

UNEP initiated the transfer and application of technology, it should do so in close collaboration with the recipient countries. The developing countries should themselves exchange such technology as they possessed for, irrespective of their stage of development, such technology might be more relevant to their situation than that derived from sophisticated developed sources. Poorly-tested, obsolete and unusable technology should not be foisted on the developing countries merely because they did not themselves have something better. UNEP should play the role of watch-dog in that respect.

59. The question of human settlements, to which the Governing Council had accorded high priority, was global in scope. Although the problems were prevalent in the developed countries, they were chronic in the developing countries, in both urban and rural areas. Immediate action was required to overcome the housing, sanitation and water quality problems facing the countries of the third world. The Governing Council accordingly was studying the proposals for the establishment of a fund to alleviate the problems and would pay constant attention to the question of human settlements. Proposals from UNEP in that priority area were naturally awaited with interest.

60. His delegation welcomed the readiness of the Canadian Government and the preparations it had already undertaken to serve as host to the United Nations Conference-Exposition on Human Settlements. Such a Conference could mirror appropriate technology immediately applicable to the problems of mankind, particularly in the developing countries. His delegation looked forward to participating fully in the preparatory work and in the Conference itself. The General Assembly must establish a preparatory committee of 58, appropriately constituted, to direct the preparatory work. Immediate consultations should be undertaken with a view to agreeing on the name of the Assistant Secretary-General to head the secretariat which would service the preparatory committee.

61. The marine environment was an important area of concern for UNEP. The fact that the environment as a whole was arbitrarily demarcated demonstrated the need for UNEP to be actively involved in the preparatory work for the forthcoming Conference on the Law of the Sea and to be more than marginally involved with the work of the Conference itself. His delegation rejected the efforts of certain developed countries to undercut the Conference on the Law of the Sea and deny UNEP the possibility of playing a central role in the preservation of the marine environment. The outcome of that Conference must not be prejudged in any respect, nor should delegations manipulate situations to ensure a role for a given United Nations body according to the control which they exercised in that body.

62. His delegation welcomed the fact that the Governing Council, the Environment Co-ordination Board, the UNEP secretariat and the Fund of UNEP were operational and were gradually discharging their responsibilities in accordance with the enabling resolution and the groundwork laid down following the first session of the Governing Council. It looked forward to taking an active part in the second session of the Governing Council at Nairobi in March 1974 and to participating with others in working out a suitable resolution based on the various issues arising from the debate and the report of the Governing Council.

63. The CHAIRMAN announced that the list of speakers on the item under consideration would be closed at 6 p.m. on Wednesday, 21 November. The deadline for the submission of draft resolutions would be 6 p.m. on Thursday, 22 November.

64. He said that Haiti and Costa Rica had been included by mistake in the list of sponsors of draft resolution A/C.2/L.1305, and that Botswana, Dahomey, Denmark, Ethiopia, Indonesia, the Libyan Arab Republic, Mali, Nigeria, Sierra Leone and Swaziland should be added to the list.

The meeting rose at 12.40 p.m.

1564th meeting

Wednesday, 21 November 1973, at 3.20 p.m.

Chairman: Mr. Zewde GABRE-SELLASSIE (Ethiopia).

A/C.2/SR.1564

AGENDA ITEM 50

United Nations Environment Programme (*continued*)
(A/9003 and Corr.1, chap. XIII; A/C.2/L.1305/Rev.1, A/C.2/L.1312):

- (a) Report of the Governing Council (A/9025);
- (b) Criteria governing multilateral financing of housing and human settlements: report of the Secretary-General (A/9163, A/9238, A/C.2/L.1314)

1. Mr. ZACHMANN (German Democratic Republic) said he was convinced that success in the environment field depended above all on the determination of States themselves to make the establishment of conditions conducive to the dignity of life a primary aim. His

delegation could not accept the view that the deterioration of the environment was the inevitable price of progress, and considered that a balance must be found between the environment, technology and the economy. The primary responsibility for solving environmental problems lay with each State. However, States could act only on their own territory, and it was to be hoped that the protection of the environment would not be hampered by illegal political action. The process of political détente and peaceful co-operation provided an opportunity for real progress in that area. All States, whatever their social system, their size or their level of development, should co-operate on the basis of the principle of the sovereign equality of all States, in implementing international measures to protect the environment. But such measures could be ap-

plied only if the protection of the environment was organized at the national level. The German Democratic Republic could not agree to the establishment of any supranational control in that area, and considered that it was essential to respect strictly the permanent sovereignty of States over their natural resources, the principle of non-interference in the internal affairs of States, and the inviolability of territorial integrity.

2. The German Democratic Republic had already taken extensive measures to protect the environment, in the interest of its own citizens, and also in a desire to co-operate with other States. The joint efforts of States should be directed in the first place to ensuring a rapid improvement in the existing situation and encouraging the adoption of preventive measures with a view to the future. He listed the particular fields of environmental protection covered in the decisions taken by the Governing Council of UNEP at its first session (A/9025, annex I) and said that the Council's task should be to obtain information about the measures applied in various States, to organize a broad exchange of views, and to co-ordinate activities of international significance.

3. His Government was interested in the conclusion of international conventions on environmental protection, and was ready to accede to any instrument that laid down regulations to be applied for the benefit of all peoples. He emphasized in particular the importance of preventing the pollution of the seas, and said that his country would continue to work for the conclusion of an agreement regarding the Baltic Sea.

4. The establishment of the secretariat of UNEP at Nairobi was a good omen for future work, and his country was ready to aid the developing countries in the protection of the environment.

5. The German Democratic Republic welcomed the adoption of the Action Plan for the Human Environment (*ibid.*, decision 1 (I)); the task must now be to implement the Plan and to improve co-operation among States so that the Governing Council could work effectively. The German Democratic Republic could not overlook the fact that, because of the obstructive attitude of certain States, it had not taken part in the drafting of the recommendations of the United Nations Conference on the Human Environment at Stockholm, in June 1972.

6. His delegation welcomed the progress achieved in the general procedures governing the operations of the Fund of the United Nations Environment Programme, and considered that it was for each State to decide on its participation in that voluntary Fund. The German Democratic Republic supported the Fund Programme for 1973-1974, but would seek to ensure the maximum efficiency at the minimum cost. It was to be hoped that the Governing Council, at its second session, would be able to adopt its own rules of procedure.

7. The United Nations Conference-Exposition on Human Settlements to be held in Canada in 1976 should put forward basic solutions to the problems of human settlement. However, it was not necessary to set up a special fund for that purpose; it should be possible to find the necessary amount out of the Fund Programme. Nor did it seem necessary to set up comprehensive machinery for that Conference; use could be made of the many bodies that were dealing with the environment and with human settlements, in order to avoid

additional expenditure in the preparation of the Conference.

8. Environmental protection included not only pollution control and planned exploitation of natural resources; it should also be concerned with finding political solutions to international conflicts and preventing the use of modern means of warfare, particularly weapons of mass destruction.

9. Mr. MILLS (Jamaica) thanked the President of the Governing Council of UNEP, the Executive Director of the Programme, and the Director of the Centre for Housing, Building and Planning for their statements. The report presented by Mr. Strong reflected the considerable amount of work that UNEP had already done in the short time since its establishment. The Jamaican delegation wished to say again how appropriate it found the choice of Nairobi as the headquarters of the secretariat. It hoped that that precedent would be followed, and that other major United Nations institutions would establish their headquarters in developing countries.

10. The first session of the Governing Council of UNEP, held in Geneva in June 1973, had been of the greatest importance. It had set out to establish the objectives and priorities of UNEP, and to formulate the bases for a programme of work within the framework of the recommendations of the Stockholm Conference and the General Assembly. There were many problems, as there were major issues of practical importance, to be decided, in particular how the available financial and other resources should be allocated. There were inevitably sharp differences of view. Despite those problems, all the members of the Governing Council had realized that they must co-operate in the interest of mankind. Thus a consensus had been reached on the vital question of the programme and priorities. That consensus reflected the very nature of the problems of the environment, the complex of interests involved, and the continuing need to balance those elements and those various interests for the general good.

11. His delegation had always taken a keen interest in the question of the human environment, and had been deeply involved in international efforts in that sphere. Jamaica had had the privilege of presiding over the sessions of the Preparatory Committee for the Stockholm Conference, and its representative had served as the Rapporteur General of that Conference. Jamaica had also taken a very active part in the work of UNEP and in the session of the Governing Council in June.

12. His Government was convinced that the question of the quality of life and the well-being of mankind should be one of the main concerns of UNEP, and had always insisted that human settlements must be given a high priority. In the Action Plan for the Human Environment adopted by the Governing Council at its first session (see A/9025, annex I, decision 1 (I)); it noted "that the quality of human life must constitute the central concern of this Programme and that therefore the enhancement of the total human habitat and the study of environmental problems having an immediate impact on man should be given the highest priority in the over-all programme". That concern existed both in the developed and the developing countries, and was universal, despite the more obvious deficiencies of human settlements in some sectors of the developing

world. Developing countries were in danger of finding themselves soon in a state closely resembling that which existed in parts of developed countries, but which was nevertheless unacceptable. The current crisis in the developed world was a warning to the developing countries, since it showed what could happen to them if they did not find a way of changing their patterns of living. Developed and developing countries should therefore join in seeking to solve those problems, since both groups would benefit from the results. Such co-operation did not concern only financial resources; more than anything else it required innovative thinking and action, and the release of the energies of all those involved. The other areas of activity which, in the view of the Governing Council, called for priority action included such subjects as land and water, training and information, oceans and energy.

13. The development of a close and harmonious relationship between the secretariat and the Governing Council, on the one hand, and other United Nations agencies, on the other, was essential for success in the undertaking. The role of UNEP itself was to set up an over-all programme that was effective, coherent and well-balanced, and was based on co-ordinated efforts and projects carried out by the secretariat, by other United Nations agencies, and by regional, national and non-governmental institutions. Those efforts, and any other action to expand the resources and facilities available in the field of housing and human settlements, had his delegation's full support. Jamaica welcomed the valuable work done by the Environment Co-ordination Board, and called on all the countries that were members of the Fund of the United Nations Environment Programme to show their generosity, in order to ensure that the Programme would have the financial means essential for the implementation of effective plans.

14. Turning to the question of the United Nations Conference-Exposition on Human Settlements, he thanked the Canadian Government for having offered to act as host at Vancouver for that important event, which had the full support of his delegation. As he understood it, the purpose of the Conference-Exposition was to encourage innovation, to provide a basis for exchange of experience and to ensure maximum dissemination of ideas and new technology regarding human settlements. Every device would be used to draw the attention of the entire world to the nature and importance of the problems of human settlements. Even more important, the Conference-Exposition must lead to practical results and should stimulate interest among those responsible for developing appropriate financial systems and institutions for human settlements. His delegation was impressed with the amount of work that had already been done in preparation for the Conference-Exposition. It hoped that member countries would participate very actively both in the planning and in the actual event, which should be characterized by a spirit of investigation and imagination. Ideas and practices inherited from the past should be a part of the material as well as approaches to living adopted in technologically less-advanced communities which had nevertheless established a relatively tolerable quality of life. The ideas and analyses of technical experts in the field of planning and economic development should also be discussed, as well as the standards of living, the hopes and aspirations of the people concerned.

15. Preoccupation with problems of urban growth sometimes led to a neglect of the study of rural settlements and their prospects as far as an adequate quality of life was concerned. He hoped that the Conference-Exposition would take an interest in that problem, too, as well as in the problem of tourism. With the very rapid growth of tourism in many countries, changes were taking place in settlement patterns, not all of them for the better. It would be useful to study those questions as well, in view of the potential importance of tourism and the implications of its expansion for the planning and building policies of many countries.

16. The development of new initiatives in the field of human settlements must be accompanied at both the national and the international levels by the development of adequate institutional devices. That task also called for an imaginative approach. Jamaica had established new institutions for that purpose and stood ready to adapt them and to establish new ones where the need arose. It might perhaps be useful to discuss the role of such institutions in the development and improvement of human settlements during the Conference-Exposition.

17. Jamaica was attaching increasing importance to questions relating to the environment in the broader context of development. Its interest in such questions could be explained by its concern to ensure the well-being of its own people and, in general, that of the world community. It hoped to continue to play a very active part in that vital field.

18. Mr. REYES (Philippines) said that the decisions taken by the Governing Council at its first session had laid the foundations for future action by the United Nations in the field of environmental co-operation. That was a notable achievement, considering the severe handicaps under which the Stockholm Conference had laboured. One of those had been the absence of a number of important socialist countries, a gap which had since been filled. Another had been the apprehensions of the poor countries over the possibility of a negative relationship between environment and development; the growing support for UNEP among those countries showed that those apprehensions had been laid to rest.

19. The allocation of the resources of the Fund of the United Nations Environment Programme reflected the priorities established by the Governing Council, particularly with regard to human settlements and the management and conservation of soil and water resources. The drought in the Sudano-Sahelian region had shown the need for a global programme to develop water resources and control the loss of productive soil; UNEP should concentrate further on developing its capacity to assist Governments in anticipating natural disasters and mitigating their consequences. An important element in the long-term objectives was the promotion of national capacity to deal with environmental problems, and technical assistance for research and training in the developing countries was crucial to the success of the Programme.

20. International concern with the lack of housing and the qualitative deterioration of human settlements had led the General Assembly to convene a Conference-Exposition on Human Settlements; UNEP now provided a suitable framework for a study of that question. The Conference-Exposition, which would be held at

Vancouver in 1976, was comparable in scope to the Stockholm Conference, but would be innovative in concept, as well as pragmatic and "solution-oriented". His country had taken an active part in the field and had been among the sponsors of a draft resolution providing for the setting up of an international voluntary fund for human settlements. It was now a sponsor of draft resolution A/C.2/L.1312, which embodied the recommendations of the Governing Council concerning the date and duration of the Conference, and the preparatory steps to be taken. His delegation hoped that the post of Secretary-General of the Conference-Exposition would be entrusted to a national of a developing country. In view of the importance of the preparatory work, it was to be hoped that the regional economic commissions and the specialized agencies would participate in that work. The regional economic commissions and regional banks could be expected to play an important role in the international programme of assistance to housing which the Conference-Exposition was expected to formulate. If the Conference-Exposition was to attain its objectives, it was important to mobilize, with the co-operation of the mass information media, world-wide support for action programmes in the field of human settlements at the national and the global levels. It was to be hoped that in addition to fostering constructive exchanges of information on successful but little-known solutions to housing problems, the Conference-Exposition would also produce a programme of international action to help poor countries to meet minimal housing standards.

21. At its second session, the Governing Council would have before it a report by the Secretary-General on the establishment and operation of an international voluntary fund for housing to promote the formation of national institutions which would mobilize domestic resources for housing. Such a fund would be an extremely useful component of any international programme for housing.

22. The report of the Secretary-General on criteria governing multilateral financing of housing and human settlements (A/9163) indicated that international and regional agencies generally gave low priority to housing. It was, however, encouraging to note that they intended to expand financial assistance to human settlement programmes. The Conference-Exposition should stimulate further improvements in that direction.

23. At its second session, the Governing Council would also have before it a draft programme of action and a report on the initial operation of the International Referral System. However, it was still too early to evaluate the scope, capacity and effectiveness of the new system. The Governing Council should devote more consideration to the next stage in the establishment of an environmental monitoring system under the Earthwatch programme.

24. The human environment should not be considered apart from other interrelated issues which affected the well-being of mankind; development was an obvious example, but it was also important to consider problems arising from increasing population pressures, high levels of energy consumption and the exploitation of natural resources. The 1974 World Population Conference would have vital implications for UNEP and the latter should therefore contribute, as far as possible to

the implementation of the programme of action which the Population Conference might recommend. UNEP should also concern itself with the current energy crisis.

25. UNEP should increase its co-operation not only with the specialized agencies, but also with the regional economic commissions and other United Nations organs and agencies.

26. Draft resolutions A/C.2/L.1312 and A/C.2/L.1305/Rev.1 were, in a sense, complementary. The latter dealt with a principle governing co-operation between countries sharing common natural resources. That was a very important principle and the question deserved the most careful consideration; it also required the highest degree of mutual respect and amicable co-operation.

27. Mr. GORITZA (Romania) said that the question of the environment was certainly one of the priority tasks of the United Nations. The importance which a growing number of countries attached to the adoption of measures to protect the environment was striking proof that it was a very topical problem. At the same time, the development of international co-operation had entered a new phase. His delegation felt that the Declaration of the United Nations Conference on the Human Environment¹ adopted at Stockholm, and the resolutions on the subject adopted by the General Assembly at its twenty-seventh session clearly delineated the framework of principles and the objectives of co-operation in that field. Romania had always stressed that any action concerning the environment should be founded on the unanimously recognized principles of international law. Such co-operation should be based on understanding and mutual interest, good-neighbourly relations and the desire to help in making constant progress towards protecting and improving conditions of life on earth.

28. In establishing the Governing Council of UNEP, the United Nations had adopted a major role in the promotion of co-operation in a field in which all nations clearly had a common interest. One year after its establishment, the Governing Council had already taken positive action to carry out the mandate entrusted to it under General Assembly resolution 2997 (XXVII) and to implement the measures adopted at Stockholm. In that connexion, his delegation wished to congratulate the Executive Director, Mr. Strong.

29. The programme of work adopted by the Governing Council constituted an adequate framework; concrete measures should be initiated immediately so that the Council could evaluate them at its coming sessions and adapt them better to the priority needs of Member States. His delegation approved the objectives of UNEP as defined in decision 1 (I) of the Governing Council, particularly in paragraph 1 (c).

30. At the current stage of UNEP operations, the exchange of information on environmental matters must be facilitated. His delegation therefore endorsed the proposal to establish an office for collecting, analysing and disseminating information bearing on environmental problems. Furthermore, in view of the vital role of modern science in developing production techniques which reduced pollution and in devising methods to combat the effects of pollution, wide international co-operation from which all countries of the world could

¹ See A/CONF.48/14/Rev.1, chap. I.

benefit must be encouraged, and, in particular, the transfer of those techniques and methods to the developing countries must be promoted. As a developing country, Romania was interested in the establishment of international research centres to deal with the environmental needs of those countries and would welcome the establishment of such a centre in its territory.

31. He would also like to comment on the problem of specialized training. The complexity and multidisciplinary nature of environmental problems required that UNEP should devise specific programmes to promote the training of qualified national personnel. In that respect, his delegation reiterated the proposal made at the first session of the Governing Council that permanent courses at post-university level should be organized in the field of environmental policy and management of natural resources.

32. Many delegations had stressed that certain ecological zones of special interest should be protected. The development of such zones—for example, in Romania, the Danube delta and northern Moldavia—should be the subject of special programmes and projects carried out with UNEP assistance.

33. Regional activities should also be accorded an important place, and the regional economic commissions could make a major contribution to such activities. With their experience and capacity for action, the commissions could play a catalysing role in the development of co-operation. His delegation was pleased that arrangements had been made for co-operation with those commissions, and in particular with the ECE, which already had an organ dealing with environment problems.

34. Romania was ready to participate actively in the development of United Nations work to protect and improve the environment and to promote international co-operation in that field.

35. Mr. EVANS (United States of America) congratulated the Executive Director of UNEP on his introduction of the report of the Governing Council on its first session. As a member of the Governing Council, the United States had participated fully in the debates and in the consensus achieved. He would not go into details, but he wished to say that his Government was most satisfied that the first session had resulted in decisions on the organization of UNEP and on programme guidance and priorities.

36. During the past year UNEP had encountered many difficulties, and the fact that in one year its secretariat had been able to prepare for the first session of the Governing Council and launch the preparations for the second, while at the same time initiating concrete actions, indicated the devotion of the Executive Director and his staff to their work. A less courageous secretariat would have waited until 1 January 1974 to inaugurate the headquarters of the Programme at Nairobi, and it was to the great credit of Mr. Strong and the staff of UNEP that they had not taken the easy way out. His Government was extremely gratified at that gesture and considered that the inauguration of the headquarters at Nairobi was a major event in the history of the United Nations.

37. During that initial phase, the specialized agencies, IAEA and the other bodies of the United Nations system had contributed greatly to the initiation of the new

programme and had helped to maintain the momentum of Stockholm. However, the UNEP programme must not be simply a catalogue of activities of interest to the specialized agencies, IAEA and other United Nations bodies. That would defeat the purposes of the Stockholm Conference, and UNEP must guard against it. What had been envisaged at the Conference and endorsed at the twenty-seventh session of the General Assembly was a world programme to be carried out in concert by the organizations of the United Nations family, other international organizations and States themselves. In that process, UNEP was to have a central co-ordinating role, but his delegation agreed with the Kenyan delegation that UNEP must be constantly on the alert, encouraging everyone; otherwise, it would not do the job it had been intended to do. That meant that it must recruit a small, highly talented staff imbued with the importance of its mission and sensitive to the missions of other bodies, with a knowledge of the considerable work already under way in those bodies. It was essential to avoid creating a new bureaucracy which would duplicate what was already in existence elsewhere.

38. In its general procedures, UNEP had adopted a concept of "co-operating agencies", and his delegation believed that such a concept put the emphasis where it should be in defining the relationship between UNEP and the other agencies and programmes of the United Nations system.

39. One of the achievements of the first session of the Governing Council of UNEP had been the adoption of a decision, decision 1 (I), on programme development and priorities to provide guidance to the Executive Director in making preparations for future sessions of the Governing Council. That decision had been the product of a spirit of compromise. It was essential that the Executive Director should be provided with guidance on the basis of which he could design an environment programme, in the sense intended in General Assembly resolution 2997 (XXVII)—a programme responsive to the concerns of all countries, big and small, developed and developing, industrial and agrarian. His delegation was confident that, in consultation with the United Nations agencies, other international bodies and Member States, and with patience and determination, the Executive Director could accomplish that task within a reasonable time.

40. His delegation was glad to see the emphasis given to Earthwatch by the Governing Council, for a satisfactory information base was essential to the design of meaningful action programmes. It particularly welcomed the decision to convene an intergovernmental meeting in 1974 to identify and monitor the major pollutants. His Government intended to send to that meeting a highly qualified team, led by a distinguished scientist administrator.

41. Turning to the question of the United Nations Conference-Exposition on Human Settlements, he said that his delegation endorsed the main themes recommended by UNEP and further elaborated by the Secretary-General in his report (A/9238), which also contained recommendations on the preparatory machinery for the Conference. It was essential that the decisions on that question should be taken at the twenty-eighth session, and draft resolution A/C.2/L.1312 set forth clearly the essential elements of

the action required. His delegation was prepared to support the draft resolution.

42. Regarding the financing of the Conference-Exposition, his Government agreed with the Governing Council's recommendation that the costs should be shared between the United Nations regular budget and the Fund of the United Nations Environment Programme. However, it reserved its final position on the matter, pending review by the Fifth Committee.

43. Paragraph 3 of decision 1 (I) of the Governing Council stated that "the study of environmental problems having an immediate impact on man should be given the highest priority". In the world of today, the words "immediate impact" encompassed not only events such as the drought which had struck the Sudano-Sahelian region, but also the "outer limits" to which the Executive Director had referred. Today's outer limits might well be tomorrow's immediate impact. That defined the dimensions of the task ahead for UNEP.

44. Mr. ROUGÉ (France) said that, as a member of the Governing Council of UNEP, France had been able to make its views known on all the questions discussed at the first session of the Governing Council. It had also indicated at the fifty-fifth session of the Economic and Social Council how, in its opinion, UNEP actions should be incorporated into the activities of the United Nations system as a whole. Accordingly, he would devote most of his statement to draft resolution A/C.2/L.1312, concerning the United Nations Conference-Exposition on Human Settlements. The problem of urbanization was one of the major problems confronting policy-makers at all levels. The Stockholm Conference had thus been correct in placing the question of human settlements in the forefront of the world-wide Action Plan for the Human Environment. However, his delegation questioned the validity of the syllogism which the Secretary-General's report appeared to advance; urbanization was a problem affecting all countries; since it was a universal problem, the solution should be found at world level. His delegation for one did not believe that all problems of common interest should be the concern of the international community. The role of the world authority was to help all human groups to take control over their own destiny, not to dispossess them of it. Collective action was necessary in the case of problems which were by their nature international, but the question of housing was not international in a physical sense. Renovation of the environment of urban dwellers required energetic action against trends towards uniformity, and the Director-General of UNESCO, Mr. Maheu, in his observations transmitted to the Third Committee by the Secretary-General, had appealed to architects and urban planners for greater innovation in all fields.²

45. With regard to financing, it had been noted that loan requests from developing countries seldom related to housing construction projects. That was not because the Governments of those countries did not attach sufficient importance to the housing sector but because, in that sector, resources—manpower, local talent and materials—could and should first be found locally. Accordingly, the housing problem should be solved by increased but strictly decentralized efforts, with the main role belonging to local communities, towns and

villages or neighbourhoods, and to national and regional authorities. That was the suggestion made in paragraph 71 of the International Development Strategy (General Assembly resolution 2626 (XXV)). Similarly, resolution 2718 (XXV) emphasized the need for comprehensive housing policies at the national level.

46. The role of the United Nations was not, therefore, to impose solutions, but to stir the will of Governments and encourage them to deal urgently with questions of human settlements in their countries. Secondly, it was to promote the development of the building materials industry and of appropriate techniques. He recalled that the *World Plan of Action for the Application of Science and Technology to Development*³ emphasized that current construction methods were unsuited to conditions in the developing countries.

47. Finally, the role of the United Nations could be to facilitate the exchange of information and experience between all countries of the world, for all were faced with problems of that kind and all were already working to solve them.

48. The Conference-Exposition to be held at Vancouver could fit admirably into the over-all scheme of activities he had outlined. His delegation had abstained from voting at the twenty-seventh session of the General Assembly on the resolution relating to the Conference (resolution 3001 (XXVII)) because it had regretted that, under the pretext of urgency, the Assembly had had to take a decision of principle before the question had been studied by the Governing Council of UNEP, and also because it had had misgivings concerning the financial implications of the project. In retrospect, that attitude seemed justified: the urgency invoked at the twenty-seventh session had disappeared; the cost of the arrangements envisaged was greater than had been thought. However, the explanations which the representative of Canada had given when introducing draft resolution A/C.2/L.1312 had allayed many of his delegation's fears. It supported the draft resolution, inasmuch as it seemed both more realistic and more reasonable than the view of the Conference given by the Secretariat in document A/9238. That document envisaged that the Conference would be "on the scale of the United Nations Conference on the Human Environment and the World Population Conference". His delegation felt that the role which the Conference might have could in no way justify treating it as being on a par with the Stockholm Conference. Accordingly, it considered the establishment of a preparatory committee of 58 members superfluous, since there was already a United Nations body competent to deal with the matter, namely, the Committee on Housing, Building and Planning.

49. He did not see the need to give the "small conference secretariat" as imposing a structure as was envisaged. Was it not excessive for it to be headed not only by an international civil servant of the rank of Assistant Secretary-General, with a Chef de Cabinet, but also by three Directors, and for it to have 16 high-level officials? It should, instead, be a much less weighty body, using the services and qualified personnel already available in the United Nations Secretariat.

² See A/9075, p. 23.

³ United Nations publication, Sales No. E.71.II.A.18.

50. Given the real nature of the Conference-Exposition, his delegation also considered it unreasonable to envisage any extension beyond the period of the Conference itself of the activities of the secretariat, contrary to the apparent intent of paragraphs 14, 18, 19 and 41 of document A/9238. The role of the secretariat should be limited, as indicated in paragraph 30, to preparing the report. It should be clearly stated that no funds could be appropriated for 1977.

51. The estimated total of \$6.1 million seemed excessive. It would surely be an affront to all the people in the world who suffered from poor housing or had none at all to spend so much on a meeting which could hardly result in directly applicable practical solutions. It was inadmissible to take more than \$3 million from the United Nations regular budget for a meeting devoted to an exchange of information. To take a similar sum from the Fund of the United Nations Environment Programme would be to divert the Fund's limited resources from the purposes for which it had been established and gravely disappoint international public opinion, which, after the Stockholm Conference, was expecting effective measures to protect the environment. It might also discourage all those countries which had not yet come to a decision on their contributions to the Fund. The developing countries themselves, which were concerned over their share in the financing of the Fund, would be justified in requesting that its activities should coincide more directly with their interests. Furthermore, his delegation would have liked the Canadian delegation to indicate what part the Canadian Government would take in financing the operation.

52. Consequently, his delegation would like to propose certain amendments to draft resolution A/C.2/L.1312, so as to dispel any ambiguity: in the second preambular paragraph, the words "and priority" should be replaced by "and degree of priority", in order not to give the impression that the Stockholm Conference had not identified any priority areas other than human settlements; in the third preambular paragraph, the word "full", which was an overstatement, should be deleted; in the fifth preambular paragraph, the words "early and co-ordinated action" should be replaced by "well co-ordinated action by all Governments as soon as possible", in order to emphasize that the task was first of all one for the national authorities concerned; since the sixth preambular paragraph referred to the Second United Nations Development Decade, the International Development Strategy should also be mentioned. Accordingly, his delegation proposed that the paragraph should be reworded to read: "*Bearing in mind* that in the International Development Strategy for the Second United Nations Development Decade the improvement of the quality of life in human settlements in developing countries is described as an essential part of the development process"; the new wording, while not altering the initial idea, would have the advantage of being more accurate. In the seventh preambular paragraph, the word "*Welcoming*" should be replaced by the word "*Noting*", to avoid giving the impression that the two bodies mentioned had done something exceptional, rather than their simple duty. As regards the operative part, his delegation proposed: in paragraph 4, the words "together with the Canadian Government," should be inserted after the words "*Requests the Secretary-General*", in view of Canada's responsibilities as host country for the Conference;

paragraph 5 should be reworded to read: "*Empowers the Committee on Housing, Building and Planning to act as the preparatory committee for the Conference to advise the Secretary-General*". Use should be made of existing competent bodies before consideration was given to establishing new ones. Such a practice would, moreover, be in conformity with the important precedent of the World Population Conference, for which the Population Commission served as the preparatory committee. Finally, in paragraph 7, the words "in order to be fully able to benefit from the work of the Conference-Exposition and to assume, after its conclusion, such tasks as might fall to the United Nations system" should be added so that there would be some mention of the follow-up to the Conference, as was not the case in the present text.

53. His delegation would be glad to participate in any consultations with the sponsors of the draft resolution on the basis of his proposals. It was sure that it would be easy to arrive at a text to which all delegations would give enthusiastic support.

54. Mr. RANKIN (Canada), in reply to the question from the representative of France, said that his Government had approved a contribution of \$5 million towards the costs of the Conference-Exposition. The sum of \$3.5 million would be charged to the budget of his Government, and the State of British Columbia would provide the remaining \$1.5 million.

55. Mr. FRAZÃO (Brazil) thanked the Executive Director for his report. His Government was satisfied with the results obtained during the first session of the Governing Council of the Programme, and had decided to set up a Special Secretariat for the Environment under the Ministry of the Interior, a step which should ensure maximum efficiency in Brazil's environment policy and contribute to economic and social progress in ecologically compatible conditions.

56. He wished to comment on draft resolution A/C.2/L.1305/Rev.1.

57. Mr. ČABRIĆ (Yugoslavia), speaking on a point of order, asked whether the representative of Brazil had the right to comment on a draft resolution which had not yet been formally introduced.

58. The CHAIRMAN replied that the fact that the draft resolution had not been formally introduced did not bar any delegation from commenting on it.

59. Mr. FRAZÃO (Brazil) said that he was astonished that draft resolution A/C.2/L.1305 and the revised draft resolution A/C.2/L.1305/Rev.1 had not been more widely discussed, particularly with other delegations which had taken part in the debate on the subject in previous years, since it expressly dealt with the principle of "prior consultation" in the field of the utilization of natural resources shared by two or more countries. He wondered whether the hasty procedure adopted by the sponsors had been a deliberate attempt to ignore the opinion of certain delegations which had recently taken part in the discussion of the theme and in the drafting of the relevant texts. The representatives of Brazil in the last few years had made it clear that their Government had a keen interest in resolving the problem of the exploitation of natural resources, in the framework of the new principles on the preservation of the environment which had finally been unanimously approved at the Stockholm Conference as a result of the patient

efforts made by all participants. The role played by the developing countries, and Brazil in particular, had been of decisive importance. Those countries had refuted the alarmist theories advanced by certain specialists, according to which their industrialization might increase pollution and rapidly exhaust world natural resources. The developing countries, by denouncing the falsity of those concepts, had succeeded in safeguarding their interests. The Declaration of the United Nations Conference on the Human Environment, which was the synthesis of the opinions expressed during the Conference, had been supported by the United Nations in a series of resolutions adopted by the General Assembly at its twenty-seventh session. The only problem on which agreement had not been reached at Stockholm, namely, how to reconcile the basic principle of the utilization of natural resources by the State within whose sovereign jurisdiction they were located with the preservation of the environment, had been resolved at New York by the General Assembly in resolutions 2995 (XXVII) and 2996 (XXVII), which had been adopted without a negative vote. Those delegations which abstained had done so mainly for technical reasons that did not call into question their approval of the principles laid down in the resolutions. Attempts since the beginning to introduce alien concepts or deceitful generalizations into the debate had been thwarted by the clear-cut and unambiguous decisions and declarations made by the regional organizations. The texts and declarations of those organizations had legal value for the parties that signed them.

60. The preamble and operative paragraphs 3 and 4 of draft resolution A/C.2/L.1305/Rev.1 contradicted the basic provisions of resolution 2995 (XXVII) and reopened the argument on how to harmonize the sovereign right of a State to exploit freely its natural resources with the principle of not causing damage to other States. By virtue of that principle, the State must accept the responsibility for any damage it might cause and make the necessary compensation. Resolution 2995 (XXVII) rested on the triple concept of the sovereignty, co-operation and responsibility of States. The sovereignty of a State, although inalienable, must not, however, be arbitrary and exclude responsibility in the case of damage caused to another State.

61. A whole series of General Assembly resolutions reaffirmed the principle of the sovereignty of States over their natural resources, taking into account the need to preserve the environment. Resolution 2880 (XXVI), paragraph 9, in whose drafting all the developing countries had taken part, stated that "any measure or pressure directed against any State while exercising its sovereign right freely to dispose of its natural resources constitutes a flagrant violation of the principles of self-determination of peoples and non-intervention, as set forth in the Charter, which, if pursued, could constitute a threat to international peace and security". General Assembly resolution 2993 (XXVII) reaffirmed those principles in their entirety. Among the other texts proclaiming the permanent sovereignty of States over their natural resources were resolution 3016 (XXVII), negotiation of which had been led by the Group of 77, and resolution 2995 (XXVII), which best reflected the efforts of conciliation and harmonization made by the international community. In the latter text, the best balance had been struck between the sovereignty of States over their natural resources and their respon-

sibilities towards the environment. That basic text was now endangered by draft resolution A/C.2/L.1305/Rev.1.

62. His Government had no objection to section XII of the Economic Declaration⁴ adopted by the Conference of Heads of State or Government of Non-Aligned Countries at Algiers, with regard to the Environment, as it represented a general line of intent, of necessity proclamatory and to be implemented according to particular ecological conditions. Neither could his Government oppose section VII of the Declaration for it synthesized the aspirations of all developing countries with respect to the pre-eminence of the principle of permanent sovereignty over natural resources. Those were not principles of the non-aligned countries alone, as a political group; all developing countries accepted them, with those qualifications arising from their own development models. Curiously enough, that conceptual construction was conspicuously absent from the draft resolution.

63. Bearing in mind the conceptual parameters of the problem and their historical antecedents within the United Nations, he has examined the provisions contained in the draft resolution. Its first two preambular paragraphs seemed to convey an intention to justify the initiative of transforming the declaratory paragraphs of Algiers into operative resolutions as a natural development of principles generally accepted by the international community. The rationale of the draft resolution conflicted with paragraph 2 of resolution 2995 (XXVII) since it seemed to authorize interference in the internal affairs of States under the pretext of protecting the environment, a notion which his Government rejected absolutely and which, moreover, was, incidentally, the very negation of paragraph 7 of Article 2 of the Charter of the United Nations and the basic principles of international coexistence. His Government had always taken all possible precautions in the exploitation of its resources to avoid any possibility of damage to third parties. In fact, neighbouring countries had often benefited from Brazilian projects for the exploitation of its natural resources.

64. The draft resolution was also in conflict with paragraph 3 of resolution 2995 (XXVII) since the "prior consultation" mentioned in the draft was not in keeping with the provision of the resolution, which made it clear that the presumption of damage to the environment could not serve as a suspensive veto to block the right of any State to exploit its own natural resources. Such ambiguities had to be stressed. He repeated that Brazil, substantively speaking, had nothing against the declaratory intentions of the Economic Declaration of Algiers regarding the exploitation of common natural resources, but felt that within the regional framework, such exploitation called for specific agreements. One example of such agreements was the Declaration of Asunción on the Exploitation of International Rivers in the River Plate Basin, signed in June 1971 by Argentina, Bolivia, Brazil, Paraguay and Uruguay. That Declaration provided that, in the framework of international rivers contiguous to several States, the exploitation of their resources should be preceded by a bilateral agreement among the riparian States; in the case of rivers having successive courses in several countries, each State could exploit the waters

⁴ See A/9330, p. 57.

thereof according to its needs, provided that no harm was caused to another State of the Basin.

65. In addition, the Third meeting of Experts on Water Resources, held in Brasilia in 1971, had approved another text stipulating that each State exercised full sovereignty over those sections of international rivers flowing through its territory, and could adopt with respect to those rivers such measures as it deemed to be in its national interest, provided they did not prejudice other States. The text also stipulated that other States of the same basin must tolerate such minor inconveniences as might derive from the exploitation by a State of the section of the river flowing through its territory. The manner in which the Brazilian Government respected the rights of its neighbours in the projects which it had undertaken, and the care it had taken to provide them with the necessary information, within appropriate time-limits, had been considered exemplary by the Intergovernmental Co-ordinating Committee of the River Plate basin countries.

66. There was another fact which illustrated the extreme haste with which certain provisions of the draft resolution had been drawn up. The international Law Commission, which the General Assembly at its twenty-fifth session had recommended should undertake a study of problems relating to the non-navigational uses of international watercourses, had been unable to begin its work because certain States had not provided it with the necessary information. That showed that the international community did not consider the question very urgent. However, during the current session, certain delegations sponsoring the draft resolution had succeeded in arranging for the International Law Commission to take the question up once again. Thus, on the initiative of some sponsors of the draft resolution under consideration, a specialized organ of the United Nations would have the task of extracting from the mass of existing legal documents, and in particular from 253 bilateral and multilateral treaties, from various decisions of international tribunals and other sources, the norms which should govern the conduct of countries with respect to international watercourses.

67. The draft resolution dealt mainly with problems of the same kind, such as that of prior consultation, which must be carefully studied in all its aspects, including its juridical consequences. He therefore considered it contradictory for the sponsors to request the General Assembly to decide on, as a matter of urgency, a subject which was, so to speak, *sub judice*. For those reasons, his Government could not obviously have anything against the text of the Economic Declaration of Algiers, and, to the contrary, was already implementing it in so far as shared natural resources were concerned. He then cited some more recent decisions on the subject which were only one month old. At a meeting held at Lima, from 29 October to 2 November, the Ministers of Energy of the Latin American countries—namely, in alphabetical order, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela—had adopted, instead of a formula that would have approved a system of consultations, the following text for the statutes of the Latin American Energy Organization (OLADE):

“to contribute, at the request of all the parties concerned, to the understanding and co-operation among member States in order to expedite the adequate exploitation of their shared natural resources and avoid significant harm”.

68. With reference to the text of the draft resolution, he noted that paragraph 1 relating to the need to establish international standards for the exploitation and conservation of natural resources common to two or more States ran counter to the spirit of principle 23 of the Declaration of the United Nations Conference on the Human Environment, according to which environmental standards must be defined at the national level. That principle derived from the concern of developing countries to avoid the imposition of production or consumption standards which, owing to their cost, might constitute obstacles to development. Countries in a given region could not adopt identical standards without running the risk of provoking grave economic distortions. The Economic Declaration of Algiers itself reaffirmed, at the beginning of the section on the environment, that the extra cost of programmes in that field should not prevent a country from meeting the most basic development requirements. It was difficult to see how developing countries could avoid the burden of additional costs and the unequal sharing of those costs if they accepted environmental standards defined on an international basis.

69. While operative paragraphs 1 and 2 recognized implicitly that the problems should necessarily be contemplated from a regional and subregional point of view, paragraph 3 transferred competence from the bilateral—or, at most, regional—level to the universal level, and in so doing, relied on an inadequate instrument. The mandate of the Governing Council did not empower it to deal with the implementation of regional or bilateral schemes, which would mean entrusting it with supranational powers which no international organization possessed. Brazil was firmly persuaded that paragraph 3 was contrary to the spirit and the letter of the Economic Declaration of Algiers, of General Assembly resolutions 2995 (XXVII) and 2997 (XXVII) and of all the resolutions adopted by the United Nations on the subject of natural resources exploitation. It implied a limitation of the competence of Member States, and placed their development programmes at the mercy of third parties. For that reason, it was in contradiction with the Charter of the United Nations itself, which prohibited interference in the internal affairs of States. In paragraph 4 the sponsors sought to make the previous paragraphs mandatory.

70. Brazil would in future conduct itself in accordance with the position it had always taken on the subject, since it was on the basis of the practical realities of the exploitation of natural resources and the preservation of the environment that it would be possible to demonstrate the compatibility between a politically and economically inspired ethical position and its implementation.

71. Mr. ČABRIĆ (Yugoslavia), formally introducing draft resolution A/C.2/L.1305/Rev.1 on behalf of the sponsors, said that the questions dealt with in the draft were not new since they had been referred to in General Assembly resolution 2849 (XXVI) even before the United Nations Conference on the Human Environment. The Stockholm Conference had adopted a num-

ber of principles on which the measures taken with regard to co-operation between States should be based. General Assembly resolutions 2995 (XXVII), 2996 (XXVII) and 2997 (XXVII), which related to co-operation between States on environmental matters, constituted a first step in the right direction, and at the current stage it would be appropriate to take another step, concerning the problem of natural resources shared by two or more States. In that connexion, the discussions on the subject at the Conference of Heads of State or Government of Non-Aligned Countries held at Algiers should be recalled.

72. The sponsors of the draft resolution felt that it was very simple and called for little explanation. It merely proposed the establishment between Governments of co-operation designed to enable them to solve common problems, and specified that such co-operation must be implemented within the framework of normal relations between States. Harmonious co-operation and exploitation of common resources must be conceived so as to benefit all concerned and avoid any harmful effects. Appropriate international norms should therefore be established. In order to give practical effect to the principles of the Declaration of the United Nations Conference on the Human Environment, the sponsors felt that co-operation between States should be based on a system of consultation within the framework of the normal relations existing between them. The draft resolution should be looked upon only as an expression of the sponsors' desire to see the establishment of fruitful co-operation in the matter of exploitation of common

resources. The adoption of the draft resolution would merely establish on more solid foundations a co-operation which already existed.

73. Paragraphs 3 and 4 dealt with procedure, and were aimed solely at the implementation of paragraphs 1 and 2. There could be no doubt that the Governing Council, which had already proved itself, would be capable of accomplishing the task entrusted to it.

74. The work relating to environmental matters had reached a stage where it was desirable to put into practice the principles which had been adopted, in particular principles 21, 22 and 24 of the Declaration, and those contained in the relevant General Assembly resolutions. The draft resolution was being submitted in a spirit of co-operation with a view to the effective solution of the problems of the environment, and it was to be hoped that the Second Committee would receive it in the same spirit and adopt it unanimously.

75. He pointed out the changes in the revised text of the draft resolution as compared with the original text. The title had been added; the words "and habitual" between the words "normal" and "relations" had been deleted from paragraph 1; in paragraph 2, the words "countries interested in the exploitation of such resources" had been replaced by the words "countries sharing such natural resources and interested in their exploitation". Finally, in paragraph 4 the words "to adjust their conduct to" had been replaced by the words "to take fully into account".

The meeting rose at 6.20 p.m.

1565th meeting

Thursday, 22 November 1973, at 10.40 a.m.

Chairman: Mr. Zewde GABRE-SELLASSIE (Ethiopia).

A/C.2/SR.1565

AGENDA ITEM 50

United Nations Environment Programme (*continued*)
(A/9003 and Corr.1, chap. XIII; A/C.2/L.1305/Rev.1, A/C.2/L.1312);

- (a) Report of the Governing Council (A/9025);
- (b) Criteria governing multilateral financing of housing and human settlements: report of the Secretary-General (A/9163, A/9238, A/C.2/L.1314)

1. Mr. UDOVENKO (Ukrainian Soviet Socialist Republic) said it was clear that there was no international organization which was not involved to some degree in the study of environmental problems. UNEP and its Governing Council should play a leading role in co-ordinating international co-operation within the United Nations system to solve such problems. At its first session, the Governing Council had moved towards establishing the basis for such co-ordination. His delegation welcomed the steps taken by the Executive Director to establish liaison units which each of the regional economic commissions, particularly with ECE, and supported the views expressed in that respect in paragraph 18 of the Governing Council's report on its first session (A/9025).

2. The UNEP secretariat was to be congratulated on the fact that it had already produced proposals for the drafting of programmes. However, the Action Plan for the Human Environment set forth in the Governing Council's decision 1 (I) contained in annex 1 to the report was too general and did not include proposals for specific measures. The aim of UNEP should be to contribute to the practical solution of the most important environmental problems, such as the prevention of air and water pollution and the rational use of water resources, the recycling of wastes, the conservation and rational use of land resources, soil fertility and the development of low-waste and non-waste technology.

3. On the question of the United Nations Conference-Exposition on Human Settlements, his delegation noted the proposal concerning the composition of the preparatory committee contained in draft resolution A/C.2/L.1312. In the view of his delegation, the preparatory committee could more suitably be constituted as suggested in paragraph 106 of the Governing Council's report; the Population Commission's role as preparatory committee for the World Population Conference in that respect provided a precedent. The importance of following that suggestion could be seen