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**UNITED NATIONS EDUCATIONAL
SCIENTIFIC AND CULTURAL ORGANIZATION**

**INTERNATIONAL SYMPOSIUM ON THE EFFECTS ON HUMAN RIGHTS
OF RECENT ADVANCES IN SCIENCE AND TECHNOLOGY
(Barcelona, Spain, 25-28 March 1985)**

**organized by
THE INTERNATIONAL SOCIAL SCIENCES COUNCIL (ICSS)**

CONCLUSIONS AND RECOMMENDATIONS

23 AVR. 1986

A. The symposium considered contributions of the following disciplines: anthropology, biochemistry, biology, brain research, clinical psychology, experimental psychology, genetics, law, mental health, molecular biology, neuroscience, pharmacology, physiological psychology, and psychiatry.

The symposium agreed that :

1. Advances in these disciplines are relevant to attaining a number of human rights, among which the following rights received major consideration:

- **From the Universal Declaration of Human Rights :**

"Article 5: No one shall be subjected to torture or to cruel, inhuman and degrading treatment or punishment."

"Article 26: Everyone has the right to education (...)"

"Article 27: Everyone has the right freely (...) to share in scientific advancement and its benefits."

- **From the International Covenant on Economic, Social and Cultural Rights :**

"Article 12.1 : The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest obtainable standard of physical and mental health."

"Article 13.1 : The States Parties to the present Covenant recognize the right of everyone to education."

"Article 15.1 : The States Parties to the present Covenant recognize the right of everyone (...) b) to enjoy the benefits of scientific progress and its applications."

- **From the International Covenant on Civil and Political Rights:**

"Article 7 : No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experiment"

2. Advances on research in biology and behaviour, especially in genetics and in the study of relations between brain and behaviour, are resulting in a revolution in human understanding. People are now able to look at themselves objectively, to do research in the social, cultural and psychological domains as well as the biological and physical, and to acquire the information and techniques needed to modify their own biology and physiology, their minds, and perhaps even their own evolution. These advances open up major opportunities for progress in achieving human rights, but they also allow some possibilities for abuses. In applying these advances, it is essential to ensure that the application decrease the economic and cultural disparities among social and national groups.

3. It is important for Unesco to promote broad general education, not only about the benefits, for human rights, of applying discoveries but also about the dangers of withholding, abusing or preventing discoveries. This can best be done with a public that already has a good basic education, so this again stresses the importance of the right to such education. Since many of the benefits concern individual and social behaviour, basic education should include components on the behavioural and social sciences. Increased knowledge of what has been accomplished and what can reasonably be expected from research in neuroscience, behaviour, and related disciplines should heighten public support for research and applications.
4. Support should be given to the right of all individuals to develop fully their intellectual capacities as prerequisites to attaining the highest obtainable standard of physical and mental health and to benefit from education. Particular attention should be paid to the vulnerability of the unborn during gestation and of the newborn until the end of the suckling period, especially regarding the normal differentiation of the Central Nervous System. The effects of malnutrition, environmental conditions, therapeutic treatments, alcohol, tobacco and drug addiction, etc. can irreversibly damage the brain and, therefore, impair the human rights of the child. It is the duty of parents and society to adopt the measures necessary to protect the integrity and full expression of every individual's personality.
5. In the interest of achieving the highest level of physical and mental health, and of not depriving persons diagnosed as mentally ill of their liberty, autonomy, and rights to beneficent and just treatment, the following guidelines should be kept in mind:
 - (i) adequate efforts should be made to establish reciprocal communication between patient and doctor;
 - (ii) in the interest of justice, equal access to necessary treatment with neuroleptic drugs or other technological means should be a right within the overall context of the right to health. Mere resistance to such drug treatment should not be a reason for either compulsory administration without discussion or for medical abandonment of a patient in need of treatment and protection.
6. Concerning genetic manipulations and artificial procreation, the responsibility for final decisions with regard to individual or family matters should be left to the individual and family and their chosen advisors, rather than to governmental agencies. Model laws and regulations could be provided by international bodies in order to reduce the impact of local political or ideological view points. The use of advances in this field shall not be restricted to the benefit of certain nations or social groups because this could impair the rights stated respectively in Article 12.1 and Article 15.1, paragraph (b) of the International Covenant on Economic, Social and Cultural Rights.
7. On the basis of the reports presented at the symposium and the discussions, the symposium forwards to the Director-General five recommendations of the highest priority and five other recommendations that are also of major importance.

B. Recommendations of highest priority

I. Promote human rights by seeking the broadest possible applications, on a world-wide basis, of scientific advances already tested in the fields discussed at this meeting.

- (a) The human rights mentioned above should be promoted by seeking the broadest possible applications, on a worldwide basis, of well tested relevant scientific and technical advances in neurosciences, biological sciences, genetic manipulation, physiology and pharmacology, and behavioural and social sciences.
- (b) These advances should be applied in ways that will work towards the elimination of disparities between social, cultural and national groups in the enjoyment of human rights.
- (c) In order to ensure 1 and 2, we propose that:
 - (i) the proceedings and recommendations of this symposium be given wide dissemination and reach both governments and relevant NGOs;
 - (ii) follow-up meetings of concerned scientists should be scheduled on a regular basis in order to monitor the application of well-established scientific techniques for achieving human rights and to assess the value of recommendations made in the earlier conferences;
 - (iii) an international conference be held to explore and analyze the causes of failures to apply such advances, both generally and to specific human groups or in specific regions. Reasons for such failures, including social and cultural factors, are to be determined as precisely and accurately as possible;
 - (iv) based on these analyses, recommendations should be proposed to achieve greater progress in human rights.

II. Promote contributions of all disciplines represented at this symposium and of interdisciplinary teams to enhancement of human rights.

- (a) This could be fostered through a systematic overview of these disciplines and their relevance for human rights, establishing an inventory of relevant areas of research in the various branches of basic and clinical biological and behavioural sciences.
- (b) This inventory could help to delineate future research orientations and create an awareness of the human rights issues involved in such research among these various scientific disciplines.

III. Encourage awareness, responsibility and action for human rights on the part of scientists and clinicians in the disciplines considered at this symposium.

Scientists and clinicians in the fields considered at this symposium should become more aware of the impact of their work on human rights; they must assume responsibility for the uses made of the findings and discoveries of their disciplines as these affect human rights; they must assume responsibility for informing the public about basic advances in knowledge and in technology and about potentialities for benefits and for possible abuses of these findings for human rights.

We recommend that the Director-General undertake both general and specific actions:

- (a) to promote international exchange of information and collaboration for research and applications, coming from all the fields represented in this symposium, that will benefit human rights. Involving investigators from developing countries in research and application will help to ensure that problems of prime concern to these countries are studied and that methods of application suitable to their nationals are devised. This could be done partly by Unesco, and the recommendation could also be forwarded to ICSU, ISSC, CIOMS, CIPSH and other interested professional NGOs for implementation:
- (b) to promote the application of scientific advances for the achievement of human rights and combat possible abuses by encouraging scientific and professional societies and relevant NGOs to take the following actions:
 - (i) promote those human rights contained in the Universal Declaration of Human Rights, the related International Covenants, and to take effective measures to realize the provisions contained in the Declaration and Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the UN Principles of Medical Ethics;
 - (ii) explain to their members the relevance of their discipline and specialized activities for these human rights;
- (c) to request that relevant NGOs (e.g., ICSU, ISSC, CIOMS, CIPSH,...) plan and sponsor an international conference on the responsibilities for human rights of scientists and clinicians in the disciplines considered at the present symposium. The conference should include representatives of these disciplines as well as experts in the fields of the social sciences. It should make recommendations for action by scientific and professional groups, relevant NGOs, and individual scientists. In particular:
 - (i) the proceedings and recommendations of the conference should be disseminated widely;
 - (ii) a network should be set up through which scientific and professional societies and other relevant NGOs can regularly exchange information and recommendations about this topic; and,
 - (iii) regular conferences should be held to monitor the status and progress of responsibility of scientists in these regards.

- (d) promote in co-operation with WHO a canon of research ethics that will protect the rights of human subjects of research and the welfare of animal subjects, in the latter case without imposing unjustified restrictions on research. For this purpose:
- (i) have a compilation made from as many countries as possible, and from relevant scientific and professional societies and other relevant NGOs, of statutes, regulations, and codes dealing with the use of human subjects in scientific and medical research;
 - (ii) appoint an international committee to assess this compilation, the committee to include scientists of the relevant disciplines, physicians, jurists and experts in human rights. The results of the assessment should be given wide dissemination to governments and to relevant professional societies and NGOs. The committee may also make recommendations, including the recommendation that model statutes and/or codes be drafted and made available for consideration by national governments, scientific and professional societies and NGOs;
 - (iii) since the use of animal subjects is crucial to continuation of research for attainment of the human right to the highest levels of physical and mental health, encourage CIOMS to disseminate more widely the "International Guiding Principles for Biomedical Research Involving Animals";
 - (iv) appoint an international committee as in (ii), the members to include scientists of the relevant disciplines, physicians, veterinarians and jurists.

IV. Consider the impact of new reproductive technologies on the human rights of women

Since new reproductive technologies can have an impact on women's rights and because these issues most closely touch families and individuals, recommendation is made:

- (a) to convene a meeting specifically on the new reproductive technologies, including strategies for assessment of technologies that affect women's rights (for example amniocentesis and selective abortion of female fetuses, new contraceptive technologies with potential for coercive use; etc.);
- (b) to encourage NGOs to address this issue in their own forums;
- (c) to disseminate scientifically exact information in ways planned to be accessible to all populations.

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V. Promote consideration of the human rights of patients and in particular promote standards for the use of neuroleptic drugs

In regard to the right to enjoy the highest obtainable standard of physical and mental health, patients are clearly a crucial group; and we therefore recommend to the Director-General that Unesco, in co-operation with WHO:

- (a) obtain from relevant professional and scientific groups and other relevant NGOs material concerning codes and programs dealing with the rights of patients in relation to health professionals and health institutions and/or facilities;
- (b) entrust the assessment of this compilation to an international committee with a view to show special concern for particularly vulnerable groups (e.g. pregnant women, fetuses, children, people defined as mentally ill, the ageing, the dying and prisoners). This committee would include representatives of the relevant disciplines (e.g. physicians, psychiatrists, clinical psychologists, nurses) as well as social scientists. It would make recommendations based on its assessment and evaluation. One possible recommendation would be either to draft model statutes and/or codes or to propose that such model statutes and/or codes be drafted, which would then be made available for consideration by governments, relevant professional and scientific organizations, and other relevant NGOs;
- (c) widely disseminate to governments and relevant NGOs the proceedings and recommendations of such a committee.

C. Recommendations of major importance

I. Promote research on topics and in areas of the world where improvement is clearly needed.

For example promote research in co-operation with WHO to determine, among existing scientific and clinical methods, the most effective methods of therapy for various kinds of symptoms and complaints (such as anxiety, alcoholism, depression, drug abuse). Where no existing method is effective, promote research to find new methods. Where an existing method helps some but not all who suffer from a disorder, retain the existing method but promote research to find other therapies that will aid those not presently being treated effectively.

Promote research to find methods of application that are suitable for developing as well as developed countries, that is, that are inexpensive and that do not require many highly trained individuals or elaborate technology. Establish a network among governments and relevant NGOs to disseminate information about such effective and appropriate methods.

II. In the formulation of policies and the administration of programs in education and health, consult panels of experts in neuroscience and behavior and related disciplines.

Many current questions in such fields as education and health require expertise that non-specialists do not possess. Administrators and professionals in such fields should be willing to take advice from panels of experts in neuroscience and behavior, and experts in these disciplines should be urged to perform the public service of participating in such panels. Furthermore, the experts undoubtedly have much to learn from those involved in practical administration and application.

III. Consider critically any calls to limit research particularly when it is claimed that the research would directly contravene human rights.

Calls to limit research in neuroscience, behaviour and related disciplines have been made either on the grounds that the research process itself could be harmful to the subjects or that the objectives of the research, such as gaining control over the human personality, should be restricted. Such calls run counter to academic freedom and to the right to share in scientific advancement. Furthermore, it is almost impossible to predict outcomes of research. Even research that is well-intended can be misapplied or can have unforeseen adverse side effects. The possible dangers of new research must be weighed against the heavy costs in ignorance and suffering being borne at present. We cannot progress in attaining the right to high levels of physical and mental health by remaining where we are. Ethical commissions, such as those established in the United States of America and France, are an excellent means of monitoring research.

IV. Promote basic research in order to ensure continued possibilities for benefitting human rights beyond what can now be envisaged.

Basic long-term research in the disciplines considered at the present meeting must be promoted in order to ensure continued possibilities for benefitting human rights in ways that cannot now even be envisaged.

We recommend to the Director-General:

- (a) to present this view forcefully to governments and to relevant NGOs;
- (b) to call a conference to explore ways of presenting effectively to governments and to relevant NGOs the case for basic, longterm research in the disciplines represented at the present meeting.

V. Consider and assess the impact on human rights of current research on genetic manipulation and artificial procreation. (In particular this bears on the stated right to marry and to found a family, Article 16 of the Universal Declaration of Human Rights and Article 23 of the International Covenant on Civil and Political Rights.)

For this purpose:

- (a) have a compilation made from as many nations as possible and from relevant scientific and professional societies and other relevant NGOs, of statutes, regulations and codes dealing with genetic manipulation and artificial procreation;
- (b) have this compilation and the general topic of genetic manipulation and artificial procreation assessed by an international committee chosen to include scientists of the relevant disciplines, physicians, and social scientists. The committee would investigate the following questions:

.../...

- (i) with regard to artificial procreation, the utilization of those techniques that do not alter directly the genome (e.g. artificial insemination and "in vitro" fertilization) may be allowed under regulations established at the national level (Ethical Commissions) in accordance with international guidance (for instance, recommendations by regional organizations concerning donors, surrogate mothers, storage and freezing periods of gametes and blastocysts, ovum differentiation period after fecundation, etc);
- (ii) gene therapy is subject to the same considerations. Techniques that alter directly the human genome (cloning for example) and that could result in multiple identical offspring should be examined critically as impairing personal integrity and individuality. Indeed, artificial modification of the random process leading to the individual genetic endowment may run counter to individual personal integrity;
- (iii) in cases of artificial procreation, the relations among the rights of the child, the rights of the procreators, the rights of the biological mother and those of the genetic one, the rights of the adoptive parents who nurture and educate the child, and the rights of the donors should be examined and clarified;
- (iv) genetic manipulations in micro-organisms, non-human animals and plants should be undertaken only after authorization of Ethical or Expert Committees in order to avoid causing ecological effects that could impair the exercise of human rights.