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Folder Title:
Danube

Stack:	Row:	Section:	Shelf:	Position:
S	61	5	11	2

Courtenay -
got a response - -
can you summarize in a
memo to Kate?
David's bottom line is that
this is an "internal dispute
b/w the countries that is
to get messy for the US
EC may be able to
handle better."
Pam

OFFICE OF TIMOTHY E. WIRTH
THE COUNSELOR
DEPARTMENT OF STATE

2201 C Street, N.W.
Room 7250
Washington, D.C. 20520
Phone: 202-647-6240 Fax: 202-647-0753

TO:

Pam McElwre

FROM:

David Halwood

DATE:

FAX:

456-2716

Number of Pages (including cover):

4

COMMENTS:

UNCLASSIFIED

Hungarian-Slovak Gabčíkovo Dam Dispute

Q. What is the status of Slovakia's diversion of the river?

A. Slovakia diverted almost all of the water in the Danube in October 1992. Only a small amount of water is now flowing through the natural course of the river.

Q. Has a solution for a temporary water management regime been found?

A. The two sides have not yet agreed upon an interim water management regime. Sporadic negotiations under EC auspices continue.

Q. Have the two parties been able to sign a Joint Declaration of Submission of the Dispute to the International Court of Justice in the Hague?

The two sides signed such an agreement in April and the two Parliaments have ratified the agreement.

Q. What is the status of the mediation efforts of the European Commission?

The EC continues to provide its good offices as a mediator and intends to do so until an interim water management regime is agreed upon.

Q. What is the status of the legal debate about the termination of the 1977 bilateral treaty between Czechoslovakia and Hungary on the creation of the two dams.

The legality of Hungary's unilateral abrogation of the 1977 treaty is one of the issues which will be decided by the ICJ.

Q. If the dam is completed, will drinking water be preserved through the protection of riversides?

The two parties dispute the effect of the dam on the availability and purity of drinking water in the area near the diversion channel.

Q. If ecological restoration tasks are undertaken, who will pay for them?

No decisions have been made on this issue. One of the issues the ICJ will decide is the issue of compensation for aggrieved parties. It is possible that this will include payment of the costs of some ecological restoration though most experts agree full ecological restoration is essentially impossible. It may also be possible for one side or both to undertake such restoration work on its own territory at its own expense.

Drafted: EUR/EE:JCMayhew
06/22/93 x7-3238 SEEEYHUN 750

Cleared: EUR/EE:THGerth
EUR/EE:ERichard



Mr. Janos Vargha
c/o ISTER
Budapest, Hungary

11 March 1993

RE: THE DANUBE DAM PROJECT AT GABCIKOVO

Dear Janos:

We understand that there is some confusion concerning the position of Friends of the Earth with regard to the Gabčíkovo project.

Let us make it clear that both Friends of the Earth-U.S. and Friends of the Earth-International are opposed to the completion of this project and call for:

- 1) immediate return of the Danube to its original river bed, and
- 2) ecological restoration of the areas already destroyed by the project.

We have sent letters to the World Bank on this matter and have agreed upon a statement at the Annual General Meeting of Friends of the Earth International. These documents are attached. We have also protested Czechoslovakia's and now Slovakia's actions at embassies both here in Washington and in Europe.

Most recently we attended a briefing on the dam sponsored by the Slovak Government and a public relations firm in which it came out that the Gabčíkovo Dam is expected to yield a mere 2 million kilowatt hours of power per year. At the rather generous price of 10 cents (U.S.) per kilowatt hour, this implies that the dam will generate, at most, \$200,000.00 U.S. per year of power. In the grand scheme of things, this sum is trivial... compared to the ecological damage the project has already caused and will likely cause in the future, it is a scandal.

Sincerely,

Brent Blackwelder
Vice President for Policy

Alex Hittle
International Coordinator

Jane Perkins
President
218 O Street, SE
Washington, DC 20003
202-544-2600
202-543-4710 (fax)
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Future of Danube

About the Restoration of Danube Valley between Bratislava and Budapest

The recognition of the harmful effects of mankind's technological activity and nature transformation have lead to a gradual change of values, related to the Danube and to rivers in general.

The one-sided industrial-technological exploitation of rivers destroyed not only a part of the wildlife but damaged drinking water production,

agriculture and in water tourism as well.

One of the most important principles is to preserve the ecosystems of wetland areas and rivers, along the reaches of the Danube below Bratislava (*Figure 1.*). For the sake of this, the establishment of an international nature conservation area on the inundation fields is suggested. If the measures to be taken refer to

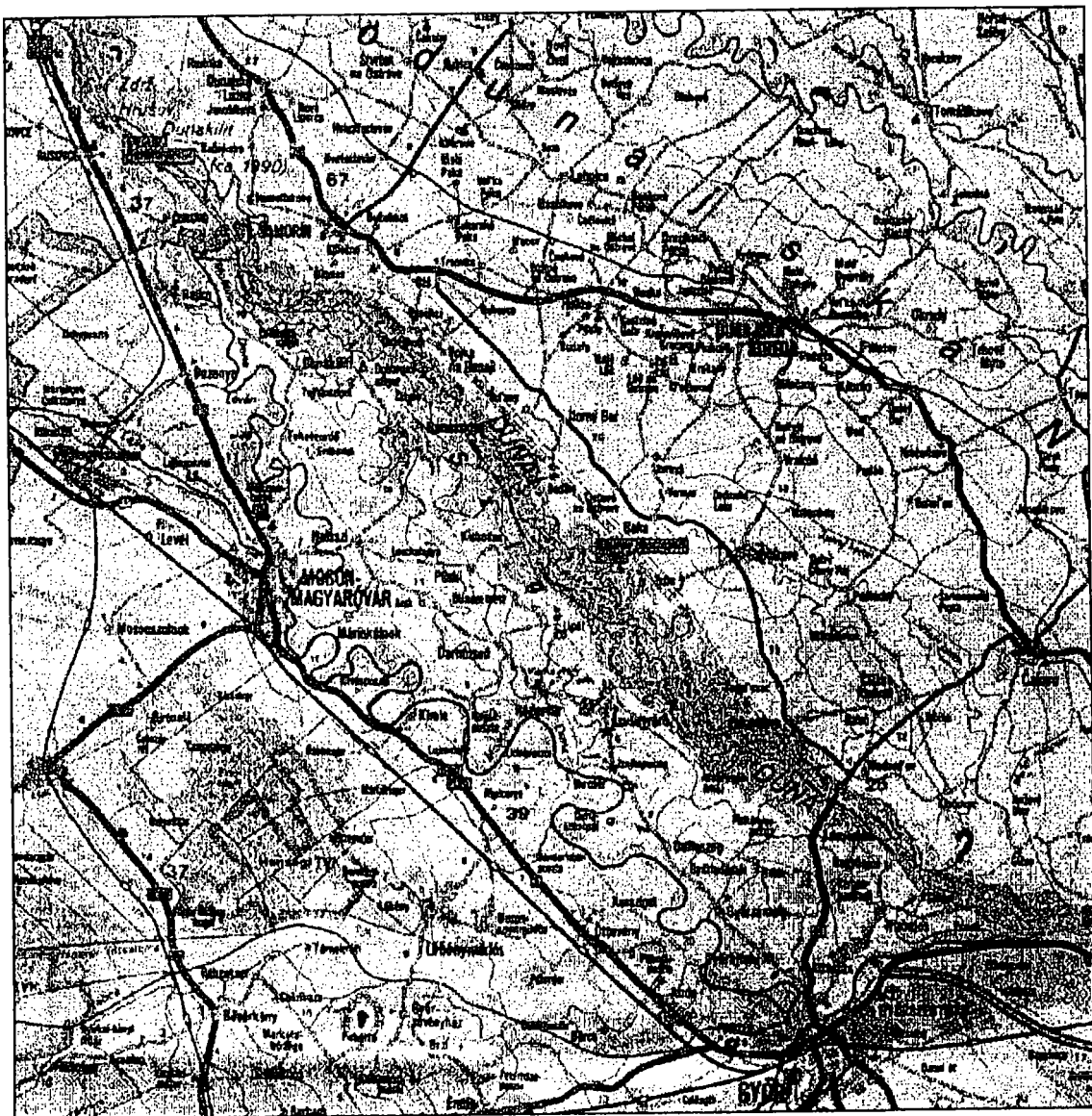


Figure 1. Map of the Zitny Ostrov (CSFR) - Szigetköz (Hungary) region

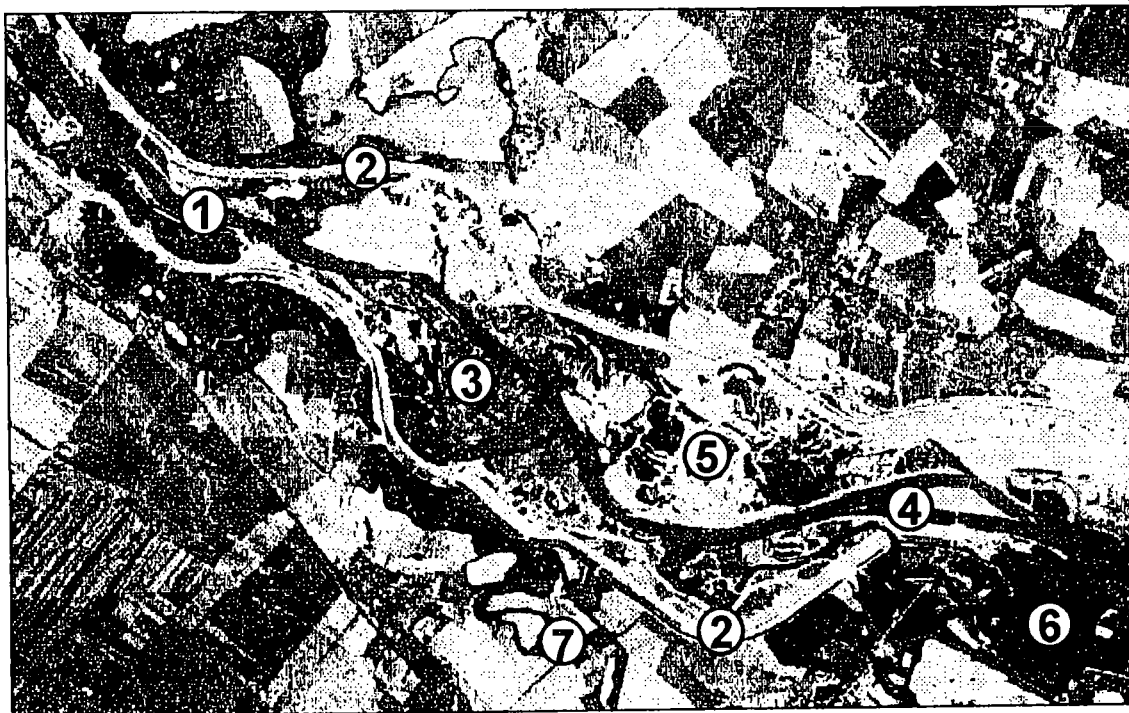


Figure 2. Satellite image of the Dunakiliti reservoir area (Landsat TM 8 March 1990) 1. Danube river bed; 2. Barrage; 3. Place of version "C" locks ; 4. Kiliti Lock; 5. Damaged area; 6. Flood plain forest

the surroundings in the immediate vicinity of the Danube only, they wouldn't be sufficient. Coordinated and integrated environment protection must be introduced and extended gradually to the whole catchment area of the river section between Bratislava and Budapest.

From the social and economic point of view, the drinking water reserves are of the greatest significance, covering basic and direct human needs.

The preservation of drinking water requires the protection of riversides, suitable for drinking water production, and the dynamic connection between the Danube and the subsurface freshwater aquifer.

This requires the rejection of not only the barrage plans, serving energetic and navigation aims and the large scale gravel production, but the wrong shape of the main river bed, developed in the last century, has to be corrected. The exaggerated dimensions of waterway - suggested in the sixties - should be decreased.

Navigation has to be adjusted to natural conditions and not the other way around. This wouldn't hinder the increase of water transport on the Danube, even if the Danube- Main-Rhine channel went on stream. In case of renewal of the river-regulation takes place, which was neglected because of the construction of the barrage system, a waterway of equal depth and twice width is at our disposal in 80-90 per cent of the year.

The erosion of the main bed between Bratislava and Gönyü, experienced in the last

decade, can be attributed to three reasons. One is the higher slope of the main river bed, caused by the shortcuts; the second is the large scale gravel production and the third is the sediment retaining effect of barrage systems, constructed on the Austrian part of the river.

The forming of the Danube bed to a meandering, middle-reach character would decrease the deepening of the bed, would improve the conditions of low-water regulation, would augment the water reserves of the region and could enable the ecological rehabilitation of the side-arms of the river.

The gravel production from the main bed must be stopped. The deepening below the last Austrian barrage can be compensated by retransporting the alluvials carried down-stream, which process has been applied on the Rhine for more than a decade. Out of the structures of the barrage system, first of all the demolition of the side channel - occupying a large, formerly valuable and restorable agricultural area - seems to be reasonable (*Figure 2.*). The basic construction material of the dikes is gravel and sand, which can be used - after separation of fractions - for regenerating arable soil, to fill up gravel-mines, river bed replacement and as additive to concrete.

The asphalt and plastic films can be reclaimed. The structures of the so called "C" variant should also be pulled down. A relatively simply task is the demolition of the coffer dam at Nagymaros and the restoration of the river bed. The reconstruction of the previously curved shoreline at Visegrád seems to be an important

question, since this is one of the essential elements of the landscape of the Danube-bend.

The structures of the weir at Dunakiliti and of the power station Gabčíkovo (Bős) cover relatively small areas, their demolition would be rather costly, so they could remain where they are. A tender may be announced for their utilization. For example, a building could be constructed on pillars of the Dunakiliti barrage - after removal of useless iron structures and equipment - where a hotel, an inundation ecological research institute as well as the management offices of a suggested nature conservation area can be accommodated. A boat-harbour can also be placed below such building.

During the reconstruction of the area at first the Nagymaros coffer dam and constructions of the "C" variant (started to build by Slovakia in order to close the Danube river in her territory, *Figure 3.*) have to be demolished. The next task would be the correction of the wrong regulation, the rehabilitation of the branches and the beginning of the restoration of the forests on the flood plain. The dismantling of the side channel can be a slower process, and can be coordinated with the soil-regeneration.

The restoration of the shoreline forests

upstream Nagymaros, and of other elements of the landscape could be done later, depending on the available financial means. The damages caused to the population by the construction of the barrage system should be refunded quickly and should be covered by the state budget.

The costs should be divided fairly between the parties. The expenses of those works which were accomplished within the framework of the treaty of 1977 - before that treaty has been terminated - and the costs of the restoration tasks should reasonably be divided between Hungary and Czecho-Slovakia (or her legal successor), in equal proportions.

The activities, serving the comprehensive, long-term environment protection of the area (such as the wide-spread use of alternative, environment friendly agricultural technologies; harmonizing the local natural resources, the processing industry, the agriculture, and - from ecological point of view - a more favourable land-use, etc.) should fit, as an organic part, in the general transformation process, which started with the political changes. Such fruitful results can be achieved primarily with indirect means, with education, tax-policy, legislation and by supporting the autonomy and grassroots activity of the Csallóköz-Szigetköz region.

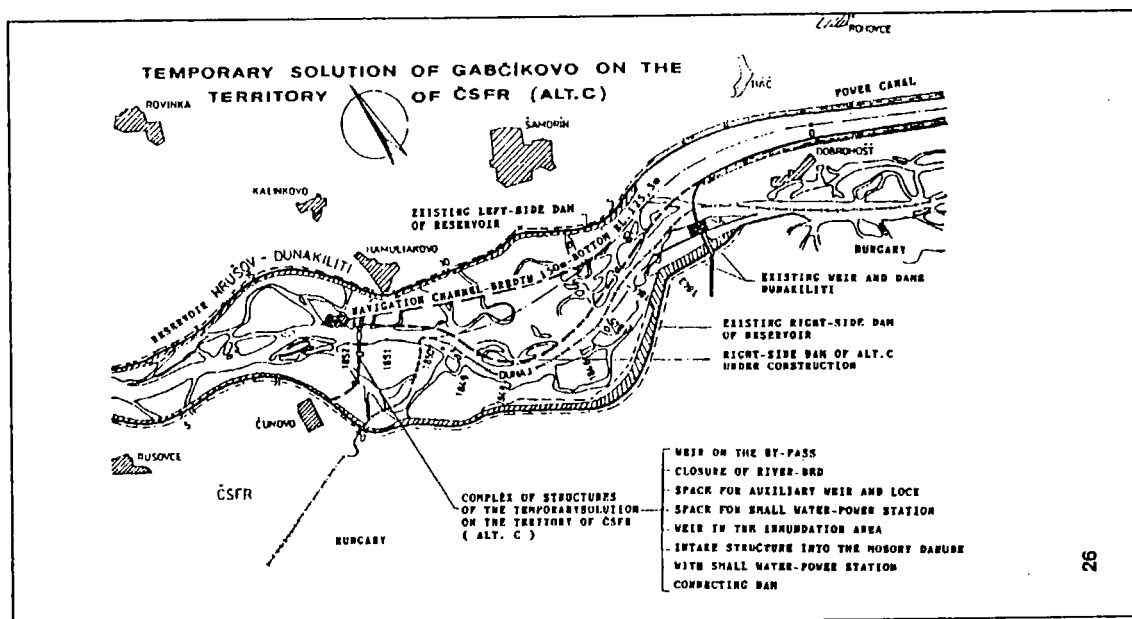


Figure 3. The so-called "version C"

ISTER, East European Environmental Research Institute

☒ Budapest Petrezselyem utca 10/a, H-1056 Hungary, ☎/Fax: (36 1) 135-4303

EUROPEAN PARLIAMENT

10 March 1993

B3-350/93/RC1
B3-352/93/RC1
B3-382/93/RC1
B3-392/93/RC1
B3-428/93/RC1

JOINT MOTION FOR A RESOLUTION

by Mrs ROTH-BEHRENDT, on behalf of the Socialist Group
Mr HABSBURG, on behalf of the Group of the European People's Party
Mr PUNSET I CASALS, Mr DE VRIES, Mr VOHRER and Mr PIMENTA, on behalf of the
Liberal and Democratic Reformist Group
Mrs VAN DIJK, on behalf of the Green Group in the European Parliament
Mr MORETTI, on behalf of the Rainbow Group in the European Parliament

and seeking to replace the motions for resolutions by:

- Mr MORETTI, on behalf of the Rainbow Group in the European Parliament (B3-350/93)
- Mr HABSBURG, on behalf of the Group of the European People's Party (B3-352/93)
- Mr PUNSET I CASALS and others, on behalf of the Liberal and Democratic Reformist Group (B3-382/93)
- Mrs VAN DIJK and Mr IANNOYE, on behalf of the Green Group in the European Parliament, (B3-392/93)
- Mrs ROTH-BEHRENDT, on behalf of the Socialist Group (B3-428/93)

on the construction of a power station at Gabčíkovo-Nagymaros.

The European Parliament,

- A. taking note of the declaration of the European Commission of February 16th 1993 with regard to its mediating activities in relation to the problems of the Gabčíkovo/Nagymaros dam,
- B. taking note of the proposals of the Commission with regard to the outstanding problems between the Slovak and Hungarian government,
- C. in view of the results of the negotiations on the proposals of the Commission,
- D. in view of its resolution of October 1992,

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PE 170.310/RC1
PE 170.312/RC1
PE 179.343/RC1
PE 170.364/RC1
PE 170.400/RC1
Or. EN

- E. bearing in mind the consequences for nature and the environment of the Gabčíkovo construction works,
- F. in view of the agreement in principle, reached between Hungarian and Slovak governments to submit the case of the conflict to the International Court of Justice in the Hague,
1. Is alarmed at the stagnation that has occurred now no progress can be made in finding solutions for a temporary water management regime, and the prevention of the start of the procedure at the International Court of Justice and calls upon the Hungarian and Slovak governments to immediately continue with the procedure;
 2. Requests the Commission to provide further information on the progress of the discussions at the highest political level, as arranged on February 16.
 3. Reiterates its worries about the possible growing tensions in this area as a consequence of the conflict;
 4. Endorses the Commission's willingness to continue its mediating role;
 5. Calls on the parties to the dispute to abide by the Community's proposals of 16 February 1993;
 6. Urgently appeals to the Slovak government to be more flexible and to cooperate in finding solutions to the outstanding problems;
 7. Requests the Commission to mediate in finding at short notice - as the growing season is rapidly approaching and further environmental damage should be prevented - to promote urgently, a temporary water supply regime controlled by both the Hungarian and the Slovak side;
 8. Requests the Commission to further investigate the possibilities of financial aid to Slovakia to compensate any reduction in its energy production;
 9. Requests the European Commission to have implemented, by independent experts, a thorough environmental impact assessment of the project, including the part of the construction works completed to date and also requests the Commission to have a complete study made of the effects on navigation, energy production and other relevant aspects of the project;
 10. Requests the European Commission to present proposals for a international nature protection area in the unique wetlands around the Danube in the Hungarian-Slovak border area involving national and international governmental and non-governmental organisations.
 11. Instructs its President to forward this resolution to the Commission, the Council the governments of Slovakia, Hungary, the Czech Republic, the CSCE and the Council of Europe.

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PE 170.310/RC1
PE 170.312/RC1
PE 179.343/RC1
PE 170.354/RC1
PE 170.400/RC1
Or. EN

PAVING PARALLEL PATHS

Proposal for a Temporary Solution to the Hungarian-Slovak Danube Dispute

(Two-Factor Scheme of a Provisional Arrangement)

Abstract

Representatives of the two Governments have been, despite their expressed commitment and willingness and despite the repeated mediation efforts of the European Commission (EC) during the past few months, unable to sign their Joint Declaration of Submission of the dispute connected with the Gabčíkovo-Nagymaros project to the International Court of Justice (ICJ). The reason of this failure lies in the fact that while [A] both sides agree that (relative) fulfillment of ecological aims can be attained only at the expense of the (relative) non-fulfillment of the aims of energy production, they disagree as to [B] where the just halving point of this line is to be placed. However, though claim [A] may be true for the long run (what forces the two sides to ask the ICJ for an answer to question [B]) it is clearly not true for the period terminating with the entry into force of the future ICJ resolution. Namely for this transitory period, the energy expectations of Slovakia as well as the ecological requirements of Hungary can fully be satisfied, without mutual constraints and with no prejudice to future legal procedures.

The Scheme of the Provisional Arrangement

Factor 1

Starting with the first day of the transitory period and ending with the last one, Hungary delivers electric energy to Slovakia -- in that amount and with that capacity which the Slovak party claims the Gabčíkovo Power Plant is able (or was planned to be able) to produce - without questioning the justness or equity of the Slovak demands. The first day of the transitory period is the day when the technical measurements put forward under Factor 2 below are all implemented. The legal aspects of the energy delivery deal will be submitted to the ICJ and deliveries which prove to be surplus, as well as interests on such deliveries, will be returned to Hungary in electric energy, with the timing and capacity decided by the ICJ.

Factor 2

With the minimal alteration of the works built at Cunovo, the water of the Danube is redirected - without damming the river up - into its original bed. (The restoration of the natural flow of the water, including the restoration of the navigational water-way, can be done in about 10 weeks.) Hungary undertakes to guarantee to fully cover the financial expenses of the implementation of any jointly accepted plan. Slovakia assumes responsibility for the implementing, which is accomplished under the technical and financial supervision of the EC while Hungary is given the right to make regular on-site inspections. The question of necessity of the restoration, and that of the equitable sharing of its costs will be decided by the ICJ afterwards.

Scheduling

In both of its variants, the Provisional Arrangement must be concluded and approved by the end of March. In the middle of April, either the restoration of the water-way has to be commenced or the regulated outletting of water from the reservoir has to be put into operation. If a restoration plan is implemented, it has to be finished by the end of June at the latest.

ISTER®	# 120
1993	-03-09

JANOS VARGHA, ISTER
GYORGY DROPPA, DANUBE CIRCLE

Bratislava, February 26, 1993

Dear friends,

Thank you for your 1st draft on the Scheme of the Provisional Arrangement for a Temporary Solution to the Danube Problem and for the 2nd one on NGO Proposal about Gabčíkovo Trilateral Negotiations Issue that we received some days ago. We apologize for the delay of our answer to them.

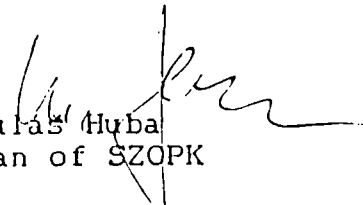
As it is known, no common statement was accepted by Hungary and Slovakia at the last Brussels meeting. But the beginning of the Danube vegetation period is coming very quickly and floodplain forests ecosystems downstream Čunovo profile are highly endangered by the extremely low amount of the water in the original Danube riverbed. In comparison with the minimum water flow necessary for the surviving of these ecosystems (1 300 - 1 500 m³/s), the present Danube flow - less than 500 m³/s is absolutely not sufficient in next time. On the other hand, the present situation without any negotiation opens a large scale of various possibilities for further steps including one-sided decisions. That could affect the relative political equilibrium in Central Europe Region.

There is in the own interest of this region to find common way for solving the mentioned problem. That is why we welcome your proposal. In our opinion, this is the very pragmatic solution how to satisfy claims of both countries and fix temporary, for both sides acceptable state till the International Court of Justice will give the final resolution. At the same time this proposal does not prejudice any future procedure.

Concerning concrete conditions of your Proposal, both alternatives mentioned under the "Factor 2" are acceptable for us. We agree also with the "Factor 1" and the scheduling of the 1st draft. With respect to questions mentioned in the letter of Mr. Zinke, in our opinion there is necessary to consider seriously all steps of the practical implementation procedure for its realization could reach as large effect as possible. Of course, this is mostly the problem of Hungary's willingness to keep proposed way of the solution.

We shall support your proposal as far as we can.

With best regards


Mikuláš Hyba
Chairman of SZOPK

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The Danube Blues

The Danube Blues:

Questions and Answers

**About the Bős (Gabcikovo) – Nagymaros
Hydroelectric Station System**

Budapest, October 1992

FAX
456-2710
Kurt Zwally

THE WHITE HOUSE
WASHINGTON

Kurt
Christen
456-6224

M E M O R A N D U M

To: David Harwood, State Department
From: Katie McGinty
Re: Hungarian-Slovak Gabčíkovo Dam Dispute

I am curious as to the current situation involving the Gabčíkovo Dam which was to be built on the Danube River. The Vice President has expressed his interest in following recent events unfolding there.

In particular, I am interested in finding out the following:

- 1) what is the status of Slovakia's diversion of the river;
- 2) has a solution for a temporary water management regime been found;
- 3) have the two parties been able to sign a Joint Declaration of Submission of the dispute to the International Court of Justice in the Hague;
- 4) what is the status of the mediation efforts of the European Commission;
- 5) what is the status of the legal debate about the termination of the 1977 bilateral treaty between Czechoslovakia and Hungary on the creation of the two dams;
- 6) is the dam to be completed. Will drinking water be preserved through the protection of riversides;
- 7) if ecological restoration tasks are undertaken, who will pay for them?

If you could ask the European Desk to follow up on these questions, I would appreciate it.

Thank you for your assistance in this matter.

THE WHITE HOUSE
WASHINGTON

M E M O R A N D U M

To: David Harwood, State Department
From: Katie McGinty
Re: Hungarian-Slovak Gabcikovo Dam Dispute

I am curious as to the current situation involving the Gabcikovo Dam which was to be built on the Danube River. The Vice President has expressed his interest in following recent events unfolding there.

In particular, I am interested in finding out the following:

- 1) what is the status of Slovakia's diversion of the river;
- 2) has a solution for a temporary water management regime been found;
- 3) have the two parties been able to sign a Joint Declaration of Submission of the dispute to the International Court of Justice in the Hague;
- 4) what is the status of the mediation efforts of the European Commission;
- 5) what is the status of the legal debate about the termination of the 1977 bilateral treaty between Czechoslovakia and Hungary on the creation of the two dams;
- 6) if the dam is completed, will drinking water be preserved through the protection of riversides;
- 7) if ecological restoration tasks are undertaken, who will pay for them?

If you could ask the European Desk to follow up on these questions, I would appreciate it.

Thank you for your assistance in this matter.

MEMORANDUM

Countenay

To: David Hammond,
State Department

From: Katie McGinty

Re: Hungarian-Slovak Gabčíkovo Dam Dispute

I am curious as to
~~Please send me an update on the~~ ^{current} situation involving the Gabčíkovo Dam which was to be built on the Danube River. *The Vice President has expressed his interest in following recent events unfolding there.*
In particular, I am interested in finding out the following:

- 1) what is the status of Slovakia's ~~unilateral~~ diversion of the river;
- 2) has a solution for a temporary water management regime been found;
- 3) have the two parties been able to sign a Joint Declaration of Submission of the dispute to the International Court of Justice in the Hague;
- 4) what is the status of the ~~repeated~~ mediation efforts of the European Commission;
- 5) what is the status of the legal debate about the termination of the 1977 bilateral treaty between Czechoslovakia and Hungary on the creation of the two dams;
- 6) if the dam is completed, will drinking water be preserved through the protection of riversides;
- 7) if ecological restoration tasks are undertaken, who will pay for them?

Thank you *for your assistance in this matter.*

If you could ask the European desk to follow up on these questions, I would appreciate it.

WH 647-0753

- ✓ completion of the Gabčíkovo project
- ✓ return of Danube to orig. river bed
ecological restoration of areas already destroyed
- what is Gabčíkovo Dam expected to yield - only
2 m. kilowatt hours of power per yr?
- catchment area of river section btwn Bratislava +
Budapest.
- ✓ drinking H₂O reserves - must be preserved
- exaggerated dimensions of waterway
- erosion of main bed btwn Bratislava + Gönyű
- reconstruction of the previously curved shoreline
- barage system
- ✓ cost of restoration tasks to who?
- autonomy + grassroots activity of the
Csallóköz - Szigetköz region
- ✓ Hungarian + Slovak gov'ts
- Gabčíkovo construction works
- ✓ submission of case to Int'l Ct of Justice in the Hague
- unique wetlands around Danube in the Hung-Slovak
border
- ✓ mediation via EC

Hungarian - Slovak Danube Dispute

✓ Have the 2 Gov'ts been able to sign their Joint Declaration of Submission of the dispute connected with the Gabčíkovo - Nagymaros project to the ICJ.

where is the just halving pt of line to be placed.

✓ has a restoration plan been implemented?

Danube H₂O flow - what is it now?

2 Dams -

✓ Gabčíkovo, Slovakia

Danube Bend, Hungary

Dams cause fear abt immense decay of surrounding natural habitat. High maintenance costs - outstrips the value of energy produced.

run off materials would accumulate in the planned reservoir at Dunakiliti, disrupting the natural biochem processes resp. for their decomposition

✓ most imp. H₂O reserves for middle - Europe are nourished by this section of the river.

degradation of flora + fauna.

quality of embankments

✓ dams built on plains damage the H₂O system + biosphere

Slovak gov't oppresses all munts protesting against the dams.

✓ Hungary accepted juris of ICJ but Czech + Slovak Republics didn't

✓ legal debate abt the termination of the 1977 bilateral treaty.

H- ruin country's natural resources + encroach upon a country's territorial integrity.

Those supporting diversion of Danube are suggesting various tech- compromises

Hung- Danube must stay in orig. river-bed + no damming.

✓ Has Slovakia finished diversion of the river?