

SESSION 07-04 OF ALTERNATE REPRESENTATIVES

SUMMARY RECORD

The Commission for Environmental Cooperation (CEC) Council, represented by its Alternate Representatives, met in Cuernavaca, Mexico, on 26 April 2007. Mr. Enrique Lendo Fuentes (Mexico) chaired the meeting. Mr. Jerry Clifford and Ms. Jenna Mackay-Alie (on behalf of David McGovern) represented the United States and Canada, respectively. Ms. Irene Henriques, JPAC Chair, represented the Joint Public Advisory Committee (JPAC) and Mr. Adrián Vázquez, CEC executive director, represented the Secretariat. Ms. Nathalie Daoust, Council secretary, acted as secretary for the session. Other officials of the Parties and the Secretariat were also in attendance (Annex A).

Item 1 Adoption of the agenda

The Chair welcomed everyone to Cuernavaca and to the preparatory meeting for the 2007 Council Session. The Alternate Representatives immediately adopted the agenda based on the provisional agenda.

Item 2 Intervention by the JPAC Chair

The JPAC chair thanked the Alternate Representatives for the invitation to the meeting and proceeded with an update on JPAC activities. She pointed to the upcoming symposium on green building, noting that nearly 120 persons had registered for the JPAC meeting and that over 300 people were expected to participate in the symposium, where background papers related to green building would be presented. She explained that the objective of the JPAC meeting was to allow experts and the public to give feedback on these papers and thus assist JPAC in reviewing the Article 13 report and defining potential gaps in the analysis. She also made reference to the JPAC public workshop planned on the margins of the Council Session. She reported that keynote speakers will be invited to present their views on emerging environmental trends in North America. She also indicated that a special feature will be a discussion on the plight of the monarch butterfly which will be followed by a video on their journey across North America. She noted that speakers will be invited to present sustainable forestry practices in the three countries which can be used to protect the monarch butterfly. Given that JPAC was still at the planning stage of the workshop she welcomed comments from the Alternate Representatives. Finally, she mentioned that an indigenous networking meeting will be held in Winnipeg, Manitoba, during the week of 25 September 2007, and indicated that JPAC was interested in developing a network of indigenous communities that would share information and success stories related to sustainable environmental practices.

The Mexican Alternate Representative commended the JPAC chair for the numerous ideas put forward by JPAC. He noted that these were in line with the CEC work program and was hopeful that synergies could be built because of this. He said that the government of Mexico thought very

highly of the work carried out by JPAC in recent years and considered the body to be of great assistance in fulfilling Mexico's commitment to public participation.

The Canadian representative apologized on behalf of David McGovern, who could not attend the meeting. She conveyed his best wishes and indicated that he looked forward to hearing about the meeting's outcome. Responding to the intervention of the JPAC chair, she noted that Winnipeg was a particularly appropriate location for the indigenous networking meeting, given its large aboriginal community. She encouraged JPAC to pursue topics that were in line with CEC's work and expressed support for a potential role for the CEC in the indigenous health and environment conference. Turning to JPAC's public workshop prior to the Council Session, she commented that the topic was timely, given that an inquiry into emerging trends would likely be carried out by the CEC in the next year. Finally, she indicated that she would not be able to attend the green building symposium but looked forward to the proceedings.

The US Alternate Representative thanked Mexico for the invitation to Cuernavaca and welcomed the Mexican Alternate Representative to his first meeting. Turning to the JPAC chair, he acknowledged that the relationship among the Secretariat, JPAC and the Council had been strained in past years but that this had now faded away and given place to solid cooperation, an open dialogue and transparency. Referring to the symposium on green building, he expressed certainty that a terrific report was being developed and acknowledged the good relationship between the Parties and the Secretariat throughout the process. Regarding JPAC's upcoming 26 June workshop, he indicated that he looked forward to the presentations and video on monarch butterflies and asked that JPAC also consider what has been learned in this area that could be extended to other critical species in North America. He noted that, in terms of the linkage between forestry and monarch protection, the states of Chiapas and Wisconsin had been partnering and sharing experiences in recent years. Turning to the conference with indigenous communities, he stressed the potential contribution of indigenous tribes to tackling environmental issues in North America. He noted that this conference represented yet another example of how the catalytic nature of the CEC could be put to profitable use and how this offered a model for application elsewhere in the western hemisphere.

The Mexican Alternate Representative indicated that Mexico shared the views of the United States about the CEC serving as a good model—which explained why it was being used as such for other trade agreements. He reinforced the point that the CEC allows for the creation of synergies and offers a unique opportunity for cooperation.

Item 3 Intervention by the Executive Director

The executive director thanked the Alternate Representatives for the opportunity to speak. He began by explaining that the CEC needed to begin defining its future direction. He continued with a slide presentation (Annex C) describing his personal perspective on the CEC (particularly in terms of its credibility and relevance) and how he saw certain elements (such as an inquiry into emerging trends and reporting on the state of the environment) as crucial issues, contributing to defining opportunities on a North American scale and as specific program priorities for the CEC beyond 2010. He proposed a three-year timeline, leading to the completion of a 2010–2015 Strategic Plan in 2009. He stressed the importance of the Secretariat obtaining in 2007 a Council

mandate to initiate a long-term strategic planning process.

Following the intervention by the executive director, the Alternate Representatives were invited to comment. The US Alternate Representative commended the executive director for beginning to think about the next strategic plan. He noted that increasing the relevance of the CEC to broader constituencies was important and that the US NAC and GAC had been asked to provide advice in this regard. He offered to share the outcome of the US inquiry with Canada and Mexico when completed. Concerning emerging trends, he noted that discussions and negotiations were underway at the international level and that the CEC could benefit from hearing key experts from around the world on this topic. As such, he expressed support for the idea presented by the executive director, while expressing the desire to define further the process to be followed by the CEC.

The Canadian representative thanked the executive director for his presentation and more particularly for his remarks on the credibility and the relevance of the institution. She referred to the in-house evaluation undertaken by Environment Canada assessing its involvement in the CEC and explained that one of the outcomes was Environment Canada's desire to increase the catalytic role of the CEC. She commended the long-term perspective of the executive director and echoed the importance of understanding the most appropriate role for the CEC on a continental scale, which includes reinforcing its catalytic role. She expressed support for the US view that the process leading to strategic planning needed to be further discussed to identify what is realistic, value-added, and useful to the Council members. In closing, she proposed that the expression "vital signs" be used instead of "state of the environment," given it resonated better in Canada.

The Mexican Alternate Representative expressed appreciation for the analysis presented by the executive director and indicated that Mexico concurred with the idea that information needed to be extracted to assist decision-makers and maximize the efforts of the CEC. Speaking on the perception of the CEC, he agreed that the future was an important challenge but stressed that the present and the implementation of the 2005–2010 Strategic Plan was equally important. In this respect, he cautioned against making the strategic planning effort too ambitious at the detriment of the current work program. He stressed that Mexico still needed to clearly define its capacity building needs and committed Semarnat to developing an assessment.

The Executive Director thanked the Alternate Representatives for their support and underlined his endeavor to see the CEC regarded as a useful institution and a solution to regional environmental issues.

Item 4 2007 Council Session

Item 4.1 Council Session logistics

The Chair mentioned that the dates for the Council Session had been confirmed for 26–27 June 2007. He added that the meeting would take place in Morelia, the capital of Michoacán, the state of origin of Secretary Elvira, and the "crib" of the monarch butterfly. Invited by the Chair to provide additional details, the executive director indicated that the Secretariat had identified the

Hotel Fiesta Inn as a potential venue for the meeting as well as Hotel Villa San José to host the ministers. He encouraged everyone to make their travel arrangements as soon as possible, given the scarcity of flights to Morelia. The Mexican Alternate Representative indicated they were also contemplating arrangements for the ministers to travel to Morelia by private plane.

Item 4.2 Council Agenda

The Chair invited the executive director to present the Council Session annotated agenda as well as the overall program of events. Following an overview of the agenda, the Chair invited the Alternate Representatives to provide comments.

The US Alternate Representative proposed that a portion of the in-camera session be open to the public. He noted that, if advertised in advance, this might generate more public attendance. He indicated he envisioned an open portion with scripted remarks that could be followed by an in-camera discussion allowing for a candid conversation amongst the ministers on the future of the CEC as well as any other issues of interest. The Canadian representative responded favorably to this proposal and noted it represented a more elaborate opportunity for the CEC to show progress, a chance for ministers to react to program accomplishments and for the public to witness their reaction.

The US Alternate Representative also proposed that some time be set aside for the ministers to have a private trilateral discussion (in the presence of the Alternate Representatives) on issues not necessarily connected to the CEC. This proposal was received favorably by his counterparts.

The executive director emphasized that the Council Session offered a unique opportunity for the ministers to show leadership on North American issues and invited the Alternate Representatives to consider how each minister could be given a chance to personally engage his counterparts in providing specific direction to the CEC.

Regarding the proposal to expand the public portion of the Council Session, the Mexican Alternate Representative expressed support for the involvement of the public, although he cautioned that this should not impede an open and frank Council discussion leading to real decision-making. He suggested looking carefully at the potential scenarios to ensure a dynamic discussion. In this regard, the Canadian representative also expressed support for certain issues to be addressed in-camera by the Council. The JPAC chair expressed strong support for a portion of the Council discussion to be held before the public. The Alternate Representatives thus agreed to present the idea to their respective Council member and to confirm their positions as soon as possible.

The Chair then invited the Executive Director to give an overview of the Council annotated agenda. The Executive Director presented each item proposed for the Council discussion. The Alternate Representatives exchanged views and provided initial comments (see Annex D). The Secretariat was charged with revising the agenda based on Parties' comments. Concerning the ministerial statement, the Alternate Representatives concurred that it should be a short yet striking document comprising very concrete elements.

Item 5 2008 Council Session

The Executive Director was invited to provide an overview of his proposal for the 2008 Council session. He explained that consideration should be given to holding more than one CEC event per year with the participation of Council members. The US Alternate Representative expressed interest in defining opportunities for each minister independently to attend a CEC meeting of significance in their own country. He pointed to the next Symposium on Assessing the Environmental Effects of Trade as an event which might be hosted by the United States and which could be attended by Administrator Johnson. He added that, for such events, independent press materials could be produced to ensure country relevance. The Chair proposed that this discussion be pursued by the Alternate Representatives at a later date.

Item 6 Program-related issues**Item 6.1 Closure of DDT and PCB NARAPs**

The Alternate Representatives agreed to close the DDT and PCB NARAPs and acknowledged the work carried out by the SMOC working group in these two areas. They directed the Secretariat to prepare draft Council resolutions for signature during the next meeting of the Alternate Representatives. They added that a resolution will allow the CEC to publicize the successes and capture the substantive impact of this work on the environment.

Item 7 CEC working groups

The Alternate Representatives expressed support for the agreement reached by the GSC during their meeting of 25 April 2007 that the Secretariat be charged with updating the organizational chart for working groups and committees and with providing a report on support cost to working groups and committees (including travel for government officials). They directed the GSC to revisit this issue in early 2008.

Item 8 Next meeting of the Alternate Representatives/ Meeting of the Trade and Environment Working Group

The Alternate Representatives expressed support for the meeting of the senior trade and environment officials on 26 June 2007. The US Alternate Representative noted the difficulty in engaging the trade officials in the work of the CEC and proposed that cooperative initiatives be contemplated around market strategies across green products or the involvement of indigenous communities. The Mexican Alternate Representative reported that he would be seeking confirmation on the participation of his trade counterpart, Ken Smith. In the meantime, he suggested that communication be maintained via e-mail or conference call.

In closing, the Canadian Alternate Representative suggested an early cut-off date for Council-related documents. She also stressed the importance of making progress on the Council agenda which included agreeing on items to be included as part of the public and in-camera portions of the Council session. The Alternate Representatives agreed to hold another conference call before the Council Session and committed their availability in this regard. The US Alternate

Representative also noted the pending SEM votes and proposed a discussion at the earliest opportunity on the coal-fired power plant submission.

Item 9 Other issues

No other issues were raised under this item.

In closing, the US Alternate Representative expressed farewell remarks to Julie Pelletier and thanked her for her contribution as Canada's GSC representative over the last three years. These remarks were echoed by both his counterparts as well as the Secretariat. The US Alternate Representative turned to the JPAC chair and suggested that JPAC consider providing advice to the Council on optimizing the engagement of their constituencies. The JPAC Chair agreed to consult JPAC on this matter. Finally, the Chair thanked everyone for their participation and the Secretariat for its administrative and logistical support.

Annex A**SESSION 07-04 OF ALTERNATE REPRESENTATIVES****Cuernavaca, Morelos, Mexico, 26 April 2007****Delegations List****CANADA****Alternate Representative**

David McGovern, Environment Canada
Julie Pelletier, Environment Canada
Beth Rohr (by phone), Environment Canada
Jane Keenan, Environment Canada
Kelly Schmidt, DFAIT
Eno Damo, Alberta Environment

MEXICO**Alternate Representative**

Enrique Lendo Fuentes, Semarnat
Carlos Muñoz Villarreal, Semarnat
Cintia Amezcua Orellana, Semarnat
Elena Porras Calderón, Semarnat

UNITED STATES**Alternate Representative**

Jerry Clifford, USEPA
Dan Thompson, USEPA
Luis Troche, USEPA
Neilima Senjalia, USEPA
Anne Berns, USEPA
Fred Stern, State Department/OES
Jan Gilbreath (by phone), USEPA
Russell Smith (by phone), Office of the U.S. Trade Representative

JPAC**JPAC Chair**

Irene Henriques
Marcela Orozco, JPAC Liaison Officer

SECRETARIAT**Executive Director**

Adrián Vázquez
Evan Lloyd, Acting Director of Programs
Nathalie Daoust, Council Secretary
Marco Antonio Heredia, Planning Officer and Assistant to the
Executive Director