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Post-Presentation Discussion

The Seminar in Argentina was attended by numerous experts and interested citizens who were given an opportunity, after the formal presentations, to discuss what had been said and to add their own views. The comments they made during the discussion are summarized here.

Jeffrey Dobovek

Señor Dobovek is the Ciba plant manager in Argentina. He believes that there are many practical limitations in Argentina hampering effective environmental regulation. He recommends that industry leaders should be intimately involved in the creation of regulations that are practical and that are cost-effective. With industry cooperation, the inherent limitations of the current system can be overcome.

Maria Clara Pardo

Dr. Pardo is an environmental attorney. She commented on the fractured state of the current environmental statutes in Argentina which are a hodgepodge of laws that are outdated and overlapping, and contain conflicting standards. Industry managers need to know what the standards are, which standards apply, and who enforces the standards. Instead of focusing on creating new environmental regulations, Dr. Pardo believes we should focus on improving the existing ones.

Juan Rodrigo Walsh

Dr. Walsh acted as moderator of the seminar; he works as an environmental attorney, practicing with Marciel, Norman & Associates in Buenos Aires. He is the program director for the Fundación Ambiente y Recursos Naturales (FARN). Dr. Walsh explained that some of the problems in the national environmental protection system arose because of the dual role played by the national government. For

years, it operated many services and industries that caused pollution while, at the same time, it enacted and enforced environmental laws. This explains many of the inefficiencies and inconsistencies of the current system which has not changed much even though the state has turned many of these services and industries over to private ownership and operation.

Jeffery Dobovek

According to Señor Dobovek, economic forces will go a long way towards requiring compliance with sound environmental practice. In his opinion, most companies incapable of solving their ecological problems will not survive to the year 2000. This is due, for the most part, to market forces. For example, in most developed countries, consumer pressure is forcing companies to make environmentally-safe products. In Argentina, however, there are some companies that make products using carcinogenic substances, such as the dye used for leather. Nevertheless, even though we lack controls that prohibit the use of this product, there is a very negative reaction from those external markets where these products are exported because their legislation prohibits the use of these kinds of substances. As a result, most of these products are returned to the manufacturer.

This, Señor Dobovek believes, is a concrete example which shows that even though there is no legislation of any kind to control these products in this country, the international market will impose standards on Argentina, to a certain extent. In his opinion, market forces themselves will cause a change in the attitudes of some of our industries.

Dr. Eduardo R. Grassetti

Dr. Grassetti is an attorney for the Business Council on Sustainable Development. He talked about the recommendations of the Business Council for creating an environmental framework law for Argentina. The major problems these recommendations address are the overlap of authority, regula-

tory confusion, the lack of clarity in new constitutional provisions, and the need for environmental education.

According to Dr. Grassetti, the Council is trying to accomplish the following objectives:

1. To clarify the roles of all political jurisdictions.
2. To establish the parameters of pollution by articulating principles to which conduct should conform.
3. To establish a program of environmental education.
4. To provide planning mechanisms, founded on Articles 124¹ and 125² of the new Constitution, as a powerful tool to solve many of the actual problems.
5. To establish a new procedure that respects scientific principles and encourages the participation of involved sectors through publicity and communication.
6. To achieve results within this system based on consensus building and self-regulation.
7. To use the environmental impact assessment technique to insure that individual projects respect the environment.
8. To take an incremental and progressive approach towards establishing a legal system that is based on Argentina's needs and history, rather than on solutions imported from other countries.

1. CONST. ARG., art. 124.

2. CONST. ARG., art. 125.