

IMPLEMENTATION OF THE HELSINKI ACCORDS

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDREDTH FIRST CONGRESS FIRST SESSION

SOFIA CSCE MEETING ON THE PROTECTION OF THE ENVIRONMENT

SEPTEMBER 28, 1989

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PUBLIC HEARING ON THE SOFIA CSCE MEETING
ON THE PROTECTION OF THE ENVIRONMENT

THURSDAY, SEPTEMBER 28, 1989

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
Washington, DC

The Commission met, pursuant to notice, in room SD-628, Dirksen Senate Office Building, at 2:08 p.m., Senator Dennis DeConcini, Chairman, and Representative Steny H. Hoyer, Cochairman, presiding.

In attendance: Commissioners and Senators Timothy Wirth, Alfonso D'Amato and the Honorable Richard Schifter, State Department.

OPENING STATEMENT OF CHAIRMAN DeCONCINI

Chairman DeCONCINI. Cochairman Hoyer is on his way, and I want to thank Commissioner Schifter for being with us today. We will have other members coming along, but I would like to welcome our distinguished witnesses and take this opportunity to congratulate you, Mr. Smith, on the appointment as head of the U.S. delegation to the Sofia Meeting.

The purpose of this hearing is to examine the Sofia CSCE Meeting on the Protection of the Environment—the first meeting in CSCE history devoted exclusively to the environment. This meeting will provide a forum for raising both important environmental and human rights issues.

The CSCE process has focused to date on human rights and military security issues. These issues continue to dominate, but interest has grown in others encompassed by the Helsinki Final Act, especially the environment. At the Sofia Meeting we will address environmental problems which recognize no borders and which ultimately threaten every individual's right to a peaceful and secure life. As Thomas McMillan, Canada's Minister of the Environment, noted in 1987, "Pollution doesn't carry a passport." How true that is. This is particularly evident in Europe, a continent consisting of many small, industrialized countries whose environmental problems are largely transboundary in nature.

A vital aspect of the environmental issue is that of public awareness and the ability of private citizens and groups to bring about effective environmental protection. The improvements in this country's environmental record have been due, in large part, to the public pressures that citizen awareness and activism have generat-

ed. Given the many environmental problems facing the Soviet Union and Eastern Europe, it is encouraging to witness a somewhat greater tolerance for independent environmental activity in some states, although in others, including the host state, the level of tolerance is still low.

Tolerance for public environmental activity is, or should be, closely related to greater tolerance for other kinds of individual or group expression—political, cultural or religious. The Sofia Meeting has been marred by the Bulgarian Government's lack of tolerance in its appalling treatment of the Turkish and Muslim minorities. The Bulgarian Government's campaign to assimilate its Turkish minority constitutes a serious violation of human rights which culminated this spring into widespread protests and a subsequent exodus to Turkey of over 30,000 ethnic Turks. Given the vital importance of human rights to the entire Helsinki process and East-West cooperation, it is incumbent upon us to raise Bulgaria's human rights record during the Sofia Meeting.

I look forward to hearing today's witnesses and their perspectives on and expectations for the Sofia Meeting and on the protection of the environment.

I will yield now to the distinguished Cochairman, Congressman Hoyer, who has really led this Commission much longer than I have and has conducted so many of these hearings.

[Prepared statement of Chairman Dennis DeConcini follows:]

COMMISSION ON
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STATEMENT OF DENNIS DeCONCINI
CHAIRMAN
COMMISSION ON SECURITY AND COOPERATION IN EUROPE

HEARING ON:
SOFIA ENVIRONMENT MEETING
AND
EAST-WEST ENVIRONMENTAL COOPERATION

September 28, 1989

Mr. Chairman. I would like to welcome our distinguished witnesses and take this opportunity to congratulate Dick Smith on his appointment as Head of the U.S. Delegation to the Sofia Meeting. The purpose of this hearing is to examine the Sofia CSCE Meeting on the Protection of the Environment - the first meeting in CSCE history devoted exclusively to the environment. This meeting will provide a forum for raising both important environmental and human rights issues.

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Tolerance for public environmental activity is, or should be, closely related to greater tolerance for other kinds of individual or group expression - political, cultural or religious. The Sofia meeting has been marred by the Bulgarian government's lack of tolerance in its appalling treatment of the Turkish and Muslim minorities. The Bulgarian government's campaign to assimilate its Turkish minority constitutes a serious violation of human rights which culminated this spring into widespread protests and a subsequent exodus to Turkey of over 300,000 ethnic Turks. Given the vital importance of human rights to the entire Helsinki process and East-West cooperation, it is incumbent upon us to raise Bulgaria's human rights record during the Sofia Meeting.

I look forward to hearing today's witnesses and their perspectives on and expectations for the Sofia Meeting and on the protection of the environment.

STATEMENT OF COCHAIRMAN HOYER

Cochairman HOYER. Thank you, Mr. Chairman. I ask unanimous consent that my statement be included in the record at this time, as written.

Chairman DECONCINI. Without objection, it will appear in the record.

Cochairman HOYER. Let me observe that the Sofia Meeting is a unique meeting in the Helsinki process in that it is the first one devoted entirely to the environment.

It has historically been the position of the West, and I think rightly so, that of the 3 baskets and 10 principles of the Helsinki Final Act, that the security and human rights principles took precedence. Also, because the human rights performance in the East has been so bad over the years, it has been incumbent upon the West with, I think, the United States in the forefront of that effort, to very highly raise the issue of human rights.

In addition, of course, the issue of security is addressed in many different forums, not the least of which has been, however, within the Helsinki process. In fact, the Security Conference in Stockholm led, in a very real sense, to bridging one of the most difficult questions related to arms control agreements. That, of course, was the question of verification. It was in Stockholm, after all, that the Soviets first agreed to some type of intrusive verification procedure—that being the CSBM's.

The time has come where we have thankfully seen an improvement in human rights performance in some of the nations of the East. I believe that in some degree, more or less, the Helsinki process has been responsible, and as we have had an opportunity to make a breakthrough in security, I think we've also done that in human rights.

I have told almost all of those with whom I have had the opportunity of meeting, from the East, in discussing security and human rights matters, that the second basket of the Final Act would start receiving the significant attention that it deserves, both in terms of economic relations—East-West, scientific, technological—and also environmental.

Anybody who has traveled to Eastern Europe knows that one of the principal problems they have is the environment. Chernobyl has made it dramatically clear that none of us are free from the environmental degradation committed by other nations, that it is not, indeed, a national issue nor in many ways an international issue, but a global issue.

I share Senator DeConcini's deep concern that there not be any implication that by going to Sofia we are not very distressed by the human rights violations that are ongoing in Bulgaria.

Those of you in our audience who are environmentalists committed to raising the issue in every forum available to you, of the importance of protecting and, indeed, in many respects, cleaning up our environment, are very important to this process.

We would hope that you would share our enthusiasm and deep commitment to the relationship between all of these baskets—security, human rights, environment, economic, technological and scientific relations because it is, indeed, the premise of the Helsinki

Final Act that we are going to enhance relations between those 35 signatory States, and the way we are going to do it is to cooperate in all those areas.

There may be some of you who are going to join our delegation, or are with our delegation in Sofia. Focus on the environmental issue, it is a critical one, but do not let it be the exclusive issue on which you rely.

An enhanced environment is critically important, but it must parallel enhanced human rights behavior in Bulgaria. Bulgaria, as far as the Helsinki Commission is concerned, falls into the bottom two, if you will, in terms of human rights performance in the Eastern bloc nations—Hungary and Poland obviously being the best, the Soviet Union perhaps coming next, ironically, because it used to be last, East Germany perhaps next, and Bulgaria, and then Rumania dead last.

So, you will be going to a nation to discuss an issue of great importance, but a nation that needs it to be made clear that the environment is not our exclusive concern.

So, I want to congratulate you, Chairman DeConcini, and Assistant Secretary Schifter, who is a member of our Commission, for your commitment, and thank all of you for your participation. I also thank the witnesses for bringing these questions to our attention. Obviously, security and human rights, as important as they are, if we have a global village in which we cannot survive, they become perhaps somewhat irrelevant. Again, let me emphasize the interrelated nature of the three baskets of the Helsinki Final Act. Thank you, Mr. Chairman.

[Prepared statement of Cochairman Steny H. Hoyer follows:]

DENNIS DeCONCINI, ARIZONA, CHAIRMAN
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STATEMENT OF STENY H. HOYER,
CO-CHAIRMAN
COMMISSION ON SECURITY AND COOPERATION IN EUROPE

HEARING ON:
THE SOFIA ENVIRONMENT MEETING
AND
EAST-WEST ENVIRONMENTAL COOPERATION

SEPTEMBER 28, 1989

ON OCTOBER 16, THE PARTICIPATING STATES IN THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE WILL OPEN THE SOFIA MEETING ON THE PROTECTION OF THE ENVIRONMENT. THIS THREE-WEEK MEETING WILL BE THE FIRST CSCE MEETING DEVOTED EXCLUSIVELY TO ENVIRONMENTAL ISSUES.

WHILE ENVIRONMENTAL ISSUES RECEIVED EXTENSIVE COVERAGE IN THE HELSINKI FINAL ACT, THEY HAVE NOT BEEN GIVEN THE ATTENTION IN THE CSCE PROCESS THAT THEY DESERVE. THE CONCLUDING DOCUMENT OF THE MADRID CSCE FOLLOW-UP MEETING, FOR EXAMPLE, CONTAINED ONLY ONE PARAGRAPH ON THE ENVIRONMENT. FORTUNATELY, THE VIENNA CSCE FOLLOW-UP MEETING, WHICH CONCLUDED IN JANUARY OF THIS YEAR, CHANGED THIS SITUATION CONSIDERABLY, DEVOTING A NUMBER OF PROVISIONS TO A WIDE RANGE OF ENVIRONMENTAL ISSUES -- FROM PROTECTION OF THE OZONE LAYER TO DUMPING AND INCINERATION AT SEA -- AS WELL AS MANDATING THE SOFIA MEETING.

THE SOFIA MEETING HOPEFULLY WILL CONTRIBUTE TO THE EFFORT TO SOLVE THE MANY ENVIRONMENTAL PROBLEMS WHICH ARE PRESENTLY RECEIVING SO MUCH ATTENTION. INDEED, THE CSCE PROCESS AS A WHOLE CAN CONTRIBUTE TO EFFORTS TO PROTECT THE ENVIRONMENT, BOTH REGIONALLY AND GLOBALLY.

ONE AREA WHERE THE CSCE IS UNIQUELY SUITED TO PLAYING A POSITIVE ROLE CONCERNS PUBLIC INVOLVEMENT, BY ENVIRONMENTAL GROUPS AND CONCERNED CITIZENS ALIKE, IN PROTECTING THE ENVIRONMENT. MANY OF YOU ATTENDING THIS HEARING TODAY KNOW HOW IMPORTANT IT IS IN THIS COUNTRY TO BRING ENVIRONMENTAL PROBLEMS TO THE ATTENTION OF PUBLIC OFFICIALS AND TO PRESS THEM TO TAKE ACTION TO REMEDY THE SITUATION. IN THE SOVIET UNION AND THE COUNTRIES OF EASTERN EUROPE, THERE ARE MANY ENVIRONMENTAL PROBLEMS AS WELL, BUT TOLERANCE OF PRIVATE INDIVIDUALS AND INDEPENDENT GROUPS WHO ARE CONCERNED WITH THESE PROBLEMS IS ONLY FAIRLY RECENT.

THE CSCE HAS BEEN A FORUM FOR ADDRESSING SUCH HUMAN DIMENSION ISSUES, AND THE RIGHTS TO FREEDOM OF ASSEMBLY, ASSOCIATION AND EXPRESSION WHICH ARE CRITICAL TO ENVIRONMENTAL PROTECTION EFFORTS ARE ALSO A CENTRAL CONCERN OF THE CSCE. IN FACT, THE VIENNA CONCLUDING DOCUMENT ACKNOWLEDGED THE IMPORTANCE OF THE CONTRIBUTION OF PERSONS AND ORGANIZATIONS DEDICATED TO THE PROTECTION AND IMPROVEMENT OF THE ENVIRONMENT AND COMMITTED THE PARTICIPATING STATES TO ALLOWING THESE GROUPS AND INDIVIDUALS TO EXPRESS THEIR CONCERNS.

THE COMMISSION IS PLEASED TO HAVE FOUR EXPERT WITNESSES WHO CAN DISCUSS ENVIRONMENTAL ACTIVISM AND OTHER IMPORTANT ISSUES RELATING TO THE SOFIA MEETING, INCLUDING HUMAN RIGHTS. THE CONGRESS IS PARTICULARLY CONCERNED ABOUT VERY SERIOUS VIOLATIONS OF CSCE HUMAN RIGHTS COMMITMENTS BY THE HOST COUNTRY, BULGARIA. THE RECENT TREATMENT OF THE TURKISH MINORITY THERE HAS CAST AN UNFORTUNATE SHADOW OVER THE MEETING, AND WE WILL EXAMINE CAREFULLY THE DEGREE TO WHICH BULGARIA ABIDES BY ITS COMMITMENT AS HOST TO PROVIDE NON-GOVERNMENTAL ORGANIZATIONS, THE MEDIA AND OTHER PRIVATE INDIVIDUALS, INCLUDING BULGARIAN CITIZENS, THE SAME ACCESS AND OPENNESS AS WAS PROVIDED AT THE VIENNA MEETING.

IN CONCLUSION, MR. CHAIRMAN, I WOULD LIKE TO SAY THAT I HOPE SOFIA IS ONLY A STARTING POINT FOR A STRONG ENVIRONMENTAL EFFORT IN THE CSCE PROCESS. I BELIEVE THAT THE UNITED STATES OF AMERICA, WITH ITS WEALTH OF EXPERIENCE IN ENVIRONMENTAL PROTECTION AND ITS FREE SOCIETY, CAN TAKE A LEADING ROLE IN THIS EFFORT, AND THE COMMISSION WILL DO WHAT IT CAN TO CONTRIBUTE TO THIS END.

Chairman DECONCINI. Chairman Hoyer, thank you. I think those words are well taken, and I'm very pleased that you've stressed that with those who are going to be on the delegation.

I will now yield to the executive branch member of the Commission, Assistant Secretary Schifter, for any opening remarks.

STATEMENT OF ASSISTANT SECRETARY RICHARD SCHIFTER

Secretary SCHIFTER. Mr. Chairman, both you and Cochairman Hoyer have expressed the views of the U.S. Government so well that I can simply say we echo them.

I want to add, just for the information of the Commission, that the principal Deputy of the Human Rights Bureau, Josh Gilder, has just been to Turkey and to Bulgaria to examine the very questions that you have alluded to. He will be also the deputy of the delegation in Sofia.

After visiting there, he went to Paris, Bonn, Brussels and London, to share his impressions with our allies. Thank you.

Let me ask a couple of distinguished guests who are here—we have some gentlemen here from the Bulgarian Government, the Deputy Minister of the Committee on the Environmental Affairs, Mr. Shokolov, if he will please stand and be recognized—thank you, we welcome you. Also, the Deputy Executive Secretary of the Sofia Environmental Meeting, Mr. Cherkov—thank you, glad to have you here. And a councillor from the Bulgarian Embassy, Mr. Maximov—thank you, we welcome having you here.

Mr. Smith, if you would, please proceed.

STATEMENT OF RICHARD J. SMITH, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF STATE FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

Mr. SMITH. Thank you very much, Mr. Chairman. I would like first to note that I am accompanied by Ken Pitterle, from the Bureau of European and Canadian Affairs, who works in the office that staffs the preparations for these CSCE meetings.

I would like, if it is acceptable to you, Mr. Chairman, to submit my statement for the record, and, at this point, to summarize that statement.

Chairman DECONCINI. It will appear in the record.

Mr. SMITH. Mr. Chairman, Members of the Commission, I am pleased to be here today as head of the U.S. delegation to discuss our approach to the CSCE Sofia Meeting on the Protection of the Environment.

The U.S. places great importance on the Sofia environmental agenda, and looks forward to this opportunity for improved East-West cooperation on the environment. At the same time, we believe it is important to place the Sofia Meeting in the context of our overall objectives for the CSCE process. This includes our primary objective in CSCE of working to bring about political and economic change and improvement in human rights performance in the Soviet Union and Eastern Europe. I would like to mention our political concerns before addressing the environmental agenda.

Egregious human rights abuses committed by the Bulgarian authorities against their ethnic Turkish minority have cast a shadow

over the Sofia Meeting. The U.S. decision to attend the Sofia Meeting took into account this tragic situation.

Let me stress that we deplore Bulgaria's continuing denial of human rights to its citizens. We view violations by Bulgaria of its CSCE commitments in its treatment of internal dissent and, most particularly, its persecution of its ethnic Turkish and Moslem minorities as very serious challenges to the CSCE process.

In Sofia, the United States will raise the Bulgarian treatment of its ethnic Turkish and Muslim minorities. Further, we will raise our concerns about the treatment of Bulgarian human rights activists, such as Dr. Konstantin Trenchev and the members of the Podkrepa Union, and Bulgarian environmental activists such as Ecoglasnost.

To address our broader political concerns in Sofia, the United States is preparing proposals to be introduced on such issues as, first, acknowledging the right of individuals to information on environmental matters; strengthening the rights of environmental activists and organizations; and promoting cooperation among environmental nongovernmental organizations. We are working closely with the CSCE Commission staff on these proposals.

We are highly concerned about openness of and access to the Sofia Meeting for the media, private individuals, and representatives of nongovernmental organizations.

Access and openness are fundamental to the CSCE process. We have raised, and will continue to raise, this issue with the Bulgarian authorities. We have made it clear that additional activities for private individuals and NGOs, while welcome, do not and cannot substitute for openness of and access to the CSCE meeting itself. We recently requested specific information from the Bulgarian CSCE Secretariat—floor plans, regulations, and so forth—in order to better assess the provisions being made for openness and access to the meeting.

Turning to the environmental agenda, at this stage we, together with EPA, are still in the process of developing specific positions on the three major issues—transboundary pollution from industrial accidents; management of potentially hazardous chemicals, and transboundary water pollution of lakes and rivers.

Let me emphasize that we see a linkage between environmental progress and freedom of expression. Individuals and organizations must be free to express their environmental concerns and press to have them addressed or environmental problems will not be solved. This is a central message that we need to bring to Sofia.

Also, we must emphasize that the major environmental problems are not national, but international in character. Addressing such problems cooperatively is the only way real progress can be made.

With respect to particular outcomes from Sofia, I believe we must, first and foremost, give impetus to ongoing programs and strengthen existing mechanisms that now work quite well. I particularly have in mind the Economic Commission for Europe, the ECE, which provides a multi-level forum for environmental coordination and discussion between East and West. We are not opposed to a final document in Sofia, but would have reservations about any final document that did not include provisions on human rights questions, such as rights of individuals to information on en-

vironmental matters and strengthening the rights of environmental activists, as I mentioned earlier.

We are also concerned that any final document not call for duplication of work being done in other international bodies. Indeed, we believe Sofia provides an excellent opportunity to focus attention of East European and Soviet governments on the excellent work already underway in other forums.

With respect to accidents, for example, the principles and issues of accident prevention and mitigation, defined broadly as preparedness, response and public protection, are international concerns and considerable efforts have been devoted to them in several key international organizations. I am thinking particularly of the work of the OECD ad hoc group on accidents involving hazardous installations and the U.N. environment programs, awareness and preparedness for emergencies at the local level, APELL.

We expect the Federal Republic of Germany to come to Sofia with a proposal for elements of an international agreement on industrial accidents within the framework of the ECE. Such an agreement may be appropriate, provided it takes into account work being done elsewhere.

Likewise, the agenda item on management of potentially hazardous chemicals has behind it a considerable body of significant work at the international level. For example, impressive progress has been made in the OECD Chemicals Program, on both scientific aspects, such as guidelines for the testing of chemicals, and administrative or management issues, such as information exchange and guidelines for the protection of proprietary information. The Chemicals Program is compiling a broad-ranging database on existing chemicals.

Another important activity is the scientific and technical work of the International Program on Chemical Safety, a joint effort of the World Health Organization, International Labor Organization, U.N. Environment Program and the Food and Agriculture Organization. The main products are environmental health criteria documents which present evaluations of potential adverse health effects of chemicals.

The U.S. will be supportive of any recommendation to expand the applicability of these tools, but would resist efforts to develop an international convention on chemicals management. This, in our view, is most effectively achieved by individual national governments.

Finally, we will go to Sofia prepared to discuss our experience in joint research, monitoring and standard setting with Canada under the Great Lakes Water Quality Agreement. This agreement could serve as a model for other bilateral and regional efforts.

There is useful work to be done in Sofia. It will be a unique opportunity to highlight, in an East-West forum, invaluable work on environmental challenges already completed, upon which we all can draw. It will provide an important opportunity to give renewed momentum to environmental work within the ECE context.

Finally, it offers a significant platform to continue voicing our concerns about human rights in Eastern Europe and the Soviet Union.

Thank you, and I would, of course, be very pleased to answer any questions you might have.

[Prepared statement of Richard J. Smith follows:]

TESTIMONY OF
RICHARD J. SMITH
HEAD OF U.S. DELEGATION
SOFIA CSCE MEETING ON THE PROTECTION OF THE ENVIRONMENT
BEFORE THE
COMMISSION ON SECURITY AND COOPERATION IN EUROPE

September 28, 1989

Mr. Chairman, members of the Commission, I am pleased to be here today as Head of U.S. Delegation to discuss the Bush Administration approach to the CSCE Sofia Meeting on the Protection of the Environment.

As you know, the Sofia meeting is one of eleven special CSCE events to take place between the Vienna Follow-up Meeting which concluded in January and the Helsinki Follow-up Meeting in 1992. It is notable as the first activity specifically dedicated to CSCE's Basket II, which covers economics, science, technology and the environment.

The United States places great importance on the environmental agenda planned for Sofia, and looks forward to this opportunity to seek improvement in East-West cooperation on the environment. At the same time, we believe it important to place the Sofia meeting in the context of our overall objectives for the CSCE process. This includes our primary objective in CSCE of working to bring about political and economic change and improvement in human rights performance in the Soviet Union and Eastern Europe. I would like to address

these political concerns before discussing the environmental elements of our agenda for Sofia.

Egregious human rights abuses committed by Bulgarian authorities against their ethnic Turkish minority have cast a shadow over the Sofia meeting. Over 310,000 ethnic Turks have fled Bulgaria in response to that country's policy of repression and forced assimilation. The United States' decision to attend the Sofia meeting took into account this tragic situation. Our decision to attend was based on three important factors:

First, it is not in our interest to jeopardize the integrity of the CSCE process by pulling back from the commitment we made in Vienna to attend the meetings -- agreed to as a package -- scheduled to take place prior to the Helsinki Follow-up Meeting in 1992. Unlike the case of the Moscow Meeting of the Conference on the Human Dimension, when we committed ourselves to Sofia we laid down no conditions, other than those of openness and access common to all CSCE meetings.

Second, the Sofia meeting offers the United States and all concerned nations a platform for pressing Bulgaria on its home ground to change its human rights behavior. As has been said, empty chairs have no voices.

Third, the Bush Administration places a high priority on environmental concerns and on the environment as a suitable issue for building East-West cooperation. President Bush underlined this in his Mainz speech in May. Subsequently, we have proceeded with environmental initiatives in Poland and in planning for a regional environmental center in Hungary. The Allies share our priorities in this area, as the NATO and Paris Summit declarations show. We believe it is important for the West to support this element of the CSCE process.

Let me stress that we deplore Bulgaria's continuing denial of human rights to its citizens. We view violations by Bulgaria of its CSCE commitments in its treatment of internal dissent and, most particularly, its persecution of its ethnic Turkish and Moslem minorities as very serious challenges to the CSCE process.

With these concerns in mind, we have designated Joshua Gilder, Principal Deputy Assistant Secretary in the Bureau of Human Rights and Humanitarian Affairs as Deputy Head of Delegation. In addition, in Sofia the U.S. delegation will raise the Bulgarian government's treatment of its ethnic Turkish and Muslim minorities. Further, we will raise our concerns about the treatment of Bulgarian human rights activists, such as Dr. Konstantin Trenchev and the members of the "Podkrepa" union, and Bulgarian environmental activists

and organizations such as "Ecoglasnost." To do otherwise would suggest tolerance of Bulgaria's actions, and would be detrimental to the broad goals which we have affirmed within CSCE.

To address our broader political concerns at the Sofia meeting, the U.S. is preparing proposals to be introduced on such issues as: (1) acknowledging the right of individuals to information on environmental matters; (2) strengthening the rights of environmental activists and organizations; and (3) promoting international cooperation among environmental non-governmental organizations. We are working closely with the CSCE Commission staff on these proposals.

Finally, we are highly concerned about openness of and access to the Sofia meeting for the media, private individuals, and representatives of non-governmental organizations (NGOs). We have received troubling indications that such individuals, and particularly representatives of "unofficial" Bulgarian human rights and environmental organizations, may be prevented from participating in this meeting. Special activities for private individuals and NGOs -- separate from the CSCE meeting itself -- are being organized by the Bulgarian Secretariat, possibly as a substitute for attendance at the CSCE meeting itself.

This is unacceptable. Access and openness are fundamental

to the CSCE process. The United States has raised, and will continue to raise, this issue with the Bulgarian authorities. We have made it clear that additional activities for private individuals and NGOs, while welcome, do not and cannot substitute for openness of and access to the CSCE meeting itself. We recently requested specific information -- floor plans, regulations, etc -- from the Bulgarian CSCE Secretariat, in order to better assess the provisions being made for openness and access to the meeting.

On the environmental side, at this stage, we -- together with EPA and other concerned agencies -- are still in the process of developing specific positions on the three major environmental issues on the Sofia agenda: transboundary pollution from industrial accidents, management of potentially hazardous chemicals, and transboundary water pollution of lakes and rivers.

First, let me emphasize that we see a key linkage between environmental progress and freedom of expression. Individuals and organizations must be free to express their environmental concerns and press to have them addressed or environmental problems will not be solved. This is a central message that we need to bring to Sofia.

Also, we must emphasize that the major environmental problems are not national, but international in character.

Pollution is known no national boundaries; insisting that these issues be addressed cooperatively does not constitute interference in internal affairs. Rather, such insistence is the only way real progress can be made.

You have asked about the results we envision from Sofia. We have first and foremost to give impetus to ongoing programs and strengthen existing mechanisms that now work quite well. I particularly have in mind the Economic Commission for Europe (ECE), which provides a multi-level forum for environmental coordination and discussion between East and West. We are not opposed to a final document in Sofia, and recognize that the Vienna Concluding Document specifically provides for the drawing up of recommendations and conclusions. We would have reservations, however, about any final document that did not include provisions on human rights questions, including particularly aspects of the environment (such as rights of individuals to information on environmental matters and strengthening the rights of environmental activists.) We will be preparing proposals on these issues for presentation in Sofia.

We are also concerned that any final document not call for duplication of work being done in other international bodies. Indeed, we believe Sofia provides an excellent opportunity to focus attention of Eastern European and Soviet governments on the excellent work already underway in other forums. This is

particularly important with respect to the agenda items dealing with pollution from industrial accidents and management of potentially hazardous chemicals.

The principles and issues of accident prevention and mitigation (defined broadly as preparedness, response and public protection) are international concerns and considerable efforts have already been devoted to them in several key international organizations. Most notable is the work undertaken by the Organization for Economic Cooperation and Development (OECD). The OECD established an ad hoc Group on Accidents Involving Hazardous Installations and, in 1988, adopted two Council Acts incorporating the key elements mentioned above. The first calls for member countries to make available to the public specific information needed prior to an accident, while the second calls on countries to exchange information and consult with one another to prevent accidents with a potential for causing transfrontier damage and reducing damage should an accident occur. In addition, following Chernobyl, two conventions were developed in the International Atomic Energy Agency (IAEA), dealing with notification and provision of assistance in the case of a nuclear accident.

Further, the United Nations Environment Program (UNEP) has developed the Awareness and Preparedness for Emergencies at the Local Level (APELL) program, aimed at developing countries. This program lays out a process for responding to

accidents and focuses on ways to bring local communities and industry together to plan for accidents.

Further, the World Health Organization (WHO) has been engaged in a program to develop chemical safety cards detailing the hazards associated with specific chemicals.

The U.S. believes that improved cooperation and coordination in this area is necessary and should be encouraged. The Federal Republic of Germany is expected to come to Sofia with a proposal that an international agreement on industrial accidents be elaborated within the framework of the ECE. An ECE accidents convention may be appropriate, provided it takes into account work being done elsewhere, particularly ongoing OECD efforts to develop guiding principles on accident prevention, provisions of information to the public, land use planning, emergency preparedness and response, and research.

Likewise, the agenda item on management of potentially hazardous chemicals has behind it a considerable body of significant work already completed under OECD and UN auspices. Even more is underway. For example, impressive progress has been made in the OECD Chemicals Program. Nearly 100 guidelines for the testing of chemicals in fields of physical-chemical properties, short-and-long-term toxicity, biodegradation and bioaccumulation and ecotoxicity have been

developed. Further, principles of good laboratory practice and guidelines for laboratory inspections and study audits; as well as principles for conducting initial hazard assessments of chemicals have been prepared.

On the administrative or management side, the Chemicals Program has developed a comprehensive mechanism for chemical information exchange including principles for the exchange of information on banned or severely restricted chemicals in international trade, and guidelines for exchanging and protecting proprietary business information. Currently, the Program is engaged in a long-term effort to promote the systematic investigation of existing chemicals. An important achievement in this effort has been the development of a broad ranging data base on existing chemicals called Exichem, containing detailed information on activities underway to both investigate and regulate existing chemicals.

Another important international activity is the scientific and technical work of the International Program on Chemical Safety (IPCS). This program, a joint effort of the World Health Organization, International Labor Organization, United Nations Environment Program and the Food and Agriculture Organization grew out of the recognition of the importance of concerted and collaborative efforts to address the increasingly complex health and environmental problems associated with the use of chemicals. The main products of

the IPCS efforts are Environmental Health Criteria (EHC) documents and short assessments, which present evaluations of the potential adverse health effects resulting from exposure to chemicals. The IPCS has also worked to develop guidance for chemical exposure limits and exposure measurement and assessment. It has also prepared as guidelines for toxicity testing, epidemiological and clinical studies, risk evaluation and hazard assessment.

The U.S. will be supportive of any recommendation to expand the applicability of these tools to East European CSCE members. However, we will resist any efforts to develop an international convention on the management of chemicals. While we strongly support the guidelines and principles developed at the international level with the best scientific and technical expertise, chemicals management is most effectively achieved by individual national governments.

The issue of pollution of transboundary watercourses and lakes will be principally a European issue in Sofia. However, proposals may be introduced to develop a framework water pollution convention along the lines of the 1979 convention on Long Range Transboundary Air Pollution. The U.S. will emphasize the effectiveness of bilateral or regional arrangements such as those we have developed with Canada and Mexico, that are established and working quite well.

The U.S. will go to Sofia prepared to discuss its experience in joint research, monitoring and standard setting with Canada under the Great Lakes Water Quality Agreement. This Agreement is designed to identify types and sources of pollution, and establish reduction targets and monitoring procedures. The Annexes of the Agreement cover phosphorus and toxic substances control, discharge of oil and hazardous substances from vessels, dredging, pollution from municipal and industrial sources, as well as air deposition. The Agreement has facilitated joint monitoring and surveillance in the U.S. and Canada of overall trends in water quality.

In conclusion, there is useful work to be done in Sofia. It will be a unique opportunity to highlight, in an East-West forum, invaluable work on environmental challenges already completed, upon which we can all draw. It will provide an important opportunity to give renewed momentum to environmental work within the ECE context. Finally, it offers a significant platform to continue voicing our concerns about human rights in Eastern Europe and the Soviet Union.

Cochairman HOYER [PRESIDING]. Thank you very much. I think before we do that, I would like to proceed with the next witness, Mr. Gary R. Waxmonsky, who is the Acting Director of the Bilateral Programs in the Office of International Activities at the Environmental Protection Agency, and we will then go to questions.

Mr. Waxmonsky, we appreciate your being with us, sir.

STATEMENT OF MR. GARY R. WAXMONSKY, ACTING DIRECTOR OF THE BILATERAL PROGRAMS IN THE OFFICE OF INTERNATIONAL ACTIVITIES AT THE ENVIRONMENTAL PROTECTION AGENCY

Mr. WAXMONSKY. Thank you, Mr. Chairman. I, too, will attempt to be brief, and propose that my statement be submitted for the record.

Cochairman HOYER. Without objection.

Mr. WAXMONSKY. Just a few main points, sir, if you will—and, again, let me point out that my observations are based primarily on my experience in Poland. Eastern Europe and the Soviet Union is a very big piece of geography and it's difficult to generalize, but with that caveat aside let me proceed.

I think it's safe to say that, in general, the environmental problems facing this part of the world are of two basic kinds, manmade and natural—the former a function of economic policy and industrial structure, and the latter a function of geography, basically, and the natural distribution of resources.

If that's the case, then it seems that the environmental crisis in Eastern Europe requires two kinds of solutions—economic, involving industrial reconfiguration, relocation, as well as an effort to deal with the resource problem through conservation.

It is, I think, the case not only in Poland but especially there, that for about 40 years, since the end of the war, under Communist regimes, heavy industry has tended to be characterized by an incestuous relationship, if you will, among three sectors—mining, energy and metallurgy. This is particularly the case in southern Poland.

The mining, of course, produces coal; coal generates energy which, among other things, makes it possible to construct the capital, which is necessary for ferrous metallurgy which, in turn, makes more mining equipment which, in turn, produces more coal which, in turn, produces more energy, et cetera, et cetera. This feedback, if you will, has been going on, basically, without interruption for 40 years, until very recently.

The environmental consequences of that are just awesome. Katowice Province in southern Poland occupies about 3 percent of the territory, includes about 10 percent of the population, and generates about 40 percent of the air pollution. Just try to imagine, this is a country that is, I think, the fifth largest exporter of coal in the world, and about 96 percent of that coal comes from an area about the size of the State of Connecticut—and it's not just coal either, there's all kinds of nonferrous minerals being mined there. In short, you're dealing with a very unique place on the face of the earth, and I would highly recommend, Mr. Chairman, that if

you've never seen this area, you should visit it early on, especially in winter.

A somewhat allegorical observation, or anecdotal, I am told—this is in the Polish press—that Polish pilots don't like to fly in this area because below a certain altitude you can't see the horizon. You become completely disoriented—again, because of the atmospheric concentrations.

The next point I'd like to stress is that in Eastern Europe, probably more so than in Western Europe or even in our relationship with Canada, the transboundary nature of environmental problems is very well known and very much an issue among governments of this part of the world.

During my tour in Warsaw, I think maybe the most irritating factor, or second most irritating factor, in relations between Warsaw and Prague was transboundary pollution, air pollution coming from power plants in northern Bohemia and killing the coniferous forest in southwestern Poland. There were also a couple of instances of major river pollution from Czech industrial facilities, which flow north into Poland. In fact, exactly when I left, there were large demonstrations in southern Poland, against a Czech proposal to build a cokery, which is part of the ferrous metallurgy process, about 2 kilometers from the border, in an area which is valuable for its tourist potential. And if I recall correctly, this occasioned one of the largest mass demonstrations in Polish history. This doesn't get much press coverage over here, perhaps, but they were very concerned about in southern Poland.

So, my point is that Sofia will provide a venue for addressing these kinds of transboundary issues and particularly international regimes for compensation. I think that would have a very interested audience among East European representatives, both official and nonofficial.

The next point I'd like to make, sir, is one that is well known to this Commission: that the price of environmental quality is, in fact, freedom. That may sound a little high-falluttin' coming from a bureaucrat, but my point is based really solidly on experience.

We know that you can't set environmental standards unless you have a populace that knows what the nature of the problems are and how serious they are because, in a closed society, the tough decisions in this area just aren't made by the Government itself. This also affects our interest and cooperation with the various countries of this region. Our people's time is valuable, and we choose usually not to undertake cooperation with countries where we know that the access to data is restricted. Access to this data is necessary to any successful cooperative East-West venture.

I would also like to observe that in this period of growing concern with global issues—greenhouse effect, ozone depletion—it is my sense that these countries, including the Soviet Union, would be hard-pressed to play a really meaningful role on these global problems unless and until they have gotten past some very basic environmental problems, the more conventional issues of air and water quality, industrial waste management, et cetera. So, in that sense, I suppose, if it's in our national interest to be supportive of their participation in global issues, it makes sense for us to be

working with these countries on some of their more mundane domestic environmental problems.

The last point I'd like to make, sir, is that it is my opinion that Sofia really offers a unique opportunity for us to proceed in engaging the U.S. private sector—of course, the nongovernmental organizations, the public interest groups, and perhaps even to some extent the commercial side—in evolving a partnership with U.S. Federal agencies, like EPA, in trying to bring about some positive change in environmental quality in this part of the world. I think the NGOs are uniquely able to assist with the development of institutions in this part of the world, perhaps through assistance to sister organizations which would, in turn, be able to support the emerging environmental regulatory structures in these countries, which tend to be very weak.

I think that we can also work well with the NGOs in assisting these countries in formulating environmental priorities, which is a very pressing concern. I think we can also work with our NGO colleagues in bringing home to the peoples and the Governments of Eastern Europe the very close connection between environmental quality and public health. It's been my experience that this link is very weakly understood throughout this entire region.

In short, sir, I think we have in Sofia an excellent opportunity to bring the experience of our American nongovernmental organizations in environmental policy to bear directly on our East European counterparts, and also, at the same time, to solidify, strengthen and address the cooperation that we already have initiated with our American public interest groups, insofar as Eastern Europe is concerned.

Thank you, Mr. Chairman.

[Prepared statement of Gary R. Waxmonsky follows:]

STATEMENT OF
GARY R. WAXMONSKY
ACTING DIRECTOR, BILATERAL BRANCH
OFFICE OF INTERNATIONAL ACTIVITIES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE
COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEPTEMBER 28, 1989

Mr. Chairman, members of the Commission, I am honored to have the opportunity to share with you several thoughts on the nature and significance of the environmental crisis in Eastern Europe and the Soviet Union, and on what the U.S. Government has done and plans to do about it. These questions were on the top of my agenda for the more than two years that I served as science attache at our Embassy in Warsaw beginning in May 1987. Having recently returned to EPA, it is my privilege to participate once again in the formulation and execution of cooperative activities with various countries throughout the region.

I must note at the outset that what follows is based primarily on my professional experience in Poland and, prior to that, several years working on the U.S.-USSR Environmental Agreement at EPA. Though clearly relevant to the issues at hand, such experience is not sufficient for generalizations about what is, after all, an enormous geographical expanse. This caveat aside, let me offer what observations I can.

The Environmental Crisis East of the Elbe

The roots of the environmental crisis in Eastern Europe and the European portions of the Soviet Union are both structural and

geographic. The structural aspects are familiar to anyone who has dealt with the nations of this region: command and control economies characterized by vertical hierarchies of producer ministries tied to a central planning and allocation apparatus. Within its own domain--the fulfillment of its portion of the central plan--each ministry is sovereign and brooks no interference either from other ministries or from local organs of government. The emphasis is on production, particularly in the energy and heavy industry sectors, and quantity outweighs quality.

This system--now openly termed "Stalinist" even in the Soviet Union--was imposed on the USSR in the early '30s and in Eastern Europe in the aftermath of World War II. At that time, ecology was a term known but to specialists (I would note in passing that Russians and Poles were among the founding fathers of classical ecology), and the concept of environmental quality did not yet exist. By the time it did, in the '60s, the system had become so rigid and ossified that there was literally no administrative "space" for environmental policy. Thus we see, from the early 1970s thru the mid-1980s, a series of seemingly authoritative Soviet decrees and other measures aimed at bringing environmental concerns into the mainstream of governance--without success. Now at last, perestroika offers the kind of structural change which may make possible effective environmental policy. The jury is still out. Part and parcel of this structural change is what we have come to call glasnost. Freedom--of speech, of assembly, of access

to information--may not be sufficient to guarantee environmental quality, but it is surely essential. Until recently, this essential element was missing in the region we are here today to examine. In some places, it still is. But I believe that the upcoming CSCE conference in Sofia--the human rights situation in Bulgaria notwithstanding--should be seen as an opportunity to proclaim an increasingly obvious truth: that the price of environmental quality is freedom. In this sense, at least, the timing of the Sofia Conference is indeed excellent.

Let me insert here, however, an important word of caution. Even as the Poles and Hungarians--and far more tentatively, the Soviets--proceed along the path of structural reform and economic decentralization, reformist zeal should not cloud the need for strong, well managed, and well coordinated environmental regulation. We need to keep in mind that, although political and economic decision-making in general have been strongly centralized in this part of the world, environmental decision-making has been notoriously decentralized. That is to say, in each country, as many as ten or twelve different state bodies have had a portion of responsibility in this field, and environment ministries have tended to be junior partners in each case. I will return to this point in my discussion of USG cooperation.

Even as encouraging structural reform proceeds in Eastern Europe and the USSR, the other root cause of the environmental crisis persists: bad geography. It may not be obvious from a map,

but this region is terribly disadvantaged in terms of air and water resources. The predominant winds blow from west to east. Official Polish sources claim that 40 percent of sulfur dioxide deposition on Polish soil, and 75 percent of nitrogen oxides, originate outside the country. What Poland receives from Czechoslovakia and the GDR she passes on, in less concentrated form, to Byelorussia and the western Ukraine. To a far greater extent than is the case in North America or even Western Europe, the transboundary nature of pollution processes and effects is paramount. Indeed, one of the greatest irritants in Warsaw's relations with its nominally fraternal socialist neighbors to the west and south has long been the wholesale destruction of alpine forests in Poland's far southwestern reaches by SO₂ emissions from coal-fired power plants across the Czech and East German borders. Though the three governments have reached a preliminary agreement on measures to address the problem, the Poles continue to press for compensation--to no avail so far. It will be very interesting to see how the new government in Warsaw addresses this issue.

Mobile source air pollution is a problem little understood and virtually unaddressed throughout Eastern Europe and the USSR. Truck and automobile engines manufactured in this region tend to be much less efficient than those produced in the West, while the gasoline produced domestically has higher lead content than even leaded gasoline sold in the West. Hence, the output of lead per kilometer driven is substantially higher than anything we are

accustomed to. (In Poland, unleaded gasoline is available at perhaps two dozen stations throughout the country, and only for coupons purchased in hard currency.) Despite the well known health hazards of environmental lead, I know of no efforts underway to address the problem. Ground-level ozone, a problem which figures prominently in our proposed reauthorization of the Clean Air Act, is not even monitored in Poland as far as we know. The USSR too seem years away from the introduction of catalytic converters and unleaded gasoline. EPA has been trying for more than a decade to develop meaningful cooperation with the Soviets on mobile-source air pollution--so far without success.

If the air quality problem is bad, the water resource situation is probably worse. The entire region, including much of European Russia, is short of water. Polish experts claim that per capita fresh water availability in their country approximates that of Egypt's Nile valley. The major rivers rise in uplands which have been intensively mined for centuries, and flow through agricultural lowlands, populated areas, and industrial centers. By the time these waters reach the Baltic Sea or the Danube River, they constitute a waste stream of awesome proportions--and of major international concern. A significant portion of municipal and industrial wastewater--in the case of Poland, upwards of 40 percent--is discharged with no treatment whatsoever. Of the remainder, more than half receives only physical-mechanical treatment, which does little to improve the chemical or biological

quality of the water. Until the beginning of this year, Warsaw was one of only two European capitals without a wastewater treatment facility. (Tirana, Albania, was the other.) After a 15-year construction period, the Warsaw facility is operating far below capacity and is plagued with technical problems.

Geography conspires with economic structure in ways which jeopardize the health of millions of people in this region. Often, the most industrialized and most polluted sectors of a country are also the most densely populated. The classic example is Katowice province in southern Poland, where some 10 percent of the country's population inhabit 3 percent of the territory--and generate 30-40 percent of the country's air pollution. Particulate matter deposition in this province can range as high as 300 metric tons per square kilometer in the course of a year. (The Polish national average in 1988 was 5.9; in the U.S., the national average was, according to U.N. data, 0.8.) Infant mortality is nearly twice as high as the national average, and life expectancy averages three years less than the national norm. It is probable that similarly grim statistics can be found in certain areas of Czechoslovakia and European Russia. And yet, nowhere in the region, to my knowledge, is there to be found a clear understanding of--let alone public policy approach to--environmental health. Health ministries have very little to do with environmental issues, and environment ministries have virtually no public health expertise. Until this

fragmentation is overcome, environmental policy throughout the region will be incomplete.

Let me close this brief discussion of the environmental crisis east of the Elbe by noting that all of the foregoing information concerning Poland was obtained from the Polish press even before the advent of a non-Communist government in Warsaw. Throughout my tour of duty in Warsaw, press materials describing one or another environmental calamity in Poland or neighboring countries appeared weekly, at the least. For several years, we have seen similarly frank, often lurid treatment of ecological problems in the Soviet press, and if I could read Hungarian, I would no doubt be equally impressed. The point is that environmental issues have become legitimate matters of public concern in these countries, and have, to a considerable degree, expanded the domain of democratic action. The problems are a long way from being solved, but at least they are recognized, by their own people and their governments.

U.S.-Supported Cooperation

What then is this country doing, or what should it be doing, in response to this unprecedented situation of environmental degradation and political transformation in Eastern Europe and the USSR? Let me speak first to EPA's earlier programs before covering the President's East European Environmental Initiative, and concluding with some thoughts on what remains to be done.

EPA's cooperative programs with the Soviet Union and Poland date back to the early '70s. They were among the first science and technology (S&T) contacts undertaken by the U.S. Government in that part of the world. With the Soviets, EPA leads an inter-agency effort which embraces some 36 joint projects in environmental science and engineering, law, and education. Though substantially reduced in quantitative terms, this program weathered the difficult years of 1980-84 and, apart from its substantive accomplishments, now provides access to a new generation of environmental experts and policy makers throughout the Soviet Union. Administrator Reilly has invited his Soviet counterpart to Washington in early January for the twelfth meeting of the environmental Joint Committee. EPA and other participating agencies are in the process of developing a schedule of joint activities for 1990 which will be discussed and finalized at the January meeting. The Joint Committee forum will also provide a valuable opportunity to discuss our respective countries' efforts in addressing the global environmental agenda, particularly the problems of climate change and stratospheric ozone depletion.

A very active program of joint research with the Poles was suspended in the wake of martial law in December 1981. I am very proud to note, however, that EPA was one of the first U.S. Government agencies to reopen contact with Warsaw in 1986, leading to conclusion of an environmental cooperation agreement in September 1987. Under this arrangement, we utilize Polish currency

assets made available by the Treasury Department to carry out technical exchanges and high-level consultations. In addition, we have developed several joint research projects with the Poles under the bilateral S&T agreement managed by the Department of State.

Until recently, EPA's contacts with counterpart organizations in Hungary have been limited to ad hoc visits and discussions in multilateral conferences. This will change substantially in connection with the President's East European Environmental Initiative. EPA also looks forward to participating in joint research under the U.S.-Hungary S&T agreement as soon as the particulars of this program are finalized.

I would like to emphasize at this point that coordination and cooperation with American environmental non-governmental organizations (NGOs) has been a very prominent feature of our expanding activity in the region over the past two years or so. The Conservation Foundation (CF) has been very helpful in bringing Poland's environmental crisis to the attention of a wide variety of official and private organizations in Washington. While in Warsaw, I was able to assist CF in developing contacts with the Polish Ecology Club. We have worked quite effectively with the Environmental Law Institute (ELI) in advancing cooperation with Hungary, and have stayed in touch on Eastern Europe with the International Union for the Conservation of Nature (IUCN), represented here today by Liz Hopkins. Philanthropic organizations such as the Rockefeller Brothers Fund and the German Marshall Fund

of the U.S. have come to us frequently for information and advice as they formulate their programs in the region. In short, EPA already has a strong track record of cooperation with NGOs in our USSR and East European programs. We look forward to the Sofia Conference as an opportunity to further this cooperation.

It may also interest the Commission to know that EPA has been conducting joint research with various scientific institutions in Yugoslavia for more than 15 years. This fall we are planning to go beyond the research project format with a conference on environmental policy and management to be hosted by the Yugoslavs immediately after conclusion of the Sofia Conference. This is in response to the recent establishment of a new federal environmental authority in Belgrade and increased interest on the part of Yugoslav authorities in U.S. environmental regulatory experience.

Our contacts to date with the Czechs and East Germans have been limited to several technical discussions, sometimes under outside auspices (e.g., National Academy of Sciences). EPA has had no substantive contact with Romanian counterparts and very little with Bulgarian officials. Except perhaps through the Budapest component of the President's Initiative, we do not expect this situation to change for the foreseeable future. The human rights situation in these countries bears directly on our interest in cooperative activities; other things being equal, we are not eager to expend limited human and financial resources prospecting for

joint research opportunities in countries where access to people, places, and information is severely restricted.

All of our bilateral efforts to date in Eastern Europe and the Soviet Union have been conditioned by three closely related principles: equality, reciprocity, and mutual benefit. That is to say, EPA works with these countries only insofar as they have something to offer us--usually a research product which we find useful (and relatively inexpensive) and which supports some aspect of our domestic regulatory agenda.

The President's East European Environmental Initiative, announced in Mainz in late May and elaborated during his visit to Warsaw and Budapest this past summer, marks a significant departure from these principles. Now, for the first time, EPA has been tasked explicitly to provide environmental assistance to foreign countries. This is at once an opportunity and a challenge: an opportunity to participate in a truly historical process of change in a part of the world that has been waiting for change for more than forty years; a challenge in that there exist no standards by which to gauge our performance, the familiar benchmark of mutual benefit having been put aside. We will need the counsel and support of many people in and out of government, at home and abroad. Although the specifics of what we will do under the Initiative are still much in need of elaboration, I am happy to share with you our thinking as it stands today.

During his July visits, the President announced his intention to ask Congress for \$15 million to assist the Poles with air and water quality protection efforts in the area of Krakow, a city of unique historical and cultural splendor that has suffered more (in physical terms) from forty years of socialism than it did from the Second World War. Much of this effort is being implemented by the Department of Energy, which is working on the retrofit of an existing coal-fired power plant in the Krakow-Katowice region. EPA's effort will focus on two principal problems: air quality monitoring and water quality/supply. EPA personnel, including Amy Evans of my staff, are in Poland this week and next, and will seek out information which will help us develop a substantive workplan. We anticipate further discussions with the Poles this fall, leading to finalization of the workplan and program start-up early in 1990.

The other component of the President's Initiative was a proposal to establish a regional environmental center in Budapest which would serve as a permanent base from which to develop and intensify cooperation with specialists throughout the region. After preliminary talks with Hungarian official and unofficial representatives in early August, our next step is to constitute the U.S. side of a bilateral organizing committee, which could meet with their Hungarian counterparts later this year. We are presently looking for distinguished experts with both regional and environmental experience to serve on this body, and would welcome any advice the Commission may have. Let me also note that

Ambassador Mark Palmer in Budapest has been extraordinarily supportive in our efforts to move ahead with the regional environmental center.

We expect that the Sofia Conference will offer an excellent opportunity, both in and out of the formal sessions, to hear from the NGO community and from the East Europeans themselves on what role the Budapest center should play in future environmental cooperation in the region. For this reason, and for the inherent value of greater NGO activity with Soviet and East European counterparts, EPA hopes that the non-governmental environmental community will be well represented.

Let me turn now to what I see as worthwhile directions for future cooperation in the region. I should stress that what follows could as usefully be pursued by the NGOs as by Federal agencies, and that most of these ideas are already being acted upon, if only in a preliminary way, in EPA's Soviet and East European programs.

I have already noted the relative institutional weakness of most environmental authorities in the region. Particularly at this time of transition to new economic mechanisms, environmental administration in Eastern Europe and the USSR will be problematic. In a context of expanding freedom of expression, environmental decision makers will need to rely on local public opinion to an unprecedented extent. Thus, an indirect way to support the evolution of strong environmental policy in this region is to

foster institution building among the indigenous ecology-minded NGOs--to instill in them a critical but responsible approach to policy formulation and implementation. The potential contribution of American NGOs in this regard is obvious. The Sofia Conference would provide an ideal opportunity to initiate such efforts or advance those already underway.

While this process of NGO engagement is proceeding, EPA could continue and intensify its government-to-government efforts in a related area, the setting of environmental priorities. As societies in this region emerge from the shadow of forty years of central planning, they find themselves faced simultaneously with a host of urgent ecological problems. Prioritizing among these problems, and matching environmental goals to available resources, will be an absolutely vital exercise, but one for which environmental planners are ill prepared. Assisting our Soviet and East European counterparts in this task is a goal which should inform all of our bilateral programs. We have begun this work with the Poles--a mixed team of EPA and NGO specialists is there this week on environmental management issues--and will do so with the Yugoslavs later this year. No doubt such considerations will figure prominently in the operation of the regional environmental center in Budapest. The Soviet situation presents a special case, but if our colleagues in Moscow are interested in our experience, we should not shrink from the task.

Finally, as noted above, the link between environment and health needs to be reinforced in virtually every country in the region. We are attempting to do this in Poland through a joint seminar on health risk assessment and, hopefully, cooperative epidemiological research. If successful, we could attempt to replicate this approach elsewhere, using the Budapest center as a focal point. We would need to coordinate our efforts with international organizations and the U.S. scientific community (e.g., the National Academy of Sciences).

Before concluding, I would like to commend to the Commission's attention the report of the ecology sub-group of the "Roundtable," the forum which laid the foundations of the democratic transformation which we are witnessing in Poland. One of the first components of the round table to complete its work, in early March of this year, the report of the ecology sub-group represents perhaps the most important environmental declaration ever to emerge from Eastern Europe. It is a splendid example of the intersection of environmental and human rights concerns, and provides an excellent preview of Poland's environmental concerns. A translation of this document is respectfully submitted for the record.

Mr. Chairman, as you can see, we face great opportunities and daunting complexities. I am very grateful for the chance to acquaint you with both, and would be pleased to respond to your questions.

Cochairman HOYER. Thank you. As you've just heard my beeper just went off, which means I have 15 minutes to vote in the House. I'm going to be able to stay probably another 7 or 8 minutes.

Let me ask now if Liz Hopkins is here?

Ms. Hopkins is the coordinator of the Commission on Sustainable Development at the World Conservation Union, based in Switzerland. We're very pleased to have you here, Ms. Hopkins.

TESTIMONY OF MS. LIZ HOPKINS, COORDINATOR OF THE COMMISSION ON SUSTAINABLE DEVELOPMENT AT THE WORLD CONSERVATION UNION, BASED IN SWITZERLAND

Ms. HOPKINS. Thank you very much, Congressman Hoyer, ladies and gentlemen. IUCN is honored to have been invited to testify at these hearings.

Before I go any further, I would like to introduce my colleague on the program here, Dr. Karpowicz.

Cochairman HOYER. Doctor, welcome.

Ms. HOPKINS. You have asked us to provide you with an overview of IUCN's preparation for the Sofia Meeting, a description of IUCN's East European Program, and our thoughts about the role of citizen groups in the Soviet Union and Eastern Europe.

CSCE is, of course, a governmental forum. IUCN has been invited to participate because, being an organization with both governmental and nongovernmental members, it is in a position to address, from an independent standpoint, the public awareness aspects of the themes to be raised at the Sofia Meeting.

Our preparations for the meeting deal with public intervention in pollution aspects of transboundary watercourses and international lakes. I would like to begin these introductory remarks with a brief description of the conclusions of our work, and then I'll go into an even briefer description of the East European Program.

As mentioned, we have looked at one of the meeting themes, the pollution of transboundary watercourses and international lakes, in the light of citizen awareness and action.

We have examined three cases: a lakes region that spans Albania, Greece and Yugoslavia; the Gabcikovo/Nagymaros Dams issue on the Danube in Czechoslovakia and Hungary, the Great Lakes and St. Lawrence River in Canada and the United States. Through our studies, we have gained indications about the extent of public involvement in the environmental problems at the sites, the ways in which such public involvement is carried forward, and its results.

The aim of the studies is to review the evolution of citizen awareness, identify what public action is most effective, and thus provide guidelines or pointers for emerging groups and their supporters.

Our conclusions may well be useful to governments and citizens' groups in nations moving towards more representational forms of government and to international organizations working in such countries.

We do not wish to imply that any one model is suitable for all times and all places; each culture needs to develop the relationship between its citizens and rulers in its own way.

Our observations suggest that difficult access to reliable information is the main stumbling block to effective citizen action on behalf of the environment. Where there is awareness of problems, it is often due to direct experience of environmental deterioration such as water and air pollution causing ill health or the death of forests.

Where responsibility for the environment is entirely in the hands of the state directed by only one party, citizens who express disagreement with policy are forced into a confrontational mode. Where changes towards more openness are underway, the initial environmental focus of citizen groups may become blurred in the ever wider debate and broadening of interests. Such groups, in fact, often end up pursuing a political rather than an environmental agenda. They are also used by government to provide legitimacy for their own political ends. The foregoing explains to some extent why, in Hungary, no overall, multi-issue environmental NGO has emerged.

Our studies have shown that international involvement with fledgling citizens' groups appears to be an effective way of bringing about cooperation with government rather than confrontation. International support may provide the missing dimensions of independence, scientific credibility and legitimacy during the transition period from little or no organized citizen activity to a responsible nongovernmental sector.

IUCN is convinced that now is the moment to provide such support as part of all our efforts, Government and nongovernmental, towards unity and peace.

If I may, Mr. Chairman, I'd just like to say a few more words about the East European Program. Eastern Europe contains many sites of the highest importance for the wildlife of the whole continent. It has enormous forests and mountain areas that still retain a significant part of the biological diversity of Europe, but many of these are deteriorating as a result of policies that encourage uninhibited exploitation of natural resources, the most notable consequence being pollution.

Urgent measures are needed to protect those resources, maintain their quality and restore the habitats.

The publication of the report of the World Commission on Environment and Development has sped appreciation that the stability and well-being of nations depends in most part on the continued provision of essential services from that environment.

IUCN brings together through its membership governments, government agencies and nongovernmental organizations. And I'd like to point out, Mr. Chairman, that many of your most prominent nongovernmental organizations in the United States are members of IUCN, including very shortly EPA.

In Eastern Europe, IUCN's membership is composed of ministries of environment and specialist government agencies concerned with conservation of nature. However, the union is now working with groups from the emerging nongovernmental community.

The current environmental needs of Europe could well be advanced through IUCN's good offices and agency. This could also be a means of strengthening the nongovernmental community in

building closer and more effective links between it and governments.

The East European Program of IUCN, through its task force in Eastern Europe, has prepared reviews of the environmental conservation priorities in all the countries of the region, except Romania and Albania, and has produced many other studies and can call upon a wide and varied network of partners.

We would like to stress, Mr. Chairman, ladies and gentlemen, that the IUCN East European Program is a program of the East Europeans, drawn up according to their own priorities, and we act as facilitator to help them carryout what they deem the most important environmental issues in their countries.

The program is not proposing handouts to Eastern Europe, but is offering what amounts to a long-term, comprehensive joint venture between East and West, government and citizens, to achieve environmental improvement. Thank you very much, Mr. Chairman, ladies and gentlemen.

[Prepared overview of IUCN's preparation for the Sofia meeting follows:]

International Union for the Conservation of Nature and Natural Resources
The World Conservation Union

East European Programme

Presentation to hearings on Sofia CSCE meeting on Environment
Washington 28 September 1989

You have asked us to provide you with an overview of IUCN's preparation for the Sofia meeting, a description of IUCN's East European Programme and our thoughts about the role of citizens groups in the Soviet Union and Eastern Europe.

The paper we have prepared for the Sofia meeting deals with public intervention in pollution aspects of transboundary watercourses and international lakes. We can therefore deal with two of your requests at the same time.

But we would like to begin these introductory remarks with a brief description of the IUCN East European Programme.

Eastern Europe contains many sites of the highest importance for the wildlife of the continent. It has forest and mountain areas that still retain a significant part of the biological diversity of Europe, but many of these are deteriorating as a result of policies that encourage uninhibited exploitation of natural resources; the most notable consequence being pollution. Urgent measures are needed to protect them, maintain their quality and restore their habitats. Indeed, air and water pollution in many parts of the region are so severe that even human health is at grave risk and development itself is hindered.

Publication of the report of the world Commission on Environment and Development has spurred appreciation that the stability and well-being of nations depends in no small part on the continued provision of essential services from their environment.

IUCN is the only body in the world that brings together through its membership governments, government agencies and non-governmental organizations. In Eastern Europe, IUCN's membership is composed of Ministries of Environment and specialist government agencies concerned with conservation of nature. However, the Union is now working with groups from the emerging non-governmental community. The current environmental needs of Europe could well be advanced through IUCN's good offices and agency, and this could also be a means of strengthening the non-governmental community and building closer, and more effective links between it and governments.

The East European Programme of IUCN, through its Task Force in Eastern Europe, has prepared reviews of the environmental conservation priorities in all the countries of the region (except Romania and Albania) and, in its short two-year history, has produced many other studies and can call upon a wide and growing network of partners. Members of the East European Task Force also identified priorities in their countries for which East and West can come together to share knowledge and experience and take action. Those priorities essentially make up the long-term Programme.

The Programme is not proposing hand-outs to East Europe but is offering what amounts to a long-term, comprehensive joint-venture between East and West, government and citizens, to achieve environmental improvement.

Turning to IUCN's CSCE preparations. As mentioned earlier, we are looking at one of the conference themes, pollution of transboundary watercourses and international lakes, in the light of citizen awareness and action. We have examined three cases - the Mikra Prespa and Megali Prespa Lakes region in Albania, Greece and Yugoslavia; the Gabcikovo/Nagyymaros Dams on the Danube in Czechoslovakia and Hungary, and the Great Lakes and St Lawrence River in Canada and the USA - through which we have gained indications about the extent of public involvement in the environmental problems at the sites, the ways in which such public involvement is carried forward, and its results.

The aim of the studies is to review the evolution of citizen awareness, identify what public action is most effective and thus provide guidelines or pointers for emerging groups and their supporters. Our conclusions may well be useful to governments and citizen groups in nations moving towards more representational forms of government and to international organisations working in such countries. We do not wish to imply that any one model is suitable for all times and all places; each culture needs to develop the relationship between its citizens and rulers in its own way.

With regard to Eastern Europe, our observations suggest that difficult access to reliable information is the main stumbling block to effective citizen action on behalf of the environment. Under such circumstances, where there is awareness of problems, it is often due to direct experience of environmental deterioration such as water and air pollution causing ill-health or the death of forests.

Where responsibility for the environment is entirely in the hands of the State directed by only one party, citizens who express disagreement with policy are forced into a confrontational mode. Where changes towards more openness are under way, the initial environmental focus of citizen groups may become blurred in the ever wider debate and broadening of interests. Such groups in fact often end up pursuing a political rather than an environmental agenda. They are also used by government to provide legitimacy for their own political ends. The foregoing explains to some extent why, in Hungary, no overall, multi-issue environmental NGO has emerged.

Our studies have shown that international involvement with fledgling citizens' groups appears to be an effective way of bringing about cooperation with government rather than confrontation. In a situation such as that of Hungary, international support may provide the missing dimensions of independence, scientific credibility and professionalism during the transition period from little or no organised citizen activity to a responsible non-governmental sector. IUCN is convinced that now is the moment to provide such support as part of all our efforts towards unity and peace.

Cochairman HOYER. Thank you very much, Ms. Hopkins. Senator DeConcini, the Chair, is back, and I can run out and hope I don't miss the vote, and Senator Wirth is here. I apologize to Dr. Antanaitis, for I will not be able to return.

I appreciate your testimony. Mr. Smith, we wish you the very best as the head of our delegation in what I perceive to be a very important endeavor.

I have some questions—perhaps Senator Wirth or Assistant Secretary of State Schifter will ask them—with reference to our posture as to making a decision whether to go to Sofia or not, and what does that mean with respect to the other 10 meetings and the flexibility that we think we do or do not have. Second, I would hope that one of the witnesses would ask a question that I think is going to be critical, at least in an organizational way, as to whether or not the Community has a seat at the table, which would be a very marked change in policy. Thank you all very much, and I appreciate your efforts.

Chairman DECONCINI. Indeed, I want to echo that, and I want to particularly thank Senator Wirth for coming over. Do you have any opening statement you'd care to make, Senator—and I appreciate you staying after 3 o'clock—I have a conference.

Senator WIRTH. No.

Chairman DECONCINI. Let me just ask Mr. Smith a question or two before I leave. I don't believe anybody has asked you these questions yet.

Have the Turks made a decision, to your knowledge, regarding their attendance at the Sofia Meeting?

Mr. SMITH. To the best of my knowledge, their decision as of this point is not to go. I hope that's not a final decision. I'd like to see them go.

Chairman DECONCINI. And when are they going to make that decision, or do you know?

Mr. SMITH. Well, as I say, I think if asked now, they say they've decided not to go. We have been in touch with them and explained our rationale, and made the point that empty chairs don't have voices, so I think it's really just a question of hoping that they might reconsider a decision which, from their point of view, they probably consider they've made.

Chairman DECONCINI. I hope they go, too. I had reservations about us going, in light of the problems there with the Turkish minority, but I think it's better to go, and I'm very pleased with your statement and that of Secretary Schifter, as to our strong position on human rights as well as on the environment.

In your testimony, Mr. Smith, you mention that we have received troubling indications that the NGOs, particularly unofficial Bulgarian activists, may be prevented from participating in the meeting. What indications do we have, if any, that the Bulgarians may block the NGOs access to the meeting site and participation?

Mr. SMITH. Well, let me review the source of those concerns, and also add some later information that I've been getting. Initially, unofficial Bulgarian NGO sources—those NGOs that were not officially registered with the Bulgarian Government—told us that they didn't think they would be allowed by the Government of Bulgaria to attend the CSCE meeting.

We also noted that a conference and symposium and round table discussion for public organizations will be held in conjunction with the Sofia Meeting, and while that's nice in a way, we are concerned that it might have been an attempt to substitute that kind of event for access to the CSCE meeting itself.

In early discussions with Bulgarian officials, they had indicated they didn't expect much NGO participation, and seemed to have a mind that it was exclusively a state-to-state meeting.

Bulgarian officials we've been talking to since have been careful, however, to say that any U.S. NGOs who chose to attend the meeting would be welcome. They were, however, vague concerning access to the meeting, of the unregistered Bulgarian NGOs.

I met yesterday with two Bulgarian officials who are concerned with arrangements for the meeting, and I raised these questions, and the answers I got were reassuring, that there would be the access. We intend to pursue that vigorously, up to and including the meeting. We will be very alert to any evidence that an NGO with an interest in being there, doesn't have that appropriate opportunity. Based on my conversations yesterday, I'm personally somewhat more encouraged than we had been earlier, at the time I submitted my testimony. Yesterday, the meeting I had was with Mr. Chakalov, the First Deputy Chairman of the Bulgarian Committee on Environmental Protection, and with him was the Deputy Executive Secretary of the Sofia CSCE Secretariat.

They provided some detailed information—if I could take just a second to give you the basis for my somewhat greater confidence. I asked specifically what arrangements had been made to provide this access for NGOs.

They told me that there will be 100 seats for journalists in the Plenary Room, as well as 100 seats for members of the public. The seats for members of the public will be allocated to individuals vouched for by a delegation, on a first come first served basis, and delegations can vouch for nationals other than their own.

In addition, there will be two halls, one for journalists and one for members of the public, with closed circuit coverage of the plenaries. There will be no admission requirements for admission into these halls.

We were pleased to hear of these arrangements and, as I said, we will be monitoring the situation closely in Sofia, to ensure that these provisions for openness and access are carried out, and we will, of course, raise the issue strongly, should it be necessary.

Chairman DECONCINI. Thank you very much.

Dr. Antanaitis, would you like to come up and present your testimony at this time?

I will be leaving in about 5 minutes, but I wanted to hear some of your testimony, then Senator Wirth will continue the questioning, along with Secretary Schifter. Please proceed.

TESTIMONY OF DR. VAIDOTAS ANTANAITIS, MEMBER OF THE EXECUTIVE COUNCIL OF LITHUANIA'S REFORM MOVEMENT, SAJUDIS; CO-FOUNDER OF LITHUANIAN'S GREEN MOVEMENT; AND A DEPUTY IN THE COUNCIL OF THE UNION OF THE SUPREME SOVIET

Dr. ANTANAITIS. [Speaking through an Interpreter.]

Mr. Chairman and members of the Commission, I want to thank you for extending to me the courtesy of addressing you and your staff as you prepare for this most serious conference on the environment to be held in Sofia, Bulgaria. It is unfortunate that I myself do not speak English so that my statement will be read by a representative of the Lithuanian-American Community, Inc.

I speak today as a member of the Executive Council of Lithuania's Reform Movement, Sajudis; as a co-founder of Lithuanian's Green Movement, and as a Deputy in the Council of the Union of the Supreme Soviet.

The world's environmental problems are the most immediate and fundamental issues facing the human race. In the nations of Eastern Europe, environmental issues are particularly acute because of our deepening economic crisis. The environmental problems faced by small nations cannot be divorced from, nor addressed without reference to, the global scale and character of those problems. It is now recognized that global factors influence the ecological balance of any specific region. The varied threads of life on our planet are intricately woven.

In the Soviet-occupied Baltic States, environmental problems are significantly worse than in the neighboring Scandinavian nations or in the nations of central Europe. The status of the environment in Lithuania is as follows:

The best indices by which to measure the condition of the environment are life expectancy and the incidence of disease in the resident population. In Lithuania, presently, almost 50 percent of our infants are born to this world with what we identify as a life threatening risk factor. Life expectancy for adults is 10 years less than in the neighboring Scandinavian countries. This state of affairs can be explained by the following factors: the general level of pollution in the natural environment, the poor quality of food products, the lack of medical care and hazardous working conditions. Here are a few examples.

A major city like Kaunas which has 500,000 residents ova today does not have a primary water sewage treatment plant, so that all industrial and residential waste materials are dumped directly into the Nemunas and Neris Rivers, and from there this waste material floats downstream to the Courland Lagoon and finally into the Baltic Sea. Therefore, these rivers in reality have become our sewage system and the Courland Lagoon a decaying backwater.

These waterways as well as other polluted rivers of the Baltic States, the Vysla, Lelupe and Dauguva, pose a serious hazard to the life of the Baltic Sea, the very existence of the Baltic Sea. During the summer of 1989, the beaches of the Baltic Sea were closed to swimmers because of the health risks to human beings.

Specific sources of industrial pollution are numerous in the Baltic States. A listing of such industrial sites in Lithuania is

found in the appendix attached to this testimony. In general, one can say that industrial plants, energy production facilities, daily transport equipment as well as inappropriate farming methods all contribute significantly to the destruction of Lithuania's environment.

Because of the use of inappropriate fertilizers in farming, the quality of food products grown in Lithuania is rapidly declining, and the underground water table as well as the rivers has been contaminated by these chemical fertilizers. Approximately one-third of all the lakes in Lithuania are dying and their fish populations are gone.

Acid rain levels in Lithuania are 10 to 15 times greater and sometimes reach levels 20 to 25 times greater than can be tolerated by the natural environment.

More detailed information concerning the pollution of Lithuania's environment can be found in the attached appendix prepared by the Lithuania's Green Movement. I may also be able to answer specific questions which the Commissioners may have.

This past year has seen the mobilization of hundreds of thousands of people both within Lithuania and in the entire Soviet Union as environmental problems have grown to crisis proportions. This new situation has led to demands for a reorganization of governmental efforts to protect the environment.

New, mass-based, popular environmental groups were established during 1988. On October 15, 1988, Lithuania's Green Movement was established, and by this summer a Green Party was founded. The Green Party will run candidates in the upcoming local and regional elections in Lithuania.

The goal of the Greens is to protect the environment and to guarantee the survival of mankind. The Greens have become one of the most popular mass movements in Lithuania. Their activities and programs enjoy tremendous support and they have been able to accomplish a number of projects, for example: the Greens have stopped the expansion of the nuclear powerplant at Ignalina and they planned building of any new nuclear powerplants in Lithuania; they have stopped the building of the hydroelectric powerplant at Kaunas; a number of republic-wide boycotts of food products have led to a marked improvement in the quality of those foods. For instance, it took only 2 weeks of boycotting milk and milk products by the population of Lithuania, before a visibly better product appeared in the market.

Lithuania's Greens are expanding their contacts with environmentalists in other nations. In April 1989, Baltic environmentalists attended a congress of the European Green Parties held in Paris. We are also looking to establish a working relationship with environmentalists in other continents. We sincerely hope that both U.S. Government agencies with jurisdiction over the environment, as well as American nongovernmental organizations will help our Baltic environmental movements acquire the technical apparatus to better identify the type and sources of pollution in our environments, that is, monitoring equipment for water, air, soil, animals and plants. We are also in need of training to prepare environmental experts.

Under our new economic autonomy plan we believe that many special environmental projects could be successfully integrated into our economy and our society.

In Moscow, I serve as a legislator on the Environmental Oversight Committee of the Supreme Soviet. I am aware that for many years the Soviet Union and the United States have, on a bilateral basis, exchanged technical information and specialists in environmental protection. Now that our legislature has created a committee on the environment, we would hope to create a parallel relationship with the U.S. Congress and its committees which deal with environmental protection.

I thank the Commission for giving me this opportunity to share some thoughts on our common concern for the environment and I wish you great success at the CSCE Conference on the Environment.

[Prepared testimony of Dr. Vaidotas Antanaitis follows:]

TESTIMONY OF DR. VAIDOTAS ANTANAITIS
BEFORE THE
COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEPTEMBER 28, 1989

Mr. Chairman and members of the Commission, I want to thank you for extending to me the courtesy of addressing you and your staff as you prepare for this most serious conference on the environment to be held in Sophia, Bulgaria.

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The best indices by which to measure the condition of the environment are life expectancy and the incidence of disease in the resident population. In Lithuania, presently, almost 50 percent of our infants are born to this world with what we

identify as a "life-threatening risk factor". Life expectancy for adults is 10 years less than in the neighboring Scandinavian countries. This state of affairs can be explained by the following factors: the general level of pollution in the natural environment, the poor quality of food products, the lack of medical care and hazardous working conditions. Here are a few examples:

a. A major city like Kaunas which has 500,000 residents even today does not have a primary water-sewage treatment plant, so that all industrial and residential waste materials are dumped directly into the Nemunas and Neris rivers, and from there this waste material floats downstream to the Courland Lagoon and finally into the Baltic Sea. Therefore, these rivers in reality have become our sewerage system and the Courland Lagoon a decaying backwater.

b. These waterways as well as other polluted rivers of the Baltic States, the Vysla, Lelupe and Dauguva, pose a serious hazard to the life of the Baltic Sea - the very existence of the Baltic Sea. During Summer, 1989 the beaches of the Baltic Sea were closed to swimmers because of the health risks to human beings.

c. Specific sources of industrial pollution are numerous in the Baltic States. A listing of such industrial sites in Lithuania is found in the appendix attached to this testimony. In general, one can say that industrial plants, energy production facilities, daily transport equipment as

well as inappropriate farming methods all contribute significantly to the destruction of Lithuania's environment.

d. Because of the use of inappropriate fertilizers in farming, the quality of food products grown in Lithuania is rapidly declining, and the underground watertable as well as the rivers has been contaminated by these chemical fertilizers. Approximately one-third of all the lakes in Lithuania are dying and their fish populations are gone.

e. Acid rain levels in Lithuania are 10 to 15 times greater and sometimes reach levels 20 to 25 times greater than can be tolerated by the natural environment.

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New, mass-based, popular environmental groups were established during 1988. On October 15, 1988 Lithuania's Green Movement was established, and by this summer a Green Party was founded. The Green Party will run candidates in the upcoming local and regional elections in Lithuania.

The goal of the Greens is to protect the environment and to guarantee the survival of mankind. The Greens have become one of the most popular mass movements in Lithuania. Their activities and programs enjoy tremendous support and they have been able to accomplish a number of projects, for example: the Greens have stopped the expansion of the nuclear power plant at Ignalina and the planned building of any new nuclear power plants in Lithuania; they have stopped the building of the hydroelectric power plant at Kaunas; a number of republic-wide boycotts of food products have led to a marked improvement in the quality of those foods (it took only two weeks of boycotting milk and milk products by the population of Lithuania, before a visibly better product appeared in the market).

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Under our new economic autonomy plan we believe that many special environmental projects could be successfully integrated into our economy and our society.

In Moscow, I serve as a legislator on the Environmental Oversight Committee of the Supreme Soviet. I am aware that for many years the Soviet Union and the United States have, on a bi-lateral basis, exchanged technical information and specialists in environmental protection. Now that our legislature has created a committee on the environment, we would hope to create a parallel relationship with the United States Congress and its committees which deal with environmental protection.

I thank the Commission for giving me this opportunity to share some thoughts on our common concern for the environment and I wish you great success at the CSCE Conference on the Environment.

Senator WIRTH [presiding]. Dr. Antanaitis, that's quite a statement. What I would like to do is to ask our U.S. delegate for his reaction to that. How would the administration react to that statement, Mr. Smith?

Mr. SMITH. Well, I'd also say it's quite a statement.

Senator WIRTH. Well, would you agree or disagree with it? Other than saying it's quite a statement, what would be this administration's reaction to that?

Mr. SMITH. Well, it's hard to be too specific.

Senator WIRTH. Well, let me be very specific for you. Let's just start out.

Mr. SMITH. Sure.

Senator WIRTH. Right at the start Doctor Antanaitis let me tell you where I'm coming from, first of all. You see, I think that this administration has been extraordinarily timid on this whole set of issues. I think we've been timid about participating in the CSCE forum. I think the administration has been timid about any kind of international initiatives overall. I think the administration has been generally backward in its overall approach to the environment, and I think the urgency of this issue is so overwhelming that we have to do everything we can to get messages like that of Dr. Antanaitis in front of the administration, to ring their bell a little bit, so to speak.

Let me start. Dr. Antanaitis says the world's environmental problems are the most immediate and fundamental issues facing the human race. What does the administration think about that?

Mr. SMITH. Well, I'd like to say I can speak for the administration, but let me answer for myself. I think that is a very appropriate statement. I think they are certainly at the top of an agenda that we all face.

Senator WIRTH. If that's the case, then at the bottom of your statement, page 1, you say "this includes our primary objective in CSCE, working to bring about political and economic change and improvement in human rights performance in the Soviet Union and Eastern Europe."

In other words, if, in fact, there is this set of issues that is of such urgency, a feeling shared by an increasing number of political leaders around the globe, shouldn't we be placing greater emphasis in CSCE, on environmental issues, far beyond what you are suggesting at the bottom of page 1 of your testimony?

Mr. SMITH. Well, the response I would make to that is that we do place emphasis on the issues, and are working—

Senator WIRTH. When you say primary objective, there's no discussion of environmental issues at all in that, but go ahead.

Mr. SMITH. Well, there is later in the statement, but my point would be that we are addressing, I think, in rather effective ways, environmental issues in a number of bodies. The CSCE process is an area where integral to all our of discussions in all of the baskets is the human rights concerns. That was really the only point I was making there.

We do welcome this opportunity to highlight the environmental questions that are serious ones that exist in Eastern Europe, and that we need to talk more with Eastern Europe about.

Senator WIRTH. Well, the human rights concern is clearly very important. The CSCE has been on the cutting edge of that, and we all appreciate it and expect it. I applaud the work that has been done. Also, I think it was pointed out in the testimony we've just heard and in the feelings of many, is that we are going to have to redouble our efforts at CSCE and perhaps elsewhere, beyond the human rights agenda. We must maintain the aggressiveness of the human rights agenda while moving beyond that. That's the thrust of what I want to talk to you about today.

You said that there are a variety of other ways in which the administration is focusing internationally, on environmental concerns. What is the framework or forum in which the administration is doing that? The world, you know, Mr. Smith, is looking to us for leadership—

Mr. SMITH. Yes, I know that.

Senator WIRTH [continuing]. and we have a responsibility, I think, not only to ourselves, but to the rest of the world, to exercise that.

Mr. SMITH. I would note, for example, Senator, the leadership which, indeed, we did provide in the case of fluorocarbons and substances which deplete the ozone layer. The Montreal Protocol to the Vienna Convention in that area, and the subsequent movement in that area has—

Senator WIRTH. What's the framework now? That was done by a previous administration. What is the framework or forum now that is going to be used by this administration? Judging by your testimony and statement, it is not CSCE. What is the framework or the forum in which we are going to press, the U.S. Government is going to press its perhaps agreement with a statement made by Dr. Antanaitis, about the most immediate and fundamental issue?

Mr. SMITH. There are a number of forums in which we will press variously very important environmental issues. With regard to particularly some of the East-West questions, I think the ECE is one which we have used effectively and will continue to use effectively.

I think the strength of this particular meeting and what it can accomplish is that it will highlight—this is a meeting that will get attention, appropriately so—highlight a number of these issues. It is not perhaps the forum in which we will be meeting regularly and developing mechanisms to carry the issues forward, but I think we will be doing so in the ECE and the OECD on accidents in the UNEP, certainly on the climate change issues and in the intergovernmental panel on climate change and in its response strategies working group which we chair. There are a number of these areas where we will be moving forward, and I think that this is an opportunity to exchange views on these issues and to contribute to and support the work that's going on in a number of other bodies.

Senator WIRTH. All of that is a good laundry list of international organizations, and I appreciate your being a good soldier on that front. If we, for example, look at the intergovernmental working group on climate change, the instructions that have just gone from this administration to our group there have been, effectively, don't take on issues of carbon dioxide—you've probably seen the famous memorandum that was done by William Nitze instructing our group of people. This does not reflect the broad consensus as to

what we want to be doing in the areas, for example, of carbon dioxide and global warming.

If we look at the U.N. forum, the U.S.'s commitment to the United Nations has been very shallow indeed. I'll give you a copy of the Nitze memo, if you haven't seen it.

Mr. SMITH. I know Bill Nitze. I didn't realize he had a famous memorandum.

Senator WIRTH. He does, unfortunately. I know him, too. I mean, he's also being a good soldier in the face of this.

If, in fact, these are important agendas, is the agenda that was set—in your opinion, is the agenda that was set for the CSCE meeting coming up, broad enough? Do you think that is reflective of the kind of concerns that we ought to be discussing through the CSCE framework?

Mr. SMITH. I think the agenda is an important one, and it has a lot of relevance to the particular forum. I know that I will also, whether it's on the agenda or not, be talking about broader issues. I think in terms of a place to work with them, these regional issues that have such great importance on the scene, are good items for an agenda for that meeting.

Senator WIRTH. I think that's exactly right. I think CSCE is a very promising and good forum. When you look at issues beyond the three that are on the agenda here, like regional air pollution, and the need for cooperation in that whole area, then that would seem to be a very logical place for us to be pushing that this happen.

Mr. SMITH. Let me mention already, before we even get there, I've had chances to talk to Bulgarian officials, and just yesterday I learned, in response to my question, that Bulgaria is planning, within a very short time, to join the Montreal Protocol, a decision that's been a difficult one for them and they are about to make it. They are also going to become a party to the Basel Convention on hazardous waste exports.

So, I think the broader discussion will take place, and it will be, I think, very helpful, as well as the specific work we might be doing on the specific agenda items.

On that subject, Gary Waxmonsky is here from EPA, and he might have some more specific response on some of the work.

Senator WIRTH. Mr. Waxmonsky, you're looking reluctant, but go ahead.

Mr. WAXMONSKY. Senator, as regards the agenda for the CSCE Conference itself, I did mention in my statement that I think that portion which addresses transboundary environmental incidents is very important to the East Europeans because they've got a lot of them. And they're really flouncing around trying to find out how you go about getting a neighboring country to pay for lost forest and water quality damage and things like that. So, that's very current.

In general, sir, we have a lot of different fora in which to pursue these activities, and we have been pursuing them. I've been in EPA's International Office now for about 11 years, and I'm pretty proud of what we've been doing, not only in multilateral organizations, but directly bilaterally. There are some countries in the

world, sir, where you find it far more effective to work bilaterally—nose-to-nose, get to know these folks, know their priorities.

I spent 2 years in Poland at our Embassy there, and that experience reinforced this conviction.

Senator WIRTH. It's very difficult, for example, to take on the air pollution issue bilaterally, or to take on the global warming issue, or the carbon-dioxide issue bilaterally, or the CFC issue bilaterally, isn't it?

Mr. WAXMONSKY. OK, sir, there's logic there, there's no doubt about it; it's obvious. On the other hand, I think it's fair to say that if you want these countries to play seriously at that IPCC table and the Montreal Protocol table, they're going to have to get their domestic house in order first. They're going to have to cope with a lot of bread-and-butter environmental issues, the stuff that's in the food, the stuff that's in the air they breathe and the water they drink, before they're really going to be in a position to be real players, I think, in global issues.

Senator WIRTH. It's a very important agenda and a very important issue—getting our domestic house, or them getting their domestic house in order. Since we produce 25 percent of the carbon dioxide in the world, I believe we have an obligation to get our domestic house in order.

Again, the relationship of this to what the administration's policy has been, which has been one of backing away from this kind of issue for fear that it might run into some domestic political or domestic economic concerns. The carbon dioxide issue serves as a very good example.

Mr. WAXMONSKY. Sir, my only point was that we have to have a somewhat discriminating approach. We can't go full-speed ahead in every possible forum because we expend resources and time and people, and sometimes in a wasteful way. But we share the concern.

Senator WIRTH. Well, I'm not sure that we shouldn't be going full-speed ahead. If we listen to Mr. Antanaitis again, to quote him once more, "the world's environmental problems are the most immediate and fundamental issues facing the human race."

Mr. WAXMONSKY. Yes, sir.

Senator WIRTH. The reason that I wanted to bring this up is my own great disappointment with the sense of urgency felt by the administration. I think that that sees its way through the instructions that you're getting. Although there is a welcome change at EPA over past years, I think the problems that we have in terms of being aggressive around the world through our State Department and the instructions being given there, have really backed away from what a broad consensus of scholarly opinion in the country would suggest we ought to be doing. You might not agree with that.

Mr. SMITH. Like Mr. Waxmonsky, I am rather proud of what we've been doing, and I think we have been moving aggressively and can point to some considerable accomplishments.

Senator WIRTH. Ms. Hopkins, do you have, from your relatively outside perspective, any comment on all of this?

COMMENT OF DR. ZBIGNIEW KARPOWICZ FROM IUCN

Dr. KARPOWICZ. Senator, I believe you were out of the room when I was introduced—Dr. Karpowicz, from IUCN as well, on the East European Program.

Yes, we do have a comment, and it's strictly related to environmental aspects, and I think it's good for us to say that Mr. Antanaitis' statement is, in fact, clear evidence of the evolution of citizens' groups, as IUCN has seen—the evolution of citizens groups in relation to environmental matters.

Well, one of the conclusions, or the conclusions that we arrived at from our case studies was that public intervention in specifically opposing transboundary pollution through concerted and coordinated action, can at least provoke a number of things. One is a serious reassessment of the issue and at best altering of policies and the actions of the authorities both nationally and internationally. I think Mr. Antanaitis' statement has shown that that is possible.

This leads us on to what IUCN believes to be one of the major fundamental characteristics of emergence of NGO groups—that is, the need for international involvement. And the need for international involvement is so that the environmental focus of these groups is retained, and this can be done through the association with groups or international NGOs such as IUCN, so that what we are saying is, the environmental features must not be lost in the explosion of interest at the public and the citizens' level. Thank you.

Senator WIRTH. In talking about the organization of citizens groups as you have, it brings up one of the issues that we ought to be thinking about in terms of the chicken-and-the egg. We have justifiably placed a great deal of emphasis on human rights. That has been the cutting edge of the CSCE process.

What is the advantage of also placing an emphasis, say, on providing greater opportunities to individual—if we work with the Eastern bloc economically, environmentally, and in other ways, providing greater opportunities and greater restructuring there, is that an alternative route, or parallel route, for the achievement of our goals in human rights?

Ms. HOPKINS. Also, we pointed out in our statement that we have done some preparations for the CSCE meeting, and our research, in fact, did not address the public—the possible connection between the evolution of environmental citizens groups and human rights issues. So, we can't directly comment on that.

We would simply like to reiterate, as you have intimated in your opening remarks, we, as IUCN, are very concerned that environmental issues will be obliterated by concerns for other issues and, as I think Congressman Hoyer said at the very beginning, if the globe is destroyed, what use are human rights?

Senator WIRTH. And how would you respond to that, Mr. Smith?

Mr. SMITH. Well, Senator, I don't see the conflict. On the contrary, in my view, if you're going to have environmental progress, it's got to be based on the freedom of people to make their views known and to be heard and responded to by government.

So, I see the two thrusts as entirely consistent, and I think it is really necessary to have both thrusts because there are links.

Senator WIRTH. I don't disagree with that. I think it's a matter of looking where the other thrust is as well. If we help and encourage the process of economic restructuring and political restructuring and create an aggressive forum for East-West cooperation in terms of environmental concerns, I would think one of the products of that is going to be greater ability to pursue the agendas of human rights. A greater sense of freedom to do so will exist. We have a two-way street going here. That's one of the ideas that is the thrust of my own thinking, in any case. We don't want to be too narrow in all of this, nor do we want to back away. What I worry is that this administration has found itself using human rights as a way of not focusing as thoroughly on these other issues. They say, "Well, we've got to do that first," and that gives us an excuse for not doing these other items and not reflecting, again, the urgency of the earlier testimony in Ms. Hopkins' statement and the exchange with Congressman Hoyer.

Mr. SMITH. I agree with what you're saying, that you basically make progress on both or you don't make progress on either, and we have to move forward and not concentrate on one to the exclusion of the other.

Senator WIRTH. And, again, the promise of this kind of an East-West forum—are there other East-West forums like CSCE? What other forum exists in which—

Mr. SMITH. The ECE has proved a very effective forum where we have accomplished a great deal on the environmental front—and perhaps you'd like to talk about that, Gary.

Mr. WAXMONSKY. Well, the ECE has generated the long-range transboundary air pollution convention, the SOX-reduction protocol, the NOX protocol last year. I believe they some moving now on an agreement in the field of transboundary movement of hazardous waste, and our colleagues in the East are responding very responsibly. It's been a very good forum for addressing these kinds of issues, but it's not the only one. Again, sir, my responsibility at EPA is bilateral programs. I don't work on multilateral issues very much, and my prejudice, when it comes to the Soviets and East Europeans is for working with them one-on-one. We have a program with the Soviets. We have a program with the Poles. We're involved in a program with the Hungarians, and although you're right, a lot of these issues are regional or global, there's still a lot of merit in bringing these people with us, in a sense, bilaterally.

Senator WIRTH. It would sound to me, from what I've been hearing here, that people are pretty much with us right now. From what Mr. Antanaitis was saying, you seem to have a significant political awareness ahead of ours.

Mr. WAXMONSKY. Dr. Antanaitis comes from a republic in the Soviet Union which has a history of being very progressive in this field. The other 14 republics have varying records, let alone the other countries in Eastern Europe. Again, sir, this is an enormous region with a lot of diversity.

Senator WIRTH. I'm aware of that.

Mr. WAXMONSKY. And it's a fascinating place to live and work. Again, this gets back to my point that if you deal with these different countries bilaterally, you get a better handle on what their needs and priorities are.

Senator WIRTH. How many of the 35 countries have signed the Montreal Protocol, do you know?

The INTERPRETER. Dr. Antanaitis would like to comment on part of Mr. Waxmonsky's testimony—or question.

Senator WIRTH. Why don't I just hold that aside. Go ahead.

Dr. ANTANAITIS. We believe that if we're dealing with issues and only regional issues, then it may be sufficient to deal on a bilateral basis. But if we are dealing with global issues of the environment, it is absolutely necessary to have an international forum under which we can address these issues and participate in those international forums. That would be my first comment.

The second one would be, it was said earlier in the testimony that everyone must clean up his own yard first. The nations of Eastern Europe cannot do this by themselves, they cannot do it for themselves, because there is a severe economic crisis.

The necessary technology does not exist. There is a shortage of specialists. And we also lack basic information. Therefore, international cooperation is absolutely necessary. They will not be able to solve their problems without that kind of help.

Senator WIRTH. Let me ask you to comment, Dr. Antanaitis, on the American political scene. We are currently spending about \$300 billion on defense programs, while only about \$6 billion on environmental programs. Now, I would suspect that the ratios are probably about the same in the Soviet Union.

Doesn't that say that we believe that the military threat is 50 times greater than the environmental threat?

Dr. ANTANAITIS. My answer would be that the most essential question that faces this globe are the environmental issues, and the problem within our own country is that neither the Government nor many of the people within the country understand that yet and, therefore, there are no financial resources given for that problem.

So, one could say that financial resources are not devoted to the environment partly because people don't believe that the issue is important but, secondly, we don't have a lot of order in the Soviet Union; there is no orderly process.

Senator WIRTH. Let me ask, if I might, a final question, going back to the question I started on earlier. Can you tell me how many of the 35 countries are signatories of the Montreal Protocol?

Mr. SMITH. I don't have the answer, but I can certainly get it for you and send it up immediately. There are 46 signatories now. I suspect there is a fair amount of overlap, but I don't have the numbers. I will have to get them for you.

Senator WIRTH. Will we be, for example, while all of the nations are there, urging the nonsignatories to sign?

Mr. SMITH. Yes, indeed, I've already started on that process. And, as I said, I got a very encouraging response yesterday, from the Bulgarian official who said they indeed intend to sign, and I will pursue that, certainly.

Senator WIRTH. Well, Mr. Smith, we certainly look forward to hearing your report and hearing of the success of the session. There are many of us who believe we really have markedly and dangerously misplaced priorities. There is not, again, the sense of urgency felt by the administration that is felt by most observers of

the science of the issue and of the pressing nature of global warming and other atmospheric problems.

The agenda is enormous, as you well know, and you have picked off three very important areas in the CSCE discussion. It would be my hope that over the coming months we might be able to work with you and have the U.S. come out of the blocks—I don't know how you say that in Lithuanian—come out of the blocks more aggressively on this set of issues than we have, and overall to present a more aggressive posture and understanding of our concerns about the global environmental crisis. I'm so pleased to have you doing this. I have great respect for the career service. I assume you're career—

Mr. SMITH. I'm a career Foreign Service officer.

Senator WIRTH. I'm glad that you're a career Foreign Service officer as well. We appreciate that.

Mr. Waxmonsky, thank you for your good work. I'm sure you are working in very difficult times there. It must be nice to breathe some fresh air at EPA, right?

Mr. WAXMONSKY. Don't have time to breathe.

Senator WIRTH. You don't have to comment at all.

Senator D'Amato is moving in now. Al, it's all yours. Thank you all very much, I appreciate it. Thank you.

Senator D'AMATO [presiding]. Thank you, Mr. Chairman.

Mr. Waxmonsky, let me ask you, given the economic difficulties—and I'm going to ask the other panelists to comment also—that the Eastern countries face, do you believe that the democratic process that is now taking place, we hope, will necessarily lead to stricter environmental measures in Eastern Europe, and can they improve their environmental situation without experiencing further economic troubles? Do we have conflicting goals here?

Mr. WAXMONSKY. Senator, I think that's probably the case in the short-term. When I left Poland in July, the Ministry of Industry was just beginning to identify 10 or 12 of the worst polluting industrial facilities in the country, and they were beginning to wrestle with the economics of closing these facilities. Then the new Government came in. Solidarity is a trade union. They are not interested in putting workers out of work, but they realize that they will have to do this in a number of specific instances. Yes, sir, in my statement, I indicated that the basic environmental problems of this region are structural and economic, and the solutions, I think, are going to have to be economic, and they are going to involve some tough trade-offs in at least the near-term, the next several years.

Senator D'AMATO. So, the chances are that very little is going to be done?

Mr. WAXMONSKY. Many of these countries are starting from a pretty low base, and so the response curve is pretty steep. For little effort, you get a fair amount of return. So, it is quite possible that for a fairly modest investment, they can realize some significant SO₂ reductions, some significant water problem improvements, and also on the management and policy side, sir. They can, I think, get themselves much better organized without a whole lot of effort. But, you're right, the basic problems are economic and structural.

Senator D'AMATO. Mr. Smith?

Mr. SMITH. I think, clearly, in answer to one of your questions, as you move toward a more open democratic, if you will, society, you do have benefits with regard to the environment. I think it is a key link which I'll be pressing in Sofia, that the ability to talk about the environment, and to be listened to, and to be allowed to press one's concerns is a necessary, if not fully sufficient, requirement for making progress, and I think that's a hopeful sign.

The difficulties are there. I will emphasize the short-run in Gary's statement. I think in the longer-run, recent history has made it completely clear that the environment must be taken into account and the necessary investment made to protect it, if you are to have sustainable development.

So, far from being competitors, environmental responsibility and economic growth in not only the long but in the medium-term, have to go together, and these economies, as difficult as it will be for them, will have to make these adjustments and make the investments necessary to address these environmental concerns, or their economic development will also suffer.

Senator D'AMATO. Doctor?

Dr. ANTANAITIS. As part of the democratization efforts going on in the Soviet Union today, the Soviet legislature, the Supreme Soviet, has this summer established a Committee on the Environment.

This legislative committee within the Supreme Soviet has as its moral duty, the writing of new environmental laws, but the problem in the Soviet Union is that we have many, many laws, but none of them are enforced.

I would have a suggestion. Until now, the United States and the Soviet Union have only participated in joint efforts at the executive level. We believe that, in fact, that cooperation should be more complex. Not only the executive branches of government should cooperate, but the legislatures should cooperate.

Senator D'AMATO. Thank you. Liz?

Dr. KARPOWICZ. Thank you, Senator. I'm going to answer this, again, in an example of Poland. IUCN, through its East European Program, has worked largely in the northern part of those central East European countries.

It's our view that East European countries are capable of sorting out their environmental problems. It would appear they do have the necessary specialisms. They have the infrastructure in place, but the thing that is missing is the correct economic and political changes.

With these political and economic changes, the environmental programs could be financed. I will back this up by giving an example of the situation in Poland.

If we look at Poland, the Council of Ministers commissioned a report called The Foundation of a Program for Environmental Protection in Poland to the Year 2000—this was in 1972. A decade before the National Conservation Strategy Approach was put forward, the report produced was adopted in 1975. It never gained legal status. A new report was commissioned in 1975. It allocated 440 billion zloty, 1 percent of GNP. Four years later, only 0.3 percent of that had been allocated.

This is an example of good plans but lack of follow-up. IUCN has a specialist group within the Commission of Sustainable Development. This group works in Eastern Europe, and has applied its expertise to the formulation of alternative ideas which have been now looked at by the Polish authorities, and we are very pleased to say that IUCN, through its East European Program, is able to work cooperatively with governments to try and arrive at some sort of solution to this extremely difficult problem. Thank you.

Senator D'AMATO. Let me ask one other question, which I am certain has been touched on by my other colleagues. I ask you to bear with me. Maybe we will start with Dr. Antanaitis.

What, if any, role do you see for the West in protecting the environment in Lithuania or elsewhere in Eastern Europe, and how can East and West effectively cooperate on environmental issues?

Dr. ANTANAITIS. At the very beginning, or the first thing that must be done is that we must know what the true environmental condition is. Therefore, we need good quality equipment monitoring, equipment then can help us establish a base.

Second, the West must help us train experts in the field. As a first step towards that effort, we in Lithuania have established the first free university in the Soviet Union. It is in the City of Kos (phonetic), and if, as of January 1990, Lithuania and the other republics get their autonomy for an economic plan, it would be possible to, in fact, effectuate economic and environmental projects.

And I have one additional request, Senator. In the hall today is a group of Estonian Greens. They have prepared a special statement for the Commission. We would be very grateful if you could include their statement in the record.

Senator D'AMATO. Well, certainly, that will—is there a representative of the group here?

Dr. ANTANAITIS. Yes, Dr. Toomas Frey. He is the Chairman of the Estonian Green Movement.

Senator D'AMATO. Wonderful. If we are through with the panel—I'm going to ask the rest of the panel if they have a comment, and if you would like to, Doctor, make a brief statement as well as accept your statement into the record, we'd be pleased to do that.

Now, is there—would anyone else want to comment? Mr. Smith? Mr. Waxmonsky?

Mr. SMITH. My only comment, Senator, would be that in achieving this higher level of cooperation, we need to engage in a full-court press. We have to do it in international bodies, we have to do it bilaterally, we have to seize on every occasion.

Senator D'AMATO. Bilaterally seems to be the kind of thing that can become contagious. You know, when you begin to build some bilateral arrangements, you put great pressure on those who would otherwise try to stay out of the mainstream. It would seem that this is a very useful tool, and then attempting to move on to the larger picture.

So, it would seem to me that wherever we can build that bridge, bilaterally, we should do so. Dr. Antanaitis, spoke about things that would seem to be rather simple and easy for us in the West to be of meaningful assistance. When he talks about monitoring equipment, training—these are assets which we can marshal without great cost. I think that there is a great interest, from our scien-

tific community, in aiding in the training, educating, et cetera, that the Doctor has indicated is necessary. That's just a wonderful window of opportunity.

Dr. Waxmonsky?

Dr. WAXMONSKY. Senator, I'm happy to report that even as we speak, we've got a team of three EPA specialists in Poland, who went there to set up a monitoring station which had been shipped a couple of months earlier. This thing is going to be located in Warsaw. It will be used both for substantive measurements of baseline conditions, as well as a training facility. So, it's exactly the kind of assistance that Professor Antanaitis endorsed.

I would add, sir, that up until now, our cooperative efforts with these countries have all been based on mutual benefit—that is, what kind of data, what kind of results can we get out of a country. Now, with the President's East European Initiative that was announced in the spring and elaborated during his visit to Eastern Europe in July, for the first time, we're actually moving in the direction of environmental assistance. This is something new for EPA, and we are working with many people to help us in developing this program. This is something new for us.

Ms. HOPKINS. Thank you, Senator. I would also like to cite some activities in which we're engaged, which Dr. Antanaitis also mentioned. We, in fact, also have an exchange training program in which we receive people from our East European members. We're currently training one person from Czechoslovakia in database management, and we will be sending somebody else from one of our U.K. members back to Czechoslovakia to give seminars, to find out what's going on in Czechoslovakia, et cetera, et cetera.

We hope to expand and continue that program. That's just one example of the way in which the East European Program in IUCN is operating in those fields.

Senator D'AMATO. Before we conclude this panel, I did indicate we are going to hear from the others. Is there anybody who would like to make a brief statement of any kind?

Dr. ANTANAITIS. No, Senator. Do you have any additional questions?

Senator D'AMATO. No, but I want to comment on the Doctor's response to my previous question. It seems to me that we have a wonderful opportunity to really build something very substantial between East and West, by simply following up on what you have laid out to be important considerations—the education, the training, and the actual equipment—something that we should be able to do at very modest cost and achieve great returns and great dividends, as a result of our undertaking that which you've mentioned. And I'm going to ask staff to look in on this and see that we press this wherever possible, both here and abroad.

Dr. ANTANAITIS. I am very pleased to hear that the Senator would like to have the change of environmental information.

Senator D'AMATO. Thank you. I want to thank the panelists at this time, and I'm going to ask that the two representatives that Dr. Antanaitis spoke about representing the group that's here today, come forward, and if they would like to make a brief statement, we would like to hear that, and then we will take your full statement in the record as if read in its entirety.

Just for the record, your name and who you are representing.

Dr. KARI. Senator, this is Dr. Toomas Frey. He is the head of the Estonian Green Movement. And for the record, I am Mado Kari, President, Estonian World Council, Inc.

Dr. Frey has asked me to translate for him. His English is not so excellent. He has prepared a statement. If you would like, I could read it, or we could submit it for the record.

Senator D'AMATO. I'll take the entire statement as if read in its entirety. We will take it for the record, and if you want to make a brief statement, we'll take it at this time, and you can translate it.

STATEMENT OF DR. TOOMAS FREY, HEAD OF THE ESTONIAN GREEN MOVEMENT

[Dr. Mado Kari translating for Dr. Toomas Frey]

Dr. FREY. Thank you. Certainly, one important problem touched today is very important for Baltic nations, and I should like to emphasize this one. It is included in our document, but in order to draw your attention to this point. In Baltic a very high concentration of industry was developed during last 50 years. And for this, the labor power is mainly imported from other areas of Soviet Union. So, during last 50 years, the percentage of Estonian people in territory has fallen from 95 percent to 60 percent as now, and by year 2000 the situation will be 50-50, and you understand from this that not only purely an environmental problem, environment in physical sense, but environment in base psychological sense is very important in our area of the world.

And I think that these problems are related to human rights, but as usual human rights are considered as individual, but they should be considered on a population of the nation, ethnic nation, as well. It is our hope that you can support in this respect. Thank you.

Senator D'AMATO. Would you like to add to that statement?

Dr. KARI. No, I believe he covered it rather well. The Baltic States are all occupied. We are seeking individual freedoms, plus the re-establishment of free governments. The agreement with the Soviet Union exists under which they promised never to interfere. They have broken that promise. Our demands are ecological freedom as well as political freedom and removal of Soviet occupation forces. Thank you, sir.

Senator D'AMATO. Let me ask you this, if I might. Given Gorbachev's admonitions as it relates to nationalism, in your opinion, is there a manner or way in which the legitimate freedoms and aspirations and hopes of people in the Baltics can be met, without there being the implicit threat of Soviet troops crushing perestroika or endangering it? Is there a manner in which this can be achieved, do you think? In other words, can we reach the legitimate hopes and aspirations of the people? Can they be obtained and still, within the context of a political settlement that will meet these goals, needs, hopes and aspirations, and yet not bring it to a point where Gorbachev or whoever is there feels compelled to use force in opposition? Is there a manner in which you think that can be structured?

Dr. KARI. Sir, I believe so, yes. In all of the Baltic States, there are currently various movements from Greens, the independent parties to the popular fronts, whose objective is the same and identical, namely, eventual independence. The method to achieve that, there is some debate, but one of the more open and probably the most practical solution is that the three nations, in the upcoming elections, will elect a majority of their people to the Baltic Supreme Soviets, and since legitimate governments, in essence, legally still exist, then the newly elected Supreme Soviet could declare itself null and void because the original deals by constituting them were illegal under international law, and without the participation of people's vote.

Given that fact, we believe that Soviet Union, Mr. Gorbachev, will not interfere, and he will have friendly neighbors on his border, in essence, creating a second, third and fourth Finland, which will help to stabilize within the Soviet Union itself and provide a greater window to the West for trade, ecological movements and anything else. I am optimistic, sir.

Senator D'AMATO. So, you are saying notwithstanding the President's admonition, that there is a manner to achieve the goals of independence or meeting national needs and rights, without there being the confrontation that some fear.

Dr. KARI. The statement that was issued, sir, was——

Senator D'AMATO. No, don't give me the statement. Do you believe it can be achieved through peaceful means?

Dr. KARI. Yes, we fully believe that.

Senator D'AMATO. I certainly hope so. Would Dr. Antanaitis want to comment on that?

Dr. ANTANAITIS. Yes. The Baltic States have already demonstrated that they can go along a peaceful parliamentary method. We consider the use of force against us not to be a realistic possibility because that kind of action would compromise Mr. Gorbachev in all that he has been trying to achieve in the eyes of the entire world, but Gorbachev is making a mistake, possibly because he's been threatened or frightened, believing that the Baltic States joined the Union for the Soviet Socialist Republic freely, by their own choice. Those nations are, in fact, occupied and annexed, and if the Soviet Union would but once acknowledge this fact, they should immediately have fewer problems.

Senator D'AMATO. Well, I want to say that that is very, very interesting, that perspective that you shared with me, Doctor, and just for that insight I am pleased and delighted that I have been able to be here at today's hearings, and certainly we are going to take the Estonian statement and it will be submitted into the record.

We thank you all for participating and, Doctor, it's been a great privilege and a pleasure for me to have the opportunity to hear you testify. You certainly bring a knowledge and a wealth of expertise not only in the environmental areas, but obviously in the political arena as well, and we thank you for being here.

Dr. KARI. Senator, on behalf of Dr. Frey and the three other members of the Estonian Green Movement who are present, I thank you for giving us that opportunity here today.

Senator D'AMATO. My pleasure.

We stand in recess.

[Whereupon, at 3:55 p.m., the hearing was adjourned.]

APPENDIX A

TR 89-0058

REPORT OF THE ROUND TABLE ON ECOLOGY

Translation of "Protokol podzespolu d/s
ekologii okraglego stolu", Polish Round
Table Accords (Polish Government Document),
Warsaw, March, 1989

TRANSLATED FOR THE EPA BY

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INTRODUCTION

For many years we have seen a worsening of the state of the natural environment in Poland, and by the same token, of the health conditions of society. The hazard to human life because of environmental conditions has become one of the largest in the world. The consequences of this state are particularly affecting development conditions of the young generation in the area of Upper Silesia and in other areas which are endangered ecologically.

Disappearing forests, contaminated waters and air, poisoned soils and contaminated foods are covering larger and larger areas of the country. This deepening ecological crisis requires implementation of radical countermeasures. Participants of the Round Table Subunit on Ecology consider that, in view of so serious a threat to the life of the nation, it is essential to perform a real change of direction when defining main goals of further social and economic development of the country. The concepts of eco-progress and eco-politics must be accepted in formulation of strategic plans for changes of the economic structure of the country. It applies particularly to the fuel-energetics complex, water economy, agriculture, forestry and urbanization.

The most urgent tasks include: lowering of the emission of SO_2 and NO_x by at least 50%, improvement of the quality of water of rivers in Poland, particularly of Vistula to class II purity, utilization of generated industrial and communal waste, and introduction of ecological order in the economy. These tasks require the broad, international cooperation based, among others, on eco-conversion of Polish national debts.

Altogether, we adopted 28 postulates, forming the program of temporary actions which should be realized in the years 1989-1990. The accepted postulates are divided into the following groups of problems:

- I. Pro-ecological economic activities.
- II. Legal, economic and administrative regulations.
- III. International cooperation.
- IV. Formation of Social System of Environmental Protection.
- V. Intervention measures.

The accepted postulates should form directives for preparation of a new version of the National Program of Environmental Protection, which is to be submitted to Sejm (National Assembly) of the Polish Peoples Republic in 1989.

I. PRO-ECOLOGICAL ECONOMIC ACTIVITIES

1. Adoption and consequent following of the principle of eco-progress and the eco-politics connected with it as leading to further social and economic development of the country and providing: a healthy environment, a ecological balance in the basic ecosystems, creation of conditions essential for renewal of human forces, and possibilities of further social and economic progress. Realization of this principle should assume:
 - a/ integral grouping of ecological tasks into the system of social and economic aims and spatial management of the country;
 - b/ restructurization of national economy, particularly of industry, understood as gradual abandoning of long prevalent antiecological directions based on raw-material - energetic priority, and as accelerated adopting of branches and production technologies safe for the environment, reducing labor expense, and improving utilization of resources;

- c/ development of the regional concept of eco-progress connected with predispositions and environmental conditions of particular regions of the country. In the first place, this should be done for areas of ecological danger, and for regions with high natural values;
- d/ introduction of steps to include in each plan (program, study) an estimate of the risk of endangering the environment, together with preparation of an ecological variant as a reference point, for carrying out the analysis of costs and gains of the proposed undertaking or activity. This principle should be applied also when making international trade agreements, and in starting such programs as: motorization, energetics, housing construction, agriculture, etc.

For this purpose it is necessary to perform revision of the applicable economic and spatial management plans, and re-negotiation of international trade agreements in the framework of restructuring the national economy (resignation of our specialization in raw material and metallurgical industries). It is also necessary to issue an appropriate legal regulation, which will implement these measures.

2. Improvement in management of water economy through changes in law enabling to control water in areas of water-economy regions based on hydrographic division of the country, in order to improve supply of water and rationalization of its use, and improve the quality and protection of water resources. This requires creation of organs managing the water-economic regions and functioning as regional water authorities. Also, councils of water consumers should be constituted with participation of the representatives of interested economic and social organizations.

Activities of organs managing the water-economy regions will be financed by fees for water consumption and sewage disposal, and from budget means and other sources.

The water-economy regions will try to function on the basis of a model of economic self-financing. The initiative in this respect will come from the Ministry of Environmental Protection and Natural Resources.

Recognition of underground water as an equivalent to useful minerals, and acceptance that its protection will be the matter of concern of the National Geological Service.

3. Development of a new model of forest economy, whose main goal would be protection of forest environment and management in such a way that the ecological balance is not disturbed. For this purpose it is necessary to:
 - a/ assume that the basic function of forests is the environment creation, and introduce the principle that all forests are protected areas,
 - b/ put forestry under MOSIZN (Ministry of Environmental Protection and Natural Resources), leading in consequence to its separation from lumber industry,
 - c/ ensure legal-organizational, technical and economical conditions for ensuring the correct forest management, and to limit the extent of industrial emissions,
 - d/ submit the project of "forest law" to social consultation,
 - e/ accept the principle of undivided management and control of national forests in view of regional differentiation of ecological and production conditions ...
 - f/ implement the formation of a social group expressing opinions and aiding in the control of forest economy,

- g/ make free the possibility of formation of workers' self-governments in national forests on generally accepted principles,
- h/ stop the robbery cutting of forests, and limit the cutting of lumber to biological possibilities defined in plans of reforestation,
- i/ revise the principles of hunting control and subordinate them to the environment-creative role of forests, and verify the principle of repayment for hunting damage,
- j/ form a Genetic Pool of fully valuable seeds of trees,
- k/ introduce order in management of forest ground cover in conformity with the principle of the environment-creative role of forests,
- l/ make it the duty of the Forestry Research Institute to prepare Report on the condition of forests for five-year periods, and annual publication of monitor information about the degree of threats to forests,
- m/ create Institute of Forestry Science at PAN (Polish Academy of Sciences) in connection with the catastrophic state of Polish forests.

Despite the increasing pressure for localization of building parcels in forest areas, the article 11 of the bill about protection of agricultural and forest land should not be changed.

Deadline: December 1989

4. Urgent convening of a government committee with participation of representatives of society for:
 - verification of rules of agricultural production and

food processing, intended to eliminate food contamination,

- changes in organizational and technological procedures intended to improve radically the quality of rural products, and particularly of milk,
- organization of an efficient, multilevel system of food inspection.

For the transition period, as an immediate measure, ensure supply of imported tested powdered milk for the nutrition needs of all infants. It should be issued to holders of health cards at a reduced price.

Deadline: June 1989

5. Making a radical change in the now practiced policy of urbanization, through balanced consideration of ecological principles and procedures in the development of towns and inhabited locations.

As a result of urbanization, the natural environment in towns undergoes constant degradation, particularly in areas of urban agglomeration, leading to worsening of living conditions of inhabitants and contributing to susceptibility to diseases. Particular care in these areas should be given to:

- countermeasures against pathological features and forms of urbanization and connected with it degradation of the urban environment, worsening the quality of life and threatening the health of inhabitants. Also, in this connection, the necessity to eliminate from the building industry the materials harmful to health, such as, for instance, containing asbestos or emitting toxins,
- creation of spatial order in towns and inhabited locations based on ecological principles, and also formation of

- a scientific agency for development of these measures,
- protection of cultural values connected with national identity,
 - creation of microenvironments in urbanized areas.

The national authorities and the territorial self-governing agencies will ensure all the conditions necessary for realization of this pro-ecological urbanization policy by development and presentation to public opinion of concrete programs and measures required. MOSIZN (Ministry of Environmental Protection and Natural Resources) will be the initiator and coordinator of the above actions.

Deadline: December 1989

6. Making the expected development of motorization (transport) dependent on the decisive lowering of the emission of exhaust gases. In this connection it is necessary to:

- prepare the account of exhaust emissions for vehicles used, produced and imported, up to the year 2010,
- produce and import cars adapted to lead-free gasoline and having reduced emission of impurities, particularly NO_x ,
- enforce the duty to analyze composition of exhausts during the periodic technical inspections of vehicles,
- limit the use of cars in towns, particularly in protected towns and areas, develop and improve the system of mass transport and use of bicycles,
- it is necessary to preserve appropriate levels of the price of tickets for individual transport. The use of mass transport should be encouraged because of its smaller role in the pollution of the environment.

Deadline: March 1990

7. The energetics policy, depending on the variant used, creates larger or smaller threats to the natural environment and man (salting of waters, emission of SO_2 and NO_x , accumulation of solid waste, nuclear danger). Hence the choice of this policy and its implementation cannot be done without obtaining social acceptance, especially favorable public opinion.

The position of sides with respect to the development of energetics is presented in the Disagreement Report.

8. Create preference for development of small-scale power facilities, namely: small hydroelectric power stations, wind-driven facilities, and other power installations built by small enterprises or private persons.

This preference should apply also to companies willing to produce equipment for building such installations.

Deadline: December 1989

9. Limitation of the amounts of waste produced by continuous efforts to use wasteless and little-waste technologies.

In order to reduce the already accumulated waste the Ministry of Industry and Ministry of Building and Spatial Economy, with cooperation of other interested government agencies and economic units, and under supervision of MOSIZN, will undertake actions which will improve and accelerate utilization of waste and secondary (recycled) raw materials and their elimination. The technologies used should not cause the secondary contamination of the environment.

Deadline: December 1989

II. LEGAL, ECONOMIC AND ADMINISTRATIVE REGULATIONS
IN ENVIRONMENT PROTECTION

10. Execution within two years of the codification of law of environment protection by improvement (altering) of rules and regulations, which should regulate two main aspects:

- relation of man with nature, with particular consideration of live nature including animals,
- relation of society with natural environment.

This applies particularly to such problems as:

- preservation of the environment-creative function of nature,
- protection and management of natural resources and natural values,
- preservation and forming of natural conditions of life with particular attention to health conditions.

The complex improvement of law pertaining to protection and shaping of environment should cover in particular the following:

- a/ protection and shaping of environment,
- b/ protection of nature,
- c/ water law,
- d/ protection of rural and forest lands,
- e/ mining and geological laws,
- f/ forests.

This improvement should consider also the protection of the maritime environment of the Baltic sea.

The improvement should aim at ensuring completeness, thoroughness and cohesion from the point of view of the requirements of environment protection. The principle should be accepted of the equality before the law of all the subjects taking part in the process of utilization of the natural environment.

The Codification Commission should be convened by April 1989 and the codification work should be completed by the end of 1990.

It is necessary to introduce *actio popularis*. Each person, physical or legal, without regard to his personal interest, could sue asking for removal of the disturbance of the environment and removing the effects of this disturbance.

At the same time, Art. 111 § 1 of the Civil Law Code should be improved (altered) by introducing the principle that the side which makes claims (the acceptance of which would lead to removing or preventing the disturbance of environment, as well as returning of the disturbed element to its previous state,) would not have the duty to pay legal costs (The Round Table Subunit on Ecology submitted to Sejm of the Polish Peoples Republic the project of appropriate legal changes).

Moreover, it is necessary to introduce as fast as possible the following measures:

- create the department of environment protection at the Prokuratura Generalna (High Court),
- create the unit of environment protection at the NSA,
- organize the Assemblymen Group consisting of assemblymen (to Sejm) interested in environmental problems.

Deadline: December 1989

It is also necessary to put order in the system of standards by introducing the criterium of the toxicity index.

11. Improvement of economic mechanisms favoring environmental protection, by providing preferences to pro-ecological undertakings and by increasing and enforcing penalties for breaking the law about environmental protection.

It is necessary to put the National Fund for Environment Protection under social control. It should be expressed in the form of participation of the representatives of ecological movements in the Control Council of the Fund. The Fund should allot the available means exclusively for pro-ecological purposes, to achieve:

- concentration of financial means intended for pro-ecological aims from various sources,
- providing credit and finances to pro-ecological enterprises,
- promoting and financing activities in favor of the protection of the environment.

It is proposed to form Ecological Bank SA. It is anticipated that this Ecological bank will also be under social supervision.

In order to increase effectiveness of the economic mechanism in the protection of the environment, certain administrative measures will be undertaken. They will consist of:

- preparation and presentation within 6 months of the list of companies and undertakings which are most harmful to the environment, and making decisions about taking steps intended for reduction or elimination of their negative effect on the environment, up to closing of the company,
- making equipment and facilities for studying and limiting environment contaminants, free of import duties.

Deadline: December 1990

12. Modification of the role and range of action of the Ministry of Environment Protection and Natural Resources (MOSiZN) through:

a/ conferring on it a functional character and freeing it from presently performed administrative duties,

b/ concentration of its activities on:

- preparation and realization of the strategy of environment protection, and (connected with it) prognosis, programming and planning,
- establishing the principles and methods of utilization of the environment,
- inspiring and supporting pro-ecological activities,
- supervising and supporting services of environmental protection,
- creating conditions for popularization of ecological knowledge,
- promoting the developments of technology for environment protection,
- ensuring international cooperation.

c/ promotion of the rank of the head nature conservator.

MOSiZN should cover by its actions the whole area of environmental problems, together with inclusion of forestry, management of national parks and their proper functioning, and coordination of the protection of waters of the Baltic Sea.

Deadline: April 1990

At the same time it is proposed to prepare information in depth in the matter of:

- a/ recognition of spatial planning as an important instrument of protection and shaping of the environment, and including it into MOBIZN,
- b/ formation of territorial above-district organs of MOBIZN which would take over part of the rights and duties of national councils and of their executive-managing organs.

Deadline: December 1990

13. Definition of the role, duties and organizational forms for national services of the protection of the environment, financed from the National Budget.
- A. Strengthening authority of the National Inspection of Environment Protection (PIOS) through:
- a/ defining the range of action and organization of PIOS,
 - b/ broadening of duties of PIOS to the control of observing and applying all the regulations concerning the protection of the environment,
 - c/ acceptance of the principle that the Head Inspector of Environment Protection is nominated by the Prime Minister as the vice-minister in MOBIZN from among the candidates approved by the National Council of Environment Protection,
 - d/ basic strengthening of execution and broadening the scope to:
 - the right to take part in declaring objects harmful to the environment, and the right to object to their being allowed to be used,
 - the right to directly halt an activity posing a danger to the environment.

- recognition of the failure to perform post-inspection instructions as breaking of the law,
- control of apparatus serving environmental protection,
- establishing methods of studying the protection of the environment,
- the right to announce - independently of other entitled organs - the smog alarm and other alarms connected with threat to the environment,
- publication in daily press of quarterly information reports about activities carried out in the area of environmental protection, and lists of companies and undertakings which are most harmful to the environment.

B. Definition of the role, duties and organizational forms of the following services:

- a/ National Geological Service, together with formation of the National Geological Council,
- b/ disaster saving service (preparation of plans to evacuate cities),
- c/ nature protection guards (enlargement of scope).

Deadline: December 1989

14. It is necessary to produce effective mechanisms for the protection of the environment in areas of production facilities. For this purpose it is necessary to strengthen the company or facility service of environmental protection through:

- the positions of heads of the company protection service should be occupied by experts, having both great knowledge of technology and also knowledge of environment protection,

- nomination to and dismissal from the position as head of the company service of environmental protection should be done in agreement with local authorities of the environment protection,
 - the company measurement apparatus should be connected with local systems of monitoring the environment, also outside of protected zone.
15. Introduction of the recommendation of the Ministry of Environment Protection and Natural Resources to perform general inventories of resources and features of the environment by nature conservators. For this purpose it is necessary to broaden their rights and, if necessary, to form, in their offices, the regional inventory-planning bureaus. .

Deadline: September 1989

16. Enlargement of the ecological system of protected areas to 30-40 % of the surface of the country, and giving it appropriate spatial structure aiming at forming the system preserving connections between particular areas. To form this structure it is necessary :
- a/ to select and consider as natural reserve valuable ecological areas of the country, limiting their economic function to the time they obtain the legal status of protected areas,
 - b/ to regulate legal rights concerning selection of landscape parks and areas of protected landscape and of economic activities on these areas.
- Introduce the two-level system of forming and managing the protected areas: all-country and regional.

The all-country system of protected areas contains:

- a/ national parks; it is necessary to increase their surface to at least 1 % of the surface of country,
- b/ nature preservation,
- c/ national landscape parks.

At the same time for the mentioned protected areas, with exception of nature preserves, it is necessary to map and detail the surrounding belt and develop plans for their spatial management. In the framework of this all-country system it is necessary to enlarge the number of areas qualified as biosphere preserves connected with international systems.

The regional system of protected areas comprises:

- a/ regional landscape parks with their surrounding area, and the management plan prepared for them.
- b/ areas of protected landscape,
- c/ monuments of nature.

The work on introduction of the ecological system of protected areas, with postulated characteristics and structure, should be carried out successively, and it should cover also preparation of a legal basis in this area.

Deadline: December 1990
prep. of legal basis
formation of planned network
of national parks and
biosphere preserves
December 1995
full system

17. Introduction by the Ministry of Environment Protection and Natural Resources of legal duty of preparing estimates of the effect of investment on the environment (OOS), utilizing recommendations of the European Economic Commission UNO. This duty should apply to plants or installations planned, under construction and already existing, harmful to the environment. The last ones (existing) should be covered within five years. It requires issuing of legal acts. It is also necessary to publish "methodical instructions in the case of performing, considering and verifying evaluations of the effect of investments on the environment (OOS)", prepared by KOSIEN, and printed in amounts allowing broad distribution.

Deadline: April 1989

18. Formation of the Center of Environmental Studies PAN (Polish Academy of Sciences) by the Scientific Secretary PAN. The Center will cooperate with all interested scientific institutions in the country for inspiring interdisciplinary environmental studies and accumulation and synthesis of their results. The Center will also prepare expert opinions and statements.
Formation of such a center should not, to any degree, limit the organization and implementation of independent studies by independent scientific units.

Deadline: September 1989

III. INTERNATIONAL COOPERATION

19. Presentation of the position of government in the area of border cooperation with neighboring countries, comprising restitutions for suffered losses as a result of the contamination of the environment, agreement on location of investments situated near borders, principle of mutual management of resources and features of the environment, and

principles of mutual environmental policy.

This position, after obtaining opinions of social ecological organizations, should be submitted to the National Council of Environment Protection. After obtaining positive opinions, it should be treated as a guide for negotiations with neighboring countries.

It is necessary to continue and intensify governmental and parliamentary negotiations concerning international cooperation in the area of environment protection with, at the same time, full information for public opinion about the state of affairs.

In these negotiations the Polish side should make efforts to ensure the possibility of cooperation and co-action of ecological organizations of neighboring countries.

At the same time, however, it is necessary also to protest building of a coking plant in Karwinko-Ostrawa Basin (Czechoslovakia) and functioning of electric power station near the border - in the power complex Schwarze Pumpe, Weisswasser, Mirschfelde and Friedensgrenze (German Democratic Republic).

Deadline: December 1989

20. Strict prohibition of bringing any kind of waste or garbage to Poland for the purpose of storing, reprocessing or elimination, with treatment of persons responsible for such action as causing harm to the society and natural environment (with the duty to seek them and bring them to justice).

Deadline: April 1989

Issuing detailed regulations concerning the transitory transport of substances or objects which are toxic or dangerous to the environment.

Deadline: December 1989

21. Activation of government institutions and arising interest of social organizations in the area of action in favor of eco-conversion of Polish debt. It was agreed that:

a/ MOSiZN will accept the role of

- institution supervising preparation of financial, organizational and legal instructions, concerning conditions of eco-conversion approved by the Government of the Polish Peoples Republic,
- consultant and adviser to ecological organizations announcing postulates of the utilization of eco-conversion for the aims of environment protection,
- partner for possible international negotiations in the case of participation in a broadened program of eco-conversion by guaranteed credits and other forms of financial assistance.

For this purpose, the Ministry will appoint an attorney with full powers for internal and international contacts dealing with eco-conversion.

- b/ Polish Ecological Club and other social movements for the benefit of environment protection will increase their activities in the area of searching for partners for eco-conversion of debt. Cooperation between MOSiZN and ecological organizations will become closer in this aspect.

- c/ Foundations for the benefit of environmental protection will increase their activities aiming at eco-conversion of Polish debt.
- d/ MSZ and MF, with participation of MOSiZn, will make efforts on behalf of the formation of the International Ecological Bank, to be located in Warsaw.

Deadline: December 1989

IV. FORMATION OF SOCIAL SYSTEM OF ENVIRONMENT PROTECTION

22. Formation of social system of environment protection through:

- a/ creation of Social Caretakers of the Environment in work places, towns and rural locations, chosen by elections and having necessary authorization for control,
- b/ ensuring the participation of the representatives of pro-ecological organizations in representative organs,
- c/ ensuring general accessibility of information about the state of the environment through:
 - making available information about state of the environment accessible to each citizen and social organization while, at the same time, excluding information in the area of the governmental secrecy,
 - regular publication of the results of studies on the state of environment, including results of local monitoring, in daily press,
 - elimination of censorship and any kind of blocking information concerned with state of the environment,
- d/ ensuring freedom of action for initiatives and pro-ecological groups, possibility of publishing information, carrying manifestations and protest actions, and of establishing living quarters,

- e/ legal guarantee of carrying out independent studies and of having the apparatus required for this purpose, under the condition of complying with requirements of not contaminating the environment,
- f/ giving to social organizations interested in environmental protection the right of the direct submission of claims to the Constitutional Tribunal,
- g/ broadening the composition of the National Environmental Council by including representatives of pro-ecological groups and organizations.

Deadline: July 1989

23. Spreading ecological consciousness in society as the basic condition of success in reaching the goal of eco-progress.

Shaping of this consciousness should be served by: ecological upbringing and general education in the area of environmental protection, both formal and informal, performed by schools at all levels, social organizations and institutions, and mass information media.

The Ministry of Environmental Protection and Natural Resources will initiate and coordinate preparation of the concept of formal ecological education of society, taking into consideration specific features of all levels of education from elementary to higher schools, and the role of social organizations and mass media in popularizing ecological knowledge.

Ecological education in the school system should consist of the program integration of all subjects and forming a complete picture of the world, not only excluding the ecological theme as a separate subject or group of problems. It is absolutely necessary to increase the direct contact of students with nature,

which cannot be replaced by verbal transmission. Ecological problems, local and regional, should be included in school programs.

In all schools of higher learning, ecological education should provide extensive knowledge about problems of environmental protection and the basis for ecological sensitivity.

In order to broaden the ecological consciousness of society, it is necessary to ensure that organizations and pro-ecological groups have access to social communication. For this purpose, it is necessary to:

- introduce permanent periodic auditions on RTV, prepared by various organizations and pro-ecological groups,
- assist the pro-ecological groups in publishing their own papers, bulletins and propaganda materials.

Deadline: December 1939

24. Preparation of the program for saving the health of the young generation in ecologically endangered areas is dictated by the catastrophic situation which limits the possibility of the nation to survive. This program demands, in the first place, in Upper Silesia:

- provision of free general sanatorium health care to children up to 18 years old,
- providing pregnant women and children with full medical prophylactics, passing on the costs to the companies and plants poisoning the environment in a given region,
- supplying to children up to three years old imported powdered milk at the price of local milk,

- organizing in Upper Silesia a Children's Health Center providing medical treatment to children from ecologically threatened areas.

In order to apply prophylactics and sanatorium treatment, it is necessary: to broaden the base of medical care, to limit radically the contamination of the environment in the existing sanatoria or health centers, and to increase utilization of facilities for children and young people for traveling to regions with a clean environment.

Deadline: December 1989

V. INTERVENTION CASES

25. Taking concrete steps confirming good will in extinguishing social conflicts, namely:
 - closing of the Iron Works Siechnice by the end of 1989,
 - changing the profile of the plant Celwiskoza in Jelenia Gora (closing of viscose department), in conformity with the decision of the National Council,
 - closing the unit for production of asbestos articles in plant Polomit in Lodz, by the end of 1989,
 - closing of zinc and lead works in Miasteczko Slaskie, by the end of 1990,
 - immediate closing of the plant producing mercury lamps "Polam" in Milocin near Rzeszow,
 - consideration by the Main Urban Architectural Commission of the conflict arising in connection with building of the settlement Stara Milosna near Warsaw and stopping the construction of the settlement in Strzegowka,
 - preventing the construction of a hotel in Szeroki Ostrow at Lake Sniardwy,

- slowing down the expansion of the hotel-restaurant complex in Sniezka in Karkonoski National Park (on the Czechoslovakia side),
- saving the Hel Peninsula,
- Eko-Projekt, preparing before July 1989, by order of an investor, a program for saving the natural environment threatened by the construction of Czorsztyn Dam.

26. Immediately stopping the persecution of persons having a social interest in ecological activity.

It is necessary to approach the Prosecutor General with a request to introduce special revisions of the legal pronouncements by courts penalizing members of the group for protection of the environment.

Drastic examples of the abuse of law are dismissal from work of Hanna Augustyniak, the teacher of Polish language at the General Lyceum in Skwierzyna, repressions against the family Bozykow in Miedzyrzecze, and penalizing with fines of Barbara Dubicka and Andrzej Grzybowski for attempts to distribute an article about nuclear energy from the official weekly "Wprost".

27. Giving Cracow the status of a specially protected city in view of serious threats by an ecological disaster. Cracow, as an ancient capital of Poland, with its priceless relics of culture, representing the identity of the nation and at the same time serving human values, deserves particular care.

Deadline, April 1989

28. In connection with agreements made by the Group on Ecology of the Round Table covering the years 1989-1990, it is established that the government will successively inform the public, signatories of these agreements, and the National Council of Environmental Protection about the progress and implementation of accepted actions, and projects under introduced bills and regulations. The social side will

cooperate in implementing the accepted items and will maintain control. The accepted items should serve as guidelines in preparation of the final version of the National Program for Protection of the Environment.

REPORT ON DISAGREEMENT IN THE DEVELOPMENT OF THE FUEL INDUSTRY

Discussion on the development of the fuel industry has not led to a consensus. In this situation, the sides will present their positions below.

POSITION OF THE COALITION-GOVERNMENT SIDE

The ecological situation in Poland requires making radical changes immediately in the economic structure of the country, including changes in the development of the fuel industry. The basic condition to avoid ecological disaster in the future is to limit burning of coal, both as a source of primary energy and also the final energy.

In real conditions of Poland there is, therefore, no rational basis for eliminating (a priori) the role of nuclear fuel in the national balance of fuels and energy. Nuclear energy presents, without question, less danger to health and life of the population and workers, and less damage to the environment, than the burning of conventional fuels. In the case of nuclear power, the risk of health damage is one hundred times less.

Taking into account these basic premises, it is necessary to present a multivariant concept of the fuel economy of the country up to the year 2000, assuming balanced progress to 2020, and considering also all the involved costs, economical, ecological and social. Variants of the development of fuel should consider not only the immediate reduction of the emission of SO_2 , NO_x and dusts

in exhaust gases, but also reduction of the emission of CO₂ which poses a threat to the biosphere on a global scale. We may expect international agreements in the matter of NO_x and CO₂, which Poland should sign.

The above concept should form the basis for a multicriterion evaluation of variants, among which we should consider first of all:

- variant basing the development of the fuel industry exclusively on coal,
- variant anticipating an increased role of hydrocarbon fuels,
- variant basing further developments on nuclear fuels.

In all these variants we should consider the development of the fuel industry based on renewable sources, and also improvements in satisfying the energy needs of society and the economy, and possible energy savings.

After preparing the proposed multivariant program, it is necessary to perform a rational, socially and ecologically, choice of variants, with consideration of public opinion.

The decision taken today to stop building nuclear power plants would create a real danger of further reducing the energy supplies in Poland already in the 1990's.

In this situation, the program of building nuclear power plants and heating installations, including the future fate of the construction of EJ "Zarnowiec", and not building EJ "Warta", requires a penetrating analysis. It should be preceded by an evaluation of the technical state of construction of the nuclear power plant in Zarnowiec, in comparison with existing standards in western countries, performed by a special mission of the International Agency on Atomic Energy invited to Poland for September-October of this year. This MAEA Mission will be composed of outstanding specialists from various member countries.

POSITION OF THE OPPOSITION-SOLIDARITY SIDE

Under the energy and economic conditions of our country, there are at present no plans to implement an energy policy using nuclear power, as is confirmed by the Report of the World Bank.

Nuclear power in Poland is expensive, capital consuming, leading to inflation, with obsolete technology (at present it is proposed to introduce second generation reactors). There are no locations in Poland where nuclear plants may be built without conflicts, and there are many problems not yet solved (for instance, disposal of waste and removal of used objects).

Using most investments for nuclear power will cause limitations on structural and modernization changes in the national economy, particularly in the area of saving energy and fuels. At the same time, the harmful nature of conventional power will remain, since the scale of its production will remain unchanged (or perhaps will increase), and it will be difficult to implement modernization in the necessary installations.

Stopping the financing of nuclear power plants would make it possible, on economic grounds, to accelerate restructuring of industry, reduce its energy consumption, modernize conventional energy plants, improve the use of fuels and energy, and equip conventional power plants with facilities necessary for protecting the environment (reduction of the emission of SO_2 and NO_x at least by half). The future energy policy should consider:

- modernization and development of modern conventional fuel with full equipment in protective facilities and, with reductions of the export of coal, the possibility of using better grades,
- increase of the use of natural gas from domestic sources,
- possibility of buying liquid and gas fuels from abroad,

- formation of small energy systems with the use of alternative sources of energy, based on any form of property without paying any administrative costs and taxes,
- improving the use of fuels and energy, based on the fact that energy is a market commodity,
- modernization of the system of energy transmission and distribution of fuels.

These solutions would help to extinguish present social conflicts.

At the same time, it is necessary to prepare thorough analyses, to submit them to the public, and to prepare society for the choice of a proper direction in satisfying the energy needs of the country in the 21st Century, at a considerably higher technological level and possibly under other more favorable conditions of the national economy after 10-20 years.

In this connection, we demand that the development of nuclear power be stopped in our country, stopping the construction of EJ "Zarnowiec" with its eventual conversion into a gas power station, discontinuing construction of EJ "Warta" in the area of Klempicz, and abandoning designs for other nuclear power plants.

SIGNATORIES OF THE ROUND TABLE SUBUNIT ON ECOLOGY

Coalition-Government side:

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APPENDIX B

PRESENTATION TO THE HELSINKI ACCORDS MONITORING CONFERENCE

ON THE ENVIRONMENT

THE ECOLOGICAL SITUATION IN LITHUANIA

Prepared and presented by:

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October 10, 1989

THE ECOLOGICAL SITUATION IN LITHUANIA

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THE IGNALINA NUCLEAR ENERGY STATION:

IGNALINA = A SECOND CHERNOBYL ? ? ? ? ?

WHERE?

Ignalina is a newly developed town in north-eastern Lithuania. It was built around a nuclear energy station constructed using the same design as Chernobyl. It lies 660 km. south east of Stockholm Sweden, 1000 km. south east of Oslo Norway, 575 km. south of Helsinki Finland, 875 km. east of Copenhagen Denmark, 1750 km. east of London England, 1075 km. east of Hamburg West Germany, 485 km. north east of Warsaw Poland.

BACKGROUND:

The Ignalina nuclear energy station is one of the biggest in the USSR. It was built in 1973 and is the same model as Chernobyl.

At present, Ignalina has 2 blocks operating. Construction of a third block was successfully halted following a mass demonstration at the plant organized by the Lithuanian Reform Movement SAJUDIS and the Lithuanian Greens. 15,000-20,000 people linked hands in a human chain around the plant.

Safety features at Ignalina are poor and fires occur frequently.

A long-standing request by the Lithuanian people that an international commission investigate conditions at Ignalina has not yet been fulfilled.

DANGERS RELATED TO THE SITE OF IGNALINA:

- 1) The station appears to have been built on a tectonic fracture point. No geological surveying was carried out when Ignalina was built.
- 2) Seismic studies were also not carried out and no earthquake protection was built into the design of the buildings. The two existing blocks are settling erratically. Local records show that stronger quakes have periodically occurred in the region.
- 3) The nuclear station is situated in the heart of the main Baltic artesian basin. Wastes may easily seep into underground drainage areas and thus contaminate water over a wide area. This is particularly dangerous since the plant's wastes include long-living radioisotopes.

DANGERS RELATED TO THE STRUCTURE OF IGNALINA:

Ignalina has the largest Chernobyl-style reactors in the USSR. Such reactors are not used in the West due to the fact that security measures are extremely difficult to ensure in the event of human error.

In a Western reactor, the station staff have 6-7 hours response time allotted to deal with the problem. At Ignalina, response time is as little as one minute and with manual rather than automatic control systems at that.

RESULTING WATER POLLUTION - THE DRUSKA RIVER:

- 1) Sulphur-polluted areas of dead water have formed in the river. Marshiness has developed in the shallow areas.
- 2) Since Ignalina began operations in 1984, the temperature of the Druska River has noticeably risen. In July-August, 1986 the average water temperature was 25.1C; in July 1988 it was 27.9C and rose as high as 30.1C. (28.0C is considered a biological limit.) Varieties of plankton have dropped from 100 varieties to 20. The variety essential for the feeding of fish disappeared first.
- 3) The increased temperature has also increased evaporation. By 1986 it was already 1.5 times greater than the norm.

R E C O M M E N D A T I O N S :

- 1) that an international commission visit and evaluate Ignalina as soon as possible.
- 2) that the proposed third block not be built since Ignalina already poses a threat to its neighbours: Estonia, Latvia, Finland, Sweden, Norway and Denmark.

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CHEMICAL FERTILIZERS - KĖDAINIAI CHEMICAL PLANT AND JONAVA:HEALTH HAZARDS AND CHEMICAL ACCIDENTS : ! !

WHERE? Kėdainiai is a town in central Lithuania, 45 km. north of Kaunas on the Nevėžis River. Jonava is 30km. northeast of Kaunas on the Neris River.

BACKGROUND:

The Kėdainiai and Jonava chemical plants are major enterprises which in 1987 together produced about 4000 thousand tons of mineral fertilizers. Kėdainiai produces mainly superphosphates, ammonium phosphate and borate fertilizers. Jonava's "Azotas" factory produces ammonium nitrates, liquid fertilizers, nitro phosphate and liquid ammonium.

PRESENTING PROBLEM - DANGER OF ACCIDENTS:

The storage of massive quantities of chemicals in close proximity and often in tanks which are not secure, makes the occurrence of major accidents highly likely.

THE JONAVA DISASTER:

One such accident occurred at the Jonava "Asides" factory on March 20, 1989 when a reservoir tank containing 7 thousand tons of ammonium leaked through a crack in an outdated storage tank and then exploded. The ensuing fire set off other explosions and resulted in the release of highly toxic gases into the atmosphere. Fires raged from 11:08 AM until 14:00 hrs. The official who arrived from Moscow to handle the situation, Mr. Oshansky, deliberated what to do for 4 hours. The first attempts to put out the blazes began a t 19:00 hrs. Finally, the fires naturally burnt out on March 22, 1989, two days later. 7 people were killed in the fire. The town of Jonava and vicinity (34,000 people) were evacuated. Several months later, a medical team was called to the area to evaluate the population exposed to the chemical gases and clouds. Of 250 children examined only 10 were found to be healthy.

Western media coverage of the accident was minimal since official reports denied that an accident had been a serious one.

PRESENTING PROBLEM - AIR POLLUTION:

1) The main pollutants from the Kėdainiai chemical plant are combustion products, sulphur anhydride and carbonic oxide, as well as wastes from the processing - dust, sulphuric acid and highly toxic fluorine compounds. In spite of cleaning devices and a 10 year plan which has diminished pollution by the plant, it still emits a great deal of pollution into the air adding to that also caused by

a nearby sugar factory and an air base.

2) Cleaning devices at the Jonava "Asides" factory function poorly. No attempt has been made to catch certain pollutants like sulphur anhydride, hydrosulphur, chlorine, etc. as well as certain invisible substances like manganese, nickel, vanadium, etc. which are emitted in small quantities but which have built up in the Jonava region.

PRESENTING PROBLEM - EFFECTS ON HUMAN HEALTH:

1) 23.2% of the people living within 5-6 km. of the Kedainiai chemical plant suffer from conjunctivitis. Complaints of eye and nose problems are commonplace. Skin diseases are well above national averages, as are allergies. The Kedainiai region registers the highest frequency of malignant growths among both men and women in all of Lithuania.

2) People living within a 6km. distance of the Jonava plant are particularly liable to certain pollution-related diseases. 82.4% complain of irritation of the eyes and nasal passages. Bronchitis, pneumonia, angina and conjunctivitis are abnormally common. Among children suffering from pneumonia, angina was 10 times as common as in the rest of Lithuania. Bronchitis among children in Jonava is 9 times above the republic's average. Growths on the tongue are 3.5 times above the average, growths in the throat 2.6 times and so on.

RECOMENDATIONS:

1) Safety features and cleaning devices should be improved at the Kedainiai Chemical plant and at the Jonava "Asides" factory.

2) However, more important is a major change in the use of chemical fertilizers in Lithuania. Lithuania is a major food producer. At present, chemical fertilizers are being over used. Too many varieties (15 kinds) are combined haphazardly. Other kinds of fertilizing techniques should be introduced and the distribution of fertilizers controlled from within Lithuania so that it can more carefully control, store and monitor their effects.

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THE USE OF PESTICIDES IN LITHUANIA:

ECOSYSTEM DISRUPTED ! ! !

BACKGROUND:

Every year Lithuania uses about 80 different brands of pesticides for a total of 9000 tons over 2.5 million hectares of land. No attempts have been made to grow crops without pesticides and little has been done to use biological anti-pest techniques. The microbiotic pesticides which are brought into Lithuania have a poor reputation as they usually reach farms after their expiry date and so have little effect. Nor are non-chemical methods of pest control used much in Lithuanian greenhouses.

R E C O M M E N D A T I O N S :

- 1) Aerial crop spraying with chemical pesticides should be stopped. This has an extremely bad effect on the ecosystem and reduces the number of birds and insects which naturally prey on crop pests.
- 2) The use of chemical pesticides in Lithuania should be greatly reduced. Supplies and laboratories should be centered in Lithuania not controlled through central planning in Moscow.
- 3) The qualifications for agronomists specializing in land protection should be raised.
- 4) To encourage the propagation of natural pest predators, biological oases should be designated throughout the countryside.
- 5) The current practice of evaluating work on farms by the amount of pesticides used should be stopped. If chemical pesticides must still be used, every kilogram should be required to prove real economic utility.

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PETROLEUM PRODUCTS' EXPORT BASE - KLAIPEDA:

ECOLOGICAL DANGERS POSED TO THE BALTIC SEA AND WILDLIFE 1 1

WHERE?

Klaipeda is a major ice-free seaport situated on the Baltic shore of Lithuania at the entrance to the Courish Lagoon. It lies at the head of the Nemunas River (the major river of Lithuania). Klaipeda lies 370km. from Karlskrona, Sweden, 460km. from Stockholm, 580km. from Copenhagen and 650km. from Helsinki.

BACKGROUND:

The petroleum products export base in Klaipeda was built in 1959 and partially renovated in 1964. It was planned for a capacity to move 4.5 million tons of crude oil per year. From 1982 onwards, however, the amount moved surpassed capacity so that by 1988, 11.2 million tons were being moved (2.5 times the planned capacity). There is evidence that 3-4 times capacity were passing through the base in certain months.

The base has a chronic shortage of petroleum storage tanks (3.7 times less than is needed). These tanks are old and their pipelines are fast approaching the expiry date for their safe use.

POSING PROBLEMS - DANGER OF ACCIDENTS:

- 1) If the pipes on the storage tanks (already near expiry for safe usage) were to explode, 300 tons of crude oil would spill out within 5 minutes. Spillage from a cracked tank would be even more catastrophic, as each of these contains 5,000 tons of petroleum products.
- 2) About 800 tank cars arrive in the Klaipeda freight yard daily. As storage facilities are inadequate, these cannot all be unloaded in time. Hence, at any given time, as many as 134 tank cars full of petroleum products are left standing in the yard. A fire or explosion in the train would be a disaster.
- 3) Trains are now moving faster and more frequently into Klaipeda, hence increasing the chances of major collisions. In March, 1988, for example, an accident on the Klaipeda-Giruliai line spilled 600 tons of crude oil and caused 16.8 million rubles damage.
- 4) Harbour collisions are also increasing. In 1981, for example, an accident to the tanker "Globa Asimi" spilled 16.5 thousand tons of crude oil into the water, causing 512 million rubles damage to the Courland Lagoon and the Baltic Sea.

WATER POLLUTION - THE COURLAND LAGOON:

Tankers entering Klaipėda harbour for loading operations, carry about 1-2 million cubic meters of ballast water per year. This water contains on average, 80-100mgs. of crude oil per litre. After passing through the base's cleaning system, it is dumped into the Courland Lagoon.

The water cleaning system was built in 1964. It is calculated that each year, the "cleaned" water dumps about 10 tons of crude oil into the Courland Lagoon and the Baltic Sea.

WATER POLLUTION- THE UNDERGROUND WATER SYSTEMS:

Crude oil drips out of improperly closed tanks in the Klaipėda train yard and then seeps into underground water channels.

AIR POLLUTION:

As a result of pumping the crude oil, air around the Klaipėda facility is polluted. Evaporation from standing cisterns of petroleum products contributes to this problem as well.

DESTRUCTION OF WILDLIFE SITES - THE COURLAND LAGOON:

The Courland Gulf is a major European wetland, home to many plants, birds, animals and fish. It is also the resting ground for millions of migratory birds each year. The Gulf/Lagoon is already significantly polluted and poses a hazard to wildlife dependent upon it for its survival.

R E C O M M E N D A T I O N S :

- 1) Profits from the Klaipėda base leave Lithuania. A percentage should be retained in Lithuania in order to ensure a major reconstruction of the base with ecologically sounder technology.
- 2) The total amount of oil handled at the Klaipėda base should be limited to 6 million tons.
- 3) The Courland Lagoon is so over-polluted that some of the Klaipėda base's work should be transferred to other Baltic ports. Indeed, eventually, this base should be moved to a less ecologically important and fragile site.

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THE MAŽEIKIAI PETROLEUM PROCESSING PLANT:**ACID RAIN AND DANGER TO THE BALTIC SEA ! ! !**

WHERE? Mažeikiai is a town in northwestern Lithuania located on the river Venta, 10 km. from the Latvian border.

BACKGROUND:

When the value of the total population of Mažeikiai is factored in, the Mažeikiai Petroleum Processing Plant is the largest single factory in Lithuania. In 1987, 12.7 million tons of petroleum products were processed by the plant, including gasoline, diesel fuel, crude oil, bitumen, various liquid gases and sulphur.

PRESENTING PROBLEM: AIR POLLUTION - ACID RAIN:

1) In 1987, 45,637 tons of polluting materials were released into the atmosphere at Mažeikiai. Gas pollutants cause about 2.1 million rubles damage per year. The cleaning system catches only less aggressive pollutants.

2) The Mažeikiai plant produces ecologically harmful products like lead and sulphuric oxide. In Lithuania in general, 238 thousand tons of sulphuric oxide were emitted into the atmosphere in 1987, forming the basis for acid rain which affects Lithuania and its European neighbours.

PRESENTING PROBLEM: WATER POLLUTION - THE BALTIC SEA:

The petroleum processing plant has a water-cleaning system which deals not only with its own, but also with the water from the town of Mažeikiai. The system works fairly well, cleaning the water to almost acceptable standards. Once cleaned, the water is piped 93km. into the Baltic Sea and should then go another 3 km. into the open Sea. In fact, interference from uncleaned water from the town of Palanga causes the water to be dumped at shore. The result - a variety of pollutants are sent into a concentrated zone at the shoreline.

EFFECTS: Mutations among plants as well as changes in animals in the Mažeikiai region have been observed.

R E C O M M E N D A T I O N S :

1) Modernization of the Mažeikiai Petroleum Processing Plant with ecologically sound technology should be viewed as a priority.

2) The most urgent single problem is that of sulphur emissions. De-sulphurizing processes should be installed on the basis of current research (e.g. that being done in Gorki).

THE AKMENCEMENTAS CEMENT FACTORY:MAJOR SOURCE OF AIR POLLUTION - HUMAN CONSEQUENCES | | |WHERE:

The "Akmencementas" factory is located in the new industrial town of Naujoji Akmenė in northern Lithuania. It lies close to the Latvian border. This area is rich in limestone deposits.

BACKGROUND:

The factory produces 3.4 million tons of cement per year. 81% is high-quality Portland cement. It also produces 69 million sheets of slate, builder's lime, asbestos pipes and other construction materials. Since 1987 plans have been made to enlarge this factory.

PRESENTING PROBLEM - AIR POLLUTION:

1) There is no cleaning mechanism for resulting gases, of which 150 tons a day pass into the atmosphere.

2) Only 1% of dust wastes pass into the air. However, this still amounts to 29.8 tons of dust per day and includes not only silicon oxide but also heavy metals like nickel, cobalt, trivalent, etc. which are highly toxic.

NOTE: Complete information about emissions is not available since the Republic of Lithuania has no apparatus to measure most emissions, especially those of heavy metals.

PRESENTING PROBLEM - HEALTH HAZARDS:

79-98% of people living within 2-6 km. of the "Akmencementas" factory complain of respiratory problems. It has become evident that they suffer from 3-5 times as much conjunctivitis as the Republic's average of this disease.

Growths and liver cancer are also well above national averages in this area.

RECOMMENDATIONS:

1) The existing factory already pollutes the surrounding area twice more than the accepted norms. The projected expansion would make "Akmencementas" the biggest cement plant not only in Lithuania but in Europe. This would result in disastrous consequences to the air as well as to human health. It is recommended that the expansion be stopped.

2) Plans to use an experimental dry technique for making cement would in the opinion of experts, cause even more pollution than the traditional methods. This should also be stopped.

THE KAIŠIADORYS HYDRO-ELECTRIC STORAGE STATION:DANGER TO THE ECO-SYSTEM ! ! !

WHERE? Kaišiadorys is a town in east-central Lithuania, 67 km. northwest of the capital city of Vilnius.

BACKGROUND:

The Kaišiadorys Hydro-electric Storage Station was planned in 1977 to meet future electrical needs of the northwest region of Lithuania. Two units with a capacity of 0.4 million kw. were to begin operation in 1989. A total of 8 units with a capacity of 1.6 million kw was planned. But in the past 10 years, energy needs in this region have changed. A rapid increase in plants using night-shifts has reduced the day-night energy use differential by 40%. Since the Chernobyl disaster, the building and expansion of nuclear energy stations has been halted. Total energy requirements for 1990 are now projected not at 67 million kw but at 40 million kw. The expansion of the Kaišiadorys station according to its original plan is no longer economically justified.

PRESENTING PROBLEM: DANGER TO THE ECOSYSTEM - THE KAUNAS LAGOON:

If the Kaišiadorys Hydro-electric Storage Station is built as planned, fluctuations in the water level in the Kaunas lagoon would be about 50-60cm. daily. This would increase the water's cloudiness, bring up toxic deposits from the bottom of the lagoon, hasten biological degradation of the water, cause damage to feeding and spawning grounds for fish, ruin recreational facilities and set off shore erosion.

R E C O M M E N D A T I O N :

The total capacity for storage must be restricted to 0.4 million kw and further construction halted. This would restrict water fluctuation to 15-20cm., decreasing the negative ecological side-effects.

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APPENDIX C

S T A T E M E N T

ON the "Slepak Principles" for United States nationals involved in industrial co-operation projects in the Soviet Union and the Baltic States

BY the Estonian Green Movement, being a legal part of the Estonian political system as authorized by the Supreme Soviet of the Estonian SSR

WE RECOGNIZE the "Slepak Principles" as a definite step towards normalization of industrial and economic affairs in the Soviet Union and we are supporting the Principles as a whole.

WE REGRET that with respect to human rights, the Principles emphasize mainly the rights of the USSR citizens at the level of the individual, and not at the level of ethnic nations of the [redacted] Baltic States, once independent members of the League of Nations/United Nations. We understand, however, that the violations committed by the Soviet Union on the nations' level are much more serious than the violations committed on the individual level.

WE PROPOSE to concentrate attention on Part 2 of Section 2 of the proposed legislation, stating that serious environmental problems exist in the Baltic States, and local officials and communities have very limited ability to address or resolve these problems or to protect the environment.

WE HAVE awakened from the madness of ever expanding production accompanying the violence of bureaucratic power in the fully totalitarian Union. We are aware of the fact that Estonia, Latvia and Lithuania and their people are in danger. For many thousand years they have tilled the land in their countries, where now the arbitrary rule of All-Union Soviet Departments prevails. From this there results a neo-colonialistic policy of introducing more and more labor power by immigration from Russian and other Soviet Republics in order to exploit natural resources more rapidly in amounts as large as possible, leaving wastes and emissions there and transporting the goods away. This immigration has raised not only the important general issue of unexpected burdens of pollutants, but also the question whether the psychological environment of demographically responsible Baltic nations should have to suffer the strain brought about by imposed immigration from demographically less responsible areas.

In this respect there really exists a genocide referred to at the 5th Conference of European Green Parties as e c o c i d e - the genocide by ecological means. This situation has been caused by industrial devastation due to the governmental colonization

policy of the USSR during the whole period of occupation and incorporation that started in 1940.

For instance, 12,000 immigrants enter Estonia every year, and during the period since the annexion the proportion of Estonians in the population has fallen from 95 per cent in 1940 to 60 per cent in 1988. From this, one has to expect that by the year 2,000 there will occur a 50/50 situation making any referendum meaningless.

It is, in part, because of the fear of ecocide that the Estonian Supreme Soviet adopted its **INDEPENDENCE DECLARATION** on November 16th, 1988, expressing by this not only its deep care about the future of the country and its people, but an optimism connected to the *perestroika* in the USSR, as well.

W E A S K every national, company and authority of the United States of America to respect this situation in the Baltic states and realize, that when involved in, or seeking industrial co-operation projects or joint ventures, to undertake:

/1/ to refrain from using methods of production that pose unnecessary environmental risks to the surrounding environment, including the nearby population and their property, and to seek to consult with local authorities and concerned groups regarding protection of natural resources and local environment. Here it is important to emphasize that the local environment should be considered in both the ecological and demographic senses, the latter meaning the advocacy of national independence of the Baltic nations;

/2/ to seek out private cooperatives as potential partners or participants in commercial and environmental activities, when that is commercially feasible and allowed by relevant local law of the Baltic states, including the newly introduced Independent Economic Account Programme for each of the republics;

/3/ to ensure, with respect to the Soviet workers employed in the industrial co-operation project, not only that their human rights, protected under the Helsinki Final Act and the Madrid and Vienna Concluding Documents, but also the nation's rights protected under the Independency Declarations of the three Baltic states will be aimed at;

/4/ to elaborate a multifaceted coordinated programme of industrial, environmental and cultural cooperation between the United States of America and the Baltic states.

Washington DC, September 28th, 1989

Estonian Green Movement
Prof. Dr. Toomas Frey, Chairman

**WORLD FEDERATION
OF FREE LATVIANS**

APPENDIX D

*AMERICAN LATVIAN ASSOCIATION
LATVIAN FEDERATION OF AUSTRALIA AND NEW ZEALAND
EUROPEAN COMMITTEE FOR LATVIAN FREEDOM
LATVIAN NATIONAL FEDERATION IN CANADA
LATIN AMERICAN LATVIAN ASSOCIATION*



**The State of the Environment
in Soviet Occupied Latvia - 1989**

prepared by the

World Federation of Free Latvians

September 1989

To the Commission on Security and Cooperation in Europe:**Introduction**

In light of the CSCE Meeting on the Protection of the Environment, which will take place in Sofia, Bulgaria from October 16 - November 3, the World Federation of Free Latvians would like to express its views about Soviet environmental history in occupied Latvia and the possible effects of Gorbachev's perestroika policy on the environment today and in the future.

Latvians all over the world are becoming increasingly concerned about the deteriorating environmental situation in Latvia. For the past 45 years, the Soviet policy of massive industrialization and centralization has caused immeasurable damage to the health of the Latvian land and its people. Centralized planning from Moscow has been undertaken with complete disregard for local conditions, needs and concerns, and has led to an intensive industrialization program which has left no room for effective environmental safety measures. Furthermore, no forum or opportunity existed in which people could voice their concern or make decisions.

Today, thanks to Gorbachev's glasnost policy, people have been able to speak the truth and vent their frustrations about the conditions they are forced to live in. Environmental conditions are at the forefront of these concerns. In 1986, a grassroots movement called the Environmental Protection Club of Latvia (VAK) formed. This group gained widespread support and a membership of at least 4,000, not including its overseas chapters in Western Europe and North America. VAK has succeeded in raising public awareness such that Latvian environmental issues are a top priority in the programs of all non-governmental organizations, including the Popular Front of Latvia.

While glasnost has encouraged freedom of speech, many believe that Gorbachev's policy of perestroika has had a detrimental effect on environmental issues. In Latvia it is felt that Gorbachev's desire to save the Soviet economy is being done at the expense of the environment. In some cases, attempts to repair a failing Soviet economic system are worsening environmental pollution, since scarce resources are being used to increase productivity without addressing already existing environmental problems. Although the problems are local, decision-making is in the hands of centralized Soviet authorities, whose loyalties are to Moscow. Countless mass demonstrations and formal protests by Latvians have had little effect on governmental policies.

Latvians are suffering from the effects of many years of Soviet domination, and it will take years to undo the harm already inflicted on the environment in Latvia. They do not need additional burdens. Following are some key problems Latvia is facing today:

- Water pollution - The greatest degree of public concern has been about water pollution. Latvia, a country the approximate size of Ireland, has a 500 kilometer coastline on the Baltic Sea, a sizeable network of rivers, and over 2000 freshwater lakes, providing 1600 cubic meters of fresh water per inhabitant. Currently, however, Latvia finds itself in a situation where swimming is banned at most seaside resorts, fishing is threatened both in the Baltic Sea and in Latvia's rivers and lakes, and groundwater supplies for a number of urban centres are dwindling due to groundwater pollution. Some industrial areas that once relied on their own rivers and lakes for industrial and personal use freshwater supplies, have resorted to water supplies brought in by truck from other areas in Latvia. The river Lielupe has been closed to swimming for approximately 10 years; it already contains several 1-5 kilometer long "dead" (anaerobic) zones. In the capital city of Riga tap water is not potable. In the winters of 1987/88 and 1988/89 Riga experienced outbreaks of hepatitis traced to the tap water supply, which was poorly purified and contained the Hepatitis-A virus. The 1987/88 hepatitis epidemic caused over 400 illnesses.

- Hazardous chemicals - Industrial waste disposal is also a primary area of concern for both official and unofficial groups in Latvia. The high concentration of industry in Latvia has led to a shortage of industrial waste disposal sites, leading to the unsafe and uncontrolled disposal of many toxic wastes. Primary areas of concern are:

Baldone - a sore spot for environmental activists due to as yet unconfirmed rumours that the facilities in Baldone will be used not for local waste disposal, but for radioactive wastes generated in France and disposed of in Latvia in exchange for hard currency. The Baldone facility has been the subject of joint discussions of the State Environmental Protection Committee of the Latvian SSR and the planning authority Gosplan, but the results of the discussions have so far not been encouraging. The consensus has been that radioactive wastes are unavoidable, and the most productive avenue for compromise between the two administrative entities would be on the disposal method;

Olaine - a city developed as a center of chemical and pharmaceutical manufacturing...Industrial wastes from the various chemical manufacturing plants there flow into several rivers of the area, which in turn flow into Lielupe and on to the Gulf of Riga in the Baltic Sea. Industrial wastes are also disposed of in several chemical waste dumps, which in the press and privately are referred to as the "Olaine toxic cemetery." (Sen. Robert Kasten R-WI, personally visited this site on August 21, 1989) Chemicals in the waste dumps are not isolated, they have already seeped into the groundwater at concentrations of up to 10,000 times above the allowable norm. Hydrologists in Latvia estimate, that even if all pollution were to halt immediately, the self-cleansing process for the groundwater would last over 130 years.

- **Industrial accidents** - Thanks to its favorable geographic location and to the fact that this Baltic port remains open during the winter months, Ventspils has been transformed during the years of Soviet rule into the largest materials transfer port on the Soviet Union's western seaboard. Unfortunately, Ventspils has also been transformed into Latvia's most degraded city, because the city's so-called development has been directed by Moscow and serves Soviet interests. The local ecology, landscape and cultural history has been severely damaged, the health and welfare of residents has been threatened. The main reason for ecological tension is the concentration of various chemical, biological and flammable materials in a relatively small area in the center of the city: the oil and petroleum product export facility, the port factory (which was built by the Soviets in cooperation with Mr. Armand Hammer of Occidental Petroleum Corporation in the mid-1970's), and the maritime trading port. As a result, Ventspils has been acknowledged as a first-category chemically dangerous city according to Soviet standards of chemical risk.

These are only a few examples of environmental mismanagement in Latvia since the Soviet occupation. Grassroots movements such as VAK and the Popular Front of Latvia have brought these issues out into the open, but the problems remain unsolved, and there are no guarantees that the Soviet government will act any differently in the future.

The World Federation of Free Latvians feels that significant steps should be taken to improve the environmental conditions in Latvia, in particular by those responsible. Furthermore, it is imperative that control be returned to the people of Latvia, so that their destiny and well-being can be determined not by a centralized government in Moscow, but by the inhabitants of Latvia themselves.

APPENDIX E

THE SOFIA CSCE MEETING ON THE PROTECTION OF THE ENVIRONMENT

October 16 - November 3, 1989

A Report Prepared by the Staff of
The Commission on Security and Cooperation in Europe

November 1989

The Sofia CSCE Meeting on the Protection of the Environment

October 16 - November 3, 1989

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1. Summary

From October 16 to November 3, 1989, the thirty-five States participating in the Conference on Security and Cooperation in Europe (CSCE) convened in Sofia, Bulgaria, for a meeting on the protection of the environment. The three-week experts meeting was mandated by the concluding document of the Vienna CSCE Follow-Up Meeting "to elaborate recommendations on principles and guidelines for further measures and cooperation in new and important areas of environmental protection." According to the agenda, these three areas are: (1) the prevention, control and clean-up of industrial accidents with transboundary effects; (2) the management of hazardous chemicals; and (3) transboundary water pollution. The agenda also provided for discussion of public awareness issues, which includes the work of individuals and groups concerned with the environment.

While the Sofia environmental meeting provided a useful forum for discussion of environmental issues among the 35 CSCE States, its more important result was to serve as a catalyst for radical political change in Bulgaria. The major elements of this change were the ouster of long-time, hardline leader Todor Zhivkov and his replacement by party leadership which is at least publicly committed to deep, democratic reforms.

The contribution which the Sofia environmental meeting made to these political developments was to provide a protective cover for unprecedented public protest activity, both on environmental questions and on general human rights issues. This public activity started with meetings in a park of a relatively small group of private Bulgarian environmentalists called Ecoglasnost and eventually led to the mass demonstrations and behind-the-scenes political maneuvering which toppled the old regime.

The turning point came about mid-way in the meeting when the Bulgarian authorities unexpectedly reversed a policy of relative tolerance toward the activities of Ecoglasnost members and dispatched a group of plain clothes thugs to beat them up and scatter some of them throughout the country. This incident so enraged the overwhelming majority of the representatives at the meeting, including those from some communist countries, that they threatened the practical end of the meeting unless the Bulgarian authorities apologized for what had occurred and the bullying tactics ended immediately.

Faced with this angry determination of the other States and publicly bound by commitments made at the Vienna CSCE meeting to provide conditions of freedom at the Sofia meeting, the Bulgarians capitulated. After a tense night, the Bulgarian representatives returned to the meeting and essentially did what was demanded of them. Harassment of the private groups and citizens ceased, a veiled but clear apology was forthcoming and the meeting got back on track. At the end of the meeting, the largest-ever group of private citizens in Bulgaria up to that time delivered, unhindered, a petition citing ecological abuses to the parliament. The rest is history.

Although Romanian intransigence prevented the adoption of a final report, the Sofia meeting represented a useful contribution to the CSCE process in the area of the environment. It also provided a valuable and timely forum for raising human rights issues in a number of countries. It provided an opportunity to examine Bulgarian human rights performance firsthand, including the treatment of the ethnic Turkish minority. It encouraged an unprecedented amount of independent activity in the country and possibly even provided impetus to changes in the leadership. In addition, experts from the participating States were able to exchange views on environmental problems and to share information on how to respond to those problems. There was general agreement to pursue efforts initiated in Sofia at the United Nations Economic Commission for Europe (ECE) and the United Nations Environment Programme (UNEP), as well as to forward all proposals introduced to the next main CSCE follow-up meeting, which will take place in Helsinki in 1992. Included among these is a proposal introduced by the United States delegation on independent environmental activism, which contained strong human rights language and received substantial support from other delegations.

The remainder of this report will concentrate on what took place at the meeting itself rather than the dramatic events which were unfolding on the Bulgarian political scene as described above.

2. The Development of Environmental Concerns in the Helsinki Process

The CSCE process initiated by the Helsinki Final Act is known primarily for its focus on human rights and humanitarian issues, as well as military-security matters. These issues continue to dominate, but interest has recently grown in others, especially East-West cooperation in protecting the environment.

The Helsinki Final Act contains a number of provisions on a broad range of environmental issues, expressing the political will of the signatories to take action on their own and to work together in specialized international fora, such as the United Nations Economic Commission for Europe (ECE) and the U.N. Environment Program (UNEP), in order to elaborate environmental protection measures. This cooperation is of critical importance in that environmental problems in Europe often are transboundary in nature.

The Madrid Concluding Document, adopted at the second follow-up meeting in 1983, contained only one paragraph on the environment, which encouraged on-going work in the U.N. framework. The Chernobyl nuclear accident in April 1986, the spilling of deadly chemicals into the Rhine at Basel later that year, reports in 1988 of dying marine life in the North Sea, continued signs of dying forests in Europe and increasing evidence of environmental disasters in Eastern Europe and the Soviet Union, however, made

environmental issues a major concern at the third follow-up meeting in Vienna. Even most Eastern countries, previously reluctant to take major steps in this area, seemed to realize that international cooperation to protect the environment had become an urgent matter.

As a result, the Vienna Concluding Document, adopted in January 1989, contains many new environmental protection commitments, including on Air and Water Pollution, Protection of the Ozone Layer, Nuclear Safety, Industrial Accidents, Hazardous Wastes and Chemicals, Protection of Flora and Fauna, and Environmental Education/ Public Awareness issues. It also mandated the holding of the Sofia meeting, the first CSCE meeting devoted exclusively to the protection of the environment.

3. Negotiating History of the Sofia Meeting

Early in the Vienna meeting, five Nordic countries (Denmark, Finland, Iceland, Norway and Sweden) introduced a proposal for a CSCE meeting to be held on a wide range of environmental protection issues. Similarly, the Bulgarian delegation, with the support of other Warsaw Pact delegations, proposed an Ecological Forum, to be held in Sofia. Most delegations were critical of both proposals because they were too broad, focusing on areas, such as air pollution, which were already being covered in the United Nations Environment Program (UNEP) and the U.N. Economic Commission for Europe (ECE) and other international fora. Rather than duplicate the work of these fora with a CSCE meeting, the United States and other Western delegations argued, the Vienna meeting should encourage intensified cooperation in these fora.

Later in the meeting, neutral and non-aligned (NNA) delegations, led by Switzerland, introduced a new initiative on follow-up in the environmental field. In form, it resembled most closely the original Nordic proposal, but rather than duplicating work done elsewhere it focused on three areas which were becoming increasingly important in Europe but where cooperation between East and West had not advanced very far. These three areas were industrial accidents, hazardous chemicals, and transboundary water pollution.

Primary focus was placed on the first area, industrial accidents. The 1986 Sandoz chemical spill in the Rhine River at Basel, Switzerland, demonstrated both the dangers posed by industrial accidents and the need for increased international cooperation in this area. The intent of those proposing a CSCE meeting on environmental protection was to draw up guidelines for a convention on the prevention, early-warning and clean-up of industrial accidents, as well as to work out liability arrangements. The guidelines would then be developed into a convention by the ECE.

The specific, non-duplicative nature of the newly proposed agenda removed most substantive objections to a CSCE meeting on the environment. Nevertheless, several changes to the NNa proposal were made before it was accepted as part of the balanced array of meetings to follow Vienna. First, the United States, arguing that the role of the public in achieving the goals of the Helsinki Final Act was a cornerstone of the CSCE process, added public awareness of environmental problems as a topic on the agenda. Eastern countries, with somewhat less success, sought to have issues relating to environmental technologies added as well. They, and some Western countries, also moderated the mandate regarding guidelines for a convention on industrial accidents, maintaining that Vienna should not prejudge the conclusions reached at the environment meeting itself about the need for such guidelines or a convention. Finally, the meeting was shortened from four weeks to three in the interest of saving costs and ensuring that government environmental experts could attend the meeting for its full duration.

Although there were some reservations regarding the Bulgarian request to host the meeting, Sofia was eventually accepted as the site as part of the final compromise reached at the Vienna meeting. Throughout Vienna, Eastern delegations had complained about an imbalanced approach in selecting meeting sites. Western and NNa delegations, while arguing that the many restrictions and controls on activities in Eastern countries made them less appealing as sites for CSCE meetings, realized that agreement to a certain number of Eastern sites was necessary to achieve consensus. The removal of Prague as a potential site for an economic meeting, following the detention of many human rights activists in Czechoslovakia, and the strong desire of many delegations to have a meeting on environmental protection, combined to strengthen the Bulgarian position.

Concerns about the effect of Eastern restrictions on independent activities on the overall conduct and outcome of the meeting, however, prompted Western delegations to obtain, in return for accepting Sofia and other Eastern sites for CSCE meetings, a written commitment by host countries to abide by or build upon current practices regarding access to and the openness of CSCE meetings for representatives of the media and non-governmental organizations (NGOs), as well as other private individuals. This commitment, applicable to all post-Vienna meetings, was adopted as Annex XI of the Vienna Concluding Document.

In addition, concern about choosing Sofia as the site lingered as a result of continued Bulgarian human rights violations. Immediately after adopting the Vienna document, Turkey made an interpretive statement saying that it will not be able to ignore "strong opposition at home while taking its decision for sending a delegation to Sofia" if the Bulgarian authorities do not become more forthcoming in the treatment of the Turkish minority. Bulgaria, in turn, said that it will regard an action violating the rule of consensus as "a serious precedent" undermining future CSCE events and "indicating unwillingness to join ... efforts for the protection of the environment."

The continuation of the forced assimilation campaign against ethnic Turks, which led more than 300,000 to flee across the border to Turkey in the summer months of 1989, raised serious questions as to whether Turkey -- and, indeed, the United States -- would send a delegation to Sofia. The eventual U.S. position on this matter was that non-attendance would accomplish little except to deny the United States a forum to criticize Bulgarian human rights performance. Moreover, representing a violation of a Vienna commitment, non-attendance could serve to undermine the CSCE process and the principle of consensus on which it is based. Just prior to the meeting, Turkey likewise decided that it was better to attend than not.

4. Organization of the Meeting

The agenda and modalities for the Sofia meeting are contained in Annex VI of the Vienna Concluding Document. In brief, the meeting was organized as follows:

1. Opening plenary statements and contributing statements by the U.N. Environmental Program (UNEP), the U.N. Economic Commission for Europe (ECE) and the International Union for Conservation of Nature and Natural Resources (IUCN, also known as the World Conservation Union);
2. A general discussion, in plenary and in two subsidiary working bodies (SWBs), of legal, technical and other issues related to industrial accidents, hazardous chemicals, and water pollution, especially their transboundary aspects, as well as of educational matters and public awareness;
3. The introduction and examination of proposals suggesting possibilities for further cooperation in light of the general discussion;
4. The drawing-up of conclusions and recommendations for adoption in a report; and
5. Closing plenary statements.

In addition, prior to the meeting, the participating States as well as attending international organizations were invited to circulate written contributions to all other participating States, and several of them did.

One organizational problem which arose in the Sofia meeting was the desire of the European Community (EC) to be recognized in the CSCE as an entity in itself, in addition to the twelve CSCE delegations representing EC-member States. Previously, the EC had attempted to obtain formal recognition in the CSCE, but there has been considerable opposition to the formal recognition of groups of countries in the CSCE process, which would come at the expense of the concept of individual participation upon which the CSCE is based and owes much of its success. Nevertheless, while refusing to have the EC represented in its own right, the non-EC participating States did allow the table nameplate of France, currently the EC-president, to refer to the European Community as well. No other practices were changed.

Unfortunately, the French reopened and escalated the issue midway in the meeting by insisting that there be some mention of the EC as a co-sponsor of proposals originating within the twelve EC states. A compromise was reached which preserved the CSCE concept of individual participation while recognizing that the 12 co-sponsors were members of the European Community. It was also agreed that none of the practices of Sofia regarding EC recognition would serve as precedent for future CSCE meetings.

5. The U.S. Delegation to the Meeting

The U.S. delegation to the Sofia meeting was led by Richard Smith, a Special Negotiator on environmental issues in the State Department's Bureau for Oceans and International Environmental and Scientific Affairs. Reflecting U.S. human rights concerns, Joshua Gilder, a Deputy Assistant Secretary of State for Human Rights and Humanitarian Affairs, was selected as the deputy head of the U.S. delegation. Other State Department officials, experts from the Environmental Protection Agency (EPA), and members of the Helsinki Commission staff, also served on the delegation, with Gerald Scott of the United States Information Agency (USIA) serving as press officer.

As in the past, the United States also appointed three private U.S. citizens to serve as Public Members on the U.S. delegation. They were: Joni Bosh, a member of the Board of Directors of the Sierra Club; Stephen Braverman, an attorney specializing in environmental law with the Philadelphia-based law firm of Baskin, Flaherty, Elliott and Mannino; and Penn Kemble, a senior associate at Freedom House. The presence of these individuals on the U.S. delegation testified to the importance of the CSCE, human rights and the environment both to the U.S. Government and to the American people. These individuals were very active in Sofia, providing the delegation with valuable expertise and attending many independent environmental activities in addition to the plenary and subsidiary working body sessions of the meeting itself. Upon their return to the United States, they have remained active, informing interested groups and individuals of their experiences while in Sofia.

6. The Opening of the Meeting and the General Discussion

The Sofia meeting began with an address by Todor Zhivkov, then President of Bulgaria as well as General Secretary of the Bulgarian Communist Party. Delegations then delivered opening statements in which they stated the importance their governments attached to protecting the environment and presented their objectives for the meeting. A few of these delegations were represented at the ministerial level.

Many Western and some NNA delegations also commented on the context in which the meeting was taking place. Regarding the host country, several delegations criticized the forced assimilation campaign being waged against the ethnic Turkish minority in Bulgaria, as well as against the Pomak, or Bulgarian Muslim, community. As predicted, Turkey's opening statement was the most specific, documenting the denial of religious, cultural and other human rights of ethnic Turks in Bulgaria as well as the brutal reaction of Bulgarian authorities to those who resisted the assimilation campaign. The Turkish statement prompted a Bulgarian response which denied the actual existence of a Turkish minority, explained the mass exodus as a reflection of an open Bulgarian policy on travel abroad, noted that many people were returning to Bulgaria from Turkey, and claimed that Turkey was guilty of major human right violations.

Noting the close relationship between the topics and fields for cooperation covered by the CSCE, human rights violations in other East European countries were raised during opening statements as well, especially by the U.S., West German and British delegations. The head of the U.S. delegation, Richard Smith, stated in his opening statement that human rights concerns "must be very much in our minds at this meeting, for they are indicative of the political factors underlying the whole of the CSCE process. However much we may be concerned over environmental degradation, sustainable progress on a cooperative basis in this vital area will not be possible unless we take into account the same political factors also affecting respect for human rights, the free flow of information, long-term economic cooperation or any of the other elements of the CSCE process." Smith also stressed the importance of independent activism in ensuring adequate protection of the environment.

During the general discussion which followed the opening remarks, the United States reminded delegates that human rights problems would continue to be a concern throughout the meeting. In a statement by the deputy head of the U.S. delegation, Joshua Gilder, specific Bulgarian human rights violations were raised, not only against ethnic Turks but against Bulgarian human rights activists as well. While acknowledging that all countries face environmental problems, Gilder also argued that, with better information flows, private enterprise and independent activism, free and open societies have a greater ability than repressive, closed societies to clean-up and protect the environment.

Regarding the three environmental fields set forth in the agenda, experts on various delegations exchanged views on the many legal and technical issues surrounding these fields and described the steps taken at national levels in each of them. For example, U.S. statements highlighted the "public right to know" about chemical hazards, as established by U.S. law, and the need to involve local communities in planning for emergency procedures in case of accidents. In a candid presentation, the Soviet delegation acknowledged that the secrecy surrounding past accidents in the USSR, including the Chernobyl nuclear accident in April 1986, was based on mistaken views and policies, and the Soviets described recent efforts, including draft environmental laws, designed to improve this situation. Problems in controlling the pollution of the Rhine and Danube Rivers and other transboundary water bodies were also given considerable attention.

On further steps for cooperation, there was broad agreement that multilateral efforts were needed in Europe, where the practices in one country frequently affect the environment in other countries. On industrial accidents, many pointed to the accomplishments of the Organization for Economic Cooperation and Development (OECD), the United Nations Environment Programme (UNEP) and the World Health Organization (WHO) as a basis for further cooperation among the CSCE participating States on preparedness, prevention and response. While it was generally agreed that it was better to prevent industrial accidents from occurring in the first place and to respond effectively when they do occur, some delegations argued that strong commitments on liability would act to encourage stronger preventive measures and should be considered as well, although this, in turn, raised complicated questions as to who would be liable and for what. On the handling of hazardous chemicals, existing international efforts were again examined, and most discussion centered around how best to monitor hazardous chemicals and to certify that they are being handled correctly. On transboundary water pollution, many raised the need for a framework convention under which bilateral and regional agreements could be developed to protect specific water bodies. Romania argued that accidents resulting from nuclear weapons and nuclear power plants should be discussed as well, but others disagreed since the International Atomic Energy Agency (IAEA) was better able to deal with such issues.

7. Proposals

In light of the general discussion, delegations introduced proposals for future efforts to protect the environment. Thirty-five in all, they focused primarily on the various aspects of the three environmental fields, and the recommendations they made differed according to the priorities of the sponsors.

Most of these proposals were sponsored by one delegation or a group of delegations. While Cyprus on its own introduced proposals on several environmental topics, for example, the "Nordic" delegations -- Denmark, Finland, Iceland, Norway and Sweden -- introduced proposals covering each of the three main environmental fields, as did the delegations representing the twelve member-States of the European Community. Reflecting a trend which began in Vienna, however, a few proposals were co-sponsored by delegations from differing groups, such as a proposal introduced by several neutral and non-aligned (NNA) countries on industrial accidents which was subsequently co-sponsored by Hungary and Poland, and a Hungarian proposal on water resources which was co-sponsored by Austria.

The United States delegation introduced one proposal, which focused on independent environmental activism. In light of the increased public concern over environmental degradation in Eastern Europe and the Soviet Union, this proposal addressed the ability of groups and individuals concerned with the environment to exercise their rights to freedom of expression, association and peaceful assembly, as well as to establish and maintain contacts with other environmental organizations. It also committed governments to consider the concerns of these groups and individuals in selecting environmental policies, programs and practices, and to respect the interest of the public in knowing and understanding the environmental conditions which surround them.

As he introduced the U.S. proposal, Richard Smith argued that the intent was to build upon the provision in the Vienna Concluding Document which "acknowledged the importance of the contribution of persons and organizations dedicated to the protection of the environment," and committed the participating States to "allow them to express their concerns." Describing the instrumental role of private groups in seeking better protection of the environment in the United States, he concluded that the "CSCE is not just about building trust, confidence and cooperation between the governments of the participating States but also about building trust, confidence and cooperation between these governments and the people whom they should be serving." Eventually, 19 Western and NNA delegations added themselves as co-sponsors to this proposal, more than for any other proposal introduced in Sofia for consideration in negotiating a concluding document. This widespread support reflected broad agreement that independent activism was vital to protecting the environment, and was partially the result of the reaction of the delegates to actions taken by Bulgarian authorities against several environmental activists in Sofia during the second week of the meeting. The Soviet delegation at first criticized the proposal as irrelevant to the meeting's mandate, a claim which was rebuffed repeatedly in several subsequent statements of support by other delegations for the proposal.

8. Negotiating a Concluding Report

Most delegations argued strongly that the Sofia meeting should adopt a report which made concrete recommendations, primarily to the ECE, for further multilateral work. The United States and a few other delegations expressed the view that such a report was not critical, but they agreed to try to meld the many ideas contained in the proposals into a report that could be adopted by consensus.

To facilitate this major undertaking, four NNa delegations -- Austria, Finland, Sweden and Switzerland -- coordinated subsequent negotiations. They organized informal groups to discuss various recommendations made in proposals. As a result, they were able to provide draft papers which reflected possible areas of agreement. Where they did not, the papers were redrafted to the point where consensus seemed possible.

While these negotiations were proceeding, however, the Bulgarian authorities began to harass members of the independent environmental group "Ecoglasnost." On October 26, when this group was prohibited from gathering signatures to a petition in a downtown park, the authorities brutally broke up their march to protest the decision, detaining more than two dozen individuals and beating many of them, as well as a British journalist covering the event. In response, the negotiations were brought to a halt as virtually the entire meeting demanded an explanation for the crackdown. The meeting at this point was on the verge of collapse. The next day, the Bulgarian Environment Minister, Nikolai Dyulgerov, apologized to some extent, admitting that the authorities had overreacted. At the same time, he also sought to place some of the blame on contacts between the activists and members of Western delegations. He assured the delegates that the activities of Ecoglasnost would be tolerated, and the delegates, satisfied with the response, subsequently resumed negotiations. However, in the third week of the meeting, Western and NNa delegations jointly raised concerns about reports of continued harassment, which, if true, would threaten to deny the meeting a successful outcome. Minister Dyulgerov again responded positively, and the individuals of concern were permitted to resume their activities and to attend closing plenary sessions of the meeting.

In the final days of the meeting, the NNa coordinators combined their papers into a draft final report, which took into account as many views and common elements in proposals as possible. The draft was formally introduced after additional comments and changes were made, but then, on the eve of the meeting's close, the Romanian delegation said that it could not accept the two paragraphs in the draft report on independent environmental activism because of their human rights content. As an alternative, the Romanians offered general language on educating the public about protecting the environment, but Western, NNa and even certain Eastern delegations openly rejected the Romanian position and requested that the Romanian delegation reconsider its position. Deliberations were suspended for nearly a full day as delegates waited for the Romanian

delegation to obtain final instructions. During this time, Bulgarian President Zhivkov reportedly telephoned Romanian President Ceausescu twice, urging him to accept the draft in its entirety.

On the morning of the last day, however, Romania withheld its consent to the document because of the two objectionable paragraphs. In response, all 34 other delegations added their names as co-sponsors of the draft so that the record clearly revealed that it was Romania alone that had denied consensus to the report. There was also immediate criticism in the meeting of the Romanian position by a large number of delegations.

9. Closing of the Meeting

With the Romanian delegation rejecting the draft report, the meeting moved to closing statements. Practically every delegation expressed regret that the meeting was denied a document. In his closing statement, Richard Smith stated that "Romania's refusal to accept these provisions symbolizes the clear disregard of the Romanian government for the human rights and fundamental freedoms it has pledged to respect. This disregard, so clearly evident in Romanian human rights performance, deserves our strongest criticism."

Nevertheless, closing statements highlighted the achievements of the Sofia meeting. They expressed the view that the proposals introduced, as well as the draft report, should be forwarded to the next main CSCE Follow-Up Meeting, which will be held in Helsinki in March 1992. In addition, delegations noted that the proposed recommendations could be raised in the ECE, UNEP and other international environmental bodies, and that governments could also seek to implement them at home. Many delegations also expressed satisfaction with the exchange of views and sharing of experiences among environmental experts which took place during the general discussion.

Human rights issues were again raised by the United States at the meeting's close. By this time, a dialogue between Turkey and Bulgaria over the minority issue had begun in Kuwait, raising hopes that the situation of the Turkish minority would improve. Smith expressed deep concern, however, about "the action taken by authorities in other CSCE States during the past week against those individuals who have sought to exercise their right to peaceful assembly," an indirect reference to the breaking up of demonstrations in the Soviet Union and Czechoslovakia. Smith concluded that "human rights violations such as these must cease if we are to have the true security and cooperation in Europe envisaged in the CSCE."

10. NGO Attendance and Activities

All plenary sessions of the Sofia meeting, like all other non-military CSCE meetings mandated by the Vienna Concluding Document, were open to the public, and NGO representatives as well as other private individuals and members of the press were able to observe the proceedings. Unlike the situation at the London Information Forum and the Paris Meeting of the Conference on the Human Dimension, adequate seating was made available for this purpose in the meeting hall itself. Relative to some previous CSCE meetings, these individuals were also given considerable freedom within the confines of the conference center as a whole.

In contrast to CSCE meetings on human rights and other humanitarian issues, the attendance of Western non-governmental organizations in Sofia was small. At the same time, there was a definite NGO interest, not only by those NGOs that traditionally follow the CSCE but by new ones as well, especially those focusing on environmental issues. Several groups, in fact, had submitted background materials for the U.S. delegation's use prior to the meeting.

Of U.S.-based NGOs, a representative of the Campbell Institute was in Sofia for the entire duration of the meeting, and a representative of Friends of the Earth-USA arrived for the closing week. The World Congress of Free Ukrainians and the Lithuanian World Community, both representing their respective ethnic communities in the West, each sent a Canadian citizen to opening week of the meeting. In addition, a delegation of the International Helsinki Federation, which included representatives of Helsinki Watch, was in Bulgaria during the course of the meeting.

A relatively new development in the CSCE evident in Sofia was the presence of an increasing number of individuals from the Soviet Union and several East European countries. Similar to the presence of Public Members on the U.S. delegation, three members of the opposition in Hungary were made members of the Hungarian delegation, one of whom was given the opportunity to speak in the meeting. Private individuals from Lithuania and Latvia also attended the meeting.

Independent Bulgarian organizations were active during the three weeks of the meeting, and the Bulgarian authorities displayed an unusual degree of tolerance of their activities, allowing an unprecedented degree of independent expression to take place. For example, the unofficial environmental organization Ecoglasnost held regular meetings in a downtown Sofia theater to discuss local environmental problems. These meetings were attended by hundreds of Bulgarian citizens. Although some members of Ecoglasnost and other activists were harassed, detained, expelled from Sofia and even beaten by the authorities in the latter half of the second week of the meeting, a firm stand taken by the delegations to the Sofia meeting led to the suspension of these actions and enabled

Ecoglasnost to gather 11,500 signatures to a petition calling for more official openness in discussing environmental problems with the public. This petition was presented to the Bulgarian National Assembly on the closing day of the meeting, in a march that included about 4,000 individuals. In addition, a member of Ecoglasnost, Peter Beron, was made a member of the Bulgarian delegation to the Sofia meeting. It is possible that these developments provided some impetus to the dramatic political changes which occurred shortly after the meeting ended.

The U.S. delegation worked closely with all private individuals and groups present for the Sofia meeting, assisting them in gaining access to the conference center, briefing them on U.S. views of the meeting, listening to their views and concerns, and, in the case of Ecoglasnost, attending the events which they organized.

11. Congressional Activities

While there was considerable congressional interest in the Sofia meeting, the legislative calendar precluded a congressional delegation visit to the meeting. However, Helsinki Commission Chairman Dennis DeConcini met with the head of the U.S. delegation, Richard Smith, just prior to the meeting to discuss U.S. objectives and strategy, and Co-Chairman Steny Hoyer attended an NGO briefing sponsored by the State Department in which he expressed the Commission's objectives for the meeting. Chairman DeConcini met with the Chairman of the U.S. delegation, Richard Smith, just prior to the meeting to discuss objectives and strategy at the forum.

The Commission also held a hearing on the Sofia meeting and East-West environmental cooperation on September 28. Richard Smith of the Department of State, Gary Waxmonsky of the Environmental Protection Agency, Liz Hopkins of the IUCN, and Vaidotas Antanaitis of the Lithuanian Green Movement presented testimony. Toomas Frey, a representative of the Estonian Green Movement presented a declaration on environmental issues at the hearing as well.

In addition, Helsinki Commission staff director Sam Wise, deputy staff director Jane Fisher and two staff members served on the U.S. delegation to the Sofia meeting.

12. Conclusion

Overall, the Sofia Meeting on the Protection of the Environment achieved a number of notable results. Some of these results include:

- The meeting served as the catalyst for radical political change in the Bulgarian leadership and a move toward democracy.
- Egregious human rights violations by the host country, Bulgaria, were raised and strongly criticized by many delegations, in particular the treatment of the Turkish minority.
- The United States and other delegations made clear that human rights concerns were factors influencing all CSCE meetings. Human rights violations in countries other than Bulgaria were raised in this context, although negative developments in Czechoslovakia and the Soviet Union during the course of the meeting were not specifically mentioned.
- On several occasions, issues regarding independent environmental activism were raised, and the U.S. delegation was able to introduce a strong proposal on the subject which received considerable support from other delegations. Good language from this proposal was included in the draft report of the meeting.
- The Bulgarians for the most part implemented their commitments in Annex XI of the Vienna Concluding Document regarding the access and openness provided for the meeting. The Secretariat was open to NGO representatives and private individuals wishing to attend the meeting.
- There was a good dialogue among experts on various environmental problems, and many proposals were introduced which suggested ways to solve those problems.
- There was a consensus of 34 countries to adopt a good concluding report that would have formally recommended additional efforts to protect the environment. The language on the rights of independent groups and private individuals seeking better environmental protection represented a considerable advance over some previous CSCE commitments. While the Romanian veto was unfortunate, the draft report was still a considerable achievement.
- The Sofia meeting sparked increased interest in environmental issues among the public in Bulgaria, and interested private individuals from other Eastern countries took the time to come to Sofia and attend the meeting.

- The activity of private Bulgarian activists initiated broadened human rights activism among the population at large, which in turn may have contributed to subsequent political changes in Bulgaria.
- The Public Members on the U.S. delegation made an outstanding contribution to the U.S. effort, providing their expertise, engaging in a wide range of activities and pursuing related efforts upon their return to the United States.

The Sofia meeting took place in the context of a Europe that is changing for the better. Nevertheless, problems remain in many CSCE fields, including both human rights and environmental protection. The degree to which the Sofia meeting may contribute to resolution of these problems will be the true judge of its success.

APPENDIX F

CSCE
MEETING ON THE PROTECTION OF
THE ENVIRONMENT
SOFIA 1989

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Recalling their commitment in the Vienna Concluding Document to allow persons and organizations dedicated to the protection and improvement of the environment to express their concerns, and to promote greater public awareness and understanding of environmental issues,

Recognizing the valuable contribution these persons and organizations can make in promoting a better understanding of environmental problems, and

Noting the importance of respect for human rights and fundamental freedoms to the ability of persons and organizations to play their positive and relevant role in protecting the environment,

The participating States will ensure the right of private individuals and organizations to express freely their views and concerns about environmental problems and the local, regional, national and international efforts undertaken to protect the environment, including the management of natural resources. They will also effectively ensure the right of these individuals and organizations to associate and peacefully assemble with others for this purpose, without any legal or administrative impediments. To this end, they will, inter alia:

- permit persons and independent organizations concerned with environmental issues to organize and to express fully their views on environmental issues, including on the effectiveness of existing and proposed environmental policies, programmes and practices;
- allow for the establishment and maintenance of direct, personal and independent contacts and communications among these persons and organizations within and between States in order to exchange information, knowledge and experience, and to express concerns;

- allow these persons and organizations to obtain, possess, publish, reproduce and distribute information on environmental problems and potential solutions to those problems;
- give due consideration to the concerns of these persons and organizations in selecting appropriate policies, programmes and practices affecting the environment; and
- respect the interest of the public in knowing the identity and understanding the potential health and environmental effects of hazardous substances produced, utilized, stored or processed at industrial or commercial facilities, as well as emergency procedures and disposal information.

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THE NETHERLANDS, NORWAY, PORTUGAL, SPAIN, SWEDEN
AND SWITZERLAND

Addendum

Add the delegations of Greece, Turkey and the United Kingdom
to the list of sponsors of the proposal.

CSCE
MEETING ON THE PROTECTION OF
THE ENVIRONMENT
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THE NETHERLANDS, NORWAY, PORTUGAL, SPAIN, SWEDEN
AND SWITZERLAND

Addendum

Add the delegation of Luxembourg to the list of sponsors
of the proposal.

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FRANCE, THE FEDERAL REPUBLIC OF GERMANY, IRELAND, ITALY,
THE NETHERLANDS, NORWAY, PORTUGAL, SPAIN, SWEDEN
AND SWITZERLAND

Addendum

Add the delegation of Malta to the list of sponsors of
the proposal.

APPENDIX G

MEETING ON THE PROTECTION OF
THE ENVIRONMENT
SOFIA 1989

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Sofia, 2 November 1989
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PROPOSAL SUBMITTED BY THE DELEGATIONS OF AUSTRIA,
FINLAND, SWEDEN AND SWITZERLAND

REPORT OF THE MEETING ON THE PROTECTION OF
THE ENVIRONMENT OF THE CONFERENCE ON SECURITY
AND CO-OPERATION IN EUROPE

In accordance with the mandate of the Concluding Document of the Vienna Meeting of the representatives of the participating States of the Conference on Security and Co-operation in Europe, the Meeting on the Protection of the Environment took place in Sofia, Bulgaria, from 16 October to 3 November 1989.

During the formal opening of the Meeting on the Protection of the Environment, the participants were welcomed by Mr. Todor Zhivkov, President of the State Council of the People's Republic of Bulgaria. Opening statements were made by representatives of the participating States. The United Nations Economic Commission for Europe (ECE), the United Nations Environment Programme (UNEP) and the International Union for Conservation of Nature and Natural Resources (IUCN) made contributions to the Meeting.

The Meeting reviewed the work already done, or currently under way, in the fields of prevention and control of the transboundary effects of industrial accidents, management of potentially hazardous chemicals, and pollution of transboundary watercourses and international lakes, and examined possibilities for further measures and co-operation, including improved exchange of information.

A general debate in the Plenary included an exchange of views on items 4 and 5 of the agenda and on other relevant provisions of the Vienna Concluding Document.

Subsidiary Working Body I dealt with the legal, administrative and practical aspects of issues such as liability and restoration, systems of alert, assistance upon request, preventive measures, information flows and consultations.

Subsidiary Working Body II dealt with the scientific, technical and technological aspects of issues such as preventive measures, risk assessment, assessment of damage, clean-up, measurement and monitoring.

The participating States are aware of the opportunities, as they become apparent during the Meeting, for increased co-operation in the CSCE process, with regard to the protection of the environment. They reaffirm their will to strengthen their co-operation and intensify efforts aimed at protecting and improving the environment, bearing in mind the need to maintain and restore the ecological balance in air, water and soil. They also recall their commitment in the Vienna Concluding Document to acknowledge the importance of the contribution of persons and organizations dedicated to the protection and improvement of the environment, and to allow them to express their concerns. They reiterate their willingness to promote greater public awareness and understanding of environmental issues.

The participating States reaffirm their respect for the right of individuals, groups and organizations concerned with environmental issues to express freely their views, to associate with others, to peacefully assemble, as well as to obtain, publish and distribute information on these issues, without legal and administrative impediments inconsistent with the CSCE provisions. These individuals, groups and organizations have the right to participate in public debates on environmental issues, as well as to establish and maintain direct and independent contacts at national and international level.

The participating States will also encourage education and instruction on environmental protection, promote the reproduction, circulation and exchange of information and data, as well as of audiovisual and printed material, on environmental issues, and encourage public access to such information, data and material.

The participating States will also stimulate exchange of information and environmental data, and foster scientific and technological co-operation in order to prevent and reduce pollution.

On the basis of the discussions held during the Meeting, the participating States recommend

- that the ECE elaborate an international convention, code of practice or other appropriate legal instruments on the prevention and control of the transboundary effects of industrial accidents;
- the development of international exchange of information and the co-ordination of efforts in order to achieve closer harmonization concerning the management of hazardous chemicals;
- that the ECE elaborate a framework convention on the protection and use of transboundary watercourses and international lakes;
- the implementation of the above recommendations as soon as possible, bearing in mind that the results will be evaluated by the next Follow-up Meeting of the CSCE, to be held in Helsinki in 1992.

These recommendations are developed in parts I, II and III as follows:

I. PREVENTION AND CONTROL OF THE TRANSBOUNDARY EFFECTS OF INDUSTRIAL ACCIDENTS

The participating States recognize the importance of developing and applying commonly agreed policies and strategies for appropriate arrangements for the prevention of, and response to, industrial accidents, their consequences and their transboundary impact on man and the environment.

They give special emphasis to the reduction of the risk of accidents, thereby reducing or preventing their adverse transboundary effects; to increasing preparedness to control and cope with emergencies in a transboundary context; and to the examination of key elements for clean-up, restoration and liability.

They stress the importance of international co-operation, recognize the value of existing bilateral and multilateral agreements and take into account the work already done or currently under way by various international organizations, in particular the Process for Responding to Technological Accidents (APELL) developed by the United Nations Environment Programme (UNEP) and the Code of Conduct on Accidental Pollution of Transboundary Inland Waters of the United Nations Economic Commission for Europe (ECE) and the work done by the OECD as well as the work done by the European Community.

As a common objective they recognize the importance of establishing, or reinforcing, regional or subregional mechanisms for response, assistance and exchange of information in environmental emergencies. They emphasize the need for effective measures with a view to:

- limiting the frequency and severity of accidents caused by all industrial activities through better measures of prevention;
- preventing adverse effects from accidents through better land-use planning, and
- mitigating the consequences of accidents by developing adequate emergency plans.

In order to achieve these goals the participating States recommend:

- that the United Nations Economic Commission for Europe (ECE) elaborate an international convention, code of practice or other appropriate legal instruments which should be based essentially upon the objectives and principles mentioned below, avoiding redundancy and duplication of efforts and building upon work already under way in international organizations, and taking into account work achieved or in progress in other international fora, without prejudice to any existing or future bilateral or multilateral agreements, with due regard to the legislation and practices of participating States, recognizing that such legal instruments should provide for a high level of protection and safety, and develop, inter alia, a precise definition of the industrial activities to be covered;
- that the development of all appropriate measures of prevention, preparedness and response shall recognize the combined responsibilities of industry and competent authorities. In meeting them
 - (i) full responsibility for safe industrial operation and for taking all appropriate measures to prevent accidents rests with the operator of the installation. This means that, inter alia, the operator has to implement the most appropriate technologies and measures to prevent accidents including on-site emergency planning, to ensure appropriate training facilities and managerial structures and to provide the public authorities with the necessary information to assess risks,
 - (ii) the public authorities, with due regard to national legislation and practices, will take some combination of, amongst others, the following measures: setting safety objectives on the basis of a risk evaluation of the installation; applying a licensing system to certain installations; ensuring that, under land-use policies, a safe distance between the installation and the surrounding population is preserved; preparing off-site emergency plans;

- that consultation and exchange of information on the prevention and control of industrial accidents and their transboundary effects be facilitated, inter alia, by:
 - (i) notifying each other of their initial points of contact for industrial accidents covering, as appropriate, regional and local authorities,
 - (ii) establishing early warning systems and co-ordination on a bilateral and multilateral basis in order to ensure immediate notification of the competent authorities of the State likely to be affected, of the type and extent of an accident, and of its possible effects on man and the environment;
- that the potentially affected public be given adequate information, inter alia, on risks, safety measures, correct behaviour and protection measures and, whenever possible and appropriate, the opportunity to participate, by providing their views and concerns when decisions are being made by public authorities on prevention, preparedness and emergency planning;
- the development of bilateral and multilateral mechanisms for, and conditions of, mutual assistance, co-operation and co-ordination including emergency response for the implementation of measures to control the effects of industrial accidents including inter alia, as appropriate, provision for appropriate privileges, immunities and facilities for the expeditious performance of assistance functions;
- the enhancement of scientific and technological co-operation, including the exchange of information on best available technologies, for improved environmental protection, industrial safety, and emergency response, including criteria for the monitoring and assessment of transboundary damage, and the promotion of research into less dangerous processes in order to limit environmental hazards;
- co-operation for the further development of on-site and off-site training;

- that the "polluter-pays" principle be applied to physical and juridical persons;
- the consideration of further appropriate ways and means of elaborating principles and guidelines on the nature and scope of liability;
- that disputes be settled peacefully in accordance with procedures to be established in conformity with international law.

II. MANAGEMENT OF HAZARDOUS CHEMICALS

The participating States agree on the need to facilitate international exchange of information and co-operation on chemicals. They recognize the effects of chemicals on human health and the environment as well as the effort to facilitate international trade of chemicals. They are also aware of the significance of international agreements and instruments with regard to the transboundary movement of hazardous waste, and for export notification on banned or severely restricted chemicals.

They will build upon the work of international organizations related to hazardous chemicals, in particular within the International Programme on Chemical Safety (IPCS), the UNEP International Register of Potentially Toxic Chemicals (IRPTC), the Food and Agriculture Organization of the United Nations (FAO) and the Economic Commission for Europe (ECE), and support the further development of their work. They will take into account the chemicals programmes of the European Community (EC), the Council for Mutual Economic Assistance (CMEA) and the Organization for Economic Co-operation and Development (OECD).

In order to strengthen legal and institutional arrangements for the management of chemicals, at least the following elements will be taken into account by the participating States:

- to prevent danger to man and the environment, procedures enabling the identification of hazardous properties, in particular toxicological and ecotoxicological properties, of chemicals;
- a system for the classification and labelling of chemicals which may involve hazard to man or the environment;
- a notification procedure providing for the mandatory screening of new chemical substances for any hazardous properties;
- systematic investigation of chemicals already on the market, on the basis of priority criteria established with regard to the quantities produced, the suspected hazards, and the utilization of the substances concerned. This investigation would be most productively accomplished through co-operation between the countries involved;

- a comprehensive system for the control of hazardous chemicals, taking into account the risk of exposure, including substitution by non- or less hazardous chemicals and, if necessary, limitation or prohibition of their use;
- procedures to facilitate the international exchange of information on chemicals;
- procedures for the proper storage of chemicals to ensure the safety of man and the environment, including questions of location in order to minimize transboundary effects;
- further training in the field of toxicology and ecotoxicology and other relevant disciplines including an exchange of educational programmes.

International organizations with relevant experience and on-going programmes will be invited to assist participating countries in implementing the above tasks and to co-ordinate efforts in a step-by-step approach, to achieve closer harmonization of legislation and existing practices with regard to chemicals on the basis of the most advanced systems of protection and management.

The approach could contain inter alia the following elements:

- early and regular exchange of information on relevant national infrastructures, new legislation and regulations, scientific findings, monitoring and assessment procedures, etc.;
- harmonization of methods for chemicals testing and good laboratory practice to facilitate the mutual acceptance of data, and establishment of a minimum set of data for the assessment of chemicals;
- harmonization of classification and labelling systems for hazardous chemicals, especially for the purpose of facilitating the development of international trade and the protection of transit and importing countries;
- criteria for selection of chemicals for further assessment and management, taking into account inter alia the production volume, the suspected hazard and the utilization of chemicals;

- harmonization of notification procedures for new chemical substances, including identification of toxicological and ecotoxicological properties;
- recommendations for the substitution of hazardous chemicals by non-dangerous or less hazardous chemicals.

III. POLLUTION OF TRANSBOUNDARY WATERCOURSES AND INTERNATIONAL LAKES

The participating States agree on the need to define principles for a sustainable use of transboundary watercourses and international lakes as well as to elaborate arrangements to protect them from pollution. For this aim the participating States recommend that the ECE elaborate a framework convention, whereby existing bilateral and multilateral agreements on the protection and use of transboundary watercourses and international lakes, as well as ongoing activities and completed work in other fora, such as the ECE Senior Advisers on Environmental and Water Problems and the United Nations International Law Commission, should be taken into account. Such a framework convention should contain, in particular, the following elements:

Basic principles, such as:

- Pollution of transboundary watercourses and international lakes, contributing also to the pollution of seas, will be prevented or reduced with the aim of sustainable management, conservation of water resources and environmental protection.
- Effective prevention and pollution control measures will be applied at the source wherever possible.
- Regular consultations on issues of mutual interest and implementation of pollution abatement measures will be promoted.
- Warning and alarm systems and contingency plans will be introduced.
- With the aim of prevention, environmental impact assessment and other means of assessment will be developed, adopted and subsequently implemented.
- Water quality will be monitored and assessed and discharges of pollutants will be registered; methods of analysis, monitoring and assessment, including registration of discharges, will be harmonized.

- For transboundary watercourses and international lakes, parties will establish emission limits based, to the extent possible, on the best available technologies, specifically applicable to individual sectors or industries or to specific substances; for municipal waste water, at least biological treatment will be introduced; use of no- and low-waste technologies will be promoted.
- Parties will apply water quality objectives; the ecosystems approach will be promoted.
- Discharges will be subject to a prior licence by the competent authority; the approved discharges must be monitored and controlled.
- General water management policies covering transboundary waters including ecological and other impacts of water construction works and water regulation will be implemented.
- The "polluter-pays" principle will be applied to physical and juridical persons.
- Responsibility and liability issues will be examined.
- Disputes will be settled peacefully in accordance with procedures to be established in conformity with international law.
- Scientific and technological information - including best available technologies - will be exchanged where necessary to achieve the goals of the framework convention in accordance with the national laws, regulations and practice.
- A reporting system concerning the implementation of the framework convention will be established.

Principles related to commissions and to other forms of co-operation

The States bordering transboundary watercourses and international lakes will conclude, where they do not yet exist, specific agreements on the establishment of bilateral or multilateral

commissions or other forms of co-operation where appropriate. Their tasks to be described in the framework convention will be inter alia without prejudice to existing agreements the following:

- To carry out investigations on the components of the catchment areas of the water bodies concerned and to identify priority uses of waters;
- To carry out joint measuring programmes concerning water quality and quantity;
- To draw up inventories and exchange information on significant discharges;
- To set emission limits for waste water and evaluate effectiveness of control programmes;
- To set water quality objectives; to introduce the minimum obligation of maintaining at least the existing water quality;
- To develop concerted action programmes for the reduction of pollution loads discharged both from point-sources (municipal; industrial) and from diffuse sources (particularly agriculture);
- To establish alarm and warning procedures;
- To provide for consultations on existing and planned uses of water that are likely to have significant adverse transboundary effects, including water construction works and water regulation;
- To promote co-operation on the exchange of information and on the exchange of best available technologies in accordance with national laws, regulations and practice as well as to encourage co-operation in scientific research programmes.

In cases where a coastal State is directly and significantly affected by pollution from transboundary watercourses, the riparian States can, if they all so agree, invite that coastal

State to be involved in the activities of the commission, where appropriate, or in other forms of co-operation.

States are encouraged to join such specific agreements (e.g. the Danube, the Elbe) parallel to the elaboration of a framework convention.

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FINLAND, SWEDEN AND SWITZERLAND

Corrigendum

The title of the proposal should read as follows:

"REPORT ON CONCLUSIONS AND RECOMMENDATIONS OF THE MEETING
ON THE PROTECTION OF THE ENVIRONMENT OF THE CONFERENCE
ON SECURITY AND CO-OPERATION IN EUROPE"

In the second paragraph on page 1 of the proposal, the first sentence should read as follows:

"During the formal opening of the Meeting on the Protection of the Environment, the participants were welcomed by H.E. Mr. Todor Zhivkov, President of the State Council of the People's Republic of Bulgaria."

In sub-paragraph (i) on page 5 of the proposal, the last two lines should read as follows:

... "structures, to assess risks and provide the public authorities with the necessary information on their assessment;"

The sentence beginning on the second line of page 13 of the proposal should read as follows:

"Their tasks to be described in the framework convention will be inter alia, without prejudice to comparable existing agreements, the following:"

Page 14 of the proposal should read as follows:

... "State to be involved in the activities of the commission or, where appropriate, in other forms of co-operation.

States are encouraged to enter such specific agreements (e.g. the Danube, the Elbe) parallel to the elaboration of a framework convention."

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REPORT ON CONCLUSIONS AND RECOMMENDATIONS OF THE
MEETING ON THE PROTECTION OF THE ENVIRONMENT OF
THE CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE

Addendum

Add the following at the end of page 14:

* * * * *

The representatives of the participating States express their profound gratitude to the people and Government of Bulgaria for the excellent organization of the Sofia Meeting and the warm hospitality extended to the delegations which participated in the Meeting.

Sofia, .. November 1989

APPENDIX H

The Sofia Meeting on the Protection of the Environment
of
The Conference on Security and Cooperation in Europe
October 16 - November 3, 1989

STATEMENTS BY THE DELEGATION OF THE UNITED STATES OF AMERICA

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2. *Human Rights and the Sofia Meeting*, Joshua Gilder,
Plenary, October 19, 1989 168
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4. *Independent Environmental Activism*, Richard Smith,
SWB-II, October 30, 1989 181
5. *Concluding Statement*, Richard Smith, Plenary, November 3, 1989 187

**CSCE MEETING ON THE PROTECTION OF THE ENVIRONMENT
OPENING STATEMENT OF
RICHARD J. SMITH
HEAD OF THE U.S. DELEGATION
October 17, 1989**

Thank you, Mr. Chairman, ladies and gentlemen. The United States welcomes this opportunity to take part in this first-ever CSCE Basket II meeting devoted to the environment. I would like to express my appreciation to our Bulgarian host for their efforts in organizing this meeting here in their capital, Sofia.

As some of you may know, in another capital, my capital, there is one attraction that rivals all the others in popularity. I have in mind not the monuments or the National Archives, the White House or the Capitol. It is a museum, the Air and Space Museum. Thousands visit every day to see the Wright brothers' plane and the U.S. and Soviet Space Capsules on display there -- but something more as well. Another real magnet for visitors is a special cinema inside the museum with a giant, concave screen several stories high. Sitting in this theater's steeply banked seats, with the enormous, wrap-around screen spread out before them, viewers experience the sensation of being a part of the giant landscape projected around them.

One of the longest running of this theater's films takes the audience on a hair-raising airborne trip across the United States. From the rocky coast of New England, along the Erie Canal to a thundering Niagara Falls, out across the Great Plains to the Rockies and Beyond, the film ends with a solitary hang-glider's view of the coast of Hawaii plunging abruptly into the Pacific.

Those of you who have seen the film no doubt came away, as I did, with a new appreciation of the physical beauty of the United States. You may also have come away with a greater understanding for Americans' love of their land. And yet this love of the land is not uniquely American. Each of you could no doubt visualize a film tracing a similar journey through the special, familiar landscape of your own country. I would contend that this deep-seated attachment to one's immediate environment is a universal value, one of those shared feelings and beliefs lying at the heart of the CSCE process, cited on the first page of the Helsinki Final Act as the building blocks of East-West understanding.

This attachment is not an exclusive one, as anyone who has taken a cruise on the Danube, hiked in the Alps or seen the Grand

Canyon knows. The land and water others may individually call home is something we all also lay claim to in common as a source of inspiration and self-knowledge. It follows, then, that the degradation of any part of the natural environment, wherever located, diminishes us all. As President Bush expressed it recently in Budapest, "...our shared heritage is the Earth, and the fate of the Earth transcends borders -- it isn't just an East-West issue."

This concern over the fate of our environment now transcends the East-West divide, so it is altogether appropriate that we raise this issue in the CSCE forum. But in doing so, we should also be clear in our minds that this is not simply another technical meeting intended to elaborate new international agreements on the protection of the environment. We view this meeting as a significant opportunity to exchange information and experiences, to give added impetus to work underway in other bodies, such as the ECE, on the issues covered in the agenda for this meeting, and to discuss general guidelines and principles relating to the environment. On this last point we plan to make some proposals of our own.

Let me stress again, what really makes this meeting different from other international discussions of the environment is that it is taking place in the CSCE context. This means that, as important as the discussions we have here on environment are in and of themselves, they also serve a larger purpose: they can help deepen the spirit of cooperation among the CSCE member states and through this contribute to lessening tensions and overcoming the artificial divisions of this continent. This was the message of President Bush's May 31 speech in Mainz: that through a common struggle to resolve environmental problems, the countries of Eastern and Western Europe, along with the United States and Canada, can draw closer together. It is this drawing together, this finding of common ground that brings closer the true promise of CSCE -- peace, security, and respect for human rights.

But we cannot look to environmental cooperation to deepen the CSCE process when at the same time other actions are taken by certain CSCE member states which undermine that process. How can we take seriously the words of some CSCE partners on the environment when, in other contexts, their deeds contradict their public pronouncements? How can we place any confidence in the commitments they may make on the environment here in Sofia when their past CSCE commitments remain unfulfilled? To refuse to acknowledge this state of affairs would do a disservice to the CSCE process we have come here to promote.

Before we undertake new commitments in the environmental area, let us ask ourselves to what extent the CSCE commitments most recently undertaken at the Vienna review conference have been honored. In Vienna we all undertook to "take the necessary steps to find solutions" no later than the middle of this past July for all outstanding human contacts cases; yet even today many such

cases remain unresolved. In Vienna we all undertook to "exchange information" and "hold bilateral meetings" on "questions relating to the human dimension of the CSCE;" yet Romanian authorities continue to reject out of hand all such inquiries made pursuant to this CSCE mandate with regard to their unacceptable human rights practices. In Vienna we all undertook to "guarantee the effective exercise of human rights and fundamental freedoms, all of which derive from the inherent dignity of the human person and are essential for his free and full development:" yet the refusal of the authorities of the German Democratic Republic to respect those rights and freedoms has been a principal cause of the largest mass exodus from that state since the building of the Berlin Wall. The Vienna concluding document recognizes the right of all citizens to assemble freely and express themselves and yet Charter 77 and other groups are still harassed when they attempt to do so by the authorities in Czechoslovakia. In Vienna we all undertook to ensure human rights, including freedom of thought and religion, "without distinction of any kind;" yet the mistreatment of ethnic and religious minority groups here in Bulgaria created conditions so intolerable that over 300,000 men, women and children were driven to put aside their own centuries-old love of the land of their fathers and join one of the largest mass migrations in Europe since the immediate post-war period.

These concerns must be very much in our minds at this meeting, for they are indicative of the political factors underlying the whole of the CSCE process. However much we may be concerned over environmental degradation, sustainable progress on a cooperative basis in this vital area will not be possible unless we take into account the same political factors also affecting respect for human rights, free flow of information, long-term economic cooperation or any of the other elements of the CSCE process.

When a government discourages the economic initiative of its citizenry, how can that country's economy produce at the high level necessary to generate the resources needed to clean up the environment? When a government monopolizes industry and brands as subversive all independent voices, what forces are there left to push for a halt to environmental abuse? When a government is not held politically accountable to its people, what incentive does it have to take the sometimes difficult, costly and disruptive steps necessary to acknowledge and rectify long-term, environmental mistakes?

As representatives from some of our countries noted last July in Paris. For all too long we have tended to disregard the environmental cost of doing business. The environment has too often been seen simply as an exploitable resource. But this assault on such a central public good as the environment has touched the lives of private citizens so directly that, regardless of their political persuasion, they have risen up to demand reform. And however uncomfortable those demands, wise governments have taken heed, recognizing this expression of the popular will as a resource for positive change and renewal.

In no system has it been possible to give absolute priority to preservation of the environment, and not of us is totally free of the consequences of misguided public policy or industrial miscalculation. All the same, I think the record demonstrates that the environment has fared better under conditions which allow the free marketplace of ideas to flourish. I can think of no better example from the United States than John Muir, the Scot who migrated to the U.S. as a boy in 1838 to later become the father of our National Parks. Through articles, speeches lobbying and simple political horsetrading, Muir managed to generate the popular -- and governmental -- support need to preserve for us all and for future generations such world environmental treasures as Yosemite and the giant California Redwoods.

Equally important, he joined with others almost one hundred years ago in establishing a private citizens' group dedicated to continuing his important work, the Sierra Club. I would be less than honest if I did not admit that the Sierra Club has crossed swords with the U.S. State and Federal Governments from time to time, but this is in the nature of the open debating process of a democracy, and the country has been the richer and public policy the wiser for these confrontations. I am particularly pleased to point out that we are privileged to have a member of the Sierra Club's board of directors here on the U.S. delegation.

If experience both here in Europe and in North America is any guide, then those of us genuinely concerned in creating a better environment must recognize the central role played by private individuals and nongovernmental organizations in monitoring environmental quality and in pushing for a suggesting solutions to pressing environmental problems. In keeping with the importance we believe should be attached to encouraging citizen activism on the environment, the U.S. delegation will be tabling a number of proposals intended to guarantee citizens' access to information on environmental matters, to strengthen the role of environmental NGO's and to foster international cooperation among them. In the same spirit, we look forward to interacting with those citizens' groups present for this meeting and, in this context, note the assurances we received from our Bulgarian hosts that all such groups, foreign or domestic, government sanctioned or unofficial, including Ecoglasnost, will be granted access to delegation and open conference proceedings.

The essential contribution of environmental groups to the formation of public policy on the environment does not take away from the important role of government in this vital area -- it enhances it. Backed by concerned citizens at home, and better aware of the impact and extent of problems thanks to their activism, governments are in a position to take the steps needed, domestically and internationally, to implement solutions. I am pleased to note in that regard that the Bulgarian delegation to this meeting includes a member of Ecoglasnost and hope that this is a signal of increasing openness in the future to the views of

environmental groups.

On the multilateral front, the United States has played an active part -- in partnership, I am pleased to note, with a number of other CSCE -- in seeking just such solutions to serious environmental problems very much in the forefront of popular concern. This includes, for example, the Montreal protocol on substances that deplete the ozone layer. I hope we can use the margin of this meeting to work for the adoption, ratification and implementation of the provisions of the protocol by all CSCE states at the earliest possible date.

Global warming is another serious problem requiring multilateral efforts for an effective solution. It is gratifying to see the international community come together within the framework of the UNEP/WMO-sponsored intergovernmental panel on climate change to analyze the scientific aspects of this issue, its potential environmental and socio-economic impact and the costs and benefits of various response strategies. The United States, which chairs one of the panel's working groups, encourages the broadest possible participation in the work of the IPCC. This is essential if we are to meet successfully this serious challenge affecting the entire world community.

As important as multilateral action is on many environmental fronts, we also believe strongly in the value of targeted bilateral cooperation. In that regard, I would note the cooperation between the U.S. Environmental Protection Agency and Soviet and Polish authorities which dates back to the early 1970's. With the Soviets, EPA leads an inter-agency effort embracing some 36 joint projects in environmental science and engineering, law and education. Our very active program of joint environmental research with the Poles was suspended in the wake of Martial Law in 1981, but contacts were reopened in 1986, leading to the conclusion of an Environmental Cooperation Agreement in September 1987. Our Department of Energy is currently working on the retrofit of a coal-fired power plant in the Krakow-Katowice area of Poland and our Environmental Protection Agency is assisting in the improvement of air and water quality monitoring there.

We also look forward to expanded cooperation with the Hungarians on environmental issues, particularly in the context of President Bush's East European Environmental Initiative and proposed regional Environmental Center in Budapest. Through that center, we hope to see established a permanent base from which to develop and intensify cooperation with specialists from throughout the region and beyond.

Turning to the specific items on this meeting's agenda, I would highlight the role we see for local authorities and organizations in managing pollution from industrial accidents. While multilateral or regional organizations can play a support and assistance role, differences and disparities in laws, regulations and procedures require that preparedness and response efforts take

place primarily at the local level. This is a cornerstone of our own Emergency Preparedness and Community Right-to-Know Act of 1986.

This principle, along with the need for significant industry and community involvement, forms the basis for the considerable progress achieved internationally to date in the work of the OECD Ad Hoc Group on Accidents Involving Hazardous Installations and the UNEP Program on Awareness and Preparedness for Emergencies at the Local Level (APELL). We hope to use the discussions in the subsidiary working bodies to elaborate on the way in which these programs operate in our own transboundary situation.

The agenda item on Management of Potentially Hazardous Chemicals has behind it a considerable body of significant work at the international level. The OECD Chemicals Program and the International Program on Chemical Safety have achieved impressive results. Our own National Program for the Management of Potentially Hazardous Chemicals has been in place since 1976 and encompasses both a scheme to evaluate potential hazards of new chemicals as well as a program to provide for systematic investigation of the thousands of chemicals already in widespread use. While our own domestic activities may have stimulated the OECD and UN efforts, we have also benefited greatly from cooperation promoted by their international programs.

Finally, on the question of transboundary water pollution, we expect discussions will focus on regional European problems, but we will be pleased to share -- in cooperation with our Canadian friends -- our experience in joint research, monitoring and standard setting under the Great Lakes Water Quality Agreement.

In closing, I would like to share with you a favorite line from Robert Louis Stevenson. "Sooner or later in life," he one wrote, "we all sit down to a banquet of consequences." My hope for us over the course of the next three weeks is that we also keep in mind what is really at stake and what the consequences are of our own deliberations. Our technical discussions may not remake Europe, but the impetus they give to cooperation across this divided continent can make a contribution toward doing so. At this time of change, we would argue that the surest road to a secure and livable environment is the creation of what President Bush has called a "Commonwealth of Free Nations" bound together by those common values reflected in the Helsinki Final Act. Whatever our differences, let's use this meeting and our shared attachment to the environment around us to take some steps in that direction. Thank you.

REMARKS BY JOSHUA GILDER

DEPUTY ASSISTANT SECRETARY OF STATE

FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS

AT A CONFERENCE BY THE
COMMISSION ON SECURITY AND COOPERATION IN EUROPE

HELD IN
SOFIA, BULGARIA

OCTOBER 15-NOVEMBER 3, 1989

REMARKS BY JOSHUA GILDER
DEPUTY ASSISTANT SECRETARY OF STATE

On his recent visit to Eastern Europe, President Bush spoke of his vision -- one, I know shared by many in this room -- of a Europe that is whole and free. He spoke of a continent "at peace with itself," of a lasting security constructed not with tanks and troops but on "shared values" and the "agreements that link free peoples."

This, it seems to me, is the vision of Helsinki, a theme that runs throughout the accords and that has found expression in each succeeding meeting and document: that the foundation of peace is freedom and the guarantee of security, openness; that at the heart of all we do is one fundamental concept - the inherent dignity and worth of the individual, and his inalienable human rights.

That is why a discussion of human rights is not only appropriate to this and every other CSCE conference, it is a necessary and fundamental part of it. Only last January in the Vienna follow up meeting, and the concluding document issued there, we reaffirmed our commitment to all ten principles of the Final Act. Not only would each be "equally and unreservedly applied," we said, but each principle was understood -- and I quote -- as "taking into account (all) the others."

The wisdom of that document, which stresses the unity of all aspects of Helsinki and underlines the importance of human rights throughout, is evident here today; for as we look to the environment, we see that human rights are once again a fundamental part of the equation. Societies which respect human rights are free societies, and free societies have come to attach a high priority to the environment.

Freedom is the key. First, because freedom of information means that data can be collected independently and analyzed in free and open debate. In democracies people not only have access to information, they have access to the political system, so they can act on the information they receive to improve their environment -- or, if their government is not responsive, to improve their country's leadership.

Second, freedom to engage in independent economic activity, the basic right of property, breeds responsibility. In centrally planned and controlled economies, it is left to the abstract "State" to protect the environment -- so in practice, all too often, no one does.

Third, the free economies are in the midst of a high tech revolution that is transforming the world we live in. The smelting plants and smokestacks of the

industrial revolution are making way to the super-sterile "clean rooms" of the semiconductor industry.

This isn't to say that free societies, my own included, do not suffer from environmental problems; only that free societies contain self-correcting institutions, with the flexibility and responsiveness to listen to the voice of the people and to make the changes they demand.

One of the most important things we can achieve in this meeting -- one of the things that will have the most dramatic and beneficial effect on the environment -- is more openness, more glasnost, toward the initiatives of private groups and individuals seeking to monitor and improve the quality of the environment in which they live.

The sad truth is, governments that don't have to respond to the will of the people are more apt to ignore the heavy environmental costs of their industrial policies. The real cost, in damaged health and the destruction of our natural heritage, goes unreported in the official statistics. It is the people on the ground, who have to drink the water and breathe the air, who will be the most insistent that their children grow up in clean and healthy surroundings.

In our own country, it has largely been private groups and individuals that have led the way. So too, throughout much of eastern Europe and the Soviet Union, grassroots environmental movements have become part of the process of reform. Here in Bulgaria, we have seen the formation of the Ruse Committee, since disbanded by the authorities, and now, Ecoglasnost. The members of Ecoglasnost, like those who form the Independent Society for Human Rights, Dr. Trenchev's independent union, Podkrepa, and others, know that the struggle for the environment and the cause of human rights are one.

If indeed freedom, respect for human rights, and the dignity of the individual are at the base of our hopes for a cleaner environment, then those of us gathered here in Sofia have an

obligation to speak out against the abuse of human rights and the dignity of man. We cannot meet here in Sofia and simply ignore the campaign of persecution launched by the Bulgarian Government against this country's Pomak and ethnic Turkish minorities.

I have met with many of the ethnic Turks who have fled Bulgaria. Their stories form a consistent picture of what can only be described as a systematic effort to extinguish their ethnicity -- a "forced assimilation" that is in direct contravention of Bulgaria's CSCE commitments, Principle VII of the Helsinki Final Act, in particular.

The refugees speak of the denial of religious liberties and practices, of the closing of their Mosques for decades for, quote, "renovation," their cemeteries desecrated and their dead denied customary burial rites.

They speak of the destruction of their culture, the denial, even, of their names, of people fined and beaten simply for speaking Turkish in private conversation. And they speak of brutal consequences for those who have resisted.

We are greatly disturbed by the many reports we have heard from refugees of imprisonments without trial -- or on trumped up charges -- and of severe mistreatment of inmates held in prisons throughout Bulgaria, including the infamous camp on Belene Island.

Some weeks ago, a commission of the Bulgarian National Assembly signalled the apparent intention of Bulgarian authorities to halt this campaign of religious persecution. We hope this new directive indicates a true change in policy -- and not a temporary respite introduced to improve Bulgaria's international image in the run-up to our meeting here. The U.S. Government would welcome evidence that a permanent change has been initiated, and we believe other governments represented here would welcome this as well.

The issue is implementation. After all, religious and cultural rights have long been guaranteed in the Bulgarian Constitution -- a guarantee that has been most often honored in the breach. We recognize as well that the Government of Bulgaria has made an effort to bring its passport laws into compliance with its CSCE commitments. We applaud this effort, and once again, will be looking to see how the law is applied in practice.

Even so, there are many outstanding issues that must be addressed.

There is the question of compensation for property taken from the refugees.

And what of the treatment of refugees who have returned, often simply to reunite separated families unable to leave together? We are concerned that those coming back be allowed to resettle in their original homes, return to their jobs, and reclaim their property, pensions and belongings.

And we still hear reports of political prisoners -- they too must be released.

Mr. Chairman, we do not single out Bulgarian authorities because they are the only violators of human rights. To our north, a literal dark night of oppression blankets the country of Romania. In Czechoslovakia and the German Democratic Republic, observance of CSCE commitments, particularly regarding human rights, remains unsatisfactory. Even those states making progress continue to present us with human rights concerns.

In the fall of 1983, I had the privilege to travel with ~~then Vice President~~ George Bush to Eastern Europe. During that visit, he spoke of the political and physical barriers that make up the unnatural division of this continent.

Little did we imagine that within the decade we would witness the transformation we see today. The wounds are beginning to heal, and the promises of Helsinki are taking on a new and concrete reality: Hungary has cut down the fence separating it from its neighbors and has set out on the road toward multi-party, parliamentary democracy; elections in Poland have installed a government responsive to the wishes of its people; in the Soviet Union, partially free elections and the continuing reforms of glasnost have moved at a startling pace.

The question before us today is, what about the holdouts, those who resist the real mandate of Helsinki and cling to an obsolete ideology? Will they reform their systems and join the modern world?

Will they cease to be the odd men out and join with those who are reshaping Europe in a democratic image? Will they reintegrate themselves into a European civilization based on recognition of and respect for the rights of the individual?

If I might, I would like to quote what Mr. Gorbachev said at the celebrations for the 40th Anniversary of the German Democratic Republic: Those that are late or delay in joining in the process of reform "will be punished by life itself."

As President Bush said, we live in a time of great hope: "Never before has the idea of freedom so captured the imaginations of men and women the world over. And never before has the hope of freedom beckoned to so many..."

This is our business here in Sofia, what the Helsinki process is all about. Let our discussions on the environment here be guided by our desire to preserve a world at peace, secure in freedom. Let us work together to unbolt the locked doors and throw wide the shutters of the European home, so that all people can once again breathe the fresh air of freedom, for that, and nothing less, is their birthright.

Remarks of Richard J. Smith

October 20 Meeting of Subsidiary Working Body II

Thank you, Mr. Chairman. I am happy to have this opportunity to address this session of Subsidiary Working Body II. Let me begin by echoing the comments of the distinguished delegate of the United Kingdom in stressing the importance of existing international mechanisms to address the issue of industrial accidents. To the ones he mentioned, I would like to add the International Atomic Energy Agency, which has developed two conventions on notification and provision of assistance in the event of accidents and from which we all can learn.

Mr. Chairman, in order to minimize or prevent the transboundary effects of industrial accidents, there must be effective preparedness for an incident, efficient mitigation and response to an event should it occur, and an emphasis on preventing the release in the first place. Various "stakeholders", i.e. all levels of government, industry, trade and professional organizations, environmental groups and the public, each play a role and take on certain responsibilities.

While Federal and regional government can play a support and assistance role, preparedness and response efforts must take place in the local community. Operating in a situation in which other jurisdictions and countries are involved each with its own set of laws, regulations, and procedures, makes efforts to minimize the transboundary effects of individual accidents more complex and argues for early discussion and the establishment of agreed upon procedures.

In addition to the fact that planning must take place at a local level, it is a basic premise that the public must be a key player and should know the chemical hazards which exist within its environs. Effective planning for an emergency must include a process for determining and analyzing the chemical hazards and their impact upon the community. In the event of a release (hazard analysis), a process for making decisions on actions to be taken to protect the public, an identification of a command structure and equipment/personnel available for response and an effective alert and notification system. Several key questions must be worked out in advance of an event and agreed upon by the countries involved. Among these are: who will be in charge, how will authority be transferred when the plume crosses the border, and how will equipment and personnel quickly pass through customs in the event that mutual aid or exchange of special teams become necessary. It will be

important to agree upon an integrated chain of command system which includes all involved jurisdictions for managing the response to a transboundary incident. Transboundary events compound the potential for miscommunications and misunderstanding that are a major problem frequently during any emergency. Effective communication networks which address potential language barriers should be developed and credible spokespersons should be identified.

Another important element is prevention. We believe the primary responsibility for preventing an accident resides with industry. Prevention requires a holistic approach that integrates technologies, procedures and management practices and support throughout the life of the facility. The suite of technology and practices used must be tailored to each facility. A keystone of prevention is the need for the facility to conduct a hazard assessment at all necessary points in the life of the facility utilizing accepted methodologies and taking the necessary steps to eliminate those hazards. Information on practices and procedures for operating safety and dealing with hazards must be shared and research to fill gaps in knowledge promoted. Conscious efforts must be made to reach smaller operations which may be unaware of the hazards with which they are dealing. Some of the areas in which additional work is needed include modeling, mitigation technologies, remote sensing systems and data on human error and equipment failure for use in hazard assessments.

The Organization for Economic Cooperation and Development is conducting a series of workshops to identify roles and responsibilities, information and research needs in this area, as well as the emergency preparedness and response area. The result will be guiding principles for adoption by member countries. With UNEP, OECD is identifying response networks.

Another vitally important issue is the right-to-know. In the United States, the Congress passed the Emergency Planning and Community Right to Know Act of 1986 (also known as Title III). This law was included in the amendments to the Comprehensive Emergency Response, Compensation, and Liability Act (Superfund), within which is established a national system for responding to releases of hazardous substances.

Title III was unprecedented in its recognition of the public's right to information on chemical hazards in their communities for use, among other things, in planning for accidents. It required industry submission of a variety of

information on chemical hazards and emissions and set in place a structure for preparedness activities at a state and local level. Local Emergency Planning Committees (LEPC) must prepare and update emergency plans, coordinating with other jurisdictions. LEPCs must include representation from a wide spectrum of the community, including public officials, fire service, health professionals, environmental groups, and transportation specialists. In planning, they must identify facilities with certain chemicals and transportation routes, describe emergency response procedures, designate facility and community coordinators, outline notification procedures, describe methods for determining the affected population and area, list available equipment, outline evacuation plans, describe a training program, and schedule exercises. State Emergency Response Commissions must oversee this work. The information gathered under Title III also will be useful for accident prevention at a state and local level.

Mr. Chairman, the United States calls for bilateral and multilateral cooperative efforts in the area of industrial accident preparedness and prevention. It urges countries to take the necessary steps to identify hazards along their borders and to engage in the type of preparedness process laid out in the UNEP APELL guidance and exercises. These procedures should be established in a transborder context with the further development of appropriate bilateral or multilateral agreements. In addition, the need for guidance on key considerations for inclusion in transboundary discussions building on experiences of countries that have worked out formal agreements should be explored.

This conference should affirm the work underway in UNEP, OECD, the World Health Organization and other international bodies to prepare guiding principles on accident preparedness, response and prevention, information exchange, identification of assistance networks and identification of research and guidance needs. It should propose that in two years, the conference examine the fruits of these labors to identify future needs for action in each of these areas.

By building on the results of the OECD, UNEP and other international organizations' work, the Conference will take full advantage of the efforts of those organizations and information gained in the process, thus enhancing future broad-based cooperation in these areas.

In closing, Mr. Chairman, let me note that two of our accidents experts are currently in Hungary conducting workshops on accident prevention and will be arriving later today. We look forward to joining in our discussions on this important issue.

Statement by Richard Smith
Head of U.S. Delegation
Sofia CSCE Environment Meeting
SWB-II
October 30, 1989

Mr. Chairman, this morning I would like to comment on the proposal introduced by the United States Delegation on public awareness: SEM.29. As you may recall, I noted the introduction of this proposal in the last meeting of this subsidiary working body.

Much of our effort here in Sofia has focused on multilateral, inter-governmental efforts to protect the environment. These efforts are certainly essential. It is through the laws, policies and programs of governments that the environment is protected, and since, in a broad sense, all states share the same environment and have some responsibility for the damage done to it, they all must work together to protect it. It is for that reason that we are assembled here, seeking ways to advance international environmental cooperation further.

As we do so, however, we must keep in mind that cooperation between governments alone is not a sufficient way to deal with the environmental consequences of human activity. Ultimately, the public must be involved as well. The environment is not just a concern of government officials, but a very personal concern of direct importance to each and every individual inhabiting this planet. After all, who can be more concerned about the safety of a chemical or power plant than the people who live and raise their children next to it? As I said in my opening remarks to this meeting, the close attachment each person has with his or her immediate environment is a universal value which we cannot ignore.

People and communities have a legitimate right to participate in decisions that affect their lives, their property and the things they value. It was for this reason that the participating States, in the Vienna Concluding Document, "acknowledged the importance of the contribution of persons and organizations dedicated to the protection of the environment," and pledged to "allow them to express their concerns." It was for this reason that they also added public awareness to the agenda for this meeting.

In line with this agenda, proposal SEM.29 seeks to build upon the public awareness commitments to which we all gave our consent in Vienna. If adopted and implemented, it would represent a basis for individuals, alone or in association with others, to make a valuable contribution to a better dialogue and understanding of environmental issues. It would also allow them to establish and maintain direct contacts with persons and organizations in their own country or in other countries who may have similar concerns. It would commit our governments not just to allow these persons and organizations to express their concerns; it would also commit our governments to listen and give due consideration to these concerns. Finally, it would ensure that the public has access to information about the environmental conditions which surround them.

In the United States, public awareness, concern, and participation are central to environmental protection efforts. For example, the public has a right, recognized in law, to know the environmental conditions which surround them, as well as the efforts undertaken to safeguard their health

and environment. In addition, the openness of American society has allowed private individuals and independent organizations -- citizens' groups, industry-based associations and professional societies -- to undertake their own research efforts, to gather and disseminate information, and to provide for a better public understanding of environmental problems through seminars, reports and journals. They can seek to raise funds from private and public sources and can urge government officials to respond to their concerns. They can also protest, and often do, activities which harm the environment through demonstrations, press conferences and other efforts to focus public attention on their concerns. Their ability to do so is strengthened by a free and independent press.

While these persons and groups are not always successful in achieving their objectives, the pressure of popular concerns on public officials, who are responsible to their constituents, has led to strong environmental protection laws and policies in the United States. And not only are individuals allowed to express their environmental concerns, there is a definite commitment on the part of government officials to listen to these concerns in selecting policies, programs and practices. Moreover, the public has access to an independent and impartial judicial system to ensure that these policies, programs and practices are implemented in accordance with the law.

The American public is not alone in its concern for the environment. In every one of the participating States, there are persons and groups who also seek a cleaner and healthier world. As much as anywhere, this is

evident in recent years in the Soviet Union and the countries of Eastern Europe. Unfortunately, the activities of these persons and groups are not tolerated in some countries. Even where they are, they often lack the legal status and political infrastructure to be effective in their efforts. For example, when they seek official recognition, authorities frequently will not register these groups, leaving them in a legally questionable status and subject to harassment. Occasionally, members of these groups will also be attacked in the official press for their activities. In addition, there are still major barriers to the free expression of views and concerns, such as strict controls on printing and reproduction equipment, and there are also undue controls on the amount of information available to the public on environmental problems.

This state of affairs was most evident to us last Thursday with the actions taken by the Bulgarian authorities against participants in a gathering organized by the independent group "Ecoglasnost" just a few blocks from here. These actions came as a surprise, given the tolerance displayed during the first two weeks of the meeting and the significant attention being paid to environmental concerns in the official Bulgarian press. Despite the positive statement of the Bulgarian delegation that there will be no further measures taken against individuals and organizations acting on their rights as guaranteed under the CSCE process, we are concerned that this may not be the case. We are especially disturbed by reports that individuals have been harassed, threatened with expulsion, and now may face criminal charges for their involvement in this gathering. We hope that these recent reports are not true and that

Bulgarian citizens concerned with the environment -- or any other issue for that matter -- will be able to act upon their rights and freedoms this week and in the future. This would be in line with the remarks of President Zhivkov reported in yesterday's press, where he noted the important role of private associations of intellectuals in solving ecological problems.

It is clear that people in these countries, as in others, are aware that environmental problems exist and that they are concerned about these problems and want to help find solutions. It is also clear that peoples in these countries want to establish vehicles for expressing their concerns and participating in the decisions which have a direct impact on the quality of their lives. Adoption and implementation of proposal SEM.29 would do just that, and more. It would also help to build public trust in what we as governments eventually do to protect and preserve the environment. Governments can draft laws and establish policies, programs and practices, but the people will not believe and have faith in them unless they have confidence that they are being involved in the process, and treated with honesty and openness. And when environmental problems do occur, such as industrial accidents, trust and credibility can be among the most precious of assets. Governments who ignore this fact undermine their own efforts to protect the environment.

In conclusion, Mr. Chairman, I would like to stress the importance of this proposal to the United States and the need for it to be reflected in any document we may adopt at this meeting. It covers vital issues not only

in itself but of direct relevance to the three main environmental fields covered by this meeting. Its absence in any document submitted for adoption at this meeting, therefore, would in our view significantly diminish the value and utility of that document.

The large number of delegations who have sponsored this proposal indicates that the United States is not alone in attaching importance to the points raised in SEM.29. Proposal SEM.4, introduced by the delegation of Cyprus, as well as the non-paper of the IUCN representatives who contributed to our meeting, stress similar themes, in particular on access to reliable information and the role of non-governmental or citizens' groups.

Finally, I would argue that, while other international fora can and do work to increase cooperation between governments on environmental protection issues, the CSCE process is in a sense unique in its broader focus on the relationship between the individual and those who govern. The CSCE is not just about building trust, confidence and cooperation between the governments of the participating States but also to build trust, confidence and cooperation between these governments and the people whom they should be serving. Though the peaceful expression of the will of the people may cause governments some discomfort at times, this expression is, as I said in my opening statement, a resource for positive change and renewal, including in the environment. It would be a great achievement for this process. Mr.Chairman, if this fact were to be recognized at this meeting and acted upon by all 35 CSCE States at home.

Concluding Remarks of Richard Smith
Head of the Delegation of the United States of America
Sofia CSCE Meeting on the Protection of the Environment, 1989
November 3, 1989

Mr. Chairman, the Sofia CSCE Meeting on the Protection of the Environment is about to conclude its work. In three short weeks, we have covered a considerable amount of ground as we examined work already done and possibilities for further efforts in three environmental fields -- industrial accidents, hazardous chemicals and water -- as well as in the area of public awareness.

The United States came to this meeting with the goal of exchanging views on and experiences with problems in these environmental areas and potential solutions to these problems. With the extensive efforts undertaken in the United States to protect the environment, we felt that we could make a real and substantive contribution to such an exchange. Indeed, the discussions which took place here between experts, both in formal meetings and in informal gatherings outside the confines of this hall, have been productive and informative. They have provided a greater understanding of the environmental problems which we face and the ways in which we can deal with these problems.

In addition, this meeting was to provide a basis for work in other international fora, especially the ECE, as well as for taking action at home. Many useful proposals were introduced, and those delegations -- Austria, Finland, Sweden and Switzerland -- who worked long hours incorporating into proposal SEM.36 common elements upon which we all should have been able to agree, deserve our thanks for their coordinating work.

The United States was particularly pleased to see provisions in their draft report on the right of individuals, groups and organizations to express freely their views on environmental issues of concern to them, as

well as to associate and assemble peacefully, to establish and maintain direct and independent contacts, and to participate in public debates, for that purpose. We are also pleased that there is a provision for the potentially affected public to be provided with information on the risks, safety measures and other matters relevant to industrial facilities which surround them. The report also includes an important provision giving the public the opportunity to participate in decisions on prevention preparedness and emergency planning. As I noted in an earlier statement, public awareness, concern and participation are key ingredients to effective efforts to protect the health and environmental safety of the world in which we live.

The United States delegation is pleased to announce that it will co-sponsor proposal SEM.36.

As has been said here already, it is truly regrettable that there was no consensus of 35 on conclusions and recommendations at this meeting. There was a consensus of 34 delegations to the draft report in its entirety, including the provisions I have just mentioned. But one delegation -- and one delegation alone -- denied consensus to the adoption of the draft report. The provisions to which Romania objected were fully in keeping with the mandate for this meeting, represented among the most critical steps that should be taken to protect the environment, and were acceptable to the 34 other participating CSCE States. Romania's refusal to accept these provisions symbolizes the clear disregard of the Romanian government for the human rights and fundamental freedoms it has pledged to respect. This disregard, so clearly evident in Romanian human rights performance, deserves our strongest criticism.

Of course, the ideas contained in SEM.36 can be pursued in other fora and be forwarded for consideration at the Helsinki CSCE Follow-Up Meeting in 1992. It is important that we consider other proposals as well. The United States was pleased, for example, with the positive reaction to the proposal it introduced -- SEM.29 -- which has 20 co-sponsors in all. The United States will continue to pursue the ideas mentioned in this proposal in the future. In addition, the proposal submitted by Hungary and co-sponsored by Austria -- SEM.1/Revised -- contains interesting ideas on the joint establishment of national and international parks and nature conservation areas which may warrant further consideration. I would like to note that Friends of the Earth International, a non-governmental organization, recently adopted a resolution favoring such an international park on the Danube River at its annual meeting in Washington, DC. Hopefully, the attention these proposals received here will lead to further consideration of them by each us when we return to our capitals.

The United States will also be pressing for additional efforts in the field of environmental protection. For example, we believe that governments should consider giving private individuals and non-governmental organizations an even greater role in the selection of environmental policies, programs and practices, as well as providing a legal or administrative process -- such as an independent, impartial judicial system -- through which the public can seek to ensure that policies, programs and practices are carried out in accordance with the law. Each of us must consider the concerns of the publics we are supposed to serve, just as we have considered the concerns of other governments here in this meeting.

As far as the organization of this meeting, I would like to thank the Executive Secretariat for its excellent work. In particular, I want to note the cooperation of the Secretariat in facilitating access to this meeting by private individuals and NGOs from the United States and other participating States, including Bulgaria itself.

Mr. Chairman, this Sofia meeting has contributed to CSCE process not only by providing a forum for discussion and agreeing on how to address common environmental problems; it has also served as a reminder of the close relationship which exists between the many fields covered by the CSCE, including respect for human rights and fundamental freedoms. It is my hope that this meeting will represent a step toward the realization of the principles first espoused in the Helsinki Final Act 14 years ago not just by what happened in this hall, but by what is happening outside these walls in our host country.

Very recently, for example, several Bulgarian citizens established an independent Helsinki Committee, which, like other citizens' groups in other participating States, seeks to play what we have recognized to be a "relevant and positive role" in achieving the aims of the CSCE. In view of the progress we have observed over the past few weeks, we anticipate that the Bulgarian government will welcome independent monitoring activity and will, indeed, "respect the right of persons to observe and promote the implementation of CSCE provisions and to associate with others for this purpose," as stated in the Vienna Concluding Document, in regard to the Helsinki Committee, the Independent Society for the Protection of Human Rights, the Committee in Defense of Religious Rights, Ecoglasnost, Podkrepa, Committee 273, and other independent groups in Bulgaria.

Similarly, we hope that the talks in Kuwait between Bulgaria and Turkey will succeed in paving the way for improved relations between the two countries, consistent with CSCE principles. We also hope that these talks will lead to improving the respect shown for ethnic, cultural and religious rights. The United States will follow developments in these areas very closely and press for greater compliance with CSCE provisions on minority and other human rights.

I would add that our human rights concerns ~~are~~^{are} not limited to one participating State. For example, we are deeply concerned about the action taken by authorities in other CSCE States during the past week against those individuals who have sought to exercise their right to peaceful assembly, as well as the continued harassment, detention or imprisonment of those individuals who seek to act upon the rights and freedoms guaranteed in the Helsinki Final Act and subsequent CSCE document. Human rights violations such as these must cease if we are to have the true security and cooperation ~~as~~ envisaged in the CSCE.

In conclusion, Mr. Chairman, my government wishes to stress that, whatever has happened here in Sofia, others will view what happens after this meeting as the true measure of what we accomplished here. It is the hope of my delegation that this meeting will be viewed as the catalyst which prompted governments to take concrete and swift action on the problems we have been addressing these past three weeks. In that regard, despite the lack of full consensus, we hope to see implementation of proposal SEM.36 in its entirety. When we return to our capitals, we must ensure that our collective resolve to confront the environmental crises facing us does not diminish.

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