

INTERNATIONAL COURT OF JUSTICE

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CASE

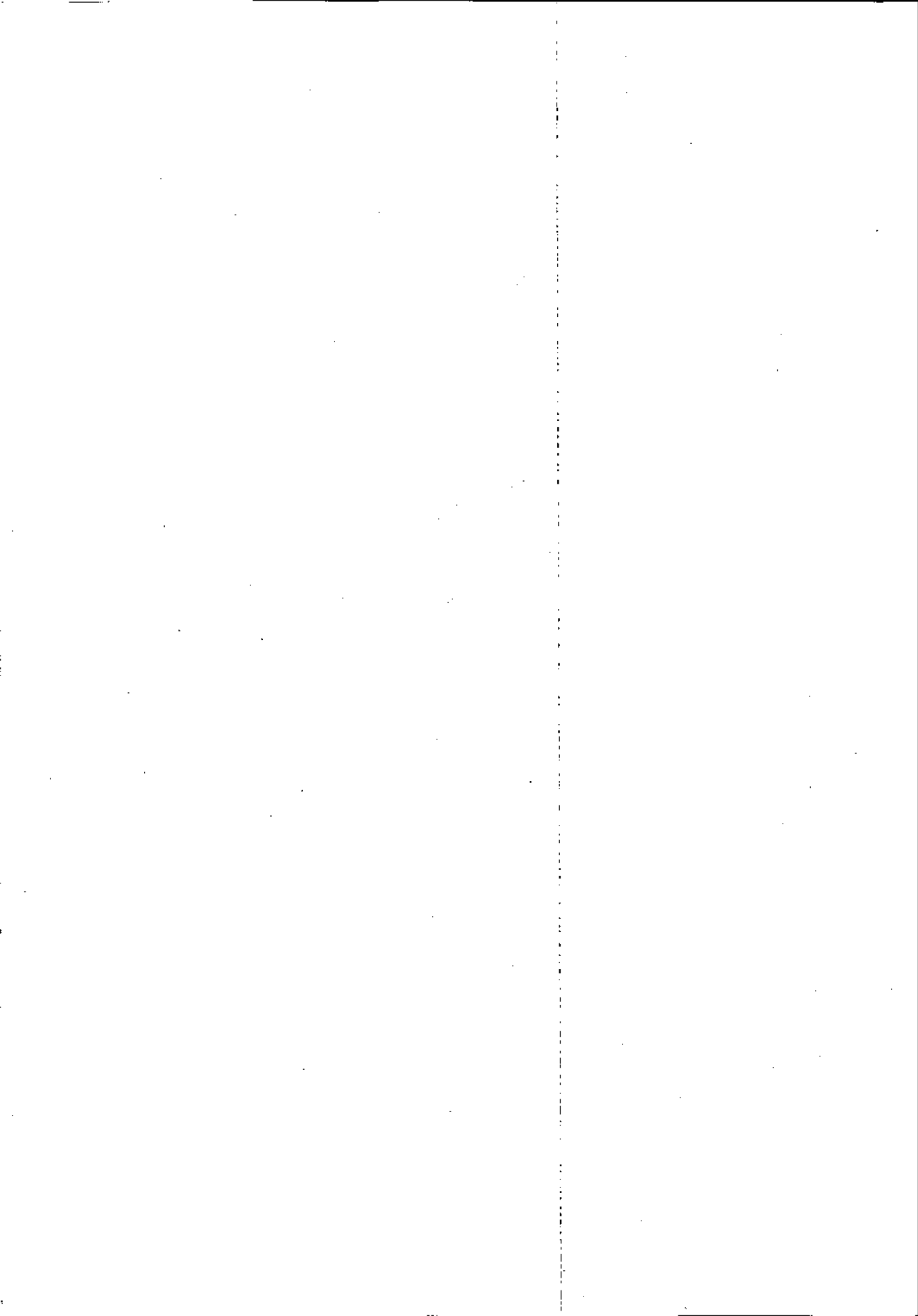
CONCERNING THE GABČÍKOVO-NAGYMAROS  
PROJECT  
(HUNGARY/SLOVAKIA)

REPLY  
OF THE REPUBLIC OF HUNGARY

VOLUME 4

CHRONOLOGY OF  
SIGNIFICANT EVENTS  
1988 – 1994

20 JUNE 1995



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# CHRONOLOGY OF SIGNIFICANT EVENTS

1988

<sup>1</sup> HM, para 3.71.

<sup>2</sup> HC-M, Intro, para 17; HC-M, Annexes, vol 3, annexes 77 and 78.

<sup>3</sup> HM, para 3.57.

<sup>4</sup> HM, para 3.60.

<sup>5</sup> HM, para 3.59.

<sup>6</sup> HM, para 3.61.

<sup>7</sup> HM, para 3.57.

<sup>8</sup> HM, para 3.74.

<sup>9</sup> HM, para 3.62.

<sup>10</sup> HM, para 3.63; HM, Annexes, vol 4, annex 145.

<sup>11</sup> HM, para 3.64.

<sup>12</sup> HC-M, Intro, para 18; HC-M, Annexes, vol 3, annex 43.

<sup>13</sup> HM, para 3.66.

<sup>14</sup> HM, para 3.65; HM, Annexes, vol 4, annex 13.

<sup>15</sup> HM, para 3.67.

HUNGARY

1988

Joint/Independent

CZECHOSLOVAKIA

JANUARY
<p><b>12 January:</b> Long-term Joint Operational Group negotiations result in agreement in principle to advance Project time-table by one year (later formalised in protocol of February 1989)<sup>1</sup></p>
FEBRUARY
MARCH
APRIL
MAY
<p><b>27 May:</b> Movement against Project culminates in large demonstration in Budapest to protest Austrian involvement<sup>3</sup></p>
JUNE
JULY
AUGUST
<p><b>11 August:</b> Hungarian environmental organisations and opposition parties call for a referendum and suspension of works at Nagymaros<sup>5</sup></p>

**31 March:** Czechoslovakia cancels long-standing plans for a dam in the Berounka River Valley, southwest of Prague, because of "irreversible danger" to region's natural heritage<sup>2</sup>

**30 June:** Hungarian Parliament resolves to examine Project during Autumn session and requests Government report on alternatives to construction<sup>4</sup>

SEPTEMBER

7 September: Government supports continuing construction of Project despite growing economic and environmental concerns, especially relating to Nagymaros<sup>6</sup>

Autumn: Government commissions independent expert report from *Ecologia* on environmental impacts of the Project<sup>8</sup>

12 September: 40,000 people demonstrate against Project in Budapest<sup>7</sup>

29 September: Concerns raised by many ongoing environmental and economic studies lead Hungarian Academy of Sciences to challenge basis of Government support for Project, and call for postponement of construction at Nagymaros<sup>9</sup>

OCTOBER

6-7 October: On Party orders, Parliament confirms Government support for Project, but insists that ecological concerns be given priority over economic interests and that water quality not be allowed to deteriorate<sup>10</sup>

30 October: Large demonstrations against Parliament's decision held in Budapest and outside Hungary<sup>11</sup>

NOVEMBER

24 November: M Németh succeeds K Grósz as Hungarian Prime Minister<sup>13</sup>

14 November: Czechoslovak Academy of Sciences raises alarm over the high probability of permanent negative environmental impacts of Project<sup>12</sup>

DECEMBER

19 December: Prime Minister Németh stresses need for agreement on additional water purification projects in area of Project<sup>15</sup>

7-8 December: Meeting of Joint Boundary Waters Commission - in light of growing concerns, representatives recognise the need to ensure water quality and commission study of impacts on water quality<sup>14</sup>

# CHRONOLOGY OF SIGNIFICANT EVENTS

1989

- <sup>1</sup> HM, para 3.66; HM, Annexes, vol 4, annex 146.
- <sup>2</sup> HM, para 3.67.
- <sup>3</sup> HM, paras 3.71-3.72; HM, Annexes, vol 3, annex 30.
- <sup>4</sup> HM, para 3.74; HM, Annexes, vol 5, annex 5.
- <sup>5</sup> HM, para 3.68; HM, Annexes, vol 4, annex 14.
- <sup>6</sup> HM, para 3.70.
- <sup>7</sup> HM, paras 3.69; HM, Annexes, vol 4, annex 15.
- <sup>8</sup> HM, para 3.77; HC-M, para 2.38; HM, Annexes, vol 5 (part I), annex 6.
- <sup>9</sup> HC-M, paras 2.31-2.34; HM, Annexes, vol 4, annex 14; HC-M, Annexes, vol 3, annex 44.
- <sup>10</sup> HM, para 3.74.
- <sup>11</sup> HM, para 3.75; HM, Annexes, vol 4, annex 147.
- <sup>12</sup> HM, para 3.78; HM, Annexes, vol 4, annex 167.
- <sup>13</sup> HM, para 3.80; HM, Annexes, vol 4, annex 148.
- <sup>14</sup> HM, para 3.79.
- <sup>15</sup> HM, para 3.81.
- <sup>16</sup> HM, para 9.18; HM, Annexes, vol 5, annex 7.
- <sup>17</sup> HM, para 3.82; HM, Annexes, vol 4, annex 16.
- <sup>18</sup> HM, para 3.82; HM, Annexes, vol 4, annex 17.
- <sup>19</sup> HM, para 3.83; HM, Annexes, vol 4, annex 167.
- <sup>20</sup> HM, para 3.84; HM, Annexes, vol 4, annex 18.
- <sup>21</sup> HM, para 3.85; HM, Annexes, vol 4, annex 19.
- <sup>22</sup> HM, para 3.86.
- <sup>23</sup> HM, para 3.81.
- <sup>24</sup> HM, para 3.87; HM, Annexes, vol 4, annex 20.
- <sup>25</sup> HM, para 3.88; HM, Annexes, vol 4, annex 21.
- <sup>26</sup> HM, Annexes, vol 4, annex 22.
- <sup>27</sup> HM, para 3.94; HC-M, para 2.39.
- <sup>28</sup> HM, para 3.88; HM, Annexes, vol 4, annex 23.
- <sup>29</sup> HM, para 3.89; HC-M, Annexes, vol 3, annex 45.
- <sup>30</sup> HM, para 3.95; HM, Annexes, vol 5, annex 8.
- <sup>31</sup> HC-M, para 2.96; HC-M, Annexes, vol 3, annex 79.
- <sup>32</sup> HM, paras 3.90-3.91; HM, Annexes, vol 4, annex 25.
- <sup>33</sup> HC-M, para 2.93; HM, Annexes, vol 4, annex 25.
- <sup>34</sup> HM, para 3.92.
- <sup>35</sup> HM, para 3.92; HM, Annexes, vol 4, annex 26.
- <sup>36</sup> HM, para 3.93; HM, Annexes, vol 4, annex 27.
- <sup>37</sup> HM, para 3.96.
- <sup>38</sup> HM, para 3.97.
- <sup>39</sup> HM, para 3.98; HM, Annexes, vol 3, annex 47.
- <sup>40</sup> HM, para 3.101; HC-M, Annexes, vol 3, annex 46.
- <sup>41</sup> HC-M, para 2.44.
- <sup>42</sup> HM, paras 3.98-3.99; HC-M, 2.43; HC-M, Annexes, vol 3, annex 47.
- <sup>43</sup> HM, para 3.101; HM, Annexes, vol 4, annex 151.
- <sup>44</sup> HM, para 3.102; HM, Annexes, vol 4, annex 29.
- <sup>45</sup> HR, Annexes, vol 3, annex 60.
- <sup>46</sup> HC-M, para 2.95; HC-M, Annexes, vol 3, annex 83.
- <sup>47</sup> HM, para 3.103; HM, Annexes, vol 4, annex 30.
- <sup>48</sup> HM, para 3.103.
- <sup>49</sup> HM, para 3.104.
- <sup>50</sup> HM, Annexes, vol 4, annex 31.
- <sup>51</sup> SM, para 7.07; HC-M, para 2.96; HC-M, Annexes, vol 3, annex 84.

1989

HUNGARY

Joint/Independent

CZECHOSLOVAKIA

JANUARY

6 January: Government adopts resolution authorising negotiations relating to environmental aspects of GNBS<sup>1</sup>

18 January: Slovak Government adopts resolution imposing environmental preconditions for the operation of GNBS<sup>2</sup>

FEBRUARY

6 February: Parties sign protocol to advance construction schedule<sup>3</sup>

MARCH

*Ecologia* releases preliminary report detailing concerns over ecological impacts of GNBS<sup>4</sup>

3 March: Economic, Social and Technical Co-operation (ESTC) Commission agrees on fundamental requirement of the non-deterioration of Danube water quality<sup>5</sup>

8 March: Prime Minister Németh announces that no irreversible steps will be taken before a parliamentary review of the entire project in May<sup>6</sup>

APRIL

8 April: Ministerial negotiations at which it is agreed to adopt water quality protection measures and to require their implementation prior to peak power operation<sup>7</sup>

MAY

*Ecologia* releases interim report calling for suspension of construction during period of national debate<sup>8</sup>

May 3: ESTC Commission Meeting considers proposal for environmental guarantees<sup>9</sup>

Hungarian Party stresses that it has not stopped works, but that it awaits parliamentary decision on a possible referendum concerning construction of the Nagymaros Barrage

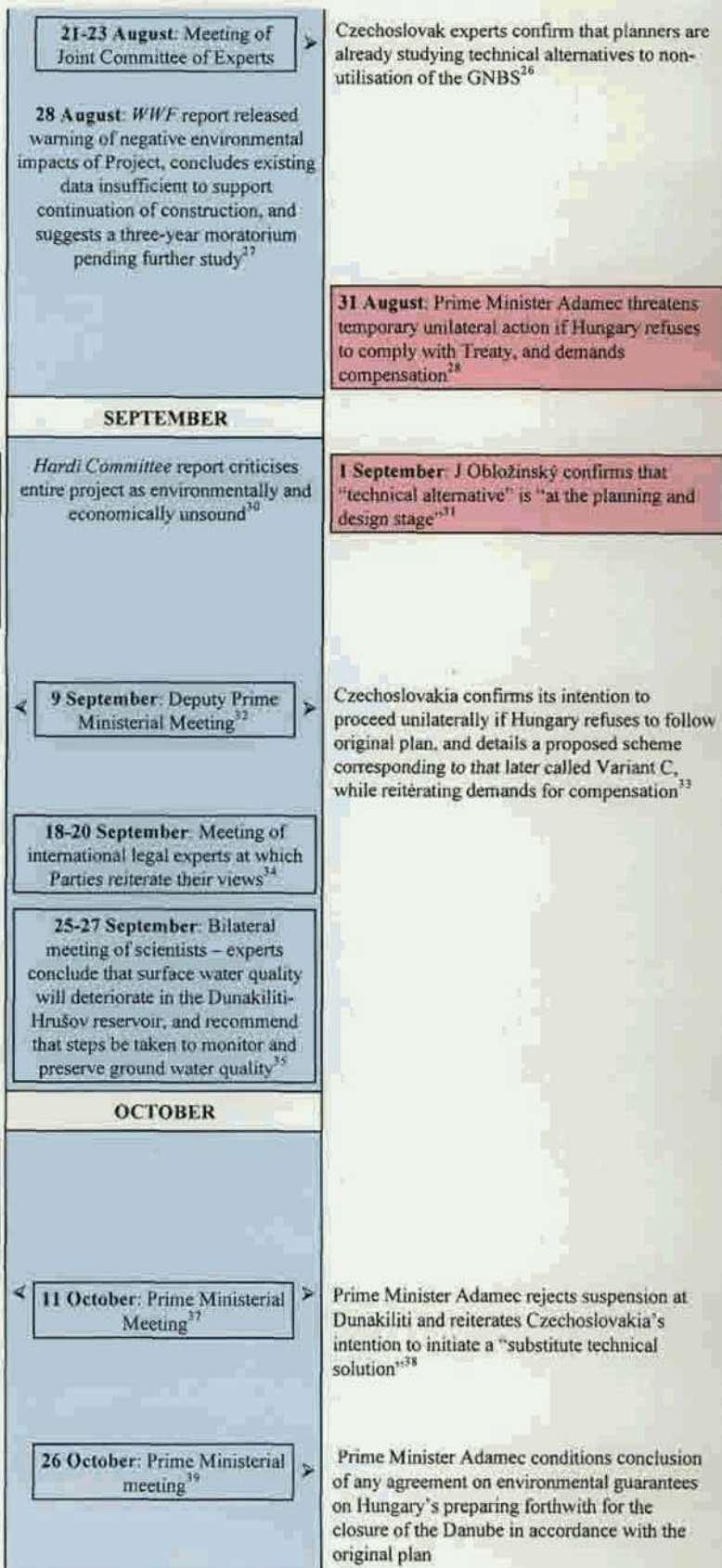
Czechoslovak Party conditions conclusion of any agreement on environmental guarantees on construction of the Project according to original plan

3 May: Prime Minister's Advisory Committee concludes that abandonment of the Nagymaros barrage is most reasonable option<sup>10</sup>

13 May: Government adopts resolution on the temporary suspension of works at Nagymaros pending further study; Czechoslovakia informed of suspension<sup>11</sup>



<p>Prime Minister Németh informs Czechoslovak Prime Minister Adamec of grounds for suspension</p>	<p>24 May: Prime Ministerial Meeting in Prague<sup>12</sup></p>	<p>Prime Minister Adamec expresses readiness to establish joint study groups to examine new ecological and seismic concerns</p>
<p>JUNE</p>		
<p>2 June: Parliament authorises initiation of preliminary negotiations to amend Treaty<sup>13</sup></p>	<p>9 June: Plenipotentiaries sign protocol establishing bilateral expert committees to examine ecological, seismological and other concerns<sup>14</sup></p>	
<p>15 June: Government adopts resolution to set up domestic expert committees to review consequences of continuation or abandonment of Project<sup>15</sup></p>	<p>23 June: Hungarian Academy of Sciences issues report confirming ecological risks of Project<sup>16</sup></p>	
<p>24 June: Deputy Prime Minister Medgyessy specifies plan to establish bilateral expert committees to determine environmental impacts of Project and specify mitigation measures<sup>17</sup></p>	<p>26 June: Meeting of Plenipotentiaries<sup>18</sup></p>	
<p>Documents presented to Czechoslovakia summarising findings of numerous Hungarian studies raising environmental and economic concerns about the Project</p>	<p>JULY</p>	
<p>Hungarian delegation stresses need for further studies, including on-site and long-term investigations</p>	<p>17-19 July: Expert groups meet without agreement<sup>19</sup></p>	<p>13 July: Czechoslovak Plenipotentiary Lokvenc confirms readiness for expert group discussions, and delivers brief response to Hungarian studies<sup>19</sup></p> <p>Czechoslovak delegation contends that environmental risks associated with Project can be <i>minimised or eliminated in the course of construction and operation</i></p>
<p>Hungary proposes a total or partial suspension of construction on the whole Project pending further scientific investigation</p>	<p>20 July: Prime Ministerial Meeting<sup>21</sup></p>	<p>Czechoslovakia insists on continuing construction in accordance with original plan, but agrees to environmental studies</p>
<p>20 July: Government extends suspension at Nagymaros until 31 October and suspends works preparatory to diversion at Dunakiliti<sup>22</sup></p>	<p>AUGUST</p>	
<p>August: Expert scientific committees (established pursuant to 15 June Government Resolution) issue reports – none favours continuation of Project<sup>23</sup></p>	<p>21-22 August: Ministerial Meeting</p>	
		<p>18 August: Czechoslovakia objects to the suspension of works at Dunakiliti as a violation of Hungary's Treaty obligations, and demands compensation<sup>24</sup></p> <p>Czechoslovakia threatens unilateral steps if Hungary does not continue preparations for diversion<sup>25</sup></p>



**1 September:** Hungary calls for talks and reiterates earlier proposals for temporary suspension pending further study of ecological impacts; expresses concern over Czechoslovakia's refusal to negotiate environmental guarantees, and requests information on planned technical counter-measures<sup>29</sup>

Hungary expresses disappointment at lack of response to its proposals and protests threatened unilateral steps, requesting detailed information

**4 October:** Prime Minister Németh reiterates Hungary's environmental concerns and proposes conclusion of an agreement on water quality protection measures guaranteed by international scientific organisations<sup>36</sup>

Prime Minister Németh proposes the abandonment of Nagymaros and the putting into operation the Gabčíkovo sector only; in the absence of such an agreement, he proposes an overall suspension of the Project until environmental requirements can be ensured



**27 October:** Government recommends to Parliament that negotiations be entered into on the abandonment of the Nagymaros barrage<sup>40</sup>

**30 October:** Foreign Ministry informs Czechoslovak ambassador of government decision to seek parliamentary approval to proceed with negotiations on the abandonment of the Nagymaros barrage<sup>41</sup>

**31 October:** Parliamentary debate – resolution adopted supporting the abandonment of Nagymaros and a delay in the diversion of the Danube until appropriate environmental guarantees are secured, and authorising negotiations to amend the Treaty<sup>43</sup>

**3 November:** Hungary formally proposes negotiations to amend the Treaty to abandon the Nagymaros barrage, eliminate peak operation and incorporate comprehensive environmental guarantees before any diversion of the Danube<sup>44</sup>

**30 November:** Hungary presents a draft agreement amending the Treaty to eliminate peak power operation and abandon construction at Nagymaros, and to conclude a new agreement on the completion of the Gabčíkovo Barrage with ecological guarantees, settlement of mutual financial claims and the submission of any outstanding issues to binding arbitration or the ICJ<sup>47</sup>

**11 December:** Hungary again requests that Czechoslovakia consider its proposals for amendment of the Treaty, and proposes suspension of construction during course of negotiations<sup>50</sup>

**30 October:** *Note Verbale* rejects amendment of Treaty and insists upon continued preparation for closure of the Danube; it repeats threats of a "provisional, substitute project" if the Parties are not able to conclude a convention on environmental guarantees within a short period of time<sup>42</sup>

## NOVEMBER

**2 November:** In press interview, J Oblozinsky provides design details of "provisional solution"<sup>45</sup>

**13 November:** Czechoslovak press reports announce the marking out of a new right-bank dam on Czechoslovak territory in response to Hungary's suspension of construction at Dunakiliti<sup>46</sup>

No response forthcoming<sup>48</sup>

## DECEMBER

**2 December:** accident in shiplock at Gabčíkovo<sup>49</sup>

**15 December:** Czechoslovakia suspends preparatory work on alternative solution to demonstrate its "willingness to complete the Original Project jointly"<sup>51</sup>

## CHRONOLOGY OF SIGNIFICANT EVENTS

1990

<sup>1</sup> HM, paras 3.105 and 9.05; HM, Annexes, vol 4, annex 32.

<sup>2</sup> HR, Annexes, vol 3, annex 90.

<sup>3</sup> HM, para 3.107; HM, Annexes, vol 4, annex 33.

<sup>4</sup> HM, para 3.108; HM, Annexes, vol 4, annex 35

<sup>5</sup> HM, para 3.109.

<sup>6</sup> HC-M, para 2.96; HC-M, Annexes, vol 3, annex 93.

<sup>7</sup> HM, para 3.110.

<sup>8</sup> HC-M, para 2.96; HC-M, Annexes, vol 3, annex 93.

<sup>9</sup> HM, para 3.111.

<sup>10</sup> HM, para 3.109.

<sup>11</sup> HM, para 3.112; HM, Annexes, vol 4, annex 36.

<sup>12</sup> HR, Annexes, vol 3, annex 62.

<sup>12</sup> HM, paras 3.123-3.124; HC-M, para 2.99. HM, Annexes, vol 4, annex 164.

<sup>14</sup> HM, para 3.113; HM, Annexes, vol 4, annex 37

<sup>15</sup> HC-M, Annexes, vol 3, annex 50; HR, Annexes, vol 3, annex 70.

<sup>16</sup> HC-M, para 2.96; HC-M, Annexes, vol 3, annex 86.

<sup>17</sup> HC-M, paras 2.60-2.63.

<sup>18</sup> HM, para 3.113; HM, Annexes, vol 4, annex 37.

<sup>19</sup> HC-M, Annexes, vol 3, annex 49

<sup>20</sup> HM, para 3.113; HM, Annexes, vol 4, annex 38.

<sup>21</sup> HM, para 3.113; HM, Annexes, vol 4, annex 38.

<sup>22</sup> HM, Annexes, vol 5, annex 9.

<sup>23</sup> HR, Annexes, vol 3, annexes 66 and 68.

<sup>24</sup> HM, para 3.114; HM, Annexes, vol 4, annex 40.

<sup>25</sup> HM, para 3.116.

<sup>26</sup> HM, para 3.115; HM, Annexes, vol 4, annex 153.

1990

HUNGARY

Joint/Independent

CZECHOSLOVAKIA

JANUARY

10 January: Prime Minister Németh suggests that any amendment of the Treaty be discussed only after a thorough investigation of the Project's environmental aspects, and proposes a suspension of construction<sup>1</sup>

FEBRUARY

3 February: protests in Slovakia gain momentum – as 60,000 demonstrators form a human chain from Hainburg to Komárno, 62 mayors of the Žitný Ostrov region petition Federal Government for suspension of construction pending full-scale environmental impact assessment<sup>2</sup>

15 February: Prime Minister Čalfa agrees only to negotiations with a view to putting the Gabčíkovo sector into operation by 1991<sup>3</sup>

MARCH

6 March: Prime Minister Németh again calls for scientific investigations with the involvement of international scientific bodies, and requests suspension of work on Czechoslovak territory; he further suggests that talks on an amendment of the Treaty be held only after elections in both countries<sup>4</sup>

25 March: First free elections in Hungary since 1945; József Antall becomes new Prime Minister<sup>5</sup>

APRIL

25 April: Slovak Government orders a slow-down in construction following domestic reports critical of the environmental impacts of the Gabčíkovo sector; *Hydrostav*, the main state contractor, rejects the order<sup>6</sup>

MAY

22 May: Prime Minister Antall, while unveiling the Government's National Renewal Programme, declares the GNBS Project a mistake, and announces intention to remedy and share damages with Czechoslovakia<sup>7</sup>

Hungarian Plenipotentiary hands over section of the National Renewal Programme calling for renegotiation of the Treaty

<p>31 May: Meeting of Plenipotentiaries<sup>9</sup></p>	<p>25 May: Slovak Ministers fail to agree to scale down construction on unilateral technical solution in accordance with 25 April directive; work continues unabated<sup>8</sup></p>
<b>JUNE</b>	
	<p>8 June: Democratic elections in Czechoslovakia; Marian Čalfa forms federal government, and Vladimir Mečiar becomes Prime Minister of Slovakia<sup>10</sup></p>
<b>JULY</b>	
	<p>19 July: Czechoslovak Plenipotentiary announces readiness to begin preliminary negotiations on "the full scope of disputed issues"<sup>11</sup></p>
<b>AUGUST</b>	
	<p>21 August: Prime Minister Mečiar states that Czechoslovakia will seek to ensure timely completion of the construction<sup>12</sup></p>
<b>SEPTEMBER</b>	
<p>5 September: Meeting of Environment Ministers<sup>13</sup></p>	<p>Czechoslovak delegation hands over a preliminary list of seven technical alternatives, including that which is to become Variant C</p>
<p>6 September: Bratislava meeting of the Plenipotentiaries<sup>14</sup></p>	<p>Czechoslovak Party gives notice of the establishment of a Slovak expert committee subordinate to the Plenipotentiary to co-ordinate research with Federal and foreign scientific institutions with the assistance of the EC</p>
	<p>14 September: Slovak authorities form specialist committees to evaluate options for unilateral action, among them Variant C<sup>15</sup></p>
	<p>27 September: Czechoslovak energy officials confirm that Gabčíkovo will go into service in 1991<sup>16</sup></p>
<b>OCTOBER</b>	
<p>17-18 October: Budapest meeting of the Plenipotentiaries<sup>17</sup></p>	<p>October: Czechoslovak authorities apply for PHARE funds to examine environmental consequences of the Gabčíkovo sector of the Project on the Slovak Žitný Ostrov area<sup>17</sup></p> <p>Czechoslovak Party floats proposal for Hungarian participation in the PHARE funded Slovak environmental study</p>



<p><b>26 October:</b> Czechoslovak Plenipotentiary submits draft agreement for Hungarian participation in PHARE programme<sup>19</sup></p>		
	<p><b>NOVEMBER</b></p>	<p><b>15 November:</b> Hungarian Plenipotentiary declines Slovak PHARE project offer as contrary to earlier agreements for jointly administered studies with non-partisan expert assistance, but allows for the possibility of Hungarian involvement on appropriate terms<sup>20</sup></p>
<p><b>December:</b> design details of Variant C are completed and approved by Slovak Government authorities, who determine that the start of limited operation is possible by end of 1992; Slovak Water Management Ministry requests increased funding for work from 1990 budget<sup>23</sup></p>	<p><b>DECEMBER</b></p>	<p><b>15 November:</b> Hungarian Plenipotentiary provides his Czechoslovak counterpart with lists of the scientific studies which served as a basis for Hungarian decisions in 1989<sup>21</sup></p>
<p><b>14 December:</b> Slovak Government Resolution announces preparedness to negotiate on technical, economic, environmental and legal issues of the Project, and appoints responsible bodies to consider amending Treaty<sup>24</sup></p>	<p style="text-align: center;"><i>Hydro-Quebec International report released</i><sup>27</sup></p>	<p><b>14 December:</b> In a letter to his Czechoslovak counterpart, Prime Minister Anall supports the proposal of a joint committee to prepare an amendment to the 1977 Treaty with EC assistance<sup>24</sup></p>
		<p><b>20 December:</b> Government Resolution reaffirms earlier decisions to suspend construction on the Project, and authorises negotiations on the termination of the Treaty by mutual consent and the conclusion of a new treaty addressing the consequences of termination<sup>26</sup></p>

# CHRONOLOGY OF SIGNIFICANT EVENTS

1991

- <sup>1</sup> HM, para 3.116; HM, Annexes, vol 4, annex 41.
- <sup>2</sup> HM, para 3.117; HM, Annexes, vol 4, annex 42.
- <sup>3</sup> HR, Annexes, vol 3, annex 70; HC-M, para 2.96; HC-M, Annexes, vol 3, annex 87.
- <sup>4</sup> HR, Annexes, vol 3, annex 70.
- <sup>5</sup> HM, para 3.122; HM, Annexes, vol 4, annex 43.
- <sup>6</sup> HM, para 3.120; HM, Annexes, vol 4, annex 45.
- <sup>7</sup> HM, para 3.119; HM, Annexes, vol 4, annex 44.
- <sup>8</sup> HR, Annexes, vol 3, annex 79.
- <sup>9</sup> HM, para 9.07; HM, Annexes, vol 4, annex 46.
- <sup>10</sup> HM, para 9.07.
- <sup>11</sup> HR, Annexes, vol 3, annex 72.
- <sup>12</sup> HM, paras 3.122 and 9.07; HM, Annexes, vol 4, annex 168.
- <sup>13</sup> HC-M, para 2.96; HC-M, Annexes, vol 3, annex 89.
- <sup>14</sup> HC-M, para 2.96; HC-M, Annexes, vol 3, annex 90.
- <sup>15</sup> HR, Annexes, vol 3, annex 81.
- <sup>16</sup> HM, paras 3.121 and 9.06; HM, Annexes, vol 4, annex 154.
- <sup>17</sup> HM, Annexes, vol 4, annex 49.
- <sup>18</sup> HM, Annexes, vol 4, annex 48.
- <sup>19</sup> HM, Annexes, vol 5, annex 10.
- <sup>20</sup> HM, para 3.129; HM, Annexes, vol 4, annex 50.
- <sup>21</sup> HM, paras 3.125-3.131.
- <sup>22</sup> HM, paras 3.130-3.131.
- <sup>23</sup> SM, para 4.68, SM, Annex 87.
- <sup>24</sup> HM, para 3.132.
- <sup>25</sup> HM, para 3.132.
- <sup>26</sup> HC-M, para 2.100.
- <sup>27</sup> HM, para 5.135; SC-M annex 43.
- <sup>28</sup> HM, para 3.132.
- <sup>29</sup> HM, para 3.132.
- <sup>30</sup> HR, Annexes, vol 3, annex 81.
- <sup>31</sup> HM, para 3.133; HM, Annexes, vol 4, annex 52.
- <sup>32</sup> HM, Annexes, vol 4, annex 165.
- <sup>33</sup> HM, paras 3.134-3.137.
- <sup>34</sup> HM, Annexes, vol 4, annex 165.
- <sup>35</sup> HM, para 3.138; HM, Annexes, vol 4, annex 54.
- <sup>36</sup> SC-M para 5.80, note 132; SM, Annex 92.
- <sup>37</sup> HM, para 3.142.
- <sup>38</sup> HR, Annexes, vol 3, annex 79.
- <sup>39</sup> HM, para 9.07.
- <sup>40</sup> HM, paras 3.140 and 9.07; HM, Annexes, vol 4, annex 57.
- <sup>41</sup> HM, para 3.139; HM, Annexes, vol 4, annexes 55 and 56.
- <sup>42</sup> HR, Annexes, vol 3, annex 90.
- <sup>43</sup> HM, para 3.141; HM, Annexes, vol 4, annex 58.
- <sup>44</sup> HM, para 3.142; HM, Annexes, vol 4, annexes 59 and 60.
- <sup>45</sup> HC-M, para 2.67; SM, Annex 96.
- <sup>46</sup> HM, para 3.143; HM, Annexes, vol 4, annex 64.
- <sup>47</sup> HM, para 9.06; HM, Annexes, vol 4, annex 155.
- <sup>48</sup> HM, Annexes, vol 4, annex 67.
- <sup>49</sup> SC-M, para 5.97.
- <sup>50</sup> HM, paras 3.144-3.145.
- <sup>51</sup> HM, para 3.144.
- <sup>52</sup> HM, para 3.144.
- <sup>53</sup> HR, Annexes, vol 3, annex 90.
- <sup>54</sup> HM, para 3.150; HM, Annexes, vol 4, annex 73.
- <sup>55</sup> HM, para 3.132.
- <sup>56</sup> HM, para 3.146; HM, Annexes, vol 4, annex 69.
- <sup>57</sup> HM, para 3.149; HM, Annexes, vol 4, annex 70.
- <sup>58</sup> HM, para 3.149; HM, Annexes, vol 4, annex 71.
- <sup>59</sup> HM, para 9.06.



1991

HUNGARY

Joint/Independent

CZECHOSLOVAKIA

Hungarian Party hands over Academy of Sciences assessment summarising environmental concerns raised in over 60 studies and 1989 WWF report on the environmental risks of the Project

JANUARY

9 January: Meeting of Plenipotentiaries<sup>1</sup>

Czechoslovak Party gives notice of the Slovak Government Resolution of 14 December, qualifying its willingness to negotiate as only "within the framework of original Treaty", and asks about compensation in the event of termination

15 January: Prime Minister Čalfa expresses readiness to negotiate<sup>2</sup>

17 January: Slovak Government approves plans for Variant C and gives instructions for implementation<sup>3</sup>

FEBRUARY

13-14 February: Meeting of experts of the Hungarian and Slovak Academies of Sciences<sup>3</sup>

5 February: Chairman of environmental committee appointed to review proposed unilateral options condemns "technocratic" method by which the government approved Variant C, ignoring widespread concerns over its potential adverse impacts, and disregarding objections raised by other specialist committees<sup>4</sup>

The Slovak delegation informs the Hungarian delegation of the approval of Variant C, and provides limited technical details

15 February: Government Plenipotentiary transmits draft agreement on joint termination of 1977 Treaty, settlement of mutual financial claims and the conclusion of a new treaty on navigation, flood protection and environmental protection<sup>6</sup>

15 February: Czechoslovak Plenipotentiary rejects scientific material presented by Hungary<sup>7</sup>

20 February: Residents of Žitny Ostrov petition Slovak Government to stop construction at Gabčíkovo and preparatory works on Variant C<sup>8</sup>

MARCH

25 March: Hungary expresses alarm on learning of Slovak Government order for work on Variant C to begin on 2 April<sup>9</sup>

No response forthcoming<sup>10</sup>

27 March: Chairman of Slovak National Council confirms 2 April start date for "realisation" of Variant C<sup>11</sup>

29 March: Slovak State Water Management Construction Company submits plans for Variant C to parliamentary committee for approval under Slovak environmental law<sup>12</sup>



**APRIL**

**2 April:** Press reports announce commencement of construction on Variant C<sup>13</sup>

**5 April:** Slovak Vice Premier Čarnogurský denies that any work on Variant C has begun<sup>14</sup>

**9 April:** Bratislava Water Engineering Company applies for license for the "construction of the water conservation project...according to the temporary solution alternative..."<sup>15</sup>

**16 April:** Parliamentary Resolution requests Government to cease State investment, and authorises intergovernmental negotiations on the fate of the Project<sup>16</sup>

Hungary offers draft of agreement on termination of 1977 Treaty,<sup>17</sup> a proposal for a suspension of all construction until September 1993 pending further studies,<sup>18</sup> a report of the Hungarian Academy of Sciences on the environmental impacts of the Project,<sup>19</sup> and a suggestion to replace generation capacity with gas turbines<sup>20</sup>

**22 April:** First Intergovernmental Meeting – no agreement reached<sup>21</sup>

Slovak Prime Minister Mečiar's delegation concedes the importance of environmental concerns but reiterates determination to proceed with the Original Project, given the advanced state of construction work; Czechoslovakia is not prepared to suspend construction, even temporarily,<sup>22</sup> dismissing Hungarian evidence as "science fiction"<sup>23</sup>

**MAY**

**27 May:** Soviet troops complete withdrawal from Czechoslovakia<sup>24</sup>

**JUNE**

**16 June:** Soviet troops complete withdrawal from Hungary<sup>25</sup>

**17-21 June:** Meeting of the Joint Operational Group<sup>26</sup>

**28 June:** COMECON dissolved<sup>28</sup>

Hungary requests detailed description of the structure of Variant C

Czechoslovak delegate responds that he is not empowered to provide information

**25 June:** Slovak Environmental Commission issues "19 Conditions" for the environmentally acceptable operation of Variant C<sup>27</sup>

**JULY**

**July 1:** Warsaw Pact dissolved<sup>29</sup>

**10 July:** Necessary water use permits and operating licenses for Variant C granted by this date<sup>30</sup>

**11 July:** Czechoslovakia dismisses concerns raised in Hungarian Academy of Sciences report as "unfounded" or easily minimised by technical solutions<sup>31</sup>

Hungarian delegation objects to threatened unilateral action as both a violation of Hungarian territorial integrity and the terms of 1977 Treaty, and proposes establishing a bilateral committee to assess environmental impacts, accompanied by a suspension of construction<sup>32</sup>

15 July: Second Intergovernmental Meeting – no agreement reached<sup>33</sup>

Czechoslovak delegation asserts that the Original Project's impacts, as well as those of the proposed unilateral alternatives, are already sufficiently understood, and can be adequately remedied by additional technical measures; it proposes a trilateral expert committee involving the EC to assist in solving problems arising from the operation of Gabčíkovo, and repeats threats of unilateral diversion if Hungary refuses to agree<sup>34</sup>

24 July: In a letter to Slovak Prime Minister Čarnogurský, Minister Mádl protests the commencement of construction on Variant C<sup>35</sup>

25 July: Slovak Government passes Resolution 484, purporting to approve only "initial financing and planning" of Variant C<sup>36</sup>

27 July: Hungarian and Czechoslovak Prime Ministers meet in Dubrovnik, agreeing to initiate talks between their respective Parliamentary Committees<sup>37</sup>

28 July: Residents of Žitný Ostrov petition Slovak Government to cease all work on provisional option<sup>38</sup>

29 July: Czechoslovak construction company begins pumping of water from the Danube into the power canal<sup>39</sup>

30 July: Hungary protests the unilateral filling of the power canal<sup>40</sup>

30 July: Slovak Prime Minister gives first official notification of the decision of Federal and Slovak governments to proceed unilaterally with the construction of Variant C<sup>41</sup>

## AUGUST

9 August: Hungary again protests continued construction work on Variant C, stressing that it threatens to undermine ongoing negotiations<sup>43</sup>

1 August: Prime Minister Čarnogurský receives delegation of Slovak demonstrators, promising to form bilateral group of specialists to investigate environmental impacts of Project and to present findings to public<sup>42</sup>

12-14 August: In letters to the Czech and Slovak Prime Ministers, Hungarian Prime Minister Antall stresses importance of negotiated settlement<sup>44</sup>

27 August: Czechoslovakia again conditions negotiations on Hungary's acceptance of the putting into operation of the Project in accordance with the 1977 Treaty<sup>45</sup>

## SEPTEMBER



## OCTOBER

**9-11 October:** Joint meetings of the Parliamentary Committees of Environmental Protection – delegations formulate a recommendation for the establishment of a joint expert committee to evaluate the environmental consequences of the various options<sup>46</sup>

**25 October:** Government resolution calls for an end to State investment in the Project, effective 31 December<sup>47</sup>

## NOVEMBER

**7 November:** In a letter to Slovak Prime Minister Čarnogurský, Minister Mádl calls for the re-evaluation of all problems associated with both the original Project and any of the proposed solutions<sup>48</sup>

**November:** Slovakia claims construction begins on Variant C<sup>49</sup>

## DECEMBER

Hungarian delegation accepts the establishment of a trilateral expert committee involving EC representatives, but calls for a temporary suspension of construction until the completion of the committee's work; otherwise Hungary could be compelled to terminate Treaty<sup>50</sup>

**2 December:** Third Intergovernmental Meeting – delegations prepare principles for formation of Joint Expert Committee<sup>51</sup>

Czechoslovak delegation insists that even a temporary suspension of construction is unthinkable<sup>52</sup>

**12 December:** *Association of Towns and Villages of the Žitný Ostrov* and *Eurochain* appeal directly to Czechoslovak Federal Government to recognise Slovak opposition to "provisional alternative", evidenced by more than 20 demonstrations and numerous petitions<sup>53</sup>

**12 December:** Czechoslovak Government passes resolution confirming the continuation of work on Variant C<sup>54</sup>

**16 December:** Hungary signs association agreement with the European Communities<sup>55</sup>

**18 December:** Czechoslovakia once again insists that, given the advanced state of construction, Gabčíkovo will be put into operation, and demands compensation for Hungary's failure to build Nagymaros<sup>56</sup>

**19 December:** Prime Minister Antall points out to his counterpart that improper pressure would be placed on the expert committee by Czechoslovakia's acceleration of work and insistence on the irreversibility of construction<sup>57</sup>

**23 December:** Hungary again calls for a total suspension of work before the commencement of the Joint Expert Committee's deliberations<sup>58</sup>

**31 December:** Hungarian work on the lower canal at Gabčíkovo completed and handed over to Czechoslovakia<sup>59</sup>

# CHRONOLOGY OF SIGNIFICANT EVENTS

## JANUARY - JUNE 1992

- <sup>1</sup> HM, para 3.149; HM, Annexes, vol 4, annex 72.
- <sup>2</sup> HM, para 3.150; HM, Annexes, vol 4, annex 73.
- <sup>3</sup> HM, para 3.152; HM, Annexes, vol 4, annex 74.
- <sup>4</sup> HM, para 3.154.
- <sup>5</sup> HR, Annexes, vol 3, annex 90.
- <sup>6</sup> HM, para 3.154; HM, Annexes, vol 4, annex 75.
- <sup>7</sup> HM, para 3.155.
- <sup>8</sup> HM, para 3.156.
- <sup>9</sup> HM, para 3.153; HM, Annexes, vol 4, annex 76.
- <sup>10</sup> HM, para 3.157; HM, Annexes, vol 4, annex 156.
- <sup>11</sup> HM, para 3.158; HM, Annexes, vol 4, annex 78.
- <sup>12</sup> HR, Annexes, vol 3, annex 89.
- <sup>13</sup> HM, para 3.159; HM, Annexes, vol 4, annex 79.

- <sup>14</sup> HM, para 3.160.
- <sup>15</sup> HM, para 3.161; HM, Annexes, vol 4, annex 15.
- <sup>16</sup> HM, paras 3.162-3.163; HM, Annexes, vol 4, annex 80.
- <sup>17</sup> HM, para 3.163.
- <sup>18</sup> HM, para 3.164.
- <sup>19</sup> HC-M, para 2.72; HC-M, Annexes, vol 3, annex 54.
- <sup>20</sup> HM, para 3.165; HM, Annexes, vol 4, annexes 82 and 83.
- <sup>21</sup> HM, para 3.166; HM, Annexes, vol 4, annex 86.
- <sup>22</sup> HM, para 3.165; HM, Annexes, vol 4, annexes 82 and 83.

January - June 1992

HUNGARY

Joint/Independent Action

CZECHOSLOVAKIA

JANUARY

**8 January:** Slovak Prime Minister indicates willingness to set up trilateral committee, but remains adamant with regard to implementation of Variant C<sup>1</sup>

**23 January:** Czechoslovak Prime Minister, confirming earlier decision of the Federal Government to continue with Variant C, states that the expert committee's findings will only be considered if they prove the negative ecological impacts greater than expected profit<sup>2</sup>

FEBRUARY

**14 February:** Hungary protests unilateral work aimed at diverting the Danube as a violation of Czechoslovakia's treaty obligations and the norms of international law<sup>3</sup>

No response forthcoming - construction work on Variant C is accelerated<sup>4</sup>

**18 February:** Dissatisfied by Federal and Slovak Government disregard of local opposition to Project, mayors of the Žitný Ostrov region declare intention to appeal to Constitutional Court<sup>5</sup>

No response forthcoming<sup>7</sup>

**26 February:** Hungarian Prime Minister Antall appeals to his Czechoslovak counterpart, protesting the reported acceleration of work on Variant C, and warning that as a clear violation of Czechoslovakia's treaty obligations and international law, it could force Hungary to consider terminating the Treaty<sup>6</sup>

MARCH

**5 March:** Hungary appeals for EC to intercede in the accelerating dispute, calling again for trilateral expert studies<sup>8</sup>

**17 March:** Czechoslovakia issues first official response to Hungarian Note of 14 February, dismissing protests over the illegality of Variant C, and repeating earlier assertions of its economic and ecological necessity<sup>9</sup>

**24 March:** Parliament passes resolution authorising Government to terminate Treaty if the Czechoslovak Government does not cease work on Variant C and engage in good faith negotiations on the future of the Project by 30 April 1992<sup>10</sup>

APRIL

13 April: EC Vice President Andriessen confirms willingness of EC to participate in trilateral expert studies, on condition that neither side takes steps during the committee's work to prejudice possible outcomes<sup>11</sup>

17 April: Hungary accepts conditions of EC offer to participate in trilateral expert studies<sup>12</sup>

23 April: Prime Minister Čalfa responds to Prime Minister Antall's 26 February appeal for a negotiated settlement, accusing Hungary of time-wasting and delays and refusing to suspend work on Variant C, at the same time expressing interest in trilateral studies without "preconditions"<sup>13</sup>

23 April: Slovak Prime Minister Čarnogurský announces that the closure of the Danube will take place later this year<sup>14</sup>

MAY

7 May: Hungarian Government passes resolution to terminate 1977 Treaty if trilateral negotiations on a temporary suspension of work on Variant C do not achieve results by 15 May<sup>15</sup>

11 May: Slovak Prime Minister Čarnogurský allows for the possibility of negotiations on a "modification to the deadline for diverting the Danube", but rejects even a temporary suspension of works<sup>16</sup>

No negotiations held<sup>17</sup>

15 May: Given failure to secure negotiated settlement, Government resolves to terminate 1977 Treaty<sup>18</sup>

16 May: In a last-minute effort to salvage EC-brokered negotiations, Minister Mádl agrees to proposal that Hungary not terminate the Treaty and Slovakia cease work on Variant C during deliberations of the Expert Committee; Slovakia declines negotiations on these terms<sup>19</sup>



**19 May:** Hungary informs Czechoslovakia of the reasons for impending termination in a *Note Verbale* accompanied by a detailed declaration of legal and scientific grounds for the action, and a letter from Prime Minister Antall<sup>20</sup>

**22 May:** Czechoslovakia refuses to recognise Hungarian termination, rejecting the legal basis for "unilateral" action, without providing a substantive response<sup>21</sup>

**25 May:** 1977 Treaty terminated<sup>22</sup>

JUNE



# CHRONOLOGY OF SIGNIFICANT EVENTS

## JULY - DECEMBER

1992

- <sup>1</sup> HC-M, para 2.69; SM, Annex 124.
- <sup>2</sup> HM, para 3.172; HM, Annexes, vol 4, annex 88.
- <sup>3</sup> HM, paras 3.168-3.169; HM, Annexes, vol 4, annex 90.
- <sup>4</sup> HM, para 3.170; HM, Annexes, vol 4, annex 89.
- <sup>5</sup> HM, para 3.173; HM, Annexes, vol 4, annexes 91 and 93.
- <sup>6</sup> HM, para 3.174; HM, Annexes, vol 4, annex 92.
- <sup>7</sup> HM, Annexes, vol 5 (part I), annex 12.
- <sup>8</sup> HM, para 3.175.
- <sup>9</sup> HM, para 3.175.
- <sup>10</sup> HM, para 3.176; HM, Annexes, vol 4, annex 96.
- <sup>11</sup> HM, para 3.177; HM, Annexes, vol 4, annex 98.
- <sup>12</sup> HM, paras 3.179-3.180; HM, Annexes, vol 4, annex 175.
- <sup>13</sup> HM, para 3.178; HC-M, para 2.86; HM, Annexes, vol 4, annex 99.
- <sup>14</sup> HM, para 3.183; HM, Annexes, vol 4, annex 100.
- <sup>15</sup> HM, para 3.181.
- <sup>16</sup> HM, para 3.184; HM, Annexes, vol 4, annex 101.
- <sup>17</sup> HM, para 3.184.
- <sup>18</sup> SM, para 4.95.
- <sup>19</sup> HC-M, para 2.80; SM, Annex 126.
- <sup>20</sup> HM, para 3.186.
- <sup>21</sup> HM, para 3.189; HM, Annexes, vol 4, annex 102.
- <sup>22</sup> HM, para 3.186.
- <sup>23</sup> HM, para 3.183; HM, Annexes, vol 4, annex 103.
- <sup>24</sup> HM, para 3.186.
- <sup>25</sup> HM, para 3.191-3.192; HM, Annexes, vol 3, annex 31.
- <sup>26</sup> HM, para 3.180; HM, Annexes, vol 4, annex 175.
- <sup>27</sup> HM, para 3.193.
- <sup>28</sup> HM, para 3.194-3.195; HM, Annexes, vol 5 (part II), annex 13.
- <sup>29</sup> HM, para 3.194.
- <sup>30</sup> HC-M, para 2.81, SM, para 4.100; SM, annex 129.
- <sup>31</sup> HM, para 3.190; HM, Annexes, vol 4, annex 106.
- <sup>32</sup> HM, paras 3.196-3.197; HM, Annexes, vol 5 (part II), annex 14.
- <sup>33</sup> HM, para 3.198.
- <sup>34</sup> HM, para 3.198.
- <sup>35</sup> HM, paras 3.199-3.200; HM, Annexes, vol 4, annex 105.
- <sup>36</sup> HM, para 3.200.
- <sup>37</sup> HM, para 3.201; HM, Annexes, vol 4, annex 107.

July - December 1992

HUNGARY

Joint/Independent

CZECHOSLOVAKIA

JULY

30 July: In letter to Czechoslovak Foreign Minister, EC Vice President Andriessen repeats three conditions of EC mediation outlined in 13 April letter<sup>1</sup>

AUGUST

6 August: Prime Minister Antall expresses disappointment at the lack of a substantive Czechoslovak response to earlier Hungarian proposals for third party involvement, and suggests submitting the dispute to the ICJ<sup>3</sup>

17 August: Hungarian Representative to the Danube Commission protests against the planned diversion of the Danube by Czechoslovakia, demanding more detailed information<sup>5</sup>

18 August: Prime Minister Antall formally proposes the submission of the dispute to the ICJ<sup>6</sup>

5 August: Czechoslovakia informs the Danube Commission of its intention to divert the Danube on 15 October 1992<sup>2</sup>

6 August: Federal Prime Minister Strásky reiterates his government's rejection of the Hungarian termination, but expresses "readiness to enter into negotiations combined with a suspension of work on Variant C"<sup>4</sup>

SEPTEMBER

*Equipe Cousteau* report, challenging Gabčíkovo's environmental and economic basis, calls for a moratorium on construction<sup>7</sup>

9 September: Meeting between Prime Minister Antall and Slovak Prime Minister Mečiar<sup>8</sup>

The Slovak Party agrees to preliminary talks on the submission of the dispute to the ICJ<sup>9</sup>

23 September: Federal Prime Minister Strásky responds to Hungarian Prime Minister Antall's letter of 18 August, stating that he was not ready to submit the dispute to the ICJ, preferring negotiations with the EC<sup>10</sup>

28 September: Prime Minister Antall expresses indignation over continued work on Variant C leading to the diversion of the Danube, but supports trilateral talks with the EC<sup>11</sup>

## OCTOBER

International protest over the impending diversion of the Danube intensifies<sup>12</sup>

**12 October:** Hungary appeals to Czechoslovakia through the CSCE Mechanism for Consultation and Co-operation With Regard to Emergency Situations for information on its planned diversion of the Danube<sup>14</sup>

The Hungarian Party stresses that prerequisites for EC involvement remain valid, and that no unilateral step, such as diverting the Danube, should be made during the expert committee's investigations

**13 October:** Meeting of the Parties in Bratislava – no agreement reached<sup>15</sup>

**2 October:** Federal Prime Minister Stráský rejects submission of the dispute to the ICJ, as it would merely prolong the dispute, expressing a preference for trilateral EC negotiations<sup>1</sup>

The Czechoslovak party announces the completion of Variant C, thus, in their view, rendering the original conditions for EC participation void.

**21 October:** Czechoslovakia delivers *Note Verbale* claiming readiness to accept all conditions set by the EC, and announcing its decision not to start closure of the Danube until the beginning of the work of the Committee on 2 November<sup>16</sup>

Hungary argues for a delay in the closure of the Danube in accordance with the conditions set forth by EC Vice President Andriessen

**21-22 October:** EC initiated trilateral negotiations in Brussels - no agreement reached<sup>17</sup>

Czechoslovak delegation insists on the necessity of closing the Danube in October to avoid "grave ecological catastrophe and flooding", characterising it as "technically impossible" not to divert the river as planned<sup>18</sup>

**22 October:** Czechoslovakia undertakes not to divert the Danube "until the completion of the work of the Tripartite Commission"<sup>16</sup>

**23 October:** Anniversary of the 1956 Hungarian Revolution<sup>10</sup>

**23 October:** Czechoslovakia commences with the closure of the Danube at Čunovo<sup>22</sup>

**23 October:** Hungary submits application to the ICJ seeking declaration of the illegality of Variant C and provisional remedial measures<sup>21</sup>

**27 October:** In response to Hungary's 12 October CSCE request for details of its planned diversion of the Danube, the Czechoslovak Government refers to "previous statements", but provides no substantive information<sup>23</sup>

**27 October:** Czechoslovakia completes the closure of the Danube<sup>24</sup>

**28 October:** London Meeting- agreement reached to set up a trilateral fact-finding mission and an expert committee, and to submit dispute to arbitration or adjudication by the ICJ<sup>25</sup>

By this agreement, the Czechoslovak delegation, lead by Slovak Prime Minister Mečiar, commits to

- stop all work on Variant C at a date specified by the EC
- guarantee 95% of the regular flow to the main channel of the river
- refrain from operating the power plant



**29 October:** European Parliament passes resolution expressing alarm at the serious ecological and political implications of any irreversible steps<sup>26</sup>

**31 October:** Tripartite Fact-finding Mission meets and issues report on Variant C, questioning structural integrity of works<sup>28</sup>

**29 October:** Returning from the London Summit, Slovak Prime Minister Mečiar distances himself from earlier commitments, announcing that "the laws of nature are valid and not political decisions"<sup>27</sup>

Czechoslovakia fails to present plans or data regarding the diversion as requested to assist the work of the Mission<sup>29</sup>

## NOVEMBER

**23 November:** Tripartite expert committee issues report, stressing the urgency of maintaining or improving the hydrological and ecological regime in the affected area, esp. downstream of the diversion, and endorsing the 95% discharge level agreed to by the Parties in the London Agreement<sup>32</sup>

**23-24 November:** flooding causes serious damage to Variant C structures<sup>33</sup>

**27 November:** Tripartite expert committee meets: Parties agree to:

- submit entire dispute to ICJ by Special Agreement
- apply water discharge regime outlined in London Agreement<sup>35</sup>

**4 November:** Czechoslovakia informs the EC Commission of its approval of the Minutes of the 22 October meeting, and reaffirms its commitment to respect the positions of the fact-finding mission and the expert working group<sup>30</sup>

**18 November:** Czechoslovakia responds to Hungary's 23 October application to the ICJ, informing the Court of its interest only in a comprehensive examination of the implementation of the 1977 Treaty<sup>31</sup>

**24 November:** Representatives of the Slovak construction company announce that, due to the extent of the damage, no more water can be discharged into the main channel for a lengthy period while repairs are carried out<sup>34</sup>

The Czechoslovak delegation states that it is not empowered to accept higher discharge levels, effectively rejecting EC compromise proposal outlined by Commission representative<sup>36</sup>

## DECEMBER

**10-11 December:** Trilateral meeting; no Special Agreement reached on submission of the dispute to ICJ<sup>37</sup>

Czechoslovakia commits to apply the temporary discharge regime agreed to at the 27 November Tripartite Meeting, only after flood damage to Variant C structures is repaired

Hungary advocates the discharge levels accepted by Parties in the London Agreement, but is ready to compromise if Czechoslovakia will accept the proposed Special Agreement

## CHRONOLOGY OF SIGNIFICANT EVENTS

1993

- <sup>1</sup> HM, paras 3.202-3.203.
- <sup>2</sup> HM, para 3.204.
- <sup>3</sup> HM, paras 3.204-3.206; HM, Annexes, vol 4, annex 113.
- <sup>4</sup> HM, para 3.208; HM, Annexes, vol 4, annex 114.
- <sup>5</sup> HM, para 3.212.
- <sup>6</sup> HM, para 3.207; HM, Annexes, vol 4, annex 116.
- <sup>7</sup> HM, Annexes, vol 5 (part II), annex 17.
- <sup>8</sup> HM, para 8.26; HM, Annexes, vol 5 (part II), annex 16.
- <sup>9</sup> HM, para 3.209, HM, Annexes, vol 4, annex 176.
- <sup>10</sup> HM, para 3.212.
- <sup>11</sup> HM, para 3.207, note 245.
- <sup>12</sup> HM, para 3.210.
- <sup>13</sup> HM, para 3.210, HM, Annexes, vol 4, annex 119.
- <sup>14</sup> HM, para 3.210, HM, Annexes, vol 4, annex 119.
- <sup>15</sup> HM, para 3.211; HM, Annexes, vol 4, annex 177.
- <sup>16</sup> HM, para 3.212.
- <sup>17</sup> HM, para 3.215.
- <sup>18</sup> HM, para 3.212.
- <sup>19</sup> HM, para 3.215; HM, Annexes, vol 4, annex 121.
- <sup>20</sup> HM, para 3.213; HM, Annexes, vol 4, annex 122.
- <sup>21</sup> HM, para 3.214; HM, Annexes, vol 5 (part II), annex 18.
- <sup>22</sup> HM, para 3.216.
- <sup>23</sup> HM, para 3.216; HM, Annexes, vol 4, annex 127.
- <sup>24</sup> HM, para 3.215; HM, Annexes, vol 4, annex 131.
- <sup>25</sup> HM, para 3.217.
- <sup>26</sup> HC-M, para 2.100.
- <sup>27</sup> HM, Annexes, vol 5 (part II), annex 20.

1993

HUNGARY

Joint/Independent

SLOVAKIA

JANUARY	
	<p>1 January: Czechoslovakia ceases to exist; Slovakia becomes party to dispute<sup>1</sup></p>
	<p>14 January: Bilateral meeting of technical experts examines proposed temporary water discharge regime<sup>2</sup></p>
<p>Hungarian delegation calls on Slovakia to abide by the 95% flow rate accepted in London Agreement</p>	<p>19 January: Trilateral Meeting in Brussels – Agreed Minutes stress urgency of completing repairs to damaged structures and ensuring the preservation of the Danube and the surrounding environment<sup>3</sup></p>
	<p>Slovak delegation rejects an EC compromise proposal, insisting instead on a 50% flow rate</p>
FEBRUARY	
<p>5 February: Prime Minister Antall reiterates Hungarian acceptance of the EC compromise proposal on water discharge, and appeals for Slovak flexibility on the issue<sup>4</sup></p>	<p>No response forthcoming<sup>5</sup></p>
	<p>16 February: Brussels Meeting – Parties finalise Special Agreement<sup>6</sup></p>
	<p>Slovak delegation insists on terms excluding the Parties from seeking provisional measures from the ICJ, but agrees to formulate and implement a temporary water management regime</p>
MARCH	
	<p><i>Slovak Union of Nature Protectors/Slovak Rivers Network</i> issues report calling for abandonment of Variant C<sup>7</sup></p> <p><i>Equipe Cousteau</i> releases report, commissioned by the European Bank for Reconstruction and Development, referring to the Project as a "chemical time bomb"<sup>8</sup></p>
	<p>10 March: European Parliament passes resolution appealing to the Slovak Government to be more flexible and co-operative<sup>9</sup></p>
	<p>No response forthcoming<sup>10</sup></p>

**APRIL**

**7 April:** Parties sign Special Agreement on the submission of the dispute to the ICJ<sup>11</sup>

With no agreement in sight, scheduled April meeting on a temporary water management regime cancelled<sup>12</sup>

**MAY**

**14 May:** Hungary appeals to Slovak officials to resume stalled talks on a temporary water management regime<sup>13</sup>

**JUNE**

**2 June:** Hungarian officials appeal once again for the resumption of stalled talks on a temporary water management regime<sup>14</sup>

**25 June:** European Parliament passes resolution reiterating its concern over increasing political tension relating to the dispute and criticising the Slovak Government for its failure to agree to or implement EC compromise solutions<sup>15</sup>

No response forthcoming<sup>16</sup>

**JULY**

**7 July:** Parliament appropriates funds for the restoration of the Nagymaros sector<sup>17</sup>

Hungarian delegation complains of insufficient discharge into main channel

**13 July:** Trilateral Meeting in Brussels: observations of EC experts confirm reports of widespread environmental damage in affected region<sup>18</sup>

Slovak officials reject EC observations, asserting that there is more than sufficient discharge into the main channel

**13 July:** Slovak *Note Verbale* insists upon the suspension of restoration work at Nagymaros until after judgement of the ICJ, claiming ownership interest in coffer dam<sup>19</sup>

**19 July:** EC Commission presents proposal for a joint monitoring system to assemble objective data on Variant C's impacts and possible remedial measures<sup>20</sup>



## AUGUST

**26 August:** EC Commission outlines proposal for Joint Expert Group of independent monitoring and water management experts<sup>21</sup>

## SEPTEMBER

**8-9 September:** First Meeting of the Joint Expert Group<sup>22</sup>

## OCTOBER

**27 October-2 November:** Second meeting of the Joint Expert Group<sup>23</sup> – the Group observes:

- discharge averaging 20% of pre-dam conditions
- significant erosion and sedimentation
- substantially decreased groundwater levels
- hydropower production averaging 10% of Slovakia's consumption

## NOVEMBER

**25 November:** Hungary refutes claims of a Slovak property interest in the coffer dam at Nagymaros<sup>24</sup>

## DECEMBER

**1 December:** Third meeting of the Joint Expert Group – based on the Group's findings, EC Director General Benavides outlines proposal for Temporary Water Management Regime based on an average discharge of 800 m<sup>3</sup>/s; requests response from the Parties by 15 January 1994<sup>25</sup>

Slovakia hands over a few maps and brochures in response to repeated Hungarian requests for information on Variant C<sup>26</sup>

*WWF* issues report highly critical of the EC Mission Reports and recommending restoration of the old riverbed<sup>27</sup>



# CHRONOLOGY OF SIGNIFICANT EVENTS

## JANUARY - FEBRUARY 1994

<sup>1</sup> HM, para 3.218; HM, Annexes, vol 4, annex 132.

<sup>2</sup> HM, para 3.217; HR, Annexes, vol 3, annex 80.

<sup>3</sup> HM, para 3.220.

<sup>4</sup> HC-M, para 2.100, HM, Annexes, vol 4, annex 136.

<sup>5</sup> HC-M, para 2.100; HM Annexes, vol 4, annex 138.

<sup>6</sup> HM, para 3.220; HM, Annexes, vol 4, annex 137.

<sup>7</sup> HM, para 3.222, HM Annexes, vol 4, annex 139.

<sup>8</sup> HM, para 3.221; HM Annexes, vol 4, annex 140.

January - February 1994

HUNGARY

Joint/Independent

SLOVAKIA

14 January: Hungarian Government accepts EC proposal for a Temporary Water Management Regime<sup>1</sup>

JANUARY
<p>15 January: deadline for response to EC proposal<sup>2</sup></p> <p>27 January: EC Commission welcomes Hungarian acceptance, and praises "efforts made by the Hungarian Government to reach this constructive position"</p>
FEBRUARY
<p>10 February: EC experts characterise Slovak rejection of their proposal as a purely political delaying tactic and contrary to European scientific consensus, warning of significant environmental consequences<sup>7</sup></p> <p>18 February: EC Director General Benavides warns that Slovak intransigence jeopardises EC involvement in the effort to find a political solution to the dispute<sup>8</sup></p>

No response forthcoming<sup>3</sup>

1 February: Slovakia offers to provide information on Variant C upon request of the Government Plenipotentiary<sup>4</sup>

8 February: Slovak Plenipotentiary refuses Hungarian request for information on Variant C<sup>5</sup>

8 February: Slovakia rejects EC proposal for a Temporary Water Management Regime, claiming a need for further study and discussion, and refuses to increase discharge to the main channel of the Danube<sup>6</sup>

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