



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/33/183
24 July 1978

ORIGINAL: ENGLISH

Thirty-third session
Item 90 of the provisional agenda*

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Note by the Secretary-General

1. On 19 December 1968, the Assembly adopted resolution 2450 (XXIII) in which, inter alia, sharing the concern expressed by the International Conference on Human Rights held at Teheran in 1968 1/ that recent scientific discoveries and technological advances, although they opened up vast prospects for economic, social and cultural progress, may nevertheless endanger the rights and freedoms of individuals and peoples and consequently called for constant attention, and endorsing the idea that these problems require thorough and continuous interdisciplinary studies, both national and international, which may serve as a basis for drawing up appropriate standards to protect human rights and fundamental freedoms, it invited the Secretary-General, inter alia, to undertake a study of the problems in connexion with human rights arising from developments in science and technology.

2. Pursuant to this and subsequent resolutions of the General Assembly and of the Commission on Human Rights, 2/ a study of human rights and scientific and technological developments was initiated.

3. An account of the work in progress under the relevant resolutions and of the documents issued as at 26 January 1976 is contained in a note by the Secretary-General on the programme of work in connexion with human rights and scientific and technological developments, which was submitted to the Commission on Human

* A/33/150.

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

2/ General Assembly resolutions 2721 (XXV) of 15 December 1970, 3026 (XXVII) of 18 December 1972, 3150 (XXVIII) of 14 December 1973 and 3268 (XXIX) of 10 December 1974; Commission on Human Rights resolutions 10 (XXVII) of 18 March 1971, 2 (XXX) of 12 February 1974, 11 (XXXI) of 5 March 1975, 11 (XXXII) of 5 March 1976 and 10 (XXXIII) of 11 March 1977.

Rights at its thirty-second session, held from 2 February to 5 March 1976. Copies of the document (E/CN.4/L.1313 and Corr.1) will be made available to delegations.

4. On 10 December 1974, the General Assembly adopted resolution 3268 (XXIX) in which it, inter alia, drew the attention of States to the advantages which might be derived from the elaboration and adoption of measures designed to adapt national legislation and practices, where appropriate, not only to take account of new technology but also to safeguard the fundamental rights of the individual and of groups or organizations in all sectors of social life, and invited Governments which already had experience in this field to transmit to the Secretary-General the information available to them. The Assembly also drew the attention of the Economic and Social Council and the Commission on Human Rights to the importance of collecting qualified opinions in the study of problems of human rights and scientific and technological developments, particularly with regard to a code of ethics, and requested them to take the necessary measures for the implementation of the resolution in liaison, in particular, with the Committee on Science and Technology for Development and the Advisory Committee on the Application of Science and Technology to Development, which were invited to follow these problems as a whole at regular intervals; requested the Secretary-General to invite the specialized agencies to, inter alia, consider the preparation of recommendations concerning international standards in the areas within their competence falling within the purview of the resolution; and, in paragraph 5, requested the Commission on Human Rights to draw up a programme of work in connexion with human rights and scientific and technological developments, with a view to undertaking in particular the formulation of standards in the areas which would appear to be sufficiently analysed.

5. On 5 March 1975, the Commission on Human Rights at its thirty-second session, adopted resolution 11 (XXXI) in which it requested the Secretary-General, among other things, to achieve as soon as possible the full implementation of the resolutions adopted on this subject by the General Assembly and the Commission on Human Rights. It also decided, inter alia, without prejudice to the continuation of the study of the other questions referred to in previous resolutions of the General Assembly and of the Commission, to draw up a programme of work in connexion with human rights and scientific and technological developments pursuant to Assembly resolution 3268 (XXIX) relating in particular to the definition of standards in areas which might appear to have been sufficiently analysed.

6. On 10 November 1975, the General Assembly adopted resolution 3384 (XXX) entitled "Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind". In this Declaration the Assembly proclaimed, inter alia, that all States shall promote international co-operation to ensure that the results of scientific and technological developments are used 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 and the realization of human rights and freedoms. States shall also take appropriate measures to prevent the use of these developments to limit or interfere with the enjoyment of human rights and to

ensure that scientific and technological achievements satisfy the material and spiritual needs of all sectors of the population. Under this Declaration, States shall refrain from using scientific and technological achievements to violate the sovereignty and territorial integrity of other States, interfere in their internal affairs, wage aggressive wars, suppress national liberation movements or pursue a policy of racial discrimination, and they shall co-operate in establishing and strengthening the scientific and technological capacity of developing countries. Measures shall also be taken to extend the benefits of science and technology to all strata of the population, to promote the fullest realization of human rights and fundamental freedoms, and to ensure compliance with legislation guaranteeing human rights and freedoms in the conditions of scientific and technological developments.

7. On 5 March 1976, the Commission on Human Rights, at its thirty-second session, adopted resolution 11 (XXXII) in which, expressing regret that the circumstances in which the session has been held had not allowed it to make a thorough examination of the question of human rights and scientific and technological developments, it requested the Secretary-General to continue collecting documentation on the development of new technology as it pertains to human rights, where necessary with the assistance of qualified experts, and to continue and, if necessary, strengthen co-operation and adequate co-ordination between United Nations organs and the specialized agencies with regard to the impact of science and technology on human rights, in particular with a view to the proposed conference on science, technology and development; and decided to give priority at its thirty-third session to the item "Human rights and scientific and technological developments".

8. On 16 December 1976, the General Assembly at its thirty-first session adopted resolution 31/128 in which it called upon Member States to take account 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; requested the ILO, UNESCO, WHO and other specialized agencies to take into account in their programmes and activities the pertinent provisions of the Proclamation of Teheran and the provisions of the Declaration; requested the Commission on Human Rights to give special attention to the implementation of the provisions of the Declaration; and decided to consider at its thirty-second session the question of the implementation of the provisions of the Declaration.

9. The Commission on Human Rights had before it at its thirty-third session the documentation described in paragraphs 9, 10 (E/CN.4/1199 and Add.1), 14 (E/CN.4/1198), 17, 21 and 23 of the note by the Secretary-General mentioned in paragraph 3 above, as well as the note itself and the following additional documentation:

- (a) Note on existing and proposed texts which could be used in the drafting of a further international instrument on human rights and scientific and technological developments (E/CN.4/1233);
- (b) Report on developments relating to science and technology elsewhere in the United Nations system of interest to the Commission (E/CN.4/1234);

/...

- (c) Report on human rights and national machinery for decision-making on science policy, with particular reference to technology assessment (E/CN.4/1235);
- (d) Report on the human rights implications of the genetic manipulation of microbes (E/CN.4/1236);
- (e) Report on human rights and international machinery for technological assessment (E/CN.4/1237).

10. At its thirty-third session, the Commission on Human Rights adopted resolution 10 A (XXXIII) of 11 March 1977, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study, with a view to formulating guidelines, if possible, the question of the protection of those detained on the grounds of mental ill-health against treatment which may adversely affect the human personality and its physical and intellectual integrity. In its resolution 10 B (XXXIII), also of 11 March 1977, the Commission welcomed the adoption by the General Assembly in its resolution 3384 (XXX) of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, accepted it, together with other relevant international instruments, as a guide for its future work; emphasized the importance of States Members taking into account the provisions and principles of the Declaration; instructed the Sub-Commission to examine studies relating to this subject in the light of the provisions of the Declaration and to report its observations to the Commission on Human Rights; drew the attention of the Committee on Science and Technology for Development to the provisions of the Declaration and requested that the Committee take those provisions into account in the preparation of the United Nations Conference on Science and Technology for Development to be held in 1979; and decided to consider at its thirty-fourth session the question of implementing the provisions of the Declaration.

11. Attention is drawn to chapter X of the report of the Sub-Commission on its thirtieth session (E/CN.4/1261) regarding the consideration by the Sub-Commission of the question of human rights and scientific and technological developments.

12. The General Assembly, at its 105th plenary meeting, on 16 December 1977, adopted decision 32/434 according to which the Assembly, having been unable, for lack of time, to consider the item entitled "Human rights and scientific and technological developments", decided to include it in the provisional agenda of its thirty-third session and to consider it with appropriate priority.

13. At its thirty-fourth session, the Commission on Human Rights had before it for its consideration of the item on human rights and scientific and technological developments, the following further documents:

- (a) A further report of the Secretary-General on developments elsewhere in the United Nations system of interest to the Commission (E/CN.4/1276);

- (b) An addendum to the report of the Secretary-General on human rights and national machinery for decision-making on science policy, with particular reference to technology assessment (E/CN.4/1235/Add.1);
- (c) The report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirtieth session (E/CN.4/1261).

14. A summary of the Commission's discussion on the question may be found in chapter XI of the report on that session. 3/

3/ Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34).