

**OPENING STATEMENT  
SENATOR RICHARD LUGAR  
HEARING ON TREATIES RELATED TO AVIATION AND THE ENVIRONMENT  
JUNE 17, 2003**

The Committee meets today to hear testimony on a series of treaties on aviation and environmental issues. Within the Congress, the Senate Foreign Relations Committee is charged with the unique responsibility of reviewing treaties concluded by the Administration. Our colleagues in the Senate depend on us to make timely and judicious recommendations on treaties. This is a serious responsibility, and I know that all members of this Committee understand the importance of our role in this process.

In advance of this hearing, the Committee has worked hard with the Administration to prepare a set of treaties for Committee consideration on which there is substantial agreement. Committee staff have reviewed these treaties carefully, we have held a formal Committee briefing, and Administration representatives have been available to answer questions. I appreciate the support and cooperation of Senator Biden and his staff during this process.

I am pleased to welcome representatives from the Administration who are with us this morning. Our witnesses possess deep expertise on these treaties, most of which involve relatively esoteric matters of policy and international law.

First we will hear from Jeffrey Shane, Under Secretary for Policy at the Department of Transportation and John Byerly, Deputy Assistant Secretary of State for Transportation Affairs. They will testify on two aviation agreements: The 1999 Montreal Convention for the Unification of Certain Rules for International Carriage by Air, and the 1954 Hague Protocol to Amend the 1929 Warsaw Convention for the Unification of Certain Rules Relating to International Carriage by Air.

These agreements update antiquated treaty rules that passengers rely on to protect their interests when they fly internationally. The treaties will improve the fairness and efficiency of the rules that govern how passengers on international flights are compensated for losses during air travel. These losses include both tragic cases involving the death or serious injury of passengers and more routine cases involving minor injury or damage to property. The agreements also will fill gaps that currently exist in our web of treaty relationships, removing uncertainties faced by individuals and companies that ship cargo to and from countries with which we currently lack treaty relationships.

Next we will hear from John Turner, Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs. Assistant Secretary Turner will testify on five environmental treaties.

Two of these treaties relate to hazardous chemicals. The Stockholm Convention on

Persistent Organic Pollutants severely restricts the international production and use of a dozen toxic chemicals – the so-called “dirty dozen.” These chemicals include DDT, dioxin, and PCBs. All twelve are already banned or severely restricted domestically by the United States. President Bush hailed this agreement when announcing the United States’ decision to sign it in 2001. It represents a major step forward for international environmental protection.

We also will hear testimony on the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Chemicals in International Trade. This agreement will help to ensure that hazardous chemicals are not transported across national borders without the prior knowledge and consent of the importing country. It builds on a set of existing voluntary procedures that are used by more than 150 countries, including the United States.

Mr. Turner will then testify on three treaties related to fish and wildlife. Two of these agreements amend existing fisheries treaties – one with Canada and the other with Pacific Island states. The other is a treaty with Russia to help conserve the polar bear population shared by the United States and the Russian Federation.

I understand that these seven treaties enjoy wide support among the constituencies whose interests they affect. The Committee welcomes statements or briefing materials on the treaties from any interested party. These statements should be submitted to the Committee by the end of this week.

I commend the U.S. officials who have worked on these agreements for successfully negotiating documents that command such wide support. Some of these agreements are the product of years of dedication and patient negotiations.

Prompt ratification of these agreements will help the United States continue to play a leadership role internationally on these issues, and will serve to advance U.S. interests. It is my hope that our Committee will report resolutions of ratification on each of these agreements prior to the August recess. Today’s hearing is an important step in this process, and I look forward to the contributions of our witnesses.

I suggest that we proceed by hearing first from Mr. Shane and Mr. Byerly on the aviation treaties. Following questions from the Committee on these treaties, I will excuse these witnesses because I understand Mr. Byerly needs to leave to catch a flight. We will then proceed to hear from Mr. Turner on the environmental treaties.

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