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UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT

Report of the Second Committee

Rapporteur: Mr. Salih Mohammed OSMAN (Sudan)

1. The General Assembly, at its 1939th plenary meeting, on 25 September 1971, allocated to the Second Committee agenda item 47, entitled "United Nations Conference on the Human Environment".
2. The Second Committee considered the item at its 1422nd to 1428th meetings, from 29 November to 3 December, and at its 1435th, 1436th and 1438th meetings held on 8 and 9 December 1971. An account of the discussions of the Committee on the item is contained in the relevant summary records. At its 1422nd meeting, on 29 November, the Committee heard an introductory statement by the Secretary-General of the Conference.
3. When considering the item, the Committee had before it a report by the Secretary-General (A/8509 and Add.1), the relevant chapter of the report of the Economic and Social Council^{1/}, a letter dated 14 April 1971 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/8308), a note verbale dated 7 May 1971 from the Secretary-General addressed to the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations (A/8309) and a letter dated 8 October 1971 from the Permanent Representative of Czechoslovakia to the United Nations addressed to the Secretary-General (A/C.2/269).

^{1/} Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 3 (A/8403), chap.XI.

I

DEVELOPMENT AND ENVIRONMENT

4. At the 1423rd meeting on 29 November, the representative of Kuwait introduced a revised draft resolution entitled "Development and environment" (A/C.2/L.1185/Rev.1) on behalf of Afghanistan, Algeria, Bahrain, Brazil, Colombia, Egypt, Guinea, Guyana, Iraq, Kuwait, Mali, Nepal, Niger, Nigeria, Panama, Peru, Saudi Arabia, the Sudan, Upper Volta, Uruguay, Yemen, Yugoslavia and Zaire, which read as follows:

"The General Assembly,

"Recalling its resolutions 2398 (XXIII) of 3 December 1968, 2581 (XXIV) of 15 December 1969, and 2657 (XXV) of 7 December 1970,

"Expressing satisfaction for the efforts made and the results already achieved towards planning action by the United Nations system in the domain of the environment in a manner compatible with the priorities and interests of the developing countries,

"Taking note with appreciation, in particular, of the work done by the regional seminars on development and environment, held under the auspices of the Economic Commission for Asia and the Far East, the Economic Commission for Africa, the Economic Commission for Latin America and the United Nations Economic and Social Office in Beirut, as well as by the Panel of Experts on Development and Environment,

"Conscious of the significance of the results achieved in the symposium convened at Prague by the Economic Commission for Europe for a better understanding of environmental problems,

"Fully conscious of the importance, urgency and universality of environmental problems,

"Aware that the rational management of the environment is of fundamental importance for the future of mankind,

"Convinced that development plans should be compatible with a sound ecology and that adequate environmental conditions can best be ensured by the promotion of development, both at the national and international levels,

"Fully aware that the environmental problems generated by the condition of under-development pose a serious threat to the developing countries,

"Cognizant that, aside from environmental disturbances provoked by human settlements and ecological problems related to nature itself, pollution of world-wide impact is being caused primarily by some highly developed countries,

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as a consequence of their own high level of improperly planned and inadequately co-ordinated industrial activities, and that, therefore, the main responsibility for financing of corrective measures falls upon those countries,

"Convinced that most of the environmental problems existing in developing countries are caused by their lack of economic resources for dealing with such problems as the improvement of unfavourable natural areas or the rehabilitation of environmental conditions that have deteriorated through the application of improper methods and technologies,

"Conscious that the main objective of developing countries is integrated and rational development, including industrial development based on advanced and adequate technologies, and that such a development represents at the present stage the best possible solution for most of the environmental problems in the developing countries,

"Emphasizing that, notwithstanding the general principles that might be agreed upon by the international community, criteria and minimal standards of preservation of the environment as a general rule will have to be defined at the national level and, in all cases, will have to reflect conditions and systems of values prevailing in each country, avoiding where necessary the use of norms valid in advanced nations, which may prove inadequate and of unwarranted social cost for the developing countries,

"Stressing that each country has the right to formulate, in accordance with its own particular situation and in full enjoyment of its national sovereignty, its own national policies on the human environment, including criteria for the evaluation of projects,

"Stressing further that in the exercise of such right and in the implementation of such policies due account must be taken of the need to avoid producing harmful effects on other countries,

"Recognizing the importance of bilateral and multilateral co-operation in solving environmental problems,

"Aware of the fact that a greater amount of scientific and technical knowledge than presently available would provide a more adequate basis for the satisfactory comprehension and evaluation of environmental problems in general, and that, therefore, international co-operation in this field is of paramount importance,

"Convinced that rational planning procedures at both the national and the regional levels constitute an essential tool for an adequate equilibrium between the needs of development and the preservation and enhancement of the environment,

"Bearing in mind the need for developed countries to provide additional technical assistance and financing, beyond the targets indicated in the International Development Strategy and without affecting adversely their programmes of assistance in other spheres, to enable developing countries to enforce those new and additional measures that might be envisaged as a means to protect and enhance the environment,

Considering that environmental conditions can be adversely affected by activities conducted by States beyond the limits of their national jurisdictions, including the sea, the sea-bed, the ocean floor and the atmosphere, particularly by the testing of nuclear weapons, with harmful effects for other States,

"1. Urges the international community and the organizations of the United Nations system to strengthen international co-operation in the fields of environment, rational utilization of natural resources and preservation of adequate ecological balance;

"2. Requests the Secretary-General, the Preparatory Committee for the United Nations Conference on the Human Environment and the other bodies established in order to advise and assist the Secretary-General in the preparations for the Conference, to ensure that the documentation to be submitted to the Member States, and in particular the action plan and the action proposals for each of the main subject areas, as well as the Draft Declaration on the Human Environment, be elaborated in such a manner as to take into full account the provisions embodied in the preamble and in the operative paragraphs of the present resolution;

"3. Stresses that both the action plan and the action proposals to be submitted to the Conference must, inter alia:

"(a) Respect fully the exercise of permanent sovereignty over natural resources, as well as the right of each country to exploit its own resources, in accordance with its own priorities and needs, and in such a manner as to avoid producing harmful effects on other countries;

"(b) Recognize that no environmental policy should adversely affect the present or future development possibilities of the developing countries;

"(c) Recognize further that the burden of the environmental policies of the developed countries cannot be transferred, directly or indirectly, to the developing countries;

"(d) Respect fully the sovereign right of each country to plan its own economy, to define its own priorities, to determine its own environmental standards and criteria, to evaluate its own social costs of production, and to formulate its own environmental policies, in the full understanding that environmental action must be defined basically at the national level, in accordance with locally prevailing conditions and in such a manner as to avoid producing harmful effects on other countries;

"(e) Avoid any adverse effects of environmental policies and measures on the economy of the developing countries, in all spheres including those of international trade, international development assistance and transfer of technology;

"4. Stresses further that the action plan and the action proposals should include measures to:

"(a) Promote programmes of training, applied research and exchange of information, with the objective of amplifying and disseminating knowledge of questions pertaining to the preservation and improvement of environmental conditions, to an adequate relationship between environmental policies and development policies, and to the question of comparative costs of different technologies in relation to the environment;

"(b) Provide additional technical assistance and financial resources, beyond the targets indicated in the International Development Strategy, to enable developing countries to enforce those measures and policies acceptable to them, in such a manner as to ensure that no action is defined or proposed without the proper means of implementation;

"(c) Give special attention to the particular problems and conditions of the environment of the land-locked and least developed among the developing countries;

"5. Urges the States which possess nuclear weapons to put an end to the testing of these weapons in all spheres and also urges the expeditious conclusion of international agreements aimed at prohibiting the production and use of nuclear chemical and biological weapons and their early destruction;

"6. Further urges Member States, the United Nations system and other international organizations where ecological problems are dealt with to plan international co-operation in the domain of the environment, taking into particular account the need for increased technical and financial assistance to the developing countries to help them improve their ecological conditions, both in rural and urban areas;

"7. Calls upon the international financial institutions, without affecting adversely their programmes in other spheres, to increase the volume and soften the terms of their economic assistance to the developing countries for the planning and implementation of projects which, in the exclusive judgement of those countries, might be desirable and which, in their view, might be justifiable on environmental terms;

"8. Requests the Secretary-General to submit a report to the United Nations Conference on the Human Environment, after ascertaining the views of Member States, on a scheme of voluntary contributions which would provide additional financing from the developed to the developing countries for environmental purposes, beyond the resources already contemplated in the International Development Strategy, to be calculated on a percentage basis of expenditures incurred for environmental purposes by the developed countries;

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"9. Requests the Secretary-General of the United Nations Conference on Trade and Development to prepare a comprehensive study to be submitted to its Third Conference on the effects of environmental policies of developed countries, which might adversely affect the present or future development possibilities of developing countries, through, inter alia: (a) a decrease in the flow of international development assistance and a deterioration of its terms and conditions; and (b) a further deterioration in the trading prospects of developing countries, by the creation of additional obstacles, such as the new non-tariff measures, which might lead to a new type of protectionism;

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

5. At the 1435th meeting, on 8 December, the representative of Brazil introduced a revision (A/C.2/L.1185/Rev.2) of the revised draft resolution on behalf of Afghanistan, Algeria, Argentina, Bahrain, Brazil, Burundi, the Central African Republic, Ceylon, Colombia, the Congo, Costa Rica, Ecuador, Egypt, Ethiopia, Guatemala, Guinea, Guyana, Iraq, Kuwait, Mali, Mauritania, Mexico, Nepal, the Niger, Nigeria, Panama, Peru, Rwanda, Saudi Arabia, the Sudan, Swaziland, the Syrian Arab Republic, the United Republic of Tanzania, the Upper Volta, Uruguay, Yemen, Yugoslavia and Zaire. The revisions incorporated in the new text were as follows:

(a) The addition of a new paragraph at the end of the preamble, which read as follows:

"Considering further that various aspects of marine pollution and related matters will be dealt with also in the forthcoming Conference on the Law of the Sea and in the Inter-Governmental Maritime Consultative Organization Conference on Marine Pollution";

(b) The revision of operative paragraph 2, which read as follows:

"2. Requests the Secretary-General, the Preparatory Committee for the United Nations Conference on the Human Environment and the other bodies established in order 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 participating States and, in particular, the action plan and the action proposals for each of the main subject areas, as well as the draft declaration on the human environment, be elaborated in such a manner as to take into full account the provisions embodied in the preamble and in the operative paragraphs of the present resolution";

(c) The addition of a new operative paragraph 4 (d), which read as follows:

"(d) Promote international co-operation in order to prevent, eliminate or at least adequately reduce and effectively control adverse ecological effects resulting from activities conducted in all spheres, in such a way that due account will be taken of the interests of all States";

(d) The revision of operative paragraph 5, which read as follows:

"5. Urges the States which possess nuclear weapons to put an end to the testing of these weapons in all spheres and, also in the context of measures designed to improve environmental conditions on a world-wide basis, stresses the necessity of prohibiting the production and use of nuclear, chemical and biological weapons, and of ensuring their early destruction";

(e) The revision of operative paragraph 10, which read as follows:

"10. 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."

6. The representative of Venezuela, at the 1435th meeting, introduced two amendments (A/C.2/L.1213) to the revised draft resolution (A/C.2/L.1185/Rev.2). The first amendment called for the insertion of a new twelfth paragraph in the preamble reading as follows:

"Conscious, further, that the quality of human life in the developing countries also depends, in large measure, on the solution of environmental problems which have their origin in nature itself, within the general framework of development planning and the rational management of natural resources".

The second amendment provided for the insertion of the following new subparagraph between subparagraphs (c) and (d) of operative paragraph 4:

"(d) Promote programmes designed to assist developing countries, at their request, in solving environmental problems which have their origin in nature itself and which particularly affect the living conditions of the population of developing countries".

7. At the same meeting, the representative of Cuba proposed an oral subamendment to each of the amendments of Venezuela (A/C.2/L.1213). The subamendment to the first amendment called for the replacement of the word "itself" by the words "and which are the product of under-development itself". The subamendment to the second amendment called for the insertion of the words "and are the direct consequence of under-development" after the words "in nature itself", and the consequential deletion of the word "which" between "and" and "particularly".

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8. Also at the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf also of Australia introduced nine amendments (A/C.2/L.1214) to the revised draft resolution (A/C.2/L.1185/Rev.2).

These amendments called for:

(a) The replacement of the ninth paragraph of the preamble by the following text:

"Cognizant of the need of the highly developed countries to take all possible action to correct existing pollution arising from their own high level of industrial activity and associated technologies, especially pollution of broad international significance";

(b) The replacement of the eighteenth paragraph of the preamble by the following text:

"Bearing in mind the need for developed countries to provide all possible assistance to enable developing countries to protect and enhance the environment within the context of the International Development Strategy";

(c) The insertion of the words "wherever appropriate" after the words "into full account" in operative paragraph 2;

(d) The insertion of the words "wherever possible" between "the Conference" and "inter alia" in the introductory phrase of operative paragraph 3;

(e) The replacement of operative paragraph 4 (b) by the following text;

"4 (b). Provide technical and other assistance within the context of the International Development Strategy to enable developing countries to do everything possible to protect and enhance the environment during the development process";

(f) The deletion of operative paragraph 5;

(g) The deletion of operative paragraph 7;

(h) The replacement of operative paragraph 8 by the following text:

"8. Requests the Secretary-General to submit a report to the United Nations Conference on the Human Environment, after ascertaining the views of member States, on a scheme of voluntary contributions for specific environmental purposes, with special reference to the needs of the developing countries";

(i) The replacement of operative paragraph 9 by the following text:

"9. Requests the Secretary-General of the United Nations and the Secretary-General of the United Nations Conference on Trade and Development to follow on a continuing basis the possible significance of environmental actions by developed countries for the economies of the developing countries and make such recommendations as they deem necessary";

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9. At the 1436th meeting, on 8 December, the representative of the United Kingdom of Great Britain and Northern Ireland accepted a subamendment by the Philippines to the amendment of Australia and the United Kingdom of Great Britain and Northern Ireland to operative paragraph 3 (A/C.2/L.1214) to replace the word "wherever" by the words "as much as".

10. At the 1435th meeting, on 8 December, the representative of Ghana proposed an oral amendment calling for the insertion after operative paragraph 2 of a new paragraph, which was the text of operative paragraph 7 in the draft resolution contained in document A/C.2/L.1195, including the amendment to that paragraph proposed by Brazil (A/C.2/L.1215). The text proposed by Ghana read as follows:

"Reaffirms that it is important for the Conference to take fully into account the interests of the developing countries and, in this context, endorses the views expressed in section VII of the Declaration and Principles of the Action Programme adopted by the Second Ministerial Meeting of the Group of 77 developing countries on 7 November 1971 at Lima".

11. At the 1436th meeting, the representative of Brazil, on behalf of the sponsors of the revised draft resolution (A/C.2/L.1185/Rev.2), accepted the revised amendments of Venezuela with the oral amendments of Cuba as well as the oral amendments of Ghana. He also revised the first part of operative paragraph 7 to read as follows:

"7. Indicates the advisability that, without affecting adversely their operations in other spheres, the international financial institutions be enabled to consider favourably the increase of the volume and the softening of the terms of their economic assistance to the developing countries for the planning and implementation of projects ...".

12. At the same meeting, the representative of Kenya proposed the deletion of the thirteenth, fourteenth and twentieth paragraphs of the preamble.

13. The representative of Iran, at the same meeting, proposed the replacement of the word "particularly" by "such as" in the nineteenth paragraph of the preamble.

14. The representative of Spain, at the 1436th meeting, proposed the addition of a new paragraph 4 (d) reading as follows:

"Study with special attention the environmental problems and conditions of the countries with coastlines particularly exposed to the risks of marine pollution";

15. The representative of Ghana, at the 1435th meeting, and the representative of Iran and Tunisia, at the 1436th meeting, proposed the deletion of the words "to be calculated on a percentage basis of expenditures incurred for environmental purposes by the developed countries" in operative paragraph 8.
16. The Committee voted, at its 1436th meeting, on the revised draft resolution (A/C.2/L.1185/Rev.2), as orally revised by the sponsors during the discussion, and on the amendments proposed to it. The voting was as follows:

Yes No Abstentions

I. Preamble

1. Ninth paragraph:

(a) First amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)

33 51 7

(b) Oral amendment by the representative of Iran to delete the phrase "as a consequence of their own high level of improperly planned and inadequately co-ordinated industrial activities"

29 53 7

2. Thirteenth paragraph: Oral amendment by the representative of Kenya to delete the paragraph

5 65 22

3. Fourteenth paragraph: Oral amendment by the representative of Kenya to delete the paragraph

2 71 21

4. Eighteenth paragraph: Second amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)

25 53 13

5. Nineteenth paragraph: Oral amendment by the representative of Iran to replace the word "particularly" by the words "such as"

20 50 17

6. Twentieth paragraph: Oral amendment by the representative of Kenya to delete the paragraph

3 72 16

II. Operative part

1. Paragraph 2: Third amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)

38 45 9

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	<u>Yes</u>	<u>No</u>	<u>Abstentions</u>
2. <u>Paragraph 3:</u> Fourth amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214), as orally revised by the sponsors to include the subamendment by the Philippines	29	58	6
3. <u>Paragraph 4:</u>			
(a) Subparagraph (b): Fifth amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)	26	55	12
(b) Oral amendment by the representative of Spain to add a new subparagraph (d)	84	0	8
4. <u>Paragraph 5:</u> Sixth amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)	14	69	12
5. <u>Paragraph 7:</u> Seventh amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)	21	57	16
6. <u>Paragraph 8:</u>			
(a) Eighth amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)	34	46	13
(b) Oral amendment by the representatives of Ghana, Iran and Tunisia to delete the words "to be calculated on a percentage basis of expenditure incurred for environmental purposes by the developing countries"	37	36	21
7. <u>Paragraph 9:</u> Ninth amendment by Australia and the United Kingdom of Great Britain and Northern Ireland (A/C.2/L.1214)	32	51	10
III. <u>Revised draft resolution as a whole (A/C.2/L.1185/Rev.2) as orally revised, as amended:</u>			
1. <u>Operative paragraph 2:</u> Separate vote requested by the representative of the United States of America	59	11	25
2. <u>New operative paragraph 3:</u> Separate vote requested by the representative of the United Kingdom of Great Britain and Northern Ireland	63	7	24

Yes No Abstentions

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| 3. | <u>Former operative paragraph 3 (d):</u> Separate vote on the words "to determine its own environmental standards and criteria", requested by the representative of Greece | 75 | 1 | 18 |
| 4. | <u>Operative paragraph 7:</u> Separate vote on the words "in the exclusive judgement of those countries", requested by the representative of Greece | 59 | 12 | 20 |
| 5. | <u>Operative paragraph 8:</u> Separate vote at the request of the representative of Chile | 57 | 14 | 22 |

17. The revised draft resolution as orally revised by the sponsors, as a whole, as amended, was adopted by a vote of 62 to 4, with 31 abstentions (see paragraph 26, draft resolution I). The result of the roll-call vote, which was requested by the representative of Yugoslavia, was as follows:

In favour: Afghanistan, Algeria, Argentina, Bolivia, Brazil, Burma, Cameroon, Central African Republic, Ceylon, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Dahomey, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Kenya, Kuwait, Libyan Arab Republic, Madagascar, Malawi, Mali, Mexico, Nigeria, Pakistan, Peru, Philippines, Romania, Rwanda, Saudi Arabia, Senegal, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Australia, Belgium, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, Ghana, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liberia, Malta, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Sierra Leone, Singapore, Spain, Sweden, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

II

UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT

18. At the 1422nd meeting, on 29 November, the Minister of Agriculture of Sweden introduced a draft resolution (A/C.2/L.1195) on behalf of Argentina, Austria, Canada, Costa Rica, Dahomey, Denmark, Finland, Ghana, Guinea, Iceland, Indonesia, Iran, Ireland, Italy, the Ivory Coast, Japan, Madagascar, Malaysia, Mexico, the Netherlands, Nicaragua, Nigeria, Norway, the Philippines, Singapore, the Sudan, Sweden, Thailand, Togo, Turkey, Uruguay and Zambia. Liberia and India later joined in sponsoring the draft resolution, the text of which read as follows:

"The General Assembly,

"Recalling its resolutions 2398 (XXIII) of 3 December 1968, 2581 (XXIV) of 15 December 1969, and 2657 (XXV) of 7 December 1970 on the preparations for the United Nations Conference on the Human Environment,

"Having considered with appreciation the report of the Secretary-General (A/8509) called for in resolution 2657 (XXV),

"Having considered chapter XI of the report of the Economic and Social Council 2/ and the relevant summary records,

"Taking note of the reports of the Preparatory Committee on its second and third sessions, 3/

"Recognizing the important contributions to the preparations for the Conference made by the Intergovernmental Working Groups on the Declaration on the Human Environment, Marine Pollution, Soils, Monitoring or Surveillance, and Conservation,

"Taking note with satisfaction of the steps that have been taken through which the concerns of developing countries have been increasingly reflected in the preparations for the Conference, such as the Expert Meeting on Development and Environment at Pounex, the four regional seminars on development and environment organized by the Economic Commission for Africa, the Economic Commission for Asia and the Far East, the Economic Commission for Latin America and the United Nations Economic and Social Office at Beirut and

2/ Ibid.

3/ A/CONF.48/PC/9 and Corr.1, transmitted to the Economic and Social Council at its fifty-first session under the symbol E/4991 and Add.1, and A/CONF.48/PC.13 and Corr.1

the meeting of scientists from developing countries organized by the Special Committee on Problems of the Environment of the International Council of Scientific Unions at Canberra,

"Taking into account the important contribution to the preparations for the Conference made by the Economic Commission for Europe Symposium on Problems relating to Environment,

"Taking note with appreciation of the assistance lent to the preparations for the Conference by Governments, the organizations in the United Nations system, other intergovernmental organizations and non-governmental organizations, including youth organizations,

"Taking into account the views expressed during its twenty-sixth session,

"1. Approves the provisional agenda for the Conference as formulated in the report of the Secretary-General on the basis of the recommendations of the Preparatory Committee;

"2. Approves the draft rules of procedure for the Conference recommended by the Preparatory Committee and recommends them for adoption by the Conference;

"3. Requests the Secretary-General to invite representatives of the specialized agencies and the International Atomic Energy Agency to participate in the Conference;

"4. Requests the Secretary-General to invite other intergovernmental and non-governmental organizations to be represented by observers at the Conference on the basis of the criteria recommended by the Preparatory Committee;

"5. Requests the Secretary-General to conclude the preparations for the Conference and to circulate in advance of the Conference:

"(a) A draft declaration on the human environment;

"(b) A draft action plan, constituting a global strategy of the world community to protect and enhance the present and future quality of the environment for human life and well-being;

"(c) Such draft conventions as may be ready for consideration by the Conference;

"(d) Draft proposals for organizational and financial arrangements needed to pursue effectively the work of the United Nations system of organizations in the environmental field;

"6. Requests the Conference to consider the drafts submitted to it and to take appropriate action upon proposals relating to those drafts;

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"7. Reaffirms that it is important for the Conference to take fully into account the interests of the developing countries and, in this context, recommends Governments to give serious consideration to the views expressed in section VII of the Declaration and Principles of the Action Programme adopted by the Second Ministerial Meeting of the Group of 77 developing countries on 7 November 1971 at Lima;

"8. Requests the Secretary-General to report on the results of the Conference to the General Assembly at its twenty-seventh session and also to transmit his report to the Economic and Social Council;

"9. Requests the Secretary-General to make the necessary arrangements for the work that will have to be undertaken after the Conference, pending consideration of the recommendations of the Conference by the General Assembly at its twenty-seventh session."

19. At the 1427th meeting, on 2 December, the representative of the United Kingdom of Great Britain and Northern Ireland introduced an amendment (A/C.2/L.1202) to the draft resolution (A/C.2/L.1195) on behalf of Australia, the Dominican Republic, France, Italy, Lesotho, New Zealand, the Niger, Rwanda, Swaziland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zaire. The amendment provided for the insertion of the following new operative paragraph after the existing operative paragraph 2:

"Requests the Secretary-General to invite States Members of the United Nations or members of the specialized agencies and the International Atomic Energy Agency to participate in the Conference".

20. At the 1438th meeting, on 9 December, the representative of Czechoslovakia introduced, on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Egypt, Hungary, Guinea, India, Mongolia, Poland, Romania, Somalia, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Yugoslavia, a subamendment (A/C.2/L.1212) to the amendment (A/C.2/L.1202) to the draft resolution. The subamendment provided for the insertion of the words "and other interested States" after the words "the International Atomic Energy Agency" in the last line.

21. At the same meeting, the representative of Brazil, while introducing amendments (A/C.2/L.1215) to the draft resolution (A/C.2/L.1195), stated that he had reached an understanding with some of the sponsors, on the basis of which he would not press the amendments if all the sponsors agreed to the following changes in the draft resolution:

(a) The replacement of the words "global strategy of the world community" by the words "blueprint for international co-operation" in operative paragraph 5 (b);

(b) The replacement of the words "draft conventions" by the words "other draft proposals" in operative paragraph 5 (c);

(c) The wording of operative paragraph 6 to read: "Requests the Conference to consider the drafts submitted to it and to take such appropriate action as it desires".

22. The sponsors accepted the changes indicated by the representative of Brazil and further revised the draft resolution by deleting operative paragraph 7. As a consequence, the Brazilian amendments (A/C.2/L.1215) were withdrawn.

23. The sponsors further revised the draft resolution (A/C.2/L.1195) by adding the following paragraph after the seventh paragraph of the preamble:

"Recognizing the importance to ensure that the global efforts in the field of the human environment be supplemented and made more effective by agreements at regional or subregional levels".

24. The Committee voted on the draft resolution (A/C.2/L.1195), as orally revised by the sponsors, and the amendments thereto (A/C.2/L.1202 and L.1212), at the 1438th meeting. By a roll-call vote, requested by the representative of the Union of Soviet Socialist Republics, it rejected the subamendment (A/C.2/L.1212) to the amendment (A/C.2/L.1202) by 53 votes to 34, with 22 abstentions. The vote was as follows:

In favour: Afghanistan, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chile, Congo, Cuba, Czechoslovakia, Egypt, Equatorial Guinea, Ethiopia, Finland, Guinea, Hungary, India, Iraq, Jamaica, Kuwait, Mali, Mexico, Mongolia, Nigeria, Poland, Romania, Somalia, Sudan, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia.

Against: Argentina, Australia, Austria, Barbados, Belgium, Bolivia, Canada, Costa Rica, Dahomey, Dominican Republic, France, Greece, Guatemala, Haiti, Honduras, Iran, Ireland, Israel, Italy, Laos, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Netherlands, New Zealand, Nicaragua, Niger, Pakistan, Panama, Paraguay, Philippines, Portugal, Rwanda, Senegal, Sierra Leone, South Africa, Spain, Swaziland, Thailand, Togo, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, the United States of America, Upper Volta, Uruguay, Venezuela, Zaire, Zambia.

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Abstaining: Brazil, Burma, Burundi, Cyprus, Denmark, El Salvador, Fiji, Ghana, Guyana, Iceland, Indonesia, Ivory Coast, Japan, Kenya, Lebanon, Nepal, Norway, Peru, Singapore, Sweden, Tunisia and Uganda.

25. The Committee adopted the amendment (A/C.2/L.1202) by 64 votes to 21, with 20 abstentions. It adopted the draft resolution (A/C.2/L.1195), as orally revised by the sponsors, as amended, by 94 votes to 8, with 7 abstentions (see para. 26, draft resolution II).

RECOMMENDATIONS OF THE SECOND COMMITTEE

26. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Development and environment

The General Assembly,

Recalling its resolutions 2398 (XXIII) of 3 December 1968, 2581 (XXIV) of 15 December 1969 and 2657 of 7 December 1970,

Expressing satisfaction for the efforts made and the results already achieved towards planning action to be taken by the United Nations system in the domain of the environment in a manner compatible with the priorities and interests of the developing countries,

Taking note with appreciation, in particular, of the work done by the regional seminars on development and environment, held under the auspices of the Economic Commission for Asia and the Far East, the Economic Commission for Africa, the Economic Commission for Latin America and the United Nations Economic and Social Office at Beirut, as well as by the Panel of Experts on Development and the Environment,

Conscious of the significance of the results achieved in the Symposium on Problems relating to Environment, convened at Prague by the Economic Commission for Europe, for a better understanding of environmental problems,

Fully conscious of the importance, urgency and universality of environmental problems,

Aware that the rational management of the environment is of fundamental importance for the future of mankind,

Convinced that development plans should be compatible with a sound ecology and that adequate environmental conditions can best be ensured by the promotion of development, both at the national and international levels,

Fully aware that the environmental problems generated by the condition of under-development pose a serious threat to the developing countries,

Cognizant that, aside from environmental disturbances provoked by human settlements and ecological problems related to nature itself, pollution of

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world-wide impact is being caused primarily by some highly developed countries, as a consequence of their own high level of improperly planned and inadequately co-ordinated industrial activities, and that, therefore, the main responsibility for the financing of corrective measures falls upon those countries,

Convinced that most of the environmental problems existing in developing countries are caused by their lack of economic resources for dealing with such problems as the improvement of unfavourable natural areas or the rehabilitation of environmental conditions that have deteriorated through the application of improper methods and technologies,

Conscious that the main objective of developing countries is integrated and rational development, including industrial development based on advanced and adequate technologies, and that such development represents at the present stage the best possible solution for most of the environmental problems in the developing countries,

Conscious, further, that the quality of human life in the developing countries also depends, in large measure, on the solution of environmental problems which have their origin in nature and which are the product of under-development itself, within the general framework of development planning and the rational management of natural resources,

Emphasizing that, notwithstanding the general principles that might be agreed upon by the international community, criteria and minimal standards of preservation of the environment as a general rule will have to be defined at the national level and, in all cases, will have to reflect conditions and systems of values prevailing in each country, avoiding where necessary the use of norms valid in advanced countries, which may prove inadequate and of unwarranted social cost for the developing countries,

Stressing that each country has the right to formulate, in accordance with its own particular situation and in full enjoyment of its national sovereignty, its own national policies on the human environment, including criteria for the evaluation of projects,

Stressing further that in the exercise of such right and in the implementation of such policies due account must be taken of the need to avoid producing harmful effects on other countries,

Recognizing the importance of bilateral and multilateral co-operation in solving environmental problems,

Aware of the fact that a greater amount of scientific and technical knowledge than at present available would provide a more adequate basis for the satisfactory comprehension and evaluation of environmental problems in general, and that, therefore, international co-operation in this field is of paramount importance,

Convinced that rational planning procedures at both the national and the regional levels constitute an essential tool for an adequate equilibrium between the needs of development and the preservation and enhancement of the environment,

Bearing in mind the need for developed countries to provide additional technical assistance and financing, beyond the targets indicated in the International Development Strategy for the Second United Nations Development Decade^{4/} and without affecting adversely their programmes of assistance in other spheres, to enable developing countries to enforce those new and additional measures that might be envisaged as a means of protecting and enhancing the environment,

Considering that environmental conditions can be adversely affected by activities conducted by States beyond the limits of their national jurisdiction, including the sea, the sea-bed, the ocean floor and the atmosphere, particularly by the testing of nuclear weapons, with harmful effects for other States,

Considering further that various aspects of marine pollution and related matters will also be dealt with at the forthcoming Conference on the Law of the Sea and at the Inter-Governmental Maritime Consultative Organization Conference on Marine Pollution,

1. Urges the international community and the organizations of the United Nations system to strengthen international co-operation in the fields of environment, rational utilization of natural resources and preservation of adequate ecological balance;

2. Requests the Secretary-General, the Preparatory Committee for the United Nations Conference on the Human Environment and the other bodies established to advise and assist the Secretary-General in the preparations for the Conference,

^{4/} General Assembly resolution 2626 (XXV) of 24 October 1970.

to ensure that in the exercise of their responsibilities the documentation to be submitted to participating States and, in particular, the action plan and the action proposals for each of the main subject areas, as well as the draft declaration on the human environment, be elaborated in such a manner as to take into full account the provisions embodied in the preamble and in the operative paragraphs of the present resolution;

3. Reaffirms that it is important for the Conference to take fully into account the interests of the developing countries and, in this context, endorses the views expressed in part three, section VII of the Declaration and Principles of the Action Programme adopted by the Second Ministerial Meeting of the Developing Countries known as the Group of 77 at Lima on 7 November 1971;^{5/}

4. Stresses that both the action plan and the action proposals to be submitted to the Conference must, inter alia:

(a) Respect fully the exercise of permanent sovereignty over natural resources, as well as the right of each country to exploit its own resources, in accordance with its own priorities and needs, and in such a manner as to avoid producing harmful effects on other countries;

(b) Recognize that no environmental policy should adversely affect the present or future development possibilities of the developing countries;

(c) Recognize further that the burden of the environmental policies of the developed countries cannot be transferred, directly or indirectly, to the developing countries;

(d) Respect fully the sovereign right of each country to plan its own economy, to define its own priorities, to determine its own environmental standards and criteria, to evaluate its own social costs of production, and to formulate its own environmental policies, in the full understanding that environmental action must be defined basically at the national level, in accordance with locally prevailing conditions and in such a manner as to avoid producing harmful effects on other countries;

(e) Avoid any adverse effects of environmental policies and measures on the economy of the developing countries in all spheres, including international trade, international development assistance and transfer of technology;

^{5/} A/C.2/270.

5. Further stresses that the action plan and the action proposals should include measures to:

(a) Promote programmes of training, applied research and exchange of information, with the objective of amplifying and disseminating knowledge of questions pertaining to the preservation and improvement of environmental conditions, to an adequate relationship between environmental policies and development policies, and to the question of comparative costs of different technologies in relation to the environment;

(b) Provide additional technical assistance and financial resources, beyond the targets indicated in the International Development Strategy, to enable developing countries to enforce those measures and policies acceptable to them, in such a manner as to ensure that no action is defined or proposed without the proper means of implementation;

(c) Give special attention to the particular problems and conditions of the environment of the land-locked and least developed among the developing countries;

(d) Promote programmes designed to assist developing countries, at their request, in solving environmental problems which have their origin in nature itself, which are the direct consequence of under-development, and which particularly affect the living conditions of the population of developing countries;

(e) Study with special attention the environmental problems and conditions of the countries with coastlines particularly exposed to the risks of marine pollution;

(f) Promote international co-operation in order to prevent, eliminate or at least adequately reduce and effectively control adverse ecological effects resulting from activities conducted in all spheres, in such a way that due account will be taken of the interests of all States;

6. Urges the States possessing nuclear weapons to put an end to the testing of these weapons in all spheres, and, also in the context of measures designed to improve environmental conditions on a world-wide basis, stresses the necessity of prohibiting the production and use of nuclear, chemical and biological weapons, and of ensuring their early destruction;

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7. Further urges Member States, the United Nations system and other international organizations which deal with ecological problems to plan international co-operation in the domain of the environment, taking into particular account the need for increased technical and financial assistance to the developing countries to help them improve their ecological conditions, both in rural and urban areas;

8. Indicates the advisability that, without affecting adversely their operations in other spheres, the international financial institutions be enabled to consider favourably the increase in the volume and the softening of the terms of their economic assistance to the developing countries for the planning and implementation of projects which, in the exclusive judgement of those countries, might be desirable and which, in their view, might be justifiable on environmental terms;

9. Requests the Secretary-General to submit a report to the United Nations Conference on the Human Environment, after ascertaining the views of Member States, on a scheme of voluntary contributions which would provide additional financing by the developed for the developing countries for environmental purposes, beyond the resources already contemplated in the International Development Strategy;

10. Requests the Secretary-General of the United Nations Conference on Trade and Development to prepare a comprehensive study to be submitted to the Conference at its third session on the effects of environmental policies of developed countries, which might adversely affect the present or future development possibilities of developing countries, by means of, inter alia:

(a) A decrease in the flow of international development assistance and a deterioration of its terms and conditions; and

(b) A further deterioration in the trading prospects of developing countries, by the creation of additional obstacles, such as the new non-tariff measures, which might lead to a new type of protectionism;

11. 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, and of peace and world security.

DRAFT RESOLUTION II

United Nations Conference on the Human Environment

The General Assembly,

Recalling its resolutions 2398 (XXIII) of 3 December 1968, 2581 (XXIV) of 15 December 1969, and 2657 (XXV) of 7 December 1970 on the preparations for the United Nations Conference on the Human Environment,

Having considered with appreciation the report of the Secretary-General^{6/} called for in resolution 2657 (XXV),

Having considered chapter XI of the report of the Economic and Social Council to the General Assembly^{7/} and the relevant summary records,

Taking note of the reports of the Preparatory Committee for the United Nations Conference on the Human Environment on its second and third sessions,^{8/}

Recognizing the important contributions to the preparations for the Conference made by the Intergovernmental Working Groups on the Declaration on the Human Environment, Marine Pollution, Soils, Monitoring or Surveillance, and Conservation,

Taking note with satisfaction of the steps that have been taken through which the concerns of developing countries have been increasingly reflected in the preparations for the Conference, such as the Meeting of the Panel of Experts on Development and the Environment at Founex, Switzerland, in June 1971, the four regional seminars on development and environment organized by the Economic Commission for Africa, the Economic Commission for Asia and the Far East, the Economic Commission for Latin America and the United Nations Economic and Social Office at Beirut and the meeting of scientists from developing countries organized by the Scientific Committee on Problems of the Environment of the International Council of Scientific Unions at Canberra,

Taking into account the important contribution to the preparations for the Conference made by the Symposium on Problems relating to Environment, sponsored by the Economic Commission for Europe,

6/ A/8509 and Add.1.

7/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 3 (A/8403), chap. XI.

8/ A/CONF.48/PC.9 and Corr.1, transmitted to the Economic and Social Council at its fifty-first session under the symbol E/4991 and Add.1, and A/CONF.48/PC.13 and Corr.1.

Recognizing the importance of ensuring that the global efforts in the field of the human environment be supplemented and made more effective by agreements at the regional or subregional levels,

Taking note with appreciation of the assistance lent to the preparations for the Conference by Governments, the organizations in the United Nations system, other intergovernmental organizations and non-governmental organizations, including youth organizations,

Taking into account the views expressed during its twenty-sixth session,

1. Approves the provisional agenda for the United Nations Conference on the Human Environment as formulated in the report of the Secretary-General^{9/} on the basis of the recommendations of the Preparatory Committee for the United Nations Conference on the Human Environment;

2. Approves the draft rules of procedure for the Conference recommended by the Preparatory Committee^{10/} and recommends them for adoption by the Conference;

3. Requests the Secretary-General to invite States Members of the United Nations or members of the specialized agencies or the International Atomic Energy Agency to participate in the Conference;

4. Requests the Secretary-General to invite representatives of the specialized agencies and the International Atomic Energy Agency to participate in the Conference;

5. Requests the Secretary-General to invite other intergovernmental and non-governmental organizations to be represented by observers at the Conference on the basis of the criteria recommended by the Preparatory Committee;

6. Requests the Secretary-General to conclude the preparations for the Conference and to circulate the following documents in advance of the Conference;

(a) A draft declaration on the human environment;

(b) A draft action plan, constituting a blueprint for international co-operation to protect and enhance the present and future quality of the environment for human life and well-being;

^{9/} A/8509, annex.

^{10/} A/CONF.48/PC.13 and Corr.1, annex IV.

(c) Such other draft proposals as may be ready for consideration by the Conference;

(d) Draft proposals for organizational and financial arrangements needed to pursue effectively the work of the United Nations system of organizations in the environmental field;

7. Requests the Conference to consider the drafts submitted to it and to take such appropriate action as it desires;

8. Requests the Secretary-General to report on the results of the Conference to the General Assembly at its twenty-seventh session and also to transmit his report to the Economic and Social Council;

9. Requests the Secretary-General to make the necessary arrangements for the work that will have to be undertaken after the Conference, pending consideration of the recommendations of the Conference by the General Assembly at its twenty-seventh session.
