

APR 22 1971

For participants only

A/CONF.48/PC/WG.1/CRP.4/Add.1

15 April 1971

ENGLISH

ORIGINAL: ENGLISH/SPANISH

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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CYPRUS

[Original: English]  
16 March 1971

(i) Form and scope of the Declaration

The proposed Declaration, while retaining its inspirational character, should be a more detailed document providing specific guidelines for individual, national and international action. In order to keep the Declaration relatively concise, it should not deal with the rights and obligations governing relations between (1) individuals and States and (2) individuals inter se, in combating environmental problems.

(ii) Structure

The Declaration should contain preambular paragraphs calling mankind's urgent attention to the many interrelated problems of the human environment and its increasing deterioration. The particular matters to which reference should be made therein have been given under (a) above.\* The articles of the Declaration should be organized by subject-matter.

(iii) Contents

The essential relationship between environment and development and the accruing economic and social implications, in particular for the developing countries could best be stressed if striking examples of environmental destruction in developed countries and the gigantic efforts and funds required for environmental rehabilitation, are given in the proposed Declaration

The Declaration should define the term "human environment" and in addition it should give the necessary conditions aimed at by humanity for an optimum

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\* Paragraph (a) of the reply of the Government of Cyprus reads as follows:

"(a) The following subjects should be dealt with in the Conference programme:  
(i) education, training and enlightenment in matters of human environment;  
(ii) air, water and soil pollution; (iii) soil erosion; (iv) forest conservation and expansion of existing forest resources and tree-planting in general;  
(v) national parks and nature reserves; (vi) wildlife; (vii) town and country planning; (viii) abatement of noise; (ix) "man-made" diseases; (x) dust."

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human environment, as well as an indication of the minimum conditions necessary to constitute an acceptable human environment.

The Declaration should emphasize the corresponding responsibilities regarding the protection and enhancement of human environment, incumbent upon individuals and various types of communities, as well as national authorities and international organizations.

The Declaration should finally include certain principles which States should recognize as guiding their individual and collective actions affecting the human environment.

GUATEMALA

[Original: Spanish]  
13 April 1971

Question 1

We believe that the Declaration, in addition to being primarily inspirational in character and designed to stimulate public concern, should, by focusing on major principles, seek to provide a basis for necessary policy and to promote specific guidelines for individual, national and international action. It should be drafted in such a way as to lend itself to the widest possible dissemination, to be accessible to a mass audience and to serve as a convenient instrument for education.

Question 2

The Declaration should be concerned with the rights and obligations governing relations between States, individuals and States, and individuals inter se, in combating environmental problems, so that it can provide a general frame of reference to serve as a guide.

Question 3

The Declaration should contain preambular paragraphs which would arouse general concern about the conservation and utilization of natural resources by calling attention to problems connected with the human environment and its

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increasing deterioration. Special reference might be made to the land, to water resources and to flora and fauna, as regards their use and management, and also to the atmosphere and to contamination, including the contamination of food, through the improper use of insecticides and other factors.

Question 4

What is most important is not how the articles of the Declaration are organized but what they say and how they are worded.

Question 5

The Declaration should include specific items designed to stimulate and promote national policies with regard to the interrelated aspects pertaining to development planning and enhancement of the human environment and the socio-economic aspects, reconciling the two in the best possible manner.

Question 6

We do not believe that the Declaration need contain a definition of the term "Human Environment". We consider, however, that it should give an indication of the minimum conditions necessary to constitute an acceptable human environment.

Question 7

In addition to including reference to environmental rights and stressing the relationship between the achievement of a sound and healthy environment and the enjoyment of basic human rights, the Declaration should emphasize the responsibilities regarding the protection and enhancement of the human environment incumbent upon individuals, upon States and their authorities and upon international organizations.

Question 8

The Declaration should include those principles which States should recognize as guiding their individual and collective actions affecting the human environment, in order to provide a universal basis for determining the rights and obligations of States, individuals and international organizations.

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Generally speaking, mention might be made of the principle of national sovereignty over natural resources and the duty of all nations to carefully husband their natural resources and to hold in trust for present and future generations the air, water, lands, and communities of plants and animals on which all life depends.

UNITED KINGDOM

[Original: English]  
31 March 1971

If the Declaration is to be one of the significant outputs of the United Nations Conference on the Human Environment it should aim primarily at engaging the positive interest and concern of the general public. It should not be an object of controversy at the Conference, which would have the reverse effect of confusing public opinion and would not help the cause of environmental improvement. Thus the Declaration should be concise, in general terms, and clearly intelligible to the layman. To be adopted unanimously by the Conference, it must be so drafted as to have a general appeal and to avoid unacceptable provisions.

The United Kingdom Government intend to participate in the work of drafting the Declaration and will make detailed suggestions and comments at these meetings. The following answers to the Secretary-General's questionnaire should therefore be regarded as representing only their preliminary views.

Question 1

The Declaration should be concise, non-technical and inspirational in character, designed to stimulate public concern. It should not contain specific or detailed guidelines or provisions. These should, as necessary, be the subject of resolutions or other measures to be adopted by the Conference.

Question 2

The Declaration should establish general guidelines and policies and set forth the responsibilities of States in concerting with other States to preserve and improve the common environmental heritage. It should not embody legally binding rights and obligations which is the function of international treaties.

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Question 3

Some of the points listed in the notes relating to question 3 in the Secretary-General's questionnaire, could appropriately be included in the preamble, but in concise form. Particular mention should be made of the interrelating nature of the environment and the need to avoid changes, particularly irreversible changes, in the ecological balance.

Question 4

The order should depend upon the content. Having rehearsed in the preamble the many considerations affecting man's environment, the operative paragraphs of the Declaration should call on Governments to avoid measures which might harm the environment, to consult with other States where pollution may harm others and to act in concert to preserve and improve the environment.

Question 5

The need to ensure compatibility of environmental conservation and economic growth, particularly in the developing countries, should be stressed in the preamble as being one of the guidelines which States should recognize in working to improve the environment.

Question 6

A definition of the term "Human Environment" is difficult and does not seem essential; it would probably waste time to attempt to draft one. Similarly it is unlikely that agreement could be reached speedily, if at all, on the minimum conditions necessary to constitute an acceptable human environment. This does not seem to be an essential element in the Declaration.

Question 7

The responsibilities of States in safeguarding the environment should be stated in the Declaration. On this would be based the injunctions to Governments to act separately and jointly in the protection and enhancement of the environment. It would be more appropriate thus to specify responsibilities rather than rights and obligations.

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Question 8

This is one area where fruitless controversy could endanger the usefulness of a Declaration, or prevent agreement on any text at all. As indicated above, it would be more appropriate to think in terms of guidelines, policies and responsibilities rather than the kind of principles outlined in the notes to question 8 of the Secretary-General's questionnaire.

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