

**TWELFTH REGULAR SESSION OF THE COUNCIL
Commission for Environmental Cooperation (CEC)**

**21—22 June 2005
Quebec City, Canada**

SUMMARY RECORD

The Council held its Twelfth Regular Session on 21–22 June 2005, in Quebec City, Canada. Stéphane Dion, Canadian Environment Minister chaired the meeting. Stephen L. Johnson, Administrator of the US Environmental Protection Agency and José Manuel Bulás Montoro, Undersecretary for the Mexican Secretariat for Environment and Natural Resources represented the United States and Mexico respectively. William Kennedy, Executive Director, represented the Secretariat. Nathalie Daoust, Council Secretary, acted as secretary for the session. Other delegates and special invitees were also in attendance (see Annex A).

Item 1 Official opening of the 12th Regular Session of the Council

Minister Dion officially opened the session and welcomed, on behalf of the Prime Minister of Canada, his counterparts as well as the Quebec Minister of Sustainable Development, Environment and Parks, the JPAC Chair, the Executive Director and members of the public. He conveyed that Secretary Cardenas was unfortunately unable to take part in this Regular Session given he would be resigning in the coming days as Minister of the Environment in order to run for the presidency of Mexico. He extended best wishes to Secretary Cardenas as he undertakes these new endeavors. He underscored the responsibility of the three environment ministers in ensuring the protection, safeguard and improvement of the shared North American territory as well as the health and prosperity of its people. He underlined the importance of an organization such as the CEC in enabling the necessary cooperation among the three countries. He explained that through the Puebla Declaration, the Council had decided to focus the work of the CEC on three priorities (information for decision-making, trade and environment and capacity building) and ensure that concrete results be achieved. He explained that the Council would be reviewing and discussing in the context of this meeting the initiatives developed under the three priorities as part of the CEC Strategic Plan. Under information for decision-making, Council would be discussing how the CEC could assist in building environmental information that is integrated, comparable and of consistent high quality. Under capacity building, they would be exploring how the CEC could help the three governments to assess and manage chemicals of concern, undertake pollution prevention, participate in biodiversity conservation and develop effective environmental management programs. Under the trade and environment priority, they would be considering CEC's role in promoting policy and actions that provide mutual benefits for North America. Finally, he underscored the importance of engaging in a constructive dialogue with JPAC and the public, and to seek partnerships with the private sector and other stakeholders to achieve concrete results in these priority areas.

Stephen L. Johnson, Administrator of the United States Environmental Protection Agency, welcomed participants and thanked the Canadian government for his hospitality. He expressed special recognition

to the delegations and the Secretariat for the effort carried out in ensuring a successful meeting and thanked JPAC and the public for their involvement. He indicated his goal for this meeting was to advance the work of the CEC, to provide guidance in carrying out the new strategic vision of the CEC towards an even more productive and cooperative relationship in North America. He referred to the efforts undertaken by the United States to clean the air and water as well as recent environmental accomplishments. He stressed that it was through the cooperative efforts of EPA with other partners, such as the CEC, that achieving progress at a remarkable pace was possible. He underlined the importance of involving multiple constituencies such as indigenous people, academia, non-governmental organizations and the private sector. He reiterated the United States' commitment to the important work carried out by the CEC and the effort to find common solutions to protect the shared North American environment and to produce measurable lasting results for its citizens. Finally, he indicated the United States was looking forward to undertaking the chairmanship of the CEC after the Council session.

José Manuel Bulás Montoro, representing Secretario Cardenás, thanked Ministers Dion and Mulcair for their hospitality. He conveyed Secretario Cardenás' regrets for not attending and his best wishes for a successful meeting. Referring to the Puebla Declaration, he indicated it represented a positive outcome of last year's Council session as it identified the three main tasks of the CEC. He noted that since Puebla the CEC had been in a transition phase and that much effort had been underway to develop a strategic plan which would lead to the quality enhancement of the environment in North America. He indicated Mexico believed the objectives set forth in the Puebla Declaration and in the strategic plan would help improve air and water quality as well as protect natural resources. He noted that the three countries had been working closer than ever as they shared a common interest to protect the environment and ensure North America was a cleaner and safer place. He underlined the importance of public engagement in the work of the CEC to ensure goals were achieved. Finally, he pointed to an announcement to be made shortly by the Mexican government regarding the elimination of sulfur in the production of fossil fuel in Mexico.

Thomas Mulcair, Quebec Minister of Sustainable Development, Environment and Parks echoed Administrator Johnson's comments about ensuring CEC project results are easily measurable. He indicated the work his ministry had been carrying out in the last three years had rested on law and science and that the same applied to the CEC. He noted that as free trade evolved in North America the environmental legal basis present in the three countries needed to be strengthened and laws and regulations needed to be applied by each government in order to ensure the protection of biodiversity and effective sustainable development. He thanked members of the public for their involvement as they represented an important element in achieving the environmental goals in North America.

Arturo Duran, JPAC Chair, welcomed everyone on behalf of JPAC and expressed special appreciation for the public's commitment and participation in decision-making in North America. He noted this was a very exciting period with a renewed vision for the CEC and a strategic plan which identifies the three focal areas of trilateral environmental cooperation. He added that as the CEC was reinventing itself, JPAC had a proactive role to play in ensuring the engagement of the North American public and in providing an opportunity to unify and represent the public's voice regarding CEC matters. He noted that JPAC's mandate was very ambitious but that through its commitment and the public's involvement the CEC could become a much more effective organization and meet the challenges ahead. He indicated that JPAC would be developing this year a JPAC strategic plan with the objective of defining

its goals and actions and enhancing its relationships with Council, the Secretariat and the public. He indicated that a meeting would be held in Mexico City in the Fall and would provide an opportunity for public input to ensure it responded to the public's interest and addressed JPAC's effectiveness in its interactions with the Council and the Secretariat. He added that the Strategic Plan would look at the last ten years and identify where JPAC had been most effective and where improvement would be beneficial. Finally, he reiterated JPAC's commitment towards a process to ensure citizen participation in environmental decision-making in North America.

William Kennedy welcomed everyone to the Council session and acknowledged the presence of the Quebec Minister of Environment and delegates from the Alberta government. He noted that both provinces were signatories to the Canadian Intergovernmental Agreement on the NAAEC and had been working closely with the CEC in the last year. He presented an overview of some specific accomplishments of the CEC since Puebla. First, he mentioned the first-ever report of power plant air emissions which he said represented a milestone in promoting cooperation in North America through the collection, exchange and public dissemination of comparable environmental information. He then drew attention to the publication of the Secretariat's Article 13 report on the effects of transgenic maize in Mexico which included a series of key findings and recommendations made by an international advisory group. He then turned to the work undertaken to reduce the risks of toxic substances to human health and the environment. He noted that the action plan to reduce or eliminate lindane had made great strides since the Mexican officials announced their intention to phase out all uses of this toxic chemical. He made reference to the new book and map entitled *Marine Priority Conservation Areas: Baja California to the Beiring Sea* which identified 28 aquatic environments that marine experts consider essential to safeguarding the biological diversity of the west coast of North America. He also noted that with the support of the CEC through its *Taking Stock* reports, North America had become a global leader in the development of pollutant release and transfer registries. On this latter issue, he indicated he was pleased to note that Mexico continued to progress in the development of its registry as the first list of 104 chemicals industries were required to report became law. Referring to the Puebla Declaration and the CEC Strategic Plan, he expressed the Secretariat's operational goal for the coming year as 1) translating the Strategic Plan into specific activities and mobilizing Secretariat's resources to achieve concrete results under the three priorities; and 2) strengthening CEC partnerships with key stakeholders and enlarging the constituency for the CEC to leverage resources and expand the ownership of the continental agenda. In closing, he thanked the public for its engagement, scrutiny and advice which had played a crucial role in improving the work of the CEC and ensuring progress. (The complementary slide presentation can be found in Annex B)

Minister Dion concluded the opening session and indicated that Council would be looking forward to the joint meeting with JPAC and the public later that day although he unfortunately would not be able to attend since he needed to return to Ottawa to participate in an important vote at the House of Commons.

Item 2 Opening of the Council's in-camera session and adoption of the agenda (including intervention by the Executive Director)

The Chair opened the in-camera session and suggested a few rules of procedures and asked for presentations to be short to allow Council to engage in a fulsome discussion around the three priority

pillars of the CEC strategic plan. He then invited William Kennedy, the CEC Executive Director, to address the Council on issues of interest (*as per Rule 5.3 of Council Rules of Procedure*). (The Council Agenda can be found in Annex C)

After thanking Council for the opportunity to speak, William Kennedy indicated that the Strategic Plan addressed a longstanding need identified in both the four and ten-year reviews of the CEC to focus the priorities and work of the CEC for achieving concrete results. He congratulated the Parties for bringing forward this plan at this crucial time in the history of the CEC, particularly in light of the *Security and Prosperity Partnership* (SPP) which placed renewed and greater emphasis on the continental partnership for addressing shared environmental concerns. He noted there were many excellent initiatives contained in the Strategic Plan which would be developed and implemented in the coming year.

He underlined that in order to unlock the potential of the Strategic Plan and ensure effective governance and efficient functioning of the CEC, there was a need to “get the relationship right” as called for in the Report of the *Ten-Year Review and Assessment Committee* (TRAC). He indicated that “getting the relationship right” was the key to making the CEC perform as promised and as expected. He then expressed his views on the role of the Executive Director versus the role of Council, and indicated he believed the logical model for defining the relationship between the two was that of a CEO and a Board of Directors. In this regard, he hoped Council would focus on setting the long-term vision and priorities, on approving the annual work program and overseeing the program implementation; whereas the Executive Director’s focus would be on implementing the work program jointly with the Parties and reporting on and being accountable for the results. He indicated that an able Secretariat would make for a strong CEC and that Parties should be confident that the Secretariat was ready and willing to carry out its work effectively. He reported on initiatives undertaken at the Secretariat for improving planning, reporting, staffing and operational procedures and that the proposed Quality Management approach under the information for decision-making pillar would enhance both operations and integrity of CEC services and products.

In closing, he indicated the Secretariat would be moving forward with additional work under Article 13 and referred to the recent thorough review of the Article 13 process conducted by Professor David Wirth and said it would help the Secretariat to ensure the next report is carried out in an effective manner.

Item 3 Strategic Plan 2005-2010

Doug Wright, CEC Director of Programs, introduced the Strategic Plan by providing some background and referred to the Operational Plan underway as articulating in more details the initiatives aimed at achieving concrete environmental outcomes under each pillar.

Administrator Stephen L. Johnson, the US Council member, expressed appreciation and support for the valuable work carried out in developing the strategic plan and the importance of this document in setting the vision and agenda for the future work of the CEC. He said he was confident that both the strategic plan and the operational plan would allow the CEC to make progress over the next five years. He commended again the effort and encouraged sharing the strategic plan with the public.

José Manuel Bulás Montoro – representing the Mexican Council member – indicated that Mexico was endorsing the strategic plan as it represented the many visions of the three countries merged into one common vision. He underlined the importance of developing an Operational Plan to ensure the strategic plan became a reality. He also stressed the need to define the transition phase as well as how the new vision might affect the current structure of the CEC. Finally, he acknowledged the support provided by the Secretariat in this endeavor and reminded that the involvement of the Parties was important to ensure a fruitful implementation of the work program.

Minister Stéphane Dion, the Canadian Council member, expressed support for Mexico's views. He indicated that Canada agreed with the set of goals presented in the Strategic Plan. He pointed out that the key remaining element was the Operation Plan - which he understood was almost complete - and stressed the importance of clearly defining projects in order to measure their results.

The Quebec Minister for Sustainable Development, Environment and Parks said the Quebec government was supportive of the three priority areas and very pleased with the vision set forth in the strategic plan. He suggested, however, putting special emphasis on involving the public and communicating better the work of the CEC. He said the public in general had little knowledge of the CEC when this organization offered so much potential for public participation.

The Council adopted the Strategic Plan and directed the Secretariat to make it public and proceed with its implementation.

Item 4 Achieving concrete results: Information for decision-making

The Chair invited Bill Jarvis, the Canadian representative on the information experts team, to introduce this item and provide an overview of the information for decision-making pillar by way of a presentation. (see Annex D) Bill Jarvis acknowledged the work carried out by the other members of the information experts team, other government officials and the Secretariat in developing specific projects under this pillar. In his presentation, he referred to the quality assurance doctrine, an explicit policy being developed to ensure transparency is applied to all CEC information products. He mentioned that a procedures manual was in preparation as a common base to ensure consistency of CEC products to facilitate its use by decision-makers and to allow the organization to be easily recognized for its high-quality products. He indicated that the proposal was to initially create an air theme to demonstrate applications of the North American Atlas. Mr. Jarvis then turned to Paul Miller, CEC program manager on air issues, who had been asked to make a presentation to illustrate the power of the mapping system under development (see Annex E). Paul Miller stressed in his presentation how the North American Atlas could provide a mapping framework for compiling and comparing large environmental data sets in a visually concise and understandable manner. He added it could also provide links between technical and policy data, giving a window to decision-makers for viewing how environmental policies in other parts of North America might help address their own environmental interests.

The US Council member congratulated Paul Miller for his presentation and stated that the maps clearly illustrated how much effort had gone into this initiative. He expressed support for air being the initial theme. He underlined the importance of data in support of decision-making and added it represented the common currency of environmental protection. He stressed the value of a quality assurance framework and indicated it should include peer review for products which are released publicly and data which is

being used. He encouraged the Secretariat to benchmark what other organizations were doing in this regard.

The Mexican representative commended the effort and stated that the information presented by the maps could become an important foundation for public policy decisions in the three countries.

The Canadian Council member congratulated Paul Miller and Bill Jarvis for their presentations. He expressed support for the quality assurance program as it represented an important element to ensure transparency and rigor. He referred to the CEC *Taking Stock* reports and stressed the importance of interpreting the information appropriately. He added that he hoped the upcoming report on children's health would take advantage of the quality assurance program given this issue was an important one for the three countries.

Minister Mulcair underlined that an important part of the work of the CEC was to communicate clearly the information to the public. He reminded that public health was central to the work of each government.

Item 5 Achieving concrete results: Trade and environment

Under this item, the Chair invited Darci Vetter and Rob Wing, the United States representatives on the trade and environment experts team, to make a presentation on the trade and environment strategic plan. After providing an overview of the main elements of the strategic plan (see Annex F), they turned to Phyllis Harris, a US member of the enforcement working group, who presented the CEC's work on trade and enforcement of environmental laws. She gave an overview of the work the CEC has done in improving the tracking of hazardous waste, developing an on-line compliance assistance center for hazardous waste shipments by partnering with the National Center for Manufacturing Sciences and the Technological Institute of Monterrey, the training of customs and border inspectors to detect illegal trade in plants and wildlife, and the training of the judiciary. (see Annex G).

The Mexican representative underlined the importance of trade and environment ministries working together and suggested that the CEC explore a legal market for biodiversity in North America.

The Canadian Council member expressed support for Mexico's suggestion. He thanked Darci Vetter and Rob Wing for their presentation which highlighted the key priorities and showed the considerable progress accomplished in this area since Puebla. He showed support for the training of enforcement officials as representing a way forward in fighting the illegal shipment of hazardous waste. Referring to market-based instruments for sustainable use, he recognized that Mexico and the United States were very dynamic in this area and that Canada would like to benefit from their experience.

The Quebec representative stated that the market forces would be called upon to play a key role in sustainable development and expressed support for more activities on market-based instruments to be reflected in the work of the CEC.

Item 6 Achieving concrete results: Capacity building for environmental management

The Chair invited Germán Gonzalez Davila, the Mexican capacity building expert, to make a presentation on this pillar. Mr. Gonzalez Davila first identified priority areas for capacity building needs in Mexico followed by a presentation of the main elements of a proposed alliance for integrated environmental management which included expected results overtime for the CEC and for Mexico (see Annex H).

The United States Council member congratulated Mr. Gonzalez Davila for his presentation which clearly identified ways to achieving concrete results in this area. He mentioned that the US was particularly interested in “greening” the supply chain and that the CEC project on this topic offered the opportunity to work with industries and multinationals to ensure it became a reality.

The Canadian Council member indicated Canada’s intent to support capacity building efforts in Mexico. He commented that capacity building represented a challenge in Canada as well and that there was a need to harmonize the environmental assessments and policies in the three countries. He made a reference to the Kyoto protocol and the opportunity for Canada to provide capacity building assistance to Mexico in the area of greening technologies. Finally, he indicated that certainly through the CEC much could be achieved in this area in order to yield concrete results.

The Quebec representative mentioned the Quebec Center for environmental control, a recent initiative which has proven very effective in ensuring on-the-ground results through greater autonomy of local government officials. He offered to share the results of this experience which could easily be replicated by the CEC.

Item 7 Other Issues

No other issues were discussed under this item.

Item 8 Discussion with representatives of business associations

This discussion took place between Council and three representatives of the business associations namely, Michael Murphy of the Canadian Chamber of Commerce (CCoC), Adam Greene of the United States Council for International Business (USCIB) and Daniel Basurto of the *Confederación de Cámaras Industriales* (CONCAMIN).

The Chair asked Jerry Clifford, Deputy Alternate Representative for the United States, to introduce this item. Mr. Clifford referred to the recommendation of the TRAC report to strengthen the engagement of the private sector in CEC activities and stated that the CEC could be more than what it is at present through a renewed partnership with the business sector. He asked the business representatives to indicate to Council how the Parties could, individually and collectively, interest the private sector in taking actions consistent with the CEC's three pillars; and whether there were models of private sector involvement that the CEC could draw from.

Michael Murphy indicated that the CEC Strategic Plan provided ample opportunity for the involvement of the private sector and that capacity building was one immediate example. He encouraged the Council to make the CEC a performance driver for both industry and government as opposed to an organization they both needed to cope with and react to from time to time. He

encouraged Council members to be strategic and to take a sustainable development approach to issues. Referring specifically to the Strategic Plan, he commented it addressed well how market forces could be utilized and trade barriers eliminated. Speaking of the *Taking Stock* report, he recognized it was an important product of the CEC and that the role of the organization should be to act as a monitor in this regard. He recommended improving consultation with the private sector on this report and providing a better context for data presentation to make it a more useful tool for decision-makers. Finally, on behalf of the business stakeholders, he thanked William Kennedy for his efforts and desire to work with the business sector and to build the right kind of approaches.

Daniel Basurto of CONCAMIN began by describing how, over the years, many positive examples of partnership with the private sector had allowed to better understand how the private sector could contribute to CEC's work. He said the underlying objective was to make the private sector more environmentally sustainable and recognized this could only be achieved through cooperation. He added that the interaction between the federal and provincial levels of government was also an important factor of success. Referring to the Strategic Plan, he indicated the three pillars could favor partnership with the private sector provided the proper incentives and instruments were put in place. He mentioned the supply chain management project and FIPREV as examples of successful partnerships.

Adam Greene of USCIB commended the Council for their joint effort to engage with the private sector and indicated the choice of the three pillars offered opportunities for partnerships. He indicated there were many possibilities, either sector-based or locally-based, to engage the private sector and leverage resources. He mentioned that other business associations had specific programs and tools related to environmental management which could be used by the CEC. He expressed in closing that the private sector was a very receptive audience to partnership proposals.

The United States Council member thanked the business representatives for their comments which he found encouraging and indicated that he looked forward to this renewed relationship and strengthening the ties given the private sector was a key element to achieving environmental results at the CEC. He also indicated he agreed that data quality was very important and that the market should act as a performance driver for the industries.

The Mexican representative thanked the business representatives and indicated this discussion was very important for Mexico. He pointed to one project under discussion to develop a legal market for biodiversity in North America which would involve financial mechanisms and said this project might lend itself to a partnership with the private sector.

The Quebec representative stressed that the involvement of the private sector in the work of the CEC was important to generate change and consequently the Parties' cooperation in this regard was assured.

The Canadian Council member reiterated that the engagement of the private sector was a key element to achieving the goals set in the Puebla Declaration. He indicated that the JPAC workshop held on 21 June had been dedicated to identifying needs and opportunities for capacity building among private and non profit sectors and that it might offer avenues for cooperation. He added that Bill Kennedy's experience with the financial sector also represented an asset in working with the private sector.

He thanked the business representatives, his counterparts and the Secretariat then apologized for having to leave to catch a plane for Ottawa. He indicated that David McGovern would be acting on his behalf for the remainder of the meeting.

Item 9 Joint meeting with JPAC

Following welcoming remarks by the Canadian representative and an introduction by JPAC members in attendance, Arturo Duran was invited to make opening remarks and introduce the topics which would be discussed during the joint meeting.

Arturo Duran began by stating that he had just resigned from his position as JPAC Chair and that Jane Gardner had been appointed as his replacement. He indicated that policy concerns had been expressed by JPAC members and that JPAC had spent much time deliberating on these over the last two days. He expressed that the main reason behind his resignation was a perceived conflict of interest since he was also acting as US Commissioner for the International Boundary and Water Commission. He shared that the process had been a disturbing one for himself and others but that his goal, as he remained a member of JPAC, was now to participate and assist the CEC in achieving its goals. He suggested to Council to consider developing a code of ethics to avoid a similar situation to be repeated. He also suggested that consideration be given to providing JPAC members with access to legal counsel in order to obtain the proper advice when dealing with such issues.

Referring to the relationship between Council and JPAC he conveyed it had not always been optimal but indicated that JPAC believed informal communication offered an opportunity for improving the relationship. He reported that the relationship with the Secretariat had been positive over the last six months due to the conscious efforts of William Kennedy. Finally, he commended the work of the Parties and the Secretariat in developing the Strategic Plan.

Carlos Rincón echoed the words of Arturo Duran and encouraged the development of a code of ethics. He conveyed that his employer did also perceive a conflict of interest in his current position as JPAC member and that he might have to resign shortly. He indicated that ethical rules might have prevented this situation from occurring.

Jane Gardner listed the topics JPAC wanted to address during the joint meeting, namely 1) the JPAC Strategic Plan, 2) the Security and Prosperity Partnership (SPP), 3) communication between Council and JPAC, and 4) the Trade and Environment Strategic Plan. She conveyed that JPAC had entered a period of introspection and was looking at ways of improving its work within the CEC. She informed Council that JPAC would be initiating the development of a Strategic Plan as a guide book for future JPAC actions. She indicated the document would be distributed to Parties' comments. She asserted that JPAC would become more collaborative and would put particular emphasis on defining its role and building a positive relationship with the Parties. She mentioned that the NAC and GAC members had met with their respective Council member and suggested that the same apply to JPAC members.

Turning to the Security and Prosperity Partnership (SPP), she cautioned there might be a duplication of JPAC's work within the CEC and a possible overlap between the environmental component of the SPP and work program of the CEC. She offered the assistance of JPAC in defining the environmental elements of the SPP.

Nelly Correa reminded Council that trade and environment was central to the CEC and that, in Puebla, Council committed to strengthening ties with the trade ministries. She reported that in October 2004 JPAC had been pleased to see renewable energy presented as a topic to be included in the CEC's work program. She indicated that JPAC viewed a potential synergy between the environment and energy ministries and that such synergies should be encouraged. She congratulated the Secretariat for its accomplishments and stressed the importance of identifying what the CEC could best accomplish without duplicating what other institutions can do better. She reported this had been precisely JPAC's intent as they had designed the public workshop held on 21 June whereas knowledgeable speakers from the three countries had been invited to present the needs and opportunities for capacity building among the private and non profit sectors. She underlined that JPAC's role and contribution lied precisely in its ability to unite the diversified knowledge and expertise of the three countries to guide the CEC in its work.

Merrell-Ann Phare made a reference to the Trade and Environment Strategic Plan and reminded Council of their commitment to seek input from JPAC on this document. William Kennedy used this opportunity to mention that the Trade and Environment Strategic Plan was finalized and being distributed to JPAC for their comments in the next 30 days. Referring to the TRAC report, Ms. Phare reported that the public had inquired whether the TRAC recommendations were being implemented and that, if not, they should be prior to June 2006 as called for in the report. She also mentioned a request from the public to re-insert children's environmental health in the work program. She conveyed that the focus on capacity building was receiving a lot of support and encouragement.

Turning to the *JPAC at Ten* report from Eric Danenmeier, Ms. Phare indicated that JPAC was looking forward to Parties' comments on this report. She stated that the integrity of the institution was very important to JPAC and indicated that JPAC was re-evaluating its role within the CEC and, in doing so, would be developing a five-year strategic plan addressing concerns which have been raised concerning the integrity for the institution. She reiterated JPAC's conviction that the CEC maintain a continental agenda and vision and pressed Council to act as Council and not merely as three countries getting together to address their individual domestic agenda. Speaking of the Secretariat, she reminded Council of the importance of safeguarding the independence of the Secretariat. In support of a recent NAC letter, she expressed JPAC's concern regarding Parties' review of Secretariat report from a policy cleansing perspective. She also referred to the integrity of the Articles 14-15 process and reported there was a public perception that Parties were attempting to limit the process in order to keep governments from embarrassment. As for factual records, she indicated JPAC believed there should be follow-up mechanisms which would allow measuring the impact of the institution overtime. She offered JPAC's assistance in defining potential follow-up mechanisms for factual records.

Finally, turning to the participation of indigenous people she indicated JPAC's two main concerns were 1) the need to seek more indigenous representation within the NACs, GAC and JPAC and 2) the need to recruit indigenous people as part of the CEC staff.

Jane Gardner thanked William Kennedy and expressed appreciation for his very positive approach to working with JPAC. William Kennedy apologized however for not having been more active in

addressing the participation of indigenous people.

Carlos Sandoval reported on a very successful public workshop. He indicated the workshop had allowed the private sector to understand better the non-profit sector and realize how it needed to accomplish more in the area of capacity building. He congratulated Council for the impressive strategic plan, in particular section 8, and reiterated the desire of JPAC to work with Council. He used this opportunity to remind the Mexican Council representative of the need to fill the NAC membership and suggested that the *Consejo Nacional de Desarrollo Sustentable* be asked to undertake the role of Mexican NAC given they were already had a consultative function.

In response to JPAC's interventions, the Canadian representative indicated that many good points had been raised. He welcomed the JPAC Strategic Plan. He also indicated that he would be discussing the issue of conflict of interest and code of ethics with the Alternate Representatives and the Executive Director to clearly define and understand the issues. Merrell-Ann Phare interjected and asked the Alternate Representatives to keep in mind in their deliberations that the CEC was a tripartite body. She expressed JPAC's concern that the recent events had impacted JPAC's ability to conduct its regular business and recommended a collaborative approach to finding a solution.

The Mexican representative reported on a recent meeting between the Mexican JPAC members and Secretario Cardenás. He indicated that Mexico believed JPAC was a very important component of the CEC and that this needed to be expressed through increased communication. Jane Gardner indicated that the United States JPAC members would be pleased to also have an opportunity to meet with Administrator Johnson. The United States representative assured he would convey this request to the Administrator. Jean-Guy Depot also expressed the same interest on the part of the Canadian JPAC members in meeting with Minister Dion.

The Canadian representative referred to the Security and Prosperity Partnership (SPP) endorsed by the leaders of the three countries. He mentioned that an announcement would be made in Ottawa on 27 June and explained that Environment Canada had been involved in the prosperity component of the SPP. He indicated that the three governments were looking for complementarity between the CEC and the work to be undertaken through the SPP. Following the SPP announcement on 27 June, he said they would be looking forward to a letter from William Kennedy identifying the potential for CEC contribution. He also welcomed the opportunity to build a better relationship with JPAC.

Item 10 Preparation for the news conference

Council representatives informed the Secretariat that the news conference would be cancelled due to the absence of both Minister Dion and Secretario Cardenas. Nevertheless, they adopted the ministerial statement for its public release (see Annex I)

Item 11 Concluding remarks

In closing the session, the Mexican representative commented that the immediate next step would be to meet soon, possibly the third week in July, in order to discuss the draft Operational Plan and address the future of the working groups. The United States representative agreed it was important to meet as soon as possible and suggested to distribute a proposed schedule of meetings. Asked by

the Canadian representative to confirm when the draft Operational Plan would be transmitted to the Parties, the Secretariat indicated that a preliminary operational plan would be distributed in July and promised to confirm the date shortly. The Mexican representative indicated the operational plan was a key element for Mexico and cautioned that the CEC could not afford another transition year.

Council representatives adopted and signed resolution 05-06 on Expanding Partnerships with the Private Sector and other Stakeholders.

The Canadian representative thanked his counterparts for the successful meeting and adjourned the in-camera session.

Item 12 Public meeting

Following introductory remarks on the conduct of the session by the recently appointed JPAC Chair, Jane Gardner, a JPAC representative reported on the results of the public workshop on Needs and Opportunities for Capacity Building among Private and Non Profit Sectors held the previous day. A representative from the public reported on the results of the networking session held the previous day. These reports were followed by statements by pre-selected presenters. A summary of all interventions made during the public portion of the session can be found in Annex J.

Item 13 Closing news conference

The closing news conference was cancelled (see under item 10).

Liste des participants – List of Participants - Lista de participantes

XII^e session ordinaire du Conseil, 21 et 22 juin 2005, Québec, Canada
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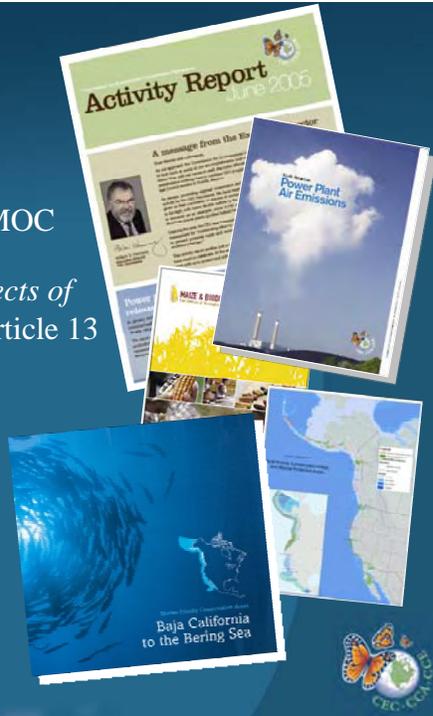
198. Zegbe Camarena, José Alfonso

Representante Alterno de la
SEMARNAT
Embajada de México en EE.UU.
1911 Pennsylvania Ave. NW
Washington, D.C. 20006
United States
Tel: 202 728 1668
Fax: 202 728 1781
E-mail: alfonso.zegbe@semarnat.gob.mx



Accomplishments 2004- 2005:

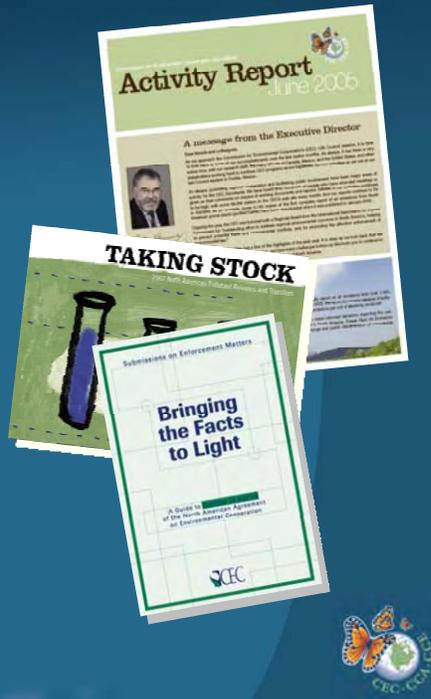
- Lindane phase-out, Mexico – SMOC
- *Maize and Biodiversity: The Effects of Transgenic Maize in Mexico* – Article 13
- *North American Power Plant Air Emissions*
- *Baja to Bering - Marine Priority Conservation Areas*



Accomplishments

2004- 2005:

- *PRTR - Taking Stock – 2002*
- Citizens Submissions on Enforcement Matters
- IAIA 2005 Regional Award



Looking Forward

Moving the *Puebla Declaration* forward:

- Implementing activities for concrete results
- Expanding our Partnerships
- Mobilizing our Resources



Implementing activities for concrete results

- Information for decision-making
 - ✓ PRTR (implementation in Mexico)
- Trade and Environment
 - ✓ NAGPI
 - ✓ Green Purchasing
 - ✓ Invasive Species
- Capacity building
 - ✓ Cleaner production and pollution prevention
 - ✓ Integrated ecosystem management



Expanding Partnership

- Private Sector
- NGOs
- Public



CEC - a unique Organization

Take ownership of our continental agenda



Commission for Environmental Cooperation
of North America



**TWELFTH REGULAR SESSION OF THE CEC COUNCIL
To be held on 21—22 June 2005, Quebec City, Canada**

PROVISIONAL ANNOTATED AGENDA

TUESDAY, 21 JUNE

18:30–20:00 Welcoming Reception

- Welcoming remarks by Stéphane Dion, Canadian Environment Minister (5 min.)
- Welcoming remarks by Stephen L. Johnson, Administrator, US Environmental Protection Agency (5 min.)
- Welcoming remarks by Thomas J. Mulcair, Minister of Sustainable Development, Environment and Parks, Quebec (5 min.)

WEDNESDAY, 22 JUNE

9:00–10:00 Official opening of the 12th regular session of the Council (public)

- Item 1 Opening remarks by Stéphane Dion, Canadian Environment Minister (5 min.)
- Remarks by Stephen L. Johnson, Administrator, US Environmental Protection Agency (5 min.)
 - Remarks by José Manuel Bulás Montoro, (5 min.)
 - Remarks by Thomas J. Mulcair, Minister of Sustainable Development, Environment and Parks, Quebec (2 min.)
 - Remarks by Arturo Duran, JPAC Chair (10 min.)
 - Report by William Kennedy, CEC Executive Director, on accomplishments of the CEC (10 min.)

10:00-14:00 Council in-camera (including working lunch) (4 h)

- 10:00-10:15 Item 2 Opening of the Council's in-camera session and adoption of the agenda
- 10:15-10:45 Item 3 Strategic Plan 2005-2010
- 10:45-11:30 Item 4 Achieving concrete results: Information for decision-making
- 11:30-12:15 Item 5 Achieving concrete results: Trade and environment
- 12:15-13:00 Item 6 Achieving concrete results: Capacity building for environmental management
- 13:00-13:15 Item 7 Other issues
- 13:15-14:00 Item 8 Discussion with representatives of business associations

14:00-15:30 Joint meeting with JPAC (1 h 30)

Item 9 Joint meeting with JPAC

15:30-16:00 Council in-camera session (concluding remarks) (30min.)

Item 10 Preparation for the news conference

Item 11 Concluding remarks

16:00-17:30 Public meeting (1 h 30)

Item 12 Public meeting

- Introduction on the conduct of the session by Arturo Duran, JPAC Chair (5 min.)
- Reports on the JPAC's public workshop (2 pres. X 5 min. = 10 min.)
- Statements by pre-selected presenters (9 pres. X 5 min. = 45 min.)
- Comments by Council members (30 minutes)

17:45 – 18:30 Closing news conference (with the public as observer) (45 min.)

Item 13 Closing news conference

19:00 Official Dinner (hosted by the Government of Quebec)

OBJECTIVE OF MEETING:

- Adopt CEC's five-year Strategic Plan
- Discuss key projects contained in the 2005-2007 Operational Plan, and provide direction on results expected by 2006

TUESDAY, 21 JUNE**Welcoming Reception**

Canada's and US' environment ministers as well as Quebec's minister of Sustainable Development, Environment and Parks will extend welcoming remarks to the public and delegates to the twelfth regular session of the CEC Council.

WEDNESDAY, 22 JUNE**Item 1 Official opening of the 12th regular session of the Council**

The Canadian Council member, as Chair, will officially open the session. He will then invite his American and Mexican counterparts to address the public, followed by Minister of Sustainable Development, Environment and Parks, Quebec, the Alberta Minister of the Environment, the JPAC Chair and the CEC Executive Director.

Session document(s):

- a) Preliminary program of public events C/05-00/PROG/

Item 2 Opening of the Council's in-camera session and adoption of the agenda (including intervention by the Executive Director)

The Council shall adopt the agenda based on the provisional annotated agenda (*Rule 9.6 of Council Rules of Procedure*). The Chair may wish to set out the objectives for the meeting and indicate how he intends to handle the discussions. The Executive Director will briefly address the Council on issues of interest (*Rule 5.3 of Council Rules of Procedure*).

Session Document(s) :

- a) Provisional annotated agenda C/05-00/AGEN/01/rev.5
b) General program for the Session and side events C/05-00/PROG/01/rev.4

Item 3 Strategic Plan 2005-2010

During its Eleventh Regular Session in June 2004 in Puebla, the Council agreed to streamline and focus the CEC's work and to generate concrete, measurable results. To this end, they committed to grounding the CEC's work, starting in 2005, in a results-oriented strategic plan focused on three priority areas: information for decision-making, capacity building, and trade and environment. The Council Session provides an opportunity for Council to adopt the CEC's five-year strategic plan and reaffirm its commitments as laid out in the Puebla Declaration.

Session Document(s):

- a) Strategic Plan 2005-2010
b) Puebla Declaration

Item 4 Achieving concrete results: Information for decision-making

This item will consider the first specific results of cooperation among the Parties pursuant to this priority area of the Puebla Declaration. One of the Parties' experts in environmental information will provide an overview of the CEC's information for decision-making strategy and priorities in terms of "information systems integration and compatibility", "capacity building", and the "generation and communication of environmental information at the North America scale". Following this, a *folio* of air quality-related and other information data sets will be presented within the new North American Atlas, as both proof-of-concept and demonstration of the utility of such information to decision makers. A key feature will be showing the potential for cross-linking different themes through common data sets shared across CEC activity areas. This session provides an opportunity for Council to assess the strength of the *information pillar*, and in particular information products that express relevant data in a geo-spatial form for both expert and general audiences. This will underline the extent to which Council promotion of the North American Atlas concept, including the incorporation of existing data held by governments and the CEC, will improve environmental management by encouraging international cooperation to enhance the comparability and compatibility of environmental information.

Item 5 Achieving concrete results: Trade and environment

This item will focus discussion on one area in which the Parties are cooperating to encourage environmental benefits through trade and commerce: trade and enforcement project. For example, the CEC's enforcement working group (EWG) is working to educate and inform exporters, importers, and others of customs requirements for materials that are harmful or potentially harmful to human health and the environment, including hazardous waste and materials, ozone depleting substances, and protected species and wildlife. The EWG also is developing training materials for use in training customs and other law enforcement officials to detect, identify, analyze, and enforce against illegal shipments of such materials. The purpose of this compliance assistance and training is to expedite and facilitate the movement of legal materials across borders and to stop at borders illegal shipments of materials that could threaten human health or the environment in the territories of the NAFTA parties.

Item 6 Achieving concrete results: Capacity building for environmental management

This session will illustrate how the Parties are promoting cooperation with the private sector and stakeholders, to foster greater environmental protection and increased business competitiveness, through enhancement of environmental management capacities and practices across the region. The approach is to produce model successes that can inspire and facilitate action by other businesses, in other locations and circumstances. Through discussion on the CEC's "Partnerships for Integrated Environmental Management" initiative in Mexico, Council will provide direction on targets to be met over the next five years in terms of pollution prevention, and in terms of the participation rates for the participating enterprises.

Item 7 Other issues

This item presents an opportunity for Council members to discuss topics of particular interest to each of them in the North American context as well as any other issue related to the CEC.

Item 8 Discussion with the heads of business associations

Under this item, the Council will meet with representatives of the Canadian Chamber of Commerce, the US Council for International Business, and the *Confederación de Cámaras industriales* (Concamin), signatories to a 1996 Memorandum of Understanding with the CEC.

The joint meeting will provide an opportunity for the business representatives to discuss with ministers the specific CEC activities they would like to support and cooperate on.

Session Document(s):

- | | | |
|----|--|----------------------|
| a) | Format of the discussion | C/05-00/BACK/01/ |
| b) | Council Resolution 05-06 on Expanding Partnerships and Strengthening Cooperation with the Private Sector | C/05-00/RES/06/rev.5 |

Item 9 Joint meeting with JPAC

Under this item, the Council will meet with JPAC. Following welcoming remarks by the Canadian Council member, JPAC will be invited to exchange views with Council members on the strategic plan 2005-2010 as well as any other issue of interest. The JPAC chair may wish to present a brief report on the public workshop held the previous day and introduce Council to the conduct of the public meeting.

Session Document(s):

- a) JPAC Activity Report (since June 2004)

Item 10 Preparation for the news conference

Under this item, the Council will review and reach agreement on the ministerial communiqué to be released during the closing news conference.

Session Document(s):

- | | | |
|----|-----------------------------|---------------|
| a) | Draft Ministerial Statement | C/05-00/COMM/ |
|----|-----------------------------|---------------|

Item 11 Concluding remarks

Under this item, the Chair of the session may wish to make final announcements, acknowledge the contribution of participants and observe on the general conduct of the session. He is also expected to invite his counterparts to make final statements. As host of the next Regular session of the Council, the US Council member may wish to announce the proposed date and venue for the next regular session of the Council to be held in June 2006.

Council members will be invited to review the resolution adopted during their session for signature during the news conference.]

Item 12 Public meeting

In accordance with Rule 4.1 of the Council Rules of Procedure, the Council shall hold a public meeting in the course of all annual regular sessions. The JPAC Chair will provide an introduction on the conduct of the session, which he is expected to facilitate. The meeting will include the following presentations: i) a report on the JPAC public workshop held the previous day on the future of NAEEC; ii) oral statements by pre-selected participants; and a report on the results of the networking session held the previous day by a representative of the public.

The above presentations will be followed by comments and concluding remarks from the Council members.

Session Document(s):

- a) Format of public session
- b) List of registered speakers and summaries of interventions
- c) List of registered participants

C/05-00/PLAN/03

Item 13 Closing news conference

The news conference is held in the presence of the public and includes the following: a report by the Chair on proceedings, statements by the Mexican and United States Council members, and exchanges with media representatives.

CEC INFORMATION STRATEGY REPORT TO MINISTERS

THE INFORMATION PILLAR; for credible and useful information on the North American environment

PRESENTATION FOR MINISTERS
QUEBEC CITY, JUNE 2005

Salvador Sanchez-Colon
Bill Sonntag
Bill Jarvis

1

AN INFORMATION PILLAR

- ❑ PUEBLA DECLARATION: CEC “recognized for its credible, balanced and timely information ... available and accessible ...”
- ❑ Expert Group (tri-partite) struck by Alt Reps to recommend vision and implementation strategy
- ❑ Basis for shift from subject matter focus (working groups) to organization focus (pillars)
- ❑ Ministers’ decision sought to direct Secretariat to implement changes (internal structure, planning process, operational priorities, and action)

2

OBJECTIVES

1. Strengthen the capacity of North American decision-makers to understand continental environmental issues of common concern **(capacity development)**;
2. Establish an environmental information and knowledge framework for North America **(systems design)**;
3. Develop the information needed to describe the state of the North American environment and to identify emerging trends and issues **(substance of framework)**;
4. Make environmental information more widely available to facilitate local, national and regional action **(communications)**

3

Key Information Activities

- ❑ Capacity development
- ❑ Development of common techniques and tools (including spatial representation)
- ❑ Design mechanics for interoperability
- ❑ Communicating; strategic approach to major information products
- ❑ Identify data needs and fill data gaps
- ❑ Development over time of coherent NA based information on major issues for reporting
- ❑ Enable expert and scientific exchange

4

FOUNDATION PROJECTS

- Quality Assurance Doctrine
 - QA group struck to deliver proposal
 - Necessary for credibility and reliability
 - Consistency and transparency needed
- An Information Systems Strategy – Procedures Manual
 - Charge for Consultants from Experts Group
 - To provide consistent guidance for all information activities of CEC (from concept to archiving)
 - Necessary to assure coherence over time and across issues.

5

QUALITY ASSURANCE

- | | |
|--|---|
| <ul style="list-style-type: none"> ● GUIDING PRINCIPLES <ul style="list-style-type: none"> ■ Integration and Completeness ■ Collaboration and Coordination ■ Transparency ■ Expert Review and Advice ■ Apply Scientific Principles and International Standards ■ Appropriateness | <ul style="list-style-type: none"> ● COMPONENTS <ul style="list-style-type: none"> ■ Quality Program Policy ■ Quality Program Procedures ■ Quality Management Plan ■ Quality Assurance Project Plans ■ Stakeholders and Partners Coordination ■ Internal and External Reviews ■ Peer Reviews |
|--|---|

6

Flagship information products

- ❑ THEMATIC REPORTS on issues of focus
- ❑ STATE OF ENVIRONMENT REPORT (2-3 years)
- ❑ MAPPING THE ENVIRONMENT (annual)
- ❑ TAKING STOCK (annual)

- ❑ Consistent style, information, and presentation; regular and predictable schedule; -to establish

7

Development of Common Base

- ❑ Mapping Project(s) in year one would provide N.A. spatial view(s) of early results from air quality, emissions, and monitoring programs
- ❑ Would permit the establishment of process for harmonization of mapping protocols and spatial representation of data
- ❑ Map would support key indicator on air quality and SOE report

8

The North American Atlas Framework

- Seamless Digital Atlas of North America
- Collaborative effort of:
 - *Natural Resources Canada - Atlas of Canada*
 - *US Geological Survey - US National Atlas*
 - *Instituto Nacional de Estadística Geografía e Informática*
- Builds on emerging national programs to enhance geographic representation of information

9

North American Atlas Framework

Basemaps completed and harmonized

- *Administrative boundaries (national and sub-national)*
- *Water (lakes, rivers, coastline)*
- *River network*
- *Populated places*
- *Transportation (road/rail networks)*
- *Bathymetry*
- *Glaciers and sea ice*

10

Issue Focus

- Proposal is to link activities together through the identification of a particular **theme**
- Thematic focus could be for **one or two years**
- Theme would be highlighted in each of the Flagship **products**
- **Activities** would focus most (not all) development work on one data set for a given cycle
- Other substantive issues will continue progress, and become themes as program evolves

- **Advantages:** More manageable, more coherent, deeper capital building, more durable
- **Drawbacks:** Some issues delayed, choice of focus may slow some projects

11

Choice of Issue

- Issue Recommended for first 2 years is **air quality**
 - Strong policy interests in all three countries
 - Good potential for data development, capacity building, harmonization, interoperability
 - Strong public interest and potential beneficial outcomes
 - Includes important trans-border issues
 - Linkages to citizens health
 - A good starting point exists from previous cooperative work.

12

Capacity Development

- Focus on air would mean capacity development projects to:
 - Harmonize air monitoring information for use in Indicators, SOE, and Mapping
 - Identify needs/gaps in air data and support their development
 - Potential for training programs or workshops to permit expansion of monitoring and reporting systems
 - Establish principles for interoperability using air data as basis

13

Mechanics for Inter-Operability

- Linking three country data for the Key Products would provide the need and opportunity to build the architecture for interoperability
- Air quality and emissions data sets can be the first parts of what will become a more comprehensive interoperability between environmental data systems
- Developments will aim to build on and be consistent with international data systems such as GEOSS

14

DECISIONS

- ❑ Design CEC **plans, budget, and projects** with purpose to build information pillar (shift from subject matter focus to “pillar” focus)
- ❑ Adopt policy of **Quality Assurance** for all CEC info and publications
- ❑ Establish **protocols** for information and systems development and management
- ❑ Use **mapping** base as initial focus for information development and communication
- ❑ Use **Air issues** as subject matter for first theme for development
- ❑ Establish **Secretariat capacity** to manage information across all issues, to provide quality assurance, and to create coherence through standardization

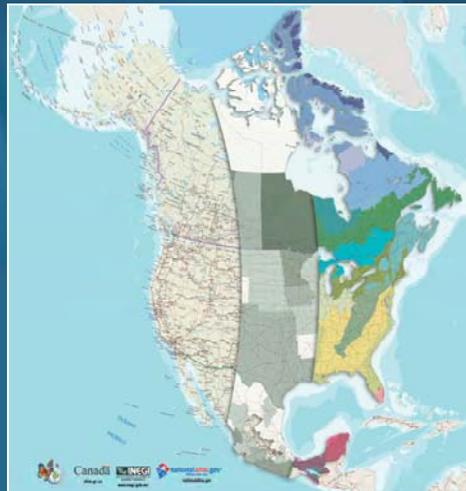
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Applying the Framework for Concrete Results....

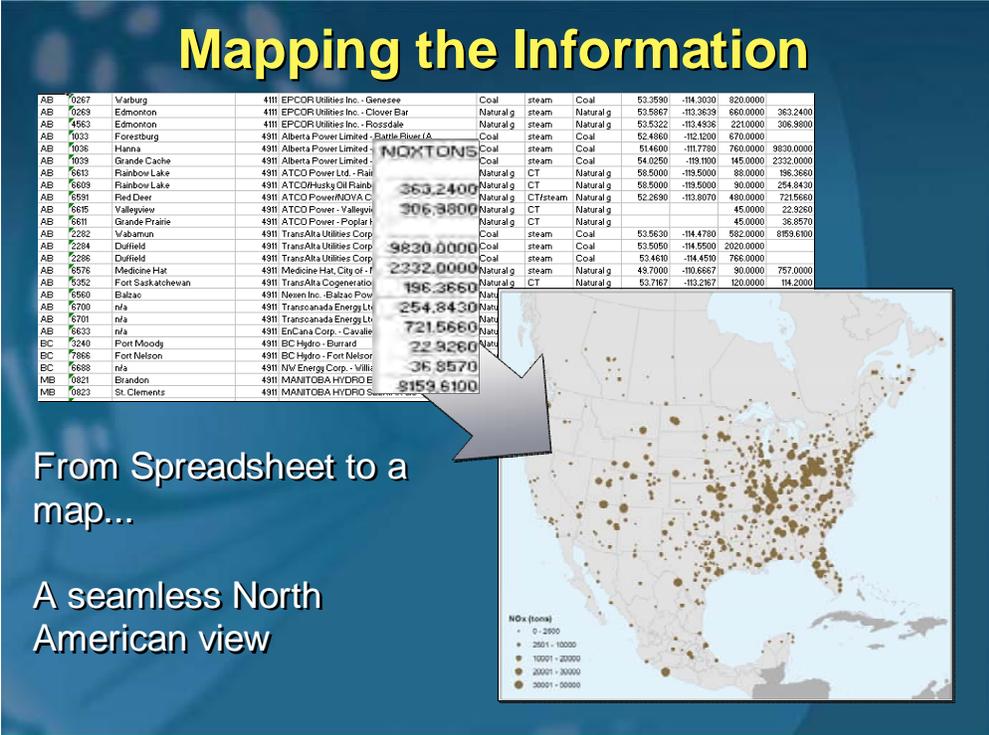
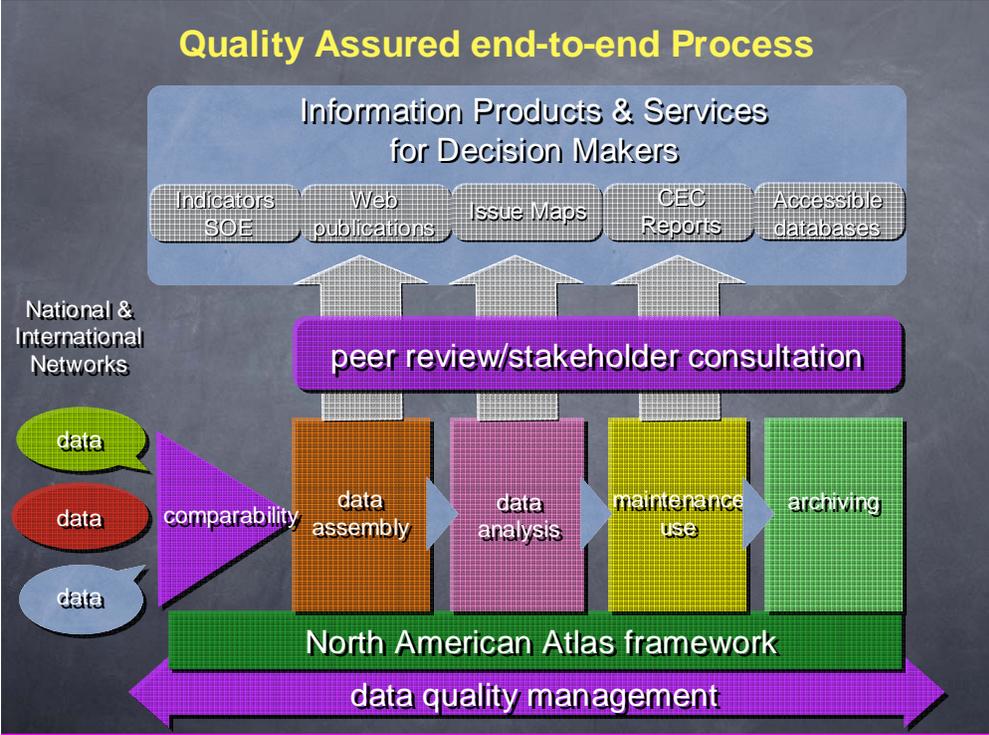
North American Atlas Framework

A Base for Continental Decision Making

- Seamless North American view
- Address issues of common concern
- View cross-cutting themes
- Policy/Environment Links
- Multiple use of quality assured data

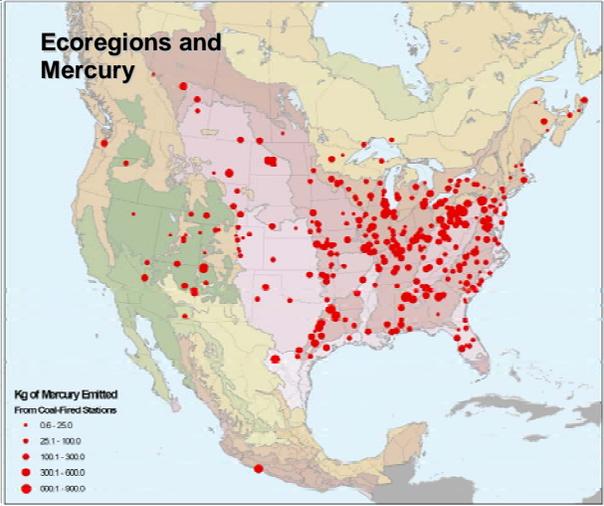


Platform for sharing, harmonizing, exchanging & displaying information



North American Power Plant Emissions

- *Multiple views...*
- *Same quality assured data*

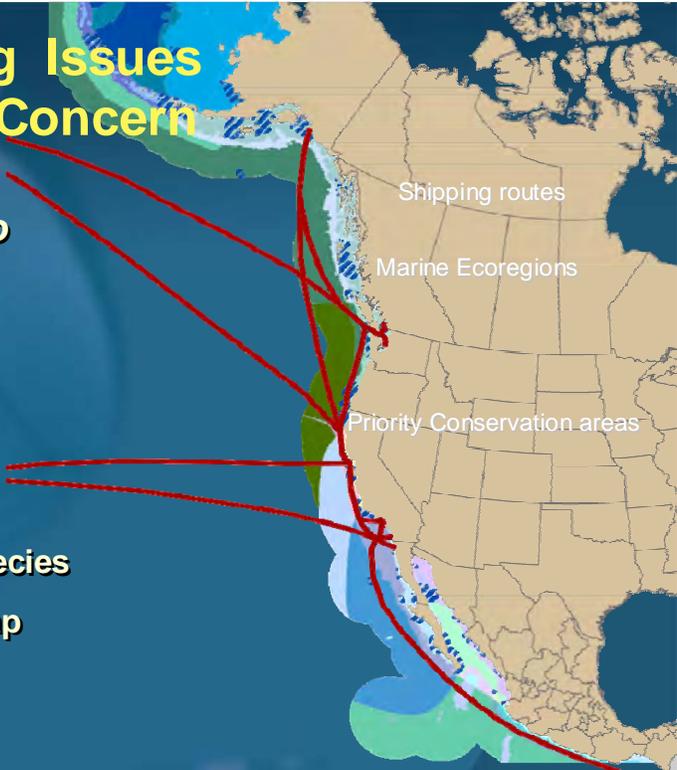


Cross-linking Issues of Common Concern

Baja California to the Bering Sea

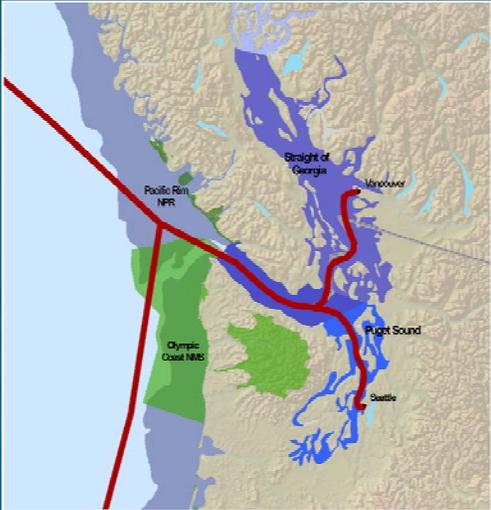
Shipping routes lead to:

- Emergency spill response
- Alien invasive species
- Ship-whale overlap
- Air pollution



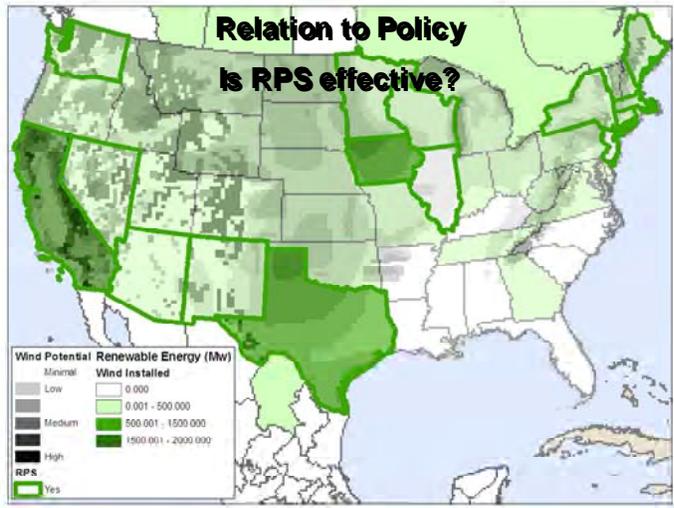
Pathway into Regions

Transboundary issues: Puget Sound



Linking Policy to Results

Wind Energy



Summary

- *Integrated Strategy*
- Provide a NA Picture
- Ensure quality and integrity of information
- Improve comparability & compatibility of data
- Provide information for decision-making



18

Trade and Environment Strategic Plan



2005-2009



<http://cec.org/>

"We want to build on the CEC's recognized expertise on trade and environmental linkages, and to address specific trade and environmental issues more effectively."

--The Puebla Declaration

Unrealized Potential on Trade and the Environment

TRAC Report noted,

"[a] decade after negotiating the NAAEC...the Parties still pursue their trade and environmental policies largely separately, rather than through the CEC. One of the results is that they are not always in a position to anticipate—and thus to prevent—environmental problems associated with increased trade and economic development."

10(6) Working Group: Integrating Trade and Environment Policies

Purpose

- Address issues of concern as they arise
- Avoid conflicts
- Leverage human and financial resources

Developing Our Strategic Plan

The 10(6) Working Group focused on a simple goal:

Promote policies and actions that provide mutual benefits for the environment, trade and the economy.



www.factsontheback.com/astromony.htm

Objectives

- Enhance North American trade in green products and services, with a view to improving environmental protection, promoting sustainable use of biodiversity, removing trade barriers and utilizing market-based approaches.

Objectives

- Increase the capacity of the three countries to identify and address trade-related environmental concerns to achieve mutual benefits for trade and the environment and improve collaboration among the three countries in these areas;



www.america-atlas.com/north-america.htm

Objectives



www.freerepublic.com/ ~m1lightning/

- Improve regional and national coordination, including coordination between the CEC and NAFTA Free Trade Commission through the 10(6) working group; and

Objectives

- Broaden understanding of trade and environment linkages, and thereby promote policy coherence, both at the domestic and regional levels in North America.

Evaluating Projects

Criteria

- Is it required by the NAAEC?
- Does it build on or contribute to other CEC work?
- Does it leverage or catalyze work done by others?
- Does it respond to stakeholders?

Our Focus for 2005

- Ongoing Environmental Assessment of NAFTA
- Renewable Energy
- Invasive Alien Species
- Green Purchasing
- Trade and Enforcement of Environmental Laws
 - We will revisit project proposals to promote market-based approaches to support environmental protection, conservation and sustainable use of biodiversity in 2006.



Trade and Enforcement of Environmental Laws

Protection for the environment and wildlife –

A level playing field for trade and investment –

Trade and Enforcement

- Improving Information Exchange
- Training for Border Inspectors and Investigators
- Building Legal and Judicial Capacity



Improving Information Exchange

- Past activities have focused on information exchange among Governments and compliance assistance to importers and exporters
- In 2005, the CEC will complete important compliance assistance work and will continue to coordinate domestic decisions on information systems and procedures



Information Exchange Among Governments

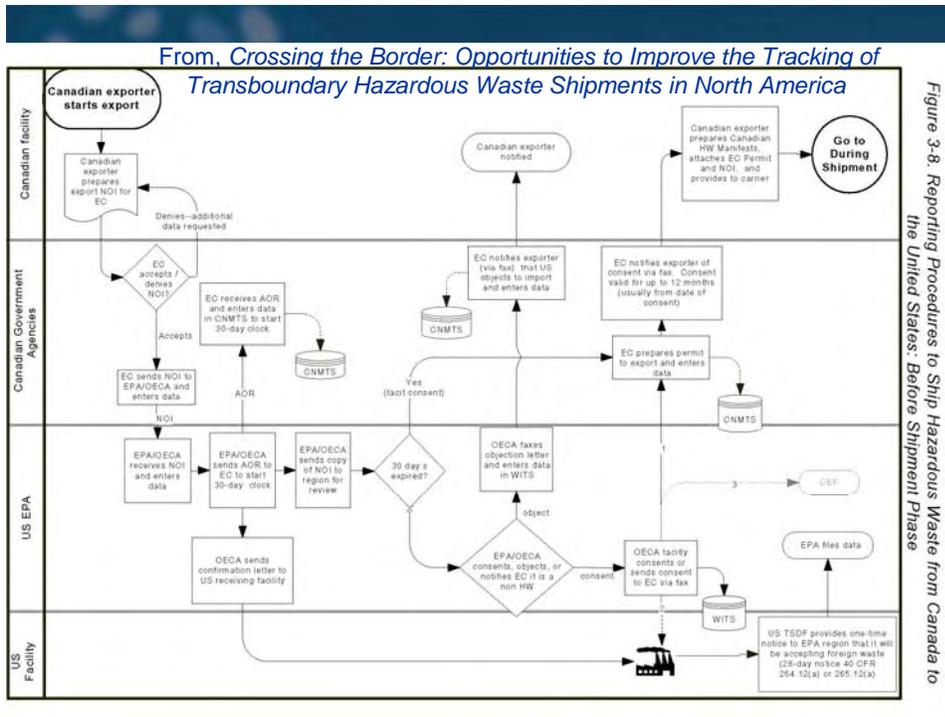


Crossing the Border

Opportunities to Improve Tracking of Transboundary Hazardous Waste Shipments in North America

Working Report

Commission for Environmental Cooperation
2005



Centro de Asistencia para Cumplimiento de Asuntos Fronterizos - Microsoft Internet Explorer

Address: <http://www.bordercenter.org/spanish/index.htm>

Centro de Asistencia para la Conformidad Fronteriza

Border Compliance Assistance Center

[English version](#)

Noticias

Cruzando la Frontera

Instrucciones para:

- Generador Mexicano
- Transportador Mexicano
- Transportador EE.UU.
- Importador EE.UU.
- Regulaciones Mexicanas
- Regulaciones de los EE.UU.
- Manifiesto
- Corredores

Bienvenido al Centro para la Asistencia de Conformidad Fronteriza. Revise esta pagina para conseguir información acerca de la transportación y importación de diversas cargas a los Estados Unidos con atención especial a desechos sólidos y peligrosos. Queremos ayudarle a cumplir con las leyes y hacer su viaje uno sin peligro y sin problemas.

Aquí encontrara información detallada para saber:

- como empaacar y marcar los recipientes /envases
- como preparar los papeles necesarios y mantener un registro
- el procedimiento específico en cada oficina de la aduana Estadounidense
- reglamentos para el transporte en diferentes estados y caminos
- como entregar su carga

Alerta del Centro Fronterizo!

[Manifiesto de Desechos Peligrosos está Cambiando](#)

Procedures for Border Crossings

Select a border crossing from the map below to view hazardous material/waste importing procedures

Border Compliance Assistance Center

WELCOME TO JUAREZ

Ciudad Juárez office:

Administrator in charge:
Lic. Joaquín Díaz Rivera

Location:
Puente Libre de Córdoba S/N, Área de Chamizal, C.P. 32310, Ciudad Juárez, Chihuahua.

Business hours:
At customs:
 Monday to Friday, 8:00 a.m. to 8:00 p.m.; Saturday, 9:00 a.m. to 3:00 p.m.
At Puente Internacional Zaragoza Isleta customs section:
 Monday to Friday, 8:00 a.m. to 9:00 p.m.; Saturday, 10:00 a.m. to 3:00 p.m.
At San Jerónimo-Santa Teresa customs section:
 Monday to Friday, 8:00 a.m. to 6:00 p.m.; Saturday, 10:00 a.m. to 2:00 p.m.

Training for Border Inspectors and Investigators

- Past Activities addressed wildlife and ozone depleting substances smuggling
- In 2005, the CEC will develop a prototype of an e-learning tool on border inspections of wastes, ozone depleting substances and wildlife





Our goal for 2005 and beyond

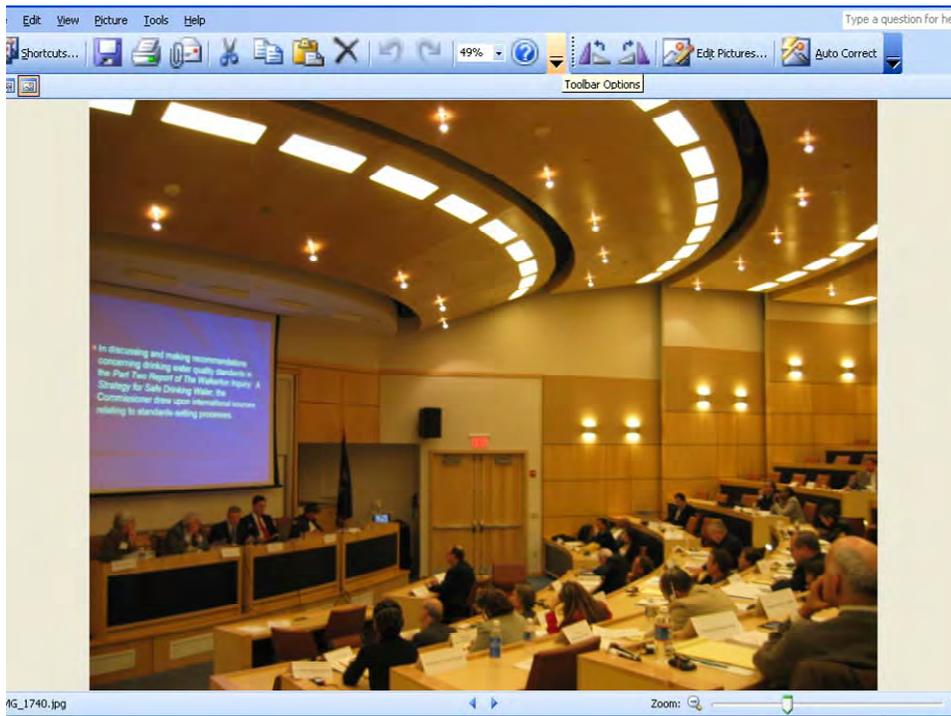
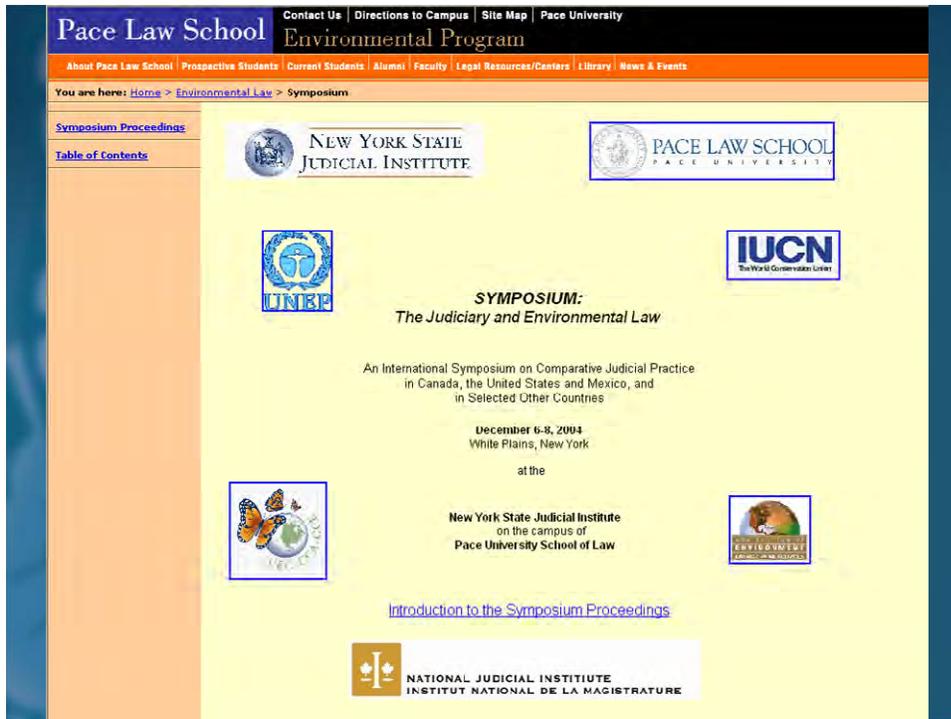
- Train customs officials, environment officials and law enforcement personnel
- Improve detection of illegal goods, while reducing border delays for legal shipments



Legal and Judicial Training

- Past activities have included legal issues associated with transboundary enforcement cooperation and a symposium for the Judiciary on environmental law
- In 2005, the CEC will host a workshop on innovative approaches to settlements and will host a North American Judicial symposium on environmental law in Mexico





Moving Forward in 2005-2006

<p>Improving Information Sharing</p> <p>↓</p> <p>October 2005- Finalize compliance assistance plan and business modeling</p>	<p>Training Border Inspectors</p> <p>↓</p> <p>November 2005 Focus group to examine e-prototype of border training</p>	<p>Building Legal and Judicial Capacity</p> <p>↓</p> <p>November 2005- January 2006 Legal and Judicial Training occur ~ institutionalize efforts outside of the CEC</p>
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SEMARNAT *PROFEPA*

CEC Capacity Building

“Alliances for an Integrated Environmental Enforcement”

JUNE
2005

Dr. Germán González-Dávila
Advisor, Undersecretary for Environmental Planning & Policy, SEMARNAT

Consuelo Dueñas Wiarco
General Director, Environmental Audit Risk, PROFEPA

Background

- The Puebla Declaration of 2004 acknowledges the asymmetries in the Parties' capacities;
- Development of institutional capacities is especially important to Mexico;
- CEC will support the capacity building of interested sectors in the three countries;
- CEC will focus attention on building capacities in chemicals control, pollution prevention, biodiversity conservation and environmental enforcement.

Objectives

- To strengthen capacities to improve compliance with wildlife laws;
- To improve the private sector's environmental performance, focusing on model environmental compliance;
- To strengthen capacities to conserve species and habitats of common interest;
- To strengthen the Parties' capacities to assess and control chemicals of interest.

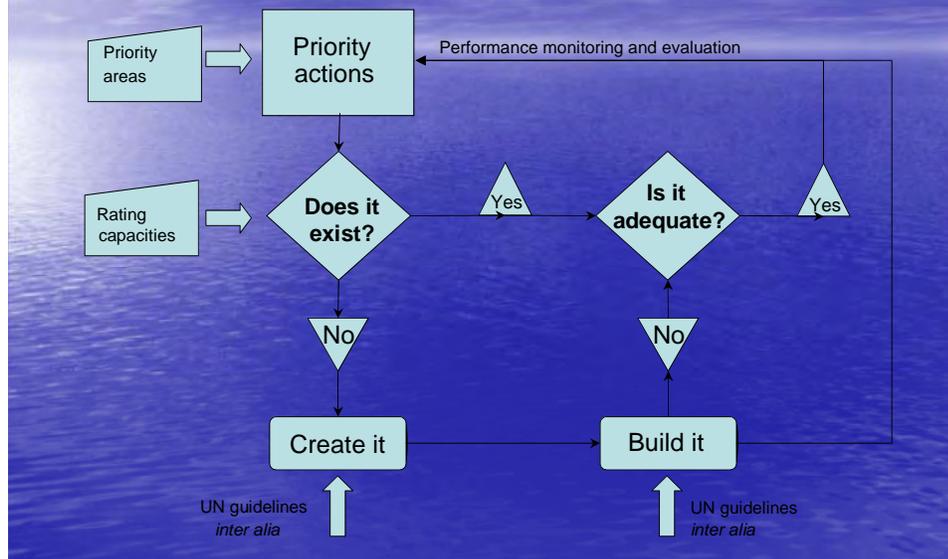
Projects

- Training for wildlife inspectors and other enforcement actors (70,000 CD);
- Alliances for an integrated environmental enforcement in selected industries and regions (425,000 CD); and
- Development of instruments to ensure ecosystem integrity and to promote adequate species and ecosystems management (140,000 CD).

(Capacity building)

- Present conceptual approach is based on recognition of “areas of priority interest”;
- Concept of “capacity” is evolving from training to institutional development;
- Identification of “types of capacities” is indispensable

(Capacity building)



(Capacity building)

<i>OBJECTIVE 2. Improve the environmental performance of the private sector by promoting model approaches to environmental compliance (PROFEPA, legal, INE, DGIndustria)</i>			
Technical priorities where sufficient capacities to implement this objective are lacking	Technical capacities to build or create	Actions	Target Public
1. Increase number of Industrial Emissions Spot Check Inspections.	<p>a. Specialists in stationary source sampling.</p> <p>b. Stationary source sampling technologies.</p> <p>c. Funding sources ensuring continuity.</p>	<p><i>i.</i> Update the existing normative framework applicable to industries under federal jurisdiction.</p> <p><i>ii.</i> Monitor industrial emissions.</p> <p><i>iii.</i> Analyze emissions of industry under assessment.</p> <p><i>iv.</i> Regulatory and emission control programs.</p>	<ul style="list-style-type: none"> o Society as a whole. o Environmental consultants and agencies. o Industrial and Trade Associations. o Jurists specializing in environmental law.

Example

Alliances for an integrated environmental enforcement

- Purpose: To support Mexico in focusing and building capacities to improve the environmental performance of the private and governmental sectors;
- Commitments: To undertake cooperative activities among federal, state and municipal government agencies and large, medium and small businesses, in order to improve performance.

Expected results

Alliances for an integrated environmental enforcement

- Market model for an integrated environmental enforcement (on a voluntary basis), applicable to the production chains of selected industries in Mexico State;
- Increased governmental and private-sector capacities to cooperatively design and implement an integrated environmental enforcement, and capacity-building initiatives in state and municipal governments.

Subprojects

Alliances for an integrated environmental enforcement

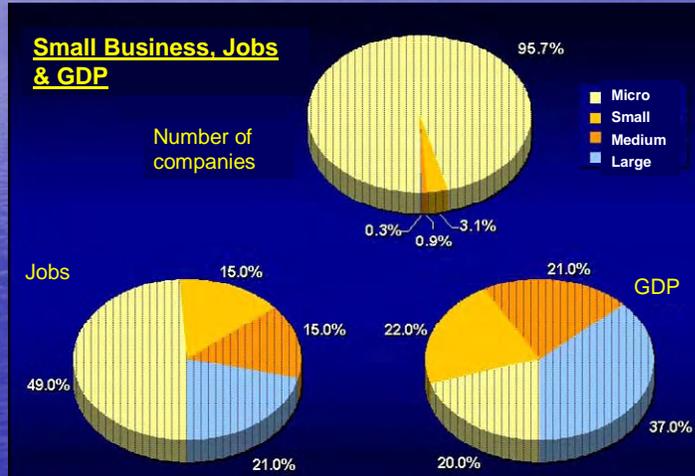
- Chains of production;
- Decentralization of environmental audit programs; and
- Sound waste management in the electronics industry.

Current situation 1

Alliances for an integrated environmental enforcement

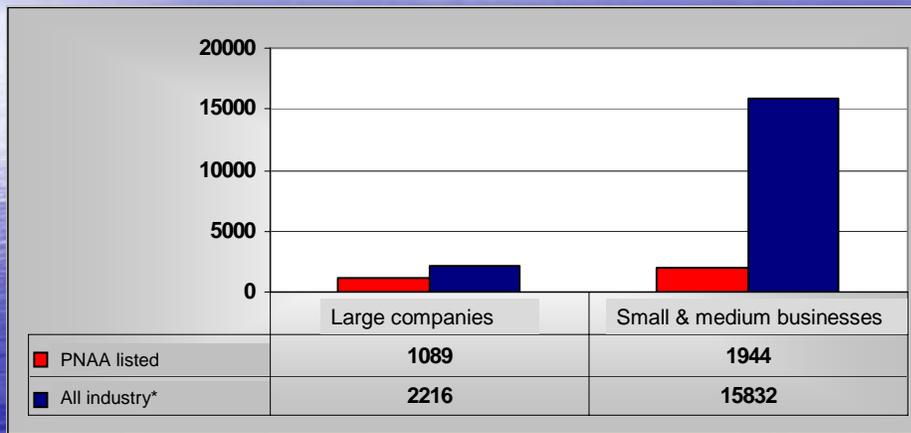
Total number of businesses in the country - 2,844,308

15 % industrial
54 % commercial
29 % services



Current situation 2

Alliances for an integrated environmental enforcement



* Note: All industry does not include the commercial and services sectors

Strategies of the National Environmental Audit Program (PNAA)

- Incorporation of high environmental-impact sectors and players.
- Clean City Program;
- PNAA decentralization: Capacity building in state governments for joint PNAA implementation; and
- Production chain focus: Capacity building to improve private-sector environmental performance and increase competitiveness through joint efforts and transferred capacities.

PNAA 1 Alliances for an integrated environmental enforcement

The project:

- Will promote capacity building in Mexican federal, state and municipal government agencies and in large, medium and small businesses,
- May be developed and replicated in any part of the country;
- Contributes to the North American learning process;
- Coincides with key PNAA strategies;
- Generates learning that contributes to the PNAA's continuous improvement process; and
- Will enable the development of specific strategies and mechanisms to broaden the PNAA's scope and increase its positive effect on the system.

PNAAs 2

Alliances for an integrated environmental enforcement

The PNAAs:

- Constitutes an effective option to undertake the project components;
- Adds value to the project, since as a solid, prestigious program it is an incentive to certify the chain of production; and
- Features specific mechanisms and incentives for businesses with different performance levels.

Results obtained

- General elements of decentralization and the selection of the state for undertaking the pilot project.
- Environmental audit training designed for Querétaro state officials.
- Discussions with industry groups interested in production chain development.





Commission for Environmental Cooperation
of North America

Comisión para la Cooperación Ambiental
de América del Norte

Commission de coopération environnementale
de l'Amérique du Nord

CEC Ministerial Statement

Twelfth Regular Session of the CEC Council

Quebec, Canada, 22 June 2005—We, the environment ministers of Canada, Mexico and the United States, members of the Council of the Commission for Environmental Cooperation (CEC or “the Commission”) met for our annual Regular Session on 22 June 2005.

At last year’s session in Puebla, on the occasion of the Commission’s tenth anniversary, we met to review our progress, re-affirm our commitment to the CEC, and set directions for the future. Over the past year we have worked in a manner consistent with the 2004 Puebla Declaration, which describes our new priorities, a new path forward, and a new way of accomplishing our goals. We have also taken into account the recommendations of the Ten-year Review and Assessment Committee, the Joint Public Advisory Committee (JPAC), and key stakeholders.

As set forth in the Puebla Declaration, our priorities for cooperation in the coming years are: the development of *Information for Decision Making*, support for *Capacity Building*, and ongoing work to address *Trade and Environment* issues more effectively in order to promote environmental protection and sustainability.

To advance our agenda, we are pleased to adopt our five-year Strategic Plan that strives to build on our strengths and the unique nature of the CEC. It describes how we intend to work together to protect the environment in North America, to promote and facilitate cooperation among our three countries, and to provide tools and information to enable citizens, governments and industry alike to protect our shared environment.

The Strategic Plan 2005–2010 sets specific goals and objectives for each of our new priorities. To accomplish them, the CEC has launched a series of cooperative initiatives that build on our experience and that are designed to produce visible and concrete results. We commit ourselves to the effective oversight of this strategic plan and to ensuring that our science and information products are of high quality. Along with this agenda for cooperation, we note the important work that the Secretariat undertakes pursuant to Articles 13, 14 and 15 of the North American Agreement on Environmental Cooperation (NAAEC).

Information for Decision Making

In this session, we have endorsed a suite of initiatives that will enable our governments and others, in both the public and private sectors, to make better-informed decisions on environmental concerns. Our goal is to develop and share a description of North America using environmental information that is integrated, comparable, and of consistent high quality. Our immediate focus is to enhance the quality and comparability of North American air quality information. Over time our efforts will expand to refine the portrayal of some common North American issues, including invasive species, toxic substances and wildlife conservation.

Capacity Building

Our goal is to strengthen capacities in our three countries to manage environmental issues of common concern by sharing what each of us does best, so as to improve our ability to make progress together faster. We have committed to improving, over the next five years, our abilities to assess and manage chemicals of concern, undertake pollution prevention, participate in biodiversity conservation, and develop effective environmental management programs. The CEC will focus initial efforts on Mexico, where the opportunity is greatest. In particular, we discussed approaches to work with the private sector, to improve competitiveness and

environmental performance through an innovative partnership to integrate environmental management.

Trade and Environment

Promoting a better understanding of trade and environment relationships is central to the CEC's mission. The Strategic Plan will help us increase our capacity to identify and address trade-related environmental concerns, enhance the relationship between the CEC and the NAFTA Free Trade Commission (FTC) and bring more focus to the work of the CEC.

Our goal is to promote policies and actions that provide mutual benefits for North America and we endorsed several initiatives to accomplish this over the next five years. These include: improving our capacity to assess NAFTA's environmental effects; establishing key elements to enhance markets for renewable energy; developing tools and practical approaches to foster green purchasing; developing a North American approach to reduce the cost and harm caused by invasive alien species; and improving enforcement of environmental laws, particularly at our borders.

Expanding Partnerships for Environmental Stewardship

Our session was enriched by open discussion and exchange of ideas with members of the general public from each of our countries. We received the benefit of advice from the members of JPAC. We thank them for their dedication and ongoing effort to help us keep public engagement at the heart of our operations.

We also had the privilege of meeting with business leaders from each of our three countries. The Council has reached an agreement to work to increase the contribution of the private sector and other stakeholders in Canada, Mexico and the United States in the implementation of the initiatives we have endorsed to accomplish our strategic goals.

The CEC was established by Canada, Mexico and the United States to build cooperation among the NAFTA partners in implementing the North American Agreement on Environmental Cooperation (NAAEC), the environmental side accord to the NAFTA. The CEC addresses environmental issues of continental concern, with particular attention to the environmental challenges and opportunities presented by continent-wide free trade. The Council, the CEC's governing body, is composed of the federal environment ministers (or equivalent) of the three countries, and meets at least once a year. The Council members are Canadian Environment Minister Stéphane Dion, Mexican Secretary for Environment and Natural Resources, Alberto Cárdenas Jiménez and US Environmental Protection Agency Administrator Stephen L. Johnson. The Joint Public Advisory Committee (JPAC) is a 15-member, independent, volunteer body that provides advice and public input to Council on any matter within the scope of NAAEC.

For more information on any of the topics reviewed by Council, visit <http://www.cec.org>.

12th Regular Session of the Council of the Commission for Environmental Cooperation (CEC) of North America¹

Summary of the Public Session²

22 June 2005

Québec City, Québec, Canada

Jane Gardner, Chair of the Joint Public Advisory Committee (JPAC) presided over the session, described the importance of this opportunity for the public to speak directly to the Council and then explained the organization of the program and rules for the presentations.

Claudia De Windt, Organization of American States, expressed her gratitude for the opportunity to present on behalf of the OAS. She explained that as economic integration continues in the Americas the OAS, through its office for sustainable development and environment, is working to build capacity for environmental management to better align environmental protection with economic development. She continued that the OAS has been working with its member states to conduct *ex ante* environmental assessments of trade liberalization looking at institutional challenges including the enforcement of environmental laws and concrete sustainable policy options.

She explained that the OAS has launched different initiatives for access and sharing of information for sustainable development decision-making, including the inter-American network for biodiversity information allowing scientific organizations of the 34 members states to share biodiversity data. These priorities, and others identified by OAS member states in areas such as renewable energy, environmental law, trade and the environment, environmental health and the sound management of chemicals, have been at the core of the CEC over the past 10 years and of the *Puebla Declaration*.

She observed that the work of the CEC in these common areas is an example of a strong commitment to public participation and support for regional cooperation. The lessons and the experience of the CEC as the oldest trade related environmental institution in the Americas are valuable to other countries in the hemisphere as they engage in free trade and face similar issues, in particular for those countries that considered a citizen's submissions process, or similar mechanisms in their trade agreements. As the CEC advances its work, and the OAS enhances its efforts on capacity building for sustainable development, trade, and economic growth she noted the opportunities for collaboration responding the commitments of the member states.

She concluded that social progress and economic prosperity could only be achieved if people live in a healthy environment and that resources are used sustainably and responsibly.

Josefina Cendejas Guizar, Ecomorelia, thanked the CEC for providing support allowing her to make this presentation on capacity building from the perspective of an NGO and community initiatives. She expressed concern that in Mexico there is still much to be done to ensure that protected areas, such as those to conserve the monarch butterfly achieve their purpose. She noted the lack of involvement of

¹ The Council members were represented at this session by their Alternate Representatives.

² DISCLAIMER: Although this summary was prepared with care, readers should be advised that it has not been reviewed nor approved by the presenters and therefore may not accurately reflect their statements.

indigenous peoples and their knowledge.

For a country like Mexico, she continued, capacity building for development is very important at the local level. If we understand development as being not only economic growth, but also the empowerment of local peoples to improve their own lives, then we have to take capacity building beyond simply passing on information or transferring technology. The top down approach just does not work. There are many examples around the world of such failures. Stakeholders at the grassroots level must be involved. This was the old community development paradigm used by development agencies and has been very negative for communities. In the case of the monarch butterfly, the protected area has created more problems for the species so that their situation is in fact even worse than previously.

She explained that in Latin America, alternative paradigms are being fostered, focused on a more participatory approach and supporting public education. People and communities develop by themselves – it cannot be imposed. What is required is the creation of favorable conditions for growth. She continued that capacity building should be linked to the real possibility of making decisions and exerting autonomy. Otherwise vulnerability is increased, not decreased for local peoples. It is not realistic to imagine that *campesinos* should become entrepreneurs overnight and compete at the same level as other entrepreneurs.

Another essential element is to understand the cultural contributions that the various stakeholders can make. There is never one reality and none are superior. This ethnocentric approach can be very destructive. One of the main tools for capacity building is respect for cultures and cultural diversity. She concluded that capacity building should not be aimed simply at technical requirements but also be aimed at developing social capacity of the communities for sustained results over time.

Cliff Wallis, Alberta Wilderness Association, thanked the CEC for the opportunity to present. He reminded everyone that one major objective of the NAAEC is to increase cooperation to better protect the environment, including wild flora and fauna. He began by expressing concern and frustration that one of the CEC's most important programs, the Conservation of Biodiversity Program, is being diminished under the new strategic plan. While the AWA is generally supportive of the new strategic plan, there is further concern that the CEC and governments are not sufficiently resourced in terms of personnel and finances, nor do governments possess the full array of tools and commitment to effect the changes necessary. He noted that he had been somewhat reassured by Hans Herrmann's presentation, but does not see the priority reflected in the new strategic plan. He noted that while we try to work through this new approach "nature weeps at the continuing loss of biodiversity across North America". His organization would like to see biodiversity reflected in all three of the new pillars.

He asked Council to ensure that the work on nature protection be fully integrated and indeed strengthened and explicitly recognized. He continued that the AWA supports a continued focus on the grassland region that stretches from Canada to Mexico, noting that it has some of the highest concentrations of species at risk. Many groups at the local and regional level are forming around grassland conservation issues. This creates an opportunity for the CEC to continue its work and strengthen partnerships.

He noted that the CEC Secretariat could play an important role by acting as a coordinator or network hub for capacity building and for information on biodiversity, having excelled in this work in the pollutants area. It also has a role to play in measuring progress. Resources will be required. He continued that capacity building and information sharing are two key areas in the Puebla Declaration

that would be addressed by such an initiative. The AWA is also suggesting that the CEC organize a continental grassland conservation workshop within the next two years to reconsider the grassland biodiversity conservation agenda, identify gaps in knowledge and develop a five-year work plan.

He continued that there is a need to create more core protected areas; to remove agricultural and energy subsidies that result in degradation and loss of grasslands; and to work on the development of species recovery plans using a continental ecosystem approach. He also noted the need to work with local communities and indigenous peoples to ensure long-term success.

He concluded that the CEC is transforming from what as Charles Caccia said ten years ago a “toothless tiger”. The question is, will it be a toothless mouse or the mouse that roared for biodiversity protection?

Anne Perrault, Center for International Environmental Law thanked the CEC for the opportunity to present today and to share concerns about the unclear relationship between the recent *Security and Prosperity Partnership* (SPP) and the NAAEC and the role of the CEC. He explained that the activities of the SPP reflected in the *Leadership Statement* are broader in scope than those of the CEC. However, it is also obvious that the activities related to the environment fall squarely within the mandate of the CEC. An objective of the SPP is to enhance the quality of the environment and in this respect the listed activities are to protect water quality, conserve the habitat of migratory species, control invasive species and protect the ocean environment.

The Center is concerned that if these are parallel sets of activities that there could be duplication of efforts. One major concern is that the procedures and mechanisms in the NAAEC that safeguard transparency, public participation and even the fair and equal treatment of the countries could be circumvented by these parallel sets of activities. She also expressed concern about how the SPP affects that capacity and credibility of the CEC to perform its functions.

The issue raised is obvious - why is the SPP listing these activities without any reference to the CEC and the role of the CEC? She suggested that it seems inconceivable that the drafters were unaware of the CEC. Is there an implication that the activities of the CEC are inadequate or ineffective? If this is so, it should compel Council to act to address these shortcomings. If it is not related to an ineffective or inadequate CEC, but a concern that the procedures, mechanisms and obligations of the CEC should not be part of an approach to address air quality, etc., this would create a major concern. If instead it is that the drafters envisioned that the CEC should perform these functions, then this should be made clear.

She urged Council to make clear the relationship to the SPP and provide the public with a better understanding of the relationship. She further encouraged Council that as these hopefully not separate initiatives move forward, to ensure that the role of the CEC is not undermined.

Randy Christensen, Sierra Legal Defence Fund, thanked the Alternate Representatives for the opportunity to present their point of view and participate in the critical work of the CEC. The SLDF has seen the CEC develop into a very important and integral organization for protecting the North American environment. As a member of the public, he has seen the CEC perform some very vital roles convening governments, NGOs and experts on a cooperative basis. It is forging links with groups working in the three countries and disseminating information outwards to communities and transmitting local knowledge and concerns upwards into government agencies. In this spirit, he encouraged each government to continue to increase support to the CEC.

He continued that one of the most innovative and important aspects of the CEC is the Article 14 and 15 citizen submission process, which allows any citizen to make a complaint against government about failure to enforce environmental laws. He noted that over the past 11 years there have been some very impressive results from this process. We have seen improvement of individual projects, improvement in government policy and improvement of environmental law enforcement.

There have been 50 submissions to date and the annual number is increasing. We have seen the Secretariat becoming more efficient and timely in processing submissions. Unfortunately, however, we are also seeing a continuing tension between submitters and Council and their Alternate Representatives in the handling of specific submissions. He went on to discuss concerns about two specific submissions: the Montreal Technoparc and the Pulp and Paper submissions. In each of those cases there have been attempts by Council to limit the factual record that may be prepared by the Secretariat. The effect of these directives from Council has been to try and keep the Secretariat from looking at the actual effectiveness of law enforcement and given that this is exactly what this process is geared to address, the SLDF considers these efforts by Council to be misguided. Individual Council members are making decisions on the basis of their political and national interests rather than in the larger interests of the North American environment.

To resolve some of these tensions, the SLDF recommends that the CEC undertake a review of past submissions and their effectiveness. They would also like to see, as part of that process, groundwork laid for an agreement so that Council could better respect the role of the Secretariat. He noted that these are consistent with recommendations contained in the Report of the Ten-year Review Committee.

Erick Saracho Aguilar, Hojanay, began by observing that the CEC's important work needs to become more widely known in North America. Civil society, in particular, is not well aware of the many important projects and products produced by the CEC. This would encourage broader public participation. Public participation is important if we want to see the products of the CEC turned into public policy. He explained that in Mexico, since the WSSD, consultative councils were established and they are very good vehicles for disseminating information. Conversely, they are also vehicles for getting community concerns and proposals up into the government system. He noted that there is still no Mexican NAC. A Mexican NAC would also greatly assist in moving information within Mexico. He continued that problems related to toxic chemicals and persistent pollutants affecting North America should be the CEC's primary concern. The information provided by *Taking Stock* is essential. Further the knowledge generated by case studies and special projects such as children's health could help mobilize civil society around environmental issues.

He continued by noting that Articles 14 and 15 have enabled citizens to exercise their right to defend the interests of their communities. The citizen submission process is essential for reinforcing the three pillars of the *Puebla Declaration*. Enforcing environmental laws against violation, such as in the case of road construction in Jalisco, is vital. The Article 14 and 15 process gives citizens a sense of belonging in the search for environmental justice and the road to sustainable development. He noted that Martha Cortez, on behalf of 12 Mexican organizations is coordinating the submissions concerning roads in Jalisco. He also noted the importance of CEC publications, such as *Bringing the Facts to Light*, as capacity building information tools for the public. It is like a handbook for how to protect our rights. He then spoke about the importance of follow up to the factual records to enable the CEC to measure the effectiveness of the Article 14 and 15 process and the NAAEC as a whole.

Environmental protection, fair trade and sustainable development can only be achieved if public

participation is stimulated and encouraged. He observed that there were very few participants from Quebec attending the meeting and there were many empty chairs in the room. He concluded that citizens have the right to expect that law and science will ensure their welfare.

Elizabeth Everhardus, Pollution Probe, described her organization's objectives. She began by explaining that the organization was presenting today to propose ways that the CEC can strengthen partnerships with the private sector to advance environmental protection and conservation goals. The suggestions are based on research and consultation with industry and governments over the past three years in a project titled *Towards a Policy Framework for Environmental Sustainability*. The project involved looking at various concepts and environmental management tools used by leading companies to advance superior environmental performance. Examples of these tools include environmental management systems, eco-efficiency, life cycle assessment, product stewardship, supply chain management, etc. Twelve case studies were prepared and interviews conducted with companies that developed and applied these environmental management tools. A report was also prepared on government policy considerations and issues that effect the adoption of environmental management by industries.

She also pointed out during the previous week in Washington, the OECD held a workshop entitled *Public Environmental Policy and the Private Firm* in which six major research projects were discussed. The questions addressed by the OECD research were strikingly similar to the work done by Pollution Probe. She outlined some of the questions that this project addressed. Do environmental management tools significantly improve environmental performance? What public policies encourage the adoption of innovative environmental practices? Does improved environmental performance generate commercial benefits for firms? These initiatives can add value to the CEC's efforts to strengthen partnerships with the North American private sector.

She continued that one aspect of Pollution Probe's work went beyond the OECD. They did research to look at the business case for environmental sustainability by industry. CEOs and other senior corporate officials were interviewed. They learned that businesses seek competitive advantage by applying sustainability concepts and tools. They modify or abandon tools that do not ultimately help them achieve this goal. This lowers operating costs, increases consumer acceptance and enhances product innovation. They also interviewed senior government officials in Canada to explore the role of government in helping companies to be more competitive and environmentally sustainable.

She encouraged the CEC to take a closer look at work already done on this topic and then add value. She provided some ideas on what the CEC could do to improve cooperation with the private sector:

- The CEC can give public recognition to governments, industry and NGOs who are cooperating to apply the successful concepts and tools.
- The CEC can challenge leading industries to share methodologies and approaches they are using to achieve significant reductions in energy use and in the reduction and elimination of toxic substances and facilitate access to best practices and tools for effective environmental management, education and training;
- The CEC can challenge NAFTA governments to share best practices that encourage successful business practices.
- Provide a forum where NGOs can engage with industry and government to develop a robust policy framework – a framework that rewards industry leaders, recruits new leaders and enhances the responsibility of all stakeholders.

In closing she observed that the disclosure of environmental information is a powerful motivator for environmental performance.

Alejandro Callejas Linares, Centro de Estudios para la Sustentabilidad, thanked the CEC for the opportunity to speak. His presentation focused on mechanisms for improving cooperation between the private and non-profit sectors. He noted that all civil society, no matter where people live or their economic situation, is concerned about the environment. First, it is necessary to enlarge the legal framework for the CEC's work. Analyses and reports are interesting and useful, but need to be taken to the next step if the work is to result in better laws and enforcement. The CEC is a unique organization and we need to foster its work. Creating a better legal framework in each country would assist.

He also suggested creating a group of moderators for the three countries who could sit at a common table representing local governments and stakeholders. This could help create a lobby to encourage the private sector to adopt better practices. This would be a more efficient use of the CEC's scarce resources. This group should work to continually improve public participation, looking at tools used in other organizations around the world. When government, the private sector and civil society sit down together, they can create a common terminology. Without that we cannot even understand each other. He proposed that government assign 1% of the taxes paid by the private sector to support the work of the CEC.

He continued that he would like to see the methodology of sustainability presented in the book "Creando un futuro" incorporated in the work of the CEC.

Hector Arangua, Fundación mexicana para la innovación y transferencia de tecnología en la pequeña y mediana empresa is a new NGO created to be the operating arm of the chamber of commerce in Mexico, the country's most important trade group. They provide support to small and medium sized business so they can become more competitive. Their objective is to implement new and innovative programs in Mexico. This is what united us with the CEC as you are also working to support small and medium sized businesses in dealing with environmental issues. We joined with the CEC and created FIPREV, which has developed 105 credit initiatives. This represents US\$3M, which about \$30,000 for each business enabling them to finance the modification of production processes.

This is significant generator of environmental change in Mexico. Examples include reductions in pollution emissions and water conservation. He continued that beyond the direct environmental benefits, these reductions have created economic benefits for these small companies. We have evidence to prove that investing in small companies generates high returns and benefits. We are limited only by the small size of our fund.

FIPREV is searching for more resources with new partners. The CEC should play a role in this next step. There is now a window of opportunity to standardize practices in Mexico. The CEC has a valuable role to play in facilitating and convening stakeholders. This being said, the CEC could further its work with the private and small business sector.

The JPAC Chair thanked all the speakers and invited the Alternate Representatives to respond.

David McGovern, representing the Canadian Council member, noted his appreciation for all the presentations and that the CEC uses its resources well in organizing very productive and substantive

meetings. He touched on the SPP. He began by referring to the presentation concerning the OAS and its involvement in various initiatives very similar to the CEC. Interestingly, in that case, there were no concerns expressed about overlap or duplication. One of the key things about the CEC and SPP relationship is that people should wait until the announcement is made next week concerning SPP work. We are looking for complementary activities. In our meeting with JPAC we discussed the fact that we see the SPP as a very important initiative. It is recognition by the leaders of the three countries that the environment just as important as transportation, financial services to the prosperity of society. We are not looking to create overlap or duplication or new organizations.

Jerry Clifford, representing the United States Council member, also thanked all the participants and encouraged those who did not have an opportunity to speak to send comments to the Secretariat who will post them on the CEC website and make sure they get to the Parties and that they are all considered in our collective deliberations. He shared several thoughts. First, he commented on the new direction of the CEC. Over the first 10 years of the CEC, we had become spread a little thin. This level of work was not necessarily sustainable. We have attempted, with the help of the public, and our advisors, to retool and rethink the work of the CEC to make it much more focused. The CEC is not the sole repository of work on environment in North America. Each country has its own robust environmental programs and its own bilateral programs in large part on our borders. We are now looking at the CEC to be a catalyst. For example, concerning biodiversity, if you look at our communiqué from this meeting, biodiversity is referenced in all three pillars. It will continue to be a very robust part of the CEC. Trade and environment, pollutants and health and law and policy will all continue.

Regarding trade and environment, we have “learned a ton” from the CEC experiment in North America. In the US we are exporting that knowledge as we negotiate other free trade agreements. We have environmental cooperation as an integral part of all our trade liberalization efforts. We are working to build the capacity of all our free trade partners to protect the environment, promote sustainable development and increase trade opportunities in environmental goods and services. We frequently collaborate with our partners, such as the OAS, the Inter-American Development Bank as we continue to make the most of our limited resources. He encouraged those who have been following the work on trade and environment within the CEC to take a close look and track the work we hope to be doing further south in the hemisphere. He thanked JPAC and the involvement of the public to help the Alternate Representatives think more strategically about how to engage the private sector. Referring to the presentation by the representative of Pollution Probe, and the recent OECD work in Washington, he remarked that the results of this work would be used by all of us as we think about how to further involve the private sector.

Finally, he commented that although we have this meeting only once a year and there may be empty seats here today, this engagement is not meant to be the sole engagement of the private sector on the part of Council. Council will be looking to JPAC and their leadership in holding meetings and to the Secretariat as they host meetings to further engage all stakeholders.

José Manuel Bulás, representing the Mexican Council member, also thanked and congratulated the presenters on the quality of their presentations noting that these types of interventions help shape the work of the CEC. The CEC is not the only instrument for environmental cooperation in North America. We have forestry, wildlife and water cooperation organizations. The CEC plays a role among many. In North America we are creating further integration in many sectors – financial, communications, etc. Harmonization and standardization are also challenges in these processes. Integration is a very complex notion requiring unity at the social and environmental level. Our communiqué will help to inform the

public about the CEC's new direction and work that will be undertaken under the three pillars. He urged the public to continue to challenge governments to achieve a sustainable and just society. Governments cannot do the work alone.

He thanked Minister Mulcaire for hosting the meeting, noting the beauty of the Quebec countryside.

Thomas Mulcaire remarked that the preoccupation raised by the presenter from the OAS has a great deal of resonance and he will make sure to follow up to the extent possible. NAFTA is just the precursor of a larger liberalized trade network. He is encouraged by the CEC's forward-looking approach. The very essence of sustainable development is the ability to "look over the horizon". He thanked everyone for having come to Quebec City.

William Kennedy made a few points. He echoed Mr. Clifford's comments on biodiversity that indeed there is no intention to jettison the CEC's work on biodiversity. While we organized our work around three new pillars, work on information is something the CEC has always done. Capacity building has always played a part in the CEC's work and trade and environment is the very basis for the CEC's creation. The process we are going through now is how we are restructuring our traditional work program into the new strategic plan. There is no intention for work on biodiversity to decline.

He then responded to the intervention by Pollution Probe and work by the OECD. He thanked the presenter for the very good suggestions for where the CEC could focus its efforts. Specifically he commented on the suggestion for the CEC to provide a forum for bringing together various stakeholders. He explained that this has always been and will continue to be a focus for the Secretariat. For example, each year, in order to assist in the development of the annual *Taking Stock* report there is a consultative meeting to input into the report. In the past, it has been somewhat unstructured. This year, it will be a structured two-day event in Monterrey where we will be actively reaching out to industry, governments, local communities and NGOs to discuss the scope for the report.

As a final comment, regarding the SPP, the points that were made about cooperation in North America being larger than just one organization is a good one. He shared that he worked for the European Development Bank, based in London, England for many years before coming back to North America to take the position as Executive Director of the CEC. At the time the bank was formed by governments there were many discussions about whether or not Europe needed a new bank. At the end of the day, it was created because there was a special need for this bank's unique features to help countries in central and Eastern Europe. As the bank has progressed, the shareholders, who include the governments of the NAFTA countries, have closely monitored the bank's mandate. In doing so, they have redefined the scope of the mandate vis a vis what others are doing. When looking at the future of the CEC and the yet to be defined SPP and the work of the OAS, it would behoove all concerned to monitor closely and see how our work is progressing and make sure we not duplicating.

Jane Gardner thanked everyone and closed the session.