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**SECOND COMMITTEE, 1435th  
MEETING**

Wednesday, 8 December 1971,  
at 10.55 a.m.

NEW YORK

Chairman: Mr. Narciso G. REYES (Philippines).

**AGENDA ITEM 47**

**United Nations Conference on the Human Environment:  
report of the Secretary-General (*continued*)\* (A/8308,  
A/8309, A/8403, chap. XI; A/8509 and Add.1; A/C.2/  
269, A/C.2/L.1185/Rev.2, A/C.2/L.1195, A/C.2/L.1202,  
A/C.2/L.1212-1215; A/CONF.48/PC/13 and Corr.1;  
E/4991 and Add.1, E/5003)**

1. The CHAIRMAN invited comments on draft resolution A/C.2/L.1185/Rev.2 and the amendments to it (A/C.2/L.1213 and A/C.2/L.1214).

2. Mr. BRITO (Brazil) said that, when the draft resolution had been introduced by the representative of Kuwait and members had been asked to address themselves to it, few comments had been made indicating implicit approval. However, it had now been alleged that the draft resolution prejudged the outcome of the United Nations Conference on the Human Environment. In fact, operative paragraph 4 referred only to certain general fields of action, and in no way prejudged the Conference's outcome.

3. Operative paragraph 3 (a) gave a clear indication of certain principles that should be respected, and since no adverse comment had been made the sponsors had assumed that there was general agreement on the draft resolution.

4. During the informal consultations, the sponsors had been prepared to accept new points of view, and, as a result, he wished to announce amendments to operative paragraphs 2 and 10. The former should now read in part "...to advise and assist the Secretary-General in the preparations for the Conference, to ensure that, in the exercise of their responsibilities, the documentation to be submitted to the participating countries, and in particular the action plan...", thus making the paragraph more explicit. Paragraph 10 should be amended to read as follows:

*"Reiterates the primacy of independent economic and social development as the main and paramount objective of international co-operation, in the interests of the welfare of mankind, peace and world security."*

5. The sponsors had taken great care in revising the draft and had tried as far as possible to take the views of all members into account. In that respect, the draft was a compromise. He considered it to be well balanced and hoped that the Committee would have no difficulty in adopting it.

\* Resumed from the 1428th meeting.

6. Mr. MOLINA DUARTE (Venezuela), introducing his delegation's amendments (A/C.2/L.1213), thanked the sponsors for their co-operation in the informal discussions and regretted that lack of time had prevented him from consulting them on the incorporation of the amendments. Both amendments reflected the views of the developing countries. Both concerned environmental problems which had their origin in nature itself, and it was particularly important that the Conference should take into account the impact of such problems upon the developing countries. Although not affected to any great degree by industrial pollution, the developing countries should nevertheless benefit from any international policies adopted on the environment. If the sponsors accepted his amendments his delegation would be glad to support the draft resolution as a whole.

7. Miss DARLING (United Kingdom) said that draft resolution A/C.2/L.1185/Rev.2 had caused her delegation considerable concern, firstly, because its substance raised issues of considerable importance and, secondly, because of the manner in which it had been handled by the sponsors. With regard to timing, allegations had been made that the delegations of the developed countries had deliberately refrained from commenting on the draft resolution in the expectation that there would be a split among the Latin American group or that no time would be left for adequate consideration of the draft resolution by the Committee. The allegations were not true. In fact, her delegation had wanted to give due consideration to the important issue raised and to discuss its views with delegations from other developed countries.

8. Despite meetings between a group representing some of the developed countries and a group representing the sponsors very little had been achieved in the way of negotiations. The spokesman for the sponsors had been unwilling to accept any modification of their text or even to offer clarification of the meaning of operative paragraph 7, which had not been understood by any of the developed countries. Such an attitude was both regrettable and unusual in the Committee.

9. In such circumstances, her delegation and others among the developed countries had thought it appropriate to submit certain amendments (A/C.2/L.1214) so as to give the Committee an opportunity to consider them and record its views on them. She therefore wished to introduce them formally on behalf of her own delegation and that of Australia. Although the two delegations had sought to isolate the paragraphs with which they had most difficulty, they were disappointed at the tone and content of the rest of the resolution, which was repetitious and contained a number of statements of questionable accuracy.

10. The first amendment was to the ninth preambular paragraph, which contained two basic concepts: first, that pollution of world-wide impact was caused primarily by some highly developed countries as a consequence of their industrial activities, and second, that those countries must bear the main burden of correcting such pollution. The paragraph was not only unnecessarily accusatory and offensive, it was not based on scientific fact. The sponsors had been unable to give examples of pollution of world-wide impact arising from industrial activities, and had therefore suggested that they were willing to consider "large-scale" impact, which was still of dubious accuracy. The amendment recognized the need for developed countries to take action to correct pollution they had caused, with particular reference to pollution of international significance, but did not indulge in false or condemnatory assertions. It was regrettable that the representatives of the sponsors had been unwilling to consider the amended text, or any variant thereon.

11. The proposed amendments to the eighteenth preambular paragraph and operative paragraph 4 (*b*) could be taken together since they dealt with the same subject. The question of the relationship between the environment and development was by no means a new concept. Her delegation could not accept the view expressed by the representative of Brazil that the targets of the International Development Strategy were too modest and that if new measures were recommended to meet the changed circumstances, additional resources should be provided for the developing countries. Paragraph (18) of the Strategy took that subject into account and it seemed premature for the Committee to modify the Strategy—which had taken two years to draft—without more factual information and substantial international negotiations. The draft resolution stated that additional financing was required for new and additional measures which might be envisaged, but no indication was given as to what those measures might be nor who would envisage them. Similarly, the last phrase of operative paragraph 4 (*b*) referred to the need for additional resources in order to "ensure that no action is defined or proposed without the appropriate means of implementation". In her delegation's view, that was an unrealistic approach to the problem. It implied that unlimited amounts of money should be made available to implement any sound proposal which might be put forward. In fact, one of the main tasks of the Committee and of Governments was to judge priorities, so that the necessarily limited resources that were available could be used to the best effect. Neither the Conference nor the Committee was empowered to force any member State to implement any measure. However, the Conference could—and it was to be hoped that it would—clarify the present situation with regard to the state of the environment and suggest various approaches to the problem. Each country could then adopt the measures it deemed appropriate. It would not be realistic to separate measures on development from measures on environment, and it seemed that the sponsors of the resolution accepted that philosophy when they stated in the seventh preambular paragraph that "adequate environmental conditions can best be ensured by the promotion of development". That was the rationale behind the proposed amendments to the eighteenth preambular paragraph and operative paragraph 4 (*b*), neither of which had been acceptable to the sponsors.

12. Her delegation was glad that, at the request of the Secretary-General, the sponsors had accepted an amendment relating to the responsibilities of the Secretary-General, the Preparatory Committee and other bodies. They still had problems, however, with the last phrase of operative paragraph 2, which prejudged the outcome of the Conference and implied that the Secretary-General should take full account of provisions in the draft resolution, such as nuclear testing and the provision of credit by international financial institutions. The amendment to the paragraph was designed to rectify those defects.

13. Similarly, the opening phrase of operative paragraph 3 required amendment because the Secretary-General of the Conference should not have to include in the documentation principles that were not relevant to the action plan he might decide to submit.

14. The sponsors of the amendments appreciated the spirit in which operative paragraph 5 had been formulated, but considered that it was not appropriate for the Committee to urge courses of action that did not fall within its field of competence.

15. Operative paragraph 7, concerning international financial institutions, should be deleted because it was not comprehensible, and appeared procedurally incorrect. The institutions could not increase their resources and no bank could operate with the customer as sole judge of whether or not he should get a loan. She would like to hear the views of the international financial institutions, particularly IBRD, on the subject.

16. The sponsors of the amendments considered operative paragraph 8 premature. The Conference was to discuss problems of the environment and possible means of alleviating them. It was too early to think of financing and funds. She doubted whether any developed country could contemplate a positive response to a questionnaire as restricted as that proposed in the draft resolution. The draft proposed a definite scheme of voluntary contributions even before the problems and possible ways of dealing with them had been identified. In an attempt to accommodate, as far as possible, the wishes of the sponsors of the draft resolution for some action on the point, the sponsors of the amendments had proposed replacing the paragraph with a more open formula. She regretted that the sponsors of the resolution had found that formula unacceptable.

17. The proposal in operative paragraph 9 for a comprehensive study by UNCTAD on the effects of environmental policies of developed countries was inappropriate at that stage. The third session of UNCTAD was to be convened in April 1972 and it was very late to call for a comprehensive study on a new item. Moreover, the proposal was biased since it only referred to the adverse effects of environmental policies and made no allowance for favourable effects. The sponsors of the amendments had suggested an alternative text for paragraph 9.

18. She hoped that delegations would be in a position to support the amendments. Speaking on behalf of her delegation alone, she expressed regret that her statement had been necessary in view of the forthcoming position her country had always taken on the subject of development

and the environment. Her delegation had spent a lot of time preparing for the Conference on the Human Environment and was fully aware of the particular interest of the developing countries in the problem and the extent to which their problems and needs differed in many respects from those of the developed countries. For further information on her Government's approach to the subject, interested delegations might care to refer to a United Kingdom paper entitled "Development, aid and the environment" which had been submitted to the Preparatory Committee at its third session.

19. In the circumstance, she deeply regretted that, for the reasons given, her delegation would have no choice but to vote against the draft resolution in its present form.

20. Mr. SCHRAM (Iceland), referring to the ninth preambular paragraph of draft resolution A/C.2/L.1185/Rev.2, said that since the industrialized countries were the major polluters, they had primary responsibility for halting the ominous process of increased pollution which accompanied increased industrial production. When planning international co-operation on environmental matters, the industrialized nations must therefore take into account the need for increased technical and financial assistance to enable the developing countries to improve their rural and urban environments. Although the developing countries should not forget that pollution abatement measures were sometimes costly and burdensome, they should not be deterred from endeavouring to avoid repeating the grave mistakes made during the process of industrialization in many of the most advanced countries. Stringent national legislation was therefore necessary.

21. Turning to the Conference itself, he said that his Government was primarily interested in ensuring a pollution-free ocean. Problems of marine pollution had long engaged the attention of his Government, understandably so since Iceland was more heavily dependent on the resources of the sea than any other nation. If the dire prediction that all marine life would be depleted within 30 years unless a new policy was adopted came true, Iceland would face an overwhelming economic catastrophe.

22. It was against that background that claims by States for extended coastal jurisdiction must be viewed. That also explained why his delegation had been instrumental in bringing the problems of marine pollution to the attention of the General Assembly for the first time in 1968 and 1969. It was gratified by the speedy progress made both in the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, the Intergovernmental Working Group on Marine Pollution and other United Nations bodies and expert committees. Operative paragraph 5 (c) of draft resolution A/C.2/L.1195, which his delegation co-sponsored, provided the opportunity for the Conference to take a decisive step in that area by adopting or recommending an international treaty prohibiting the dumping of toxic materials in the world's oceans. A regional treaty along those lines had recently been negotiated for the north-east Atlantic area; however, a world-wide approach was urgently needed, for mounting pollution knew no boundaries. The subject should also figure in the action plan called for in paragraph 5 (b) of draft resolution A/C.2/L.1195.

23. It was essential to look beyond the Conference and consider organizational arrangements for the continuing struggle for a healthy environment where man was his own master and not subjected to the forces of blind economic development. The problems were of such magnitude that preparations should be made after the Conference for a new United Nations environmental agency which would receive strong support from governments and bodies currently dealing with various aspects of environmental protection. Concerted independent action at the highest level was essential.

24. Mr. RUIZ MORALES (Spain) said that although his country was not a member of the Preparatory Committee for the Conference, it had taken an active part in the technical work of various intergovernmental working groups. His delegation discerned three general attitudes which had emerged during the debate in the Second Committee: the delegations of Brazil, Ecuador, Chile and others from developing continents had vehemently expressed their concern that their views had not been reflected in the preparatory work for the Conference. The United States delegation had opposed that attitude with equal vehemence, suggesting that it was tinged with paranoia. The third position, held by Sweden and the Preparatory Committee in general, was more neutral. Although no unified approach to development and environment had yet emerged, his delegation remained optimistic and was confident that the secretariat of the Conference would be able to reconcile the three positions. In view of the assertion that excessive preparatory work had been done in only a few limited areas, it was essential that the Conference should not be a mere rubber-stamping body.

25. Turning to draft resolution A/C.2/L.1185/Rev.2, his delegation considered the language of the ninth preambular paragraph to be too categorical. It could not accept the request in the eighteenth preambular paragraph and operative paragraph 4 (b) for additional financial resources beyond the targets indicated in the International Development Strategy, which had been adopted unanimously. His delegation formally proposed that special reference should be made in paragraph 4 (c) to countries whose coasts were particularly vulnerable to the dangers of marine pollution. His delegation welcomed the insertion of the words "and social" in operative paragraph 10. It also would be able to support some of the amendments proposed by the United Kingdom and Australian delegations. It would be unable to vote in favour of the draft resolution as a whole in its existing form.

26. Turning to draft resolution A/C.2/L.1195, he said that the language of the sixth preambular paragraph was over-optimistic and should be toned down. That reservation aside, his delegation would vote in favour of the draft resolution.

27. Mr. BUTLER (Australia) said that his delegation, which co-sponsored the amendments in document A/C.2/L.1214, wished the Conference to take place in a constructive atmosphere. The amendments were designed to avoid prejudging the work of the Conference or limiting its ability to enter into the freest possible negotiations. His delegation was also concerned that the Committee should take no decision appearing to imply a confrontation of interests in the matters to be dealt with at the Conference.

28. He could support the amendments proposed by Venezuela and Spain.

29. Mr. RINGNALDA (Netherlands) said, that although many of the preambular and operative paragraphs of draft resolution A/C.2/L.1185/Rev.2 had his delegation's support, others raised certain questions.

30. The draft resolution covered the same subject as the Founex report, but regrettably not the line of thought followed in that lucid document. One of his delegation's main objections was that the draft resolution suggested that environment and development were opposed; but that was not so. The interrelationship between the two factors called for intensive international action and co-operation, to which the Conference should give shape. However, with a number of modifications his delegation believed that the draft resolution could be made to emphasize co-operation rather than confrontation. He therefore supported the United Kingdom and Australian amendment to the ninth preambular paragraph.

31. His delegation believed that the role of the Conference was to decide upon minimum environmental standards and to leave it to individual Governments to go beyond those standards in formulating their own environmental policy. That, however, was the opposite of what was suggested in the twelfth preambular paragraph.

32. It was unsuitable to introduce, as was done in the eighteenth preambular paragraph, a far-reaching proposal to change the global targets that after three years of intensive negotiations had so recently been laid down for the International Development Strategy, although it was true that certain environmental measures taken by the industrialized countries might affect efforts to foster development in accordance with the Strategy. He recalled that machinery for reviewing and appraising the Second Development Decade had been set up through which it would be possible for the international community to make the corrections needed to attain the objectives of the Decade. The existence of that machinery prompted his delegation to propose the deletion of the words "beyond the targets indicated in the International Development Strategy and without affecting adversely their programmes of assistance in other spheres", and the addition at the end of the sentence of the words "without affecting the efforts of developed and developing countries in fulfilling the objectives of the International Development Strategy".

33. Operative paragraphs 2 and 3, which covered many important matters that were to be discussed at the Conference and in later years, prejudged the decisions to be taken at Stockholm. The problem could, however, be solved by adopting the United Kingdom and Australian amendments.

34. His delegation had the same objections to operative paragraph 4 (b) as to the eighteenth preambular paragraph, and the change that he had suggested might therefore be considered for that provision also.

35. His delegation did not object to the substance of operative paragraph 7 but thought that the formulation was imprecise and unlikely to produce results.

36. He proposed that, for the reasons he had already given, the last part of operative paragraph 8 should be deleted and that the paragraph should end at the words "for environmental purposes".

37. He agreed with the United Kingdom and Australian amendments to operative paragraph 9 and regretted that no mention had been made in that paragraph of the FAO and GATT studies mentioned in the Founex report.

38. His delegation had difficulty in accepting the Venezuelan amendments (A/C.2/L.1213) because of their scope and because it could not at first glance see whether there was any conflict between those amendments and the natural resources programme established at the present session of the General Assembly.

39. His delegation was a sponsor of draft resolution A/C.2/L.1195, and he could support the amendments thereto in document A/C.2/L.1202, but not those in A/C.2/L.1212 or A/C.2/L.1215.

40. Mr. CALENDIA (Italy) said that his delegation endorsed the remarks by the United Kingdom representative and supported the Spanish and Venezuelan amendments.

41. Mr. ASANTE (Ghana) said that his delegation could accept the Venezuelan amendments to draft resolution A/C.2/L.1185/Rev.2.

42. He wished to explain his delegation's position concerning the amendments to that draft resolution submitted by Australia and the United Kingdom (A/C.2/L.1214). It could endorse the amendment to the ninth preambular paragraph but could not accept the amendment to the eighteenth preambular paragraph. The amendments to operative paragraphs 2 and 3 were acceptable, for his delegation recognized that meaningful environmental policies could not but have some adverse effects—of which Governments should be aware in advance—on economic and social development. The amendments to operative paragraphs 4 and 5 were unacceptable to his delegation. However, it could endorse the proposal to delete operative paragraph 7, since it considered the request therein premature; once the action plan had been prepared, specific requests to international financial institutions and Governments would be in order. The present version of operative paragraph 8 would be acceptable to his delegation if the sponsors would agree to delete the portion which followed the words "International Development Strategy"; if the sponsors could not do so, his delegation would endorse the amendment proposed by Australia and the United Kingdom. It could also accept the amendment to operative paragraph 9, since the question of the environment was already on the agenda for the third session of UNCTAD. It would, however, have preferred that no reference be made to the Secretary-General of the United Nations in that amendment.

43. His delegation proposed that the Brazilian amendment (A/C.2/L.1215) to operative paragraph 7 of draft resolution A/C.2/L.1195 should be adopted and that that paragraph should then be inserted in draft resolution A/C.2/L.1185/Rev.2, preferably after operative paragraph 2. Draft resolution A/C.2/L.1195 was procedural in nature and

should be endorsed by all delegations; the Brazilian amendment to operative paragraph 7 of that resolution would alter its procedural nature. Ghana endorsed the Lima Declaration and Principles of the Action Programme; however, it felt that the adoption of draft resolution A/C.2/L.1195 would be jeopardized if that amendment was incorporated in it, since all States were not now in a position to endorse the Lima documents.

44. Mr. RANKIN (Canada) supported the United Kingdom and Australian amendments to draft resolution A/C.2/L.1185/Rev.2.

45. The Spanish proposal was pertinent to the subject of intergovernmental working groups meeting in preparation for the Conference. The contributions made by those groups had removed any doubts concerning the capacity of the Conference to play an important part in preventing and remedying the environmental problems. That was particularly true of the Intergovernmental Working Group on Marine Pollution, which had held its second session in Ottawa from 8 to 12 November 1971. The Group had laid the basis for an international agreement for the protection

and preservation of the marine environment by elaborating a body of principles which could guide States in collective or separate actions to safeguard oceans so as to maintain their capacity to serve all mankind. It had thus furthered the true end of the Conference, which was to resolve the conflict between human beings and their environment.

46. Mr. MORENO (Cuba) proposed two subamendments to the Venezuelan amendments (A/C.2/L.1213). He wished firstly to insert the words "and which are the product of under-development itself" after "in nature itself" in the proposed new twelfth preambular paragraph, and secondly to insert the words "and which are the direct consequences of under-development" after "in nature itself" in the proposed new subparagraph between subparagraphs (c) and (d) of operative paragraph 4.

47. The representatives of Venezuela and Brazil, the latter on behalf of the sponsors of draft resolution A/C.2/L.1185/Rev.2, had agreed to those subamendments.

*The meeting rose at 1.10 p.m.*