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THE RIGHT TO ENJOY THE BENEFITS OF SCIENTIFIC PROGRESS  
AND ITS APPLICATIONS

Your excellencies, ladies and gentlemen,

The right to enjoy the benefits of scientific progress, who in this room had ever heard of this human right? Still, it is included in the Universal Declaration and in the International Covenant on Economic, Social and Cultural Rights, though tucked away at the very end. It is perhaps one of the least known human rights, but at the same time, a very important one.

In today's world, scientific and technological developments have an enormous impact on the daily lives of people. Therefore, it is about time that we wipe off the dust of the right to enjoy the benefits of scientific progress and give it the attention it deserves. And what better place to do so than in the UN House of Science: in UNESCO? It was in fact UNESCO, at the time, that actively supported the inclusion of this right in the Universal Declaration and the Covenant on Economic, Social and Cultural Rights. In recent years, this right was reaffirmed in all three declarations elaborated in the area of bioethics and ethics of science and technology, the latest being the Universal Declaration on Bioethics and Human Rights (Article 15).

Let us explore the background of this right for a moment. Over the past century, research and science have been driving forces behind technological advance and economic growth. However, many developing countries and their populations do not benefit from scientific and technological advancement. Too little of the knowledge and technology is accessible or applicable in these countries.

At the same time, scientific research is of utmost importance for development and poverty reduction. The development of vaccines against smallpox, polio and other childhood diseases, for instance, has done much to prolong life expectancy. The

development and use of cheap oral dehydration therapy has prevented the deaths of millions of babies from diarrhoea.

Science and technology in terms of access to information are also rapidly evolving, including developments, such as mobile telephones, internet and satellite television. The benefits have been enormous and have particular potential for developing countries. For example, in the past, education and research at university-level institutions was hindered by poor library resources. Nowadays, much academic research is internet-based. However, there is still a great divide in equal participation in, access to and use of, information and communications technology.

This shows that there is an inherent link between the right to enjoy the benefits of scientific progress and other human rights, in particular the right to an adequate standard of living, the right to education, the right to health, the right to information and the right to food.

It should, however be noted, that scientific research and progress is not always, or should I say, almost never, inspired by human rights concerns. Investments in research are often determined by commercial interest, rather than by development needs. For example, much more funds are devoted to research to developing drugs for 'erectile dysfunction' and similar real or imagined illnesses of the rich, rather than to eliminating the scourge of malaria or other tropical diseases among the world's poor. Scientific research with respect to food suffers from the same problems as medical and pharmaceutical research. It is often driven by profit, neglecting those who are the hungriest, for example by not investing in the most important crops of the poorest, because they are commercially not attractive.

Another issue is the link or possible tension between the right to enjoy the benefits of scientific progress and the protection of intellectual property. It is recognized, for example, that the trade-related aspects of intellectual property (TRIPS) may impact negatively the realization of human rights.

Finally, there is the general issue of the relationship between ethics and the right to enjoy the benefits of scientific progress. How to deal with scientific research devoted to objectives that are inherently harmful for human beings (for example, the development of modern weaponry)?

Although the right to enjoy the benefits of scientific progress and its applications is included in the Universal Declaration of Human Rights (Article 27) and the International Covenant on Economic, Social and Cultural Rights (Article 15), it is generally agreed that this right has not received adequate attention by the international human rights community. No comprehensive study and analysis have been conducted by human rights specialists and States have not paid much attention to it in their State reports to the Committee on Economic, Social and Cultural Rights, the international treaty body supervising the implementation of this right.

UNESCO therefore took the initiative to organize a meeting with human rights experts from different fields and backgrounds to explore the issues involved in the promotion and protection of the right to enjoy the benefits of scientific progress. Human rights experts of universities, research centers, as well as from United Nations agencies and programmes were invited, including the Office of the High Commissioner for Human Rights, the World Health Organisation and the World Intellectual Property Organisation. The Amsterdam Center for International Law in The Netherlands was happy to host this meeting. Together we have discussed the nature and normative content of this right. We have also talked about the interdependence and interrelatedness of this right with other human rights. However, while we have managed to map out the most important issues, we had to conclude that much more work needs to be done. Many of these issues need further reflection and study. While the Universal Declaration is 60 years old, some of its content still needs to be clarified.

UNESCO is well placed to take the initiative to strengthen the intellectual reflection of the right to enjoy the benefits of scientific progress. The academic community, including

myself, is ready to cooperate with UNESCO. Because it is through organisations such as UNESCO that our scientific and theoretical contribution can be translated into policies and practices. By exploring and elaborating on the content of the right we could clarify the corresponding State obligations. If these become clearer, the right could be better promoted and implemented by States, which is after all what we are all aiming at.

In these times of globalisation, marked by an enormous increase in the flow of people, communication and information, the human right to enjoy the benefits of scientific progress and its applications is of utmost importance. It is the reflection of participation and development, two important aspects of human dignity. And it is that human dignity that was at the heart of the Universal Declaration adopted 60 years ago.

Thank you for your attention.