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HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Third Committee

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I. INTRODUCTION

1. The General Assembly, at its 2237th plenary meeting, on 21 September 1974, allocated to the Third Committee agenda item 56, entitled "Human rights and scientific and technological developments: report of the Secretary-General".
2. The Committee considered this item at its 2105th to 2109th meetings, from 2 to 5 December 1974. The summary records of these meetings (A/C.3/SR.2105-2109) contain the views of representatives of Member States and the specialized agencies on the item.
3. The Committee had before it a note by the Secretary-General (A/9645) containing background information on the item.
4. The Director of the Division of Human Rights introduced the item at the Committee's 2105th meeting, on 2 December.

II. CONSIDERATION OF THE DRAFT RESOLUTIONS

A. Draft resolution A/C.3/L.2143

5. At its 2105th meeting, on 2 December, the representative of France introduced a draft resolution (A/C.3/L.2143) sponsored by Australia, Ecuador, France, Iran, Japan, the Philippines and Tunisia, subsequently joined by Guatemala and Nicaragua. The text read as follows:

"The General Assembly,

"Recalling that, in its resolution 2450 (XXIII), it stated that it shared the concern expressed in the Proclamation of Teheran and in resolution XI concerning human rights and scientific and technological developments adopted in that city by the International Conference on Human Rights in 1968,

"Noting that, pursuant to resolutions 2450 (XXIII), 2721 (XXV), 3026 (XXVII), 3149 (XXVIII) and 3150 (XXVIII), the United Nations and the specialized agencies have already undertaken research and studies and are considering the formulation of certain standards in that field,

"Noting with satisfaction that at both the national and the international level, in public and private institutions and organizations as well as in public opinion, there is a growing awareness not only of the vast prospects opened up by scientific and technological developments for the realization of human rights and economic, social and cultural development but also of the threats to fundamental rights represented by the improper use of certain scientific discoveries and their applications,

"Reaffirming the principles set forth in resolutions 2721 (XXV) and 3150 (XXVIII) whereby it is important to ensure a balance between scientific and technological developments, the intellectual, spiritual and moral advancement of humanity and the improvement of the living conditions of individuals, groups and peoples,

/...

"Emphasizing that the establishment of a genuine new international economic order entails, inter alia, a fundamental contribution on the part of science and technology and the safeguarding of human rights,

"Recognizing that, as stated in the International Development Strategy for the Second United Nations Development Decade (resolution 2626 (XXV)), concerted efforts should be made by the developing countries, with appropriate assistance from the rest of the world community, to expand their capability to apply science and technology for development in accordance with their national development plans and their priorities, so as to enable the technological gap to be significantly reduced,

"Noting that, in accordance with the International Development Strategy (resolution 2626 (XXV)), developed and developing countries and competent international organizations should draw up and implement a programme for promoting the transfer of technology to developing countries,

"Aware that when modern technology is introduced into the developing countries it may pose problems comparable to those which affect the developed countries and also poses specific problems of adaptation which the institutions in the United Nations family have begun to analyse,

"Convinced that the often unforeseeable implications of scientific and technological developments transcend frontiers and call for both national and international solutions,

"Taking note of resolution 2 (XXX) of the Commission on Human Rights,

"Having studied the reports of the Secretary-General prepared pursuant to the relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights,

"1. Recognizes that, while science and technology constitute an element which is indispensable to development, it is essential to protect human rights and fundamental freedoms in the context of scientific and technological developments;

"2. Draws the attention of States to the advantages which may be derived from the elaboration and adoption, by the competent national authorities, of measures designed to modify national legislation and practices to take account of new technology, with a view to safeguarding the fundamental rights of the individual and of groups or organizations in all sectors of social life, and invites Governments to transmit to the Secretary-General the information available to them in that field;

"3. Draws the attention of the Economic and Social Council to the importance of collecting many qualified opinions, particularly with regard to deontology, in the study of such problems and requests it to take the necessary measures for the implementation of this 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 are invited to follow these problems as a whole at regular intervals;

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"4. Requests the Secretary-General to request the specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Labour Organisation and the World Health Organization, to go into greater detail in the studies which they are pursuing, and to consider the formulation of international standards in the areas within their competence which fall within the purview of this resolution;

"5. Requests the Commission on Human Rights to draw up a programme of work taking into account the reports of the Secretary-General, the replies of Governments and other relevant sources, with a view to formulating standards in the areas which would appear to be sufficiently analysed, without prejudice to other activities carried out pursuant to the above-mentioned resolutions, and to transmit that programme to the Economic and Social Council at its sixtieth session;

"6. Invites the competent organs to take into consideration the results of the studies undertaken pursuant to this resolution when drawing up a draft agenda and carrying out the preparatory work in the event that it is decided to convene a further United Nations conference on science and technology."

6. At the same meeting, the sponsors orally revised operative paragraph 2 of the draft resolution (A/C.3/L.2143) to read as follows:

"Draws the attention of States to the advantages which may be derived from the elaboration and adoption, by the competent national authorities, of measures designed to adapt where appropriate national legislation and practices to take account of new technology, with a view to safeguarding the fundamental rights of the individual and of groups or organizations in all sectors of social life, and invites Governments which already have experience in this field to transmit to the Secretary-General the information available to them."

7. At its 2108th meeting, on 4 December, the representative of France, on behalf of the sponsors of the draft resolution, now joined by Costa Rica and Honduras, introduced a revised text (A/C.3/L.2143/Rev.1), which read as follows:

"The General Assembly,

"Recalling that, in its resolution 2450 (XXIII), it stated that it shared the concern expressed in the Proclamation of Teheran and in resolution XI concerning human rights and scientific and technological developments adopted in that city by the International Conference on Human Rights in 1968, and recalling in particular the idea expressed in that resolution that studies should be carried out in that field which might serve as a basis for drawing up appropriate standards to protect human rights and fundamental freedoms,

"Noting that, pursuant to resolutions 2450 (XXIII), 2721 (XXV), 3026 (XXVII), 3149 (XXVIII) and 3150 (XXVIII), the United Nations and the specialized agencies have already undertaken research and studies concerning the consideration in United Nations organs of the entire problem of the effect of scientific and technological developments on human rights,

"Noting with satisfaction that there is an increasingly clear awareness not only of the vast prospects opened up by scientific and technological developments for the realization of human rights and economic, social and cultural development but also of the threats to fundamental rights represented by the abuse of certain scientific discoveries and their applications,

"Reaffirming the principles set forth in resolutions 2721 (XXV) and 3150 (XXVIII) whereby it is important to ensure a balance between scientific and technological developments, the intellectual, spiritual and moral advancement of humanity and the improvement of the living conditions of individuals, groups and peoples,

"Emphasizing that the establishment of a new international economic order entails, inter alia, a fundamental contribution on the part of science and technology to economic and social progress and to the promotion and safeguarding of human rights,

"Recognizing that, as stated in the International Development Strategy for the Second United Nations Development Decade (resolution 2626 (XXV)), concerted efforts should be made by the developing countries, with appropriate assistance from the rest of the world community, to expand their capability to apply science and technology for development in accordance with their national development plans and their priorities, so as to enable the technological gap to be significantly reduced,

"Noting that, in accordance with the International Development Strategy (resolution 2626 (XXV)), developed and developing countries and competent international organizations should draw up and implement a programme for promoting the transfer of technology to developing countries,

"Aware that when modern technology is introduced into the developing countries it may pose problems comparable to those which affect the developed countries and also poses specific problems of adaptation which the institutions in the United Nations family have begun to analyse,

"Convinced that the implications of scientific and technological developments, which cannot always be clearly foreseen, are international in character and call for both national and international solutions,

"Taking note of resolution 2 (XXX) of the Commission on Human Rights,

"Having studied the reports of the Secretary-General prepared pursuant to the relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights,

"1. Considers, while acknowledging the indispensable role of science and technology for development, that it is necessary, on the one hand, to ensure that scientific and technological developments are not used in a manner contrary to the principles of international law and, on the other hand, to protect human rights and fundamental freedoms in situations of scientific and technological development, taking into account the political, economic and social context of the different countries considered;

/...

"2. Draws the attention of States to the advantages which may be derived from the elaboration and adoption, by the competent national authorities, 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 invites Governments which already have experience in this field to transmit to the Secretary-General the information available to them;

"3. Draws 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 such problems, particularly with regard to a code of ethics, and requests them to take the necessary measures for the implementation of this 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 are invited to follow these problems as a whole at regular intervals;

"4. Requests the Secretary-General to request the specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Labour Organisation and the World Health Organization, to go into greater detail in the studies which they are pursuing and to consider the preparation of recommendations concerning international standards in the areas within their competence which fall within the purview of this resolution, with a view to facilitating the Secretary-General's task in the elaboration of the report on this subject which he is to submit to the General Assembly at its thirtieth session;

"5. Requests the Commission on Human Rights to draw up a programme of work taking into account the reports of the Secretary-General, the replies of Governments and other relevant sources, with a view to undertaking the formulation of standards in the areas which would appear to be sufficiently analysed, without prejudice to other activities carried out pursuant to the above-mentioned resolutions, and to transmit that programme to the Economic and Social Council at its sixtieth session;

"6. Invites the organs referred to in article 2 of Economic and Social Council resolution 1897 (LVII) to take into consideration, in their preparatory work, the question of ensuring human rights in the event that it is decided to convene a further United Nations conference on science and technology."

8. At the same meeting, the sponsors of the revised draft resolution (A/C.3/L.2143/Rev.1) accepted certain suggestions and orally revised operative paragraph 5 to add the words "in particular" after the word "undertaking"; operative paragraph 6 was revised to read as follows:

"Invites the organs referred to in operative paragraph 2 of Economic and Social Council resolution 1897 (LVII) in the event that it is decided to convene a further United Nations Conference on Science and Technology to take into consideration, in their preparatory work, the question of promoting human rights."

9. At the same meeting, the Committee decided, by 23 votes to 11, with 56 abstentions to postpone the voting of the revised draft resolution, as orally revised, to its 2109th meeting.

10. At the 2109th meeting, on 5 December, the Committee adopted the revised draft resolution (A/C.3/L.2143/Rev.1) as orally amended by 86 votes to none, with 8 abstentions (see para. 21 below, draft resolution A).

B. Draft resolution A/C.3/L.2144

11. At its 2107th meeting, on 3 December, the representative of the Union of Soviet Socialist Republics introduced a draft resolution (A/C.3/L.2144) entitled "Declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind", sponsored by Bangladesh, Czechoslovakia, the German Democratic Republic, Mauritius, Poland and the Union of Soviet Socialist Republics, which read as follows:

"The General Assembly,

"Noting that scientific and technological progress has become one of the most important factors in the development of human society,

"Taking into consideration the fact that, while scientific and technological developments provide ever increasing opportunities to better the human condition, in a number of instances they can give rise to social problems and may be accompanied by an increase in social and material inequality and a deterioration of the social situation of broad sectors of the population,

"Noting with concern that scientific and technological achievements can be used to intensify the arms race, suppress national liberation movements and deprive the peoples of their fundamental rights, and also to the detriment of human rights and freedoms,

"Recognizing that, in the light of scientific and technological developments, in a number of cases social problems arise which influence the internal and foreign policy of States and international relations as a whole,

"Noting the urgent need to make full use of scientific and technological developments for the welfare of man and to neutralize the present and possible future harmful consequences of certain scientific and technological achievements,

"Recognizing that scientific and technological progress is of great importance in accelerating the social and economic development of developing countries,

"Reaffirming the right of peoples to self-determination and the need to respect human rights and freedoms and the dignity of the human personality in the light of scientific and technological developments,

/...

"Desiring to promote the realization of the principles which form the basis of the Charter of the United Nations, the International Covenants on Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and the Declaration on Social Progress and Development,

"Solemnly proclaims that:

"1. All States should 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 on the basis of the principles of the realization of the right of peoples to self-determination, respect for State sovereignty, equality and non-interference in the internal affairs of States.

"2. All States should take measures to ensure that scientific and technological achievements satisfy the material and spiritual needs of all sectors of the population.

"3. All States must refrain from any acts involving the use of scientific and technological achievements for the purpose of violating the sovereignty of other States, interfering in their internal affairs, waging aggressive wars, suppressing national liberation movements, or pursuing a policy of racial discrimination. Such acts are not only a flagrant violation of the Charter of the United Nations and the principles of international law, but constitute an inadmissible distortion of the purposes that should guide scientific and technological developments for the benefit of mankind.

"4. All States must take measures to protect broad sectors of the population from an increase in social and material inequality as a result of the use of scientific and technological achievements and also from other possible harmful effects of scientific and technological developments, including the intensified exploitation of the working masses.

"5. All States should take the necessary measures, including legislative measures, to ensure that the utilization of scientific and technological achievements promotes the fullest realization of human rights and fundamental freedoms without any discrimination whatsoever on grounds of race, sex, language or religious beliefs.

"6. All States should take effective measures, including legislative measures, to prevent and preclude the utilization of scientific and technological achievements to the detriment of human rights and freedoms and the harmonious development of the individual.

"7. All States must, whenever necessary, take action to enact, and ensure compliance with legislation guaranteeing human rights and freedoms in the light of scientific and technological developments."

12. At its 2107th meeting, the Netherlands submitted an amendment (A/C.3/L.2145) to the draft declaration contained in A/C.3/L.2144, which called for the addition of the following operative paragraph:

"1. Decides to bring the following draft declaration to the attention of the Governments of Member States in order that they may submit in time for its consideration by the thirtieth session of the General Assembly any observations or comments they may have to the Secretary-General."

13. At the same meeting, Morocco submitted amendments (A/C.3/L.2146) to the draft resolution and declaration contained in A/C.3/L.2144 to delete all the words after "give rise to social problems" in the second preambular paragraph, and replace operative paragraph 4 by the following text:

"4. All States must take measures to extend the benefits of science and technology to all strata of the population and to protect them, both socially and materially, from possible harmful effects of the misuse of scientific and technological developments."

14. At the same meeting, Germany (Federal Republic of) and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Cuba, submitted an amendment (A/C.3/L.2147) to the draft declaration contained in A/C.3/L.2144 to add the following new operative paragraph 2:

"2. All States shall take appropriate measures to prevent the use of scientific and technological developments, particularly by the State organs, for limiting or interfering with the enjoyment of the human rights and fundamental freedoms of the individual as enshrined in the Universal Declaration of Human Rights."

15. At the same meeting, the United States of America submitted amendments (A/C.3/L.2148) to the draft declaration contained in A/C.3/L.2144. The amendments called for:

(a) Replacing the phrase "deprive the peoples of their fundamental rights, and also to the detriment of human rights and freedoms," by the words "deprive individuals and peoples of their human rights and fundamental freedoms," in preambular paragraph 3;

(b) Adding the following paragraph between the present third and fourth preambular paragraphs:

"Noting also with concern that scientific and technological achievements can entail dangers for the civil and political rights of the individual or of the group and for human dignity,";

(c) Amending the eighth preambular paragraph by inserting after the words "the Charter of the United Nations" the words "the Universal Declaration of Human Rights";

(d) Amending operative paragraph 3 by replacing the word "must" by the word "should";

(e) Amending operative paragraph 4 by replacing the word "must" by the word "should"; further amending operative paragraph 4 by deleting the phrase "from other possible harmful effects of scientific and technological developments, including the intensified exploitation of the working masses"; adding to operative paragraph 4 after the words "technological achievements and also", the following phrase: "to protect the rights of the individual or of the group, particularly with regard to respect for privacy and the protection of the human personality and its physical and intellectual integrity,";

(f) Amending operative paragraph 7 by replacing the word "must" by the word "should".

16. At the 2108th meeting, on 4 December, the Netherlands withdrew its amendment (A/C.3/L.2145).

17. At the same meeting, the sponsors of the draft resolution (A/C.3/L.2144) agreed to substitute the word "shall" for the word "should" in operative paragraph 1; for the word "should" in operative paragraph 2; for the word "must" in operative paragraph 3; for the word "must" in operative paragraph 4; for the word "should" in operative paragraph 5; for the word "should" in operative paragraph 6, and for the word "must" in operative paragraph 7.

18. At the 2108th meeting, the representative of Ghana made the following oral proposal which was subsequently reviewed in the light of a suggestion put forward by the representative of Australia:

"The Third Committee,

"Having considered the draft declaration entitled "Declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind (A/C.3/L.2144);

"Decides to defer further consideration of the draft declaration until the thirtieth session of the General Assembly as a matter of priority;

"Requests the Secretary-General to bring the draft declaration and the amendments proposed to the attention of Member States for any comments or suggestions they may wish to make on them."

19. In connexion with the proposal of Ghana, it was understood that, in implementation of the request addressed to the Secretary-General, he would transmit to Member States the draft declaration A/C.3/L.2144, together with all the amendments thereto, drawing attention also to the relevant summary records of the Third Committee containing the discussion on the item.

20. At the same meeting, the Committee adopted the proposal of Ghana without a vote (see para. 21 below, draft resolution B).

/...

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

21. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Human rights and scientific and technological developments

A

The General Assembly,

Recalling that, in its resolution 2450 (XXIII) of 19 December 1968, it stated that it shared the concern expressed in the Proclamation of Teheran 1/ and in resolution XI concerning human rights and scientific and technological developments 2/ adopted by the International Conference on Human Rights on 12 May 1968, and recalling in particular the idea expressed in that resolution that studies should be carried out in that field which might serve as a basis for drawing up appropriate standards to protect human rights and fundamental freedoms,

Noting that, pursuant to General Assembly resolutions 2450 (XXIII), 2721 (XXV) of 15 December 1970, 3026 (XXVII) of 18 December 1972, 3149 (XXVIII) and 3150 (XXVIII) of 14 December 1973, the United Nations and the specialized agencies have already undertaken research and studies concerning the consideration in United Nations organs of the entire problem of the effect of scientific and technological developments on human rights,

Noting with satisfaction that there is an increasingly clear awareness not only of the vast prospects opened up by scientific and technological developments for the realization of human rights and economic, social and cultural development but also of the threats to fundamental rights represented by the abuse of certain scientific discoveries and their applications,

Reaffirming the principles set forth in resolutions 2721 (XXV) and 3150 (XXVIII) whereby it is important to ensure a balance between scientific and technological developments, the intellectual, spiritual and moral advancement of humanity and the improvement of the living conditions of individuals, groups and peoples,

Emphasizing that the establishment of a new international economic order entails, inter alia, a fundamental contribution on the part of science and technology to economic and social progress and to the promotion and safeguarding of human rights,

1/ Final Act of the International Conference on Human Rights (United Nations publication, Sales No.: E.68.XIV.2), p. 3.

2/ Ibid., p. 12.

Recognizing that, as stated in the International Development Strategy for the Second United Nations Development Decade, 3/ concerted efforts should be made by the developing countries, with appropriate assistance from the rest of the world community, to expand their capability to apply science and technology for development in accordance with their national development plans and their priorities, so as to enable the technological gap to be significantly reduced,

Noting that, in accordance with the International Development Strategy, developed and developing countries and competent international organizations should draw up and implement a programme for promoting the transfer of technology to developing countries,

Aware that when modern technology is introduced into the developing countries it may pose problems comparable to those which affect the developed countries and also poses specific problems of adaptation which the organizations in the United Nations system have begun to analyse,

Convinced that the implications of scientific and technological developments, which cannot always be clearly foreseen, are international in character and call for both national and international solutions,

Taking note of Commission on Human Rights resolution 2 (XXX) of 12 February 1974,

Having studied the reports of the Secretary-General prepared pursuant to the relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights,

1. Considers, while acknowledging the indispensable role of science and technology for development, that it is necessary, on the one hand, to ensure that scientific and technological developments are not used in a manner contrary to the principles of international law and, on the other hand, to protect human rights and fundamental freedoms in situations of scientific and technological development, taking into account the political, economic and social context of the different countries considered;

2. Draws the attention of States to the advantages which may be derived from the elaboration and adoption, by the competent national authorities, 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 invites Governments which already have experience in this field to transmit to the Secretary-General the information available to them;

3. Draws 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 such problems, particularly with regard to a code of ethics, and requests them to take the necessary measures for the implementation of the present resolution in liaison, in particular, with the Committee on Science and Technology for Development

3/ General Assembly resolution 2626 (XXV).

and the Advisory Committee on the Application of Science and Technology to Development, which are invited to follow these problems as a whole at regular intervals;

4. Requests the Secretary-General to invite the specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Labour Organisation and the World Health Organization, to go into greater detail in the studies which they are pursuing and to consider the preparation of recommendations concerning international standards in the areas within their competence which fall within the purview of the present resolution, with a view to facilitating the Secretary-General's task in the elaboration of the report on the subject which he is to submit to the General Assembly at its thirtieth session;

5. Requests the Commission on Human Rights to draw up a programme of work taking into account the reports of the Secretary-General, the replies of Governments and other relevant sources, with a view to undertaking in particular the formulation of standards in the areas which would appear to be sufficiently analysed, without prejudice to other activities carried out pursuant to the above-mentioned resolutions, and to transmit that programme to the Economic and Social Council at its sixtieth session;

6. Invites the organs referred to in paragraph 2 of Economic and Social Council resolution 1897 (LVII) of 1 August 1974, in the event that it is decided to convene a further United Nations conference on science and technology, to take into consideration, in their preparatory work, the question of promoting human rights.

B

The General Assembly,

Having considered the draft declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind, 4/

1. Decides to defer further consideration of the draft declaration until its thirtieth session and to take it up at that session as a matter of priority;

2. Requests the Secretary-General to bring the draft declaration and the amendments thereto to the attention of Member States for any comments or suggestions they may wish to make on them.
