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# New Aspects in the Structure and Jurisdiction of the COMECON Regarding the Protection of the Environment

A.V. Leont'eva\*

The Council of Mutual Economic Assistance (COMECON)<sup>1</sup> has accumulated significant experience in international cooperation.<sup>2</sup> This cooperation among COMECON member countries,<sup>3</sup> which has evolved during an extensive stage of development, remains unsuitable for the tasks of developing world socialism under contemporary conditions. The opportunities for interaction by the brother nations in the spheres of economics, science, and technology are far from

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1. Also known as CMEA, CEMA, or SEV, COMECON was founded in 1949. The COMECON charter was adopted in 1959 and amended in 1962, 1974, and 1979. A SOURCE BOOK ON SOCIALIST INTERNATIONAL ORGANIZATIONS 124-35 (W. Butler trans. 1978).

2. During the initial years of operation, COMECON was principally concerned with the development of scientific-technical cooperation based on the exchange of technical experience. Its goal was the coordination of foreign trade despite the recognized inequity in levels of economic development of its member states. Toward this end, cooperation in production was initiated (e.g., mutual construction and use of an oil pipeline by Czechoslovakia, the German Democratic Republic (GDR), Hungary, Poland, and the USSR; and the establishment of an interconnected energy system linking the electro-energy systems of Bulgaria, Czechoslovakia, the GDR, Hungary, Poland, Romania, and the West Ukrainian System of the USSR). These projects worked to further equalization and the gradual integration of the member states' national economies. ANSBACH AND HEINTZE, *The Legal System of the Council for Mutual Economic Assistance*, 8 MOD. LEGAL SYS. CYCLOPEDIA 785, 787-88 (1985).

3. Initially, Bulgaria, Hungary, Poland, Rumania, USSR, and Czechoslovakia were members. Since the initial charter in 1949, the GDR, Mongolia, Cuba, and Vietnam joined COMECON. In addition, Yugoslavia, China, Korea, Laos, Ethiopia, and most recently, the Democratic People's Republic of Yemen have been granted "observer" status in COMECON. Butler, *COMECON and Third Countries*, PERSPECTIVES ON SOVIET LAW FOR THE 1980S 243-244 (F. Feldbrugge and W. Simmons 1982).

fully realized. The transition to more progressive forms of cooperation is essential.

In November 1986, at a working meeting of Communist and Workers' Party Leaders, a task was placed before the governments of COMECON member countries. This task was to develop a mechanism for cooperation which would, to a greater degree, foster the strategy of deepening and intensifying the integration processes defined by the Economic Summit of 1984.

The 43rd Session of COMECON (October 1987), which defined the broad long-term program for the modernization of the mechanism for international cooperation, played a significant role. The program's first goal was to strengthen the economic mechanism to create conditions for the active inclusion in the integration processes of economic organizations in the brother countries, based on their self-financing interests and responsibilities. This, in turn, requires the symmetrical planning of foreign trade, currency and financial instruments of cooperation (including the pricing system), as well as their legal bases. It is necessary to develop direct coordinating links which will form joint ventures, international corporations, and organizations. This policy stems from the logic of developing the national economic mechanisms and the necessity for the democratization of the entire system of cooperation.

The program's second goal was to coordinate the respective national economic policies of the COMECON member countries, by means of the Collective Concept of the International Division of Socialist Labor for the Years 1991-2005. This will permit the more effective coordination of the cooperating countries. Coordination of the national plans will be conducted on three levels: inter-governmental, industry-wide, and on the level of the enterprises and corporations which will have direct links. This situation will promote the deepening of the process of "ecologization" of all aspects of socio-economic development and the perfection of national policies in the sphere of environmental protection and the rational use of natural resources.

The third goal included the radical improvement of the collective management system of the integration processes, for

example, the restructuring of the activities and the significant improvement in the COMECON structure. The 44th Session of the COMECON (June 1988), which approved the Collective Concept of the International Division of Socialist Labor for the Years 1991-2005, contributed considerably to the perfection of the mechanism for international cooperation. This concept will become the basis for the coordination of economic policies in the spheres of international cooperation and in other areas of socio-economic development for all interested countries.

In resolving the tasks of unifying the scientific-technical achievements with the planned economy, COMECON member countries must take into account the efficient use of efforts to be fulfilled within the framework of the Complex Program for the Scientific-Technical Progress of the COMECON Member Countries through the year 2000. This program of actions, conceptualized around five priority areas, will ensure a deep and multifaceted intensification of production, a quickening of growth in labor productivity, and energy and materials conservation. In addition, it will ensure an increase in product quality, fuller utilization of the advantages of the socialist system of planned economy, conservation, and rational use and increased quality of the environment.

The COMECON Session's approval of the policy for restructuring the mechanism of cooperation must be conducted gradually, as internal and external conditions permit. The COMECON must consider the interests of COMECON member countries and their activities that are directed toward the perfection of their respective national economic mechanisms.

Today, economic and scientific-technical cooperation is beginning to be built on three important mutually related levels: intergovernmental, industry-wide, and enterprises. The enterprise level is the principal issue of restructuring and is today becoming the agent of integration at all stages from agreement to realization.

The organs of the COMECON will be occupied mainly with strategic questions of cooperation, which must be decided at the intergovernmental level. Thus, answers to industry-level questions that are not of national significance and

which can be decided outside of the COMECON framework will be relinquished. It is essential to transfer the resolution of all such questions to national organs for industry management, enterprises (within the framework of their direct links), and to international industry-wide organizations.

The Council's coordinating role in the organization of cooperation on priority projects of scientific-technical progress will be enhanced by the resolution of large strategic problems of socialist economic integration, the development of long-term programs of cooperation in the economic areas of greatest importance, and in the realization of large joint-projects (e.g., dealing with space exploration, the world oceans, environmental protection, etc.).

For the most part, the Council will concentrate its efforts on coordinating the economic and scientific-technical policies of COMECON member nations in the spheres requiring mutual cooperation, including environmental protection. In addition, the Council's attention will focus on organizing the design and realization of large-scale programs and agreements, such as the Complex Program for Scientific-Technical Progress and other projects of strategic importance. The Council must lead the effort to perfect the integration mechanism and aid the development of a uniform economic and legal basis of cooperation. At the meeting of the Political Consultative Committee of the Warsaw Pact member governments, a document concerning the consequences of the arms race on the environment and other aspects of ecological security was passed. The document contained a series of constructive proposals regarding the further development of cooperation in this area. The Council will intensify its commitment to cooperation in protecting the environment, and contribute to the realization of the concept of international ecological security.

The structure of the COMECON will become more compact. Multi-level bureaucracy and parallelism will be eliminated. The Secretariat's functions currently include purely organizational tasks of preparation and management of the meetings of COMECON. The Secretariat is also responsible for providing a system-wide analysis of the state of cooperation, the preparation of economic analytical inquiries and

forecasts, and appraisals of compliance with the past decrees, agreements, and multilateral accords. The resolution of direct issues of integration is a right of the COMECON member countries, however, the Secretariat can suggest alternatives in the settlement of practical problems of integration, as well as assist in the design and passing of long-term programs and agreements. As a result of restructuring, the COMECON Secretariat must become a genuine headquarters of integration. Its work will be more effective, flexible, and operational, ensuring a creative approach to all problems.

In deciding the size of COMECON bodies, the importance of different problems for multilateral cooperation was taken into consideration. A decision was made to abolish and reorganize nineteen COMECON bodies and to create six new ones. The total number of COMECON bodies will be reduced from thirty-six to twenty-four. New committees on foreign economic cooperation, computerization, and agricultural technology were created. In addition, permanent COMECON commissions on electro-energy and nuclear cooperation, environmental protection, and legal issues were also formed.

The main task of the Permanent Commission on the Protection of the Environment is to coordinate cooperation within the framework of the General Program of Cooperation of the COMECON Member Countries for the Years 1986-1990 in the Protection and Improvement of the Environment and the Rational Use of Natural Resources, which was approved in March 1986, by the COMECON Committee on Scientific and Technical Cooperation.