

## **SESSION 07-06 OF ALTERNATE REPRESENTATIVES**

### **SUMMARY RECORD**

The Commission for Environmental Cooperation (CEC) Council, represented by its Alternate Representatives, met via conference call on 27 November 2007. Mr. Dean Knudson (Canada) chaired the meeting on behalf of David McGovern, Mr. Jerry Clifford and Mr. Enrique Lendo Fuentes represented the United States and Mexico, respectively. Mr. Adrián Vázquez, CEC executive director, represented the Secretariat, Ms. Irene Henriques, represented JPAC as its chair, and Ms. Nathalie Daoust, Council Secretary, acted as secretary for the session. Other officials of the Parties and the Secretariat were also in attendance.

#### **Item 1 Adoption of the agenda**

The Alternate Representatives adopted the agenda based on the provisional agenda.

#### **Item 2 Interventions by the Executive Director and JPAC Chair**

The executive director began by welcoming the arrival of new government officials to the CEC and recognized their contribution and their enrichment to the CEC family. He also acknowledged the commitment of the GSC in working with the Secretariat over the last months in designing the 2008 Operational Plan. Looking to the coming year, he proposed for the Parties' consideration that the Secretariat undertake the development of a strategic "road map" which will describe the necessary steps and discussions to ensure the CEC's cooperative work program achieves financial sustainability by 2009. He also recommended that, in addition to the GSC, the working group leads and country experts be engaged to facilitate consideration of any need to realign working priorities. In response to the fluctuation of the Canadian-US dollar exchange rate, and in terms of prudent use of CEC resources, he mentioned he was working closely with the Secretariat's staff to ensure a rational use of financial resources, including innovations and efficiency in the planning of CEC meetings. Finally, he pointed out that the vacant positions at the Secretariat were in the process of being filled in the interest of allocating the necessary human resources to the implementation of the work program. He assured Parties of his commitment to efficiency and to accomplishing "more with less."

The JPAC chair referenced the memo she had sent to the Alternate Representatives on 9 October 2007 and reiterated JPAC appreciation for the fact that the 2008 Operational Plan was more concise, with clear tasks, outputs and budgets. She also underlined the need for the CEC to expand its list of key partners and include some key institutions and stakeholders across the three countries that would complement each project. On behalf of JPAC, she again reiterated the need to include indigenous communities in all components of the program. She mentioned that JPAC was currently drafting Advice to Council on this matter stemming from the meeting held in Winnipeg last September. Turning to the upcoming JPAC session in San Antonio, Texas, she explained that the focus of the meeting would be on the Article 14 process of the CEC, in terms of lessons learned from the past and future outlook. She noted that prominent speakers had been

invited to give presentations and that JPAC would be hosting a private lunch with the Special Legal Advisors and CEC representatives on 6 December. She also pointed out that the NADBANK will be hosting a cocktail in honor of JPAC and the CEC on 5 December. Concerning JPAC membership, she alerted the Alternate Representatives that Gordon Lambert's term as JPAC member will expire on 31 December, thus reducing the Canadian JPAC team to three members. She reiterated her proposal to Canada that his mandate be extended to ensure JPAC quorum is not jeopardized. Finally, she announced that the JPAC Chair for 2008 will be Jane Gardner of the United States. She thanked the Alternate Representatives for their support during her chairmanship and expressed her gratitude for progress achieved at the CEC in 2007.

The three Alternate Representatives, in turn, thanked the JPAC Chair for her good work and constructive approach throughout this year. The Canadian representative assured her that they were looking closely at the issue of Canadian membership on JPAC.

### **Item 3 2008 Operational Plan and Budget**

The Director of Programs reported on progress achieved through the vigorous rounds of negotiations among the Parties. He indicated that most substantive elements had been cleared as well as the budget to be assigned under each activity. Concerning the descriptive (front end) portion of the 2008 Operational Plan, he noted that Parties had agreed to extend the comment period until 7 December, after which the Secretariat would endeavor to produce a complete document for Parties' clearance and publication by year end. The Mexican Alternate Representative mentioned that two outstanding elements remained to be agreed upon under the *Species and Spaces* and *Invasive Alien Species* projects, the first one being a training workshop in the Yucatan peninsula for wildlife management officials proposed by Mexico. The second one, he explained, related to activities to be undertaken under *Invasive alien species*, which still needed to be discussed and agreed upon by the three countries. The Alt Reps also agreed that the Party experts will further discuss and finalize details concerning Task 4.4 under the SMOC project.

Following a brief exchange, the Alternate Representatives agreed to all projects proposed for 2008 with the exception of the three outstanding elements referred, and tasked the GSC to complete negotiations in the coming weeks. They also approved the overall budget of the CEC for 2008.

### **Item 4 Administrative issues**

#### **Item 4.1 2008 funding resolution**

The Alternate Representatives voted in favor of Council resolution 07-08 establishing the CEC funding for 2008 at US \$ 9 million.

#### **Item 4.2 CEC Financial Rules**

The Director of Administration and Finances explained that the CEC financial rules had been revised to reflect current practices as well as to strengthen reporting requirements of the

Secretariat. Canada proposed an additional change under rule 5.5 which was endorsed by the three Parties (replacing references to “Parties” or “Council” by “General Standing Committee”). The Alternate Representatives adopted the revised version of the CEC financial rules with this additional change.

#### **Item 4.3 Quality Assurance Policy and Procedure (QAPP)**

The Alternate Representatives adopted the revised version of the Quality Assurance Policy and Procedure document. The United States Alternate Representative expressed appreciation for the continued support among the Secretariat and the Parties to ensure the quality of documents produced by the CEC.

#### **Item 5 Submissions on Enforcement Matters**

The Alternate Representatives provided a status report on pending submissions. Regarding the *Lake Chapala II* submission, they noted that additional information had been requested from Mexico by both Canada and the United States, and that Mexico had agreed to bring revisions to the draft Council Resolution for their consideration. Regarding the *Coal-Fired Power Plants* submission, the United States indicated they had distributed a revised Council resolution the week of 19 November. Canada and Mexico confirmed it was currently being considered by their officials.

As for the vote concerning the public release of the factual record relating to the *Alca Iztapalapa II* submission, both the United States and Canada indicated they were ready to vote. Mexico reported they were still considering the matter. As a way forward, the Alternate Representatives agreed to seek resolution of these three matters in January 2008.

#### **Item 6 2008 Council Session**

As host of the 2008 Council Session, the Canadian representative mentioned they were actively pursuing dates and venues for the Council Session. They also noted they were aiming to build a substantive agenda which would respond to trilateral priorities. He mentioned that Canada was interested in exploring the possibility of holding the Council Session in early September as opposed to late June. He acknowledged this would require an amendment to Council Resolution 96-10. He indicated that Canada would be making a more explicit proposal in January for discussion by the Parties. In closing, he stressed Canada’s interest in increasing public participation through means such as webcasting or videoconferencing. Although this may require initial substantial investment on the part of the CEC, he emphasized this would likely reap long-term benefits. The executive director reported on discussions with Canada and assured of the Secretariat’s support in this endeavor. He shared his proposal to webcast the event in five locations (either campuses or universities who already have the capacity) throughout North America. He indicated this would also stimulate the engagement of local communities.

Both the US and Mexican Alternate Representatives conveyed their interest in hearing more about Canada’s proposal and discussing any issues related the 2008 Council Session in the New Year.

## **Item 7 Next meeting of the Alternate Representatives**

The Alternate Representatives shared their common interest in a face-to-face meeting in either February or March 2008, if possible in the border region between Mexico and Guatemala. The US expressed particular interest in meeting with Central American governmental officials (local and state officials) on the margins of the Alt Reps session. He explained that the CEC had much to share with its southern neighbours who were in the process of building their environmental capacity and developing mechanisms similar to the CEC SEM process as part of their trade agreements. Both Canada and Mexico supported the proposal and Mexico stressed the interest of Secretary Elvira in seeing the integration of a sustainable development plan for the Mesoamerican region. The Alternate Representatives agreed that the location should be easily accessible from Canada and the United States. Recognizing the importance of also attracting the right people, they sought the Secretariat's assistance in finding a venue that would meet these criteria.

## **Item 8 Other issues**

The United States Alternate Representative recalled that the three leaders of North America had agreed in Montebello to cooperate on the issue of marine air pollution and mentioned a recent meeting with Mexican port authorities in California. He offered to share proceedings from the meeting with Mexico and Canada. The Director of Programs added that, in 2005, a portion of the air project focused on marine transport and offered to share any report or background document prepared under this activity. The US Alternate Representative then mentioned the recent negative publicity around non-compliant goods being imported in North America and stressed that these issues were growing closer to the environment portfolio. The Director of Programs pointed out that a 2008 activity under *Trade and Enforcement of Environmental Laws* had been designed specifically to begin looking at these issues.

In their concluding remarks, the Alternate Representatives thanked everyone for their continuing efforts and adjourned the Session.