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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Note by the Secretary-General

1. In resolution 2450 (XXIII) of 19 December 1968, the General Assembly invited the Secretary-General to undertake, with the assistance of the Advisory Committee on the Application of Science and Technology to Development and in co-operation with the executive heads of the competent specialized agencies, a study of the problems in connexion with human rights arising from developments in science and technology, in particular from the following standpoints:

(a) Respect for the privacy of individuals and the integrity and sovereignty of nations in the light of advances in recording and other techniques;

(b) Protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry;

(c) Uses of electronics which may affect the rights of the person and the limits which should be placed on such uses in a democratic society;

(d) More generally, the balance which should be established between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity.

2. In resolution 10 (XXVII) of 18 March 1971, the Commission on Human Rights recognized the need during the Second United Nations Development Decade to concentrate its attention on the most important and basic problems of protecting human rights and fundamental freedoms in the context of scientific and technological progress, and in particular on: (a) protection of human rights in the economic, social and cultural fields in accordance with the structure and resources of States and the scientific and technological level they have reached, as well as protection of the right to work in conditions of the automation and mechanization of production; (b) the use of

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scientific and technological developments to foster respect for human rights and the legitimate interests of other peoples and respect for generally recognized moral standards and standards of international law; and (c) prevention of the use of scientific and technological achievements to restrict fundamental democratic rights and freedoms.

3. The Commission requested the Secretary-General to continue his study of the consequences, for the observance of human rights, of current developments in science and technology, taking into account also the possibility of using them to improve living conditions and the enjoyment of economic, social and cultural rights. It requested Governments to submit to the Secretary-General any material they might have on problems arising in connexion with the protection of human rights within the context of scientific and technological progress. It requested the International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO), the other specialized agencies and the International Atomic Energy Agency (IAEA) to submit to the Commission, through the Secretary-General, a report on the above problems in relation to those human rights which fall within their competence. It requested other intergovernmental organizations, especially regional organizations, to transmit to the Secretary-General their comments and observations on these problems. It also requested the non-governmental organizations in consultative status with the Economic and Social Council to transmit to the Secretary-General any communications the considered relevant to these problems.

4. The Commission further requested that the Secretary-General, bearing in mind the information received from Governments and in the light of the discussions at the Commission's twenty-seventh session, supplement his studies so as to present a balanced picture of all basic problems arising in connexion with the exercise of human rights and fundamental freedoms in conditions of scientific and technological progress; and submit to the Commission one or more reports, in fields where sufficient documentation and studies are available, which could be used as a basis for exploring the possibility of preparing international instruments designed to strengthen the protection of the human rights proclaimed in the Universal Declaration of Human Rights.

5. By resolution 3026 B (XXVII) of 18 December 1972, the General Assembly requested the Secretary-General, in collaboration with the specialized agencies concerned, particularly the ILO, UNESCO, and the Food and Agriculture Organization of the United Nations (FAO), to accelerate and complete preparation of relevant reports on this subject, to be submitted at the earliest possible date, paying more attention to the problems of an equitable and just distribution of incomes, the protection of the right to work and to health, the preparation and retraining of personnel, the raising of standards of living and the educational and cultural level of people in the light of scientific and technological developments.

6. In resolution 3149 (XXVIII) of 14 December 1973, the General Assembly requested the Commission, through the Economic and Social Council, to give high priority to the consideration of the item in conformity with the Commission's decision of 3 April 1973.

7. At its thirtieth session, held in New York from 4 February to 8 March 1974, the Commission on Human Rights had before it the following documents, prepared by the Secretary-General in accordance with General Assembly resolutions 2450 (XXIII) of 19 December 1968, 2721 (XXV) of 15 December 1970 and 3026 B (XXVII) of 18 December 1972 and Commission resolution 10 (XXVII):

(a) Preliminary reports concerning the impact of scientific and technological developments on certain economic, social and cultural rights, namely:

- (i) On the right to a standard of living adequate for health and well-being, including the right to food (E/CN.4/1084, paras. 12-57), 1/ the right to clothing (E/CN.4/1084, paras. 58-89) 1/ and the right to housing (E/CN.4/1115, paras. 103-124); 2/
- (ii) On the right to work, to just and favourable conditions of work, to just and favourable remuneration and to equal pay for equal work, and on the right to form and join trade unions (E/CN.4/1115, paras. 12-102); 2/ and
- (iii) On the right to rest and leisure and the right to social security (E/CN.4/1141, paras. 10-28);

(b) Reports as requested in General Assembly resolution 2450 (XXIII), paragraph 1 (a) and (c):

- (i) On respect for the privacy of individuals and the integrity and sovereignty of nations in the light of advances in recording and other techniques (E/CN.4/1116 and Corr.1 and Add.1-3 and Add.3/Corr.1 2/ and Add.4);
- (ii) On uses of electronics which might affect the rights of the person and the limits which should be placed on such uses in a democratic society (E/CN.4/1142 and Corr.1 and Add.1). 3/

8. The Commission also had before it a report by UNESCO (E/CN.4/1144), prepared in accordance with Commission resolution 10 (XXVII) and General Assembly resolution 3026 B (XXVII), dealing with the impact of scientific and technological developments on the rights laid down in article 26, paragraphs 1 and 2, and article 27 of the Universal Declaration of Human Rights, concerning the right to education, the right to culture and authors' rights.

9. At the conclusion of the discussion 4/ the Commission adopted, on 12 February 1974, resolution 2 (XXX) in which it, inter alia:

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1/ Submitted to the Commission at its twenty-eighth session.

2/ Submitted to the Commission at its twenty-ninth session.

3/ E/CN.4/1142 and Corr.1 was issued after the conclusion of the debate on the item.

4/ For a summary of the discussion, see Official Records of the Economic and Social Council, Fifty-sixth Session, Supplement No. 5 (E/5464), chap. II, paras. 5-16.

(a) 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 (XXVII) and those studies to be completed;

(b) Requested the Secretary-General, without neglecting the studies required for the implementation of General Assembly resolution 2450 (XXIII) and Commission resolution 10 (XXVII), which are being carried out in consultation with the specialized agencies concerned, particularly the ILO, UNESCO, WHO and FAO, to seek the views and observations of Governments and the specialized agencies concerned on the use to which science and technology can be put:

- (i) To strengthen international peace and security and the fundamental rights of peoples;
- (ii) 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;
- (iii) 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.

The Governments and the specialized agencies mentioned above would be requested to submit their views or observations either on all or on some of these topics;

(c) Requested the Secretary-General to submit to the Commission an analysis of the views and observations received under paragraphs (a) and (b) above, in order to enable it to consider possible guidelines on standards which could be included in appropriate international instruments;

(d) Decided to continue the consideration of this item at future sessions with a view to taking further action on the matter.

10. The Secretary-General will submit to the Commission on Human Rights at its thirty-first session, in 1975, a report, as requested in paragraph 1 (c) of General Assembly resolution 2450 (XXIII), on uses of electronics which may affect the rights of the person and the limits which should be placed on such uses in a democratic society. 5/

11. The Secretary-General also expects to submit the following documents to the Commission at that session:

(a) The greater part of the report, requested in paragraph 1 (b) of Assembly resolution 2450 (XXIII), on the protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry;

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5/ Portions of this report (E/CN.4/1142 and Corr.1 and Add.1) have already been issued; the remainder (E/CN.4/1142/Add.2) is to be issued in the near future.

(b) A report by WHO on the health aspects of human rights and scientific and technological developments;

(c) The analysis called for by the Commission on Human Rights in paragraph 4 of resolution 2 (XXX) (see para. 9 (c) above).

12. In this connexion it may be recalled that in resolution 3150 (XXVIII) of 14 December 1973, the General Assembly invited the Secretary-General, the ILO, UNESCO, WHO and other specialized agencies concerned to pay particular attention to the problem of the protection of broad sectors of the population against social and material inequalities, as well as other harmful effects which might arise from the use of scientific and technological developments, and requested the Secretary-General, in co-operation with the above-mentioned agencies, to submit a report on this subject to the Assembly at its thirtieth session.

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