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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Third Committee

Rapporteur: Mr. Paul-Désiré KABORE (Burkina Faso)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1985, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fortieth session the item entitled "Human rights and scientific and technological developments" and to allocate it to the Third Committee.
2. The Third Committee considered the item jointly with items 101, 103, 104 and 144 at its 46th to 48th, 50th to 53rd, 58th and 60th meetings on 19 to 22, 25 and 29 November and 2 December 1985. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/40/SR.46-48, 50-53, 58 and 60).
3. The Committee had before it the following documentation:
  - (a) Report of the Economic and Social Council, chapter V, section A (A/40/3); 1/
  - (b) Human rights and scientific and technological developments: report of the Secretary-General (A/40/493 and Add.1 and 2).
4. At the 46th meeting, on 19 November, the Assistant Secretary-General for Human Rights made an introductory statement.

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1/ To be issued as Official Records of the General Assembly, Fortieth Session, Supplement No. 3 (A/40/3/Rev.1).

## II. CONSIDERATION OF DRAFT RESOLUTIONS

### A. Draft resolution A/C.3/40/L.62

5. At the 58th meeting, on 29 November, the representative of the United Kingdom of Great Britain and Northern Ireland introduced a draft resolution (A/C.3/40/L.62) entitled "Implications of scientific and technological developments of human rights", sponsored by Bolivia, Colombia, Costa Rica, Fiji, the Ivory Coast (Côte d'Ivoire), Jamaica, Morocco, the Netherlands, Norway, Samoa, Sweden and the United Kingdom of Great Britain and Northern Ireland as well as Italy, as original sponsor and Honduras and Singapore. The representative of the United Kingdom orally corrected the title to read "Implications of scientific and technological developments for human rights".

6. At its 60th meeting, on 2 December, the Committee adopted the draft resolution, as orally corrected, without a vote (see para. 11, draft resolution I).

### B. Draft resolution A/C.3/40/L.65

7. At the 58th meeting, on 29 November, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.3/40/L.65) entitled "Human rights and use of scientific and technological developments", sponsored by Afghanistan, Angola, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, the German Democratic Republic, Hungary, India, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mali, Mongolia, Mozambique, Nicaragua, Nigeria, Poland, Romania, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Viet Nam as well as Guinea-Bissau and Zambia.

8. At its 60th meeting, on 2 December, the Committee adopted the draft resolution by a recorded vote of 109 to 6, with 19 abstentions (see para. 11, draft resolution II). The voting was as follows: 2/

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon,

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2/ The representative of the Gambia indicated that, had his delegation been present during the voting, it would have voted in favour of the draft resolution.

Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Canada, France, Germany, Federal Republic of, Italy, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Belgium, Chile, Denmark, Finland, Iceland, Ireland, Israel, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey.

C. Draft resolution A/C.3/40/L.69

9. At the 58th meeting, on 29 November, the representative of the Byelorussian Soviet Socialist Republic introduced a draft resolution (A/C.3/40/L.69) entitled "Human rights and scientific and technological developments", sponsored by Afghanistan, Algeria, Angola, Argentina, Bangladesh, Bolivia, Bulgaria, Burkina Faso, the Byelorussian Soviet Socialist Republic, Cameroon, Cuba, Cyprus, Democratic Yemen, the Dominican Republic, the German Democratic Republic, Guinea-Bissau, Hungary, the Ivory Coast (Côte d'Ivoire), the Lao People's Democratic Republic, Madagascar, Mali, Mauritania, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Poland, Romania, Sierra Leone, the Syrian Arab Republic, Viet Nam and Zambia as well as Czechoslovakia, as original sponsor, subsequently joined by Benin.

10. At its 60th meeting, on 2 December, the Committee adopted the draft resolution by a recorded vote of 113 to none, with 23 abstentions (see para. 11, draft resolution III). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab

Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

### III. RECOMMENDATIONS

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

#### DRAFT RESOLUTION I

##### Implications of scientific and technological developments for human rights

##### The General Assembly,

Recalling its resolution 33/53 of 14 December 1978, in which it requested the Commission on Human Rights to urge the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake, as a matter of priority, a study of the question of the protection of those detained on the grounds of mental ill-health, with a view to formulating guidelines,

Recalling also its resolution 39/132 of 14 December 1984, in which it urged the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to expedite their consideration of this question, so that the Commission could submit its views and recommendations, including a draft body of guidelines, principles and guarantees, to the General Assembly at its forty-first session through the Economic and Social Council,

Recalling further Economic and Social Council resolution 1984/33 and decision 1984/142 of 24 May 1984,

Noting with concern that the Commission on Human Rights will not be in a position to submit its views and recommendations to the General Assembly at its forty-first session through the Economic and Social Council because the Sub-Commission on Prevention of Discrimination and Protection of Minorities has still not concluded its consideration of the draft body of guidelines, principles and guarantees,

Reaffirming its conviction that detention of persons in mental institutions on account of their political views or on other non-medical grounds is a violation of their human rights,

Again urges the Commission on Human Rights and, through it, the Sub-Commission on Prevention of Discrimination and Protection of Minorities to expedite their consideration of the draft body of guidelines, principles and guarantees, so that the Commission can submit its views and recommendations, including a draft body of guidelines, principles and guarantees, to the General Assembly at its forty-second session, through the Economic and Social Council.

#### DRAFT RESOLUTION II

##### Human rights and use of scientific and technological developments

The General Assembly,

Reaffirming the determination of the peoples of the United Nations to save succeeding generations from the scourge of war, to reaffirm faith in the dignity and worth of the human person, to maintain international peace and security and to develop friendly relations among peoples and international co-operation in promoting and encouraging universal respect for human rights and fundamental freedoms,

Recalling the relevant provisions of the Universal Declaration of Human Rights, 3/ the International Covenant on Economic, Social and Cultural Rights 4/ and the International Covenant on Civil and Political Rights, 4/

Recalling also the Charter of Economic Rights and Duties of States 5/ and the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 6/

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3/ Resolution 217 A (III).

4/ Resolution 2200 A (XXI), annex.

5/ Resolution 3281 (XXIX).

6/ Resolutions 3201 (S-VI) and 3202 (S-VI).

Recalling further the Declaration on the Strengthening of International Security, 7/ the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, 8/ the Declaration on the Preparation of Societies for Life in Peace, 9/ the Declaration on the Prevention of Nuclear Catastrophe 10/ and the Declaration on the Right of Peoples to Peace, 11/ as well as General Assembly resolutions 36/92 I of 9 December 1981 on the non-use of nuclear weapons and prevention of nuclear war, and 37/100 C of 13 December 1982 and 38/73 G of 15 December 1983 on a convention on the prohibition of the use of nuclear weapons,

Bearing in mind that, in its resolution 38/75 of 15 December 1983, the General Assembly resolutely, unconditionally and for all time condemned nuclear war as being contrary to human conscience and reason, as the most monstrous crime against peoples and as a violation of the foremost human right - the right to life,

Recalling its appeal for the conclusion of an international convention on the prohibition of the use of nuclear weapons with the participation of all the nuclear-weapon States,

Taking note with appreciation of Commission on Human Rights resolutions 1982/7 of 19 February 1982, 12/ 1983/43 of 9 March 1983 13/ and 1984/28 of 12 March 1984, 14/

Reaffirming the inherent right to life,

Profoundly concerned that international peace and security continue to be threatened by the arms race in all its aspects, particularly the nuclear arms race, as well as by violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and the self-determination of peoples,

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7/ Resolution 2734 (XXV).

8/ Resolution 3384 (XXX).

9/ Resolution 33/73.

10/ Resolution 36/100.

11/ Resolution 39/11.

12/ See Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.

13/ Ibid., 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap XXVII, sect. A.

14/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

Aware that all the horrors of past wars and all other calamities that have befallen people would pale in comparison with what is inherent in the use of nuclear weapons capable of destroying civilization on Earth,

Noting the pressing need for urgent measures towards general and complete disarmament, particularly nuclear disarmament, for the sake of life on Earth,

Bearing in mind that, in accordance with the International Covenant on Civil and Political Rights, any propaganda for war shall be prohibited by law,

Recalling the historic responsibility of the Governments of all countries of the world to remove the threat of war from the lives of people, to preserve civilization and to ensure that everyone enjoys his inherent right to life,

Recognizing that the fortieth anniversary of the United Nations - established at the conclusion of the Second World War, which had brought untold sorrow to mankind - should serve to promote the right to life,

Convinced that for no people in the world today is there a more important question than that of the preservation of peace and of ensuring the cardinal right of every human being, namely, the right to life,

1. Reaffirms that all peoples and all individuals have an inherent right to life and that the safeguarding of this cardinal right is an essential condition for the enjoyment of the entire range of economic, social and cultural, as well as civil and political, rights;

2. Stresses once again the urgent need for the international community to make every effort to strengthen peace, remove the growing threat of war, particularly nuclear war, halt the arms race and achieve general and complete disarmament under effective international control and prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and the self-determination of peoples, thus contributing to ensuring the right to life;

3. Stresses further the foremost importance of the implementation of practical measures of disarmament for releasing substantial additional resources, which should be utilized for social and economic development, particularly for the benefit of the developing countries;

4. Calls upon all States to do their utmost to assist in implementing the right to life through the adoption of appropriate measures at both the national and the international level;

5. Calls upon all States, appropriate organs of the United Nations, specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress are used exclusively in the interests of international peace, for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

6. Again calls upon all States that have not yet done so to take effective measures with a view to prohibiting any propaganda for war, in particular the formulation, propounding and dissemination of propaganda for doctrines and concepts aimed at unleashing nuclear war;

7. Looks forward to further efforts by the Commission on Human Rights with a view to ensuring the inherent right of all peoples and all individuals to life;

8. Decides to consider this question at its forty-first session under the item entitled "Human rights and scientific and technological developments".

### DRAFT RESOLUTION III

#### Human rights and scientific and technological developments

##### The General Assembly,

Noting that scientific and technological progress is one of the important factors in the development of human society,

Recalling that the year 1985 marks the tenth anniversary 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 the implementation of the said Declaration will contribute to the strengthening of international peace and the security of peoples and to their economic and social development, as well as to international co-operation in the field of human rights,

Bearing in mind the relevant provisions of the Declaration on Social Progress and Development, 15/

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

Convinced that in the era of modern scientific and technological progress the resources of mankind and the activities of scientists should be used for the peaceful economic, social and cultural development of countries and for improving the living standards of all people,

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,

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15/ Resolution 2542 (XXIV).



Bearing in mind that the exchange and transfer of scientific and technological knowledge is one of the important ways to accelerate the social and economic development of the developing countries,

Noting with satisfaction the report of the Secretary-General on human rights and scientific and technological developments, 16/

1. Stresses the importance of the implementation by all States of 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;
2. Calls upon all States to make every effort to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress;
3. Requests the specialized agencies and other organizations of the United Nations system to take into account in their programmes and activities the provisions of the Declaration;
4. Invites those Member States, specialized agencies and other organizations of the United Nations system that have not yet done so to submit their information pursuant to General Assembly resolution 35/130 A of 11 December 1980;
5. Requests the Commission on Human Rights to continue to give special attention, in its consideration of the item entitled "Human rights and scientific and technological developments", to the question of the implementation of the provisions of the Declaration;
6. Invites the Commission on Human Rights to take appropriate measures to assist the Sub-Commission on Prevention of Discrimination and Protection of Minorities in preparing the study requested in its resolutions 1982/4 of 19 February 1982 17/ and 1984/29 of 12 March 1984; 18/
7. Decides to include in the provisional agenda of its forty-first session the item entitled "Human rights and scientific and technological developments".

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16/ A/40/493 and Add.1 and 2.

17/ See Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.

18/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.