

GDR Environmental Law (May 14, 1970)

Abstract

As early as May 1970, the GDR issued a progressive law that sought to protect the environment from the negative effects of heavy industry and chemical production. However, since the state lacked the resources to implement the regulations envisaged in the ordinance, these admirable objectives were never achieved in practice.

Source

The Act on the Systematic Arrangement of the Socialist National Environment in the German Democratic Republic – National Environment Act – from May 14, 1970

Preamble

In the German Democratic Republic, nature and its resources serve the people. They form an important basis for developing the national economy and for satisfying the material and intellectual-cultural needs of the working population.

The development, cultivation and protection of the country's natural environment, its abundant flora and fauna and natural beauties are indispensable prerequisites for providing an environment worthy of a socialist society, and promoting the health and vitality of citizens, their recreation and leisure activities.

The management of an advanced socialist system calls for the comprehensive development, rational and efficient utilization, conservation and cultivation of landscapes according to scientific principles, to ensure continuous growth of the national economy and to improve the working and living conditions of the citizens.

Within the context of the scientific-technological revolution, natural resources are being used to an ever-growing extent due to the further development of industry and agriculture, of communications, and of towns and villages. Their availability is not unlimited. In socialist society, conditions exist for the planned development of productive forces in such a way as to lead to increased usability and productivity of natural resources, and to ensure the conservation and embellishment of man's natural environment.

Article 15 of the Constitution of the German Democratic Republic proclaims nature conservation, the efficient use and protection of land, the prevention of water and air pollution, and the protection of flora, fauna, and natural beauties of the country as duties of government and society and also of every citizen.

With a view to implementing the Constitution, the socialist national environment shall be planned and managed under the responsibility of the popular representative bodies, as a common task of all government and economic authorities, enterprises and institutions, committees of the National Front of democratic Germany, social organizations, and all citizens. They all are obliged to protect the country's natural environment and to use natural resources in a circumspect and economic manner, in the interests of the present and future generations.

Community efforts inspired by the creative power of citizens and their devotion to our socialist country, the valuable experiences and outstanding achievements of collectives of citizens in towns and villages, of social organizations, enterprises and scientific institutions in the management of our socialist country and in nature conservation are an important basis for implementation of this Act.

Article I: Basic Aims and Principles for the Planning and Control of the Socialist National Environment

Section 1

(1) The purpose of this Act is the planned development of the socialist national environment as a system for the rational management of natural surroundings and for effective nature conservation, with the aim of conserving, improving, and efficiently using the natural basis of social life and production—land, water, air, flora and fauna, as a whole—and for the embellishment of our socialist country.

(2) The socialist national environment shall be managed as an integral part of the advanced system of socialism. It calls for planned development, efficient use, cultivation and protection of landscapes and their resources on the basis of the most advanced scientific criteria by government and economic authorities, publicly owned enterprises and industrial combines, cooperatives, enterprises under different forms of ownership, and institutions (hereinafter referred to as enterprises), in concert with the National Front, social organizations and citizens.

Section 2

Government planning and control shall ensure the development of the socialist national environment with maximum benefit for society. This calls for comprehensive planning of environmental development, for multiple use of landscapes and their resources, concentration of forces and means on economic and territorial focal points, and the most efficient utilization of funds. Environmental requirements shall be included in the planned allocation of productive forces and the preparation of investments.

Section 3

(1) The responsibility for central governmental planning and control of the fundamental aspects of the socialist natural environment in their overall economic context lies with the Council of Ministers. Central government planning and control of fundamental aspects of the socialist national environment shall be organically linked with autonomous planning and control by local authorities, with the autonomous activities of enterprises and with the promotion of citizen initiative.

(2) The Council of Ministers shall ensure the integration of environmental planning and control into the economic system of socialism, and the inclusion of environmental requirements in prognostic surveys, long-term and national economic plans. The Council of Ministers shall also ensure that the development of a productive countryside corresponding to the requirements of society, the rational and efficient use of land and water, the prevention of air pollution and the treatment or utilization of waste products are effectively promoted by means of economic regulations.

(3) Within the scope of its responsibility for central governmental planning and control, the Council of Ministers shall ensure that, in the event of divergent points of view regarding the implementation of fundamental environmental policies, priority is given to the interests of society as a whole.

Section 4

(1) Local representative bodies and their executive authorities are responsible for comprehensive management of the socialist national environment in their respective regions. They include environmental requirements in their prognostic activities within the scope of their responsibility, defining related policies within the long-term and economic plan, in concert with other government and economic authorities.

(2) On the basis of the applicable laws of local government, the representative bodies of the towns and villages define the rights and obligations of enterprises and citizens with regard to the management of the socialist national environment in their regions. In particular they define policies within their local statutes with regard to maintaining the cleanliness of residential areas, of roads, streets, squares, parks, gardens and green spaces, watercourses and local woodlands, and policies of waste disposal and noise abatement.

(3) Local representative bodies and their executive authorities shall ensure that, in the event of divergent points of view regarding the implementation of environmental measures within their regions, priority is

given to the interests of society as a whole.

[...]

Section 6

(1) Government and economic authorities and enterprises are responsible—in concert with the National Front and the social organizations—for developing multiple opportunities for citizen participation in environmental measures, for promoting their initiative, and for including them in the supervision of the implementation of such measures. Systematic public relations work shall be conducted, in order to enlighten and inform the population and the enterprises.

(2) Responsible government authorities shall ensure environmental education and instruction, particularly at the general schools, the universities, technical colleges, and vocational schools. The competent government and economic authorities and the enterprises ensure the continued environmental education of the working population, in concert with scientific institutions, the National Front and social organizations.

Section 7

Enterprises and their supervisory authorities shall ensure that the landscape and its resources are used in a rational and efficient manner. They are responsible for excluding to the greatest extent possible harmful effects on the natural environment resulting from their activities. They shall undertake the necessary environmental measures by appropriate means of cooperation within the scope of their autonomous planning and control of the reproduction process. Enterprises are obliged to include environmental problems in their prognostic surveys, to coordinate projected measures with the local councils and to include them in their long-term and annual plans. In the enterprises' reports to their supervisory authorities and to the local representative bodies, environmental measures must be included.

Section 8

(1) The most advanced scientific and technological findings shall be applied for the planned implementation of environmental policies. Enterprises shall plan, develop, and apply techniques and installations which eliminate to the furthest possible extent harmful effects and nuisances for the people and their environment, and which ensure the fullest utilization of substances used or arising from production for the economic solution of environmental problems. When developing new techniques and products, the efficient and harmless disposal of unavoidable waste products is to be taken into account.

(2) Government and economic authorities and enterprises, which exert an essential influence on the socialist national environment through their activities, are responsible for ensuring the necessary scientific-technological research and for concentrating on focal points of science and technology in accordance with the principles of socialist scientific organization. They shall develop socialist teamwork in the implementation of the necessary scientific- technological policies in concert with scientific institutions.

[...]

Source of English translation: Peter H. Sand, "The Socialist Response: Environmental Protection Law in the German Democratic Republic," *Ecology Law Quarterly*, volume 3, issue 3 (Summer), article 1, June 1973, pp. 451–506. This translation is a revised version of a translation that appeared in "The Systematic Arrangement of the Socialist Natural Environment of the GDR," a 1971 pamphlet published by the Socialist Natural Environment Committee of the Council of Ministers of the GDR.

Source of original German text: Gesetz über die planmäßige Gestaltung der sozialistischen
Landeskultur (Landeskulturgesetz), GBl. der DDR, Teil 1 Nr. 12, pp. 67–74

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