

current economic imbalance which divided the world into two categories, a goal that must be achieved without losing sight of human values.

43. She felt that the draft declaration (A/C.3/L.2144) was an excellent document which could make an important contribution to the advance of human rights and which, therefore, should be adopted as soon as possible.

44. Mr. HSING Sung-yi (China), speaking in exercise of the right of reply, said that the statement made by the representative of the USSR showed that the Government of social imperialism was engaged daily in counter revolutionary activities; yet, in its speeches and its official documents, it was always talking about ethics and good deeds. It never spoke the truth. While uttering endlessly, it was always engaged in ugly deeds.

45. While discussing the present item, the Committee should link it with reality and point out the problems which existed in connexion with the item and the draft "declaration". It was necessary to expose the dual tactics and extreme hypocrisy of social imperialism. The Soviet Union representative actually flew into a rage, broke into abusive language and even heaped vile slanders, distortions and

attacks on the statement made by the head of the Chinese delegation at the current session of the General Assembly. Those facts proved that China had said and done the right things. The Soviet Union representative had failed completely to deny the facts or reply to the questions raised by the Chinese delegation at the 2136th meeting. For example, the draft "declaration" stated that all States should refrain from any acts involving the use of scientific and technological achievements for the purpose of violating the sovereignty of other States, interfering in their internal affairs, waging aggressive wars and so on. However, who was it that on a certain night secretly sent large numbers of troops and numerous new types of weapons into an ally's territory, occupied it militarily and to date had refused to withdraw its troops therefrom? Who was it that was using the achievements of science and technology to engage in large-scale espionage activities on the territories of other countries, violating at will the sovereignty of other States? What the Soviet Union representative wanted was to try to cover up its social-imperialist nature with abuses and calumnies. Consequently, the statement just made by the Soviet Union representative was entirely of no avail.

The meeting rose at 1.05 p.m.

2139th meeting

Friday, 24 October 1975, at 10.30 a.m.

Chairman: Mr. Ladislav ŠMÍD (Czechoslovakia).

A/C.3/SR.2139

AGENDA ITEM 69

Human rights and scientific and technological developments: reports of the Secretary-General (continued)
(A/10146, A/10162, A/10226 and Add.1 and 2, A/C.3/L.2144, 2146-2148, 2160-2162)

1. The CHAIRMAN announced that Hungary had become a sponsor of draft resolution A/C.3/L.2144.

2. Mr. LOURIDO (Uruguay) said that the problem of the impact on human rights of scientific and technological developments should be examined from two standpoints. In the first place, there were many States, all at different stages of scientific and technological development; some nations enjoyed certain advances, while others benefited less from those advances or simply lacked them. Repeated references had been made in the General Assembly to that unjust situation. For instance, the Minister for Foreign Affairs of Uruguay had mentioned, at the 2360th plenary meeting of the General Assembly, on 24 September, the urgent need for appropriate institutional reforms in the United Nations system with a view to the concentration and better co-ordination of the actions and available means of the international community for the benefit of the countries in greatest need of assistance. The logical conclusion, therefore, with regard to the first aspect of the question was that scientific developments should know no

frontiers and that the transfer of technology was an imperative of modern times.

3. In addition to that purely economic aspect, there was a second side to the same phenomenon: even in the most developed societies the optimum levels attained in the field of science and technology could have an unfavourable effect on the society as a whole, even if it was more or less homogeneous. For instance, foetal malformations could be detected with minimal risk of error, although such a risk did exist, by withdrawing amniotic fluid from a pregnant woman during the first months of pregnancy. Nevertheless, widespread and unrestricted use of such a test would have serious consequences in countries where abortion was legal and even more so where it was mandatory in certain circumstances for therapeutic reasons, thus having an impact on the right to life, which was the source of all human rights. In order to resolve that problem, his delegation considered that bodies should be created to supervise new biomedical techniques in their experimental phase, as a minimum indispensable guarantee before such techniques became widespread. Generally speaking, that second aspect of the question under consideration deserved particular attention and care.

4. Mr. AZIZ (International Labour Organisation) reviewed the main features of the annual report of the Director-General of ILO to the sixtieth session of the International

Labour Conference, held in Geneva in June 1975. The report, which was devoted to working conditions and the working environment, stated that not only working conditions but also the organization and even the content of work were currently being questioned. In the wake of that reappraisal there followed growing dissatisfaction, particularly among young people, which took many forms: staff instability, absenteeism, lack of interest in certain types of work, indifference to the quality of the product, and so on. One reason for that was that much work had become monotonous, fragmented and depersonalized; those characteristics, moreover, were not peculiar to industry but were spreading in the service sector as well. Experiments had been made for some years in new ways of organizing and humanizing work; but although a number of those experiments had been successful, none constituted a miracle solution. The whole question, according to the report of the Director-General, must be considered in the more general context of the participation of workers in decisions affecting conditions of work and the working environment in general.

5. Despite considerable efforts to improve occupational safety and health, statistics showed that in industry alone there were about 160,000 accidents a day and that an estimated 100,000 people died each year from accidents at work. It should be pointed out that to known hazards there were being added new risks, stemming, for example, from the harmful effects of many new chemicals in widespread use in industry and agriculture, from the effects of automation and mechanization and from the growing complexity of the problems faced by managerial and technical staff, often causing exhaustion and breakdowns. The report of the Director-General singled out migrants as a most vulnerable category of workers who needed to be fully informed of the risks involved in their jobs and of precautions to be taken. The technological thrust presented a real challenge to labour inspectors, who should be aided by physicians, engineers and other technical specialists.

6. From the earliest days of its existence, the ILO had devoted much of its effort to the reduction of working hours. Although substantial progress had been made in some countries, working hours remained excessive in others, particularly developing countries, and in such industries as building, transport and agriculture. There was a need to consider not only official working hours but such factors as travel time between home and work, the organization and distribution of work time, whether by the day, week or year, and the nature and use made of free time. Study of those factors suggested that the problem must be considered in its relationship to economic and social development.

7. The report of the Director-General proceeded, on the basis of resolution XIII concerning the working environment, adopted by the International Labour Conference at its fifty-ninth session in 1974, to define three objectives for a vigorous and long-term ILO campaign. Those objectives were: that work should respect the worker's life and health (the problem of safety and healthiness at the place of work); that it should leave him free time for rest and leisure (the question of hours of work and their adaptation to an improved quality of life outside work); and that it should enable him to serve society and achieve self-fulfilment by

developing his personal capacities (the problem of the content and organization of work).

8. In the final chapter of the report, the Director-General proposed some broad guidelines for ILO action and mentioned two possible approaches. The first would consist in achieving a limited number of clearly defined objectives such as the reduction of occupational accidents or diseases. The second and more comprehensive approach would be to include those objectives in an international programme for the improvement of working conditions and environment offering a general framework of action, definitions, methodology and aims common to national programmes, or by which such programmes might be guided. Finally, the report surveyed the machinery available to ILO for carrying out a coherent and integrated programme which could speed the general movement towards more human work.

9. The various proposals put forward in plenary meetings at the sixtieth session of the International Labour Conference had been supplemented and consolidated in resolution V of the Conference concerning future action of the ILO in the field of working conditions and environment. The resolution supported the programme suggested by the Director-General, gave specific guidelines for it, and invited member States to promote the improvement of working conditions and environment and periodically to set themselves a number of definite objectives.

10. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that draft resolution A/C.3/L.2144 would very shortly be put to the vote, and the sponsors would like an opportunity to state their views on the proposed amendments, most of which were constructive. After studying them carefully, the sponsors had been pleased to find that many of them were quite acceptable.

11. Amendments to the second preambular paragraph of the draft declaration had been proposed by Morocco (see A/C.3/L.2146) and by the Federal Republic of Germany, Italy, and the United Kingdom (see A/C.3/L.2160). The sponsors had already indicated that they accepted those amendments.

12. Mr. BROAD (United Kingdom), speaking on a point of order, asked whether it would not be better to introduce the amendments before comments were made on them. He had understood that the representative of the Byelorussian SSR would be referring only to amendments submitted at the preceding session.

13. The CHAIRMAN said his understanding was that the representative of the Byelorussian SSR was stating the position of the sponsors of the draft declaration on the amendments already circulated in writing; that would not prevent their being introduced subsequently.

14. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic) said that the sponsors of the draft declaration considered it useful to comment on all the amendments in order to save time and expedite the Committee's work. The amendments had already been submitted in writing, and any delegation could propose amendments.

15. Reverting to the second preambular paragraph of the draft declaration, he said that the English translation was not very felicitous; the words "the human condition" should read "the conditions of life of peoples and nations".
16. The United States had submitted an amendment to the third preambular paragraph (see A/C.3/L.2148) which the sponsors could not accept because they did not consider it appropriate to juxtapose the rights of individuals and the rights of peoples. In the draft declaration there were quite a number of paragraphs referring to the former question, particularly the second preambular paragraph in its new wording. However, it might be appropriate in the third preambular paragraph to add the words "and countries" after the word "peoples".
17. The United States had proposed the insertion of a new paragraph after the third preambular paragraph which the sponsors could not accept because it ran counter to the fundamental idea of the text, which had been drafted to take into account Article 1, paragraph 3, of the Charter, where mention was made of international co-operation and of encouraging respect for human rights without distinction as to race, sex, language, or religion. In fact, that amendment was already covered by the new wording of the second preambular paragraph.
18. The sponsors agreed that the fourth preambular paragraph should be deleted, in view of the comments made by the developing countries and the second amendment submitted by the Federal Republic of Germany, Italy and the United Kingdom (A/C.3/L.2160).
19. The sponsors accepted the first Philippine amendment (A/C.3/L.2161) for the addition of a new paragraph after the sixth preambular paragraph, because they felt that it took into account the interests of the developing countries and was in keeping with the decisions adopted at the seventh special session of the General Assembly.
20. In the English version of the seventh preambular paragraph, the words "the dignity of the human personality in the light of scientific and technological developments" should be changed to read: "the dignity of the human person in the conditions of scientific and technological progress".
21. The third of the United States amendments (A/C.3/L.2148) referred to the eighth preambular paragraph and proposed that the words "the Universal Declaration of Human Rights" should be inserted after the words "the Charter of the United Nations". The sponsors had no difficulty in accepting that addition.
22. With regard to operative paragraph 1, the third amendment contained in document A/C.3/L.2160 proposed replacing everything after the words "human rights and freedoms" with "in accordance with the Charter of the United Nations". What would be deleted was the reference to principles embodied in the Charter of the United Nations which had been recognized as essential for international co-operation and had been mentioned in a whole series of international documents relating to human rights, including the International Covenants on Human Rights and, most recently, the draft resolution adopted by the Third Committee at the 2131st meeting under agenda item 77. The sponsors could not, therefore, agree to the deletion.
23. Cuba, the Federal Republic of Germany and the United Kingdom had proposed the inclusion of a new operative paragraph 2 (A/C.3/L.2147). The sponsors suggested that the new paragraph should end with the words "enjoyment of human rights and fundamental freedoms", and they hoped that the sponsors of the amendment would show understanding.
24. It had been suggested in informal consultations that the words "and territorial integrity" should be added after the word "sovereignty" in operative paragraph 3, and the sponsors accepted that amendment. There was also an amendment to the same paragraph submitted by the sponsors of the amendment contained in document A/C.3/L.2160 which would replace that paragraph with a new text omitting the words "interfering in their internal affairs, waging aggressive wars". The sponsors of the draft declaration had endeavoured in that passage to appeal to all States to refrain from any activity involving the use of scientific and technological developments for the purpose of violating the sovereignty of other States and, since they found the proposed new wording to be limited and insufficiently clear, they would not accept it.
25. The second amendment proposed by the Philippines (A/C.3/L.2161) for the addition of a new paragraph after operative paragraph 3 reflected the interest of the developing countries in co-operating with all States in order to establish, strengthen and develop their scientific and technological potential and was therefore acceptable to the sponsors of the draft declaration.
26. The sponsors had agreed to replace operative paragraph 4 with the second of the amendments, proposed by Morocco (A/C.3/L.2146). The fifth of the amendments submitted by the United States (A/C.3/L.2148) therefore became irrelevant.
27. The fifth amendment contained in document A/C.3/L.2160 would replace the last eight words in operative paragraph 6 with the words "fundamental freedoms and the dignity of the human personality". The sponsors were prepared to accept that amendment.
28. He emphasized that the sponsors of the draft declaration had accepted practically all the amendments which had been submitted, because of their desire to co-operate with the other delegations in arriving at a final text that would be generally acceptable.
29. Miss CABALLERO (Mexico) proposed that the words "and the Charter of Economic Rights and Duties of States" should be added at the end of the eighth preambular paragraph of the draft declaration.
30. Mr. MAKSIMOV (Byelorussian Soviet Socialist Republic), on behalf of the sponsors, accepted the oral amendment proposed by Mexico.
31. Mrs. DE ALBA (Dominican Republic) said that the potential benefits of scientific and technological developments should be put to the service of both the material and

the spiritual well-being of mankind. There was a clear need for co-operation between developed and developing countries in a spirit of justice to channel scientific and technological progress to the latter countries at a more rapid pace, but without detriment to their sovereignty and national interests.

32. Her delegation considered it vitally important for the international community to have a document setting forth the concepts and principles which governed, at the international level, the use of scientific and technological developments in the legitimate interests of mankind. However, although her delegation agreed with many of the concepts included in the draft declaration contained in document A/C.3/L.2144, it believed that it would have been more appropriate to make the human rights of the individual the focal point and then to bring in the rights of peoples, communities and States. Accordingly, her delegation considered the United States amendments (A/C.3/L.2148) to be very much to the point. It also considered excellent the amendments by the Philippines (A/C.3/L.2161), which reflected the concerns of the developing countries. As to the amendments submitted by the Federal Republic of Germany and the United Kingdom, her delegation agreed with the views reflected in document A/C.3/L.2147, but it believed that the amendment to operative paragraph 3 in document A/C.3/L.2160 weakened the idea and could even be read in two ways; the words "All States should ensure that scientific and technological achievements are not abused for the purpose of violating sovereignty of States" might be taken to mean that scientific and technological achievements could be used, but not abused, for the purpose of violating sovereignty of States.

33. The Commission on Human Rights should be allowed to complete its work on the subject before any decision was taken on the draft declaration.

34. Mrs. SHAHANI (Philippines) announced that Cuba and Mexico had become sponsors of the amendments in document A/C.3/L.2161. Two drafting changes should be made in that document; in the proposed new operative paragraph 4 the word "potential" should be replaced by the word "capacity", and the words "of the peoples" should be inserted after the word "rights".

Mrs. Burnley (United Republic of Cameroon), Vice-Chairman, took the Chair.

35. Mr. BROAD (United Kingdom) said that the Proclamation of Teheran¹ was concerned basically with the individual and society within the context of the potential dangers of scientific and technological progress. The draft declaration in document A/C.3/L.2144 made no reference to the fundamental rights and freedoms of the individual, except perhaps in operative paragraph 6. The use elsewhere in the text of expressions such as "the economic and social development of peoples", "the intensified exploitation of the working masses" and other generalities seemed to deviate from the immediate focus of concern of the Proclamation of Teheran, which was, quite simply, respect for individual rights and freedoms. The amendments sub-

mitted by the Federal Republic of Germany and the United Kingdom in document A/C.3/L.2160 were intended to remedy that short-coming and restore balance to the text. It could not be accepted that human rights and fundamental freedoms should depend on what Governments might deem expedient in the light of the requirements of their foreign policy.

36. With regard to those amendments, he was pleased that the amendment to the second preambular paragraph had been accepted and that the fourth preambular paragraph had been deleted. The amendment to operative paragraph 1 of the draft declaration proposed that reference should be made to the Charter of the United Nations because the Charter contained generally acceptable definitions which could override any possible interpretations by States. The reason for the amendment to operative paragraph 3 was that, as it stood, that paragraph raised polemical questions, such as what constituted an aggressive war. He welcomed the fact that the amendments proposed to operative paragraph 6 had been taken into account.

37. With regard to the new operative paragraph 2 proposed in document A/C.3/L.2147, he failed to see why the final words "as enshrined in the Universal Declaration of Human Rights" should not be accepted by the sponsors of the draft declaration, despite the Byelorussian representative's explanation that the United States amendment to the eighth preambular paragraph, adding the words "the Universal Declaration of Human Rights" after the words "the Charter of the United Nations", had already been accepted.

38. Mr. DE FARIA (Portugal) said that, for his country, the problem under consideration should be approached from two points of view. On the one hand, in large areas of Portugal the majority of the population lived in conditions of underdevelopment because of the lack of scientific and technological knowledge, while on the other hand, there were sectors of the country in which such knowledge was being used to a certain extent, but basically to the advantage of private capital and for the benefit of a privileged minority. As the Minister for Foreign Affairs of Portugal had said at the 2382nd plenary meeting of the General Assembly, on 9 October 1975, the Portuguese people desired a society which would be gradually freed from all alienated relationships resulting from the concentration of wealth and decision-making power in the hands of a few, namely a society directly committed to the way of socialism. Precisely because socialism could not be divorced from scientific and technical developments, Portugal had a fundamental interest in the proper use of such developments. Moreover, the current situation in Portugal was a direct consequence of a Fascist dictatorship which had used all the means available, including scientific and technological means, to keep the people subjugated. Therefore, the Portuguese were aware of the ease with which such knowledge could be put to improper use.

39. His delegation attached great importance to the draft declaration to the effect that scientific and technological progress should be used for the social and economic development of all sectors of the population (A/C.3/L.2144) and would therefore vote for it, as well as for the amendments submitted by the Philippines and Mexico

¹ See *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No. E.68.XIV.2), p. 3.

(A/C.3/L.2161). Because it was similarly convinced of the importance of protecting the individual, it would also vote for most of the amendments submitted in that connexion, with the exception of one or two which could create an imbalance.

40. Mrs. SALGADO DOS SANTOS (Brazil) said that the humanitarian motives which had prompted the draft declaration in document A/C.3/L.2144 deserved sincere praise, as did the document itself, although the matter could be given more thought and amendments could improve the text. Her delegation whole-heartedly approved of the first preambular paragraph of the draft, which was the core of the matter, since it said that scientific and technological progress had become one of the most important factors in the development of human society. There could be no question about the right of people to lead a life of dignity, with due care for their nutrition, education and so on, a right that must be given consideration before entering into the problems of pollution, stress or beauty of the landscape. As another representative had once said, there was no worse pollution than that of poverty and underdevelopment, and, in order to develop, one had to obtain scientific and technological knowledge. The developing countries could put to good advantage not just the knowledge but also the experience of the industrialized countries, so that previous errors could be avoided.

41. The focus of the problem must always be a positive one, and the most telling arguments were on the side of the benefits to be derived from technical and scientific resources, among which mere survival deserved priority. In the opinion of Brazil, the developing countries must make concerted efforts, with the co-operation of the rest of the world community, to expand their capacity to apply and develop science and technology in order to generate a self-sustaining process of development plans and priorities. The developing countries must have access to advanced technology under equitable conditions, taking into account their specific development requirements and their need to increase production.

42. Her Government believed that science and technology should be applied for the benefit of mankind and not to the detriment of human rights and human dignity. The first obligation of the developing countries was to advance, making proper use of science and technology. It was to be hoped that Brazil and the majority of those countries could in the very near future adjust their priorities to coincide with those of the developed countries, and then give more attention to the possible harmful effects of scientific and technological developments. Nevertheless, emphasis must be on the benefits of science and technology rather than on the dangers, which were less frightening than the dangers of poverty.

43. Her delegation would support a declaration that also took into account the view of the developing world that the intensive and unlimited use of science and technology was an indispensable factor in development.

44. Mr. ALFONSO (Cuba) said that everyone was aware of the importance of science and technology in giving impetus to economic development, particularly that of the developing countries, as well as of its relationship with the

concern that the United Nations should show for the effective implementation of human rights. It was essential to ensure that the broad masses of the people could realize those rights through access to better living conditions. His delegation agreed with the remarks of the United Kingdom representative to the effect that the International Conference on Human Rights held at Teheran in 1968 had dealt basically with the need for individual rights and freedoms to be taken into account by science and technology. However, that concern was in no way at variance with the efforts that the Committee and other bodies had made in other spheres, which served to reinforce the effective enjoyment of those individual rights and freedoms.

45. The draft declaration under consideration did not ignore individual rights and freedoms but strengthened that concept by ensuring that science and technology would be used for the better enjoyment of social and economic rights, which, in turn, could guarantee that individual rights would be made really effective. His delegation was ready to support the draft declaration and welcomed the efforts made by the sponsors in accepting a good many of the amendments submitted; in particular, he welcomed their acceptance of those contained in document A/C.3/L.2161. As to that contained in document A/C.3/L.2147, of which his delegation was a sponsor together with the United Kingdom and the Federal Republic of Germany, he agreed with the United Kingdom delegation that the reference to the Universal Declaration of Human Rights should be maintained. It was his understanding that the concern of the sponsors had been to ensure that other pertinent documents besides the Declaration were not overlooked. Perhaps after the words "Universal Declaration of Human Rights" the following could be added: "and other relevant international instruments in that field".

46. Mr. CHORFI (Morocco) said that all delegations were agreed on the principles and measures required to safeguard the use of scientific and technological progress for the benefit of peace and of mankind. The draft declaration sought to create a balance between scientific and technological developments and the maintenance of peace, international security and respect for fundamental rights and freedoms. His delegation supported the amendment submitted by the Philippines (see A/C.3/L.2161) to the effect that the text should reflect the principle adopted by the General Assembly at its seventh special session that the transfer of science and technology from the developed to the developing countries should be accelerated. Scientific and technological development should, in particular, constantly improve the level of living and the well-being of all strata of the population and of individuals in all nations.

47. He thanked the sponsors of the draft for having accepted the amendment submitted by Morocco (A/C.3/L.2146). His delegation considered the draft declaration a very positive contribution to the implementation of the principles of the Charter, and in the voting he would support all measures designed to improve the text in the sense of strengthening respect for such principles and for rights and freedoms, in particular economic and social rights and freedoms, and the right of peoples and countries to sovereignty and territorial integrity.

48. Mr. VON KYAW (Federal Republic of Germany) recalled that his delegation's basic position on the question

of whether to adopt a draft declaration on the item had been expressed at the 2137th meeting: it believed that the declaration was premature because it could not take into account the numerous studies undertaken by the Secretariat at the request of various organs of the United Nations, including the Third Committee, which were giving rise to specific proposals.

49. He thanked the sponsors of the draft declaration (A/C.3/L.2144) for their efforts to meet some of his objections, expressed in the amendments submitted jointly with Cuba, Italy and the United Kingdom in documents A/C.3/L.2147 and A/C.3/L.2160. However, three very important suggestions had not been accepted. With respect to the amendment in document A/C.3/L.2147, the sponsors seemed to have difficulties with the final reference to the Universal Declaration of Human Rights. Even though there was a similar reference in a preambular paragraph, his delegation believed that, because of the fundamental nature of the document, such a reference should also be included in the operative part of the declaration.

50. With respect to document A/C.3/L.2160, he said that notwithstanding his appreciation of the sponsors' acceptance of the first, second and fifth amendments, he wished to point out that the fundamental changes were those relating to operative paragraphs 1 and 3 of the draft. In its existing form, the text would make the promotion of human rights totally dependent on the observance of the principle of national sovereignty and non-interference in internal affairs. That went further than the delicate balance laid down in Article 2, paragraph 7, of the Charter, which referred to non-intervention in matters which were essentially within the domestic jurisdiction of States, and Article 1, paragraph 3, and Article 55, which established as one of the purposes of the United Nations the achievement of international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all. His delegation did not propose reversing the order of concepts, but would confine itself to suggesting that reference should be made to the relevant provisions of the Charter.

51. There was a similar problem with respect to operative paragraph 3. It exaggerated the concept of sovereignty, affecting the delicate balance established in the Charter. He feared that the same delegations that were attempting to upset that balance in one sense would attempt within a few days, in connexion with another agenda item, to do the same in the opposing sense. His delegation's only desire was to uphold the principles of the Charter that had been accepted by all.

52. Mr. KLOSSON (United States of America) said that his delegation believed that declarations of the type under consideration should reflect the different attitudes and interests of Member States. He thanked the sponsors for their attempt to include new points of view in the draft, but believed that not enough had been done in that sense and that the text, as it stood, still lacked balance: it emphasized the importance of scientific and technological achievements for economic and social development, but did not show a similar concern for the consequences which those same achievements might have for civil and political rights and for individual freedoms.

53. The United States had expressed its point of view in the amendments in document A/C.3/L.2148, designed to achieve a better balance of the interests involved and the concerns expressed in the Proclamation of Teheran. Although some of them had been accepted, two others which were of great importance had not been agreed to by the sponsors. The second amendment proposed the addition of a new preambular paragraph expressing concern that scientific and technological achievements could entail dangers for political rights and freedoms and for human dignity, while the changes proposed in the fifth amendment sought to stress the idea of the protection of broad sectors of the population from an increase in social and economic inequality. The proposed amendments referred to questions that had been studied intensively in the United Nations in connexion with the item under consideration.

54. Mrs. BEN-ITO (Israel) said that it was precisely because, as stated in the first preambular paragraph of the draft declaration, scientific and technological progress had become one of the most important factors in the development of human society, which influenced the everyday life of individuals, groups and nations, that it was necessary to clarify what aspects of that factor should be dealt with in the Committee. She believed that there was an increasing tendency in the General Assembly to deal with every matter everywhere, and it would be a waste of time if different members of delegations had to make the same statements and adopt similar resolutions in different rooms. Science and technology were being discussed in different forums in the United Nations, with respect to outer space, disarmament, the arms race and economic development, among others. Rather than repeating what was being said elsewhere, one specific aspect of science and technology should be dealt with, namely, their effect on human rights. It would therefore be better if, instead of burdening the declaration with irrelevant matters, the Committee were to limit itself to that aspect, which raised enough problems and which had to be coped with on different levels, both legislative and practical.

55. With the swift and spectacular development of science and technology, humanity was faced with the problem of preventing the misuse of new inventions and developments as tools for harming society. Scientists carried the added moral burden created by the possibility that the fruit of their research might be turned into weapons harmful to man and dangerous to society. The dilemma lay in the fact that the criminals of the world, whether individuals, groups or nations, were not hampered by moral issues and freely employed any new sophisticated tool, while those entrusted with fighting crime and protecting people and groups had to restrain themselves so as not to trample on basic human rights in the process. The more respect a country felt for human rights, the more acutely it became aware of that problem.

56. With respect to Israel, there was an ongoing public debate on mass computerization systems which might create a possibility of following every move of the individual. That question was also being studied by other States, and it would be useful to have the results made available to all interested countries. The Israeli Parliament was in the advanced stages of enacting legislation to curb illegal invasion of privacy by tapping telephones and using

other listening devices. On the adoption of that legislation, such invasion would become an offence punishable by law, except where there was authorization for the use of such devices, and it would be strictly supervised and subject to judicial review. With respect to the so-called lie detector, the courts in Israel had repeatedly defended the right of the accused to refuse to be subjected to such a test, which, furthermore, was inadmissible as evidence against the accused.

57. It was necessary to intervene in that field at the international level with a declaration establishing international standards on the premise that human rights had ceased to be the internal affair of Member States and that the international community had the right to intervene in order to protect people everywhere and to safeguard their basic rights. Her delegation therefore believed that the declaration should not be drafted in veiled language and burdened with matters irrelevant to human rights. A declaration which did not express in clear and unequivocal terms respect for the protection of the rights of the individual as such would not be acceptable to her delegation, which supported the suggestion made in the Committee that more thorough work should be done by experts before texts were adopted.

58. With respect to the documents which the Committee had under consideration, Israel would support all amendments aimed at introducing the element of individual human rights into the draft, including the specific mention of the Universal Declaration of Human Rights.

59. Mr. SRINIVASAN (India) said the draft declaration was improved by the amendments which had been introduced. India hoped the Committee would succeed in drawing up a text which could be accepted unanimously and requested the Secretariat to issue a revision of document A/C.3/L.2144 incorporating the amendments accepted by the sponsors, which would facilitate the work of the Committee. He requested postponement of the vote on the draft until the revision was available.

60. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation, which had sponsored the draft declaration in document A/C.3/L.2144, endorsed the views expressed by the representative of India. The sponsors had done all they could to make the draft acceptable to all members of the Committee and had tried to accept most of those amendments submitted which would improve the document. They had thus helped considerably to reconcile all the views in order to give balance to the text and make it quite clear that scientific and technological developments must not be used to the detriment of human rights.

61. Acceptance of the amendments to the second preambular paragraph represented an effort to meet the wishes of delegations which insisted that the text should emphasize human rights and individual freedoms, although the concept of the guarantee of individual rights was already reflected in the third and fifth preambular paragraphs and in certain operative paragraphs.

62. As to the amendment contained in document A/C.3/L.2147, the sponsors had difficulty in accepting a reference to the Universal Declaration of Human Rights in the draft

declaration, not because it was irrelevant, but because it was just one of the many relevant documents setting forth the various human rights. However, he felt that, although he had not been able to consult the other sponsors, some kind of acceptable compromise could be reached.

63. In connexion with some of the amendments contained in document A/C.3/L.2148, the representative of the Byelorussian SSR had already indicated the view of the sponsors that adoption of those amendments would entail a repetition of some of the contents of the draft. The sponsors had also been unable to accept two of the amendments in document A/C.3/L.2160. He was referring to the third of those amendments: that all of the text following the words "human rights and freedoms" in operative paragraph 1 should be replaced by the words "in accordance with the Charter of the United Nations". The words whose deletion was requested were from the Charter, and the sponsors felt that replacing them by a simple reference to the Charter would be inadequate for the purposes of the declaration. The words "in accordance with the Charter of the United Nations" could be included at the end of operative paragraph 1. The delegation of the Byelorussian SSR had already explained why the sponsors were not able to accept the amendment in document A/C.3/L.2160 relating to operative paragraph 3: the amendment would weaken the text and make it more vague. He therefore requested the representatives of the United Kingdom, the Federal Republic of Germany and Italy not to insist on those amendments. The sponsors had been happy to accept the amendments contained in document A/C.3/L.2161. They would greatly enhance the text because they introduced new elements of interest to the developing countries.

64. To facilitate consideration of the draft declaration the sponsors agreed to the circulation of a revised version of document A/C.3/L.2144 incorporating all the amendments accepted. He said that more accuracy would be required in the translation into English, and he called upon the Secretariat to ensure proper checking of the various language versions.

65. Mr. VON KYAW (Federal Republic of Germany) said that he could not agree with the Soviet Union's proposal to add to operative paragraph 1, as a compromise solution, the words "in accordance with the Charter of the United Nations", because the only purpose which that would serve would be reaffirmation of the relationship between respect for human rights and non-interference in internal affairs, a relationship which would thus be further sanctioned by the moral authority of the Charter of the United Nations.

66. Mr. TUROT (France) drew attention to the draft decision (A/C.3/L.2162), of which his delegation was a sponsor, in accordance with which, on the recommendation of the Third Committee, the General Assembly, taking note of the work begun by the Commission on Human Rights in the field, would decide to include in the provisional agenda of the thirty-first session the item "Human rights and scientific and technological developments" as a priority item. That would allow sufficient time to study the excellent work already done on the subject and other work which was under way. It was not a draft resolution but a draft decision, which followed logically on General Assem-

bly resolution 3268 (XXIX), and the sponsors hoped that it would be put to the vote irrespective of the action taken on the draft declaration in document A/C.3/L.2144.

67. Mr. SMIRNOV (Union of Soviet Socialist Republics) said, in reply to the representative of the Federal Republic of Germany, that he had not suggested including the words "in accordance with the Charter of the United Nations" in operative paragraph 1 of the draft declaration, but had simply indicated that the inclusion of those words could perhaps be given consideration. As to the statement by the representative of France, he welcomed the clarification that

the text in document A/C.3/L.2162 was a draft decision of a technical nature without any direct implications for the draft declaration in document A/C.3/L.2144. He suggested, however, that it might be amended to include a reference to General Assembly resolution 3268 (XXIX), which would read: "The General Assembly on the recommendation of the Third Committee, recalling its resolution 3268 (XXIX), and taking note of the work begun by the Commission on Human Rights . . ."

The meeting rose at 1.10 p.m.

2140th meeting

Friday, 24 October 1975, at 3 p.m.

Chairman: Mr. Ladislav ŠMÍD (Czechoslovakia).

A/C.3/SR.2140

AGENDA ITEM 69

Human rights and scientific and technological developments: reports of the Secretary-General (*continued*) (A/10146, A/10162, A/10226 and Add.1 and 2, A/C.3/L.2144, 2146-2148, 2160-2162)

1. The CHAIRMAN said that, at the 2141st meeting, the sponsors of the draft declaration in document A/C.3/L.2144 would submit a revised text which would reflect the various amendments and suggestions made during the debate. He therefore suggested that, in the meantime, the Committee should consider agenda item 78. If he heard no objection, he would take it that the Committee decided to accept that suggestion.

It was so decided.

AGENDA ITEM 78

Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa (A/10262, A/C.3/L.2163)

2. Mr. SCHREIBER (Director, Division of Human Rights), introducing agenda item 78, drew to the attention of the members of the Committee the note by the Secretary-General (A/10262) giving background information on the item and recalled that it had been placed on the provisional agenda of the thirtieth session of the General Assembly as a result of Economic and Social Council resolution 1864 (LVI) of 17 May 1974. That question had first been considered in 1972 at the twenty-fifth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which had, in its resolution 6 (XXV),¹ requested the Secretary-General, with a view to permitting the consideration of all aspects of the question, to prepare, in co-operation with relevant United Nations bodies and

other interested organizations and on the basis of United Nations documents, a survey presenting data on political assistance and support given to the racist and colonial régimes of southern Africa, economic aid—in particular through direct and indirect investments of foreign capital—military aid, details of the labour practices of foreign-owned or foreign-controlled firms in those countries and territories, trade in arms, and data on other relations which helped to strengthen those régimes. At its twenty-sixth session, 1973, the Sub-Commission had had before it the report by the Secretary-General² prepared in pursuance of that resolution. In its resolution 3 (XXVI)³ the Sub-Commission had recommended that a special rapporteur should be appointed to evaluate the adverse consequences for the enjoyment of human rights of assistance, in particular through investments of foreign capital and military aid, given to the racist régimes in southern Africa, and had requested the Secretary-General to bring his report up to date. In 1974, at its twenty-seventh session, the Sub-Commission had had before it a comprehensive, updated survey.⁴ At the same session, having been so authorized by the Commission on Human Rights by its resolution 3 (XXX),⁵ the Sub-Commission, by its resolution 2 (XXVII),⁶ had appointed Mr. Ahmed Khalifa as the Special Rapporteur. The Special Rapporteur had presented his preliminary report⁷ to the Sub-Commission at its twenty-eighth session in August 1975, and had been requested to continue his work and to present it in final form at its twenty-ninth session. That study would deal with the relationship between human rights and the assistance given to the colonial and racist régimes and would involve visits to several African countries.

² E/CN.4/Sub.2/336 and Corr.1 and Add.1.

³ See E/CN.4/1128, part B.

⁴ E/CN.4/Sub.2/348.

⁵ See *Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5*, chap. XIX.

⁶ See E/CN.4/1160, chap. XIX.

⁷ E/CN.4/Sub.2/L.624.

¹ See E/CN.4/1101, chap. XIV.