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PREPARATORY COMMITTEE FOR THE
UNITED NATIONS CONFERENCE ON
THE HUMAN ENVIRONMENT

Intergovernmental Working Group
on the Declaration on the
Human Environment

REPLIES TO QUESTIONNAIRE OF 21 DECEMBER 1970 CIRCULATED
BY THE SECRETARY-GENERAL OF THE CONFERENCE IN CONNEXION
WITH THE PREPARATION OF A DRAFT DECLARATION ON THE
HUMAN ENVIRONMENT

Addendum

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AUSTRIA

Original: English
11 June 1971

The Government of Austria, upon further examination of the questionnaire of 21 December 1970 circulated by the Secretary-General of the United Nations Conference on the Human Environment, has submitted the following supplementary comments.^{1/}

Before dealing in more detail with the various problems of the protection of human environment, it seems necessary to focus on the relationship between physical planning and environment, since physical planning shapes an essential part of the environment.

Increased initiatives in the field of physical planning are therefore required since it is the task of physical planning to ensure a long-term and systematic modelling of the territory of a State and of its parts by elaborating the desired societal, social, economic and cultural guidelines.

The basic guidelines for physical planning policy can be described as follows: It is the task of physical planning to evaluate correctly the mutual relations between natural values and those created by man, to comment on their effects on the social and economic sector and, based on these perceptions, not only to secure the preservation of the landscape, but also to influence favourably the shaping of the environment. The essential basic element for human environment is human settlement - in whatever form. The development of the environment can only be seen in relation to the needs of man and the requirements of nature.

Consequently, it seems necessary to incorporate into the Declaration, at a suitable place, a request to pay special attention to this point of view in the interest of every man and to strengthen economically those groups of the population which contribute by shaping the landscape directly or indirectly to the protection of the human environment, with a view to enabling them to continue in the future their activities favouring the human environment.

^{1/} For the text of preliminary comments submitted by the Government of Austria, see A/CONF.48/PC/WG.1/CRP.4, pp. 18-20; for the text of the questionnaire, see ibid., pp. 3-14.

As far as particular questions of the questionnaire are concerned, the following comments should be taken into consideration:

Question (1)

At present, in view of the differences between highly industrialized and developing countries, only a document containing basic principles can usefully be elaborated on a world-wide level. Specific guidelines for comprehensive individual and international actions should not be included at present. Since at the present time mass media in all industrialized countries already deal with matters of human environment, the Austrian authorities are of the opinion that it cannot be the paramount goal of a United Nations Declaration just to mobilize public opinion. The elaboration of a declaration could rather be an initiative to transpose matters of environmental protection to a level of responsible action.

Question (2)

Referring to the "background notes" it may be emphasized that the authorities competent for the application of legal means against disturbance in the individual enjoyment of natural resources mentioned therein should not overlook that in this case also ownership rights exist. The social restrictions on the proprietor should be kept within the essential limits and the proprietor should receive compensation for limitations of his rights.

Question (3)

It does not seem useful that the Declaration containing generally drafted "basic principles" should be preceded by extensive preambular paragraphs in the sense of the formulations contained in the "background notes". The formulations in the "background notes" could, however, at least in part, be incorporated into the Declaration. For the drafting of the preambular paragraphs, a formulation as short as possible is recommended, as it also appears in the present draft. Primarily, attention should be drawn to problems which are of equally great significance to all countries where urban development increasingly influences the natural conditions, such as water and air pollution, noise disturbance and waste disposal. However, the particular matters arising from economic growth and technological progress should also be referred to.

In Austria the deterioration of human environment is caused by these factors and not by the utilization of the soil. Damage by erosion is practically excluded in this country, thanks to appropriate laws.

Nevertheless, it must be emphasized that the importance of the individual sources of disturbance differs from country to country and also according to the local situation.

Question (5)

The Austrian authorities share the opinion that there is no basic contradiction between economic promotion and social development on the one hand and the interest in preserving a natural environment on the other hand. In promoting large projects in developing countries, however, attention should be paid to the relationship between environment and physical planning. The choice of the right location for industries, respect for the interests of environmental protection when constructing industrial plants and provision for sufficient recreation areas within congested areas appear to be of particular significance for the future of these countries.

However, the highly developed industrial nations also have to respect the principle that they must carry out development in all its aspects including regard for the human environment. Any further development should start from the principle that the existing situation of individual man in his environment should not be deteriorated but ameliorated.

Question (7)

In the view of the Austrian authorities it would be useful, if the responsibility of any particular State as well as of the competent international organizations for the protection of human environment and for the reinforcement of this protection should be strongly emphasized in the declaration.

Question (8)

It seems useful to include principles which the respective countries should recognize as primarily pertinent for their individual and co-ordinated actions in the field of human environment, for example, to recommend international

co-operation in matters which cannot be solved by each country individually (such as decontamination of pollutants emitted by combustion engines). Interference with national sovereignty in the field of the human environment, however, seems problematic.

In establishing such principles the question of the costs of measures aimed at the protection or amelioration of human environment must not be kept aside. Such costs will have to be borne from public funds and will have to be incorporated into the price - since production costs will increase as a consequence of such measures. From this results the necessity for, but also the problems arising from an internationally co-ordinated action in order to avoid distortions of competition.

POLAND

Original: Russian
14 July 1971

1. The Declaration should be a concise, informative document which can be readily understood by wide segments of society so that it can be used to form public opinion and encourage public participation in measures designed to safeguard the human environment.

As regards its structure, the Declaration should contain a general introduction stressing a comprehensive approach to the interrelated problems of the environment and drawing attention to its steady deterioration.

It would also be useful to define the word "environment" so that a clearly defined approach can be taken to specific measures relating to the human environment.

The Declaration should then state only broad, major tasks and objectives, and should not contain a detailed programme of activities.

2. The Declaration should stress the importance of international co-operation in solving problems of the environment, pointing out that international co-operation in this field should be based on the activities of individual countries within the framework of national systems and programmes and, in addition, on the exchange of information and experience on how to solve these problems.

The guiding principles behind international co-operation should be the inviolability of the sovereignty of countries and of their natural resources and the universal participation of all countries.

3. The Declaration should define the rights and duties of individual countries with regard to the environment, stressing man's right to an environment which is not harmful to his health and which promotes all-round development; however, it should not deal with the question of relations between States and individual entities.

4. One part of the Declaration should stress the importance of technological and technical resources in matters relating to the environment.

5. The Declaration should be positive in nature and should look to the future, emphasizing the need to give proper weight to the economic and social aspects of the problem, especially in defining the relationship between the environment and the social and economic development of individual countries.