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DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION: ENVIRONMENT

Report of the Second Committee (Part VIII)*

Rapporteur: Ms. Martha DUEÑAS de WHIST (Ecuador)

I. INTRODUCTION

1. The Second Committee held a substantive debate on item 82 (see A/44/746, para. 2). Action to be taken on sub-item (f) was considered at the 31st, 32nd, 40th, 44th, 46th and 49th to 53rd meetings, on 6, 14, 20, 24 and 27 November, and on 11, 15, 17, 19 and 20 December 1989. An account of the Committee's consideration of the item is contained in the relevant summary records (A/C.2/44/SR.31, 32, 40, 44, 46 and 49-53).

II. CONSIDERATION OF PROPOSALS

A. Draft resolutions A/C.2/44/L.6, A/C.2/44/L.29 and Rev.1 and A/C.2/44/L.60

2. By decision 43/440 of 20 December 1988, the General Assembly, on the recommendation of the Second Committee, decided to defer further consideration of the draft resolution entitled "International co-operation in the monitoring, assessment and anticipation of environmental threats" until its forty-fourth session in conjunction with its consideration of the item on the environment (see A/C.2/44/L.6). The draft resolution read as follows:

* The report of the Committee on this item will be issued in 12 parts (see also A/44/746/Add.1-6 and 8-11).

"The General Assembly,

"Convinced that one of the major problems facing the world today is the deterioration of the environment,

"Aware that environmental degradation, in its various forms, has assumed such proportions as can cause irreversible changes in ecosystems, which threatens to undermine human well-being,

"Convinced that monitoring, assessment and anticipation of adverse threats to the stability of ecosystems are essential in ensuring early warning and attention on the highest political level,

"Aware that increased understanding, at various levels, of environmental conditions, through the provision of information, in particular on all environmental accidents, especially those with transboundary consequences, as well as through education and training, is essential for early detection and prevention of dangers to the human environment,

"Reaffirming the importance, in particular for the developing countries, of the acquisition and international exchange of experience and knowledge and of the promotion of the transfer of technology for the monitoring, assessment and protection of the environment in accordance with respective national laws, regulations and policies,

"Noting the results of the functioning of Earthwatch, established by the 1972 United Nations Conference on the Human Environment and operated by the United Nations Environment Programme, which contributes to the monitoring, assessment and anticipation of environmental degradation and dangers,

"Aware of the need to further develop and strengthen the capacity of Earthwatch to issue early warnings on environmental dangers and emerging environmental problems,

"Recognizing that those dangers and problems may constitute risks for international security in the field of environment under which the world would be safe against the direct or indirect negative environmental impacts of human activities,

"Noting with appreciation the work undertaken by the United Nations Environment Programme to develop criteria for the establishment of what would constitute threats to international security in the field of environment,

"Noting the proposals concerning early regional and international arrangements, including meetings of experts and political leaders, with a view to preparing for the convening not later than 1992 of a United Nations conference on environment and development at the highest possible level,

"1. Requests the Secretary-General, assisted by the Executive Director of the United Nations Environment Programme, to define on the basis of views

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of Member States, possible ways and means to strengthen the capacity of the United Nations, aimed at alerting the international community against imminent environmental dangers:

"(a) To monitor, assess and anticipate those dangers;

"(b) To lay down criteria for environmental degradation serious enough to endanger international security in the field of environment;

"(c) To issue early warnings and a call for action to the international community when such dangers become imminent;

"(d) To assess the need for new and additional financial resources and for increased technical co-operation in the field of environment, having in mind in particular the specific needs of the developing countries;

"(e) To assist Governments in taking concerted measures in monitoring, assessing and anticipating environmental risks related directly or indirectly to human activities;

"2. Also requests the Secretary-General to submit a consolidated report on those matters to the General Assembly at its forty-fourth session under the agenda item entitled "Development and international economic co-operation: environment", thus contributing, inter alia, to the preparatory process for a United Nations conference on environment and development;

"3. Further requests the Governing Council of the United Nations Environment Programme to consider the content of the present resolution and to report thereon to the General Assembly at its forty-fourth session through the Economic and Social Council."

3. At the 31st meeting, on 6 November, the representative of Czechoslovakia introduced a draft resolution (A/C.2/44/L.29) entitled "International co-operation in the monitoring, assessment and anticipation of environmental threats and in assistance in cases of environmental emergencies", on behalf of Australia, Austria, Canada, Colombia, Cyprus, Czechoslovakia, Ecuador, Malta, Mexico, Norway, Sweden, Trinidad and Tobago, Tunisia, the Ukrainian Soviet Socialist Republic and Uruguay, and orally revised it as follows:

(a) In the third preambular paragraph, the word "countries" was replaced by the word "nations";

(b) In the fourth preambular paragraph, the words ", as well as accidents," were inserted before the words "could pose";

(c) In the sixth preambular paragraph, the word "would" was replaced by the word "will";

(d) In the ninth preambular paragraph, the words "bearing in mind" were replaced by the words "taking into account";

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(e) In the tenth preambular paragraph, the words "in this context" were inserted after the words "Affirming the need";

(f) In operative paragraph 2, the words "through the General Assembly, with" were replaced by the words "through the United Nations General Assembly, due to";

(g) In operative paragraph 3, the word "countries" was replaced by the word "nations";

(h) In sub-paragraph (a) of operative paragraph 5, the words "threats to the environment" were replaced by the words "those threats"; and

(i) In sub-paragraph (f) of operative paragraph 5, the word "assistance" was replaced by the word "co-operation".

4. The draft resolution, as orally revised, read as follows:

"The General Assembly,

"Convinced that one of the major global problems facing the world today is deterioration of the environment,

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

"Aware that environmental degradation caused by human activities has assumed unacceptable proportions and has led in some cases to irreversible changes in the environment, thus threatening life-sustaining ecosystems and undermining the health, well-being, development prospects and security of nations,

"Also aware that potential environmental disasters, whether natural, accidental or caused by human beings, as well as accidents, could pose serious and immediate dangers to populations and to the economic development and the environment of the affected countries and regions,

"Convinced that, through monitoring, assessment, anticipation and prompt multilateral response - in particular, on the part of the United Nations system, environmental threats could be minimized or even prevented,

"Also convinced that early warnings of environmental threats will help Governments to take preventative action,

"Conscious of the importance of broader participation in Earthwatch, which was established by the United Nations Conference on the Human Environment 1/ and is operated by the United Nations Environment Programme, in

1/ See Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14).

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order to strengthen its capacity to make authoritative assessments, anticipate environmental degradation and issue early warnings to the international community,

"Noting with appreciation the work undertaken by the United Nations Environment Programme to develop criteria for the identification of environmental threats at the national, regional and global levels,

"Stressing the need for close co-operation between all countries - in particular, through a broad exchange of information, scientific knowledge, experience and technology - in monitoring, assessing and anticipating environmental threats, dealing with environmental emergencies, and rendering timely assistance, at the request of Governments, in accordance with respective national laws, regulations and policies and taking into account the particular needs of the developing countries,

"Affirming the need in this context for closer co-operation and co-ordination of the United Nations Environment Programme, the Office of the United Nations Disaster Relief Co-ordinator, the World Health Organization and the World Meteorological Organization, and other competent organs, programmes and agencies of the United Nations system,

"Taking into account the fact that other proposals have been made on the expansion within the United Nations system of international co-operation in monitoring, assessing and anticipating environmental threats and the rendering of timely environmental assistance in cases of emergencies,

"1. Recognizes the need to strengthen international co-operation in monitoring, assessing and anticipating environmental threats and rendering assistance in cases of environmental emergencies;

"2. Reaffirms that the United Nations system, through the United Nations General Assembly, due to its universal character, is the appropriate forum for concerted political action on global environmental problems, as referred to in this resolution;

"3. Reaffirms also the sovereignty of all nations over their natural resources and stresses their accountability to preserve and protect global and regional environments in accordance with their capacities and specific responsibilities;

"4. Requests the Secretary-General to submit a report on the matters addressed in the present resolution for consideration during the preparatory process for a United Nations conference on environment and development;

"5. Also requests the Secretary-General, assisted by the Executive Director of the United Nations Environment Programme, to define in the report mentioned above, on the basis of the views of Member States and existing national and international legislation in this field, possible ways and means to strengthen the capacity of the United Nations:

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"(a) To monitor, assess and anticipate those threats;

"(b) To establish criteria for determining when environmental degradation undermines health, well-being, development prospects and security at the national, regional and global levels to such an extent that international action may be required, if requested;

"(c) To issue early warnings to the international community when such degradation becomes imminent;

"(d) To facilitate intergovernmental co-operation in monitoring, assessing and anticipating environmental threats;

"(e) To assist Governments facing environmental emergencies, at their request;

"(f) To mobilize financial resources and technical co-operation to fulfil the above tasks, taking into account the needs of the countries concerned, particularly the developing countries;

"6. Invites the Governing Council of the United Nations Environment Programme to consider the report referred to in paragraph 4 above and to present its views thereon to the General Assembly at its forty-sixth session, through the Economic and Social Council."

5. The representative of Czechoslovakia then informed the Committee that, in light of draft resolution A/C.2/44/L.29, as orally revised, draft resolution A/C.2/44/L.6 was being withdrawn by the sponsors.

6. On 6 November 1989 a revised draft resolution (A/C.2/44/L.29/Rev.1) was submitted by the sponsors of draft resolution A/C.2/44/L.29 on the basis of informal consultations held on that draft resolution. The revised draft resolution read as follows:

"The General Assembly,

"Convinced that one of the major global problems facing the world today is deterioration of the environment,

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

"Aware that environmental degradation caused by human activities has assumed unacceptable proportions and has led in some cases to irreversible changes in the environment, thus threatening life-sustaining ecosystems and undermining the health, well-being, development prospects and security of nations,

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"Also aware that potential environmental disasters, whether natural, accidental or caused by human beings, as well as accidents could pose serious and immediate dangers to populations and to the economic development and the environment of the affected countries and regions,

"Convinced that through monitoring, assessment, anticipation and prompt multilateral response - in particular, on the part of the United Nations system - environmental threats could be minimized or even prevented,

"Also convinced that early warnings of environmental threats will help Governments to take preventative action,

"Conscious of the importance of broader participation in Earthwatch, which was established by the United Nations Conference on the Human Environment 2/ and is operated by the United Nations Environment Programme, in order to strengthen its capacity to make authoritative assessments, anticipate environmental degradation and issue early warnings to the international community,

"Noting with appreciation the work undertaken by the United Nations Environment Programme to develop criteria for the identification of environmental threats at the national, regional and global levels,

"Stressing the need for close co-operation between all countries - in particular, through a broad exchange of information, scientific knowledge, experience and technology - in monitoring, assessing and anticipating environmental threats, dealing with environmental emergencies, and rendering timely assistance, at the request of Governments, in accordance with respective national laws, regulations and policies and taking into account the particular needs and requirements of the developing countries,

"Affirming the need in this context for closer co-operation and co-ordination of the United Nations Environment Programme, the Office of the United Nations Disaster Relief Co-ordinator, the World Health Organization and the World Meteorological Organization, and other competent organs, programmes and agencies of the United Nations system,

"Taking into account the fact that other proposals have been made on the expansion within the United Nations system of international co-operation in monitoring, assessing and anticipating environmental threats and the rendering of timely environmental assistance in cases of emergencies,

"1. Recognizes the need to strengthen international co-operation in monitoring, assessing and anticipating environmental threats and rendering assistance in cases of environmental emergencies;

2/ See Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14).

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"2. Reaffirms that the United Nations system, through the United Nations General Assembly, due to its universal character, is the appropriate forum for concerted political action on global environmental problems, as referred to in this resolution;

"3. Reaffirms also the sovereignty of all nations over their natural resources and stresses their accountability to preserve and protect global and regional environments in accordance with their capacities and specific responsibilities;

"4. Requests the Secretary-General to submit a report on the matters addressed in the present resolution for consideration during the preparatory process for a United Nations conference on environment and development;

"5. Also requests the Secretary-General, assisted by the Executive Director of the United Nations Environment Programme, to define in the report mentioned above, on the basis of the views of Member States and existing national and international legislation in this field, possible ways and means to strengthen the capacity of the United Nations:

"(a) To monitor, assess and anticipate those threats;

"(b) To establish criteria for determining when environmental degradation undermines health, well-being, development prospects and security at the national, regional and global levels to such an extent that international action may be required, if requested;

"(c) To issue early warnings to the international community when such degradation becomes imminent;

"(d) To facilitate intergovernmental co-operation in monitoring, assessing and anticipating environmental threats;

"(e) To assist Governments facing environmental emergencies, at their request;

"(f) To mobilize financial resources and technical co-operation to fulfil the above tasks, taking into account the needs of the countries concerned, particularly the developing countries;

"6. Invites the Governing Council of the United Nations Environment Programme to consider the report referred to in paragraph 4 above and to present its views thereon to the General Assembly at its forty-sixth session, through the Economic and Social Council."

7. At the 46th meeting, on 27 November, the Vice-Chairman of the Committee, Mr. David Payton (New Zealand), made a statement in which he introduced draft resolution A/C.2/44/L.60, submitted by him on the basis of informal consultations held on revised draft resolution A/C.2/44/L.29/Rev.1.

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8. At the same meeting, the Committee adopted draft resolution A/C.2/44/L.60 by consensus (see para. 55, draft resolution I).

9. In light of the adoption of draft resolution A/C.2/44/L.60, draft resolution A/C.2/44/L.29/Rev.1 was withdrawn by the sponsors.

10. After the adoption of the draft resolution, statements were made by the representatives of Czechoslovakia and the Union of Soviet Socialist Republics (see A/C.2/44/SR.46).

B. Draft resolutions A/C.2/44/L.33 and L.72

11. For consideration of and action on draft resolutions A/C.2/44/L.33 and L.72, entitled "Plan of action to combat desertification", see A/44/746/Add.8, paras. 5-8).

C. Draft resolutions A/C.2/44/L.28 and Rev.1, A/C.2/44/L.30 and Rev.1 and A/C.2/44/L.81

12. At the 31st meeting, on 6 November, the representatives of Japan introduced a draft resolution (A/C.2/44/L.28) entitled "Driftnet fishing and its impact on the living marine resources of the world's oceans and seas", which read as follows:

"The General Assembly,

"Noting the concern of some countries over the increasing use of driftnets, which may have an impact on the living marine resources of the world's oceans,

"Mindful that driftnet fishing can be an indiscriminate fishing method which, unless properly regulated, may threaten the effective conservation of living marine resources,

"Expressing concern that non-targeted species of fish, marine mammals, seabirds and other living marine resources of the world's oceans, in addition to targeted fish species, may become entangled and die in driftnets, either in those that are in active use or in those that are lost or discarded,

"Recognizing that a large number of fishing vessels use driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and other waters within and beyond the exclusive economic zone of any country,

"Also recognizing that any regulatory measures to be taken for the conservation of living marine resources should be based on scientific data and analysis,

"Affirming that all members of the international community have a duty to co-operate, globally and regionally, in the conservation and management of

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living marine resources and to take - or to co-operate with others in taking - such measures as may be necessary for such conservation,

"Noting that some members of the international community have implemented co-operative enforcement and monitoring programmes to evaluate the impact of driftnet fishing,

"1. Calls upon members of the international community to review regularly the existing data on the effects of driftnet fishing and to co-operate with other countries concerned, in regulating and monitoring the practice, as needed, to mitigate its adverse effects;

"2. Recommends that members of the international community agree to take further appropriate regulatory measures, including a moratorium on driftnet fishing, in case available scientific data require such measures;

"3. Requests the appropriate organs, organizations and programmes of the United Nations system to consider this question in their activities;

"4. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, and well-established scientific institutions with expertise in connection to living marine resources;

"5. Also requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution."

13. At the 31st meeting, on 6 November, the representative of the United States of America, introduced a draft resolution (A/C.2/44/L.30) entitled "Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas", on behalf of Australia, Canada, Colombia, Fiji, Mauritania, New Zealand, Papua New Guinea, Solomon Islands, Sweden, the United States of America, Vanuatu and Zaire, subsequently joined by Mauritius. The draft resolution read as follows:

"The General Assembly,

"Disturbed by the dramatic increase in the use of large-scale pelagic driftnets, which can exceed 30 miles (48 kilometres) in length, to catch living marine resources on the high seas of the world's oceans,

"Mindful that large-scale pelagic driftnet fishing is an indiscriminate fishing method which threatens the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

"Expressing serious concern that, in addition to targeted species of fish, non-targeted species, marine mammals, seabirds and other living marine resources of the world's oceans, including endangered species, become

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entangled and die in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded,

"Recognizing that several thousand fishing vessels use large-scale pelagic driftnets in the high-seas areas of the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and in other waters beyond the exclusive economic zone of any country,

"Affirming that all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

"Noting that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the existing scientific data indicating that large-scale pelagic driftnet fishing is having an unacceptable impact on the marine life of that region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

"Also noting the Declaration adopted by the heads of Government of the South Pacific Forum at Tarawa on 11 July 1989 which, inter alia, called for a ban on such driftnet fishing methods in that region and noting that some members of the international community have entered into negotiations on a convention that would establish the cessation of large-scale pelagic driftnet fishing in their exclusive economic zones or by their nationals,

"Further noting that some members of the international community have entered into co-operative enforcement and monitoring arrangements to evaluate and mitigate the adverse 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 those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community in the continued and enhanced collection of scientific data on the impact of such fishing methods and the conservation of the world's living marine resources;

"2. Recommends that all members of the international community review by 30 June 1991 or earlier, reflecting the emergence of an international or regional consensus, the existing data on the effects of large-scale pelagic driftnet fishing, and agree to co-operative regulation and monitoring, as needed, to mitigate the adverse effects of the practice;

"3. Further recommends that all members of the international community agree to:

"(a) An immediate ban on the practice of driftnet fishing in the South Pacific region to prevent severely adverse - perhaps irremediable - effects on South Pacific fisheries and to allow time for the development of comprehensive fisheries management programmes;

"(b) A moratorium on all high-seas driftnet fishing by 30 June 1992 unless or until it is agreed that the unacceptable impact of such a practice can be prevented and that the conservation of the world's living marine resources can be ensured;

"4. Asks the appropriate organs, organizations and programmes of the United Nations system to consider this question as part of their regular programmes of activities;

"5. 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;

"6. Also requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution;

"7. Decides to include the question of large-scale pelagic driftnet fishing on the provisional agenda of its forty-fifth session."

14. On 13 November 1989, draft resolution A/C.2/44/L.28/Rev.1 was submitted by the sponsors of draft resolution A/C.2/44/L.28 as a result of informal consultations held on that draft resolution. The revised draft resolution read as follows:

"The General Assembly,

"Noting the concern of some countries over the increasing use of driftnets, which may have an impact on the living marine resources of the world's oceans,

"Mindful that driftnet fishing can be an indiscriminate fishing method which, unless properly regulated, may threaten the effective conservation of living marine resources,

"Expressing concern that non-targeted species of fish, marine mammals, seabirds and other living marine resources of the world's oceans, in addition to targeted fish species, may become entangled and die in driftnets, either in those that are in active use or in those that are lost or discarded,

"Recognizing that a large number of fishing vessels use driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and other waters within and beyond the exclusive economic zone of any country,

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"Also recognizing that any regulatory measures to be taken for the conservation of living marine resources should be based on scientific data and analysis,

"Further recognizing that driftnet fishing conducted in coastal waters by developing countries provides an important basis for their subsistence and economic development and should therefore be given special consideration,

"Affirming that all members of the international community have a duty to co-operate, globally and regionally, in the conservation and management of living marine resources and to take - or to co-operate with others in taking - such measures as may be necessary for such conservation,

"Noting that some members of the international community have implemented co-operative enforcement and monitoring programmes to evaluate the impact of driftnet fishing,

"Further 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 members of the international community to review regularly the existing data on the effects of driftnet fishing and to co-operate with other countries concerned, in regulating and monitoring the practice, as needed, to mitigate its adverse effects;

"2. Recommends that members of the international community agree to take further appropriate regulatory measures, including a moratorium on driftnet fishing, in case available scientific data require such measures;

"3. Requests the appropriate organs, organizations and programmes of the United Nations system to consider this question in their activities;

"4. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, and well-established scientific institutions with expertise in connection to living marine resources;

"5. Invites the Director-General of the Food and Agriculture Organization of the United Nations to establish an ad hoc expert group, with members drawn from the officials of interested Governments and appropriate international organizations at their own expense, to prepare a scientific analysis of the impact of driftnet fishing on living marine resources and to submit a report, based on the work of said expert group, to the General Assembly at its forty-sixth session through the Secretary-General of the United Nations;

"6. Also requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution."

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15. On 15 November 1989, draft resolution A/C.2/44/L.30/Rev.1 was submitted by the sponsors of draft resolution A/C.2/44/L.30, now joined by the Bahamas, Chile, Mexico, Samoa and Zambia on the basis of informal consultations held on that draft resolution. The revised draft resolution read as follows:

"The General Assembly,

"Disturbed by the dramatic increase in the use of large-scale pelagic driftnets, which can reach or exceed 30 miles (48 kilometres) in length, to catch living marine resources on the high seas of the world's oceans and seas,

"Mindful that large-scale pelagic driftnet fishing is an indiscriminate and wasteful fishing method which threatens the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

"Expressing serious concern that, in addition to targeted species of fish, non-targeted species of fish, marine mammals, seabirds and other living marine resources of the world's oceans and seas, including endangered species, become entangled and die in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded,

"Recognizing that several thousand fishing vessels use large-scale pelagic driftnets in the high-seas areas of the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and in other waters beyond the exclusive economic zone of any country,

"Recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,

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

"Affirming that, in accordance with the relevant articles of the United Nations Convention on the Law of the Sea, all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

"Recalling the responsibility of all members of the international community to ensure the conservation and management of living marine resources within their exclusive economic zones and waters under their national jurisdiction,

"Noting that coastal States are also concerned about the threat to fish stocks adjacent to their exclusive economic zones, which is a result of the overexploitation of these stocks,

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"Also noting that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the existing scientific data indicating that large-scale pelagic driftnet fishing is having an unacceptable impact on the marine life of that region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

"Also noting the Declaration adopted by the heads of Government of the South Pacific Forum at Tarawa on 11 July 1989 which, inter alia, called for a ban on such driftnet fishing methods in that region and noting that some members of the international community have entered into negotiations on a convention that will establish the cessation of large-scale pelagic driftnet fishing in the exclusive economic zones or by the nationals of those members,

"Further noting that some members of the international community have entered into co-operative enforcement and monitoring arrangements to evaluate and mitigate the adverse 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 those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community in the continued and enhanced collection of scientific data on the impact of such fishing methods and the conservation of the world's living marine resources;

"2. Recommends that all members of the international community review by 30 June 1991 or earlier, reflecting the emergence of an international or regional consensus, the existing data on the effects of large-scale pelagic driftnet fishing, and agree to co-operative regulation and monitoring, as needed, to mitigate the adverse effects of the practice;

"3. Calls upon members of the international community to strengthen their co-operation in the conservation and management of living marine resources;

"4. Also recommends that all members of the international community agree to:

"(a) An immediate ban on the practice of large-scale driftnet fishing in the South Pacific region to prevent severely adverse - perhaps irremediable - effects on South Pacific fisheries and to allow time for the development of comprehensive fisheries arrangements and management programmes;

"(b) An immediate cessation to further expansion in driftnet fishing on the high seas of the North Pacific to prevent the additional threat to conservation of living marine resources in the region;

"(c) A moratorium on all high-seas driftnet fishing by 30 June 1992 unless or until it is agreed that the unacceptable impact of such a practice

can be prevented and that the conservation of the world's living marine resources can be ensured;

"5. Asks the appropriate organs, organizations and programmes of the United Nations system to consider this question as part of their regular programmes of activities;

"6. 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;

"7. Also requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution;

"8. Decides to include this question on the provisional agenda of its forty-fifth session."

16. At the 50th meeting, on 15 December, the Vice-Chairman of the Committee, Mr. David Payton (New Zealand), introduced a draft resolution (A/C.2/44/L.81) entitled "Large-scale pelagic driftnet fishing and its impacts on the living marine resources of the world's oceans and seas", submitted by him on the basis of informal consultations held on draft resolutions A/C.2/44/L.28/Rev.1 and A/C.2/44/L.30/Rev.1.

17. At the same meeting, following statements by the representatives of Mauritania and Ecuador and by the Assistant-Secretary-General for the Department of International Economic Co-operation in reply to questions raised, the Committee adopted draft resolution A/C.2/44/L.81 without a vote (see para. 55, draft resolution II).

18. In light of the adoption of draft resolution A/C.2/44/L.81, draft resolutions A/C.2/44/L.28/Rev.1 and A/C.2/44/L.30/Rev.1 were withdrawn by their respective sponsors.

19. After the adoption of the draft resolution, statements were made by the representatives of Argentina, Turkey and Algeria (see A/C.2/44/SR.50).

20. The representative of the Food and Agriculture Organization of the United Nations made a statement in response to questions raised (see A/C.2/44/SR.50).

D. Draft resolutions A/C.2/44/L.43 and Rev.1 and A/C.2/44/L.80

21. At the 40th meeting, on 20 November, the representative of Malaysia, on behalf of the States Members of the United Nations that are members of the Group of 77, introduced a draft resolution (A/C.2/44/L.43) entitled "Traffic in and disposal,

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control and transboundary movements of toxic and dangerous products and hazardous wastes", which read as follows:

"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,

"Having considered its resolution 42/183 of 11 December 1987 on the traffic in toxic and dangerous products and wastes,

"Recalling also 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',

"Having considered also Economic and Social Council resolution 1988/70 of 28 July 1988,

"Recalling also Economic and Social Council resolution 1988/71 of 28 July 1988,

"Taking note of the report of the Secretary-General on products harmful to health and the environment 3/ and Economic and Social Council decision 1989/177 of 27 July 1989,

"Welcoming the report of the Secretary-General on illegal traffic in toxic and dangerous products and wastes, 4/

"Taking note of the conclusion of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 5/

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

"Convinced that a severe threat to the environment and to human health is presented by illegal traffic in toxic and dangerous products and wastes,

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

3/ A/44/276-E/1989/78.

4/ A/44/362 and Corr.1.

5/ See UNEP/IG.80/3.

"Deeply concerned that cases of illegal transboundary movements and dumping of dangerous wastes continue to occur, affecting, in particular, developing countries,

"Also convinced of the need to assist all countries, particularly developing countries, in obtaining all necessary 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 the regional commissions to establish an adequate and permanent mechanism to monitor and assess the illegal traffic in toxic and dangerous products and wastes in every region and its environmental and health implications, in close co-ordination with the United Nations Environment Programme and other relevant bodies of the United Nations, and to report thereon every year to the Economic and Social Council at its second regular session;

"2. Also requests the regional commissions to interact among themselves with a view to maintaining efficient and co-ordinated monitoring and assessment of the 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 accordance with the biennial consideration of environmental issues;

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

"5. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its forty-fifth session;

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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, 6/ 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 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, as well as under international agreements and conventions in related areas, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal;

"4. Expresses its appreciation for the growing co-operation extended 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 list;

"5. Requests the Secretary-General, in view of the growing demand for updated and timely information and bearing in mind its resolution 39/229, to publish the Consolidated List annually in English, French and Spanish;

"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 to assist 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 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, as early as practicable, on liability and compensation for damage resulting from the transboundary movement and disposal of hazardous wastes;

"2. Resolves that until such time as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal comes into force and appropriate criteria are determined, all States shall refrain from activities which are inconsistent with the objectives and purposes of the Convention;

"3. Calls upon all States, including those that did not participate in the Basel Conference, to consider signing and becoming parties to the Basel Convention and to strengthen their co-operation in problem areas within the scope of the Convention;

"4. Requests the Executive Director of the United Nations Environment Programme, in accordance with the resolutions adopted at the Basel Conference, 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 draft, as early as practicable, 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 whole of the United Nations conference on environment and development;

"5. 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 the light of the Basel Convention and with a view to harmonizing the provisions of the Convention with those of the 1972 London Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters;

"6. 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 and of the present resolution."

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22. On 29 November 1989, draft resolution A/C.2/44/L.43/Rev.1 was submitted by the sponsors of draft resolution A/C.2/44/L.43 on the basis of informal consultations held on that draft resolution. The revised draft resolution read as follows:

"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,

"Having considered its resolution 42/183 of 11 December 1987 on the traffic in toxic and dangerous products and wastes,

"Recalling also 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',

"Having considered also Economic and Social Council resolution 1988/70 of 28 July 1988,

"Recalling also Economic and Social Council resolution 1988/71 of 28 July 1988,

"Taking note of the report of the Secretary-General on products harmful to health and the environment 7/ and Economic and Social Council decision 1989/177 of 27 July 1989,

"Welcoming the report of the Secretary-General on illegal traffic in toxic and dangerous products and wastes, 8/

"Taking note of the conclusion of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 9/

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

"Convinced that a severe threat to the environment and to human health is presented by illegal traffic in toxic and dangerous products and wastes,

7/ A/44/276-E/1989/78.

8/ A/44/362 and Corr.1.

9/ See UNEP/IG.80/3.

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

"Deeply concerned that cases of illegal transboundary movements and dumping of dangerous wastes continue to occur, affecting, in particular, developing countries,

"Also convinced of the need to assist all countries, particularly developing countries, in obtaining all necessary 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 the regional commissions to establish an adequate and permanent mechanism to monitor and assess the illegal traffic in toxic and dangerous products and wastes in every region and its environmental and health implications, in close co-ordination with the United Nations Environment Programme and other relevant bodies of the United Nations, and to report thereon every year to the Economic and Social Council at its second regular session;

"2. Also requests the regional commissions to interact among themselves with a view to maintaining efficient and co-ordinated monitoring and assessment of the 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 accordance with the biennial consideration of environmental issues;

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

"5. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its forty-fifth session;

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, 1/ 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 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, as well as under international agreements and conventions in related areas, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal;

"4. Expresses its appreciation for the growing co-operation extended 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 list;

"5. Requests the Secretary-General, in view of the growing demand for updated and timely information and bearing in mind its resolution 39/229, to publish the Consolidated List annually in English, French and Spanish;

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

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III

"Control of transboundary movements of hazardous wastes and their disposal"

"1. Recognizes the necessity of developing rules, 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 Basel Conference, 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 draft, as early as practicable, 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 whole of the United Nations conference on environment and development;

"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 and of the present resolution."

23. At the 51st meeting, on 17 December, the Vice-Chairman of the Committee, Mr. David Payton (New Zealand), introduced a draft resolution (A/C.2/44/L.80) entitled "Traffic in and disposal, control and transboundary movements of toxic and dangerous products and wastes", which he submitted on the basis of informal consultations held on draft resolution A/C.2/44/L.43/Rev.1.

24. At the same meeting, the Committee adopted draft resolution A/C.2/44/L.80 without a vote (see para. 55, draft resolution III).

25. In light of the adoption of draft resolution A/C.2/44/L.80, draft resolution A/C.2/44/L.43/Rev.1 was withdrawn by the sponsors.

26. After the adoption of the draft resolution, statements were made by the representatives of the United States of America and France (on behalf of the States Members of the United Nations that are members of the European Community) (see A/C.2/44/SR.51).

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E. Accession by the United Nations to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency

27. At its 51st meeting, on 17 December, the Committee, upon the proposal of the Chairman, decided to recommend to the General Assembly that, recalling its decision 43/441 of 20 December 1988, and taking note of the letters contained in document A/C.2/44/9 and A/C.2/44/10, it defer action on the question of the accession by the United Nations to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency to a future session pending a request for its consideration (see para. 56, draft decision I).

F. Draft resolutions A/C.2/44/L.64 and Rev.1

28. At the 46th meeting, on 27 November, the representative of Norway introduced a draft resolution (A/C.2/44/L.64) entitled "Implementation of General Assembly resolutions 42/186 and 42/187", on behalf of Argentina, Colombia, Costa Rica, Czechoslovakia, Denmark, Finland, Hungary, Iceland, India, Indonesia, Kenya, Malta, Mauritania, Mexico, Morocco, New Zealand, Norway, Peru, Poland, Sweden, Tunisia, Uganda, the Union of Soviet Socialist Republics, Uruguay, Venezuela and Yugoslavia, subsequently joined by Austria, Bulgaria, China and Myanmar. The draft resolution read as follows:

"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 Perspective as a broad framework to guide national and international co-operation on policies and programmes aimed at achieving sustainable and environmentally sound development in all countries,

"Recalling further its resolution 42/187 of 11 December 1987 on the report of the World Commission on Environment and Development, 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 also 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 on the implementation of resolutions 42/186 and 42/187, 10/ containing information on action taken by Governments and organizations of the United Nations system to pursue sustainable and environmentally sound development in all countries,

"1. Takes note of the report of the Secretary-General; 10/

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

"3. Expresses at the same time its concern 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, particularly in developed countries;

"4. Notes also with satisfaction regional activities which have taken place or are being planned with a view to promoting sustainable and environmentally sound development - inter alia, the First Regional Conference on Environment and Sustainable Development in Africa, organized by the Economic Commission for Africa and the United Nations Environment Programme in Kampala, Uganda, in 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 organs, 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 also with appreciation 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 in 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 favourable international economic environment that results in sustained economic growth and development, particularly in developing countries, is of major importance for sound management of the environment;

"9. Further notes that the critical objectives for the environment and development policies that follow from the need for sustainable and environmentally sound development must include creating a healthy, clean and safe environment, 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 the quality of life, addressing the issues of sound management and enhancement of the resource base, promotion, accelerated development, and transfer of environmentally sound

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technology, minimization of environmental dangers, and merging environment and economics in decision-making, as well as the interrelationship between people, resources, environment and development;

"10. Stresses that sustainable and environmentally sound development requires changes in existing production and consumption patterns, in particular in industrialized countries, and the development of environmentally sound technologies, ensuring transfer and favourable access, including on a concessional and non-commercial basis, to such technologies, with emphasis on new and emerging ones, in particular by developing countries, and supporting research and development efforts by developing countries to enhance their capabilities to develop and apply such technologies;

"11. Endorses the views and suggestions of the Governing Council of the United Nations Environment Programme at its fifteenth session on the implementation of General Assembly resolutions 42/186 and 42/187 of 11 December 1987 contained in the report of the Secretary-General, and regards Governing Council decision 15/2 and its annexes as a positive step towards a better understanding and a more concrete meaning of the concept of sustainable and environmentally sound development and of the implications of the implementation of the concept for all countries, and invites Governments and the governing bodies of the organs, organizations and programmes of the United Nations system as well as other intergovernmental and non-governmental organizations to take them into account in their further efforts towards promoting and achieving sustainable and environmentally sound development in all countries;

"12. Reaffirms the need to provide new and additional financial resources to support developing countries in identifying, analysing, monitoring, preventing and managing environmental problems, primarily at their source, in accordance with their national development goals, objectives and plans, so as to ensure that their development priorities are not adversely affected;

"13. Stresses also the need for additional financial resources for measures towards solving major environmental problems of global concern, and in particular to support those countries for whom the implementation of such measures would entail a special or abnormal burden, in particular due to their level of development or lack of financial resources and/or technical capacity;

"14. Reaffirms the need for developed countries and relevant organs, organizations and bodies of the United Nations system to strengthen technical co-operation with the developing countries to assist them to develop their endogenous capacity for identifying, analysing, monitoring, preventing and managing environmental problems in accordance with their national development plans, priorities and objectives;

"15. Reaffirms the sovereignty of all nations over their natural resources and stresses 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 to

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play their due role in preserving and protecting the global and regional environment in accordance with their capacities and specific responsibilities;

"16. Considers that the regional follow-up conferences should contribute to a better understanding and a more concrete meaning of the concept of sustainable and environmentally sound development and of the implications of the implementation of the concept, and make important substantive contributions to the proposed United Nations Conference on Environment and Development in 1992;

"17. Invites the preparatory committee for the proposed 1992 Conference to take duly into account the recommendations contained in the Environmental Perspective to the Year 2000 and Beyond and the report of the World Commission on Environment and Development in the preparatory process for the Conference as well as recommendations for action by the General Assembly and the Economic and Social Council, and the views and suggestions expressed by the Governing Council of the United Nations Environment Programme and other organs, organizations and bodies of the United Nations system on those matters;

"18. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session, through the Governing Council of the United Nations Environment Programme and the Economic and Social Council, a progress report on the implementation of the present resolution, taking into account the work of the preparatory committee for the proposed 1992 Conference;

"19. Further requests the Secretary-General to prepare, for presentation to the proposed 1992 Conference, and for the further submission to the General Assembly at its forty-seventh session, a new consolidated report on the further substantive follow-up of resolutions 42/186 and 42/187 by Governments and organizations of the United Nations system."

29. At the 52nd meeting, on 19 December, the Vice-Chairman of the Committee made a statement in which he informed the Committee of the results of informal consultations held on draft resolution A/C.2/44/L.64, and drew the Committee's attention to a revised draft resolution (A/C.2/44/L.64/Rev.1), submitted by the sponsors of draft resolution A/C.2/44/L.64, which he further orally revised by replacing operative paragraph 11, which read:

"Stresses that sustainable and environmentally sound development requires changes in existing production and consumption patterns, in particular in industrialized countries, and the development of environmentally sound technologies, ensuring transfer and favourable access, including on a concessional and non-commercial basis, to such technologies, with emphasis on new and emerging ones, in particular by developing countries, and supporting research and development efforts by developing countries to enhance their capabilities to develop and apply such technologies;"

by the following:

/...

"Stresses that sustainable and environmentally sound development requires changes in the unsustainable pattern of production and consumption, particularly in industrialized countries, and the development of environmentally sound technologies, and in this context stresses also the need to examine with a view to recommend 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 the field of 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;".

30. At the same meeting, the Committee adopted draft resolution A/C.2/44/L.64/Rev.1, as orally revised, by consensus (see para. 55, draft resolution IV).

31. After the adoption of the revised draft resolution, the representative of Norway made a statement (see A/C.2/44/SR.52).

G. Draft resolutions A/C.2/44/L.7, L.55, L.58 and L.86

32. By its resolution 1989/87 of 26 July 1989, the Economic and Social Council decided to transmit decision 15/3 of the Governing Council of the United Nations Environment Programme, together with the views on convening a United Nations conference on environment and development expressed under items 2 (General discussion of international economic and social policy, including regional and sectoral developments) and 7 (f) (Development and international economic co-operation: environment), of the agenda of the second regular session of 1989 of the Economic and Social Council, 11/ to the General Assembly at its forty-fourth session for consideration and appropriate action. The draft resolution read as follows:

"The Governing Council,

"Taking note of General Assembly resolution 43/196 of 20 December 1988 by which it decided to consider at its forty-fourth session the question of the convening, no later than 1992, of a United Nations conference on environment and development, with a view to taking an appropriate decision on the exact scope, title, venue and date of such a conference and on the modalities and financial implications of holding the conference,

11/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 45 (A/44/25).

"Recalling that the General Assembly in paragraph 5 of its resolution 43/196 invited the Governing Council to consider the documents referred to in paragraphs 2 to 4 of that resolution and on the basis of that consideration to submit to the General Assembly at its forty-fourth session, through the Economic and Social Council, its views on the matters referred to in the resolution, in particular its views on the objectives, content and scope of the conference,

"Decides to recommend that the General Assembly, when taking a decision on the exact scope, title, venue and date of a United Nations conference on environment and development, to be held no later than 1992, and on the modalities and financial implications of holding the conference, should consider the elements annexed to the present decision.

"Annex

**"ELEMENTS TO BE CONSIDERED FOR INCLUSION IN A RESOLUTION OF
THE GENERAL ASSEMBLY AT ITS FORTY-FOURTH SESSION OF THE
CONVENING OF A UNITED NATIONS CONFERENCE ON ENVIRONMENT
AND DEVELOPMENT NO LATER THAN 1992**

"A. Preambular elements

"Recalling its resolution 43/196 of 20 December 1988, by which it decided to consider at its forty-fourth session the question of the convening of a United Nations conference on environment and development no later than 1992, with a view to taking an appropriate decision on the exact scope, title, venue and date of such a conference and on the modalities and financial implications of holding the conference,

"Taking note with appreciation of the report of the Secretary-General on the conference submitting the views of Governments and of appropriate organs, organizations and programmes of the United Nations system and relevant intergovernmental and non-governmental organizations,

"B. Operative elements

"1. Decides to convene a United Nations Conference on Environment and Development of two weeks' duration and at the highest level of participation, to coincide, if possible, with World Environment Day, 5 June 1992;

"2. Affirms that the preamble of resolution 43/196 broadly sets out the scope and general objectives for the Conference;

/...

"3. Notes in this context the importance of exploring the best ways and means of promoting sustainable and environmentally sound development in all countries through preventive measures at the sources of environmental and natural resources degradation, taking into account the Environmental Perspective to the Year 2000 and Beyond and the report of the World Commission on Environment and Development;

"4. Affirms also that 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 for achieving an environmentally sound and sustainable development in all countries:

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

"(b) Protection of the quality of freshwater resources;

"(c) Protection of ocean and coastal areas and resources;

"(d) Protection of land resources by combating deforestation and desertification;

"(e) Conservation of biological diversity;

"(f) Environmentally sound management of biotechnology;

"(g) Environmentally sound management of hazardous wastes and toxic chemicals;

"(h) Protection of human health conditions and quality of life, especially the living and working environment of poor people, from degradation of the environment;

"5. Decides that the Conference should:

"(a) Examine the state of the environment twenty years after the 1972 United Nations Conference on the Human Environment, including reviewing actions taken by all countries and intergovernmental organizations to protect and enhance the environment and how environmental concerns have been incorporated in economic and social policies and planning;

"(b) Identify strategies to be co-ordinated, as appropriate, regionally and globally for national and international action, with a view to arriving at formal agreements by Governments on specific commitments for defined activities to deal with major environmental issues in the economic and social development processes and within a particular time-frame;

"(c) Define guidelines to protect the environment through preventive action at the sources by, inter alia, incorporating environmental concerns in the economic and social development processes, taking into account the specific needs of developing countries;

"(d) Identify ways and means to further development of and provision of information on environmentally sound technologies and environmental management, to facilitate access to and transfer of such information and technologies, in particular to developing countries, without excessive costs, and to assist the development by those countries of their own technologies;

"(e) Promote an open and timely exchange of information on national environmental policies, situations and accidents;

"(f) Assess the capacity of the United Nations system to monitor environmental threats and deal with environmental emergencies and make recommendations for improvement;

"(g) Recommend measures to the relevant international organizations to promote a supportive international economic environment through specific commitments by Governments that would result in sustained and environmentally sound development and economic growth in all countries, with a view to combating poverty and improving the quality of life;

"(h) Promote the development or strengthening of appropriate institutions at the national, regional and global level to address environmental matters in the context of economic and social development processes;

"(i) Promote environmental education, especially of the younger generation;

"(j) 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 conclusions of the Conference;

"(k) Quantify financial requirements for the successful implementation of Conference decisions and recommendations, and identify possible sources, including innovative ones, in the international community for additional resources as may be required;

"6. Decides that the intergovernmental Preparatory Committee, with its own rules of procedure, be the Governing Council of the United Nations Environment Programme, open on a basis of equality to all States Members of the United Nations or members of a specialized agency or of the International Atomic Energy Agency;

"7. Further decides that the first session of the Preparatory Committee should be held in June 1990 and that the Committee should hold three more sessions at venues to be decided by the Committee;

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"8. Decides that the Preparatory Committee at its first session shall elect its Bureau, consisting of a Chairman, eight Vice-Chairmen and a Rapporteur, with due regard to equitable geographical representation;

"9. Requests the Secretary-General, with the assistance of the Executive Director of the United Nations Environment Programme, to set up immediately a separate, independent and adequate Conference secretariat in Geneva and to appoint a Secretary-General of the Conference to head that secretariat;

"10. Invites all States to take an active part in the preparations for the Conference and to establish broad-based national preparatory processes with active popular participation and to submit national reports articulating their views on, and commitments in regard to, the areas and issues to be considered by the Conference, including their perception of national priorities and needs and their expectations of regional and global institutions;

"11. Recommends that the Secretary-General of the Conference should put forward suggested guidelines to enable States to adopt a common approach in their preparations and reporting;

"12. Decides to establish a voluntary fund at the disposal of the Secretary-General of the Conference, for the purpose of supporting developing countries, particularly the least developed among them, to participate effectively in the Conference and in its preparatory process and invites Governments to contribute to this fund;

"13. Invites the scientific community, industry and trade unions to take an active part in the Conference and its preparations;

"14. Requests, in view of the important role of non-governmental organizations in promoting popular participation and raising environmental awareness, that non-governmental organizations concerned be systematically involved in the planning and programming of the Conference;

"15. Invites the organs, organizations and programmes of the United Nations system, as well as relevant intergovernmental organizations, to contribute fully to the Conference and its preparation, including through the provision of expert advice and the secondment of staff;

"16. Stresses the importance of holding of regional conferences on environment and development and urges the regional commissions of the United Nations to ascertain that the results of these conferences are introduced into the preparatory process for the 1992 Conference and to participate actively in that process.

33. At the 44th meeting, on 24 November, the representative of Malaysia, on behalf of the States Members of the United Nations that are members of the Group of 77, introduced a draft resolution (A/C.2/44/L.55) entitled "United Nations Conference on Environment and Development 1992", which read as follows:

/...

"The General Assembly,

"Recalling resolution 43/196 of 20 December 1988, entitled 'A United Nations conference on environment and development',

"Taking note of decision 15/3 of the Governing Council of the United Nations Environment Programme of 23 May 1989 entitled 'United Nations conference on environment and development',

"Taking note of resolution 1989/87 of the Economic and Social Council of 26 July 1989 entitled 'Convening of a United Nations conference on environment and development',

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

"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,

"Noting the report of the Secretary-General entitled 'Question of the convening of a United Nations conference on environment and development' (A/44/256),

"Recognizing the importance for all countries of the protection of the environment,

"Emphasizing that the accumulation and deployment of nuclear and other weapons of mass destruction constitute a grave threat to the environment,

"Gravely concerned that the main cause of the continuing deterioration of the global environment is the unsustainable pattern of production and consumption prevailing in developed countries,

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

"Recognizing the need for measures taken at the international level to take fully into account the existing asymmetry in the global patterns of production and consumption with a view to consciously redress it,

"Affirming that the responsibility for containing, reducing and eliminating global environmental damage must be borne by the States causing such damage, in direct proportion to the damage caused,

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"Conscious of the crucial role of science and technology in the field of environmental protection and of the need of developing countries to be given unrestricted and non-commercial access to the fruits of research and development in this area,

"Stressing the need for environmentally sound technologies, processes, equipment and related research and expertise, to be extended to developing countries through international co-operation designed to further global efforts for environmental protection including through innovative and effective modalities,

"Bearing in mind that substantial, new and additional financial resources will have to be channelled to developing countries in order to ensure their effective participation in the 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 1992;

"2. Accepts with deep appreciation the generous offer of the Government of Brazil to host the Conference;

"3. Affirms that strengthening of international co-operation for the promotion of economic growth in developing countries is essential to address the problem of environmental degradation in these countries;

"4. Further affirms the importance of a supportive international economic environment that would result in sustained economic growth and development in all countries for environmental protection;

"5. Reaffirms the sovereignty of all nations over their natural resources and stresses 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 to play their due role in preserving and protecting global and regional environments in accordance with their capacities and specific responsibilities;

"6. Reaffirms also the responsibility of States for the damage caused by them to the environment and natural resources by their transboundary interference;

"7. Reiterates its support of the just demands of the developing countries affected by the implantation of mines and the presence of other remnants of war in their territories for compensation and for complete removal of those obstacles by the States that implanted them;

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"8. Further notes 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 recognizes that those countries have the main responsibility for combating such pollution;

"9. Stresses that large industrial enterprises, including transnational corporations, are frequently the repositories of scarce technical skills for the preservation of the environment, and conduct activities in sectors that have an impact on the environment and, to that extent, have specific responsibilities;

"10. Reaffirms also that the serious external indebtedness of developing countries 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 the global efforts to protect the environment;

"11. 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 for achieving an 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 ocean, including semi-closed seas, and of coastal areas and management of the resources therein;

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

"(e) Conservation of biological diversity;

"(f) Environmentally sound management of biotechnology;

"(g) Measures against the illegal traffic in toxic and dangerous products and wastes;

"(h) Environmentally sound management of wastes, particularly hazardous and dangerous wastes and toxic chemicals;

"(i) Eradication of poverty through improving the living and working environment of poor people, which is necessary to stem the degradation of the environment in developing countries;

"(j) Improvement of the living and working environment of the poor in urban and rural slums, and the role of urbanization, within the framework of a sound and safe environment;

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"12. Emphasizes the need for strengthening international co-operation for the management of the environment to ensure its conservation and preservation and for the equitable sharing of results derived from activities related to the conservation and development of its bio-diversity;

"13. Reaffirms the need to strengthen international co-operation, particularly between developed and developing countries in research and development and utilization of environmentally sound technologies, inter alia, on the following basis:

"(a) The establishment of a special international fund in order to ensure access to and transfer of environmentally sound technologies to developing countries to enable them to respond effectively to their environmental protection needs;

"(b) The obligation of patent holders of environmentally sound technologies to ensure their transfer through legal commitments to work their patents fully in other countries;

"(c) Utilization of compulsory licensing in case of refusal or inability to work such patents;

"14. Affirms that the preamble of resolution 43/196 broadly sets out the general scope for the Conference;

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

"(a) 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 other international agreements such as the Plan of Action to Combat Desertification, Vienna Convention and Montreal Protocol;

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

"(c) Recommend measures to be undertaken at national and international levels to protect the environment through, inter alia, preventive action at the sources of environmental degradation, clearly identifying the sources of such degradation and appropriate remedial measures;

"(d) Recommend measures to take action to implement the principles of conduct in the field of the environment for the guidance of States in the conservation and harmonious utilization of natural resources shared by two or more States;

"(e) Adopt formal agreements on specific commitments by Governments for defined activities to restore the global ecological balance, and prevent

further deterioration of the environment, taking into account the main responsibility of developed countries for the present deterioration of the environment;

"(f) Accord the highest 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;

"(g) Adopt formal agreements on specific commitments by Governments for defined actions to promote a supportive international economic environment that would result in sustained and environmentally sound development and economic growth in all countries, with a view to combating poverty and improving the quality of life;

"(h) Identify ways and means to provide new and additional financial resources to developing countries for environmentally sound development programmes and projects in accordance with their national development objectives, priorities and plans and to establish a mechanism for the effective monitoring of the implementation of the provisions of such new and additional financial resources to developing countries so as to enable the international community to take further appropriate action on the basis of accurate and reliable data;

"(i) Ensure that the incorporation of environmental concerns into economic planning and policies should not be used to introduce a new form of conditionality in aid and development financing nor as a pretext for creating unjustified barriers to trade;

"(j) Launch a special international fund to finance research, development and acquisition of environmentally sound technologies and to ensure its non-commercial transfer and propagation to developing countries;

"(k) To adopt effective modalities to ensure access to and transfer of environmentally sound technologies, in particular to the developing countries, on concessional and assured basis, and assist these countries in their efforts in the fields of scientific research and development of their endogenous technological capacities as well as in information related to these technologies;

"(l) Promote the development of human resources particularly in developing countries, for the protection and enhancement of the environment;

"(m) Promote an open and timely exchange of information on national environmental policies, situations and accidents;

"(n) 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;

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"(o) Promote environmental education, especially of the younger generation;

"(p) Assess the capacity of the United Nations system to monitor environmental threats and deal with environmental emergencies and make recommendations for improvement;

"(q) 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 conclusions of the Conference;

"(r) Quantify the financial requirements for the successful implementation of Conference decisions and recommendations, and identify possible sources of additional resources;

II

"1. Decides to establish, at the United Nations Headquarters in New York a Preparatory Committee of the Whole of the General Assembly open to all States members of the specialized agencies of the United Nations;

"2. Decides that the Bureau of the Preparatory Committee will consist of a Chairman, twenty-one Vice-Chairmen and a Rapporteur with due regard to equitable geographical representation;

"3. Decides that the host country of the Conference, namely Brazil, be ex-officio member of the Bureau;

"4. Decides that the Preparatory Committee shall hold its sessions at the United Nations Headquarters in New York and the UNEP Headquarters in Nairobi; the first session of the Preparatory Committee shall be held in New York in March 1990 to elect its Bureau to adopt its rules of procedure and decide on its agenda and the organization of its future work;

"5. Decides that the Preparatory Committee shall:

"(a) Call upon UNEP as the main organ for environment and request the organs, organizations and programmes of the United Nations system as well as relevant intergovernmental organizations to make their contributions for the preparations of the Conference elaborated on the basis of guidelines and requirements to be established by the Preparatory Committee;

"(b) Draft the provisional agenda of the Conference as stated in this resolution;

"(c) Draft recommendations for governmental actions, at national and international level, including through international organizations, and drafting of intergovernmental agreements to be adopted by the Conference on environmental issues as listed in paragraph 11 of I of this resolution;

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"(d) Submit recommendations to the Conference on ways and means of strengthening the capacity of the United Nations and United Nations system to respond fully and effectively to the global environmental and developmental challenges to enable member States to co-operate more effectively;

"6. Decides further that for the preparation of the substantive work of the Conference the Preparatory Committee may establish as appropriate a practically feasible number of working groups to consider the major environmental issues listed in paragraph 11, above and related development issues;

"7. Requests the Secretary-General of the United Nations to establish in New York an appropriate ad hoc Secretariat, the composition of which shall be based on the principle of equitable geographical distribution;

"8. 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 and confirmed by the General Assembly;

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

"10. Recommends that the Secretary-General of the Conference put forward suggested guidelines to enable States to adopt a harmonized approach in their preparations and reporting;

"11. Stresses the importance of holding regional conferences on environment and development and urges the regional commissions of the United Nations to ensure that the results of these conferences are introduced into the preparatory process for the 1992 Conference and to participate actively in that process;

"12. Urges the Secretary-General and the international community to take the necessary steps to ensure full and effective participation of developing countries especially the least developed countries in the whole preparatory process and the conference itself;

"13. Decides that the preparatory process and the conference itself should be funded through the regular budget of the United Nations without adversely affecting the ongoing activities;

"14. Requests the Preparatory Committee to report to the forty-fifth session of the General Assembly on the progress of its work."

34. At the 44th meeting, on 24 November, the representative of France, on behalf of the States Members of the United Nations that are members of the European

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Community, introduced a draft resolution (A/C.2/44/L.58) entitled "United Nations Conference on Environment and Development", which read as follows:

"The General Assembly,

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

"Taking note of decision 15/3 of 23 May 1989 of the Governing Council of the United Nations Environment Programme, entitled 'United Nations conference on environment and development', 12/

"Taking note also of Economic and Social Council resolutions 1989/87 of 26 July 1989, entitled 'Convening of a United Nations conference on environment and development' and 1989/101 of 27 July 1989, entitled 'Strengthening international co-operation on the environment: provision of additional financial resources to developing countries',

"Taking note further of the report of the Secretary-General entitled 'Question of the convening of a United Nations conference on environment and development', 13/

"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 understanding and protecting the ecological balance of the Earth,

"Recognizing that the global character of major environmental problems, including climate change and global warming, depletion of the ozone layer, transboundary air and water pollution and the contamination of the oceans and seas, requires solutions at a global level, involving the participation and commitment of all countries,

"Recognizing also the need to promote regional and international co-operation to combat environmental problems such as desertification, drought and natural disasters which affect, in particular, developing countries,

"Recognizing further the common concern of mankind to protect the environment and noting that the largest part of the emission of pollutants into the environment, including hazardous wastes and toxic products, originates in developed countries and therefore that those countries have the main responsibility for combating such pollution,

12/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 25 (A/44/25), annex I.

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

"Noting that the role of the developing countries in protecting the environment must take into account their level of development and the specific constraints under which they operate,

"Stressing the importance for all countries of 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 already made in all countries in this regard and the progress made towards improved international co-operation,

"Stressing also the need to transfer environmentally sound technology to developing countries, including new and innovative techniques that will enable those countries to achieve economic growth while limiting damage to the environment,

"Bearing in mind that new and additional financial resources are needed to ensure the effective participation of developing countries in global efforts for environmental protection and also to ensure the implementation of their environmental programmes and projects without affecting their development,

"1. Decides to convene in 1992 a United Nations Conference on Environment and Development of two weeks' duration, to coincide with World Environment Day, 5 June, and with participation at the highest possible level;

"2. Accepts with appreciation the generous offer of the Government of Brazil to act as host for the Conference;

"3. Affirms that the main objective of the Conference should be to agree on strategies and measures to halt and reverse the effect of environmental degradation in the context of strengthened national and international efforts to promote sustainable development and to overcome problems of population growth, mass poverty, external indebtedness, famine and disease;

"4. Decides that the Conference shall concentrate on the following themes, which are not listed in any particular order of priority, bearing in mind the close relationship between sustainable development and the need to find solutions to environmental problems of major concern:

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

"(b) Protection of the quality of freshwater resources;

"(c) Protection of ocean and coastal areas and resources;

"(d) Protection of land resources by combating deforestation and desertification;

"(e) Conservation of biological diversity;

/...

"(f) Environmentally sound management of bio-technology;

"(g) Environmentally sound management of hazardous wastes and toxic chemicals;

"(h) Protection of human health and quality of life, especially the living and working environment of the poor, from the effects of environmental degradation;

"5. Also decides that the Conference shall:

"(a) Examine the state of the environment twenty years after the 1972 United Nations Conference on the Human Environment, reviewing the actions taken by all countries and intergovernmental organizations to protect and enhance the environment and the way in which environmental concerns have been incorporated in economic and social policies and planning;

"(b) While determining the relationship between environment and development, examine strategies to be co-ordinated, as appropriate, regionally and globally for national and international action, with a view to arriving at formal agreements by Governments on specific commitments for defined activities to deal with major environmental issues in the economic and social development processes and within a particular time-frame;

"(c) Define guidelines to protect the environment through preventive action at the source by, inter alia, incorporating environmental concerns in the economic and social development processes and in various sectoral policies, taking into account the specific needs of developing countries;

"(d) Identify ways and means to further, through international co-operation, development, to provide information on environmentally sound technologies and environmental management, to facilitate access to and transfer of such information and technologies, in particular to developing countries, and to assist those countries in developing their own technologies;

"(e) Examine the best possible way of using and generating financial resources, both existing and additional, to enable developing countries to contribute to the protection of the environment and the conservation of their resources, with a view to sustainable development, taking into account their available means and the specific constraints upon them;

"(f) Promote an open and timely exchange of information on national environmental policies, situations and accidents;

"(g) Assess the capacity of the United Nations system to monitor environmental threats, deal with environmental emergencies and make recommendations for improvement, if appropriate;

/...

"(h) Recommend measures to Governments and to the relevant bodies of the United Nations system, with a view to strengthening technical co-operation with developing countries, so that those countries are better able to manage their environment, including improvement of their capacities for observation, analysis and the prevention of their environmental problems;

"(i) Recommend measures to the relevant international and intergovernmental organizations to promote a supportive international economic environment through specific commitments by Governments that would result in sustained and environmentally sound development and economic growth in all countries, with a view to combating poverty and improving the quality of life;

"(j) Promote the development or strengthening of appropriate institutions at the national, regional and global level to address environmental matters in the context of economic and social development processes;

"(k) Promote environmental education, especially of the younger generation;

"(l) 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 conclusions of the Conference;

"(m) Quantify the financial requirements for the successful implementation of Conference decisions and recommendations, and identify possible sources, including innovative ones, in the international community for additional resources, as may be required;

"6. Decides that the intergovernmental Preparatory Committee shall be the Governing Council of the United Nations Environment Programme and shall be open on an equal basis to all States Members of the United Nations or members of the specialized agencies or the International Atomic Energy Agency;

"7. Decides that the organizational session of the Preparatory Committee will be held at Geneva in February 1990 and that the Committee shall hold four additional sessions;

"8. Also decides that the Bureau of the Preparatory Committee shall consist of a Chairman, eight Vice-Chairmen and a Rapporteur, with due regard to equitable geographical representation;

"9. Further decides that the Secretary-General of the United Nations shall appoint the Secretary-General of the Conference and requests the latter, in consultation with the Secretary-General of the United Nations, to make such arrangements, including the recruitment of necessary staff, and to provide such facilities as may be necessary for the efficient and continuous servicing of the Conference, utilizing to the fullest extent possible the resources at his disposal;

....

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

"11. Also requests the Secretary-General, noting the generous offer of the Government of Switzerland to provide premises for the secretariat, to set up immediately a separate, independent and adequate Conference secretariat at Geneva headed by the Secretary-General of the Conference;

"12. Invites all States to take an active part in the preparations for the Conference and to establish broad-based national preparatory processes with active popular participation, and to submit national reports articulating their views on, and commitments in regard to, the areas and issues to be considered by the Conference, including their perception of national priorities and needs and their expectations of regional and global institutions;

"13. Recommends that the Secretary-General of the Conference put forward suggested guidelines to enable States to adopt a common approach in their preparations and reporting;

"14. Decides to establish a voluntary fund, at the disposal of the Secretary-General of the Conference, for the purpose of supporting developing countries, in particular the least developed among them, to participate effectively in the Conference and in its preparatory process and invites Governments to contribute to the fund;

"15. Invites the scientific community, industry, trade unions and other organizations relevant in this context, to contribute to the Conference and to its preparations;

"16. Requests the non-governmental organizations concerned, in view of their important role in promoting popular participation and raising environmental awareness, to contribute to the planning and programming of the Conference;

"17. Invites the organs, organizations and programmes of the United Nations system, as well as relevant intergovernmental organizations, to contribute fully to the Conference and to its preparations, including through the provision of expert advice and the secondment of staff;

"18. Stresses the importance of holding regional conferences on environment and development, and urges the regional commissions to ascertain that the results of these conferences are introduced into the preparatory process for the 1992 Conference and to participate actively in that process;

"19. 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;

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

35. At the 52nd meeting, on 19 December, the Vice-Chairman of the Committee, Mr. David Payton (New Zealand) informed the Committee of the results of informal consultations held on draft resolutions A/C.2/44/L.7, A/C.2/44/L.55 and A/C.2/44/L.58.

36. The Chairman introduced a draft resolution (A/C.2/44/L.86), which he submitted on the basis of those informal consultations.

37. The Committee also had before it a statement on the programme budget implications of draft resolution A/C.2/44/L.86, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly, (A/C.2/44/L.88).

38. At the same meeting, the Committee adopted draft resolution A/C.2/44/L.86 without a vote (see para. 55, draft resolution V).

39. In light of the adoption of draft resolution A/C.2/44/L.86, the Committee agreed to take no action on the draft resolution contained in document A/C.2/44/L.7, and draft resolutions A/C.2/44/L.55 and A/C.2/44/L.58 were withdrawn by their sponsors.

H. Draft resolutions A/C.2/44/L.63 and Rev.1

40. At the 46th meeting, on 27 November, the representative of Finland, on behalf of Denmark, Finland, Iceland, Norway and Sweden, introduced a draft resolution (A/C.2/44/L.63) entitled "International co-operation in the field of the environment", which read as follows:

"The General Assembly,

"Deeply concerned at the increasing degradation of the environment which, if allowed to continue, could endanger not only economic and social development but the very basis of life itself,

"Noting the increased political concern for solving environmental problems and intensified international co-operation to that effect,

"Welcoming some encouraging achievements in important areas of environmental co-operation,

"Reaffirming that there is a direct interrelationship between environment and development, and recognizing also that a favourable international economic environment that results in sustained economic growth and development, particularly in developing countries, is of major importance for sound management of the environment,

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"Recognizing that serious environmental problems are arising in all countries and that those problems must be progressively addressed through preventive measures at their sources by national efforts and international co-operation,

"Reaffirming the importance of integrating environmental concerns and considerations into policies and programmes in all areas,

"Noting 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 recognizing that those countries therefore have the main responsibility for combating such pollution,

"Reaffirming also the need for developed countries and appropriate international organs and organizations to strengthen technical co-operation with developing countries, increase the transfer of technology and provide additional resources enhancing the capacity of developing countries to solve their environmental problems,

"Recognizing that the proposed United Nations Conference on Environment and Development in 1992 is a unique opportunity for all nations to address environmental and development issues in an integrated manner and to mobilize their political will to solve environmental problems through international co-operation,

"Having considered the report of the Governing Council of the United Nations Environment Programme on the work of its fifteenth session,

"1. Notes with appreciation the report of the Governing Council of the United Nations Environment Programme on the work of its fifteenth session; 14/

"2. Reaffirms the mandate of the United Nations Environment Programme as defined in General Assembly decision 2997/72 and supports further strengthening of the role of the Environment Programme as the central catalysing, co-ordinating and stimulating body in the field of the environment within the United Nations system;

"3. Welcomes the steps taken by the Governing Council of the United Nations Environment Programme to improve its own effectiveness and efficiency in its decision 15/1 of 25 May 1989;

"4. Reaffirms that the United Nations system, through the General Assembly, due to its universal character, is the appropriate forum for concerted political action on global environmental problems;

"5. Considers further that the capacity and decision-making process of the United Nations system, including the General Assembly, should be strengthened to address the major environmental problems in an integral, coherent and effective way and requests the Secretary-General to prepare a report for the General Assembly at its forty-fifth session on this issue, taking into account the views expressed by Governments, recognizing that they will be taken into account in the preparatory process of the United Nations Conference on Environment and Development;

"6. Concurs with the areas of concentration for the international community set out by the Governing Council in its decision 15/1, section IV, and with the list of issues within those areas to which the United Nations Environment Programme should give special attention;

"7. Approves Governing Council decision 15/4 of 26 May 1989, in which it decides to hold a special session in 1990 of three days duration to deal with the elaboration of and the process of making and implementing decisions on priority environmental issues, in particular ways and means of enhancing the role of the United Nations Environment Programme within the United Nations system in addressing those issues;

"8. Reaffirms the need to provide new and additional financial resources to developing countries in identifying, analysing, monitoring, preventing and managing environmental problems primarily at their source, in accordance with their national development goals, objectives and plans, so as to ensure that their development priorities are not adversely affected;

"9. Stresses the need for additional financial resources for measures towards solving major environmental problems of global concern, and in particular to support those countries for whom the implementation of such measures would entail a special or abnormal burden, in particular due to their level of development or lack of financial and/or technical capacity;

"10. Expresses its appreciation at indications that the flow of resources to the United Nations Environment Fund is increasing in real terms, and endorses the annual target of a minimum of one hundred million United States dollars in contributions by the year 1992, taking into account the increasing tasks of the United Nations Environment Programme, and calls upon all Governments to increase their contributions to the Fund by at least thirty-five per cent per annum from the 1 January 1989 level to enable that target to be met by 1992;

"11. Endorses the views and suggestions of the Governing Council of the United Nations Environment Programme as expressed in annexes I and II of its decision 15/2 on the implementation of General Assembly resolutions 42/186 and 42/187 of 11 December 1987 as a positive step towards a better understanding of the concept of sustainable and environmentally sound development by all countries;

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"12. Takes note of the recommendation made by the Governing Council of the United Nations Environment Programme in its decision 15/5 of 25 May 1989 and stresses that sustainable and environmentally sound development should become one of the central guiding principles in the international development strategy being elaborated for the fourth United Nations development decade;

"13. Concurs with Governing Council decision 15/14 of 25 May 1989 on the clearing-house function, in which it is proposed that the United Nations Environment Programme should play a more vigorous role in supporting developing countries, upon their request, in the following undertakings:

"(a) To establish and strengthen their institutions and professional capacities to integrate environmental considerations into their development policies and planning;

"(b) To formulate and initiate programmes and activities for dealing with their most serious environmental problems;

"(c) To formulate and participate in action plans for the common management of eco-systems and critical environmental problems at the national, regional and global levels;

"14. Stresses that sustainable and environmentally sound development requires changes in existing production and consumption patterns, in particular in industrialized countries, and the development of environmentally sound technologies, ensuring transfer and favourable access, including on a concessional and non-commercial basis, to such technologies, with an emphasis on new and emerging ones, in particular by developing countries, and supporting research and development efforts by developing countries to enhance their capabilities to develop and apply such technologies;

"15. Reaffirms the need for Governments, multilateral organizations and governmental and non-governmental financial institutions to take into account in their policies, decision-making processes and financial mechanisms the relationship between the foreign debt and the ability of developing countries to strengthen their capacity to address the critical environmental issues fundamental to development and protection of the environment;

"16. Supports Governing Council decision 15/36 of 25 May 1989 on global climate change in which, inter alia, it requests the Executive Director of the United Nations Environment Programme, in co-operation with the Secretary-General of the World Meteorological Organization, to begin preparations for negotiations on a framework convention on climate, taking into account the work of the Intergovernmental Panel on Climate Change and bearing in mind the outcome of present and forthcoming international meetings on the subject, and therefore recommends that such negotiations should be initiated immediately after the adoption of the interim report of the Intergovernmental Panel on Climate Change;

"17. Recognizes the scarce participation of developing countries in the work and deliberations of the Intergovernmental Panel on Climate Change, urges the Intergovernmental Panel on Climate Change to take the necessary steps to ensure the scientific and policy participation of developing countries and invites the international community to provide assistance in that respect;

"18. Notes with satisfaction the progress made on the protection of the ozone layer and urges all States to co-operate with the Executive Director of the United Nations Environment Programme in the process of strengthening the Montreal Protocol on Substances that Deplete the Ozone Layer in the light of the Helsinki Declaration on the Protection of the Ozone Layer of 2 May 1989, in which more than 80 States and the European Communities agreed to phase out controlled chlorofluorocarbons by the year 2000 and halons and other ozone-depleting substances as soon as possible, and to develop appropriate funding mechanisms in order to enable all and in particular developing countries to participate effectively in the revised protocol;

"19. Notes further the adoption, on 22 March 1989, of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and calls upon all States, including those that did not participate in the Basel Conference, to consider signing and becoming parties to the Basel Convention and to strengthen their co-operation in problem areas within the scope of the Convention;

"20. Supports Governing Council decision 15/23 of 25 May 1989 on desertification in which the Council, inter alia, invites donor Governments and intergovernmental bodies to accord high priority in their bilateral and multilateral assistance to national programmes for combating desertification and for the rehabilitation of land resources;

"21. Attaches the greatest importance to the conservation and utilization of biological diversity both as an important element of ecological balance and as a source of benefit to mankind and expresses its satisfaction at decision 15/34 of 25 May 1989 of the Governing Council of the United Nations Environment Programme to initiate the preparation of an international legal instrument on the biological diversity of the planet within a broad socio-economic context and considers that an emphasis should also be given to environmentally sound management of bio-technology;

"22. Notes the consideration given by the Governing Council in its decision 15/10 of 25 May 1989 to the proposed establishment of a United Nations centre for urgent environmental assistance and further notes the information provided by the Executive Director of the United Nations Environment Programme on the preliminary results of his consultations regarding the views expressed by Governments and organizations on that matter;

"23. Expresses its satisfaction at the impetus given to addressing environmental concerns through meetings at the regional level and calls on the United Nations Environment Programme and other relevant organizations to continue to play an effective role in support of regional efforts to that effect."

41. At the 52nd meeting, on 19 December, the Vice-Chairman of the Committee made a statement in which he informed the Committee of the results of informal consultations held on draft resolution A/C.2/44/L.63, drew the Committee's attention to a revised draft resolution (A/C.2/44/L.63/Rev.1) submitted by the sponsors of draft resolution A/C.2/44/L.63. He orally revised that draft resolution as follows:

(a) A new preambular paragraph was inserted after the existing ninth preambular paragraph, to read as follows:

"Recalling decision 14/10 of the Governing Council of the United Nations Environment Programme on the environmental impact of apartheid on black agriculture in South Africa."

(b) Operative paragraph 1, which read as follows:

"Notes with appreciation the report of the Governing Council of the United Nations Environment Programme on the work of its fifteenth session;"

was replaced by the following:

"Endorses the report of the Governing Council of the United Nations Environment Programme on its fifteenth session, and notes with appreciation the decisions therein;"

(c) In operative paragraph 5, the words "Considers further" were replaced by "Considers in this regard".

(d) In operative paragraph 7, the words "and decides to hold a special session" were replaced by the words "and supports its decision to hold a special session".

(e) Operative paragraph 14, which read:

"Stresses that sustainable and environmentally sound development requires changes in existing production and consumption patterns, in particular in industrialized countries, and the development of environmentally sound technologies, ensuring transfer and favourable access, including on a concessional and non-commercial basis, to such technologies, with an emphasis on new and emerging ones, in particular by developing countries, and supporting research and development efforts by developing countries to enhance their capabilities to develop and apply such technologies;"

was replaced by the following:

"Stresses that sustainable and environmentally sound development requires changes in the unsustainable pattern of production and consumption, particularly in industrialized countries, and the development of environmentally sound technologies, and in this context stresses also the need to examine with a view to recommend effective modalities for favourable access

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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 the field of 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;".

42. He then informed the Committee that Denmark, Iceland, Norway and Sweden had withdrawn their co-sponsorship of draft resolution A/C.2/44/L.63/Rev.1, as orally revised.

43. Following a suspension of the meeting at the request of the representative of Brazil, the Vice-Chairman further orally revised operative paragraph 1 of the draft resolution, by adding the words ", as adopted" at the end of the paragraph.

44. The representative of Brazil proposed an amendment to operative paragraph 1 to read as follows:

"Welcomes the report of the Governing Council of the United Nations Environment Programme on the work of its fifteenth session, and takes note of the decisions contained therein;"

45. Following statements by the representatives of Egypt, Argentina and India, the representative of Morocco proposed an amendment to the amendment proposed by the representative of Brazil, by which the words "takes note of the decisions contained therein" were to be replaced by the words "takes note with appreciation of the decision therein, as adopted".

46. After a statement by the representative of Egypt, the representative of Argentina proposed to reformulate operative paragraph 1, as follows:

"Endorses the report and the decisions of the Governing Council of the United Nations Environment Programme on the work of its fifteenth session, as adopted, without prejudice to the decisions adopted by the General Assembly at its forty-fourth session;".

47. Following statements by the representatives of Brazil, Mauritania and Finland, the representative of Argentina withdrew his proposed amendment to operative paragraph 1.

48. Following statements by the representatives of Pakistan, Malta, Uruguay, Israel, Chile, Venezuela, Bahrain, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Brazil, India, Bangladesh, Greece and Oman, by the Vice-Chairman of the Committee, Mr. David Payton (New Zealand), and by the representatives of Kuwait, Lesotho and Liberia, the representative of Brazil stated that, if the paragraph were to be retained, as orally revised by the Vice-Chairman of the Committee, he would request a vote on the paragraph.

49. Following statements by the representatives of Romania, Greece, Finland, Brazil and India, by the Chairman and the Secretary of the Committee, by the representatives of Morocco, Brazil, Egypt, Nicaragua, the United Kingdom of Great Britain and Northern Ireland, Colombia, Oman, Bangladesh, Sweden, Romania, Greece and Mexico, the Chairman requested the Committee to empower him to authorize a 15-minute suspension of the meeting.

50. Upon the resumption of the meeting, the Chairman proposed that the Committee adopt the following draft decision:

"The General Assembly decides to consider draft resolution A/C.2/44/L.63/Rev.1, as orally revised, and to take appropriate action thereon."

51. Following statements by the representatives of Mauritania and the Philippines, the Vice-Chairman of the Committee, Mr. David Payton (New Zealand), proposed that the words "at its present session" be added to the end of the decision proposed by the Chairman.

52. Following statements by the Chairman and the representative of the Philippines, the Committee adopted the draft decision proposed by the Chairman, as amended by the Vice-Chairman of the Committee (see para. 56, draft decision II).

53. During the course of the discussion, Bangladesh, Egypt, the Islamic Republic of Iran and New Zealand joined in co-sponsoring revised draft resolution A/C.2/44/L.63/Rev.1, as orally revised.

I. Documentation relating to environment

54. At the 53rd meeting, on 20 December, the Committee, upon the proposal of the Chairman, adopted a draft decision on reports under sub-item 82 (f) on which no draft proposals had been submitted (see para. 56, draft decision III).

III. RECOMMENDATIONS OF THE SECOND COMMITTEE

55. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

International co-operation in the monitoring, assessment and anticipation of environmental threats and in assistance in cases of environmental emergencies

The General Assembly.

Convinced that one of the main global problems facing the world today is the deterioration of the environment,

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

Aware that increasing environmental degradation caused by human activities has led in some cases to irreversible changes in the environment that threaten life-sustaining ecosystems and undermine the health, well-being, development prospects and very survival of life on the planet,

Also aware that potential environmental disasters, whether natural, accidental or caused by human beings, as well as accidents, could pose serious and immediate dangers to populations and to the economic development and the environment of the affected countries and regions,

Convinced that through monitoring, assessment, anticipation and prompt multilateral response upon request, in particular on the part of the United Nations system, environmental threats could be minimized or even prevented,

Also convinced that early warning of emerging environmental threats and degradation would help Governments to take preventive action,

Noting with appreciation the work undertaken by the United Nations Environment Programme to develop criteria for the identification of environmental threats at the national, regional and global levels,

Stressing the need for close co-operation between all countries, in particular, through a broad exchange of information, scientific knowledge and experience as well as transfer of technology, in monitoring, assessing and anticipating environmental threats, dealing with environmental emergencies, and rendering timely assistance, at the request of Governments, in accordance with respective national laws, regulations and policies and taking into account the particular needs and requirements of the developing countries,

Affirming the need in this context for closer co-operation between the United Nations Environment Programme, the Office of the United Nations Disaster Relief Co-ordinator, the World Health Organization and the World Meteorological Organization, and other competent organs, programmes and agencies of the United Nations system, bearing in mind the co-ordinating role of the United Nations Environment Programme on environmental matters in the United Nations system,

Taking note of the fact that other proposals have been made on strengthening and improving the effectiveness within the United Nations system of international co-operation in monitoring, assessing and anticipating environmental threats and the rendering of timely assistance in cases of environmental emergencies,

1. Recognizes the need to strengthen international co-operation in monitoring, assessing and anticipating environmental threats and rendering assistance in cases of environmental emergencies;

2. Reaffirms that the United Nations system, through the General Assembly, owing to its universal character, is the appropriate forum for concerted political action on global environmental problems;

3. Underlines the importance of broader participation in Earthwatch, established by the United Nations Conference on the Human Environment ^{15/} and operated by the United Nations Environment Programme, in order to strengthen its capacity to make authoritative assessments, to anticipate environmental degradation and to issue early warnings to the international community;

4. Reaffirms that, in accordance with the Charter of the United Nations and the principles of international law, States have 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 to play their due role in preserving and protecting the global and regional environment in accordance with their capacities and specific responsibilities;

5. Requests the Secretary-General, assisted by the Executive Director of the United Nations Environment Programme, to prepare a report, on the basis of the views of Member States and existing national and international legislation in this field, containing proposals and recommendations on possible ways and means to strengthen the capacity of the United Nations:

(a) To monitor, assess and anticipate environmental threats;

(b) To define criteria for determining when environmental degradation undermines health, well-being, development prospects and the very survival of life on the planet to such an extent that international co-operation may be required, if requested;

(c) To issue early warnings to the international community when such degradation becomes imminent;

(d) To facilitate intergovernmental co-operation in monitoring, assessing and anticipating environmental threats;

(e) To assist Governments facing environmental emergencies, at their request;

(f) To mobilize financial resources and technical co-operation to fulfil the tasks listed in sub-paragraphs (a) to (e) above, taking into account the needs of the countries concerned, particularly the developing countries;

6. Also requests the Secretary-General to submit to the Governing Council of the United Nations Environment Programme the report mentioned in paragraph 5 above for consideration during the preparatory process for the United Nations conference on environment and development;

^{15/} Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14 and Corr.1).

7. Invites the Governing Council of the United Nations Environment Programme to consider that report and to present its views thereon to the General Assembly at its forty-sixth session, through the Economic and Social Council.

DRAFT RESOLUTION II

Large-scale pelagic driftnet fishing and its impacts on the living marine resources of the world's oceans and seas

The General Assembly,

Noting that many countries are disturbed by the increase in the use of large-scale pelagic driftnets, which can reach or exceed 30 miles (48 kilometres) in total length, to catch living marine resources on the high seas of the world's oceans and seas,

Mindful that large-scale pelagic driftnet fishing, a method of fishing with a net or a combination of nets intended to be held in a more or less vertical position by floats and weights and whose purpose is to enmesh fish by drifting on the surface of or in the water, can be a highly indiscriminate and wasteful fishing method that is widely considered to threaten the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

Noting that the present resolution does not address the question of small-scale driftnet fishing traditionally conducted in coastal waters, especially by developing countries, which provides an important contribution to their subsistence and economic development,

Expressing concern that, in addition to targeted species of fish, non-targeted fish, marine mammals, seabirds and other living marine resources of the world's oceans and seas can become entangled in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded, and as a result of such entanglement are often either injured or killed,

Recognizing that more than one thousand fishing vessels use large-scale pelagic driftnets in the Pacific Ocean, the Atlantic Ocean and the Indian Ocean and in other areas of the high seas,

Recognizing that any regulatory measure to be taken for the conservation and management of living marine resources should take account of the best available scientific data and analysis,

Recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea, 16/

16/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

Affirming that, in accordance with the relevant articles of the Convention on the Law of the Sea, all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

Recalling, in accordance with the relevant articles of the Convention on the Law of the Sea, the responsibility of all members of the international community to ensure the conservation and management of living marine resources and the protection and preservation of the living marine environment within their exclusive economic zones,

Noting the serious concern, particularly among coastal States and States with fishing interests, that the overexploitation of living marine resources in the high seas adjacent to the exclusive economic zones of coastal States is likely to have adverse impacts on the same resources within such zones, and also noting, in this regard, the responsibility for co-operation in accordance with the relevant articles of the Convention on the Law of the Sea,

Also noting 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 by South Pacific Heads of Government of the Declaration on this subject at Tarawa on 11 July 1989 and the adoption by South Pacific States and territories of the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific, at Wellington on 24 November 1989, 17/

Further noting that some members of the international community have entered into co-operative enforcement and monitoring programmes for the immediate evaluation of the impacts 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 impacts 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 impacts 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 Convention on the Law of the Sea, agree to the following measures:

(a) Moratoria should be imposed on all large-scale pelagic driftnet fishing on the high seas 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 impacts of such fishing practices in 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 leading 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);

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 on the high seas for the conservation of living marine resources;

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 impacts on the 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

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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. Requests the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution for its consideration.

DRAFT RESOLUTION III

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,

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

Recalling also 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",

Having considered also Economic and Social Council resolution 1988/70 of 28 July 1988,

Recalling also Economic and Social Council resolutions 1988/71 of 28 July 1988 and 1989/104 of 27 July 1989,

Taking note of the report of the Secretary-General on products harmful to health and the environment 18/ and Economic and Social Council decision 1989/177 of 27 July 1989,

Taking note also of decisions 15/28 and 15/30 of the Governing Council of the United Nations Environment Programme,

Welcoming the report of the Secretary-General on illegal traffic in toxic and dangerous products and wastes, 19/

18/ A/44/276-E/1989/78.

19/ A/44/362 and Corr.1.

Taking note of the conclusion of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 20/

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, increased generation, complexity and transboundary movement of hazardous wastes,

Convinced that illegal traffic in toxic and dangerous products and wastes presents 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,

Also 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 as from 1990;

2. Also requests the regional commissions to interact among themselves, and in co-operation 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 accordance with the consideration of environmental issues;

4. Calls upon all countries to co-operate with their respective regional commission 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, 19/ 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 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, as well as those activities 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, 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 extended 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 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;

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7. Further requests the Secretary-General in this context to consider ways and means of ensuring more effective involvement of non-governmental organizations to assist 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 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 Basel Conference, 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 and of the present resolution.

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DRAFT RESOLUTION IV

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, 21/ in which it adopted the Perspective as a broad framework to guide national 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, 22/ 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 on the implementation of General Assembly resolutions 42/196 and 42/187, 23/ 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 decision 15/2 of 26 May 1989 of the Governing Council of the United Nations Environment Programme, 24/

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

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

3. Expresses at the same time its concern 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;

21/ Official Records of the General Assembly, Forty-second Session, Supplement No. 25 (A/42/25 and Corr.1), annex II.

22/ See A/42/427, annex.

23/ A/44/350.

24/ See Official Records of the General Assembly, Forty-fourth Session, Supplement No. 25 (A/44/25), annex I.

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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, inter alia, the First Regional Conference on Environment and Sustainable Development in Africa, organized by the Economic Commission for Africa and the United Nations Environment Programme and held at Kampala in 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 organs, 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 environment that would result in 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 linked to development policies and practices and that, consequently, environmental goals and actions need to be defined in relation to development objectives and policies;

10. Further 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 the quality of life, addressing the issues of sound management and enhancement of the resource base, furthering the promotion, accelerated development and transfer of environmentally sound technology, minimization of environmental dangers, and merging environment and economics in decision-making in all countries, as well as taking cognizance of the interrelationship between people, resources, environment and development;

11. Stresses that sustainable and environmentally sound development requires changes in the unsustainable pattern of production and consumption, particularly in industrialized countries, and the development of environmentally sound technologies, and in this context stresses also the need to examine, with a view to making recommendations on, 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 on modalities for

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supporting all countries in their efforts to create and develop their endogenous technological capacities in the field of scientific research and development as well as in the acquisition of relevant information and, in this context, also stresses the need 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;

12. Endorses the views and suggestions of the Governing Council of the United Nations Environment Programme at its fifteenth session on the implementation of General Assembly resolutions 42/186 and 42/187, contained in the report of the Secretary-General, and regards Governing Council decision 15/2 as a positive step towards a better understanding of the concept of sustainable and environmentally sound development and of the implications of the implementation of the concept for all countries, and invites Governments and the governing bodies of the organs, organizations and programmes of the United Nations system as well as other intergovernmental and non-governmental organizations to take them into account in their further efforts towards promoting and achieving sustainable and environmentally sound development in all countries;

13. Reaffirms the need to provide new and additional financial resources to support developing countries for measures, inter alia, to identify, analyse, monitor, prevent and manage environmental problems, primarily at their sources, in accordance with their national development goals, objectives and plans, so as to ensure that their development priorities are not adversely affected;

14. Stresses also the need for new and additional financial resources for measures towards solving major environmental problems of global concern, and especially to support those countries, in particular developing countries, for which the implementation of such measures would entail a special or abnormal burden, in particular due to their lack of financial resources, expertise and/or technical capacity;

15. Reaffirms the need for developed countries and relevant organs, organizations and bodies of the United Nations system to strengthen technical co-operation with the developing countries to assist them to develop and strengthen their endogenous capacity for identifying, analysing, monitoring, preventing and managing environmental problems in accordance with their national development plans, priorities and objectives;

16. Reaffirms that States have, in accordance with the Charter of the United Nations and the 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 to play their due role in preserving and protecting the global and regional environment in accordance with their capacities and specific responsibilities;

17. Considers that the regional follow-up conferences should contribute to a better understanding and a more concrete meaning of the concept of sustainable and environmentally sound development and of the implications of the implementation of the concept, and make important substantive contributions to the United Nations conference on environment and development in 1992;

18. Invites the preparatory committee for the conference to take duly into account the recommendations contained in the Environmental Perspective to the Year 2000 and Beyond and the report of the World Commission on Environment and Development in the preparatory process for the Conference as well as recommendations for action by the General Assembly and the Economic and Social Council, and the views and suggestions expressed by the Governing Council of the United Nations Environment Programme and other organs, organizations and bodies of the United Nations system on those matters;

19. Requests the Secretary-General to prepare for submission to the preparatory committee for the Conference, and for the further submission to the General Assembly at its forty-sixth session, through the Governing Council of the United Nations Environment Programme and the Economic and Social Council, a progress report on the implementation of the present resolution;

20. Further requests the Secretary-General to prepare, for submission to the conference, and for further submission to the General Assembly at its forty-seventh session, through the Governing Council of the United Nations Environment Programme and the Economic and Social Council, a new consolidated report on the further substantive follow-up of General Assembly resolutions 42/186 and 42/187 by Governments and organizations of the United Nations system.

DRAFT RESOLUTION V

United Nations Conference on Environment and Development, 1992

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".

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Recalling also General Assembly resolution 42/186 of 11 December 1987 on the Environmental Perspective to the Year 2000 and Beyond 25/ and resolution 42/187 of 11 December 1987 on the report of the World Commission on Environment and Development, 26/

Taking note of the report of the Secretary-General on the question of the convening of a United Nations conference on environment and development, 27/

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, 28/

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,

25/ Official Records of the General Assembly, Forty-second Session, Supplement No. 25 (A/42/25 and Corr.1), annex II.

26/ See A/42/427, annex.

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

28/ See Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14 and Corr.1).

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,

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 the United Nations Conference on Environment and Development, which shall be of two weeks' duration and shall have 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 act as host for 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 the 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 in an efficient and urgent manner 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;

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(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;

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(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 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 for the United Nations Conference on Environment and Development shall hold an organizational session of two weeks' duration in March 1990 and a final session, both at United Nations Headquarters, and three additional substantive sessions, the first at Nairobi and the following two at 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, a 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, following the organizational session of the Preparatory Committee, to establish an appropriate ad hoc secretariat in the United Nations Office at 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;

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6. Decides that the ad hoc secretariat will be headed by a Secretary-General of the United Nations Conference on Environment and Development, who will be appointed by the Secretary-General of the United Nations;

7. Requests the Secretary-General 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 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 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 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".

* * *

56. The Second Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Accession by the United Nations to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency

The General Assembly, recalling its decision 43/441 of 20 December 1988, and taking note of the letters contained in document A/C.2/44/9 and A/C.2/44/10, decides to defer action on the question of the accession by the United Nations to the Convention on Early Notification of a Nuclear Accident and to the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency to a future session pending a request for its consideration.

DRAFT DECISION II

International co-operation in the field of the environment

The General Assembly decides to consider the draft resolution entitled "International co-operation in the field of the environment" contained in document A/C.2/44/L.63/Rev.1, as orally revised, and to take appropriate action thereon at its present session.

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DRAFT DECISION III

Documents relating to environment

The General Assembly takes note of the following documents:

(a) Note by the Secretary-General transmitting the report of the Executive Director of the United Nations Environment Programme on international co-operation in the field of environment: provision of additional resources to developing countries, 29/

(b) Note by the Secretary-General on progress made towards sustainable and environmentally sound development, 30/

(c) Note by the Secretary-General transmitting a report of the Executive Director of the United Nations Environment Programme on the protection of the ozone layer, 31/

(d) Report of the Secretary-General on developments in regard to a global convention on the control of transboundary movements of hazardous wastes, 32/

(e) Report of the Secretary-General on the effects on the environment of the dumping of nuclear wastes, 33/

(f) Note by the Secretary-General on international conventions and protocols in the field of the environment. 34/

29/ A/44/332-E/1989/103.

30/ A/44/339 and Add.1-11-E/1989/119 and Add.1-11.

31/ A/44/349-E/1989/102.

32/ A/44/479.

33/ A/44/480.

34/ A/C.2/44/L.2.