



Establishment of the working group on the Declaration on the Human Environment

65. The Working Group on the Declaration on the Human Environment was established by the Conference at its 7th plenary meeting, following a debate on a draft resolution submitted by China, which read as follows:

The Conference on the Human Environment,

Considering that the Declaration on the Human Environment is an important statement of guiding principles and the main document of this Conference,

Considering that the Declaration affects the interests of the peoples of various countries and the future responsibilities of, and guidelines for action by, Governments, and should therefore give full expression to the views of various countries,

Resolves to devote more time, as appropriate, to the discussion of the draft Declaration, and for this purpose to set up an ad hoc committee.

66. The representative of China explained that in submitting its draft resolution, China had been motivated by the following considerations:

(a) The preservation and improvement of the human environment was an important matter affecting the development of the peoples of the world;

(b) The Declaration, the main document for discussion at the Conference, was an important document of guiding principles, which would have to be dealt with seriously discussed



thoroughly, and rally the support of the majority if it were to have any moral effect;

(c) The existing draft Declaration did not reflect the views of all the States members of the Conference; even the preliminary work of the Preparatory Committee had not resulted in complete agreement;

(d) Since the Declaration should play the leading role, the discussion on that subject was more important than the work of the three committees;

(e) The issue would have to be settled on the basis of equality among all countries and it was in that spirit that China had submitted its draft resolution.

67. The representative of Iran said that although the existing draft represented a careful balance resulting from discussions by representatives of various groups with different ideas, the points made by the representative of China were valid. He proposed an amendment to the Chinese draft resolution, which he understood to be acceptable to China, namely replacement of the words "ad hoc committee" at the end of the operative paragraph by the words "a working group open to all States participating in the Conference".

68. The representative of the United States of America expressed concern lest the work of the Conference be overburdened with discussions on the draft Declaration, which had been negotiated over eight months. His delegation would not, however, oppose the Chinese draft resolution. He recalled the warning of the Secretary General of the Conference with respect to the fragility of the compromise already reached.

69. The representative of Tunisia stated that the African group would support the Chinese draft resolution but proposed an



amendment defining the composition of the committee, as follows: the four permanent members of the Security Council present at the Conference, eight representatives from Asia, eight from Latin America, nine from Africa, six from Western Europe and one from Eastern Europe. Such a committee would also be open to any delegation, which wished to make a statement or propose an amendment. In a spirit of conciliation, the representative of Tunisia subsequently withdrew his amendment.

70. The representative of Italy recalled that the draft Declaration was the result of nearly one year's negotiation and compromise; any changes introduced in one part of the document risked compromising the rest of the document. Italy would, however, support the establishment of a committee open to all.

71. The representative of Argentina supported the Chinese draft resolution as amended by Iran on the grounds that the draft Declaration had not been approved, but merely transmitted, by the Preparatory Committee.

72. The representative of Sudan, speaking on behalf of the African group, supported the establishment of an adhoc body; said he thought that the practice of discussing important matters in groups before they reached the plenary meeting should be followed; expressed the belief that Africa was entitled to provide the chairman of the proposed committee; said he thought that the composition of the committee should be the subject of inter group consultations; and appealed to China to keep the composition of the committee flexible.

73. The representative of the Philippines, speaking for the Asian group, supported the establishment of a special working group with membership open to all countries wishing to air views or



submit amendments and suggested that the group should report to the Conference at its plenary meeting on 13 June 1972.

74. The representative of Canada stated that the Declaration was more than an inspirational message or an educational tool: it represented the first essential step in developing international environmental law.

He felt that any delegation that disturbed the delicate balance of the existing draft would carry a heavy responsibility. However, he could not deny delegations which had not participated in the elaboration of the draft Declaration the opportunity to express their views. Canada therefore supported in principle the draft resolution submitted by China. He drew attention to the fact that, to protect national positions, certain choices other than amendments were open to delegations; for example, reservations on principles could be satisfied by statements of interpretation.

75. The representative of Norway, speaking also on behalf of Denmark, appealed to the Conference to take a unanimous decision on the matter and avoid a vote.

76. The representative of Yugoslavia expressed concern about re-opening the discussion on the draft Declaration. He favored an open-ended working group. He also favored having all interpretations included in an annex to the Declaration.

77. The representative of Singapore said that although he appreciated the spirit of the draft resolution, he would abstain because the terms of reference of the proposed working group were unclear. The Declaration was not a perfect document but it represented a delicate balance between the interests of the developing and the developed countries. He would have liked to have seen the amendments to the draft Declaration before deciding on the establishment of a working group.



78. The representative of Switzerland stated that he was prepared to accept the existing draft Declaration but would, nonetheless, agree to the draft resolution submitted by China.

79. The President of the Conference, in the absence of any objections, declared that the draft resolution, as amended by Iran, was approved and that the Working Group on the Declaration on the Human Environment would begin its deliberations on 9 June 1972.