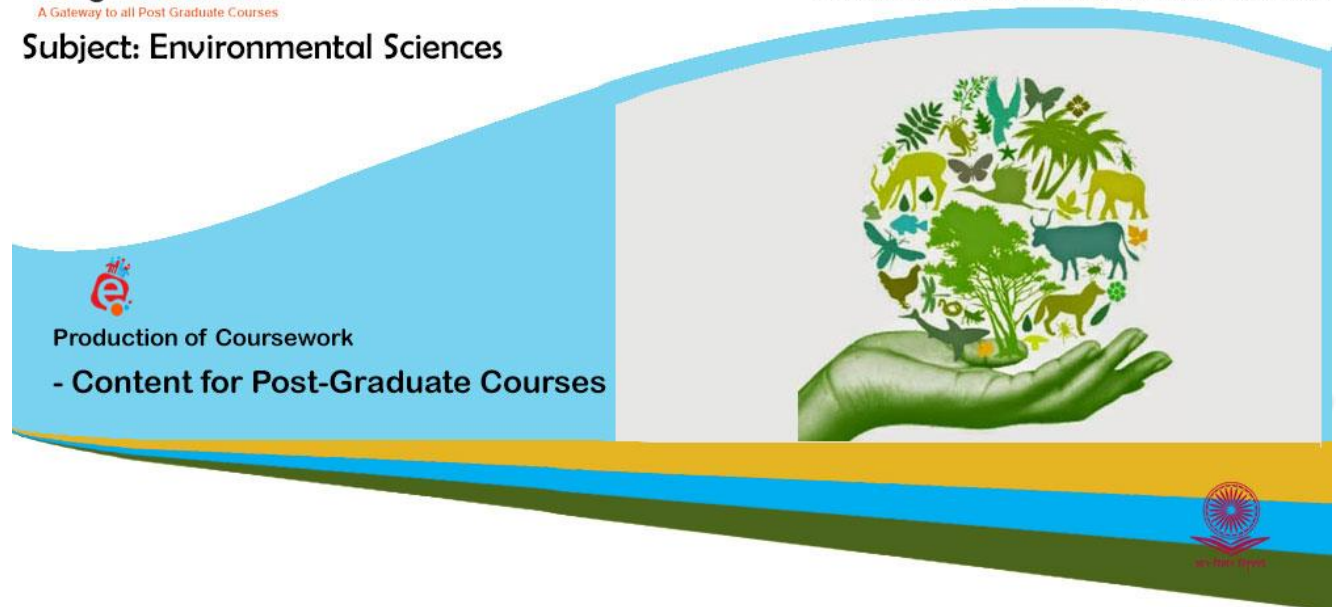


Subject: Environmental Sciences



Paper No: 13 **Environmental Law and Policies**

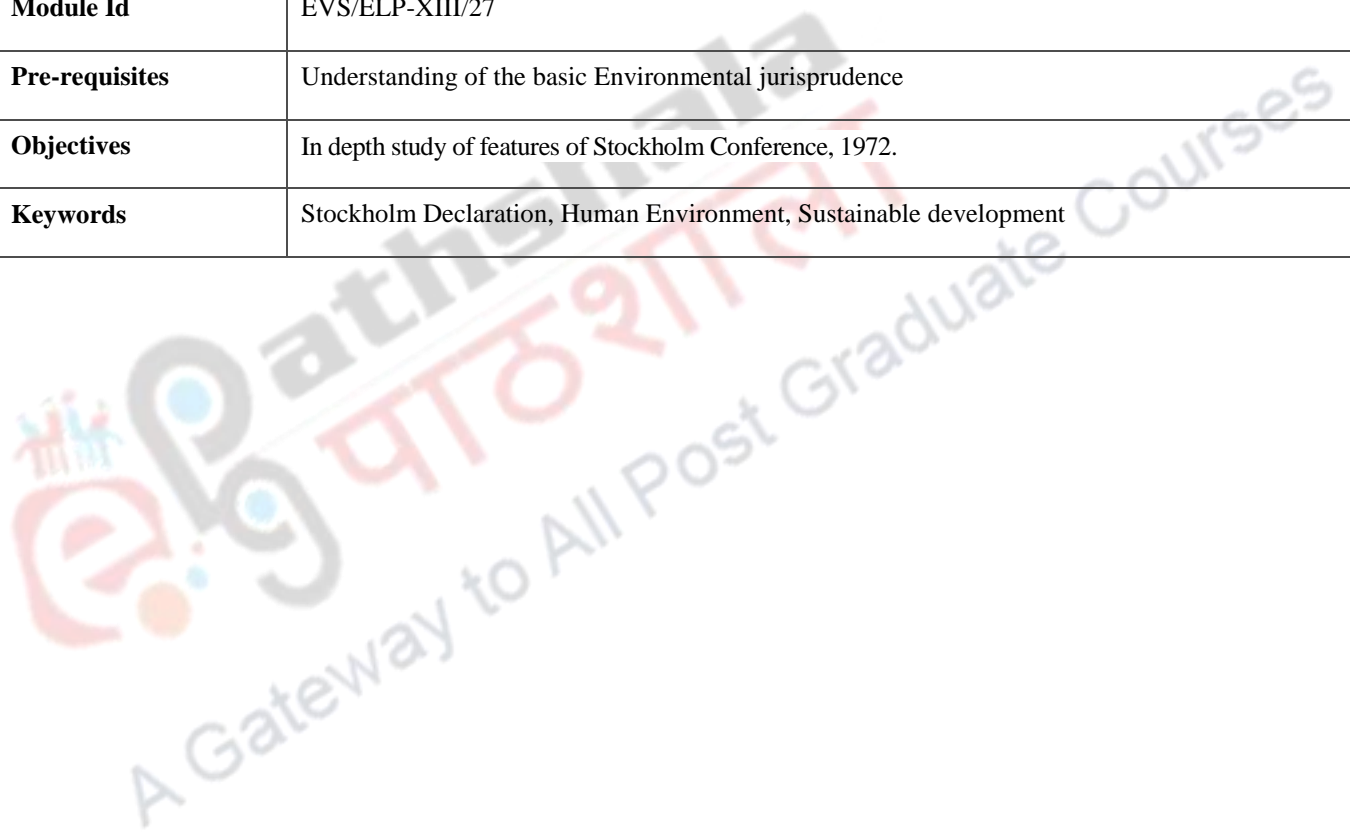
Module: 27 Stockholm Declaration on Human Environment, 1972



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Description of Module	
Subject Name	Environmental Sciences
Paper Name	Environmental Law and Policies
Module Name/Title	Stockholm Declaration on Human Environment, 1972
Module Id	EVS/ELP-XIII/27
Pre-requisites	Understanding of the basic Environmental jurisprudence
Objectives	In depth study of features of Stockholm Conference, 1972.
Keywords	Stockholm Declaration, Human Environment, Sustainable development



Stockholm Declaration on Human Environment, 1972

LEARNING OUTCOMES:

1. Understanding the concept of Sustainable Development.
2. Study of significance of Stockholm Conference.
3. In depth study of features of Stockholm Conference, 1972.

Introduction

It is a basic right of all to live in a healthy environment. There is a close relationship that exists between a healthy environment and economic condition of the community at large. The problem of environmental pollution and degradation has arisen due to the interdependence and the interrelationship between both.

A point has been reached where we must shape our actions throughout the world with a more prudent care keeping in mind the environmental consequences that may occur because of our actions and have a negative impact on environment. Through ignorance or indifference we can do massive and irreversible harm to the earthly environment on which our life and well-being depends. Conversely, through fuller knowledge and wiser actions, we can achieve for ourselves and generations to come a better life.

What is needed is an enthusiastic but calm state of mind and intense but orderly work. For the purpose of attaining freedom in the world of nature, man must use knowledge to build, in collaboration with nature, a better environment.

Stockholm Conference 1972

The Conference on the Human Environment was held at Stockholm, capital of Sweden from 5-16 June 1972 where more than 107 states participated. It is one of the most successful International Conference. In a two week period it adopted not only a basic declaration and a detailed resolution on Institutional and Financial arrangements but also 109 recommendations comprising an ambitious action plan relating to natural resources, human settlement, human health, territorial ecosystem, environment and development etc. Also at the end of the conference the participating States agreed and declared 26 Principles which are known as the Magna Carta on Human Environment. The Stockholm Declaration was the first holistic approach to deal with the problems of environment.

The Stockholm era, spans 2 decades from 1968 to 1987. It encompasses the 1972, Stockholm Conference, including the extensive array of precautionary meetings in the years preceding it, as well as the implementation of its recommendations over the following decade. The success of the Stockholm Conference was based on a complex preparatory process during which agreement was reached among the major group of countries on many issues so that a limited number of questions had to be resolved at the conference itself. The preparation for the conference was primarily in the hands of Conference Secretariat headed by Maurice F. Strong, former president of the Canadian International Development Agency.

The declaration on the human environment is divided in two parts – first part proclaims seven truths about man in relation to his environment and contains general observations such as man is both creature and molder of his environment which gives him physical substance and affords him the opportunity for intellectual, moral, social and spiritual growth; the protection and improvement of the human environment is a major issue which affects the well-being of people and economic development throughout the world. It is the urgent desire of the peoples of the whole world and the duty of all governments in the developing countries.

The part II of the Declaration on the human environment enunciates 26 principles. These principles provide the basis of an international policy for the protection and improvement of the environment. The object of the Stockholm declaration was to pass our mother earth to the coming generations in clean and healthy conditions.

Principles of Stockholm Declaration

Human Centric: (Principles 1 and 15)

Principle 1 states that Man has the fundamental right to freedom, equality and adequate conditions of life, in environment of that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations. In this respect policies promoting or perpetuating apartheid, racial segregation, Discrimination, colonial and other forms of oppression and foreign domination stand condemned and must be eliminated.

Principle 15 talks about Precautionary actions and states that planning must be applied to human settlement and urbanization to avoid adverse effects on the environment and obtaining maximum social, economic and environmental benefits for all.

Sustainable Development (Principles 2,3,4,5, 13 and 14)

Principle 2: The natural resources of the earth including the air, water, land, flora and fauna and especially representative samples of natural ecosystems must be safeguarded for the present and future generations through careful planning or management as appropriate.

Principle 3: The capacity of the earth to produce vital renewable resources must be maintained and wherever practicable restored or improved.

Principle 4: Man has a special responsibility to safeguard and wisely manage the heritage of wildlife and its habitat, which are now gravely imperiled by a combination of factors. Nature conservation, including wildlife, must therefore receive importance in planning for economic development.

Principle 5: The non-renewable resources of the earth must be employed in such a way so as to safeguard against the danger of their future exhaustion and to ensure that the benefits from all emoluments are shared by all mankind.

Principle 13: States should adopt an integrated and coordinated approach to their development planning so as to ensure that the development is compatible with the need to protect and improve environment for the benefit of their population.

Principle 14: The need for rational planning by the States to reconcile the conflict between development and environment.

Reflection of Customary International Law position (Principle 21)

Principle 21: Prevention of Environmental Harm

Further developments in the area of legal control of activities and exploitation of the natural resources within their jurisdiction to prevent any damage to the environment.

Preventative Actions (Principles 6,7 15 18 and 24)

Principle 6: The discharge of toxic substances or of other substances and the release of heat, in such quantities or concentrations as to exceed the capacity of the environment to render them harmless, must be halted in order to ensure that serious or irreversible damage is not inflicted upon ecosystems. The just struggle of the people of all against pollution should be supported.

Principle 7: States shall take all possible steps to prevent pollution of the seas by substances which are liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea.

Principle 15 talks about Precautionary actions and states that planning must be applied to human settlement and urbanization to avoid adverse effects on the environment and obtaining maximum social, economic and environmental benefits for all.

Principle 18: Science and Technology must be applied to identification, avoidance and control of environment risks and the solution of environment problems for the common good of mankind, thus incorporating the “Precautionary Principle” in essence.

Principle 24: Cooperation through multilateral and bilateral agreements or other appropriate means for effective control to eliminate the adverse environmental effects resulting from activities conducted in all spheres.

Compensation to Victims (Principle 22)

Principle 22: States to cooperate and develop further the international law regarding liability and compensation of victims of pollution and other environmental damage caused by activities within the jurisdiction or control of such states to areas beyond their jurisdiction.

Cooperation (Principles 24 and 25)

Principle 24: Cooperation through multilateral and bilateral agreements or other appropriate means for effective control to eliminate the adverse environmental effects resulting from activities conducted in all spheres.

Principle 25: States shall ensure that the international organizations play a coordinated and dynamic role for the protection and improvement of the environment.

Other Principles

According to **Principle 11** the environmental policies of all States should enhance and not adversely affect the present or future development potential of developing countries, nor should they hamper the attainment of better living conditions for all. **Principle 19** provides that education in environmental matters, for the younger generation as well as adults, giving due consideration to the underprivileged, is essential in order to broaden the basis for an enlightened opinion and responsible conduct by individuals, enterprises and communities in protecting and improving the environment in its full

human dimension. According to **Principle 20** the scientific research and development in the context of environment problems both national and multinational must be promoted in all countries especially in the developing countries and finally **Principle 26** states that man and environment must be spared from the effects of nuclear weapons and all other means of mass destruction. States must strive to reach prompt agreement on the elimination and complete destruction of such weapons.

Aftermath of Stockholm Declaration

As a result of the Stockholm Declaration, some other Global Conventions on the preservation of Environment were convened such as:-

1. The Convention on International Trade in endangered species of Wild Fauna and Flora, 1973.
2. The Convention for the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972.
3. The Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircrafts, 1973.

The Air (prevention and control of pollution) Act 1981; The Water (Prevention and Control of Pollution) Act, 1974 and the Forest (Conservation) Act, 1980 was passed by Parliament in India with a view to implementing the decision of the Stockholm conference which asked the number of states to take appropriate steps, among other things, for the preservation of quality of air and control of air pollution. These legislations were enacted for wider purpose of protection and improving the human environment, a goal laid down by the Stockholm Conference.

This declaration was one of the first efforts undertaken by the world community towards bringing into focus the common concerns of the people, common challenges that they face the world over and the common endeavors' which are needed to be undertaken for peace, security development and environment.