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DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION: ENVIRONMENT

United Nations Conference on Environment and Development, 1992

Draft resolution submitted by the Chairman

The General Assembly,

Recalling its resolution 43/196 of 20 December 1988 on a United Nations conference on environment and development,

Taking note of decision 15/3 of 25 May 1989 of the Governing Council of the United Nations Environment Programme on a United Nations conference on environment and development,

Taking note also of Economic and Social Council resolution 1989/87 of 26 July 1989 on the convening of a United Nations conference on environment and development,

Taking note of Economic and Social Council resolution 1989/101 of 27 July 1989 entitled "Strengthening international co-operation on environment: provision of additional financial resources to developing countries",

Recalling also General Assembly resolution 42/186 of 11 December 1987 on the Environmental Perspective to the Year 2000 and Beyond and resolution 42/187 of 11 December 1987 on the report of the World Commission on Environment and Development,

Taking note of the report of the Secretary-General on the question of the convening of a United Nations conference on environment and development, 1/

Mindful of the views expressed by Governments in the plenary debate held at its forty-fourth session on the convening of a United Nations conference on environment and development,

Recalling the Declaration of the United Nations Conference on the Human Environment,

Deeply concerned by the continuing deterioration of the state of the environment and the serious degradation of the global life-support systems, as well as by trends that, if allowed to continue, could disrupt the global ecological balance, jeopardize the life-sustaining qualities of the Earth and lead to an ecological catastrophe, and recognizing that decisive, urgent and global action is vital to protecting the ecological balance of the Earth,

Recognizing the importance for all countries of the protection and enhancement of the environment,

Recognizing also that the global character of environmental problems, including climate change, depletion of the ozone layer, transboundary air and water pollution, the contamination of the oceans and seas and degradation of land resources, including drought and desertification requires actions at all levels, including the global, regional and national levels and involving the commitment and participation of all countries,

Gravely concerned that the major cause of the continuing deterioration of the global environment is the unsustainable pattern of production and consumption, particularly in industrialized countries,

Stressing that poverty and environmental degradation are closely interrelated and that environmental protection in developing countries must, in this context, be viewed as an integral part of the development process and cannot be considered in isolation from it,

Recognizing that measures to be undertaken at the international level for the protection and enhancement of the environment must take fully into account the current imbalances in global patterns of production and consumption,

Affirming that the responsibility for containing, reducing, and eliminating global environmental damage must be borne by the countries causing such damage, must be in relation to the damage caused and must be in accordance with their respective capabilities and responsibilities,

Recognizing the environmental impact of material remnants of war and the need for further international co-operation for their removal,

1/ A/44/256-E/1989/66 and Corr.1 and Add.1 and 2.

Stressing the importance for all countries to take effective measures for the protection, restoration and enhancement of the environment in accordance, inter alia, with their respective capabilities, while at the same time acknowledging the efforts being made in all countries in this regard, including international co-operation between developed and developing countries,

Stressing the need for effective international co-operation in the area of research, development and application of environmentally sound technologies,

Conscious of the crucial role of science and technology in the field of environmental protection and of the need of developing countries, in particular, concerning favourable access to environmentally sound technologies, processes, equipment and related research and expertise through international co-operation designed to further global efforts for environmental protection, including the use of innovative and effective means,

Recognizing that new and additional financial resources will have to be channelled to developing countries in order to ensure their full participation in global efforts for environmental protection,

I

1. Decides to convene a United Nations Conference on Environment and Development of two weeks' duration and at the highest possible level of participation to coincide with World Environment Day, 5 June, in 1992;
2. Accepts with deep appreciation the generous offer of the Government of Brazil to host the Conference;
3. Affirms that the Conference should elaborate strategies and measures to halt and reverse the effects of environmental degradation in the context of strengthened national and international efforts to promote sustainable and environmentally sound development in all countries;
4. Affirms that the protection and enhancement of the environment are major issues that affect the well-being of peoples and economic development throughout the world;
5. Also affirms that the promotion of economic growth in developing countries is essential to address problems of environmental degradation;
6. Further affirms the importance of a supportive international economic environment that would result in sustained economic growth and development in all countries for protection and sound management of the environment;
7. Reaffirms that States have, in accordance with the Charter of the United Nations and the applicable principles of international law, the sovereign right to exploit their own resources pursuant to their environmental policies, and also reaffirms their responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas

beyond the limits of national jurisdiction and the need for States to play their due role in preserving and protecting the global and regional environment in accordance with their capacities and specific responsibilities;

8. Affirms the responsibility of States for the damage to the environment and natural resources caused by activities within their jurisdiction or control through transboundary interference, in accordance with national legislation and applicable international law;

9. Notes that the largest part of the current emission of pollutants into the environment, including toxic and hazardous wastes, originates in developed countries, and therefore recognizes that those countries have the main responsibility for combating such pollution;

10. Stresses that large industrial enterprises, including transnational corporations, are frequently the repositories of scarce technical skills for the preservation and enhancement of the environment, conduct activities in sectors that have an impact on the environment and, to that extent, have specific responsibilities and that, in this context, efforts need to be encouraged and mobilized to protect and enhance the environment in all countries;

11. Reaffirms that the serious external indebtedness of developing countries, and other countries with serious debt-servicing problems, has to be addressed efficiently and urgently in order to enable those countries to contribute fully and in accordance with their capacities and responsibilities to global efforts to protect and enhance the environment;

12. Affirms that in the light of the above, the following environmental issues, which are not listed in any particular order of priority, are among those of major concern in maintaining the quality of the Earth's environment and especially in achieving environmentally sound and sustainable development in all countries:

(a) Protection of the atmosphere by combating climate change, depletion of the ozone layer and transboundary air pollution;

(b) Protection of the quality and supply of freshwater resources;

(c) Protection of the oceans and all kinds of seas, including enclosed and semi-enclosed seas, and of coastal areas and the protection, rational use and development of their living resources;

(d) Protection and management of land resources by, inter alia, combating deforestation, desertification and drought;

(e) Conservation of biological diversity;

(f) Environmentally sound management of biotechnology;

(g) Environmentally sound management of wastes, particularly hazardous wastes, and of toxic chemicals, as well as prevention of illegal international traffic in toxic and dangerous products and wastes;

(h) Improvement of the living and working environment of the poor in urban slums and rural areas, through eradicating poverty, *inter alia*, by implementing integrated rural and urban development programmes, as well as taking other appropriate measures at all levels necessary to stem the degradation of the environment;

(i) Protection of human health conditions and improvement of the quality of life;

13. **Emphasizes** the need for strengthening international co-operation for the management of the environment to ensure its protection and enhancement and the need to explore the issue of benefits derived from activities, including research and development, related to the protection and development of biological diversity;

14. **Reaffirms** the need to strengthen international co-operation, particularly between developed and developing countries, in research and development and the utilization of environmentally sound technologies;

15. **Decides** that the Conference, in addressing environmental issues in the developmental context, should have the following objectives:

(a) To examine the state of the environment and changes that have occurred since the 1972 United Nations Conference on the Human Environment and since the adoption of such international agreements as the Plan of Action to Combat Desertification, the Vienna Convention for the Protection of the Ozone Layer, adopted on 22 March 1985, and the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted on 16 September 1987, taking into account the actions taken by all countries and intergovernmental organizations to protect and enhance the environment;

(b) To identify strategies to be co-ordinated regionally and globally, as appropriate, for concerted action to deal with major environmental issues in the socio-economic development processes of all countries within a particular time-frame;

(c) To recommend measures to be taken at the national and international levels to protect and enhance the environment, taking into account the specific needs of developing countries, through the development and implementation of policies for sustainable and environmentally sound development with special emphasis on incorporating environmental concerns in the economic and social development process, and of various sectoral policies and through, *inter alia*, preventive action at the sources of environmental degradation, clearly identifying the sources of such degradation and appropriate remedial measures, in all countries;

(d) To promote the further development of international environmental law, taking into account the Declaration of the United Nations Conference on Human Environment, as well as the special needs and concerns of the developing countries, and to examine in this context the feasibility of elaborating general rights and obligations of States, as appropriate, in the field of the environment, also taking into account relevant existing international legal instruments;

(e) To examine ways and means further to improve co-operation in the field of protection and enhancement of the environment between neighbouring countries with a view to eliminating adverse environmental effects;

(f) To examine strategies for national and international action with a view to arriving at specific agreements and commitments by Governments for defined activities to deal with major environmental issues, in order to restore the global ecological balance and to prevent further deterioration of the environment, taking into account the fact that the largest part of the current emission of pollutants into the environment, including toxic and hazardous wastes, originates in developed countries, and therefore recognizing that those countries have the main responsibility for combating such pollution;

(g) To accord high priority to drought and desertification control and to consider all means necessary, including financial, scientific and technological resources, to halt and reverse the process of desertification with a view to preserving the ecological balance of the planet;

(h) To examine the relationship between environmental degradation and the structure of the international economic environment, with a view to ensuring a more integrated approach to environment-and-development problems in relevant international forums without introducing new forms of conditionality;

(i) To examine strategies for national and international action with a view to arriving at specific agreements and commitments by Governments and by intergovernmental organizations for defined activities to promote a supportive international economic environment that would result in sustained and environmentally sound development in all countries, with a view to combating poverty and improving the quality of life, and bearing in mind that the incorporation of environmental concerns and considerations in development planning and policies should not be used to introduce new forms of conditionality in aid or in development financing and should not serve as a pretext for creating unjustified barriers to trade;

(j) To identify ways and means to provide new and additional financial resources, particularly to developing countries, for environmentally sound development programmes and projects in accordance with national development objectives, priorities and plans and to consider ways of establishing effective monitoring of the implementation of the provision of such new and additional financial resources, particularly to developing countries, so as to enable the international community to take further appropriate action on the basis of accurate and reliable data;

(k) To identify ways and means to provide additional financial resources for measures directed towards solving major environmental problems of global concern and especially to support those countries, in particular developing countries, for whom the implementation of such measures would entail a special or abnormal burden, in particular owing to their lack of financial resources, expertise or technical capacity;

(l) To consider various funding mechanisms, including voluntary ones, and to examine the possibility of a special international fund and other innovative approaches, with a view to ensuring the carrying out, on a favourable basis, of the most effective and expeditious transfer of environmentally sound technologies to developing countries;

(m) To examine with the view to recommending effective modalities for favourable access to, and transfer of, environmentally sound technologies, in particular to the developing countries, including on concessional and preferential terms, and for supporting all countries in their efforts to create and develop their endogenous technological capacities in scientific research and development, as well as in the acquisition of relevant information, and, in this context, to explore the concept of assured access, for developing countries to environmentally sound technologies in its relation to proprietary rights with a view to developing effective responses to the needs of developing countries in this area;

(n) To promote the development of human resources, particularly in developing countries, for the protection and enhancement of the environment;

(o) To recommend measures to Governments and the relevant bodies of the United Nations system, with a view to strengthening technical co-operation with the developing countries to enable them to develop and strengthen their capacity for identifying, analysing, monitoring, managing or preventing environmental problems in accordance with their national development plans, objectives and priorities;

(p) To promote open and timely exchange of information on national environmental policies, situations and accidents;

(q) To review and examine the role of the United Nations system in dealing with the environment and possible ways of improving it;

(r) To promote the development or strengthening of appropriate institutions at the national, regional and global levels to address environmental matters in the context of the socio-economic development processes of all countries;

(s) To promote environmental education, especially of the younger generation, as well as other measures to increase awareness of the value of the environment;

(t) To promote international co-operation within the United Nations system in monitoring, assessing and anticipating environmental threats and in rendering assistance in cases of environmental emergency;

(u) To specify the respective responsibilities of and support to be given by the organs, organizations and programmes of the United Nations system for the implementation of the conclusion of the Conference;

(v) To quantify the financial requirements for the successful implementation of Conference decisions and recommendations and to identify possible sources, including innovative ones, of additional resources;

(w) To assess the capacity of the United Nations system to assist in the prevention and settlement of disputes in the environmental sphere and to recommend measures in this field, while respecting existing bilateral and international agreements that provide for the settlement of such disputes;

II

1. Decides to establish a Preparatory Committee of the General Assembly open to all States Members of the United Nations or members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly;

2. Decides that the Preparatory Committee shall hold an organizational session of two weeks' duration in March 1990 and a final session, both at United Nations Headquarters, in New York, and three additional substantive sessions, the first in Nairobi and the following two in Geneva, the timing and duration of which shall be determined by the Preparatory Committee at its organizational session;

3. Decides that the Preparatory Committee, at its organizational session, shall elect, with due regard to equitable geographic representation, the Chairman and other members of its bureau, comprising a substantial number of vice-chairmen and a rapporteur;

4. Decides that the host country of the Conference, Brazil, shall be ex officio a member of the Bureau;

5. Requests the Secretary-General of the United Nations, following the organizational session of the Preparatory Committee, to establish an appropriate ad hoc secretariat in Geneva, with a unit in New York and another unit in Nairobi, taking into account the decisions to be made by the Preparatory Committee regarding the preparatory process for the Conference and based on the principle of equitable geographic distribution;

6. Decides that the ad hoc secretariat will be headed by a Secretary-General of the Conference to be appointed by the Secretary-General of the United Nations;

7. Requests the Secretary-General of the United Nations to prepare a report for the organizational session of the Preparatory Committee containing recommendations on an adequate preparatory process, taking into account the provisions of the present resolution and the views expressed by Governments in the plenary debate at the forty-fourth session of the General Assembly;

8. Decides that the Preparatory Committee shall:

(a) Draft the provisional agenda of the Conference, in accordance with the provisions of the present resolution;

(b) Adopt guidelines to enable States to take a harmonized approach in their preparations and reporting;

(c) Prepare draft decisions for the Conference and submit them to the Conference for consideration and adoption;

9. Requests the United Nations Environment Programme, as the main organ for the environment, and requests the other organs, organizations and programmes of the United Nations system, as well as other relevant intergovernmental organizations, to contribute fully to the preparations of the Conference on the basis of guidelines and requirements to be established by the Preparatory Committee;

10. Requests the Secretary-General of the United Nations to ensure the co-ordination of contributions from the United Nations system, through the Administrative Committee on Co-ordination;

11. Invites all States to take an active part in the preparations for the Conference, to prepare national reports, as appropriate, to be submitted to the Preparatory Committee in a timely manner and to promote international co-operation and broad-based national preparatory processes involving the scientific community, industry, trade unions and concerned non-governmental organizations;

12. Requests relevant non-governmental organizations in consultative status with the Economic and Social Council to contribute to the Conference, as appropriate;

13. Stresses the importance of holding regional conferences on environment and development with the full co-operation of the regional commissions, and recommends that the results of such regional conferences be introduced into the preparatory process for the 1992 Conference, bearing in mind that regional conferences should make important substantive contributions to the Conference;

14. Decides that the preparatory process and the Conference itself should be funded through the regular budget of the United Nations without adversely affecting other, ongoing activities and without prejudice to the provision of sources of extrabudgetary resources;

15. Decides to establish a voluntary fund for the purpose of supporting developing countries, in particular the least developed among them, in participating fully and effectively in the Conference and in its preparatory process, and invites Governments to contribute to the fund;

16. Requests the Chairman of the Preparatory Committee to report to the General Assembly at its forty-fifth and forty-sixth sessions on the progress of the work of the Committee;

17. Decides to include in the provisional agenda of its forty-fifth and forty-sixth sessions an item entitled "United Nations Conference on Environment and Development".
