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RESPONSIBILITY OF STATES FOR THE PROTECTION OF THE ENVIRONMENT
AND PREVENTION OF ENVIRONMENTAL POLLUTION AS A RESULT OF THE
ACCUMULATION OF TOXIC AND RADIOACTIVE WASTES, AND STRENGTHENING
OF INTERNATIONAL CO-OPERATION FOR THE PURPOSE OF RESOLVING
THE PROBLEM

Draft resolution submitted by the Vice-Chairman, Mr. José Fernandez
(Philippines), on the basis of informal consultations held on
draft resolution A/C.2/43/L.23

Responsibility of States for the protection of the environment:
prevention of the illegal international traffic in, and the
dumping and resulting accumulation of, toxic and dangerous
products and wastes affecting the developing countries
in particular

The General Assembly,

Recalling its resolution 42/183 of 11 December 1987 on traffic in toxic and
dangerous products and wastes,

Recalling also Economic and Social Council resolutions 1988/70 and 1988/71 of
28 July 1988,

Concerned about the increase in the illegal international traffic in, and the
dumping and resulting accumulation of, toxic and dangerous products and wastes, in
contravention of existing national legislation and relevant international legal
instruments, adversely affecting many countries, particularly developing countries,
as well as in international waters,

Stressing the obligation of all States, in accordance with their
responsibilities, to protect the environment and in this overall context stressing

also the need for all States to prevent the illegal international traffic in, dumping and resulting accumulation of, toxic and dangerous products and wastes adversely affecting many countries, in particular developing countries,

1. Urges all States, bearing in mind their respective responsibilities, to take the necessary legal and technical measures in order to halt and prevent the illegal international traffic in, dumping and resulting accumulation of, toxic and dangerous products and wastes;

2. Urges all States to prohibit all transboundary movement of toxic and dangerous wastes carried out without the prior consent of the authorities of the importing country or without full recognition of the sovereign rights of transit countries;

3. Also urges all States in this connection to prohibit such movement without prior notification in writing of the competent authorities of all countries concerned, including transit countries, and to provide all information required to ensure the proper management of the wastes and full disclosure of the nature of the substances to be received or transported;

4. Urges all States generating toxic and dangerous wastes to make every effort to treat and dispose of them in the country of origin to the maximum extent possible consistent with environmentally sound disposal;

5. Requests the Ad Hoc Working Group of Legal and Technical Experts with a Mandate to Prepare a Global Convention on the Control of the Transboundary Movements of Hazardous Wastes established by the United Nations Environment Programme to give due consideration to the present resolution and to take into account the various views expressed during the forty-third session of the General Assembly on the respective responsibilities for the prevention of illegal international traffic in, dumping and resulting accumulation of, toxic and dangerous products and wastes;

6. Calls upon the international community, in particular developed countries, to strengthen its scientific and technical co-operation with the developing countries and to provide appropriate assistance to them in their effort to eliminate the adverse consequences of toxic and dangerous products and wastes for human health and the environment.
