

STATEMENT MADE BY MR. A. BEESLEY ON JUNE 12  
IN THE WORKING GROUP ON DECLARATION ON THE HUMAN ENVIRONMENT

Thank you Mr. Chairman:

I am taking the floor for the first time to make a general statement and I do so with the hope that I might be permitted to speak later on substance if we do agree on the general approach suggested by the distinguished representative of Syria at the opening of our discussion. I say this because I am speaking principally for the purpose of attempting to suggest how we at least think we might organize our approach to this problem. Understandably, because of the number of amendments we are receiving we are taking what I would call a "shot gun" approach to this problem, and I think we have to be somewhat more systematic. In any event, what my delegation will attempt to do is simply outline our views on how we might conceivably approach our general debate and then perhaps reserve the right to speak at a later stage on some of the substantive issues on which my delegation has not commented.

The approach we suggest, and I believe it is correct to say that this is the approach which the working group is following, is that our fundamental working document is of course the draft declaration which has been worked out with some pain and labour by the preparatory committee. At the same time, precisely because we have agreed to set up this working group, we must give serious consideration to a second type of documentation namely the formal amendments which have been proposed. In our view this procedure properly reflects the usual UN practice based on the principle of sovereign equality of states or, to use the words of the distinguished representative of China, the kind of democratic spirit behind this particular exercise. There is a third

category of ideas or concepts which have emerged from our discussion, sometimes orally, in one case in both oral and written form, which fell short of amendments but which we think also must be taken into account if we are going to produce the systematic approach to our general debate with even the faintest hope of success. I refer particularly here to the statement made by the distinguished representative of China, which he subsequently distributed in written form for us. I might say in passing, without going into substantive questions for the moment, that we find that approach helpful in focusing our general debate and in giving us a basis for beginning the process of exchange of views which is essential if we are to make progress. As a preliminary measure I propose at this time not to comment on substance but to attempt to indicate the inter-relationship conceptually between some of the points which have been reflected in the draft declaration of principles, some of the points which have been raised in the amendments and some of the points which have been made orally, in particular those raised in the statement of the distinguished representative of China, subsequently distributed in written form. I would explain at the outset that I am not going to attempt a tour d'horizon on all the concepts that have been set forth not only because this is a very difficult task but because I would like to reserve my right to do so later in our general debate. Now, turning again to the matter of organization of our general debate, the issue as we see it, is three fold. We have some issues which are essentially differences of views on legal questions or on the way in which legal issues & legal concepts are reflected in the draft declaration which has been presented to us for discussion. In some cases we may well be concerned only with questions of clarification. If I may add a somewhat controversial comment, this is how my delegation sees the difficulty which is being discussed between

the distinguished delegations of Argentina on the one hand and Brazil on the other, concerning Principle 2C. We in no way minimize the substantive difficulties involved, but we do ourselves see at least two or three possible forms of language which amount essentially to a clarification of the principles on which, in our view, we are already agreed. So that is one kind of problem facing us.

Our second basic kind of issue in our own view, at least, is the kind of problem on which there is already evidence from our general debate of agreement in principle, although quite clearly not on precise formulations. We still remain hopeful that with respect to that class of problem we may well be able to work out language which we may or may not have to reflect in the draft declaration, but on which in any event we will be able to achieve something close to a consensus.

There is still a third kind of problem to which we must address ourselves, and these are certain basic philosophical differences. In some cases they may be ideological differences. Now these problems are of a different order from the others mentioned and in our own view they may prove extremely difficult to resolve, and they may face us with the choice of a declaration or no declaration unless we adopt some sensible procedure. Such a device would be to leave it open to delegation or groups of delegation to join, as we ourselves had suggested in plenary, in making interpretive statements.

Now there is still another sort of problem, which is difficult to know to what extent it fits into any of these three classes I have outlined, mainly because they are really new ideas which have not yet been debated properly and in some cases not at all. These questions and new ideas should

perhaps be receiving our first attention in our general debate, although, of course, they are not. We tend to be concentrating on the draft declaration, and understandably so, because it is our basic draft. But if we don't discuss some of the new ideas in a little greater substance and detail than we have now, we will not know until the closing moments of our discussions how far apart we are or how close we are to a declaration. Now I don't suggest the working group as a whole accept my particular approach or our particular definition of the problem, but whether or not this occurs I do think certain conclusions arise which might presumably be acceptable to all. To be specific, I would like to suggest that we attempt in the course of our general debate to deliberately try to determine the nature and extent of areas of common agreement, common ground or agreement in principle, if you wish. For my own part, if it is necessary as a short cut I would even be prepared, at a rather later stage of our proceedings to see something unusual introduced, but which has occurred before, and that would be an informal show of hands - after of course, we have had a sufficient general exchange of views to determine whether we are generally agreed on the concepts or principles, leaving aside precise formulations. Otherwise, without such short cuts, we may never get through the process of drafting a declaration. Ultimately, we are going to have to move from the general to the particular, but our experience to date has been that we can spend a long time on the particular, and my difficulty is that I don't have a mind like a computer, and I simply cannot keep up with all the amendments, and at the moment I see no end to the amendment and counter amendment process.

Now if we can agree on what is the obvious approach to our general debate, and what all United Nations working groups such as this attempt to do,

namely to narrow the differences by determining those areas of agreement in principle then in the process, we will automatically proceed to the next stage, i.e., to determine the area of differences where we are not agreed. Obviously at the conclusion of such a general debate we will have to decide what next we are going to do. But at least this approach could organize our general debate on a more logical and systematic basis.

Now what I would like to attempt to do, is to suggest the conceptual interrelationship which we see between the various formulations put before us. In so doing, I would like, at a later stage, to have the opportunity to express our views in more specific form whether in general debate, or subsequently in a principle-by-principle analysis. But all I propose to suggest at the moment is the essentially procedural approach, something we really ought to have done by now, and that is to take a comprehensive approach to the documentation in making our general statements. I use that word documentation deliberately, because I don't wish to confine our considerations to our fundamental working paper, namely the draft declaration.

There are quite a number of delegations which have either made proposals or made clear their views about the preamble: for example, the Holy See, Finland, India, Nigeria, and, at one stage, Iran. I would suggest that we might also want to include comments by other delegations such as Argentina, Ghana, and, of course, Chile, Brazil, and possibly the U.S.A. A certain number of delegations are directing their attention to the preamble, and it ought <sup>not</sup> to be beyond the wit of man to get some idea in our general debate of the extent to which these ideas are consistent with the draft declaration.

As an example, there appears to be a desire, which seems to be fairly widely shared, to build something into the preamble which shows the obvious relationship, the interrelationship, between poverty and the human environment. When this point is said, as it was the other day by the distinguished representative from Pakistan, those of us who have participated in the drafting have reason to wonder why we have not had this concept reflected more emphatically than it is. It can be found, but it is something that really requires some better emphasis. Now I would like to turn from the preamble to the principles. I would suggest that with principle No. 1 we obviously have actual proposals, and they are by Chile, The Holy See and Tanzania. But I would suggest also that in the statement by the distinguished representative from China, point No. 3 touches on this question. I might mention that the point is one rather dear to our own heart. We ourselves would have preferred to see this declaration called the "right to life" declaration because it is the human environment we are talking about, the relationship between the environment and man, and it was for this reason that we stressed the "Right to Life" principle in the Human Rights Declaration. In any event we find related concepts in these three pieces of paper, the proposals of Tanzania, the proposals of Chile, and the statement by the distinguished representative of China.

I would like also to say that we welcome the constructive approach taken by the Chinese delegation in making known their ideas in very specific, very concrete, terms without attempting to propose a whole series of different amendments of their own. Obviously such action is still open to them, but they have adopted a different position which some others of us may well emulate. It is necessary, of course, in that so doing they are not "handicapped" and are fully involved in this urgent exercise and they receive substantive comments

on the points that they have raised. Otherwise, we are operating in a vacuum and we are ignoring one of the very important pieces of paper, the statements of the Chinese position that is before us.

Now if we turn to principle No. 2 we have a proposal from Brazil. With respect to Principle No. 3 there is a proposal by Algeria.

On Principle No. 4, there are proposals by Algeria, India, Pakistan.

On Principle No. 5, there is an interrelationship, which is all I am suggesting, with the 7th Chinese principle. Also there are proposals made by Iran and Chile.

With respect to Principle No. 6, the second Chinese principle is inter-related.

On Principle No. 7, there are proposals by Algeria, Pakistan, India and the Holy See.

On Principle No. 8, once again there is an interrelationship with the point made in the second principle of China.

On Principle No. 9, there is a proposal by Algeria, but I suggest there is an interrelationship conceptually once again with the second principle put forth by China.

On Principle No. 10, there is a proposal by Chile.

On Principle No. 11, there is a proposal by Iran.

On Principle No. 12, there is a proposal by Tanzania.

On Principle No. 13, I see a conceptual interrelationship with Principle No. 3 of China.

On Principle No. 14, there are proposals by Brazil and Iran.

There is then quite possibly a new principle here, Principle No. 11 of China.

On Principle No. 15, there is a proposal by Brazil and then a new proposal by Chile.

On Principle No. 16, there are proposals by Iran and the Holy See.

On Principle No. 17, there are proposals by Brazil, India, Sudan, Algeria and an interrelationship with Principle No. 9 of China.

On Principle No. 18, there are proposals by Brazil and the Holy See. We see an interrelationship here with principles 8, 6 and 12 of China.

On Principle No. 19, there is a proposal by Brazil and an interrelationship with principles 6 and 8 of China.

On Principle 20, there is a proposal by Argentina.

On Principle 21, there are proposals by the U.S.A., Tanzania, Peru and an interrelationship with the fifth Chinese point and possibly the fourth, a matter, of course, of interpretation.

On Principle 22, there is a proposal by Brazil.

On Principle 23, there is a proposal by Brazil.

Then we have new principles 24 and 25 proposed by India. We also have new points raised by various delegations concerning racial discrimination, colonialism and imperialism. China, in particular, has made comments about these issues.

There are a number of other issues which have been raised by China and which I assume the Chinese delegate wants at least to have considered one way or another. I won't attempt to analyse them, conceptually because of pressure of time, but would refer to the Chinese Principles 1, 4, 5, 6, 8, 10 and 11.

Then, of course, there is the principle of recycling, a new one put forth by Pakistan.



Now that is all I wanted to say, and all I am suggesting is that when we make our statements in general debate we try to recall that there are a number of points made by different delegations about the various principles, and not confine our comments to our respective positions on isolated points. This will organize our discussions. I don't suggest that we each make an item by item comment. I do suggest, however, that at a later stage in our deliberations, we may have to proceed principle by principle, but I deliberately am not making that proposal now. I also suggest that we attempt to organize our discussion in some way other than a comment on a particular amendment, followed by a general statement, then a comment on a particular principle without an amendment, then a general statement. I won't press this point any further, but that was my suggestion, Mr. Chairman, I do not wish to suggest that we close the general debate and begin an article by article discussion. On the contrary, I agree completely with the distinguished representative of China that this would be premature. Thank you, Mr. Chairman.