

PRIME MINISTER'S
PERSONAL MESSAGE
MINISTER-PRESIDENT



SERIAL No. T576/89

SUBJECT cc MASTER
OPS.

The Rt. Hon. Margaret Thatcher
Prime Minister of Great Britain
and Northern Ireland
10 Downing Street
London

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I have asked
departments to work on
a reply
23/3.

The Hague, 20 March, 1989

Dear Mrs Thatcher, dear Margaret

In addition to sending you the letter which I have sent to all of the members of the European Council, I wished to write to you personally on the subject of the Declaration of The Hague.

As Brian Mulroney will doubtless have informed you, on his visit to London, there are certain obvious differences between the final version of the Declaration adopted in The Hague and the draft prepared in advance. As chairman of the Hague conference I pressed for the views of certain leading OECD countries, such as Japan, West Germany, Australia and Canada, to be taken into consideration. Having been successful in these efforts I hope that I can count on your cooperation in the follow-up.

For the record I am also enclosing a copy of my speech to the meeting in The Hague, in which I again expressed my admiration for the London conference on the ozone layer. The essential thing now is indeed to find a sensible and effective way of bringing together the positive elements. I believe it is possible to pool our efforts and feel that you and I have a special responsibility here, both within the European Community and in the framework of OECD.

I intend also to write a personal letter to President Bush, a copy of which I enclose for your information. I would ask you to regard it as confidential.

This was a
controversial
reply.

Yours R Lubbers

~~R.F.M. Lubbers
Prime Minister of the Netherlands~~

P.S. I have made no mention here of the Commonwealth, but it would be extremely valuable to win the support of these countries for the carefully formulated Declaration signed in The Hague.

Déclaration de la Haye

The Hague Declaration

Le 11 mars 1989

March 11th 1989

DÉCLARATION DE LA HAYE

Le droit de vivre est à la base de tous les autres. Sa garantie est un devoir absolu pour les responsables de tous les États du monde.

Les conditions mêmes de la vie sur notre planète sont aujourd'hui menacées par les atteintes graves dont l'atmosphère terrestre est l'objet.

Des études scientifiques faisant autorité ont mis en évidence l'existence et l'ampleur de dangers considérables tenant notamment au réchauffement de l'atmosphère et à la détérioration de la couche d'ozone. L'action entreprise pour résoudre ce dernier problème s'inscrit dans le cadre de la Convention de Vienne pour la protection de la couche d'ozone (1985) et du Protocole de Montréal (1987), tandis que la solution du premier problème a été confiée au Groupe Intergouvernemental sur l'Évolution du Climat, institué par le PNUE et l'OMM et qui vient de commencer ses travaux. De plus, l'Assemblée générale des Nations Unies a adopté en 1988 la Résolution 43/53 sur la Protection du Climat du Globe, qui reconnaît l'évolution du climat comme une préoccupation de l'humanité.

Les conséquences de ces phénomènes paraissent, en l'état actuel des connaissances scientifiques, susceptibles de porter atteinte aux systèmes écologiques et aux intérêts les plus vitaux de l'humanité tout entière.

Comme le problème est planétaire, sa solution ne peut être conçue qu'au niveau mondial. Compte tenu de la nature des dangers, les remèdes à y apporter relèvent non seulement du devoir fondamental de protéger l'écosystème terrestre, mais aussi du droit de l'homme à jouir dans la dignité d'un environnement viable et, par conséquent, du devoir de la communauté des nations à l'égard des générations présentes et futures de tout mettre en œuvre pour préserver la qualité de l'atmosphère.

C'est pourquoi nous considérons, face à un problème dont la solution présente la triple caractéristique d'être vitale, urgente et mondiale, que nous nous trouvons dans une situation qui requiert non seulement la mise en œuvre des principes existants mais aussi une approche nouvelle, par l'élaboration de nouveaux principes de droit international, notamment de mécanismes de décision et d'exécution nouveaux et plus efficaces.

Des mesures de régulation, de soutien et d'adaptation s'imposent, qui prennent en compte la participation et la contribution potentielle de pays ayant atteint des niveaux de développement différents. La plus grande partie des émissions qui affectent l'atmosphère à l'heure actuelle est due aux nations industrialisées. C'est également dans ces nations que les possibilités de changement sont les plus grandes, et ce sont elles aussi qui disposent des ressources les plus grandes pour traiter efficacement le problème.

La communauté internationale, et spécialement les nations industrialisées, ont des obligations particulières d'assistance à l'égard des pays en développement qui seraient très sévèrement affectés par des

DECLARATION OF THE HAGUE

The right to live is the right from which all other rights stem. Guaranteeing this right is the paramount duty of those in charge of all States throughout the world.

Today, the very conditions of life on our planet are threatened by the severe attacks to which the earth's atmosphere is subjected.

Authoritative scientific studies have shown the existence and scope of considerable dangers linked in particular to the warming of the atmosphere and to the deterioration of the ozone layer. The latter has already led to action, under the 1985 Vienna Convention for the Protection of the Ozone Layer and the 1987 Montreal Protocol, while the former is being addressed by the Intergovernmental Panel on Climatic Change established by UNEP and WMO; which has just begun its work. In addition the UN General Assembly adopted Resolution 43/53 on the Protection of the Global Climate in 1988, recognizing climate change as a common concern of mankind.

According to present scientific knowledge, the consequences of these phenomena may well jeopardize ecological systems as well as the most vital interests of mankind at large.

Because the problem is planet-wide in scope, solutions can only be devised on a global level. Because of the nature of the dangers involved, remedies to be sought involve not only the fundamental duty to preserve the ecosystem, but also the right to live in dignity in a viable global environment, and the consequent duty of the community of nations vis-à-vis present and future generations to do all that can be done to preserve the quality of the atmosphere.

Therefore we consider that, faced with a problem the solution to which has three salient features, namely that it is vital, urgent and global, we are in a situation that calls not only for implementation of existing principles but also for a new approach, through the development of new principles of international law including new and more effective decision-making and enforcement mechanisms.

What is needed here are regulatory, supportive and adjustment measures that take into account the participation and potential contribution of countries which have reached different levels of development. Most of the emissions that affect the atmosphere at present originate in the industrialized nations. And it is in these same nations that the room for change is greatest, and these nations are also those which have the greatest resources to deal with this problem effectively.

The international community and especially the industrialized nations have special obligations to assist developing countries which will be very negatively affected by changes in the atmosphere although the

changements de l'atmosphère lors même que beaucoup d'entre eux n'en seraient que très faiblement responsables aujourd'hui.

Les institutions financières et les organismes d'aide au développement, internationaux et nationaux, doivent coordonner leurs activités pour promouvoir un développement durable.

Dans le respect des obligations internationales de chaque État, les signataires reconnaissent et s'engagent à promouvoir les principes suivants:

a) Le principe du développement, dans le cadre des Nations Unies, d'une nouvelle autorité institutionnelle, soit par le renforcement d'institutions existantes, soit par la création d'une institution nouvelle, qui, dans la perspective de la préservation de l'atmosphère, sera chargée de lutter contre le réchauffement, en recourant à toutes procédures de décision efficaces même si, dans certains cas, un accord unanime n'a pu être atteint;

b) Le principe selon lequel cette autorité institutionnelle procédera ou fera procéder aux études nécessaires, pourra accéder sur demande aux informations idoines, assurera la diffusion et l'échange des connaissances scientifiques et technologiques — ce qui implique de promouvoir l'accès aux technologies nécessaires, développera des instruments et définira des normes favorisant ou garantissant la protection de l'atmosphère et contrôlera le respect de ces normes;

c) Le principe de mesures appropriées destinées à promouvoir l'application effective et le respect des décisions de la nouvelle autorité institutionnelle, décisions qui relèveront du contrôle de la Cour internationale de Justice;

d) Le principe selon lequel les pays sur lesquels les décisions prises en vue de protéger l'atmosphère feraient peser une contrainte anormale ou particulière, eu égard notamment à leur niveau de développement et à leur responsabilité effective dans la détérioration de l'atmosphère, recevront une aide juste et équitable à titre de compensation. Des mécanismes devront être mis en place à cette fin;

e) La négociation des instruments juridiques nécessaires pour donner une assise institutionnelle et financière, qui soit efficace et cohérente, aux principes énoncés plus haut.

Les Chefs d'État et de Gouvernement, ou leurs représentants, qui ont exprimé leur adhésion à la présente Déclaration en y apposant leur signature, affirment leur volonté de promouvoir les principes ainsi définis, et ce:

- en développant leur initiative au sein de l'Organisation des Nations Unies et en coordination et collaboration étroites avec les institutions existantes créées sous les auspices des Nations Unies;

- en invitant tous les États du monde et les organisations internationales ayant compétence en la matière à participer, en prenant en compte les études du GIEC, à l'élaboration des conventions-cadres et autres instruments juridiques nécessaires à la création de l'autorité institutionnelle et à mettre en œuvre les autres principes énoncés ci-dessus en vue de protéger l'atmosphère et de lutter contre la modification du climat, en particulier le réchauffement;

responsibility of many of them for the process may only be marginal today.

Financial institutions and development agencies, be they international or domestic, must coordinate their activities in order to promote sustainable development.

Without prejudice to the international obligations of each State, the signatories acknowledge and will promote the following principles:

(a) The principle of developing, within the framework of the United Nations, new institutional authority, either by strengthening existing institutions or by creating a new institution, which, in the context of the preservation of the earth's atmosphere, shall be responsible for combating any further global warming of the atmosphere and shall involve such decision-making procedures as may be effective even if, on occasion, unanimous agreement has not been achieved;

(b) The principle that this institutional authority undertake or commission the necessary studies, be granted appropriate information upon request, ensure the circulation and exchange of scientific and technological information — including facilitation of access to the technology needed —, develop instruments and define standards to enhance or guarantee the protection of the atmosphere and monitor compliance herewith;

(c) The principle of appropriate measures to promote the effective implementation of and compliance with the decisions of the new institutional authority, decisions which will be subject to control by the International Court of Justice;

(d) The principle that countries to which decisions taken to protect the atmosphere shall prove to be an abnormal or special burden, in view, *inter alia*, of the level of their development and actual responsibility for the deterioration of the atmosphere, shall receive fair and equitable assistance to compensate them for bearing such burden. To this end mechanisms will have to be developed;

(e) The negotiation of the necessary legal instruments to provide an effective and coherent foundation, institutionally and financially, for the aforementioned principles.

The Heads of State and Government or their representatives, who have expressed their endorsement of this Declaration by placing their signatures under it, stress their resolve to promote the principles thus defined by:

- furthering the development of their initiative within the United Nations and in close coordination and collaboration with existing agencies set up under the auspices of the United Nations;

- inviting all States of the world and the international organisations competent in this field to join in developing, taking into account studies by the IPCC, the framework conventions and other legal instruments necessary to establish institutional authority and to implement the other principles stated above to protect the atmosphere and to counter climate change, particularly global warming;

- en exhortant tous les États du monde et les organisations internationales ayant compétence en la matière à signer et à ratifier les conventions sur la protection de la nature et de l'environnement;

- en appelant tous les États du monde à souscrire à la présente Déclaration.

L'original de cette Déclaration, rédigée en français et en anglais, sera remis au Gouvernement du Royaume des Pays-Bas, qui le conservera dans ses archives. Chacun des États participants recevra du Gouvernement du Royaume des Pays-Bas une copie conforme de cette Déclaration.

Le Premier Ministre des Pays-Bas est prié de transmettre cette Déclaration, qui n'est pas recevable pour être enregistrée au titre de l'article 102 de la Charte des Nations Unies, à tous les membres des Nations Unies.

Fait à La Haye, le 11 mars 1989.

Helmuth Kohl
Chancelier de la République Fédérale d'Allemagne
Chancellor of the Federal Republic of Germany

Gareth Evans
Ministre des Affaires Étrangères et du Commerce d'Australie
Minister for Foreign Affairs and Trade of Australia

Paulo Tarso Frecha de Lima
Secrétaire Général des Relations Extérieures de la République Fédérative du Brésil
Secretary General of External Relations of the Federative Republic of Brazil

Brian Mulroney
Premier Ministre du Canada
Prime Minister of Canada

- urging all States of the world and the international organisations competent in this field to sign and ratify conventions relating to the protection of nature and the environment;

- calling upon all States of the world to endorse the present declaration.

The original of this Declaration, drawn up in French and English, will be transmitted to the Government of the Kingdom of the Netherlands, which will retain it in its archives. Each of the participating States will receive from the Government of the Kingdom of the Netherlands a true copy of this Declaration.

The Prime Minister of the Netherlands is requested to transmit the text of this Declaration, which is not eligible for registration under Article 102 of the Charter of the United Nations, to all members of the United Nations.

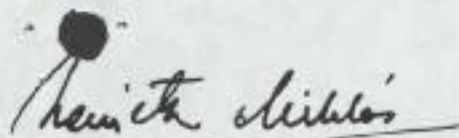
The Hague, 11 March 1989

Félix Houphouët-Boigny
Président de la République de Côte d'Ivoire
President of the Republic of Côte d'Ivoire

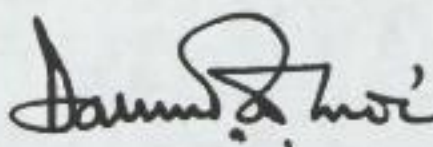
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Président de la République Arabe d'Égypte
President of the Arab Republic of Egypt

Felipe González
Premier Ministre d'Espagne
Prime Minister of Spain

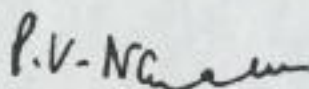
François Mitterrand
Président de la République Française
President of the French Republic



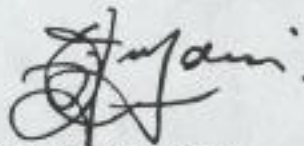
Miklós Németh
Premier Ministre de la République Populaire
Hongroise
Prime Minister of the Hungarian People's Republic



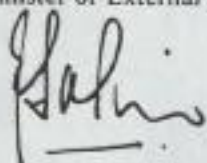
Daniel Toroitich arap Moi
Président de la République du Kenya
President of the Republic of Kenya



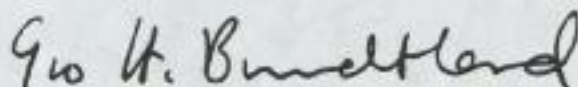
P.V. Narasimha Rao
Ministre des Affaires Étrangères de l'Inde
Minister of External Affairs of India



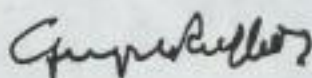
Edward Denech Adami
Premier Ministre de la République de Malte
Prime Minister of the Republic of Malta



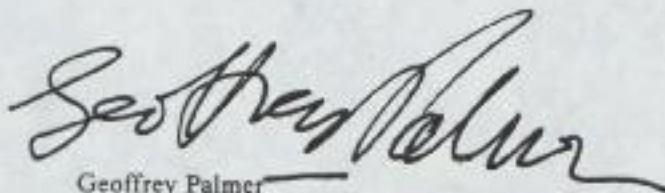
Emil Salim
Ministre d'État pour la Population et l'Environnement
de la République d'Indonésie
Minister of State for Population and Environment
of the Republic of Indonesia



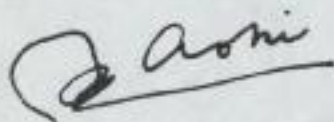
Gro Harlem Brundtland
Premier Ministre du Royaume de Norvège
Prime Minister of the Kingdom of Norway



Giorgio Ruffolo
Ministre de l'Environnement d'Italie
Minister of Environment of Italy



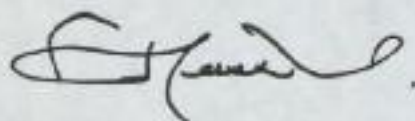
Geoffrey Palmer
Vice-Ministre Président de Nouvelle-Zélande
Deputy Prime Minister of New Zealand



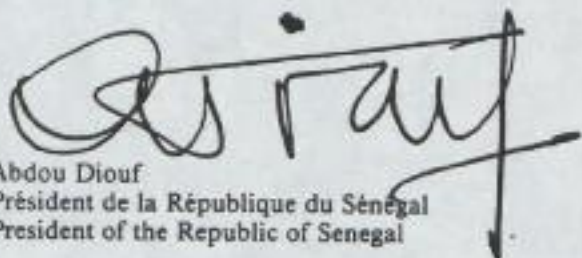
Masahisa Aoki
Ministre d'État du Japon
Minister of State of Japan



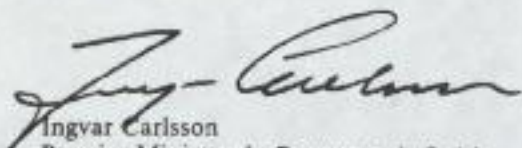
Ruud Lubbers
Premier Ministre du Royaume des Pays-Bas
Prime Minister of the Kingdom of the Netherlands



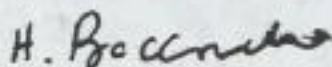
Hussein Ibn Talal
Roi du Royaume Hachémite de Jordanie
King of the Hashemite Kingdom of Jordan



Abdou Diouf
Président de la République du Sénégal
President of the Republic of Senegal



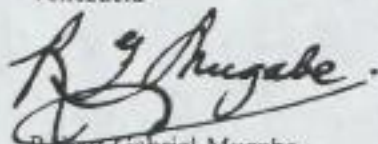
Ingvar Carlsson
Premier Ministre du Royaume de Suède
Prime Minister of the Kingdom of Sweden



Hedi Baccouche
Premier Ministre de la République Tunisienne
Prime Minister of the Tunisian Republic



Enrique Colmenares Finol
Ministre de l'Environnement de la République du
Venezuela
Minister for Environment of the Republic of
Venezuela



Robert Gabriel Mugabe
Président de la République du Zimbabwe
President of the Republic of Zimbabwe

Your Majesties (Ladies and Gentlemen)

The common concern which brings us all here is our responsibility for the biosphere and for future generations.

Things are not going well. In recent times, and particularly during the 20th century, the human race has not only undergone a population explosion but has also begun to damage and pollute the natural environment so badly that much which was of value has already been lost.

At first it may have seemed as if we were guilty only of causing occasional unfortunate incidents, affecting certain species of flora and fauna, but as we now know, the situation is far more grave. The pressure which mankind is bringing to bear on the biosphere is greater than it can sustain, and is leading to irreversible change; entire ecosystems are in danger of being destroyed, and even on a global scale, serious imbalances are impending. These developments threaten the quality of life of future generations of our own species.

The destruction of the biosphere - of our home on this planet - can no longer be attributed purely to ignorance and carelessness. Now that we know what the consequences are, negligence, deliberate abuse and mismanagement are more appropriate terms.

This is a serious state of affairs. Man is perfectly capable of changing his behaviour for the better, in the awareness that considerate treatment of the biosphere is essential for his own survival.

In brief, we have reached a turning point in our history. We must alter our relationship to the biosphere - our natural and indeed our only environment - so that a new and sustainable equilibrium can be achieved between man and nature.

If we wish to act in accordance with our responsibility for nature and towards the generations to come, we must accept the

obligation to preserve the general quality of the environment and where necessary, restore it.

The nature and quantity of the waste we dispose of must be brought within the limits of what the environment with its regulatory functions can sustain: the capacities of the renewable resources on which human life depends must no longer be exceeded. This applies to the atmosphere, and it also applies to the oceans, coastal waters, estuaries, rivers, wetlands, forests and soil. What is needed is a new balance between man and the biosphere. At the minimum, this means stabilising three trends at levels at which lasting survival can be guaranteed.

More specifically, it means reducing the waste produced by the technological society to within limits which are ecologically acceptable. It means making careful use of energy and developing energy resources the use of which will not alter the composition of the atmosphere in such a way as to cause irreversible climatic changes and which will not produce waste representing an abiding burden to future generations. Lastly, it means stabilising world population at an acceptable level.

How are we to achieve all this? The aims I have outlined must be attained through education and information, so that members of the public, governments and states adopt ecologically acceptable modes of behaviour, both individually and collectively. These aims must also be achieved through national legislation and regulation and through international conventions.

Let me repeat: it is the responsibility of members of the public to start behaving responsibly, both individually and as members of groups, and as citizens to cooperate in creating effective legislation and regulations. It is the responsibility of national governments to pass and enforce legislation and promote the conclusion of international agreements. It is the responsibility of international organisations to persuade national governments to impose rules and regulations and to ensure that they are implemented, while

international organisations should also, where necessary, promote the adoption of international regulations and encourage compliance with such regulations.

That is why we have gathered together here: to make our contribution to the broad effort which will be needed. Part of the thrust of that effort must be to adopt a worldwide approach. The form to be taken by that approach and the readiness to enter into commitments for this purpose must match the seriousness of the problems facing us.

We can consider ourselves fortunate that more and more governments and international organisations are consciously accepting this responsibility and are increasingly recognising the urgency of establishing international cooperation.

The recent conference in London on the problem of the ozone layer, the last meeting of the EC Council of Environment Ministers and the positive attitude of the governments of both the United States and the Soviet Union give cause for hope. There is also the forthcoming conference in Switzerland, where the Convention on the Control of Transboundary Movements of Hazardous Wastes will be open for signature.

And important is the fact that we do make progress in the framework of the United Nations and its organizations whose high representatives are here today.

May I invite you to participate in a brief discussion in the interests of the objective which we have set for ourselves today. Let us say loudly and clearly what we believe to be necessary; let us make sure that what we say is heard - in east and west, in north and south, in small countries and in large alike.

Thank you.