

within such zones, and noting also, in this regard, the responsibility for co-operation in accordance with the relevant articles of the Convention,

*Noting also* that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the importance of living marine resources to the people of the South Pacific region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

*Taking note* of the adoption of the Tarawa Declaration on this subject by the Twentieth South Pacific Forum at Tarawa, Kiribati, on 11 July 1989<sup>59</sup> and the adoption by South Pacific States and territories of the Convention on the Prohibition of Driftnet Fishing in the South Pacific, at Wellington on 24 November 1989,<sup>115</sup>

*Noting* that some members of the international community have entered into co-operative enforcement and monitoring programmes for the immediate evaluation of the impact of large-scale pelagic driftnet fishing,

*Recognizing* that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

1. *Calls upon* all members of the international community, particularly those with fishing interests, to strengthen their co-operation in the conservation and management of living marine resources;

2. *Calls upon* all those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community, and especially with coastal States and the relevant international and regional organizations, in the enhanced collection and sharing of statistically sound scientific data in order to continue to assess the impact of such fishing methods and to secure conservation of the world's living marine resources;

3. *Recommends* that all interested members of the international community, particularly within regional organizations, continue to consider and, by 30 June 1991, review the best available scientific data on the impact of large-scale pelagic driftnet fishing and agree upon further co-operative regulation and monitoring measures, as needed;

4. *Also recommends* that all members of the international community, bearing in mind the special role of regional organizations and regional and bilateral co-operation in the conservation and management of living marine resources as reflected in the relevant articles of the United Nations Convention on the Law of the Sea, agree to the following measures:

(a) Moratoria should be imposed on all large-scale pelagic driftnet fishing by 30 June 1992, with the understanding that such a measure will not be imposed in a region or, if implemented, can be lifted, should effective conservation and management measures be taken based upon statistically sound analysis to be jointly made by concerned parties of the international community with an interest in the fishery resources of the region, to prevent unacceptable impact of such fishing practices on that region and to ensure the conservation of the living marine resources of that region;

(b) Immediate action should be taken to reduce progressively large-scale pelagic driftnet fishing activities in the South Pacific region with a view to the cessation of such activities by 1 July 1991, as an interim measure, until appropriate conservation and management arrangements

for South Pacific albacore tuna resources are entered into by the parties concerned;

(c) Further expansion of large-scale pelagic driftnet fishing on the high seas of the North Pacific and all the other high seas outside the Pacific Ocean should cease immediately, with the understanding that this measure will be reviewed subject to the conditions in paragraph 4 (a) of the present resolution;

5. *Encourages* those coastal countries which have exclusive economic zones adjacent to the high seas to take appropriate measures and to co-operate in the collection and submission of scientific information on driftnet fishing in their own exclusive economic zones, taking into account the measures taken for the conservation of living marine resources of the high seas;

6. *Requests* specialized agencies, particularly the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, as well as the various regional and subregional fisheries organizations, urgently to study large-scale pelagic driftnet fishing and its impact on living marine resources and to report their views to the Secretary-General;

7. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

8. *Also requests* the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution.

85th plenary meeting  
22 December 1989

#### 44/226. Traffic in and disposal, control and transboundary movements of toxic and dangerous products and wastes

*The General Assembly,*

*Recalling* its resolutions 37/137 of 17 December 1982, 38/149 of 19 December 1983 and 39/229 of 18 December 1984, as well as its decision 41/450 of 8 December 1986,

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

*Recalling further* its resolution 43/212 of 20 December 1988, entitled "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",

*Recalling* Economic and Social Council resolutions 1988/70 and 1988/71 of 28 July 1988 and taking note of Council resolution 1989/104 of 27 July 1989,

*Taking note* of the report of the Secretary-General on products harmful to health and the environment<sup>116</sup> and Economic and Social Council decision 1989/177 of 27 July 1989,

*Taking note also* of decisions 15/28 and 15/30 of 25 May 1989 of the Governing Council of the United Nations Environment Programme.<sup>50</sup>

<sup>115</sup> See A/44/807.

<sup>116</sup> A/44/276-E/1989/78.

*Welcoming* the report of the Secretary-General on illegal traffic in toxic and dangerous products and wastes,<sup>117</sup>

*Taking note* of the conclusion of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,<sup>118</sup>

*Inviting* all States to consider signing the Basel Convention without prejudice to the final positions to be taken by regional intergovernmental organizations in this regard,

*Mindful* of the growing threat to the environment and to human health and safety posed by the improper management and the increased generation, complexity and transboundary movement of hazardous wastes,

*Convinced* that illegal traffic in toxic and dangerous products and wastes poses a severe threat to the environment and to human health and safety,

*Also convinced* that these problems cannot be resolved without adequate co-operation among members of the international community,

*Deeply concerned* by the fact that cases of illegal transboundary movement and dumping of dangerous products and wastes particularly harmful for the environment and human health continue to occur, affecting, in particular, developing countries,

*Convinced* of the need to assist all countries, particularly developing countries, in obtaining all appropriate information concerning toxic and dangerous products and wastes and in reinforcing their capacity to detect and halt any illegal attempt to introduce toxic and dangerous products and wastes into the territory of any State in contravention of national legislation and relevant international legal instruments, as well as traffic not carried out in compliance with internationally accepted guidelines and principles in this field,

## I

### TRAFFIC IN TOXIC AND DANGEROUS PRODUCTS AND WASTES

1. *Requests* each regional commission, within existing resources, to contribute to the prevention of the illegal traffic in toxic and dangerous products and wastes by monitoring and making regional assessments of this illegal traffic and its environmental and health implications, on a continuing basis, in each region, and, in this context, in co-operation with and relying upon expert support and advice from the United Nations Environment Programme and other relevant bodies of the United Nations, including the International Register of Potentially Toxic Chemicals, the *Ad Hoc* Working Group of Experts on Prior Informed Consent and Other Modalities to Supplement the London Guidelines for the Exchange of Information on Chemicals in International Trade, and the Interim Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, without prejudice to the final position to be taken by regional intergovernmental organizations on the Convention, and to report to the Economic and Social Council at its second regular session starting in 1990;

2. *Also requests* the regional commissions to interact among themselves and co-operate with the United Nations Environment Programme, with a view to maintaining efficient and co-ordinated monitoring and assessment of the illegal traffic in toxic and dangerous products and wastes;

3. *Requests* the Economic and Social Council to submit recommendations to the General Assembly on the findings and conclusions of the regional commissions, in their consideration of environmental issues;

4. *Calls upon* all countries to co-operate with their respective regional commissions with the aim of preventing the illegal traffic in toxic and dangerous products and wastes;

## II

### PROTECTION AGAINST PRODUCTS HARMFUL TO HEALTH AND THE ENVIRONMENT

1. *Expresses its appreciation* to the Secretary-General for his report on products harmful to health and the environment,<sup>116</sup> which contains a review of the Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments;

2. *Notes with appreciation* the co-operative relationship established between the United Nations, the World Health Organization and the United Nations Environment Programme International Register of Potentially Toxic Chemicals for the preparation of the Consolidated List;

3. *Notes*, in this context, the need to utilize also the work being done by the Working Group on Export of Domestically Prohibited Goods and Other Hazardous Substances established by the General Agreement on Tariffs and Trade and those activities which are currently under way within the framework of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations in connection with implementation of prior informed consent schemes for chemicals and pesticides in international trade and which implement the system of information exchange envisaged by the developers of the Consolidated List, as well as the work being done under international agreements and conventions in related areas;

4. *Expresses its appreciation* for the growing co-operation by Governments in the preparation of the Consolidated List, and urges all Governments that have not yet done so to provide the necessary information for inclusion in updated versions of the Consolidated List;

5. *Requests* the Secretary-General to ensure, within existing resources, publication of the Consolidated List in English, French and Spanish, in accordance with demand, bearing in mind its resolution 39/229;

6. *Also requests* the Secretary-General to undertake a special effort to ensure effective and wider dissemination of the Consolidated List in all appropriate circles;

7. *Further requests* the Secretary-General, in this context, to consider ways and means of ensuring more effective involvement of non-governmental organizations in promoting the dissemination and utilization of the Consolidated List;

8. *Requests* the Secretary-General, in the context of the preparation of his next scheduled report on the question:

(a) To make specific suggestions on ways and means of providing technical co-operation, including through appropriate United Nations organizations, to countries, in particular developing countries, to create and strengthen their capacity to utilize the Consolidated List;

(b) To study all the pending issues, such as sustainable alternatives to banned and severely restricted products

<sup>117</sup> A/44/362 and Corr.1

<sup>118</sup> See UNEP/IG.80/3.

and unregistered pesticides, with a focus on improving the usefulness of the Consolidated List;

### III

#### CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

1. *Recognizes* the necessity of developing rules of international law, as early as practicable, on liability and compensation for damage resulting from the transboundary movement and disposal of hazardous wastes;

2. *Requests* the Executive Director of the United Nations Environment Programme, in accordance with the resolutions adopted at the Conference of Plenipotentiaries on the Global Convention on the Control of Transboundary Movements of Hazardous Wastes, held at Basel, Switzerland, from 20 to 22 March 1989, to establish, on the basis of equitable geographical representation and in consultation with Governments, an *ad hoc* working group of legal and technical experts to develop, as early as practicable, elements that might be included in a protocol on liability and compensation for damage resulting from the transboundary movement and disposal of hazardous wastes and to report to the preparatory committee of the United Nations conference on environment and development and to the Governing Council of the United Nations Environment Programme, in accordance with its mandate in this regard;

3. *Invites* the Executive Director of the United Nations Environment Programme and the Secretary-General of the International Maritime Organization, in consultation, as appropriate, with other relevant international organizations, to review the existing rules, regulations and practices with respect to the disposal of hazardous wastes at sea, in order to harmonize the provisions of the relevant conventions as adopted in this regard;

4. *Requests* the Secretary-General, in co-operation with the Executive Director of the United Nations Environment Programme, to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the progress achieved in the implementation of the provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and of the present resolution.

*85th plenary meeting  
22 December 1989*

#### 44/227. Implementation of General Assembly resolutions 42/186 and 42/187

*The General Assembly,*

*Recalling* its resolution 42/186 of 11 December 1987 on the Environmental Perspective to the Year 2000 and Beyond, in which it adopted the Environmental Perspective as a broad framework to guide national action and international co-operation on policies and programmes aimed at achieving sustainable and environmentally sound development in all countries,

*Recalling also* its resolution 42/187 of 11 December 1987 on the report of the World Commission on Environment and Development,<sup>119</sup> in which it welcomed the report and, *inter alia*, invited Governments and organizations of the United Nations system to take account of the analysis and recommendations contained in the report in determining their policies and programmes,

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

*Having considered* the report of the Secretary-General,<sup>120</sup> containing information on action taken by Governments and organizations of the United Nations system to pursue sustainable and environmentally sound development in all countries, and taking note of decision 15/2 of 26 May 1989 of the Governing Council of the United Nations Environment Programme,<sup>47</sup>

1. *Takes note* of the report of the Secretary-General;

2. *Notes with appreciation* the efforts made by Governments and intergovernmental and non-governmental organizations to promote sustainable and environmentally sound development in all countries;

3. *Expresses its concern*, none the less, that much more needs to be done in translating the increased understanding of the need for sustainable and environmentally sound development into concrete action in all countries;

4. *Notes with satisfaction* the regional activities that have taken place or are being planned with a view to promoting sustainable and environmentally sound development, including the First African Regional Conference on Environment and Sustainable Development, organized by the Economic Commission for Africa and the United Nations Environment Programme and held at Kampala from 12 to 16 June 1989, as well as similar conferences in the other regions planned to take place in 1990;

5. *Invites* Governments and the governing bodies of the organizations and programmes of the United Nations system, as well as other intergovernmental and non-governmental organizations, to intensify further their efforts towards promoting and achieving sustainable and environmentally sound development by integrating environmental concerns and considerations into policies and programmes in all areas;

6. *Notes with appreciation* the efforts made by the Secretary-General in reviewing, co-ordinating and strengthening the activities of the United Nations system for the promotion of sustainable and environmentally sound development;

7. *Notes* that serious environmental problems are arising for all countries and that those problems must be progressively addressed through preventive measures at their sources by national efforts and international co-operation;

8. *Reaffirms* that there is a direct interrelationship between environment and development, and recognizes that a supportive international economic climate conducive to sustained economic growth and development, particularly in developing countries, is of major importance for sound management of the environment;

9. *Reaffirms also* that environment issues are closely related to development policies and practices and that, consequently, environmental goals and actions need to be defined in relation to development objectives and policies;

10. *Notes* that the critical objectives for environment and development policies that follow from the need for sustainable and environmentally sound development must include creating a healthy, clean and safe environment in all countries, reviving overall economic growth, particularly in developing countries, and improving its quality, eradicating poverty and satisfying human needs by raising the standard of living and improving the quality of life ad-

<sup>119</sup> See A/42/427, annex.

<sup>120</sup> A/44/350-E/1989/99.