

in particular to the section on non-governmental organization (NGO) participation in the development and implementation of environmental agreements. Noting that The Hague meeting had incorporated the views of NGOs on the effectiveness of international agreements with respect to domestic legislation, he commented that the Survey should take into account information on the (operation of the) agreement to Governments, parliaments, press, NGOs, industries and the general public and the role of such groups in participating in and implementing such agreements.

#### Dispute Prevention and Settlement

Poland briefly raised the proposal by the Pentagonale (now called "Hexagonale") countries on guidelines for developing principles and mechanisms for the prevention and settlement of disputes arising from differences over shared resources and ecosystems. He suggested that the Survey could reveal lacunae in existing agreements which could be harmonized and strengthened by developing a common system for dealing with such disputes. Mexico emphasized that the International Court of Justice, through a Special Chamber for environmental matters, could undertake to resolve disputes.

India commented that it opposed such an analysis, arguing that the Survey should not imply the need to establish such a mechanism, but rather that such disputes should be resolved bilaterally or regionally, on a case-by-case basis.

#### Environment and War

Peru stated it was pleased to see the inclusion of some nuclear agreements (such as the Treaty of Tlatelolco, which bans nuclear weapons in South America) in PC/77 and stated that the list should be as comprehensive as possible, thereby illustrating the need to examine in international law the impact of nuclear war on the environment.

The International Committee of the Red Cross (ICRC) proposed that countries should ratify the 1977 Protocols additional to the Geneva Conventions because they are an important contribution to the strengthening of the international rules intended to protect the environment in times of armed conflict. The representative drew on various legal instruments and customary law to make his point, adding that the ICRC will make specific suggestions on this issue at the November, 1991 international Red Cross/Crescent conference in Budapest. The representative also hoped that UNCED would give due consideration to specific problems for the environment caused by armed conflict.

In a short statement, Germany said that transboundary environmental damage should be considered in law as a criminal breach, an issue which is currently being examined in the International Law Commission.

#### Other Issues