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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council on 6 October 2022

51/3. Neurotechnology and human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Vienna Declaration and Programme of Action, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and other relevant international and regional human rights instruments,

Recalling all relevant Human Rights Council resolutions, including resolutions 43/13 of 19 June 2020 on mental health and human rights, 47/16 of 13 July 2021 on the promotion, protection and enjoyment of human rights on the Internet, 47/23 of 13 July 2021 on new and emerging digital technologies and human rights, 48/4 of 7 October 2021 on the right to privacy in the digital age, and 50/15 of 8 July 2022 on freedom of opinion and expression,

Recalling also that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State, and that the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework sets out that States have a duty to protect, and that business enterprises, including technology companies, have a responsibility to respect human rights,

Bearing in mind that neurotechnology allows the connecting of the human brain directly to digital networks through devices and procedures that may be used, among other things, to access, monitor and manipulate the neural system of the person,

Recognizing that neurotechnology could be promising for human health and innovation, but that, at the same time, the continued development of some of its applications may pose a number of ethical, legal and societal questions that need to be addressed, including in human rights terms,

Mindful that the impact, opportunities and challenges of neurotechnology with regard to the promotion, protection and enjoyment of human rights are not fully understood, and of the need to analyse them further in a coherent, holistic, inclusive and comprehensive manner in order to leverage the full potential of neurotechnology to support human progress and development for all,

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Noting that, in his 2021 report entitled "Our Common Agenda", the Secretary-General stated that consideration should be given to updating or clarifying the application of human rights frameworks and standards to address frontier issues and prevent harms in the digital or technology spaces, including in neurotechnology,

1. *Requests* the Human Rights Council Advisory Committee to prepare a study in an accessible format, including an easy-to-read version, on the impact, opportunities and challenges of neurotechnology with regard to the promotion and protection of all human rights, including recommendations on how human rights opportunities, challenges and gaps arising from neurotechnology could be addressed by the Huma Rights Council and its special procedures and subsidiary bodies in a coherent, holistic, inclusive and action-oriented manner, and to present the study to the Council at its fifty-seventh session;

2. *Also requests* the Advisory Committee, when preparing the above-mentioned study, to seek the views and inputs from, and to take into account the relevant work already done by, stakeholders, including Member States, international and regional organizations, the Office of the United Nations High Commissioner for Human Rights, the special procedures of the Human Rights Council, the treaty bodies, other relevant United Nations agencies, funds and programmes within their respective mandates, national human rights institutions, civil society, the private sector, medical and technical communities, academic institutions and other relevant stakeholders;

3. *Invites* the United Nations High Commissioner for Human Rights, the treaty bodies and the special procedures of the Human Rights Council, within their respective mandates, to give due consideration to the impact of neurotechnology on the full enjoyment of all human rights and fundamental freedoms;

4. *Decides* to remain seized of this matter.

40th meeting
6 October 2022

[Adopted without a vote.]