

AUTH: US SENATE

Project Eden : DRAFT Legislation

to be intro. in Senate Sept 1992

THE MIDDLE EAST ENVIRONMENTAL DEFENSE NETWORK

"PROJECT EDEN"

- o A NEW APPROACH: Project EDEN establishes a new, comprehensive environmental architecture for the Middle East -- addressing issues as diverse as hazardous waste disposal, water scarcity, desertification, biodiversity and oil pollution.
- o ADVANCES THE PEACE PROCESS: The greatest steps on the path to peace the Middle East can be found in existing cooperation between the states on the region on specific environmental issues. EDEN will expand upon these contacts and encourage bi-lateral and multi-lateral problem-solving.
- o USAID THE GUIDING FORCE: The United States, through the Agency for International Development, will be the guiding force behind Project EDEN.
- o SCIENTIFIC, PROBLEM-SOLVING ORIENTATION: Project EDEN is to be a scientific, technical effort to address Middle East environmental problems -- not a political forum.
- o INTER-NATIONAL IN SCOPE: Project EDEN recognizes the trans-national nature of the region's environmental problems.
- o EDEN'S STRUCTURE: The amendment would establish a:

U.S. Planning Council within USAID to coordinate EDEN activities, provide recommendations on environmental strategy and priorities.

Permanent Conference On Environmental Security and Cooperation to be the forum for EDEN member states and to hold an annual meeting on the Middle East environment.

Conference Secretariat to be the working body of the Conference, providing oversight and budgeting of projects and activities

Middle East Environmental Fund to finance EDEN activities through Iraqi reparations, member contributions and other donors, such as the World Bank.

Country Environmental Centers housing a data network between all member states and the U.S. for real time environmental crisis management, research and data exchange.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the establishment of the Middle East Environmental Defense Network (Project EDEN), for the purpose of promoting and strengthening regional environmental conservation and protection through public awareness, national action and intergovernmental cooperation.

IN THE SENATE OF THE UNITED STATES—102d Cong., 2d Sess.

S.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. _____ (for himself, _____)

Viz:

1 On page ____, line ____, add the following new title:
2 **TITLE ____-MIDDLE EAST ENVI-**
3 **RONMENTAL COOPERATION**
4 **AND RESTORATION ACT OF**
5 **1992**

6 SEC. __01. SHORT TITLE.

7 This title may be cited as the "Middle East Environ-
8 mental Cooperation and Restoration Act of 1992".

9 SEC. __02. FINDINGS.

10 The Congress of the United States finds that—

1 (1) the Gulf War and the resulting damage to
2 the environment of the Arabian Gulf graphically
3 demonstrates the vulnerability of the natural envi-
4 ronment of the Middle East and man's potential for
5 inflicting untold damage on that environment;

6 (2) interdependence, rather than independence,
7 characterizes the relationship of all parts of the Mid-
8 dle East, the natural environment, and the global
9 community;

10 (3) environmental quality is an integral compo-
11 nent of every nation's national security;

12 (4) through concerted, cooperative action the
13 peoples of the Middle East can reverse the damage
14 to their natural environment;

15 (5) regional cooperation is essential to the man-
16 agement, restoration and maintenance of the envi-
17 ronment of the Middle East;

18 (6) the problems associated with environmental
19 degradation affect all countries of the Middle East
20 regardless of national income, religious orientation
21 or political persuasion;

22 (7) environmental protection and stewardship of
23 the Earth is compatible with the major religious tra-
24 ditions of the peoples of the region;

1 (8) the President of the United States was cor-
2 rect in declaring before Congress on March 6, 1991
3 that regional cooperation will stand in the future as
4 a central pillar of United States foreign policy in the
5 Middle East; and

6 (9) there is an urgent need for the countries of
7 the Middle East, in cooperation with the United
8 States and other concerned parties, to address
9 through enlightened action, the environmental prob-
10 lems of the region.

11 SEC. ___03. ESTABLISHMENT OF THE MIDDLE EAST ENVI-
12 RONMENTAL DEFENSE NETWORK.

13 (b) ESTABLISHMENT.—The President shall establish
14 and direct, through the Agency for International Develop-
15 ment, a program to be known as the “Middle East Envi-
16 ronmental Defense Network” (hereafter in this title re-
17 ferred to as “Project EDEN”).

18 (c) PURPOSE.—The purposes of Project EDEN are
19 as follows:

20 (1) To develop a Middle East Regional Environ-
21 mental Protection Plan.

22 (2) To assess the environmental problems af-
23 fecting all Middle East states.

(2) For the purposes of Project EDEN,
the countries of Uzbekistan, Tajikistan,
Turkmenistan, Kirgizistan, Kazakhstan,
Azerbaijan, Armenia and Georgia shall be
considered part of the Middle East.

1 (3) To seek and advance ways in which all Mid-
2 dle East states can work cooperatively to ameliorate
3 natural resource and environmental degradation.

4 (4) To promote national and, wherever appro-
5 priate, cross-boundary natural resource and environ-
6 mental restoration and maintenance activities.

7 (5) To develop and disseminate educational pro-
8 grams to promote regional understanding and co-
9 operation in all areas of environmental protection.

10 (6) To undertake and encourage both public
11 and private initiatives to improve the quality, quan-
12 tity, and management of natural resources and the
13 environment through initiatives such as regional
14 planning, joint infrastructure investment, water con-
15 servation, water quality management, air quality
16 management, waste management, desalinization, re-
17 forestation, energy efficiency, marine pollution,
18 desertification, nature conservation, environmental
19 impact assessments, and renewable energy utiliza-
20 tion.

21 (7) To provide a framework for new interstate
22 structures, institutions, and relationships which
23 might be developed to further environmental and
24 natural resource management in the Middle East re-
25 gion.

1 (8) To undertake and encourage the safe han-
2 dling, minimization, substitution, and cleanup of
3 hazardous substances as well as the restoration of
4 degraded desert and marine ecosystems between re-
5 gional states.

6 (9) To conserve, protect, manage, restore,
7 maintain and promote the historical, cultural, social,
8 archaeological, and geophysical resources and herit-
9 ages of the peoples of the Middle East, where pos-
10 sible, within their natural environment.

11 (10) To conserve, protect, and enhance
12 biodiversity, both in situ and ex situ, and to develop
13 regional programs to advance these ends.

14 (11) To undertake and encourage the involve-
15 ment of the private sector, governmental, non-
16 governmental, bilateral and multilateral organiza-
17 tions and entities in all aspects of environmental
18 protection and rehabilitation.

19 (12) To promote environment-related tech-
20 nology transfer as well as identify new technologies
21 which might contribute to environmental protection,
22 management, restoration, and maintenance.

23 (13) To initiate and guide mutually beneficial
24 environmental research and development projects be-
25 tween various Middle East countries.

1 (14) To research, investigate, document, and
 2 mitigate, wherever possible, the adverse effects on
 3 the public health and general welfare of environ-
 4 mental degradation.

5 (d) FUNDING.—(1) There are authorized to be appro-
 6 priated to the President ~~\$10,000,000~~ *as much as may be required* for fiscal year 1993
 7 and each fiscal year thereafter for United States participa-
 8 tion in Project EDEN. The President may seek reim-
 9 bursement for United States expenses associated with
 10 Project EDEN by the Conference as established in section
 11 1305.

12 (2) Amounts appropriated pursuant to paragraph (1)
 13 are authorized to remain available until expended.

14 SEC. 04. ENVIRONMENTAL PLANNING COUNCIL.

15 (a) ESTABLISHMENT.—There is established an inter-
 16 agency Environmental Planning Council (hereafter in this
 17 title referred to as the "Planning Council").

18 (b) COMPOSITION.—The Planning Council shall be
 19 composed of ¹⁹~~8~~ members, or their designees, as follows: *

20 (1) The Administrator of the Agency for Inter-
 21 national Development.

22 (2) The Secretary of State.

23 (3) The Administrator of the Environmental
 24 Protection Agency.

1 (4) The Administrator of the National ^{Oceanic}~~Oceanic~~
2 ~~S~~graphic and Atmospheric Administration (NOAA).

3 (5) The Secretary of Agriculture.

4 (6) The Secretary of the Interior.

5 (7) The Director of the National Academy of
6 Sciences, Board on Science and Technology in De-
7 velopment (BOSTID).

8 (8) The Director of the United States Trade
9 and Development Program (TDP).

10 (9) The Chairman of the Council on Environ-
11 mental Quality.

12 (10) **THE SECRETARY OF DEFENSE**
(c) ADMINISTRATION.—(1)(A) The Administrator of

13 the Agency for International Development, or his designee,
14 shall serve as Chairman of the Planning Council and shall
15 convene not less than four meetings of the full Planning
16 Council each year.

17 (B) The Administrator of the Agency for Inter-
18 national Development shall provide the Planning Council
19 with a permanent staff, office space and any other sup-
20 port, as required by the Planning Council, from within the
21 Agency for International Development.

22 (2) The Administrator shall—

23 (A) enter into contracts, grants, and other fi-
24 nancial arrangements, as necessary on behalf of the
25 Planning Council, in accordance with other applica-

1 ble law, to carry out the work of the Planning Coun-
2 cil and the purposes of Project EDEN;

3 (B) establish, coordinate, and fund a Project
4 EDEN postgraduate fellowship program focused on
5 issues of environmental public policy in the Middle
6 East; and

7 (C) maintain and coordinate the work of the
8 United States Environmental Center pursuant to
9 section ___09(f) of this Act.

10 (d) PLANNING COUNCIL RESPONSIBILITIES.—The
11 Planning Council, shall have the following responsibilities:

12 (1) To prescribe policies and procedures to es-
13 tablish and implement Project EDEN.

14 (2) To coordinate United States activities in
15 support of Project EDEN with the Permanent Con-
16 ference on Environmental Security and Cooperation
17 and its Secretariat.

18 (3) To establish working groups, as necessary,
19 to assist in the carrying out of Planning Council re-
20 sponsibilities and the purposes of Project EDEN.

21 (4) To prepare an annual 5-year strategic envi-
22 ronmental plan for the Middle East which shall be
23 presented to the Secretariat of the Permanent Con-
24 ference on Environmental Security and Cooperation
25 for annual review and then to the Permanent Con-

1 ference on Environmental Security and Cooperation
2 for ratification.

3 (5) To encourage the establishment of Environ-
4 mental Management Councils by each member state
5 participating in Project EDEN.

6 (6) To recommend to the Administrator of the
7 Agency for International Development specific ways
8 to enhance existing bilateral and multilateral pro-
9 grams of the United States established to promote
10 the diffusion of knowledge on regional environmental
11 issues through joint research and development, coop-
12 erative exchanges, education, and mutual assistance.

13 (7) To advise the Administrator on the oper-
14 ation of the United States Environmental Center.

15 (f) ANNUAL REPORTING REQUIREMENTS.—Not later
16 than June 1 of each year, the Administrator of the Agency
17 for International Development shall submit a report to the
18 Committees on Appropriations of the Senate and House
19 of Representatives and the Committee on Foreign Rela-
20 tions of the Senate and the Committee on Foreign Affairs
21 of the House of Representatives, on the work and future
22 agenda of Project EDEN, including—

23 (1) an evaluation of the progress Project
24 EDEN is making to environmental management in
25 the Middle East;

1 (2) a timetable, a budget, and an action plan
2 for the execution of Project EDEN initiatives during
3 the coming fiscal year; and

4 (3) a detailed accounting of the operating ex-
5 penses of the Planning Council, the Permanent Con-
6 ference on Environmental Security and Cooperation
7 in the Middle East, and the Secretariat of the Con-
8 ference.

9 SEC. ___05. ACTIONS OF THE PRESIDENT OF THE UNITED
10 STATES.

11 The President is authorized to enter into negotiations
12 and agreements with governments of the Middle East for
13 the purpose of concluding, by September 1, 1993, an
14 international agreement establishing a Permanent Con-
15 ference on Environmental Security and Cooperation, a
16 Conference Secretariat, a Middle East Regional Environ-
17 mental Fund, and Middle East Environmental Centers.

18 SEC. ___06. THE PERMANENT CONFERENCE ON ENVIRON-
19 MENTAL SECURITY AND COOPERATION.

20 (a) ESTABLISHMENT.—The President is authorized
21 to enter into agreements with the governments of coun-
22 tries described in subsection (b) on the establishment of
23 a Permanent Conference on Environmental Security and
24 Cooperation in the Middle East (hereafter in this title re-
25 ferred to as the "Conference"), by September 1, 1992.

1 (b) COMPOSITION.—The countries referred to in sub-
2 section (a) are those countries designated by the United
3 States Agency for International Development as Middle
4 East and North African countries or which choose to par-
5 ticipate in Project EDEN.

6 (c) RESPONSIBILITIES AND OBJECTIVES.—The Con-
7 ference should have the following responsibilities and ob-
8 jectives:

9 (1) To carry out the purposes of Project
10 EDEN.

11 (2) To serve as the focus for substantive inter-
12 action on environmental matters among Project
13 EDEN member states.

14 (3) To provide regional leadership in the ad-
15 vancement of new ideas for environmental manage-
16 ment.

17 (4) To approve the annual operating budgets of
18 the Conference and the Secretariat.

19 (5) To establish the Middle East Regional Envi-
20 ronmental Fund.

21 (6) To approve the projects to be funded from
22 the income derived from the Middle East Regional
23 Environmental Fund.

24 (7) To maintain a corpus within the Middle
25 East Regional Environmental Fund of not less than

1 the equivalent of \$100,000,000 in United States dol-
2 lars.

3 (8) To solicit from donor countries, multilateral
4 institutions, private entities, the United Nations Iraq
5 reparations account and other sources, initial fund-
6 ing and subsequent capital increases for the Middle
7 East Regional Environmental Fund.

8 (9) To promote the maximum exchange of in-
9 formation and research data on the state of the envi-
10 ronment in the Middle East.

11 (10) To involve and solicit the views of non-
12 governmental organizations.

13 (11) To coordinate the work of the national
14 Planning Councils.

15 (12) To hold an annual meeting of Conference
16 members.

17 (13) To approve and amend operating proce-
18 dures for the Conference.

19 SEC. __07. SECRETARIAT TO THE PERMANENT CON-
20 FERENCE ON ENVIRONMENTAL SECURITY
21 AND COOPERATION.

22 (a) ESTABLISHMENT.—The President is authorized
23 to enter into an agreement with foreign governments on
24 the establishment of a Secretariat to the Permanent Con-
25 ference on Environmental Security and Cooperation in the

1 Middle East (hereafter in this title referred to as the "Sec-
2 retariat"), by September 1, 1993. Such agreement should
3 provide for the United States to serve as permanent head
4 of the Conference Secretariat.

5 (b) RESPONSIBILITIES.—An agreement negotiated
6 under subsection (a) should provide for the Conference
7 Secretariat to—

8 (1) devise and recommend changes to the oper-
9 ating procedures of the Conference;

10 (2) manage the regular affairs of the Con-
11 ference;

12 (3) establish the work plan for the Conference,
13 including project solicitation, project development,
14 project evaluation, preparation of an annual budget
15 for the review and approval of the Conference, and
16 the obligation and expenditure of funds;

17 (4) prepare an annual operating budget and a
18 5-year strategic plan for the Conference;

19 (5) exercise full oversight and accountability
20 over Project EDEN by maintaining full financial
21 disclosure and planning visibility through regular
22 project audits and other mechanisms as may be nec-
23 essary;

24 (6) prepare an annual report for the approval
25 of the Conference;

1 (7) organize an annual public meeting of Con-
2 ference members;

3 (8) establish and support scientific committees
4 to study, evaluate, monitor and make scientifically
5 based recommendations to the Conference on prob-
6 lems connected with the purposes of Project EDEN;
7 and

8 (9) establish working bilateral and multilateral
9 relationships with governmental and non-
10 governmental financial, development and other insti-
11 tutions.

12 (c) **ROLE OF THE ADMINISTRATOR OF AID.**—The
13 Administrator of the Agency for International Develop-
14 ment, or his designee, should serve as the permanent chair
15 of the Conference and shall retain the right of veto over
16 Conference decisions and appointments.

17 (d) **COMPOSITION OF THE SECRETARIAT.**—The daily
18 operations of the Secretariat of the Conference should be
19 managed by a Director-General with supervisory authority
20 over a full-time professional staff appointed by the Direc-
21 tor-General and approved by the Conference.

22 (e) **DIRECTOR-GENERAL.**—The position of Director-
23 General should be held for a period not to exceed one 2-
24 year term and should rotate among member states of

1 Project EDEN in the order in which they join the Con-
2 ference.

3 (f) STAFF OF THE SECRETARIAT.—(1) The staff of
4 the Secretariat shall be vested with the same responsibil-
5 ities, rights and entitlements of civil servants employed by
6 the International Bank for Reconstruction and Develop-
7 ment.

8 (2) The professional staff of the Secretariat should
9 be drawn from Project EDEN member states and should
10 be persons of distinction in the fields of basic sciences,
11 engineering, ocean and environmental sciences, education,
12 research management, international affairs, health phys-
13 ics, health sciences, or social sciences.

14 (3) The number of full-time professional staff em-
15 ployed by the Conference Secretariat should not exceed 50.
16 The number of clerical staff employed by the Conference
17 Secretariat should be as required to support the work of
18 the professional staff and the Conference.

19 (g) ANNUAL ENVIRONMENTAL ASSESSMENTS.—The
20 Secretariat of the Conference should prepare and submit
21 to the Conference, no later than May 1 of each year, a
22 report on the state of the Middle East environment includ-
23 ing measures indicating the progress, or lack of progress,
24 made by each country in the Middle East in fostering envi-
25 ronmental cooperation and in solving and managing the

1 regional environmental issues addressed by Project
2 EDEN.

3 SEC. ___08. MIDDLE EAST REGIONAL ENVIRONMENTAL
4 FUND.

5 (a) ESTABLISHMENT.—The President is authorized
6 to enter into agreements with foreign governments on the
7 establishment of a Middle East Regional Environmental
8 Fund (hereafter in this title referred to as the "Fund"),
9 by September 1, 1993.

10 (b) PURPOSE.—It should be the purpose of the
11 Fund—

12 (1) to finance Middle East environmental
13 projects having a transnational dimension consistent
14 with the purposes of Project EDEN and which are
15 authorized by the Conference; and

16 (2) to finance the full operating costs of the
17 Permanent Conference on Environmental Security
18 and the Conference Secretariat.

19 (c) ORGANIZATION.—The Fund should be established
20 and managed by the Conference Secretariat.

21 (d) CAPITALIZATION OF FUND.—The Fund shall be
22 capitalized with contributions solicited by the Conference
23 Secretariat from Project EDEN member states and pur-
24 suant to the terms of section ___08(f)(2) and section
25 ___08(f)(3) of this Act.

1 (e) PURPOSES FOR DISBURSEMENT OF FUNDS.—
2 Disbursements from the Fund should be made only for
3 projects conforming to the purposes of Project EDEN and
4 for the administrative costs associated with the work of
5 the Conference and the Secretariat.

6 (f) AUTHORITY TO INCUR OBLIGATIONS.—Obliga-
7 tions against the Fund should be made by the Secretariat
8 and should be subject to the review and approval of the
9 Conference.

10 (g) USE OF IRAQI REPARATIONS.—The Secretariat,
11 with the full cooperation and active leadership of the
12 President of the United States, should work through the
13 United Nations to seek to apply 25 percent of any future
14 reparations paid by Iraq for war damages leading to, or
15 resulting from, the Persian Gulf War to the Middle East
16 Regional Environmental Fund for purposes of environ-
17 mental remediation, natural resource management, envi-
18 ronmental research and environmental education.

19 (h) ANNUAL CONTRIBUTIONS.—The Secretariat,
20 with the full cooperation and active leadership of the
21 President of the United States, should solicit annual con-
22 tributions to the Middle East Regional Environmental
23 Fund from national and multilateral entities, private do-
24 nors, individuals and other sources as might be required
25 to carry out the purposes of Project EDEN.

1 SEC. ___09. MIDDLE EAST ENVIRONMENTAL CENTERS.

2 (a) ESTABLISHMENT.—The President is authorized
3 to enter into agreements with foreign governments for the
4 establishment, by September 1, 1993, of Middle East En-
5 vironmental Centers (hereafter in this title referred to as
6 the “Environmental Centers”) and an Environmental
7 Data Network, within and between the sovereign member
8 countries of Project EDEN.

9 (b) COORDINATION.—Coordination of the Environ-
10 mental Centers should be carried out by and through the
11 Conference Secretariat.

12 (c) PURPOSES.—The purpose of each Environmental
13 Center would be to serve as a national focal point for re-
14 gional environmental cooperation and the national support
15 of environmental initiatives through the active fulfillment
16 of the purposes of Project EDEN pursuant to section
17 ___05(c) of this Act. The responsibilities of the Environ-
18 mental Centers also should be, among others—

19 (1) to support and assist national environment
20 ministries and regional environmental organizations
21 and initiatives;

22 (2) to establish and maintain the Project
23 EDEN Environmental Data Network through re-
24 gional cooperation;

25 (3) to direct innovative environmental research
26 and sustainable development initiatives;

1 (4) to establish and maintain a broad-based, ac-
2 tive, and integrated early warning system for irregu-
3 lar or threatening interstate ecological, geophysical,
4 biological, atmospheric, or maritime hazards;

5 (5) to serve as a crisis management coordina-
6 tion, communication, and information network be-
7 tween sovereign countries participating in Project
8 EDEN, international organizations, and others;

9 (6) to establish and maintain a comprehensive
10 inventory database of all significant biological, geo-
11 physical, historical and cultural resources on na-
12 tional lands to be freely available for public study
13 and global dissemination; and

14 (7) to establish and maintain a water research
15 authority to—

16 (A) monitor national water supplies;

17 (B) support study into more efficient
18 means of water allocation, distribution and uti-
19 lization;

20 (C) promote water conservation; *ADD RECYCLING.*

21 (D) study the environmental and social ef-
22 fects of water engineering projects;

23 (E) study the environmental and social ef-
24 fects of development projects on local and re-
25 gional water availability;

1 (F) recommend new approaches toward
2 managing or resolving local and regional water
3 disputes; and

4 (G) contribute to the making of sound na-
5 tional water policies.

6 (d) ENVIRONMENTAL DATA NETWORK FOR THE
7 MIDDLE EAST.—The Secretariat, in coordination with the
8 permanent Conference Chair, shall establish the Project
9 EDEN Environmental Data Network (hereafter in this
10 title referred to as the "Data Network").

11 (e) RESPONSIBILITIES.—The purpose of the Data
12 Network would be—

13 (1) to support the work of Project EDEN and
14 the Middle East Environmental Centers in which it
15 will be housed;

16 (2) to provide for a voice and data link between
17 all participating Middle East, associated states,
18 international agencies and entities, educational insti-
19 tutions and private organizations in Project EDEN.

20 (3) to serve as a means for providing real-time
21 communications and dissemination of information on
22 actual or potential environmental occurrences, haz-
23 ards, accidents, and crises;

1 (4) to promote the wide distribution of tech-
2 nical, scientific, and information on environmental
3 resources in the Middle East;

4 (5) to assist in providing and fostering environ-
5 mental education and an appreciation for the impor-
6 tance of regional environmental awareness;

7 (6) to facilitate environmental research, evalua-
8 tion, and testing; and

9 (7) to provide on-line access to the Project
10 EDEN environmental data bank.

11 (f) THE UNITED STATES ENVIRONMENTAL CEN-
12 TER.—It is the sense of the Congress that the President
13 should establish within the Agency for International De-
14 velopment, an Environmental Center dedicated to the pur-
15 poses of Project EDEN and linked fully to the Middle
16 East Environmental Centers and the Data Network.