REPORT OF THE CHAIRPERSON OF THE OPEN-ENDED WORKING GROUP
ESTABLISHED TO EXAMINE THE DRAFT DECLARATION
ON THE SAFEGUARDING OF FUTURE GENERATIONS

SUMMARY

After discussing the draft Declaration on the Safeguarding of Future Generations (151 EX/18) at its 151st session, the Executive Board adopted decision 3.5.2, by which it invited the Director-General to ‘convene an open-ended Working Group, composed of governmental experts, representing all electoral groups’ to continue the examination of the draft Declaration. The present document is the report of the Chairperson of the Working Group to the Executive Board, containing the draft Declaration on the Responsibilities of the Present Generations Towards Future Generations.

Decision required: paragraph 2.

1. The present document contains a report concerning a new version of a draft Declaration on the Responsibilities of the Present Generations Towards Future Generations as adopted by the Working Group of Governmental Experts (see Annex I). It highlights the general debate and the summary of the in-depth discussions, in which 56 Member States took part and which resulted in the elaboration of the draft Declaration.

2. After examining this question, the Executive Board may wish to adopt the following decision:
The Executive Board,

1. Recalling 151 EX/Decision 3.5.2,

2. Having examined the report of the Chairperson of the Working Group, and the draft Declaration on the Responsibilities of the Present Generations Towards Future Generations (152 EX/15),

3. Decides to submit the draft Declaration to the General Conference at its twenty-ninth session for consideration and adoption.
FINAL REPORT

I. Introduction

Decision 3.5.2 adopted by the Executive Board at its 151st session invited ‘the Director-General to convene an open-ended Working Group, composed of governmental experts, representing all electoral groups’. The mandate of the Working Group was to continue the examination of the draft Declaration on the Safeguarding of Future Generations, duly taking into consideration the replies by Member States to the Director-General’s letter of 16 January 1997 as well as observations and suggestions made by Members of the Executive Board at its 151st session. This decision invites the Chairperson of the Working Group to report to the Executive Board at its 152nd session.

The Working Group of governmental experts met at UNESCO Headquarters, Paris, from 3 to 8 September 1997. Experts designated by 56 Member States, representing all the electoral groups participated in the Working Group. The United Nations was represented by Mr Pierre Sob, Representative of the High Commissioner for Human Rights. The list of participants is presented in Annex II.

II. Opening of the session

The session was opened on behalf of the Director-General by Ms Francine Fournier, Assistant Director-General for Social and Human Sciences. She welcomed the experts and formulated expectations linked with the work of the Group. The representative of the Director-General dwelt on the challenges on the threshold of the twenty-first century, underlining the need to create momentum for the present generations so that a better world can be passed on to future generations.

III. Constitution of the Bureau, adoption of the agenda and of the Rules of Procedure

As provided in Article 2 of the Rules of Procedure, at the opening session, the Working Group elected its Bureau, composed as follows:

Chairperson: His Excellency Mr Hector Gros Espiell, Ambassador of Uruguay to France and Permanent Delegate of Uruguay to UNESCO

Vice-Chairpersons: Benin, Russian Federation, Germany, Morocco, Nepal

Rapporteur: Mr C. Chatterji (India)
During the meeting of the Working Group, the Director-General was represented by Ms F. Fournier, Assistant Director-General for Social and Human Sciences. Mr D. de San served as Legal Adviser. The Secretariat was composed of Mr J. Symonides, Director of the Division of Human Rights, Democracy and Peace and Mr K. Singh, Programme Specialist, in the same division.

The Working Group first adopted the agenda and then the Rules of Procedure.

IV. Presentation of the draft Declaration by the Chairperson of the Working Group - general debate

Presenting the draft Declaration, the Chairperson of the Working Group briefly highlighted the main stages that led to the elaboration of a draft Declaration, and the orientations given by the Executive Board during the debates, in particular at its 151st session. He expressed the hope that the Working Group would be able to produce a finalized version of the draft Declaration which would meet the expectations of the Executive Board and the General Conference.

The working documents prepared by the Secretariat, notably document SHS-97/CONF.207/4 (Replies from the Member States received up to 24 June 1997 to the letter by the Director-General (CL/3447 dated 16 January 1997) and SHS-97/CONF.207/5 (draft Declaration on the Safeguarding of Future Generations, integrating the modifications and comments received by the Member States) served as the basis for the debate.

The experts in general welcomed the initiative of the Director-General in elaborating a Declaration, which in their opinion responds to the needs and interests of the future generations on the eve of the twenty-first century. Strong emphasis was placed on the importance of intergenerational solidarity and the ethical and moral nature of a Declaration. It was observed that the responsibility of the present generations to bear in mind the needs and interests of future generations is of universal nature and UNESCO has a special role for raising public awareness on this subject. The Declaration expresses a commitment of the international community vis-à-vis the whole of humanity, linked as a chain of generations. The representative of the High Commissioner for Human Rights commended and supported the work of UNESCO to elaborate such a Declaration. Many experts underlined the importance of referring to the values of democracy and respect for human rights and fundamental freedoms.

Another important question discussed in the plenary was the provisions relating to economic and social development. Some experts emphasized the responsibility of the present generations to create the conditions for an equitable, universal and sustainable socio-economic development. It was pointed out that the present generations have a moral responsibility to solve current problems to create and bequeath a better world for future generations.

V. Discussion of the Preamble and the provisions - article by article - of the draft Declaration

After general debate, the Working Group discussed first the Preamble, then the text of the draft Declaration, article by article. One delegate observed that the title of the draft Declaration (Safeguarding of Future Generations) suggested the idea that future generations were a property to be preserved. After exchange of opinion, consensus emerged that it would be preferable to modify the present title.
As regards the Preamble, several delegates expressed the opinion that it is rather too lengthy and that the provisions covered by the articles should not be reflected in it. It would be better to have a shorter, more focused Preamble.

As regards the provisions of various articles of the draft Declaration, a number of modifications and improvements were suggested during the debate. Special attention was given to Article 1 and Article 13(3)(ii). Provisions of some other articles - namely Article 5 on the genetic heritage of humankind, Article 8 on saving future generations from the scourge of war and armed conflicts and Article 10 on the inviolability of the needs and interests of future generations were also discussed.

Several experts mentioned that the present draft does not cover adequately educational dimensions. Education, which is an essential part of UNESCO’s fields of competence, is a vital instrument in promoting the values of a culture of peace.

VI. The work of the Drafting Committee

The Drafting Committee was composed of the Rapporteur and the experts from Benin, Germany, South Africa and Tunisia. It was open to all the experts participating in the Working Group. Several other experts representing their governments took part in its work. The Secretariat presented to the Drafting Committee a document SHS-97/CONF.207/5 Add.1, containing amendments and modifications presented by the governmental experts during the plenary debate.

During its meetings, the Drafting Committee gave careful consideration to all the views expressed and observations made during the plenary. It examined all the modifications, amendments and suggestions presented on the text of the draft Declaration. After a full debate, it prepared a new, modified version of the draft Declaration with a new title ‘Draft Declaration on the Responsibilities of the Present Generations Towards Future Generations’.

VII. Presentation and adoption of the draft final report and the closure of the session

The draft final report of the Working Group of Governmental Experts, containing the draft Declaration on The Responsibilities of the Present Generations Towards Future Generations was presented to the plenary. This draft Declaration was discussed and adopted by the Working Group. The text of the draft Declaration is presented below.
DRAFT DECLARATION ON THE RESPONSIBILITIES
OF THE PRESENT GENERATIONS TOWARDS FUTURE GENERATIONS

(Version adopted by the Working Group of the Governmental Experts,
UNESCO, Paris, 3-8 September 1997)

The General Conference of the United Nations Educational, Scientific and Cultural Organization, meeting in Paris from … to … at its … session,

Mindful of the will of the peoples, set out solemnly in the Charter of the United Nations, to ‘save succeeding generations from the scourge of war’ and to safeguard the values and principles enshrined in the Universal Declaration of Human Rights, and all other relevant instruments of international law,


Concerned by the fate of future generations in the face of the vital challenges of the next millennium,

Conscious that, at this point in history, the very perpetuation of humankind and its environment are threatened,

Stressing that full respect for human rights and ideals of democracy constitute an essential basis for the protection of the needs and interests of future generations,

Asserting the necessity for establishing new, equitable and global links of partnership and intra-generational solidarity, and for promoting inter-generational solidarity for the perpetuation of humankind,


Determined to contribute towards the solution of current world problems through increased international co-operation, to create such conditions as will ensure that the needs and interests of future generations are not jeopardized by the burden of the past, and to hand on a better world to future generations,

Resolved to strive to ensure that the present generations are fully aware of their responsibilities towards future generations,
Recognizing that the task of protection of needs and interests of future generations, particularly through education, is fundamental to the ethical mission of UNESCO, whose Constitution enshrines the ideals of ‘justice and liberty and peace’ founded on ‘the intellectual and moral solidarity of mankind’,

Bearing in mind that the fate of future generations depends on decisions and actions taken today, and that present-day problems, including poverty, technological and material underdevelopment, unemployment, exclusion, discrimination and threats to the environment, must be solved in the interests of both present and future generations,

Convinced that there is a moral obligation to formulate behavioural guidelines for present generations within a broad, future-oriented perspective,

The General Conference therefore, solemnly proclaims on this … day of … this Declaration on the Responsibilities of the Present Generations Towards Future Generations.

**Article 1**

**Needs and interests of future generations**

The present generations have the responsibility of ensuring that the needs and interests of future generations are fully safeguarded.

**Article 2**

**Freedom of choice**

It is important to make every effort to ensure, with due regard to human rights and fundamental freedoms, that future as well as present generations enjoy full freedom of choice as to their political, economic and social systems and are able to preserve their cultural and religious diversity.

**Article 3**

**Maintenance and perpetuation of humankind**

The present generations should strive to ensure, with due respect for the dignity of the human person, the maintenance and perpetuation of humanity (recognizing that the role of women is central to this process). Consequently, the nature and form of human life must not be undermined in any way whatsoever.

**Article 4**

**Preservation of life on Earth**

The present generations have the responsibility to bequeath to future generations an Earth which will not one day be irreversibly damaged by human activity. Each generation inheriting the Earth temporarily shall take care to use natural resources reasonably and ensure that life is not prejudiced by harmful modifications of the ecosystems and that scientific and technological progress in all fields does not harm life on Earth.
Article 5

Protection of the environment

1. In order to ensure that future generations benefit from the richness of the Earth’s ecosystems, the present generations should strive for sustainable development and preserve living conditions, particularly the quality and integrity of the environment.

2. The present generations should ensure that future generations are not exposed to pollution which may endanger their health or their existence itself.

3. The present generations should preserve for future generations natural resources necessary for sustaining human life and for its development.

4. The present generations should take into account possible consequences for future generations of major projects before these are carried out.

Article 6

Human genome and biodiversity

The human genome, in full respect of the dignity of the human person and human rights must be protected and biodiversity safeguarded. Scientific and technological progress should not in any way impair or compromise the preservation of the human and other species.

Article 7

Cultural diversity and cultural heritage

With due respect for human rights and fundamental freedoms, the present generations shall take care to preserve the cultural diversity of humanity. The present generations have the responsibility to identify, protect and safeguard the tangible and intangible cultural heritage and to transmit this common heritage to future generations.

Article 8

Common heritage of humankind

The present generations may use the common heritage of humankind, as defined in international law, provided that this does not entail compromising it irreversibly.

Article 9

Peace

1. The present generations should ensure that both they and future generations learn to live together in peace, security, respect for international law, human rights and fundamental freedoms.
2. The present generations should spare future generations the scourge of war. To that end, they should avoid exposing future generations to the harmful consequences of armed conflicts as well as all other forms of aggressions and use of weapons, contrary to humanitarian principles.

Article 10

Development and education

1. The present generations should ensure the conditions of equitable, sustainable and universal socio-economic development of future generations, both in its individual and collective dimensions, in particular through a fair and prudent use of available resources for the purpose of combating poverty.

2. Education is an important instrument for the development of human persons and societies. It should foster peace, justice, understanding, tolerance, equality and health for the benefit of present and future generations.

Article 11

Non-discrimination

The present generations should refrain from taking any action or measure which would have the effect of leading to or perpetuating any form of discrimination for future generations.

Article 12

Implementation

1. States, the United Nations system, other intergovernmental and non-governmental organizations, individuals, public and private bodies should assume their full responsibilities in promoting, in particular through education, training and information respect for the ideals laid down in this Declaration, and to encourage, by all appropriate means their full recognition and effective application.

2. Bearing in mind UNESCO’s ethical mission, the Organization is requested to disseminate the present Declaration as widely as possible, and to undertake all necessary steps in UNESCO’s fields of competence to raise public awareness concerning the ideals, enshrined in this Declaration.
ANNEX II

PARIS, 8 September 1997
English/français only

UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION/
ORGANISATION DES NATIONS UNIES
POUR L'EDUCATION, LA SCIENCE ET LA CULTURE

WORKING GROUP OF GOVERNMENTAL EXPERTS
ON THE DRAFT DECLARATION ON THE SAFEGUARDING
OF FUTURE GENERATIONS/
GROUPE DE TRAVAIL D’EXPERTS GOUVERNEMENTAUX
SUR LE PROJET DE DECLARATION SUR LA SAUVEGARDE
DES GENERATIONS FUTURES

Paris, 3-8 September/septembre 1997

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