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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Third Committee

Rapporteur: Mrs. Ani SANTHOSO (Indonesia)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 18 September 1987, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Human rights and scientific and technological developments: report of the Secretary-General" and to allocate it to the Third Committee.
2. The Third Committee considered the item jointly with items 98, 100, 101, 102, 106 and 107 at its 39th to 41st, 43rd, 46th and 51st to 53rd meetings, from 9 to 18 and 18 to 20 November 1987. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/42/SR.39-41, 43, 46 and 51-53).
3. For its consideration of the item, the Committee had before it:
 - (a) Report of the Economic and Social Council, chapter V, section A (A/42/3), 1/
 - (b) Human rights and scientific and technological developments: report of the Secretary-General (A/42/392 and Add.1 and 2).
4. At the 39th meeting, on 9 November, the Under-Secretary-General for Human Rights made an introductory statement.

1/ To be issued as Official Records of the General Assembly, Forty-second Session, Supplement No. 3 (A/42/3).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/42/L.53

5. At the 51st meeting, on 18 November, the representative of the United Kingdom of Great Britain and Northern Ireland introduced a draft resolution (A/C.3/42/L.53) entitled "Implications of scientific and technological developments for human rights", on behalf of Bolivia, Colombia, Costa Rica, Côte d'Ivoire, Fiji, Italy, Morocco, the Netherlands, Norway, Samoa, Singapore, Sweden and the United Kingdom of Great Britain and Northern Ireland.

6. At its 53rd meeting, on 20 November, the Committee adopted draft resolution A/C.3/42/L.53 without a vote (see para. 13, draft resolution I).

B. Draft resolution A/C.3/42/L.58

7. At the 52nd meeting, on 19 November, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.3/42/L.58) entitled "Human rights and use of scientific and technological developments", sponsored by Afghanistan, Angola, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, the German Democratic Republic, Hungary, Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mongolia, Nicaragua, Nigeria, Poland, Romania, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Viet Nam.

8. At its 53rd meeting, on 20 November, the Committee adopted draft resolution A/C.3/42/L.58 by a recorded vote of 103 to 10, with 15 abstentions (see para. 13, draft resolution II). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahamas, 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, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, German Democratic Republic, Grenada, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, France, Germany, Federal Republic of, Israel, Italy, Netherlands, Papua New Guinea, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Denmark, Finland, Greece, Iceland, Ireland, Japan, Luxembourg, New Zealand, Norway, Spain, Sweden, Turkey.

9. After the adoption of the draft resolution, statements were made by the representatives of Sweden and Japan (see A/C.3/42/SR.54).

C. Draft resolution A/C.3/42/L.59

10. At the 52nd meeting, the representative of the Byelorussian Soviet Socialist Republic introduced a draft resolution (A/C.3/42/L.59) entitled "Human rights and scientific and technological developments", sponsored by Afghanistan, Algeria, Angola, Argentina, Bangladesh, Benin, Bolivia, Bulgaria, Burkina Faso, the Byelorussian Soviet Socialist Republic, Cameroon, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Mali, Mongolia, Morocco, Nepal, Nicaragua, Nigeria, Panama, Peru, Poland, Romania, Sierra Leone, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Viet Nam and Zambia.

11. At its 53rd meeting, the Committee adopted draft resolution A/C.3/42/L.59 by a recorded vote of 108 to none, with 25 abstentions (see para. 13, draft resolution III). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahamas, 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, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, German Democratic Republic, Grenada, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, 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.

Against: None.

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

12. After the adoption of the draft resolution, the representative of Japan made a statement (see A/C.3/42/SR.54).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

13. 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,

Mindful of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment, 2/

Recalling also its resolution 41/114 of 4 December 1986, in which it again urged the Commission on Human Rights and the Sub-Commission 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-third session, through the Economic and Social Council,

Reaffirming Commission on Human Rights resolution 1986/12 of 10 March 1986,

2/ Resolution 37/194, annex.

Taking note of Sub-Commission resolution 1987/22 of 3 September 1987,

Expressing deep concern at the repeated evidence of the misuse of psychiatry to detain persons on non-medical grounds, as reflected in the report of the Special Rapporteur of the Sub-Commission, 3/

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,

Noting that, because the Working Group of the Sub-Commission has made only limited progress so far, the Sub-Commission is still far from concluding its consideration of the draft body of guidelines, principles and guarantees,

1. 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-fourth session, through the Economic and Social Council;

2. Invites the Commission on Human Rights at its forty-fourth session to consider the question of the emphasis to be attached to the Working Group, in the light of the Sub-Commission's discussion at its thirty-ninth session.

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, 4/ the International Covenant on Economic, Social and Cultural Rights 5/ and the International Covenant on Civil and Political Rights, 5/

3/ E/CN.4/Sub.2/1983/17.

4/ Resolution 217 A (III).

5/ See resolution 2200 A (XXI), annex.

Recalling further the Declaration on the Strengthening of International Security, 6/ the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, 7/ and the Declaration on the Right of Peoples to Peace, 8/ as well as other relevant resolutions and decisions of the United Nations,

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 resolutions 37/189 A of 18 December 1982, 38/113 of 16 December 1983, 39/134 of 14 December 1984, 40/111 of 13 December 1985 and 41/113 of 4 December 1986,

Taking note with appreciation of Commission on Human Rights resolutions 1982/7 of 19 February 1982, 9/ 1983/43 of 9 March 1983, 10/ 1984/28 of 12 March 1984, 11/ 1986/10 of 10 March 1986 12/ and 1986/29 of 11 March 1986, 12/

Conscious that the widening availability of technology and scientific and technical advances, bringing new possibilities for peaceful and productive enterprise, open new perspectives for the progress of civilization and provide increasing opportunities to better the conditions of life of peoples and nations, but at the same time, present new dangers, if used for the creation of new types of deadly weapons, which already are able to transform an armed conflict from human tragedy to human annihilation,

Conscious that, while it is only the creative genius of man that makes progress and the development of civilization possible in a peaceful environment, human life must be recognized as supreme,

6/ Resolution 2734 (XXV).

7/ Resolution 3384 (XXX).

8/ Resolution 39/11, annex.

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

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

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

12/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

Convinced that all the rights and freedoms, as well as all the material goods and spiritual wealth that both man and nations possess, have a common foundation - the right to life, freedom, peace and aspiration for happiness,

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 to bring an end to the waste of valuable resources and to streamline them to fight economic backwardness and poverty and to accelerate social and economic progress, particularly for the benefit of developing countries;

4. Calls upon all States, appropriate United Nations organs, specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress, the material and intellectual potential of mankind, are used to solve global problems 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;

5. Stresses that a world without nuclear weapons and violence would open vast opportunities for the joint efforts of all nations aimed at solving urgent humanitarian problems and at co-operating in the areas of science, education, medicine, arts and others, thus guaranteeing the necessary conditions for the harmonious development of the individual;

6. Again calls upon all States that have not yet done so to take effective measures with a view to prohibiting, in accordance with the International Covenant on Civil and Political Rights, any propaganda for war, in particular the formulation, propounding and dissemination of any 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 ensure the inherent right of all peoples and all individuals to life;

8. Decides to consider this question at its forty-third 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 science and technological progress is one of the decisive factors in the development of human society,

Recalling once again 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 the implementation of the Declaration will contribute to the strengthening of international peace and 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, 13/

Realizing that the science and technology of our times create possibilities for providing an abundance of wealth on Earth and establishing material conditions for the prosperity of society as well as the all-round development of every person,

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

Emphasizing the growing importance of intellectual work, of interaction between science, technology and society and the humanistic, moral and ethical orientation of science and of scientific and technological progress,

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 the improvement of 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,

13/ 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, 14/

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 and to put an end to the use of these achievements for military purposes;

3. Also calls upon States to take all necessary measures in order that all the achievements of science and technology be placed at the service of mankind and do not lead to the degradation of the natural environment;

4. 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;

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 and to assist the Sub-Commission on Prevention of Discrimination and Protection of Minorities in preparing the study requested by the Commission in its resolutions 1982/4 of 19 February 1982, 9/ 1984/29 of 12 March 1984 11/ and 1986/11 of 10 March 1986; 12/

7. Decides to include in the provisional agenda of its forty-third session the item entitled "Human rights and scientific and technological developments".
