consent shall be guaranteed through a continued process, with the capacity regularly assessed for any possible changes. The participants' consent shall be obtained in case they regain their capacity.

٦ Individuals refusing and resisting participation shall not be used for a research project, even if they lack the capacity to decide.

٧ In case the participants are under the supervision of a psychologist independent from the research team, s/he shall be contacted in order to assess the participant's capacity. Otherwise, a psychologist independent from the research team shall be consulted for such assessment.

٨ As the legal guardian shall be held responsible for the informed consent, information shall also be published with the guardian's consent.

٩ In case the mentally disabled participants demand the research team not to reveal their information to their guardians, the relevant research ethics committee shall decide in this respect.

١٠ The relevant research ethics committee shall also decide on complex issues with dubious decisions on whether or not to maintain confidentiality.

١١ Participants with serious and significant emotional problems, such as suicidal inclinations, shall be removed from the research project, and placed under appropriate treatment, support and care. The researcher(s) shall ensure such services are provided to those participants. However, a history of severe emotional problems shall not justify removal of participants from research projects.

Chapter ٥: Prisoners

١ The term "Prisoner" shall be applied to an individual confined or incarcerated in accordance with legal procedures.

٢ The research project shall aim at the participants' interests, or those of prisoners' health in general, if harmless for the participant.

٣ Any research on prisoners shall be executed under informed consent of the participants. Prisoners' refusal to participate in the research project shall not affect the provision of health care to, or the behavior of the prison officials toward them.

٤ Prisoners shall not be selected as preferential participants in research projects. If a research project can be conducted with non-prisoner participants, prisoners shall not be used on the sole grounds of higher ease or practicability.

٥ Confidentiality shall be maintained for all the information related to the prisoners, unless confidentiality poses a grave danger for other individuals, which can only be prevented or controlled through violating confidentiality. In such cases, information may be revealed, after informing the related participant(s), and to the extent required to prevent or control the danger.

٦ Compared to the living conditions in prison, any possible benefits of participating in the research project for the prisoner shall not be so dazzling that would compromise the individual's ability for voluntary assessment of risks against advantages. Reduced or altered sentences or additional day releases shall not be offered as rewards for participation in the research project. This issue shall be clarified for the participant(s) at the time of seeking their informed consent.

٧ Individuals shall be fairly selected to participate in a research project, without any intervention from prison officials or other prisoners.

Chapter ٦: Emergency Patients

١ In emergency situations, informed consent shall be obtained from the participants themselves, unless in cases where the relevant research ethics committee approves (at the time of considering the research proposal) the impossibility of obtaining such consent. When such impossibility is considered to be relative, the researcher(s) shall attempt to seek the participants' agreement or consent to the extent possible.

٢ Research on emergency patients may be executed through obtaining the participant's informed consent, only when in addition to the provisions of paragraph ١ above, the patient is in vitally threatening conditions, the efficacy of available treatments are not proven or satisfactory, and obtaining prior consent of the participant is impossible.

٣ At the first opportunity possible, the researcher(s) shall explain the method and period of research intervention for the patients or their legal guardians, and obtain their informed consent.

٤ In designing and executing the research project, all considerations and measures shall be followed to prevent the research from interrupting or compromising the medical processes the participants undergo.

٥ In case patients in emergency conditions are used for a research project without obtaining their informed consent, and the participants decease before informed consent is obtained from them or their legal guardians, information on the research project shall be transferred to the legal representative(s) of the bereaved.