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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Analysis of views and observations of governments and specialized agencies prepared by the Secretary-General in accordance with resolution 2 (XXX) of the Commission on Human Rights

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INTRODUCTION

1. Resolution 2 (XXX) of 12 February 1974, on Human Rights and Scientific and Technological Developments, of the Commission on Human Rights requested the Secretary-General to bring to the attention of Governments, for preliminary study and possible comments, the studies already prepared in accordance with General Assembly resolution 2450 (XXIII) and Commission resolution 10 (XVII) and those studies to be completed. The Secretary-General on 4 June 1974, accordingly brought to the attention of Governments the relevant studies prepared up to that time.
2. Pursuant to paragraph 3 of resolution 2 (XXX), the views and observations of Governments and the specialized agencies concerned were sought on 4 June and 28 May 1974, respectively, concerning the use to which science and technology can be put: (a) to strengthen international peace and security and the fundamental rights of peoples; (b) to promote and ensure general respect for the human rights proclaimed in the Universal Declaration of Human Rights and in the International Covenants on Human Rights; (c) through raising their standard of living, to facilitate and protect the enjoyment by all peoples of their right to employment, education, food, health and economic, social and cultural well-being.
3. As requested by paragraph 4 of resolution 2 (XXX), the Secretary-General submits in this document an analysis of the comments, views and observations received from Governments and the views and observations received from specialized agencies as a result of the inquiries made under paragraphs 2 and 3 of the resolution.
4. Substantive replies were sent to the Secretary-General by the following Governments on the dates indicated: Afghanistan (30 October 1974), Austria (30 September 1974), Byelorussian Soviet Socialist Republic (10 December 1974), Federal Republic of Germany (24 February 1975), Hungary (12 December 1974), Iraq (27 September 1974), Ivory Coast (25 October 1974), Japan (24 October 1974), Kuwait (16 October 1974), Syrian Arab Republic (16 December 1974), Ukrainian Soviet Socialist Republic (25 November 1974), Union of Soviet Socialist Republics (4 November 1974).
5. Substantive replies were sent to the Secretary-General by the following specialized agencies on the dates indicated: International Atomic Energy Agency (3 July 1974), International Civil Aviation Organization (2 July 1974), United Nations Educational, Scientific and Cultural Organization (27 September 1974) and World Meteorological Organization (29 October 1974).
6. Inasmuch as paragraph 4 of resolution 2 (XXX), referred to above, requested the Secretary-General to submit to the Commission the views and observations of Governments and specialized agencies in order to enable the Commission "to consider possible guidelines on standards which could be included in appropriate international instruments", it may be recalled that points for possible inclusion in draft international standards have been suggested in the following paragraphs of documents already produced:

- (i) on respect for the privacy of the individual in the light of modern recording and other devices and techniques: E/CN.4/1116, paragraphs 177 and 277;
- (ii) on the protection of the rights of the individual against threats arising from the use of computerized personal data systems: E/CN.4/1142, paragraph 320, and E/CN.4/1142/Corr.1 (English only);
- (iii) on the use of the computer in policy-making and management processes: E/CN.4/1142/Add.1, paragraph 92.

7. Attention may also be drawn to the fact that the General Assembly on 10 November 1975 adopted resolution 3384 (XXX) setting out a Declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind.

8. Furthermore, the Secretary-General's document on "the balance which should be established between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity", which will be before the Commission at its thirty-second session, includes passages dealing with a possible declaration on human rights and scientific and technological developments.

I. RIGHT TO PRIVACY

A. Use of the Computer

9. Concern about safeguarding the right to privacy in connexion with the use of computers has been expressed by the Governments of Austria, the Federal Republic of Germany and Japan. The Government of Austria has written:

"With reference to the relevant United Nations documents on the subject it is to be mentioned that the competent Austrian authorities are presently preparing a draft law concerning the protection of individuals from the adverse implications in the human rights field of the steadily widening use of data processing by computers."

10. According to the Government of the Federal Republic of Germany:

"While it was necessary also in the past to protect data against unauthorized access, the Bill on Data Protection now before the German Bundestag, and especially Section 14 which requires public authorities to issue data-protection regulations for the labour and social sector, will make it inevitable for business undertakings to readjust their protective measures accordingly."

11. The Government of Japan has stated:

"In Japan, uses of computers are steadily increasing within the administrative departments of the government. This trend has given rise to controversies over protection of privacy which may be affected by the widespread uses of computers.

"In the Diet and the press circles, for example, it is emphasized that some protective measures of privacy must be established corresponding to the recent development in data processing systems."

B. Limitations on the use of computers

12. The Government of the Federal Republic of Germany has written that the inevitable readjustments on the part of business enterprises referred to in paragraph 10 above should take into account:

"Definition of the range of data which can and may be collected:

- Elaboration of computerized files in accordance with the degree of protection required for individual data;
- Assignment of rights of access;
- Expenditure required for the development of data protection systems and the question of whether their protective effect is in reasonable proportion to the cost involved;
- Other aspects to be clarified between experts from industry, employers' representatives and the trade unions, and the competent Government bodies."

13. It has been also pointed out by that Government that in view of the substantial amount of personal data amassed for social security systems, the problem of data protection in this area requires special attention.

14. The Government of the Federal Republic of Germany has reported on draft legislation on the protection against the misuse of personal data on data processing in both the public and the private sectors. It has written:

"The draft bill on protection against the misuse of personal data processing (Federal Republic of Germany) contains the following rules to be observed for the storage of personal data in computerized files: Pursuant to Section 2, paragraph 3 the processing of personal data, including storage, is permissible as a general rule only

"(aa) with the agreement of the person concerned or

"(bb) on the basis of the Data Protection Act [i.e. the bill after adoption] or any other legal provision.

Permission has to be given in writing."

C. Limitations on Surveillance

15. The Government of the Federal Republic of Germany reports on penal sanctions for unauthorized surveillance:

"Article 298 of the Penal Code contains a general provision concerning violation of privacy through the use of listening devices. Under this rule any unauthorized recording of words spoken by any person in private conversation or any use of such recordings or transfer to third parties is punishable by a fine or imprisonment of up to six months, or both. Penalties are also imposed for the unauthorized use of surveillance devices to listen to words spoken by any person in private conversation to which the listener is not a party."

16. The Government of Hungary has quoted paragraph 84(2) of the Civil Code as follows:

"The misuse of the likeness or the recorded voice of another person particularly the unauthorized utilization, reproduction, publication and alteration of such image or record shall constitute a violation of the rights pertaining to persons in their capacity as such." The Government has added: "According to the generally accepted statutory interpretation, the obtaining of a confession by the use of technical, chemical means and psychological tests respectively during a criminal procedure, is considered as methods of pressure, it is, therefore, **inadmissible.**"

D. Surveillance at the place of employment

17. The Government of the Federal Republic of Germany reports that in that country "[t]he employee's right to privacy in business undertakings is protected in principle by the Federal Constitution". The type of surveillance permitted under existing law is described:

"Technical equipment installed for the purpose of supervising the performance and behaviour of employees at their place of work is admissible in the Federal Republic of Germany to the extent to which it is required by overriding business interests such as, in particular, the technical (computercontrolled) working process of the undertaking concerned. Control installations which are designed not only to monitor the work process but also, or even predominantly, to supervise the performance of employees are permissible, therefore, only in so far as they are technically absolutely necessary. Employees thus supervised have to be informed accordingly from the beginning. ...

"If the employer violates his employees' rights to privacy by installing illegal control devices, the employee is entitled, under certain conditions, either to refuse to work or to claim damages under Article 823, paragraph 1, of the Civil Code."

E. Psychological testing for Non-Medical Purposes

18. The Government of the Federal Republic of Germany reports that vocational counselling and recruitment are increasing based on psychological methods. The limitations are described:

"... [,T]hose seeking advice or work can be subjected by the Federal Institution for Labour to psychological tests or medical examinations only to the extent to which this is necessary to assess their vocational qualifications or to find employment for them, and only with the express agreement of the person concerned. Transfer of the results of an examination or psychological evaluation to third parties also requires the applicant's consent."

19. Commenting upon the Secretary-General's report on the "Uses of electronics which may effect the rights of the person and the limits which should be placed on such uses in a democratic society", the Government of the Federal Republic of Germany has stated:

"The orderly application and evaluation of psychological tests in the interest of the applicant is ensured by the qualified staff of the Federal Institution for Labour. The staff of the psychological service consists of university graduates in psychology with one year's practical experience in the institution and of specially trained technical assistants."

20. The use of "personality tests" is deemed to be regulated by provisions of the Federal Constitution. A precondition for such testing must be the subject's prior consent.

II. RIGHT TO WORK

A. General Observations

21. The general effect on employment of scientific and technological progress has been commented upon by a number of States. The Government of Syria has written:

"The Syrian Arab Republic does not think that the scientific and technological progress created difficulties and problems which affected the labour class in the Republic. On the contrary, this progress would enable the country to develop its agriculture especially after the completion of the Euphrates Dam and the expansion of agriculture and industrial development which is being undertaken in the various industrial sectors.

"No unemployment was recorded in the Syrian Arab Republic as a result of such progress. As to agriculture, the country is still in great need of labour and the use of the machine did not dispense with their services. The same applies to office work and textile industry."

22. The Government of the USSR has described the procedures followed in that country for the protection of workers released as a result of technological developments:

"The constitutional principle of the right to work, as applied to manual and non-manual workers, is supplemented and developed by provisions protecting workers from unwarranted refusal of employment and unlawful dismissal, as well as by the State's concern with the retraining and planned transfer to other work (with their consent) of workers released as a result of technical developments. Dismissal is allowed only if the worker cannot be transferred within his trade or profession and with his consent, to another vacant post in the same or some other enterprise or establishment.

"To every worker released as a result of improvements in the technology of production, labour legislation guarantees the right to work, taking into account his profession or trade and his skills. Should his skills have become obsolete, he will be retrained (with full pay during the retraining period, cf. Decrees of the USSR Council of Ministers of 27 February 1970 (Collection of Government Regulations and Decrees, USSR, 1970, No. 4, p. 30), 3 September 1970 (*ibid.*, 1970, No. 6, p. 127), 11 December 1970 (*ibid.*, 1971, No. 1, p. 2, and others)), or he will be transferred to other work taking account of his new skill.

"The State Committees for the Utilization of Labour Resources, operating under the Council of Ministers of the Union Republics, arranged together with enterprises and establishments to retrain and find employment for workers released from enterprises as a result of technological developments. These workers are redeployed by transfer to other enterprises in accordance with the labour legislation in force. The principle of freedom to choose the type of employment and place of work, is strictly observed, and both material and moral incentives are provided (cf. decrees of the RSFSR Council of Ministers of 8 January 1971, Collection of RSFSR Government Regulations and Decrees, 1971, No. 3, p.18). A system of free courses has been set up to retrain workers whose trades are becoming obsolete and to upgrade qualifications and industrial skills."

23. Another aspect of the problem of the protection of the right to employment in the face of difficulties created, either directly or indirectly, by technological progress was commented upon by the Government of the Federal Republic of Germany:

"In extreme cases technical progress can lead to the collapse of business undertakings, which deprives employees not only of their jobs but also of outstanding wages. This situation is countered by the Law on Bankruptcy Pay which provides that, in the event of a bankruptcy, employees are entitled to full net wages for the **three** months prior to the opening of bankruptcy proceedings as a new form of social insurance benefit. Apart from that, outstanding wage claims for the six months preceding the opening of bankruptcy proceedings become liabilities within the meaning of the bankruptcy law."

B. Use of the computer

24. The Government of the Federal Republic of Germany has noted that the use of the computer may be expected to have a long range effect upon employment:

"The recently introduced system of integrated data-processing is of special importance for the development of new employment statistics which in turn will help to improve labour market forecasts.

"Personal and job data banks and information systems tailored to the specific purposes and structures of the individual user are increasingly being installed in business undertakings and Government agencies in the Federal Republic of Germany."

25. The developments are reported to be based on findings that lack of data had restricted the following: job placement, management decision-making, creation of working conditions suited to the needs of the workers, settling of labour-management disputes, development of education and training programmes.

26. The Government of the Federal Republic of Germany also reports on efforts to create more favourable working conditions through the co-ordination of information systems in the economic, social and administrative sectors:

"Government policy in the social and educational field, in the same way as management policy in business undertakings, is designed to protect employees from the adverse effects of decision-making and from social hardships caused by economic and technological progress. These policies are complementary to each other and provide data which are of interest to both sides."

C. Equality between the sexes in relation to the right to work

27. The Government of Syria has reported:

"The scientific and technological development and the progress in the use of machinery, as a result of which work no longer needs the exertion of great human strength, eliminated the differences between women and men in job opportunities. The Syrian Arab Republic has no indication that development has affected negatively the right to equality between women and men."

28. Mass media, a product of scientific and technological progress, has had its impact on sexual equality in training for employment. UNESCO has described the situation in this way:

"In the women's programme, science and technology have made our task both more difficult and easier: more difficult because the image of woman generally projected by modern mass media, such as the cinema, television, and the press, particularly popular magazines, is a caricature on whom public opinion is led to believe education above a certain level is wasted; easier because in countries where there is a shortage of qualified teachers for girls and women, radio and television can, to a certain extent, help to make good this shortage, and so to widen the range of subjects open to them."

III. RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK

29. Some advances in technology permit the improvement of conditions of work, while others create dangerous conditions of employment. The Government of Syria has commented on these two aspects:

"The Syrian Arab Republic has ratified the International Labour Convention No. 115 concerning radiations, and the Ministry of Social Affairs issued a decree No. 1112 dated 16 December 1973 providing for its implementation. It has also ratified the two Conventions Nos. 119 and 120.

"The Syrian Arab Republic believes in the necessity of benefiting from the scientific and technological development for the improvement of work conditions, and endeavours to establish health vocational centres equipped with laboratories and the necessary installations for the evaluation of the environment of work, its circumstances and conditions in order to provide every worker with appropriate job according to his ability.

...

"The Ministerial Decree No. 970 of 1969 stipulates the necessity to provide safe and non-dangerous machines for the health of workers and the regular inspection of the machines. The Ministerial decree No. 12 specifies also the necessity of medical check up for those workers who are exposed to a certain injury resulting from their job; it also describes the ways to undergo this check up, and permits a change of job in case this injury constitutes a danger to the worker's health."

30. The Government of Hungary has commented:

"[I]t may be established that technical development has especially aggravated the following problems lately:

- environmental protection in a narrower (working place) and a wider sense;

.....

- the new occupational harms caused by technical development (exposure to radiation, harms of benzene, occupational cancers, psychical and locomotor disorders)."

31. The Government of the USSR has reported that:

"In the Basic Labour Laws (1970) and in the new Labour Codes of the Union Republics (1971-73), the right of manual and non-manual workers to healthy and safe working conditions is for the first time fully formulated as a social right of Soviet citizens.

"In the light of scientific and technological progress, labour protection, which involves a wide range of technological, economic, organizational, sanitational and legal measures, is being developed with due regard to the introduction of mechanization and automation, nuclear technology and other novel features in industry.

"The Twenty-fourth Congress of the Communist Party of the Soviet Union referred to the need to improve labour conditions further by a better production technology, consistent reduction of the use of manual, heavy and unskilled labour in all branches of the national economy, and the introduction of modern safety techniques and devices at enterprises."

32. In the application of advances in technology to agricultural conditions of employment, the Government of the USSR reports that considerable attention is given to protection of the worker:

"Under the safety and hygiene regulations in force at collective farms, scientific and technological advances are widely used to provide healthier working conditions for collective farmers. Those farmers who suffer injury to health while engaged in production receive maximum social insurance benefits. Machines, chemicals and other means of production are regarded as sources of special health hazards under Soviet legislation. If a collective farmer's health is damaged by such means of production, the collective farm is obliged to pay full compensation even where it bears no blame for the accident (articles 90 and 92 of the Basic Civil Laws of the USSR and the Union Republics dated 8 December 1961, Bulletin of the Supreme Soviet of the USSR, No. 50, p.525).

"Considerable attention is given in Soviet legislation to ensuring the safe use of artificial fertilizer and other chemicals in agricultural production. The manufacturers of such goods and the enterprises using them are required to guard against any hazard to human beings, domestic animals and natural fauna and flora."

33. The Federal Republic of Germany sees a role for the United Nations in the improvement of working conditions:

"Standardization and norm requirements

Full utilization of the possibilities of electronic data-processing is essential to bring about an improvement in decision-making criteria with a view to creating more favourable working conditions. Joint activities by

Government agencies, business undertakings and the trade unions in the Federal Republic have clearly demonstrated that only a co-ordinated approach in the elaboration of basic principles for personal and job data banks will make it possible to use data-processing on a wider scale in industrial policy-making. Apart from that, a higher standardization effect with its favourable results in terms of compatibility, pertability and the merging of information requires joint action by all concerned on as broad a basis as possible.

"Comparable data and analyses at the industrial, national and international level and the development of appropriate control instruments make it appear desirable to achieve maximum standardization. In the view of the Federal Government the United Nations could provide further valuable impulses in this respect."

34. In agriculture, the advantages resulting from scientific and technological progress have resulted in the improvement of working conditions. In this connexion the Government of the USSR has reported:

"The further growth of collective farm output thanks to the large-scale application of scientific and technological advances enables the social services for collective farmers to be steadily improved. Thus, on 1 January 1968 the retirement age was lowered by five years and is now at the same level for farmers as for all manual and non-manual workers (age 60 for men, age 55 for women).

...

"[C]ollective farmers receive sickness benefits, maternity and funeral benefits and free passes to sanatoria, holiday homes, boarding schools, tourist centres and children's holiday camps: in other words, they are entitled to the same benefits under the social insurance system as other manual and non-manual workers.

"The strengthening of collective farm economies by the mechanization of agricultural production, land improvement, the use of chemical fertilizers, and the practical application of other scientific and technological advances has provided a more solid basis guaranteeing equal pay for collective farm labour.

...

"All-round mechanization of production processes and the application of other scientific and technical advances are enabling collective farms to reduce their members' working hours without any loss of earnings and to grant annual holidays while maintaining average earnings. Collective farmers employed under adverse working conditions are allowed holidays of longer duration.

...

"The strengthening of collective farm economies by the mechanization of agricultural production, land improvement, the use of chemical fertilizers, and the practical application of other scientific and technological advances has provided a more solid basis guaranteeing equal pay for collective farm labour."

35. The Government of the USSR has reported:

"Under the impact of scientific and technological advance, legislation is rapidly evolving to reflect the need for preventive inspection in the interests of labour safety. Such inspection must ensure that labour protection requirements relating to the lay-out or equipment of a plant, to the installation of a machine, or the introduction of a new production process are observed even before the plant or new machine are brought into operation or before the new industrial process is introduced.

...

"[R]equirements of preventive inspection are concretely defined in articles 58 and 59 of the Basic Labour Laws, articles 140-142 of the RSFSR Labour Code, and the corresponding articles of the Labour Codes of other Union Republics. These texts give the first full definition of the requirements of labour protection with regard to the means of labour, i.e., industrial buildings and structures, equipment, including machines and machine tools, and production processes at the design, construction, installation or operational stage. Labour protection requirements are defined with regard to both new and rebuilt industrial installations and to the mass-production of models of new machines and other equipment, including industrial equipment subject to specially stringent safety and industrial hygiene regulations."

IV. RIGHT TO REST AND LEISURE

36. The Government of the USSR has reported:

"All-round mechanization of production processes and the application of other scientific and technical advances are enabling collective farms to reduce their members' working hours without any loss of earnings and to grant annual holidays while maintaining average earnings. Collective farmers employed under adverse working conditions are allowed holidays of longer duration."

V. RIGHT TO SOCIAL SECURITY

37. The Government of the Federal Republic of Germany has written of the use of the computer in the area of social security:

"A particularly noteworthy effect of automation in the social security sector is the right established under the Pension Reform Act, of insured persons nearing retirement to receive information on their pension entitlements.

"Pension insurance legislation in the Federal Republic of Germany stipulates that, as far as possible, pensions should be calculated individually. While insurance companies had not been able as a rule in the past to undertake this time-consuming work before the date on which pensions were due, they are now in a position to store, thanks to the progressive development of data-processing techniques, individual data in a way which allows access to them at any time. As a result of this, it has been made obligatory for insurance companies to provide information to insurers also before they reach retirement age."

38. The Government of the USSR has reported:

"The further growth of collective farm output thanks to the large-scale application of scientific and technological advances enables the social services for collective farmers to be steadily improved. Thus, on 1 January 1968 the retirement age was lowered by five years and is now at the same level for farmers as for all manual and non-manual workers (age 60 for men, age 55 for women) . . . As a result, collective farmers receive sickness benefits, maternity and funeral benefits and free passes to sanatoria, holiday homes, boarding schools, tourist centres and children's holiday camps; in other words, they are entitled to the same benefits under the social insurance system as other manual and non-manual workers."

VI. RIGHT TO EDUCATION

A. Long-range educational planning

39. The Government of the Federal Republic of Germany has commented as follows:

"In view of the far-reaching socio-political implications of automation which were also underlined by the United Nations, the Federal Government has approved a Second Data-Processing Programme. This Programme gives high priority to the promotion of vocational adjustment through educational measures. It provides new impulses to university education and technical and vocational training in computer science and techniques with the aim of avoiding through preventive action employment difficulties and bottlenecks on the labour market. The laws concerning labour promotion and vocational training and the Law on the Constitution of Enterprises, among others, offer in addition a series of possibilities to prevent and eliminate adverse effects of the use of electronics or automation."

B. Mass Media and Audio-visual devices

40. UNESCO had described the use of the media and audio-visual techniques in promotion of education:

"So far as the use to which science and technology can be put in promoting the right of refugees and colonial peoples to education is concerned, the UNRWA/UNESCO Department of Education makes effective use of modern audio-visual methods to improve quality at all levels of its system of education for Palestinian refugees in the Middle East. In Africa radio and ultimately other audio-visual methods will become increasingly important in helping to compensate for the shortage of teachers at all levels in the educational systems in the liberated zones and newly independent states like Guinea-Bissau. Here the main impact of technology on education is for the present quantitative.

...

"So far as the migrant workers' programme is concerned, we have very little operational experience at the moment, but our proposals for the next biennium include the use of mass media to better inform public opinion in the host countries as to the social and cultural problems being faced by the migrant workers, and to help the teacher both in the host country and in the country of return more effectively to teach the migrant worker and his children."

41. The Government of Japan has reported upon programmes which are in operation in that country:

"[E]ducational programmes of television and radio broadcasts play an effective role in raising educational levels.

"A remarkable step being taken in this direction is the so-called Broadcasting University, which will soon be put into practice in Japan. The Ministry of Education is finalizing its plan to officially start an educational system at the university level in which all the necessary curricula are given by means of television and radio broadcasts.

"In addition, simultaneous satellite broadcasts on a worldwide network already benefit cultural life of the rural area and will increasingly help in solving educational problems of the developing countries."

42. The Government of Iraq sees modern technology as a means of combating illiteracy and to aid the handicapped. It recommends:

"Up-to-date technological methods should be used to combat illiteracy, to aid all educationally-backward communities and to enable the handicapped to take a fuller part in social life."

VII. RIGHT TO A HEALTHY ENVIRONMENT

A. General Observations

43. The Government of Kuwait has expressed the following opinion:

"The goal of the medical family is to ensure a happy life for the individual, from the health, the mental health, and the social point of view, by using the medical and technological sciences in order to improve the environment, to fight diseases and protect man from certain elements harmful to health.

"Technological progress achieved in this century has had, no doubt, effects on man's health: for example, the increase of radiating matter in the atmosphere and its increased use in industry and medicine. That is why strong motives for, and checks on the use of these products should be insisted upon, such that we are sure that their benefit exceeds the complication and hazards that might result from them."

44. Some aspects of the problem of the pollution of the environment have been described in this manner:

"In the developed world, contemporary technology is almost universally regarded as polluting. Though this is by no means the most serious of the criticisms which can be levelled at today's technology, we will deal with it first because it is by far the most common. And, of course, it is unquestionably correct. The technology we use is polluting in many different ways factories discharge effluents, sometimes noxious and always offensive, into rivers, the sea and the atmosphere.

"In several parts of the world the eating of shell-fish has become dangerous due to the high levels of heavy metal residue found in them. Nuclear devices, both military and peaceful, liberate unwanted and potentially harmful amounts of radiation into both water and air. Particulate matter

accumulates in the atmosphere leading to smog. The air is so heavily dirt-infested in industrial areas that household cleaning becomes a twice-a-day routine. Dangerous chemicals accumulate in foodstuffs, giving them peculiar tastes and other undesirable properties. The discharge of waste heat from factories and power plants heats river and lake water to such a degree that eutrophication and subsequent death of aquatic life becomes a familiar problem. Agricultural soil is treated as though it were some kind of chemical blotting paper whose only function is to provide domestic plants with sufficient nitrogen, phosphorus and potassium. The soil structure deteriorates mechanically and the highly complicated ecology of important soil organisms is irreversibly upset. According to one calculation, the United States has lost, since the time the prairies were first put under the plough, one-quarter of the topsoil available.

"Such a list of the polluting effects of contemporary technology could be and indeed has been many times in the past few years, greatly extended. To this problem there are now a number of standard responses. The first can be described as the 'price response'; pollution, this riposte runs, is the price we pay for an advanced technology, and it is well worth the price; true, we have a pollution problem (though it is greatly exaggerated), but it is of minor importance in comparison to the real benefits technology produces. The price response is heard most often in the developed world but it is also found in developing countries in a slightly differing form: bring us your polluting factories and we will learn to live with the pollution that results, for it is a small price to pay for a means of escape from the grinding poverty in which we live.

"The second rejoinder, and this is the one most widely found in scientific and technical circles is the 'fix-it' response. Advocates of this position accept the seriousness of the pollution problem, or of much of it and claim that serious and concerted action must be taken to restore the environment. This action, however, will involve more technology not less, and the clever use of sophisticated devices to monitor and then lower pollution levels, if this is found necessary. Into this category of declamation fit advertisements for electricity boards urging users to take to 'clean fuel' and substantial international programmes, such as UNESCO's own Man and Biosphere. The 'fix-it' response is primarily scientific and technical and sometimes technocratic." ^{1/}

B. Deterioration of the land and pollution of water and the air

45. The Government of the USSR has reported steps taken to protect the land from the adverse consequences of the application of technological progress:

^{1/} Robin Clarke, "The pressing need for alternative technology", Impact, Vol. XXIII, No. 4, Oct.-Dec. 1973, UNESCO, pp. 257-259, furnished by UNESCO.

"In order to protect agricultural land - especially land which is arable, irrigated or drained and therefore of the most valuable kind - from unwarranted encroachments by the growing needs of industry, the law imposes a number of requirements which ensure optimum decisions in cases of land conversion (preliminary agreement with the land users and State supervisory bodies as to the location of the units to be constructed, the approximate size of the site, etc.).

"The law provides for the sanitary protection of land. In the criminal codes of certain Union Republics, pollution and contamination of the soil by wastes from scientific experiments are treated as a punishable offence.

"The Basic Water Laws of the USSR and the Union Republics, the Water Codes and certain special normative instruments impose on all water users the responsibility for rational use of water resources, economical water consumption, restoration and improvement of water quality, and the proper maintenance of water treatment plant and other installations affecting the condition of water."

46. The Government of Austria has pointed out the dangers to food quality that may result from the application of technological progress to the land:

"However, it is specific for scientific and technological progress by the very nature of its techniques that it may threaten as well as promote the enjoyment of human rights. Whereas, for example, certain fertilization and irrigation processes may be conducive to alleviate hunger in some countries, the same means could - when applied in other regions - lead to a dangerous deterioration of the food quality."

47. The Government of the USSR has reported as follows:

"The Basic Agrarian Laws of the USSR and the Union Republics, 1968, the Agrarian Codes of the Union Republics and other instruments of Soviet agrarian legislation lay down special requirements with regard to land preservation and the creation of favourable preconditions for better land use in the interests of society and mankind.

"Users of land are required by law to take effective action in order to increase soil fertility and to carry out certain organizational, economic, agrotechnical, forest improvement and hydrotechnical measures to prevent wind and water erosion of soils; they must not allow lands to become silted up, bogged up, polluted or overgrown with weeds or to suffer other processes detrimental to the condition of the soil.

"Enterprises, organizations and establishments which develop mineral deposits by the opencast or underground method or which conduct prospecting, building or other operations on agricultural or forest land assigned to them for temporary use are required at their expense to put these plots of land into a suitable condition for use in agriculture, forestry or pisciculture."

48. With respect to preservation of forest areas, the Government of the USSR has written:

"Forests are regarded in the Soviet Union not only as a raw material base for timber production but also as a many-faceted natural resource. With the growth of towns, the role of forests as places of rest and recreation for working people and as natural sites for tourist centres is steadily increasing. This is accompanied by a corresponding increase in the scenic value of forests, particularly urban wooded areas and green belts.

"At the same time, the growth of the pulp and paper industry and the chemical timber processing industry leads to an ever increasing demand for wood. This entails a danger of exhaustion and destruction of the most valuable forests, or of those closest to haulage points. In order to protect forests and assure their regeneration, control of the State's forestry assets has been vested in special forest authorities responsible for the condition of the country's forests.

"Trees are felled in the country's principal forest regions by timber enterprises under the control of the forest authorities.

"The forest authorities are responsible for the State protection of forests. They issue logging permits, supervise the production process, and take action against persons guilty of breaches of forestry laws.

"Timber is harvested according to a plan for the allocation of forestry areas approved by the Government under conditions which ensure the possibility of forest regeneration and conservation. These conditions are laid down in special Regulations for the Sale of Standing Timber in Forests of the USSR, approved by the USSR Council of Ministers on 29 June 1969, which establish penalties for failure to fulfil the specified requirements.

"In addition, the forestry legislation of the USSR and the Union Republics determine the liability of enterprises, establishments, organizations and individual citizens for breaches of the Fire Safety Rules in Forests of the USSR, of 18 June 1971, for unauthorized felling of timber and other abuses, and for damage to forests by industrial wastes, chemicals and effluents which cause their deterioration."

49. Cognizant of the dangers of water pollution as a result of modern technology, the Government of the USSR has reported:

"Water is used for a wide variety of purposes, but priority is given to the use of water resources for drinking, domestic and other public needs. The law also treats as a matter of prime importance the use of water resources for medical and recreational purposes and in health resorts. The discharge of effluents into bodies of water is permitted only if the special conditions provided by law are observed and if the effluents do not contain any pollutants.

"All waters are subject to protection from pollution, contamination and exhaustion.

"The rational utilization of water, priority for drinking water supplies and household needs, the protection of water from pollution, contamination and exhaustion, and the preservation of natural and scenic amenities must be assured when new and remodelled enterprises and installations are sited, planned, built and commissioned and when new technical processes affecting the condition of waters are introduced."

50. With respect to maintaining purity of the air, the Government of the USSR reports:

"Soviet law provides for the protection of the air from pollution by industry and motor transport.

"A decree of the USSR Council of Ministers dated 29 May 1949 prohibits the commissioning of new plants, workshops or installations which emit harmful gases, vapours or dust into the air unless the purification of such emissions is assured.

"The maintenance of air purity is incumbent upon the State sanitary authorities which form part of the public health system. These authorities determine the permissible limits of concentration of harmful substances in air and other standards. In addition, a special Government inspection unit has been set up to supervise the work of gas purification and dust suppression installations operating under the Ministry of Chemical and Petroleum Engineering."

51. Attention has been drawn to specific dangers to a healthy human environment which result from pollution of the air and water:

"Even the waters of the seas can no longer absorb the effluents we dump into them. Not only are the oceans and their coasts polluted, but sulphur dioxide laden air may contribute to cancer and defects at birth. Factory fumes bearing SO₂ give rise to sodium bisulphate, a compound of SO₂ used industrially in the pickling of metals and in the cleaning and dyeing of cloth which reacts sharply on RNA and DNA genetic materials. No modern city is free from SO₂." 2/

52. The question of radiation pollution and prevention of its harmful effects was raised by the governments of Syria and Kuwait. The problem has been described in this way:

"Our knowledge of the harmful effects of ionizing radiation is still at a preliminary stage, having gone little beyond what is known of its effects on the victims of Hiroshima and Nagasaki and on radium-dial painters,

2/ Mansur Hoda, "Development is a two-way street toward survival", Impact, Vol. XXIII, No. 4, Oct.-Dec. 1973, UNESCO, p. 277, furnished by UNESCO.

radiologists and uranium miners. It is well established that even small doses of radiation can have adverse effects, sometimes showing themselves much later in life or even in subsequent generations of the biological mechanism. The amount of wastes and effluents, all radioactive, generated by nuclear power stations is so unmanageable that it cannot simply be dumped in the oceans or safely stored beneath the earth. Nuclear wastes are a violently lethal mixture of short- and long-lived isotopes the toxicity of which can last for thousands of years and cannot be artificially reduced. So far, these wastes have been kept in concrete containers, shielded in lead, in the hope that eventually some method will be found for their disposal. In the meantime, more and more wastes are being accumulated." 3/

C. Remedies

53. The Government of Iraq recommends:

"Up-to-date methods should be used to protect the population against the dangers of pollution in all its forms and the use of techniques which cause pollution should be prohibited.

"Technology should be used to safeguard the natural resources common to States and communities and to ensure that their utilization is based on fair and equal distribution."

54. The Government of Austria has pointed out regional differences and draws "attention to the fact that a global approach does not seem to solve every problem in this field. Therefore, it would be reasonable to differentiate on a regional basis the implementation of scientific and technological means according to the needs and conditions existing in the areas concerned."

VIII. RIGHT TO ECONOMIC, SOCIAL AND CULTURAL WELLBEING

55. The International Atomic Energy Agency has commented on the use of nuclear power as follows:

"In view of the growing ability of nuclear power to satisfy world energy needs much attention is being paid by the Agency to programmes directed at making nuclear power economically available and safe for both developed and developing countries. The Agency's major preoccupation in this regard is the formulation of universally acceptable safety and reliability standards for siting and operation of nuclear power plants."

56. The International Civil Aviation Organization has reported:

"It can also be said that by its own nature civil aviation is contributing to facilitate the enjoyment by all peoples of their rights to education, economic, social and cultural well-being."

3/ Mansur Hoda, op.cit., p. 276.

57. The World Meteorological Organization has reported:

"In general terms it may be said that the raison d'être of WMO is precisely to apply the science of meteorology to assist economic and social progress in every possible way. These applications are very numerous and include activities relating to world food production, aviation, shipping, environmental problems of various kinds, disaster-warning systems and so on. The aim is to ensure that all countries derive the maximum benefit according to their particular needs and interests. The Technical Co-operation programme of WMO does much to ensure that the developing countries receive these benefits."

IX. CRIMINAL INVESTIGATION AND TRIAL PROCEEDINGS

58. The Government of Afghanistan has reported:

"Recently, a Department was established within the Ministry of the Interior to supervise the application of scientific techniques to criminal investigation. The authority for this Department is set forth in a regulation which entered into effect on 10 January 1974."

59. The Government of the USSR has stated that:

"The introduction of new scientific and technological services in criminal proceedings calls for special legal safeguards to protect persons implicated in such proceedings.

"In recent years the use of sound recordings in interrogation has been legalized and rules governing the appropriate procedure have been included in the Codes of Criminal Procedure of the Union Republics. A sound recording of an interrogation may be used on the initiative of the investigator or at the request of the persons undergoing interrogation. It must reproduce the interrogation in full; a sound recording of part of the interrogation is not admitted. At the end of the interrogation the sound recording is submitted to the person interrogated. Any additions made during this process are entered on the recording. The sound recording ends with a statement by the interrogated person certifying it to be correct. The fact that a sound recording has been used, its content, information about the means and conditions of recording and the entire procedure must be reflected in the record of the interrogation, to which the sound recording is appended."

60. With respect to the use of technology in trial proceedings, the USSR reports:

"Sound recordings may also be made during court proceedings, which does not preclude evidence being entered in the court record. If it is necessary to reproduce evidence given by the interrogated person prior to court examination, evidence entered in the record must be made public first and reproduction of the sound recording is admitted only afterwards."

"Such, in brief, are the main provisions governing the use of sound recordings in criminal procedures (articles 141, 141¹, 281, 286, 287 et al. of the RSFSR Code of Criminal Procedure)."

61. The use of expert evidence in the USSR has been described by the Government in this manner:

"The most important channel through which the investigation normally obtains scientific and technical data is that of expert evidence. The Code of Criminal Procedure lays down detailed rules for the submission of expert evidence so as to create optimum conditions for the impartiality of such evidence and to ensure that the lawful interests of persons involved in the case are not infringed (articles 78-82, 184-194, 288-290 et al. of the RSFSR Code of Criminal Procedure)."

X. MASS MEDIA

A. General Observations

62. UNESCO has made the following observations in relation to the mass media:

"The United Nations, its permanent commissions and specialized agencies, have long recognized the role which the mass media can play in the promotion and preservation of human rights and their particular relevance to Resolution 2 (XXX) of the Commission on Human Rights.

"As the agency specifically charged with promotion of the free flow of information and development of communication, UNESCO has carried through both normative and substantive actions to encourage the use of communication technology for the purposes encribed in Resolution 2 (XXX). The Guiding Principles for the use of Communication Satellites adopted by UNESCO's Seventeenth General Conference is a recent example of the normative action directly aimed at a highly sophisticated and potentially hostile technology.

"Substantively, international programmes in the training of communication personnel, in communication research and planning and in the use of communication media for education and other social and cultural objectives have helped to ensure that man is the master of technology and not a victim of its pervasive advance.

"But it is not enough that media provide information, education and expressions of culture nor even appeals to national endeavour or international peace. Human rights are not advanced by a technology which purports to instruct, edify or amuse but to which the vast majority of its users are an impotent audience.

"The potential of individual access to communication media increases in direct proportion to evolution and expansion of the media. Technology is rapidly suggesting the definition of a right which has benignly rested in the most fundamental of human needs: the right to be heard, the right to communicate."

63. As to limitations to be placed on mass media the Government of Iraq has suggested:

"The use of techniques such as sound effects, sexual or horrifying films or recordings and the like which cause excessive psychological or mental stress should be prohibited."

64. The Government of the Federal Republic of Germany has commented on the question of ethics within the media and the right of correction:

"[T]he Federal Republic of Germany will continue to promote all endeavours on the part of the professional organizations of the press, radio and television to draw up and further develop codes of professional ethics in the national and international sector.

"Apart from that, the Federal Republic of Germany regards the Convention on the International Right of Correction as a suitable instrument for those States who are in favour of a right of correction being exercised as between States in order to protect inter-governmental relations and their international prestige." 4/

B. Communication satellites

65. In UNESCO's comments cited in paragraph 62 above the importance of the regulation of satellite communication was emphasized. The Government of the Federal Republic of Germany has pointed out some of the important issues to be considered:

"Communication satellites ... are new media in the field of international communication, designed to promote the free flow of information across national boundaries and thereby contributing towards furthering the freedom of information.

4/ The text of the Convention on the International Right of Correction, adopted by the General Assembly of the United Nations on 16 December 1952 appears in United Nations Treaty Series No. 6280, Vol. 435, p. 192.

"These new media require maximum guarantees which not only safeguard the principle of freedom of information and opinion, but at the same time also ensure respect for human rights and fundamental freedoms as a whole.

"This cannot be achieved, however, by measures endangering the substance of these rights, such as programme control and prior approval, exercised by bodies outside the media themselves. Such measures, if pursued in the manner in which they are now propagated in the interest of the integrity and sovereignty of States would lead to a system of censorship - whether based on national or international criteria - which would be incompatible with the principle of the free exchange of information.

...

"Communication satellites will considerably facilitate the dissemination and exchange of information. However, this may not be true in the international sector. It seems more likely that the use of artificial earth satellites will be possible only on the basis of a limited range of technical conditions, if at all, and only by virtue of regional intergovernmental agreements.

"Yet it appears inexpedient and premature even under this aspect to discuss international rules governing the use of satellite broadcasting. The world administrative radio conferences of the ITU (WARC) for direct satellite broadcasting, scheduled for 1977 and 1979, will render meaningless a number of political and legal problems discussed within the United Nations family."

C. Measures of Protection

66. The Government of the Federal Republic of Germany has commented on the subject of protection of freedom of information and the exercise of rights attendant on the expansion of the mass media:

"Effective protection of these rights against abuse can be safeguarded only on the basis of a liberal and democratic political and social system as it exists in many States: on the one hand, a code of conduct and control mechanisms for the information media, based on the principles of the constitution and the general legal system, as reflected either in corporate statutes (broadcasting) or in codes of professional ethics (press councils) which govern the publicity work of the media; and on the other hand, a set of statutory rules and standards which provide the possibility of correction, compensation and sanctions in the case of abuse

of the freedom of information. These would include prosecution of the unauthorized use of listening devices and of defamatory statements, legislation to protect the privacy of the individual and the right of correction. Foreigners in the Federal Republic of Germany enjoy such rights. Any foreign national in the Federal Republic whose fundamental rights and freedoms have been violated by publications is entitled to claim damages. He can also demand correction of the publication or broadcast transmission on the grounds that the contested statements constitute a misrepresentation of facts concerning himself.

...

"The Federal Republic of Germany welcomes all efforts towards an appropriate harmonization of national legislation in this respect. In July 1974 the Committee of Ministers of the Council of Europe approved a recommendation concerning the right of correction in respect of press publications and broadcasting transmissions, which had been drawn up with the participation of the Federal Republic. An appendix to this recommendation contains minimum requirements to be observed in any revision or amendment of the relevant national standards.

...

"Governments who consider it necessary that the right of correction should apply also as between States, are free to accede to the Convention on the International Right of Correction [which entered into force in] 1962 (United Nations Treaty Series No. 6280, Vol. 435, p. 192).

"This dual system of internal self-control on the one hand, and correction, sanction and compensation on the other is in conformity with the nature and role of the mass media in a free pluralistic society which depends on comprehensive information on the national and international level. Every individual must have unrestricted access to a wide range of information sources in order to get to know the views of others which enable him to form his own opinion and to become an active member of society in the political, social and cultural field.

"The same applies to relations between peoples: only an unrestricted exchange of information across national frontiers can promote mutual understanding which is a prerequisite for peace in the world.

"This underlines the eminent importance of the freedom of information as laid down in Article 19 of the Covenant on Civil and Political Rights, and in Resolution 59 (I) of the United Nations General Assembly: 'Freedom of information is a fundamental human right and a touchstone of all freedoms to which the United Nations is consecrated'."

XI. INTERNATIONAL PEACE AND SECURITY

67. The comment has been made that modern technology is capable of constituting a threat to international peace and security:

"The technology of nuclear power, for example, is difficult to distinguish from the technology of nuclear warfare: the latest medical advances are apt to find themselves applied in centres developing biological weapons before they are in hospitals; and in the capitalist countries the pace and type of technical advance are very closely geared to the profit motive. The existence of this flaw in modern technology gave rise a few years ago to the whole 'social responsibility' movement in science in which it was argued that scientists are themselves responsible for the uses to which their work is put. Again, there is much argument over exactly what constitutes a misuse of science or technology and what a proper use. But clearly, just as modern technology has made contemporary man more secure from the whims and misfortunes of the environment in which he lives, so too has technology added a new and threatening dimension to life by making possible the annihilation of the human race." 5/

68. The Government of Byelorussian SSR made the following comment:

"During the past few years, as a result of vigorous action by peace-loving forces, positive results have been achieved in limiting the arms race and encouraging disarmament. Nevertheless, vast resources are still spent on producing and improving armaments. In many countries the view is widespread that the achievements of modern science should be used for the development of new types of weapons of mass destruction and military devices."

69. The Government of the Ivory Coast has commented as follows:

"The Government of the Ivory Coast in the interests of harmonious national development gives priority to scientific and technical education, and has no specific criticism to make with regard to the points of view expressed in the reports by the Secretary-General of the United Nations on human rights and scientific and technical developments.

"While aware of the importance of science and technology in economic and social development, the Government of the Ivory Coast would nevertheless emphasize that the impact from those two motive forces must be used for peaceful and humanitarian purposes, for the wellbeing, dignity and security of mankind."

70. The Government of the Ukrainian SSR comments on the results of using advances in science and technology for militaristic rather than humanistic ends:

"The growth of armaments swallows up immense resources and considerably reduces the amount of capital available for civil purposes not to mention the funds which might be spent on improving the standard of living of the workers so that they could effectively enjoy the rights proclaimed in the Universal Declaration of Human Rights and the Covenants.

"The growth in military expenditure and the arms race does not permit the development of scientific progress in ways which would raise the standard of living of the workers. On the contrary it leads to increased taxation, higher prices, unemployment and want. The international tension built up by sabre rattling reduces the possibility of exercising political, social, economic, civil and cultural rights. At the same time armed conflicts are inevitably accompanied by stagnation of research for peaceful purposes and gross violation of all human rights, especially the most sacred right of all - the right to life."

71. The International Atomic Energy Agency has commented as follows:

"[T]he development and application of safeguards by the Agency under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) may be cited ... The Agency will be providing reports to the 1975 NPT Review Conference with respect to its activities related to that Treaty. These not only involve safeguards work but also the Agency's role in fostering international collaboration in the peaceful uses of nuclear energy."

The International Civil Aviation Organization has reported:

"[T]he whole of our Organization's activity is dedicated to insure the safe and orderly development of civil aviation which as stated in the preamble of the Convention on International Civil Aviation 'can greatly help to create and preserve friendship and understanding among the nations of the world'."

The World Meteorological Organization has reported:

"[T]he developments in the science of meteorology and in the technological advances in other fields which are now used for meteorological purposes make it even more essential to apply plans and programmes conceived and operated on a global scale. The interdependence of all nations has thus become further stressed. For example, the World Weather Watch programme involves the operation in a fully co-ordinated fashion of world, regional and national meteorological centres. The WMO system operates so that all countries contribute and all countries receive the benefits."

XII. TECHNOLOGY ASSESSMENT MACHINERY

72. The Government of the Federal Republic of Germany described an aspect of its assessment machinery:

"In its structural and labour market policies the Federal Republic of Germany seeks to collect a large number of data on the positive and negative effects of technical and scientific progress on living conditions. Intensive promotion is given in particular to research into the interrelationship between technological and scientific progress and social change. The Commission for Economic and Social Change and the German Productivity Board may serve as examples in this connexion.

...

"The Commission for Economic and Social Change - which was established by the Federal Government as an independent committee with a mandate limited to 1975/76 - follows attentively the course of scientific and technological development and social change and their impact on the individual and on society. The commission assigns research work to scientists and research institutes designed to lead to new results on the economic, social and educational sector which will further the development of social policy. The commission will summarize its research findings and recommendations in a comprehensive final report."

73. The Government of Iraq has described the need on the international level for examination of the problems posed by advances in science and technology:

"There is also a need for an ad hoc scientific committee to study the effects of scientific progress, where these may be harmful, and to safeguard, on a continuous and constructive basis, the human rights of all mankind, and to make its findings in these two areas available to States."

XIII. COMMENTS RECEIVED FROM GOVERNMENTS ON STUDIES ALREADY PREPARED IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTION 2450 (XXIII) AND COMMISSION RESOLUTION 10 (XXVII) AND THOSE STUDIES TO BE COMPLETED

74. The Government of the Byelorussian SSR has made the following comments:

"The United Nations and its bodies responsible for questions relating to scientific and technological development should continue to give great attention to these problems in the future. General Assembly resolutions 3026 (XXVII) and 3150 (XXVIII) on The "Use of scientific and technological developments in the interests of peace and social development", together with resolution 2 (XXX) of the Commission on Human Rights on "Human rights and scientific and technological developments", provide the essential guidelines in this field. In the opinion of the Byelorussian SSR, the recommendations contained in these resolutions should be the basis for drawing up international measures on human rights and scientific and technological developments.

"So far, however, efforts are still being made to ignore the important principles contained in the above-mentioned resolutions of the General Assembly and the Commission on Human Rights. As was rightly pointed out at the thirtieth session of the Commission on Human Rights, only three out of about 20 studies prepared by the Division of Human Rights of the United Nations Secretariat deal with the effect of scientific and technological development on the exercise of human, economic, social and cultural rights. The studies lay undue emphasis on secondary questions relating to the consequences of the development of electronics on various aspects of people's private lives, instead of tackling such vital problems as the defence of social and economic rights, improvement of standards of living, education and culture, training skilled personnel in the light of scientific and technological progress, and the protection of the broad masses of the population from social and material inequality. The Byelorussian SSR takes the view that it is absolutely essential for the United Nations Secretariat to ensure that its future studies fully reflect the provisions of the above-mentioned resolutions of the General Assembly and the Commission on Human Rights and that the studies deal with the fundamental problems, and especially those mentioned in paragraph 3 of resolution 2 (XXX) of the Commission on Human Rights.

"A glance at the studies already prepared by the United Nations Secretariat makes it immediately obvious that they grossly underestimate the influence of social and economic factors, and especially the nature of the social system, on the exercise of human rights in conditions of scientific and technological progress. The studies do not make any real distinction between the social consequences of scientific and technological developments under capitalism and under socialism. Yet in the interests of objectivity it is essential to reflect all the processes at work in the different States Members of the United Nations. In a capitalist system scientific and technological progress leads to growth in the profits of monopolies, the spread of unemployment, increasing exploitation, more social and material inequality, a reduction in the income of workers, a rise in the cost of the social services, etc. In a socialist society, on the other hand, scientific and technological progress leads to more rapid utilization of the great capacity and potential that exists. The socialist system of ownership, planned organization of production, active participation by workers in the organization and management of the economy - all this helps to create conditions for optimum use of the achievements of science and technology in the interests of human welfare. Economic, scientific and technological progress under socialism is subordinate to the goals of all-round development of the individual, and ever greater satisfaction of the material and cultural needs of the people.

"In conclusion it should be pointed out with regret that the studies so far prepared by the United Nations Secretariat contain practically no reference to the material submitted to the United Nations concerning the achievements of the socialist countries, including the Byelorussian SSR, in the sphere of safeguarding human rights in conditions of scientific and technological progress. In completing the studies it is absolutely essential to take account of the experience of the socialist countries in this field."

75. The Government of the Federal Republic of Germany has commented as follows on the study on the protection of the rights of the individual against threats arising from the use of computerized personal data systems:

"The Federal Government welcomes the suggestions concerning the establishment of an international register for the control of personal data banks as set forth in Document E/CN.4/1142 (paragraph 277). The document enumerates a number of principles which have been partially embodied already in national legislation in order to ensure their uniform application."

76. The Government of the Ukrainian SSR has made the following comment with respect to previous studies:

"The Ukrainian SSR attaches great importance to the studies made on the question by the United Nations, and considers that they should be based on the principle that scientific and technological progress is inseparable from a country's social, economic and political system. Thus, for example, under the capitalist system, where there is private ownership of the means of production and exploitation of man by man, the achievements of science and technology are by no means always used in the interests of the broad masses of the population. In spite of the growth in production brought about by scientific and technological progress, the workers in capitalist countries are still being exploited and unemployment is rising. Millions even now

cannot avail themselves of the right to work proclaimed in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. In their pursuit of profits, the monopolies will stop at no violation of fundamental human rights and freedoms.

"There is no parallel under the socialist system. In the Ukrainian SSR, as in all the Union Republics, the scientific and technological revolution has become a completely regular feature of socialist construction. A vast store of experience has been accumulated on using the latest achievements of science and technology to raise the standard of living yet higher and still further guarantee the rights and freedom of the people. Unfortunately, it must be pointed out that the success of the Ukrainian SSR and the other socialist countries in applying the results of scientific and technological progress has not been sufficiently reflected in the studies and reports so far submitted by the United Nations Secretariat. Examples include documents E/CN.4/1028 and Add.1-6, E/CN.4/1084, E/CN.4/1116 and Corr.1 and Add.1-3 and E/CN.4/1142 and Corr.1 and Add.1.

"The Ukrainian SSR would like to draw the attention of the Secretary-General of the United Nations to the fact that the practice of ignoring the positive experience of the socialist countries when compiling United Nations reports and studies is unacceptable."

77. That same Government has also made the following suggestions:

"In the opinion of the Ukrainian SSR, the forthcoming studies on human rights and scientific and technological developments should emphasize that the struggle for international peace and security, for peaceful co-existence and co-operation between countries belonging to different social and economic systems, will help to ensure that the achievements of science and technology are successfully used for the good of mankind.

...

"The Ukrainian SSR draws attention to the need for studies on human rights and scientific and technological developments to reflect the fact that the establishment of fascist dictatorships and the power they wield inevitably puts a complete stop to the use of the achievements of science and technology for raising the standard of living and safeguarding human rights."

78. The Government of the USSR has commented as follows on the studies in the area of human rights and scientific and technological developments:

"The existence in the USSR of a system of legislative enactments specifically directed towards the protection of the rights and freedoms of human beings in the light of the increasingly rapid development of technology provides an assurance that the achievements of the scientific and technological revolution will be used strictly and exclusively for the good of man and on behalf of humanity.

"The United Nations must help create a satisfactory situation in this respect on the widest possible scale. In this connexion it may be noted that the studies being undertaken by the United Nations Secretariat concerning the impact of scientific and technological progress on human rights are playing a certain positive role. It appears, however, that the preliminary reports on the problem distributed to States Members of the United Nations give an unduly large place to secondary questions connected with the impact of advances in electronic techniques on certain aspects of private life, etc., while they neglect problems of central importance, such as the protection of social and economic rights, the raising of standards of living and educational and cultural levels, the training of skilled personnel in the light of scientific and technological developments, and the protection of broad sectors of the population from social and material inequalities. These are the questions emphasized in General Assembly resolutions 3026 (XXVII) and 3150 (XXVIII). It appears essential that in further work on this subject the provisions of the above-mentioned General Assembly resolutions should be fully respected.

"An analysis of the preliminary reports on the impact of scientific and technological developments on human rights shows that they virtually ignore both the relevant experience of the socialist countries and the material previously supplied to the United Nations Secretariat concerning the Soviet Union's achievements in guaranteeing human rights at a time of scientific and technological development. Such a situation, which creates a one-sided picture of the impact of advances in science and technology upon the fundamental rights and freedoms of working people, appears inadmissible."