

ORIGINAL: ENGLISH

PREPARATORY COMMITTEE FOR THE UNITED
NATIONS CONFERENCE ON ENVIRONMENT
AND DEVELOPMENT
Fourth Session
New York, 2 March-2 April 1992
Working Group III
Agenda item 2

SURVEY OF EXISTING AGREEMENTS AND INSTRUMENTS,
AND ITS FOLLOW-UP

Elements for section IV, chapter 8, of Agenda 21;
Legal instruments and mechanisms

Draft proposal by the Issue Coordinator,
Ambassador Reynaldo Arcillia,
for Working Group III

I. BASIS FOR ACTION

1. The recognition that the following vital aspects of universal and multilateral treaty-making or national legislative process should be taken into account:

- a) The further development of international law in the field of sustainable development, giving special attention to the delicate balance between environmental and development concerns;
- b) The need to clarify and strengthen the relationship between existing international instruments or agreements in the field of environment and relevant social and economic agreements or instruments, taking into account the special needs of developing countries;
- c) The essential importance of the participation in and contribution of all countries, in particular the developing countries, to the success of treaty-making in the field of international law on sustainable development. Many of the existing international legal instruments and agreements in the field of environment have been developed without adequate participation and contribution of developing countries, and thus do not fully reflect the concerns and interests of those States, as well as the consequent imbalances in the effective governance of such instruments and agreements;