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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Third Committee

Rapporteur: Mr. Karl BORCHARD (Federal Republic of Germany)

I. INTRODUCTION

1. At its 4th plenary meeting, on 24 September 1982, the General Assembly 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 Committee considered this item jointly with items 84, 86, 87 and 88 at its 47th, 50th to 53rd, 55th, 56th, 64th and 67th meetings, on 18, 23, 24, 26 November and 3 and 7 December 1982. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/37/SR.47, 50-53, 55, 56, 64 and 67).
3. The Committee had before it the report of the Secretary-General (A/37/330 and Add.1) on human rights and scientific and technological developments.
4. At the 47th meeting, on 18 November, the Special Assistant to the Director of the Centre for Human Rights made an introductory statement.

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/37/L.56

5. At the 64th meeting, on 6 December, the representative of the United Kingdom of Great Britain and Northern Ireland introduced a draft resolution (A/C.3/37/L.56), submitted under the item entitled "Human rights and scientific and

technological developments", sponsored by Chad, Costa Rica, Cyprus, Fiji, the Gambia, Ghana, Mexico, Morocco, the Netherlands, Nigeria, Panama, Senegal, Singapore, Sweden, the United Kingdom of Great Britain and Northern Ireland and the Upper Volta as well as Bolivia and Norway, subsequently joined by Italy.

6. As its 67th meeting, on 7 December, the Committee adopted the draft resolution without a vote (see para. 16, draft resolution I).

B. Draft resolution A/C.3/37/L.71

7. At the 64th meeting, on 6 December, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.3/37/L.71), entitled "Human rights and scientific and technological developments", sponsored by Angola, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Democratic Yemen, Ethiopia, Ghana, Guinea-Bissau, India, the Lao People's Democratic Republic, Mongolia, Mozambique, Nigeria, Poland, Romania, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics as well as Cape Verde, subsequently joined by Viet Nam.

8. At the 67th meeting, on 7 December, the representative of the Union of Soviet Socialist Republics, on behalf of the sponsors, following suggestions made by some representatives, orally revised the seventh preambular paragraph by adding the words "as well as by violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples" at the end of the paragraph.

9. At the same meeting, the representative of Oman orally proposed the insertion of the words "and prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and self-determination of peoples" after the words "international control" in operative paragraph 2.

10. At the same meeting, the representative of the Union of Soviet Socialist Republics on behalf of the sponsors, accepted the amendment proposed by the representative of Oman and revised the draft resolution accordingly.

11. At the same meeting, the representative of the United States of America orally proposed that the words "liberty and security of persons" be added after the words "right of life" in the sixth, eleventh and twelfth preambular paragraphs and operative paragraphs 1, 2 and 6.

12. At the same meeting, the representative of the Union of Soviet Socialist Republics, following consultations on the proposal made by the representative of the United States of America, further orally revised the text of the draft resolution as follows:

(a) In the second preambular paragraph, the words "according to which everyone has the right to life, liberty and security of person" were added after the words "Universal Declaration of Human Rights";

(b) In operative paragraph 6, the words "liberty and security of person, and to live in peace" were added at the end of the paragraph.

13. Also at the same meeting, the Committee adopted draft resolution A/C.3/37/L.71, as orally revised, by 102 votes to none, with 28 abstentions (see para. 16, draft resolution II A).

C. Draft resolution A/C.3/37/L.73

14. At the 64th meeting, on 6 December, the representative of the Byelorussian Soviet Socialist Republic introduced a draft resolution (A/C.3/37/L.73), entitled "Human rights and scientific and technological developments", sponsored by Angola, Argentina, Bangladesh, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, Chad, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, the German Democratic Republic, Guyana, Hungary, the Lao People's Democratic Republic, Madagascar, Mongolia, Morocco, Nicaragua, Panama, Poland, Romania, Viet Nam, Zambia and Zimbabwe, subsequently joined by Afghanistan and Mali.

15. At its 67th meeting, on 6 December, the Committee adopted the draft resolution by 109 votes to none, with 23 abstentions (see para. 16, draft resolution II B).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

16. 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 resolutions 35/130 B of 11 December 1980 and 36/56 B of 25 November 1981, in which it welcomed and noted with satisfaction the work being undertaken by the Sub-Commission, and requested the Commission on Human Rights to continue its consideration of this question in the light of the action being taken by the Sub-Commission, with a view to submitting a report to the General Assembly at its thirty-eighth session, through the Economic and Social Council,

Recalling also Commission on Human Rights resolution 1982/6 of 19 February 1982, in which the Commission requested the Sub-Commission, at its

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thirty-fifth session, to consider the question as a matter of high priority, with a view to submitting its views and recommendations, including a draft body of guidelines, principles and guarantees, to the Commission at its thirty-ninth session,

Noting that the Commission on Human Rights will not be in a position to submit a report to the General Assembly at its thirty-eighth session through the Economic and Social Council, as requested in Assembly resolution 36/56 B, because it was impossible for the Sub-Commission at its thirty-fifth session to conclude 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,

Noting with satisfaction the progress made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its consideration of the draft body of guidelines, principles and guarantees submitted to it,

Urges the Commission on Human Rights and, through it, the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue and expedite their consideration of this question with a view to the Commission submitting its views and recommendations to the General Assembly at its thirty-ninth session, through the Economic and Social Council.

DRAFT RESOLUTION II

Human rights and scientific and technological developments

A

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, to develop friendly relations among peoples and international co-operation in promoting and encouraging universal respect for human rights and for fundamental freedoms,

Recalling the provisions of the Universal Declaration of Human Rights according to which everyone has a right to life, liberty and security of person, 1/ the International Covenant on Economic, Social and Cultural Rights 2/ and the International Covenant on Civil and Political Rights, 2/ article 6 of which states that "every human being has the inherent right to life",

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Recalling also its resolutions 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States and 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order,

Taking note of the Declaration on the Strengthening of International Security, 3/ the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, 4/ the Declaration on the Preparation of Societies for Life in Peace, 5/ the Declaration on the Prevention of Nuclear Catastrophe, 6/ and its resolution 36/92 I of 9 December 1981, on the non-use of nuclear weapons and prevention of nuclear war,

Noting with appreciation Commission on Human Rights resolution 1982/7 of 19 February 1982,

Reaffirming the inherent right of all peoples and all individuals to life,

Deeply concerned that international peace and security continues to be threatened by the arms race, 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 self-determination of peoples,

Aware that all 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,

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 ensure that everyone enjoys his inherent 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,

3/ Resolution 2734 (XXV).

4/ Resolution 3384 (XXX).

5/ Resolution 33/73.

6/ Resolution 36/100.

1. Expresses its firm conviction that all peoples and all individuals have an inherent right to life, and that the safeguarding of this foremost 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 the urgent need for all possible efforts by the international community to strengthen peace, remove the 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 self-determination of peoples, thus contributing to assuring 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 take effective measures with a view to prohibiting by law any propaganda for war;
5. Again calls upon all States, appropriate organs of the United Nations, specialized agencies, 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 respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion;
6. Requests the Commission on Human Rights in its future activities to stress the need to ensure the cardinal right of everyone to life, liberty and security of person, and to live in peace;
7. Decides to consider this matter further at its thirty-eighth session under the item entitled "Human rights and scientific and technological developments".

B

The General Assembly,

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

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

Considering that 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,

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,

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,

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 reports of the Secretary-General on human rights and scientific and technological developments, 7/

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 in accordance with General Assembly resolution 35/130 A of 11 December 1980;

5. Requests the Commission on Human Rights 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 Declaration;

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