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CONSOLIDATED REPORT ON THE IMPLEMENTATION BY MEMBER STATES OF THE 1974 RECOMMENDATION ON THE STATUS OF SCIENTIFIC RESEARCHERS

OUTLINE

Source: 177 EX/Decision 35 (I), 187 EX/Decision 20 (I), 189 EX/Decision 13 (III), 190 EX/Decision 24 (IV).

Background: Implementation of the 1974 Recommendation on the Status of Scientific Researchers has been monitored by systematic consultation of Member States, taking account furthermore of technical input from the World Commission on the Ethics of Scientific Knowledge and Technology, and reported on to the Executive Board at its 189th (189 EX/13 (III)) and 190th (190 EX/24 (IV)) sessions.

Purpose: The present report is submitted to the General Conference in order to inform it about the monitoring process and its outcomes, along with the decision adopted in response to it by the Executive Board (190 EX/Decision 24 (IV)).

Decision required: Paragraph 11.

BACKGROUND

1. The Recommendation on the Status of Scientific Researchers (hereinafter “the 1974 Recommendation”) was adopted by the General Conference on 20 November 1974. Since its adoption, the implementation of the 1974 Recommendation has been monitored on an ad hoc basis. The present report is set therefore in accordance with the new procedures adopted in 2007 for the monitoring of the implementation of UNESCO conventions and recommendations for which no specific institutional mechanism is provided (177 EX/Decision 35 (I) and 187 EX/Decision 20 (I)). It summarizes the reports to the Executive Board at its 189th and 190th sessions and reflects the decisions of the Executive Board thereon (189 EX/Decision 13 (III) and 190 EX/Decision 24 (IV), respectively).

2. Member States were first requested in September 2011 to provide information on implementation of the 1974 Recommendation. In view of concerns about the continuing relevance of the 1974 Recommendation, as expressed in particular during the regional and national expert consultation meetings held in 2006 and reported to the Executive Board in document 175 EX/14, and of the ad hoc basis of monitoring over a long period, Member States were not requested to provide information on action specifically taken to implement its various provisions, but rather invited to indicate:

- (a) the extent to which national legislation in the areas covered by the 1974 Recommendation conforms to its principles;
- (b) the extent to which institutional practices in the areas covered by the 1974 Recommendation conforms to the principles it lays down;
- (c) the extent to which the 1974 Recommendation constitutes an adequate and currently applicable framework for the science ethics and science policy issues that it is designed to address.

3. In considering these matters, Member States were also invited to take note of the recommendations adopted with respect to monitoring of the implementation of the 1974 Recommendation by the World Commission on the Ethics of Scientific Knowledge and Technology (COMEST) at its 6th Ordinary Session in June 2009. The COMEST recommendations emphasized the need to integrate science ethics and science policy issues; the impact of globalization; global inequalities in science; the role of public investment in research leading to public benefit; and the need for new ethical thinking on private-sector research and on intellectual property rights.

4. At its 189th session, the Executive Board, having considered the initial report on monitoring of the implementation of the 1974 Recommendation (189 EX/13 Part III), based on submissions from 18 Member States, acknowledged the importance of the 1974 Recommendation. The Board also underlined the need to improve its effectiveness and monitoring, possibly on the basis of the principles expressed in the 1999 Declaration on Science and the Use of Scientific Knowledge and in the 2005 Universal Declaration on Bioethics and Human Rights. In view of the small number of submissions received, the Executive Board also urged Member States to fulfill their legal obligations under Article VIII of UNESCO’s Constitution, by submitting reports on the implementation of the 1974 Recommendation, and requested the Director-General to submit to it at its 190th session an expanded and consolidated report, taking account of further consultation with Member States.

5. The follow-up report submitted to the Executive Board at its 190th session (190 EX/24 Part IV) reflected the contributions of 32 Member States in total, along with further consultations that were held with COMEST in the context of its Extraordinary Session (July 2012).

6. In addition, the Executive Board took note in its decision (190 EX/Decision 24 (IV)) “of the opinions and views expressed by Member States concerning the desirability of revising and

updating the 1974 Recommendation on the Status of Scientific Researchers” and requested the Director-General to prepare a preliminary study of the technical and legal aspects relating to the desirability of revising the 1974 Recommendation, which was submitted to the Executive Board at its 192nd session (192 EX/10).

CONSOLIDATED REPORT

7. The majority of Member States declared that their legislation conforms to the major principles laid down in the 1974 Recommendation, such as non-discrimination, freedom and autonomy of scientific researchers, respect for their human rights and fundamental freedoms. However several Member States underlined that the status of scientific researches varies greatly in most developing countries due to different scientific, educational, cultural, economic, social and political context prevailing in these countries. In some countries, it was suggested that national laws relevant to the 1974 Recommendation tend to concentrate on the promotion of science and technology as a means of attaining economic growth and pay less attention to the support for creative scientific research for the enhancement of the cultural and material well-being of citizens or scientific research contributing to the solution of global challenges. It was suggested that, in line with the 1974 Recommendation, the social role of scientific researchers needs often to be better recognized.

8. Similarly, the majority of Member States indicated that institutional practices within their jurisdiction conform to the principles laid down in the 1974 Recommendation. However several developing countries indicated that their current economic situation may present obstacles to implementing such principles of the 1974 Recommendation as provision of public funding for scientific research, promotion of scientific careers, in particular those of young researchers, in State institutions with payment of benefits, provision of appropriate working schedules, education and training opportunities, and incentives to work in the service of their countries and their public policies, etc. It was suggested that the Recommendation should make reference to the requirements and special needs of scientific research in developing countries and scientific researchers who work there.

9. Finally, the majority of Member States underlined that the 1974 Recommendation, as a component of an overarching and broad ethical framework to guide scientific activity, is adequate and applicable for the science ethics and science policy issues that it is designed to address. The overall scope and purpose of the 1974 Recommendation, as expressed in the major ethical principles of non-discrimination, integrity, freedom and autonomy of scientific researchers, and respect for their human rights and fundamental freedoms, appear both unobjectionable and relevant. Today, as in 1974, it is necessary to assert and to take seriously the right, enshrined in article 27(1) of the Universal Declaration of Human Rights, “freely ... to share in scientific advancement and its benefits”. Furthermore, there is broad support for the rationale of the 1974 Recommendation, which is that the general ethical principles that apply to science need to be embedded in concrete institutional arrangements.

10. However, whether the details of the institutional template assumed in the 1974 Recommendation remain relevant is open to question. Current modes of scientific organization are different, and subject researchers to different kinds of pressures than were envisaged in 1974. With this in mind, the majority of national submissions judged that revision of the 1974 Recommendation would be desirable. Views were further expressed as to the process to assess the desirability of such revision.

PROPOSED RESOLUTION

11. In the light of the foregoing, the General Conference may wish to consider the following draft resolution:

The General Conference,

Bearing in mind Member States' obligations under Article VIII of the Constitution of UNESCO and Article 17 of the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution,

Recalling 177 EX/Decision 35 (I and II) on the monitoring of the implementation of UNESCO's standard-setting instruments for which no specific institutional mechanism is provided, 189 EX/Decision 13 (III) and 190 EX/Decision 24 (IV),

Having examined document 37 C/28,

Noting the submissions made by Member States on the conformity of their legislation and institutional practices with the principles laid down in the 1974 Recommendation on the Status of Scientific Researchers, as well as on the current relevance and adequacy of such principles for science ethics and science policies,

Stressing the importance of transmitting to UNESCO, on a periodic basis, precise information on the measures taken by States to establish, protect and promote the status of scientific researchers as defined by the 1974 Recommendation,

1. *Reminds* Member States of the recommendation made by the General Conference that they should bring the 1974 Recommendation to the attention of the authorities, institutions and enterprises responsible for the conduct of research and experimental development and the application of its results, and of the various organizations representing or promoting the interests of scientific researchers in association, and other interested parties;
2. *Further reminds* Member States of the recommendation made by the General Conference that they should report to it on the action they have taken to give effect to the 1974 Recommendation;
3. *Requests* the Director-General to support Member States in their efforts to compile reports on the implementation of the 1974 Recommendation;
4. *Invites* the Director-General to transmit to it, at its 39th session, the next summary of reports received from Member States on measures taken to implement the 1974 Recommendation.