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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Third Committee

Rapporteur: Miss Olajunoke Oladayo OBAFEMI (Nigeria)

I. INTRODUCTION

1. The item entitled "Human rights and scientific and technological developments" was included in the provisional agenda of the thirty-fifth session of the General Assembly in accordance with Assembly resolution 33/53 of 14 December 1978.
2. At its 3rd plenary meeting, on 19 September 1980, the General Assembly decided to include the item in its agenda and to allocate it to the Third Committee.
3. The Committee considered this item jointly with items 68, 69, 70, 71, 73, 76, 79 and 81 at its 35th to 46th, 49th and 50th meetings, from 28 October to 5 November and on 7 November 1980. The views expressed by the representatives of Member States, specialized agencies and observers on this item are contained in the summary records of those meetings (A/C.3/35/SR.35-46, 49 and 50).
4. The Committee had before it a note by the Secretary-General referring to the report called for under General Assembly resolution 33/53 (A/35/202).
5. At the 35th meeting, on 28 October, the Chief of the New York Office of the Division of Human Rights made an introductory statement on behalf of the Director of the Division.

II. CONSIDERATION OF DRAFT RESOLUTIONS

A. Draft resolution A/C.3/35/L.27

6. At the 49th meeting, on 7 November, the representative of the Byelorussian Soviet Socialist Republic introduced and orally revised a draft resolution (A/C.3/35/L.27) sponsored by the Byelorussian Soviet Socialist Republic,

Czechoslovakia and the Lao People's Democratic Republic, subsequently joined by Afghanistan, Cuba, the Dominican Republic, the German Democratic Republic, Mauritania, Mongolia, Poland and Viet Nam.

7. The revisions consisted in deleting the words "by the States" in operative paragraph 1 and the words "and specialized agencies" in operative paragraph 4.
8. At the same meeting, the representative of Argentina proposed an oral amendment to add a new third preambular paragraph reading as follows:  

"Recalling the relevant provisions of the Declaration on Social Progress and Development, contained in its resolution 2452 (XXIV) of 11 December 1969,".
9. The sponsors of the draft resolution accepted the amendment and revised the text accordingly.
10. Argentina joined in sponsoring draft resolution A/C.3/35/L.27.
11. At the 50th meeting, on 7 November, the representative of Australia proposed an oral amendment to insert a new fourth preambular paragraph reading as follows:  

"Welcoming the resolution of the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted at its thirty-third session relating to a study on the relevant guidelines in the area of the protection of individuals against interference,".
12. The amendment was subsequently withdrawn by its sponsor.
13. At the same meeting, the Committee adopted the draft resolution, as revised, by 107 votes to none, with 26 abstentions (see para. 17, draft resolution A).

B. Draft resolution A/C.3/35/L.31

14. At the 49th meeting, on 7 November, the representative of the United Kingdom of Great Britain and Northern Ireland introduced and orally revised a draft resolution (A/C.3/35/L.31) sponsored by Costa Rica, Italy, the Netherlands, Norway and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Guatemala and Morocco.
15. The revisions consisted of the following:
  - (a) The insertion of a new fifth preambular paragraph reading as follows:  

"Bearing in mind its resolution 34/168 on the draft Code of Medical Ethics submitted by the World Health Organization to the General Assembly,";
  - (b) The reformulation of operative paragraph 2 as follows:  

"2. Requests the Commission on Human Rights and the Economic and Social Council to consider the draft guidelines related to procedures for determining

whether adequate grounds exist for detaining persons on the grounds of mental ill-health and the draft principles for the protection of persons suffering from mental disorder requested in resolution 33/53 with a view to their being submitted to the General Assembly at its thirty-seventh session."

16. At the 50th meeting, on 7 November, the Committee voted on the fourth preambular paragraph and on the draft resolution as follows:

(a) The fourth preambular paragraph was adopted, by 56 votes to 8, with 61 abstentions;

(b) The draft resolution as a whole, as revised, was adopted by a recorded vote of 70 to none, with 63 abstentions (see para. 17, draft resolution B). The voting was as follows:

In favour: Australia, Austria, Bahamas, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Burma, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Cyprus, Democratic Kampuchea, Denmark, Ecuador, El Salvador, Fiji, Finland, France, Gabon, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Lesotho, Luxembourg, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, Portugal, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Suriname, Swaziland, Sweden, Thailand, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zaire.

Against: None.

Abstaining: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Egypt, Ethiopia, German Democratic Republic, Guinea, Guinea-Bissau, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mongolia, Mozambique, Nicaragua, Oman, Pakistan, Panama, Philippines, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

### III. RECOMMENDATIONS OF THE THIRD COMMITTEE

17. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

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Human rights and scientific and technological developments

A

The General Assembly,

Reaffirming the great importance of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly in its resolution 3384 (XXX) of 10 November 1975,

Considering that scientific and technological progress is a necessary prerequisite for accelerating social and economic development in all countries,

Recalling the relevant provisions of the Declaration on Social Progress and Development, contained in its resolution 2452 (XXIV) of 11 December 1969,

Being seriously concerned that the results of scientific and technological progress could be used to the detriment of human rights and fundamental freedoms, the dignity of the human person, international peace and security and social progress,

Recognizing that the establishment of the new international economic order calls in particular for an important contribution to be made by science and technology to economic and social progress, and also to promote human rights and fundamental freedoms,

Aware that the implementation of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind will contribute to the strengthening of international peace and security and promote co-operation among States in the field of human rights and economic and social development of peoples,

1. Stresses the importance of implementing the provisions and principles contained in the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind in order to promote human rights and fundamental freedoms under conditions of scientific and technological progress;
2. Requests the specialized agencies and other bodies of the United Nations to take fully into account in their programmes and activities the provisions of the Declaration;
3. Requests the Commission on Human Rights, in its consideration of the item entitled "Human rights and scientific and technological developments", to give special attention to the question of the implementation of the provisions of the Declaration;
4. Requests the Secretary-General to submit to the General Assembly at its thirty-sixth session a report prepared on the basis of the information received from Member States regarding the implementation of the provisions of the Declaration;

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5. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Human rights and scientific and technological developments".

B

The General Assembly,

Recalling its resolution 33/53 of 14 December 1978, in which it urged the undertaking by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities of a study on the question of the protection of those detained on grounds of mental ill-health with a view to formulating guidelines as a matter of priority, and requested a progress report on this question at its thirty-fifth session,

Bearing in mind Commission on Human Rights resolution 10 A (XXXIII) of 11 March 1977, in which the Commission requested the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to study the question of the protection of those detained on grounds of mental ill-health with a view to formulating guidelines,

Taking note of resolution 6 (XXXII) of 5 September 1979 of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, in which the Sub-Commission requested a report from the Secretary-General on medical measures that might properly be employed in the treatment of persons detained on grounds of mental ill-health and procedures for determining whether adequate grounds exist for detaining such persons and applying such medical measures,

Taking note also of resolution 11 (XXXIII) adopted by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities on 10 September 1980, in which one of its members, Dr. Erica-Irene A. Daes, was entrusted with the task of elaborating and submitting to the Sub-Commission at its thirty-fourth session guidelines relating to procedures for determining whether adequate grounds existed for detaining persons on the ground of mental ill-health and principles for the protection of persons suffering from mental disorder, taking into account the views of Governments and specialized agencies,

Bearing in mind its resolution 34/168 of 17 December 1979 concerning the draft Code of Medical Ethics submitted by the World Health Organization to the General Assembly,

Concerned in particular at reports from several parts of the world of persons being detained in mental institutions on account of their political views and on other non-medical grounds,

Recalling that 1981 has been proclaimed by the United Nations as the International Year of Disabled Persons,

1. Welcomes the action taken to implement its resolution 33/53 by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities;

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2. Requests the Commission on Human Rights and the Economic and Social Council to consider the draft guidelines related to procedures for determining whether adequate grounds exist for detaining persons on the grounds of mental ill-health and the draft principles for the protection of persons suffering from mental disorder requested in resolution 33/53, with a view to their being submitted to the General Assembly at its thirty-seventh session.

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