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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Secretary-General

Addendum

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REPLIES FROM GOVERNMENTS

AUSTRIA

[Original: English]

[19 July 1982]

1. In its article 1, the Austrian Law on the Protection of Data contains a constitutionally guaranteed right to the protection of data. According to this provision, every person has the right that his personal data are kept secret as far as his or her legitimate interests are concerned, especially with regard to private and family life.
2. If those data are processed automatically, every person has also the right to receive information on the source of those data, on the person or organization that ascertains or processes them, on the nature and content of those data and their use.
3. In addition, there is a right to the rectification of false data and a right to have data which were unlawfully ascertained or unlawfully processed, eliminated from the records.
4. All those rights can be subjected to restrictions only when it is necessary to protect the legitimate interests of others, or pursuant to laws which in turn must meet the requirements laid down in paragraph 2 of article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.
5. The secrecy of communications is also a constitutionally guaranteed right. It is protected by the relevant provisions of the Austrian Penal Code.
6. Articles 180 to 183 of the Austrian Penal Code also prohibit the pollution of bodies of water and the air and the endangering of flora and fauna.
7. In addition, the environment as well as the general public are also protected by the provisions against creating a public danger, especially by nuclear energy or ionizing rays (arts. 171, 172, 176 and 177 of the Penal Code).
8. Article 67 of the Austrian Code on the Execution of Sentences prohibits the carrying out of medical experiments on detained persons, even in cases where those persons might give their consent.

IRAN

[Original: English]

[28 July 1982]

1. We certainly respect resolutions which speak of guaranteeing human rights, and we think that science and technology may be used for the betterment of the lives of people in the world, but we reject the sorts of science and technology that dominate our world, and we condemn the present imbalance in industry and technology and the power blocs that exist in our world today. We invite the peoples of the world to combat those inequalities and discriminations.
2. We believe that in order to prevent a third world war and to guarantee world peace, the peoples of the world should unite in finding common ways and common solutions. International organizations and institutions should follow the wishes and aspirations of the people of the world and take speedy steps in that direction.
3. We request the United Nations to declare categorically its position and attitude towards those countries that exploit mankind's science and technology for suppressing and oppressing the people of the world.
4. We request the United Nations to take decisive action in the interest of countries that remain backward or "undeveloped" in spite of possessing vast lands and rich natural resources and raw materials.
5. We request the abolition of all "agreements" or contracts imposed by colonialist Powers on the Governments of the third world which only serve the purpose of plundering the third world's raw materials, especially oil, and help increase their appetite for power and domination.

LIBERIA

[Original: English]

[8 June 1982]

As a developing country, all scientific and technological progress made by Liberia is geared towards the direct development of the living standard of the people of this country. All scientific research conducted is exclusively directed towards the improvement of the welfare of the people.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[26 July 1982]

1. Basing its foreign policy on the Leninist principles of peaceful coexistence, the Ukrainian Soviet Socialist Republic has consistently supported the use of the results of scientific and technological progress for the purposes of strengthening international peace and the security of mankind, ensuring respect for human rights and freedoms and securing the freedom, independence and economic and social development of peoples.
2. The Ukrainian SSR has joined in sponsoring a number of resolutions of the United Nations and other international organizations calling for action to prevent the threat of nuclear war, eliminate all types of weapons of mass destruction, halt the arms race, strengthen international security and develop mutually advantageous co-operation among States in solving such important scientific and technological problems as the conquest of space and the world's oceans, the rational use of energy and other natural resources and the protection of the environment.
3. The Republic is taking an active part in all aspects of the implementation of the socialist countries' programme of economic integration, including the application of the latest achievements of science and technology. Such co-operation is designed to accelerate scientific and technological progress in the countries of the socialist community, to develop industry and agriculture and to increase labour productivity and will therefore ultimately lead to the enhancement of their peoples' welfare and the creation of more substantial guarantees for the enjoyment of human rights in the socialist countries.
4. Serious attention is given in the Ukrainian SSR to the development of scientific and technological co-operation with the developing countries. The Ukrainian SSR provides such States with aid in establishing their own industrial base, developing agriculture and identifying and processing their natural resources. The Republic is making a substantial contribution to the training of national staff for the developing countries.
5. The Ukrainian SSR also participates in the exchange of scientific and technological experience and the transfer of technology within the framework of the United Nations. In particular, the Republic regularly hosts two United Nations seminars on technological problems each year. The Republic participates in the work of the Economic Commission for Europe and its principal and subsidiary organs. As a member of the governing bodies of the United Nations Environment Programme and the United Nations Industrial Development Organization, the Ukrainian SSR actively promotes the implementation of United Nations measures on the protection of the environment and contributes to the industrialization of the developing countries.

6. The reciprocal relationship between scientific and technological progress and the legal status of the individual is directly reflected in the Constitution of the Ukrainian SSR and other regulatory instruments. Article 15 of the Constitution reads: "The supreme goal of social production under socialism is the fullest possible satisfaction of the people's growing material and intellectual requirements." In this article, provision is made for the attainment of this goal by increasing the efficiency of production and by utilizing the results of scientific and technological progress.

7. Under the Constitution, the State is responsible for utilizing the results of scientific and technological progress for the purpose of extending workers' rights and enhancing the people's welfare. Article 21 provides that the State shall concern itself with improving working conditions and safety, with the scientific organization of work and with reducing and ultimately eliminating all arduous physical labour through comprehensive mechanization and automation in all branches of the economy. There is an active compliance with this provision of the Fundamental Law of the Republic. Between 1976 and 1980, more than 300,000 persons changed over from manual to mechanized and automated work.

8. Scientific and technological progress is bringing about changes in the content of human rights, particularly the right to work. As a result of the incorporation of the achievements of science and technology into the economy, the difference between the remuneration of workers and that of peasants is gradually being eliminated.

9. This is being made possible by the unbroken advance towards equal working conditions for both categories and the steady transformation of agricultural work into a variety of industrial work (Constitution of the Ukrainian SSR, art. 22).

10. As a result of scientific and technological progress, the very nature of work is also being changed. Workers are being transformed from mere executants into operators of complex technological processes and machines. This cannot be done without strengthening and expanding the educational system. Every citizen of the Republic is entitled to education (Constitution of the Ukrainian SSR, art. 43).

11. This right is ensured by the free provision of all forms of education; the institution of universal, compulsory secondary education; the broad development of vocational, specialized secondary and higher education in which instruction is oriented towards practical activity and production; the development of correspondence and evening courses; the provision of State scholarships and grants and privileges for students; the free issue of school textbooks; the opportunity to attend a school where teaching is in the native language; and the provision of facilities for self-education.

12. The total number of persons undergoing education in the Ukrainian SSR is 18 million. More than 880,000 students are studying at the 10 universities and 137 institutes in the Republic. It is planned to train 1.9 million specialists at these establishments by 1985.

13. Scientific and technological progress is making great demands on the skills of workers and engineering and technical personnel. In this connection, great attention is being paid in the Republic to vocational training and to improving the qualifications of existing workers. The Ukrainian SSR now has an extensive network of vocational and technical colleges.
14. Scientific and technological progress is impossible without the widespread utilization of scientific research and innovation in production. The development of science constitutes the very basis of scientific and technological progress. In the conditions prevailing under mature socialism, science is assigned a most important role as a direct productive force. In the Ukrainian SSR, conditions have been created for the speediest possible introduction of the results of scientific and technological progress into production and for their utilization for the benefit of the whole people.
15. The scientific potential of the Republic has increased substantially. The role of science in the economy has also increased, as evidenced by the closer integration of science with production and by the expansion of research activities and their beneficial effects on all aspects of life.
16. The geographical distribution of scientific institutes has been significantly extended. Scientific research institutes and drawing and designing organizations now exist in every regional centre of the Republic.
17. The experimental basis of science is being systematically expanded and this is of great help in promoting a very rapid assimilation of the results of scientific research. The efforts of the many scientific collectives are being directed towards solving the most important scientific and technological problems facing the Republic.
18. During the period 1976-1980, the country achieved a 90 per cent growth in national income and labour savings equivalent to the work of nearly 3 million people.
19. The workers of the Ukrainian SSR take an active part in accelerating scientific and technological progress. In accordance with article 45 of the Constitution, citizens of the Republic are guaranteed freedom of scientific, technical and artistic work. This freedom is ensured by broadening scientific research and encouraging invention and innovation. The State provides the necessary material conditions for this and support for voluntary societies and unions of workers; it also organizes the introduction of inventions and innovations into production and other spheres of activity. The rights of authors, inventors and innovators are protected by the State.
20. This policy of the State stimulates the creative activity of the masses and is conducive to wider involvement of workers in the implementation of the economic programme.
21. The State's social programme is being implemented on the sound foundations provided by the economy's dynamic growth and increasing efficiency.

22. The growth of the Republic's economic potential and the utilization of the results of scientific and technological progress are contributing to the fuller satisfaction of the needs and the greater well-being of the population and constitute a material guarantee for the enjoyment of human rights.

23. An example of this is furnished by the fact that, in the Ukrainian SSR, unemployment was eliminated over 50 years ago. Under article 38 of the Republic's Constitution, citizens have the right to guaranteed employment and pay in accordance with the quantity and quality of their work and not below the State-established minimum. This includes the right to choose their trade or profession, type of job and work in accordance with their inclinations, abilities, training and education.

24. The Constitution not only proclaims the right to work, it also states that this right is ensured by the socialist economic system, the steady growth of the productive forces, free vocational and professional training, the improvement of skills, training in new trades or professions, and the development of vocational guidance and job placement systems.

25. The Ukrainian SSR has a social security system. The right to social security is guaranteed through the social insurance of workers; allowances for temporary disability; the provision from State or collective-farm funds of retirement pensions, disability pensions and pensions for loss of the bread-winner; the provision of employment for the partially disabled; and other forms of social security (Constitution of the Ukrainian SSR, art. 41).

26. The State consistently concerns itself with the protection of citizens' health and the prevention of diseases. The right to health protection is secured in article 40 of the Constitution of the Ukrainian SSR and is ensured by free, qualified medical care provided by State health institutions; extension of the network of therapeutic and health-building institutions; the development and improvement of safety and hygiene in industry and the execution of extensive prophylactic measures; measures to improve the environment; special care for the health of the coming generation, including the prohibition of child labour, other than than the work done by children as part of the school curriculum; and the development of research aimed at preventing disease, reducing its incidence and ensuring citizens a long and active life.

27. Use is made in medical practice of the methods for diagnosing, preventing and treating diseases and the medicines permitted by Law (Act of the Ukrainian SSR on Health Care, art. 53). Complicated methods of diagnosis and surgical operations to which the patient has not consented are resorted to only in exceptional circumstances, when delay in making the diagnosis or carrying out the operation would endanger the patient's life and it is not possible to obtain his consent.

28. Pursuant to article 21 of the Act of the Ukrainian SSR on Health Care, medical workers who fail to comply with their professional obligations are liable to the disciplinary measures provided for by law. Should such a breach entail moderate or severe injury or death of the patient, criminal proceedings are brought against the guilty party (Criminal Code of the Ukrainian SSR, arts. 98 and 105).

29. Among the measures designed to prevent any potentially damaging consequences of scientific and technological progress for citizens' life and health, measures to improve the system of environmental protection occupy an important place. In particular, the Constitution of the Ukrainian SSR, having laid down, in article 18, the duties of the State as regards the protection and improvement of the environment, also recognizes citizens' rights in this field as lawful and subject to comprehensive protection by the State. Specific measures to protect those rights are set out in detail in the relevant sectoral legislation.

30. In particular, the Supreme Soviet of the Republic has adopted a Nature Conservancy Act and Land, Water and Forest Codes of the Ukrainian SSR, as well as a Clean Air Act and an Act on the Protection and Exploitation of Fauna.

31. A great deal of work is being done on the ecological aspects of projects. Projects which do not comply with contemporary ecological requirements are rejected or returned for further elaboration.

32. In conformity with the long-term plan for the over-all development of towns and urban-type communities in the Ukrainian SSR for the period 1976-1980, a great deal of work has been done in the Republic on making towns greener. Over the period in question, the total area of green spaces in towns and large settlements was increased by 175,000 hectares; it amounts at present to 2.9 million hectares. On average, there are 17 square metres of green space for each urban resident of the Republic.

33. As a result of the scientific and technological revolution, the problem of improving the machinery for the legal protection of citizens' rights is becoming more pressing. For this reason, the representative organs of government are playing an increasing role in the protection of citizens' rights through the influence which they exert on the work done by the State apparatus to improve the legal protection of citizens, the regular activities of State organs, and efforts to prevent, by increasing the liability of officials for breaches of citizens' rights and for any harm occasioned to citizens thereby, the institution of legal provisions that infringe citizens' rights.

34. In the Ukrainian SSR, there are extensive legal guarantees securing the protection from any arbitrary or illegal interference in citizens' personal or family lives, the inviolability of the home and the privacy of correspondence. Every citizen of the Republic is assured of protection by the law from such interference.

35. The Constitution of the Ukrainian SSR secures and guarantees for all citizens the inviolability of the person (article 52), the inviolability of the home (article 53), the protection of citizens' private lives and the privacy of their correspondence and telephone conversations (article 54), and the right to protection by the courts against encroachments on their life, health, property, personal freedom, honour or reputation (article 55).

36. Correspondence may be confiscated or seized at a post office only with the authorization of the public prosecutor or by a court order.



37. Under article 130 of the Criminal Code of the Ukrainian SSR, criminal liability is incurred for infringements of the right to the inviolability of the home. This article provides that unlawful searches, unlawful eviction or any other acts by officials that infringe the inviolability of citizens' homes shall be punished by deprivation of liberty for a period of up to one year, or by correctional work for the same period, or public censure.

38. Article 131 of the Criminal Code of the Ukrainian SSR provides for criminal liability in the case of violations of the privacy of correspondence.

39. The Republic's criminal law and legislation on criminal procedure categorically prohibit the use of torture or of cruel, inhuman or degrading treatment in investigations. The Code of Criminal Procedure of the Ukrainian SSR, in particular, states that "the procuring of evidence from an accused person by violence, threats or other illegal measures is forbidden" (part 3, article 2).

40. In the Ukrainian SSR, all citizens are equal, regardless of their race, nationality, sex, language, or attitude towards religion. Article 34 of the Constitution proclaims: "Citizens of the Ukrainian SSR of different races and nationalities have equal rights". The exercise of these rights is ensured by a policy of all-round development and drawing together of all the nations and nationalities of the USSR, by educating citizens in the spirit of Soviet patriotism and socialist internationalism, and by the possibility open to citizens of using their native language and the languages of other peoples of the USSR.

41. In the Ukrainian SSR, criminal liability is incurred for any infringement of the principle of racial and national equality of rights. The Constitution of the Ukrainian SSR contains very important provisions to the effect that any direct or indirect limitation of the rights of, or establishment of direct or indirect privileges for citizens on grounds of race or nationality, and any advocacy of racial or national exclusiveness, hostility or contempt are punishable by law (article 34).

42. The Constitution of the Republic also states that all citizens are equal before the law and have equal rights regardless of their origin or social status.

43. Similarly, the legal position of citizens is unaffected by their property status. Regardless of the value of any property he may own, every citizen possesses, by law, the full range of rights. The Constitution of the Ukrainian SSR also proclaims that citizens have equal rights regardless of the nature of their occupation, their place of residence or other circumstances.

44. Scientific and technological progress is the main and fundamental means of attaining the goals of all-round development and comprehensive qualitative improvement of the socialist economy, consequent further improvements in the people's welfare, and the securing of human rights and freedoms.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[26 July 1982]

1. Scientific and technological progress is one of the most important factors in the development of human society, and it will help strengthen international peace and security, as well as improve the living conditions of individuals and peoples. The Union of Soviet Socialist Republics was, therefore, one of the States that took the initiative in connexion with the adoption, at the thirtieth session of the General Assembly in 1975, of resolution 3384 (XXX) entitled "Declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind".

2. In its consistent pursuit of the Leninist policy of peace, the USSR considers it important that, as provided for in article 1 of the Declaration, the results of scientific and technological developments be used only in the interests of strengthening international peace and security, freedom and independence, and also for the purpose of the economic and social development of peoples.

3. The Soviet Union strongly opposes the use of scientific and technological achievements for the purposes of violating the sovereignty and territorial integrity of other States, interfering in their internal affairs, waging aggressive wars, suppressing national liberation movements or pursuing a policy of racial discrimination. As stated in article 4 of the Declaration, such acts "are not only a flagrant violation of the Charter of the United Nations and principles of international law, but constitute an inadmissible distortion of the purposes that should guide scientific and technological developments for the benefit of mankind".

4. The 1977 Constitution of the USSR (the Fundamental Law of the Soviet State) establishes in law the fact that the USSR steadfastly pursues a Leninist policy of peace and stands for the strengthening of the security of nations and broad international co-operation. The Soviet Union bases its foreign policy on the following constitutional principles: sovereign equality, mutual renunciation of the use or threat of force, inviolability of frontiers, territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, respect for human rights and fundamental freedoms, the equal rights of peoples and their right to decide their own destiny, co-operation among States and fulfilment in good faith of obligations arising from the generally recognized principles and rules of international law and from the international treaties signed by the USSR (articles 28 and 29 of the Constitution of the USSR).

5. As in the past, the foreign policy of the Soviet State continues to centre around the struggle to reduce the threat of war and to curb the arms race. This has become particularly important and urgent at the present time because of the rapid and profound changes taking place in the development of military technology. Qualitatively new types of weapons, and above all weapons of mass destruction, are being developed. The control and agreed limitation of such weapons represent an extremely complex, if not impossible, task. This new stage in the arms race will undermine international stability and greatly increase the risk of war.

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6. The Programme of Peace for the 1980s indicates realistic and constructive ways of reducing the threat of nuclear war, improving the international situation and developing broad co-operation among States with different systems. There is nothing more important or critical for any State than the maintenance of peace and the guarantee of the foremost right of every human being, the right to life.
7. An important aspect of the implementation of the Programme of Peace concerns the unceasing efforts being made by the Soviet Union to prevent the use of scientific and technological achievements to the detriment of peace and the interests of peoples.
8. In this connexion, Soviet proposals concerning a mutual reduction in the level of military confrontation are particularly important. Seeking a radical solution to the problem, the Soviet leadership decided on a unilateral moratorium on the deployment of medium-range nuclear weapons in the European part of the USSR. The Soviet Union proposed freezing the number of strategic weapons of the USSR and the United States of America at their current level and allowing as little modernization as possible.
9. The Soviet Union has also consistently opposed opening up new avenues for the arms race. This was the purpose of the Soviet proposals concerning the non-deployment of sea-based and land-based long-range cruise missiles, the mutual limitation of naval activities, the proposal approved at the thirty-sixth session of the General Assembly concerning the prohibition of the stationing of weapons of any kind in outer space, and so on.
10. The Soviet Union plays an active role in co-operation among States, including co-operation within the framework of international organizations, in such fields as the peaceful use of atomic energy, the eradication of epidemic diseases, the elimination of illiteracy, the protection of historical and cultural monuments and weather forecasting. There already exists a proven basis for continued practical and peaceful co-operation among States, but the need to expand such co-operation is growing steadily. It is enough, for example, to refer to such problems as the discovery and use of new sources of energy, the supply of food for the planet's growing population, the protection of the natural environment of the earth and the exploration and use of outer space and the world's oceans.
11. The USSR is developing broad, mutually advantageous co-operation with the liberated States in order, as provided for in article 5 of the Declaration, to establish, strengthen and develop the scientific and technological capacity of developing countries with a view to accelerating the realization of the social and economic rights of the peoples of these countries. An important aspect of these relations involves the construction in developing States of large-scale industrial installations with some form of Soviet participation. The installations completed in past years with the assistance of the Soviet Union includes quite a number of major facilities and even facilities playing a leading role in the economies of the developing countries.

12. The USSR provides many liberated countries with assistance in the training of nationals - engineers, technicians, skilled workers, doctors, teachers, and so on. More than 800,000 experts and skilled workers have been trained for developing countries with the help of the Soviet Union. Nationals from developing countries are currently training in more than 300 higher educational institutions and technical colleges in the Soviet Union. Under the Soviet Regulations concerning the Training of Foreign Nationals in the USSR, foreign students enjoy all the advantages available in the Soviet system of education: free tuition and medical services, reading rooms and libraries, sports and cultural centres and institutions; all foreign students are given a place in a student residence, and they all receive a monthly allowance.

13. The Soviet State pursues a constant policy of increasing the material and cultural living standards of the Soviet people. In his report to the twenty-sixth congress of the Communist Party of the Soviet Union, L. I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union and President of the Presidium of the Supreme Soviet of the USSR, said: "The Party's political approach to the economy has invariably been based on the programmatic requirement - everything for the sake of man, for the benefit of man".

14. The "Basic Policies for the Economic and Social Development of the USSR during the period 1981-1985 and for the period ending in 1990", approved at the twenty-sixth congress of the Communist Party of the Soviet Union, laid down the main tasks of the economic and social development of the country, the principal objective of which is a steady increase in the material and cultural living standards of the people and the creation of better conditions for the comprehensive development of the individual. The main objective of the eleventh five-year plan is to ensure further increases in the well-being of the Soviet people on the basis of the steady and progressive development of the national economy, the acceleration of scientific and technological progress and the conversion of the economy to an intensive type of development, the more rational use of the country's industrial capacity, the conservation, by all available means, of resources of all types and the improvement of the quality of work.

15. One historic programme aimed at increasing the welfare of the Soviet people is the Food Programme of the USSR which was adopted at the May (1982) Plenum of the Central Committee of the Communist Party of the Soviet Union and the provisions of which are marked by a concern for people and are directed towards the creation of increasingly favourable conditions for the comprehensive and harmonious development of the individual.

16. A number of provisions of the Constitution of the USSR are aimed at satisfying the material and spiritual needs of all strata of the population.

17. Article 15 of the Constitution states that the supreme goal of social production under socialism is the fullest possible satisfaction of the people's growing material, cultural and intellectual requirements. As indicated in this same article of the Fundamental Law of the Soviet State, the development of the national economy to this end is based, in particular, on the attainment of scientific and technological progress.

18. The State follows a strict policy of increasing wage levels and the real income of workers on the basis of increases in labour productivity. Public consumer funds are being established with a view to ensuring the fuller satisfaction of the needs of the Soviet people, and the growth and equitable distribution of these funds are ensured on the basis of the broad participation of public organizations and groups of workers.
19. In accordance with the Communist ideal, according to which "the free development of each is the condition for the free development of all", the aim of the State is to increase actual opportunities for citizens to make use of their creative drive, capacities and gifts for the comprehensive development of the individual.
20. The State concerns itself with protecting, augmenting and making extensive use of society's cultural wealth for the moral and aesthetic education of the Soviet people and for raising their cultural level.
21. Soviet legislation provides for a whole system of measures aimed at, as called for in article 6 of the Declaration, extending the benefits of science and technology to all strata of the population.
22. In accordance with article 45 of the Constitution of the USSR, citizens of the USSR have the right to education. This right is ensured by the free provision of all forms of education, by the institution of universal compulsory secondary education and the broad development of vocational, specialized secondary and higher education in which instruction is oriented towards practical activity and production, by the development of extramural, correspondence and evening courses, by the provision of State scholarships and grants and privileges for students, by the free issue of school textbooks, by the opportunity to attend a school where teaching is in the native language and by the provision of facilities for self-education.
23. An extensive system has developed in the USSR for the on-the-job training, retraining and further training of workers.
24. In addition to the system of on-the-job vocational training for workers, there exists in the USSR a successful system of vocational technical education providing vocational training for the younger generation of the working class of the country.
25. In its article 26, the Constitution of the USSR provides that, in accordance with society's needs, the State provides for the planned development of science and the training of scientific personnel and organizes the introduction of the results of research in the economy and other spheres of life.
26. The citizens of the USSR, in accordance with the aims of building communism, are guaranteed freedom of scientific, technical and artistic work (article 47 of the Constitution of the USSR). This freedom is ensured by broadening scientific research, encouraging invention and innovation and developing literature and the arts.

27. The Soviet Union has a whole system of creative unions in the scientific and technical community, including scientific and science-and-technology societies, the All-Union Society of Inventors and Innovators and the All-Union Society "Knowledge".
28. The Soviet Union has a system of regulations concerned with the legal protection of scientific and technological inventions and innovations. Under article 47 of the Constitution of the USSR, the rights of authors, inventors and innovators are protected by the State.
29. Soviet civil law includes one particular institution, namely the right to discovery, which does not exist in the legislation of the majority of capitalist countries.
30. The utilization of scientific and technological achievements to promote the fullest realization of human rights and fundamental freedoms without any discrimination whatsoever (article 7 of the Declaration) is ensured by clear constitutional provisions concerning the equality of citizens before the law, without distinction of origin, social or property status, race or nationality, sex, education, language, attitude towards religion, type and nature of occupation, domicile or other status, the equal rights of men and women, the equal rights of citizens of the USSR of different races and nationalities, and the enjoyment in full by each citizen of the USSR of the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the Constitution of the USSR and by Soviet laws.
31. The Constitution of the USSR not only proclaims a broad range of citizens' rights and freedoms but provides sure guarantees for their enjoyment in practice.
32. Soviet legislation lays down appropriate measures to prevent the use of scientific and technological achievements, particularly by State bodies, in any way that limits or interferes with the human rights and fundamental freedoms set out in international covenants on human rights and other related instruments. Thus, the Constitution of the USSR establishes universal guarantees: the inviolability of the person and the home and the protection of the privacy of citizens and of their correspondence, telephone conversations and telegraphic communications. Respect for the individual and the protection of the rights and freedoms of citizens are the duty of all State bodies, public organizations and officials. Citizens of the USSR have the right to protection by the courts against encroachments on their honour and reputation, life and health and personal freedom and property. Article 58 of the Constitution of the USSR provides that citizens of the USSR have the right to lodge a complaint against the actions of officials, State bodies and public bodies. Complaints must be examined according to the procedure and within the time-limit established by law. Actions by officials that contravene the law or exceed their powers and infringe the rights of citizens may be appealed against in the manner prescribed by law. Citizens of the USSR have the right to compensation for damage resulting from unlawful actions by State organizations and public organizations or by officials in the performance of their duties.

33. Soviet legislation provides for other effective measures preventing the use of scientific and technological achievements to the detriment of human rights, fundamental freedoms and the dignity of the individual. Thus, articles 34 and 35 of the Fundamentals of Health Legislation of the Union of Soviet Socialist Republics and the Union Republics set out the conditions that apply to the use of new methods of diagnosis, treatment and prescription of drugs and set out the procedure to be followed with regard to surgical intervention and the use of complex methods of diagnosis. Article 16 of the aforementioned Fundamentals provides that medical personnel must observe the rule of professional confidentiality (information about the illness or the intimate and private life of patients).

34. Soviet legislation provides for effective measures to protect the population from the harmful effects of scientific and technological developments (article 6 of the Declaration). These measures include the aforementioned constitutional right to health protection (article 42 of the Constitution of the USSR).

35. The Soviet Union has developed a broad and effective system of health care and mass physical culture and sport, and this protects the health of the people.

36. The Constitution of the USSR provides guarantees for workers' health protection, including special guarantees for health protection for women (article 35).

37. In furtherance of this constitutional guarantee, on 25 April 1980 the Council of Ministers of the USSR and the All-Union Central Trade-Union Council adopted a decision on "additional measures to improve conditions of work for women employed in the national economy"; this decision provides for, in particular, a number of benefits and guarantees for women, who are exempt from heavy work involving dangerous conditions, as well as specific measures for the improvement of the working conditions of working women.

38. Women released from heavy work and work involving difficult conditions are transferred to other work in their own field of activity or, if necessary, they first receive training in a new field while continuing to receive their average monthly wage at the previous place of work throughout the training period.

39. In addition, the ministries and departments of the USSR and the Councils of Ministers of the union republics have prepared and approved programmes covering the period 1979-1985 for the mechanization of manual tasks and the further improvement of working conditions for women.

40. Soviet legislation pays particular attention to the health of the younger generation and the physical development of young people (articles 42 and 25 of the Constitution of the USSR).

41. Soviet legislation also provides for criminal responsibility, in particular, for breaches of work safety rules which result in or could result in accidents involving people or could have other serious consequences, the violation of mine safety rules, the violation of rules governing construction activities, and so on.

42. One important problem related to the prevention of the harmful effects of scientific and technological progress concerns the protection of the environment.

43. In the USSR, the protection of the environment is an ongoing aspect of State activities. Article 18 of the Constitution of the USSR provides that, in the interests of the present and future generations, the necessary steps are taken in the USSR to protect and make scientific, rational use of the land and its mineral and water resources and the plant and animal kingdoms, to preserve the purity of air and water, to ensure the reproduction of natural wealth and to improve the human environment. Legislation introduced in this field makes it a criminal offence to cause water or air pollution, to pollute the sea with substances harmful to human health and the living resources of the sea or to violate regulations concerning the handling of explosive and radioactive substances. In recent years, a whole series of new laws have been enacted in this field in the Soviet Union.

44. The USSR has established a national service to monitor and control the level of pollution of the environment. This service operates through an extensive network of sanitation monitoring posts (of which there are more than 4,700) and also through research institutes. Health organizations work in close contact with other ministries and departments. The network of the State Committee for Hydrometeorology and the Control of the Natural Environment is also quite extensive. It includes more than 350 centres for the monitoring of the atmosphere, 4,000 centres for the monitoring of land water, approximately 2,000 for sea water and 100 for the soil. This network encompasses the capitals of the union and autonomous republics, district and regional centres, major industrial and economic regions, water installations and approximately 300 agricultural zones. It monitors industrial waste, waste water, poisonous chemicals and other pollutants, and it has a system of laboratories in regions where pollution is minimal (for background observations).

45. It is also planned to introduce a system for monitoring the environment in countries members of the Council for Mutual Economic Assistance. There is a project on the "Global Environment Monitoring System (GEMS)" within the framework of the activities of the United Nations Environment Programme (UNEP).

46. The year 1970 saw the beginning of the special international programme of UNESCO entitled "Man and the Biosphere (MAB)", which involves, among other things, carrying out integrated research in different parts of the world to determine man's impact on natural processes in the biosphere and studying the effects of changes in these processes on man himself. The Soviet Union is participating actively in the implementation of this programme. One of the projects being implemented within the framework of the programme, namely "Research on environmental pollution and its effects on the biosphere", was begun on the initiative of Soviet scientists.

47. The harmful effects of the scientific and technological revolution can be limited by improved State monitoring of the observance of public-health requirements during the construction and reconstruction of enterprises, the assembly of machinery and the use of new types of raw materials and by improved monitoring of arrangements for the protection of soil, water and air from pollution.



48. The Soviet Union is implementing in full the provisions of the Declaration on the use of scientific and technological progress in the interest of peace and for the benefit of mankind, but it believes there is a need for greater co-operation among States in this field. One important step in this direction was the resolution adopted by the Commission on Human Rights at its thirty-eighth session, with the support of the USSR, in which the Commission requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to carry out a study on the negative consequences of the arms race, particularly the nuclear arms race, for the implementation of the whole range of human rights and, above all, the inherent right to life.

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