



COUNCIL SESSION 96-1 January 22, 1996

Summary Record

Designated Alternate Representatives of Council met via teleconference on January 22, 1996 for a special session. The agenda will be found as Annex "A". Mr. W. Nitze (United States) chaired the meeting while Mr. J. L. Samaniego and Ms. J. Moore represented Mexico and Canada respectively. Mr. J. Plaut, Chair of JPAC and Mr. V. Lichtinger, Executive Director, also participated in the teleconference. Various other officials were also in attendance.

REMARKS BY THE CHAIR OF JPAC

In his remarks, the Chair of JPAC welcomed the opportunity to participate systematically in the teleconferences and meetings of the Alternate Representatives, advised Alternate Representatives of the upcoming JPAC sessions and more particularly outlined the agenda for the March 7-8 session in Montreal.

The issue of additional funding to JPAC was left for future consideration. In the interim, Council representatives asked JPAC to consider cost reducing measures such as the use of the headquarters facilities of the Border Environment Cooperation Commission in Ciudad Juarez, Mexico for its planned session in that region. In responding to a query on the role the JPAC could play in the selection of projects in the context of the North American Environment Fund, the Chair of JPAC indicated that the Committee is ready to assist in the manner that Council will consider most useful.

IMPLEMENTATION OF THE 1995 PROGRAM

The Directors highlighted progress made in key program areas. Under *Sound management of Chemicals* additional priority substances have been identified for the development of action plans. They include DDT, chlordane and mercury. It was observed that the importance given by the three Parties to the reduction of risks related to lead has to be communicated and to this effect the USA has proposed specific language which other Parties accepted to consider.

Action: Canada/Mexico

Progress was also reported on initiatives related to *Joint Implementation (JI)* and in particular the planning of a workshop to take place in March and the initiation of prefeasibility studies for JI projects. In this respect Canada and the USA reconfirmed their intention to clear any outstanding matters for the selection and funding of prefeasibility studies for pilot projects.

Action: Canada / United States

The disposition of any unused funds from the 1995 budget was the object of another exploratory discussion. In principle Canada would want the residual amount disposed of in accordance with the financial Rules while Mexico and USA would consider funding specific projects with their respective shares. The matter was left pending for the next conference call.

Action: Parties

It was agreed to discuss the progress made in the preparation of the 1995 year-end report at the time of the next teleconference. For each project, the report would provide the detailed outputs/results and financial data.

Action: Secretariat

1996 PROGRAM AND BUDGET

This agenda item allowed for a review and discussion of those projects for which a decision was left pending or for which redrafting was requested at the December 13, 1995 session. After consideration, Council representatives authorized the Secretariat to proceed with the implementation of the following projects:

- a) Projects 96.01-02 *Plant Biodiversity Inventory and Information Network for North American Forest Ecosystem* (\$US 77,000)
- b) 96.02.01 *Sound Management of Chemicals* (\$US 522,000)
- c) 96.02.02 *North American Pollutant Release Inventory* (\$US 364,000)
- d) 96.08.02 *Reciprocal Access to Courts* (\$US 67,000)
- e) Project 96.03.02 *North American Cooperation on Climate Change* (\$US 330,000)

Decision on projects 96.01.04 *Cooperation on the Protection of Marine and Coastal Areas Ecosystems*; 96.01.06 *Non-Governmental Participation in Management of Protected Areas* and 96.05.02 *Promoting Compatibility of Standards to Protect the Environment and Avoid Trade Disputes* was deferred to the next session to allow further consultations or redrafting.

Action: Secretariat

1996 REGULAR SESSION OF COUNCIL

Council representatives discussed various aspects related to the planning of the 1996 Regular Session of Council. More specifically, they:

- a) Confirmed the dates for the Regular Session as April 23-25, 1996 and agreed to the overall program proposed by the Secretariat;
- b) Confirmed the theme of the Session as "*Building a North American Community*";
- c) Reviewed tentative announcements and requested the Secretariat to continue with their refinement for further review at the next teleconference; **Action: Secretariat**
- d) Accepted a Secretariat proposal on the structure and modalities of the public portion of the regular session; the provision of financial assistance (\$US 10,000 per country) to non government organizations meeting basic criteria; and, assigned responsibilities to JPAC for the organization of the preparatory meeting to be focused on the official theme and sub-themes. **Action: JPAC**

NORTH AMERICAN ENVIRONMENT FUND

Council representatives considered a proposal by the Secretariat on the *Administration, Funding Criteria and Guidelines for the North American Environment Fund (NAEF)* and requested the Secretariat to make the following modifications: delete elements 3 and 8 of the Mission Statement; modify the grant ceiling to \$CAN 100,000 and modify the paragraph on membership of the Awards Committee by removing reference to NACs. Council representatives further requested that the revised document be circulated for a final review before its release for public comments in accordance with the proposed implementation timetable. Council will review progress at the time of the next teleconference.

Action: Secretariat

SILVA RESERVOIR REPORT

Council representative from Mexico advised of an upcoming report which should be available in approximately two weeks and which will detail the progress made during 1995. The discussion of this item was deferred to the next teleconference.

Action: Mexico

OTHER MATTERS

1995 Regular Session of Council: Council representatives discussed follow-up actions to the Oaxaca regular session of Council. The Summary Record was approved but will not be declassified until resolutions are signed by all three Council members. The resolutions have been sent to Administrator C. Browner from the United States for her signature.

Action: USA/Secretary

Summary Record of Session 95-05: The Summary Record was approved.

Action: Secretary

All other items under this agenda item were deferred to the next teleconference.

Action: Secretary

NEXT SESSION

Members agreed to hold their next session through a teleconference on February 13, 1996 subject to confirmation.

Prepared by Gilles Lamoureux
February 26, 1996

COUNCIL SESSION 96-01

**Held via Teleconference on Monday January 22, 1996
from 3:00 PM until 5:30 PM**

FINAL ANNOTATED AGENDA

CHAIR: W. Nitze (USA)

- 1 Identification of Participants
- 2 Approval of Agenda
- 3 Remarks by the Chair of JPAC
- 4 Implementation of the 1995 Program
- 5 1996 Program and Budget
- 6 1996 Regular Session of Council
- 7 North American Environment Fund
- 8 Silva Reservoir Report
- 9 Other Matters
 - 9.1 1995 Regular Session of Council (outstanding matters)
 - 9.2 Summary Record of Session 95-05
 - 9.3 Payment of Contributions
 - 9.4 Tax Reimbursement Agreement with the USA
- 10 Next Session

COUNCIL SESSION 96-01

ANNOTATIONS

Item 1. Identification of Participants

Item 2. Approval of Agenda

ACTION: Approval of the agenda and of the duration of conference call

DOCUMENTS:

Provisional Annotated Agenda

Item 3. Remarks by the Chair of JPAC

A regular agenda item to allow the Chair of JPAC to update Council Representatives on JPAC activities

ACTION: For information

DOCUMENTS: None

Item 4. Implementation of the 1995 Program

A regular agenda item introduced at Session 95-05. Secretariat will provide a brief update. The decision on the disposition of unused funds from the 1995 budget was deferred to this Session. Canada and USA have agreed to holding bilateral discussions on Joint Implementations.

ACTION: For information and discussion of those issues in need of clarification or decisions

DOCUMENTS:

Summary Record Session 95-05, pages 1-2

Item 5. Program and Budget

This agenda item is to consider the adjustments to the Program and Budget proposal as agreed at Session 95-05

ACTION: Discussion of:

Revised description of specific projects and new project proposals

Revised Budget

Follow-up actions for finalization and formal approval

DOCUMENTS:

Summary Record of Session 95-05, page 4

Revised description of projects

New proposals

Revised Budget

Item 6. 1996 Regular Session of Council

This agenda item is to continue discussion initiated in December '95 on the preparation of the next regular session of Council. Canada will provide Host Country update.

ACTION: Discussion of:

Proposed April 23-25 dates

Overall program

Substantive agenda/Possible announcements

Public portion of the session: Subject matter / financial assistance

Communications aspects

Planning calendar

DOCUMENTS:

Summary Record of Session 95-05, pages 2- 3

Preliminary Overall Program

Note on possible announcements

Note on public portion of the session

Planning Calendar

Item 7. North American Environment Fund

This agenda item is a follow-up to the discussion from Session 95-05 and to consider a formal program submission for the Fund

ACTION: Discussion of:

Program and budget proposal

Follow-up actions and implementation calendar

DOCUMENTS:

Summary Record of Session 95-05, page 5

Program and Budget proposal

JPAC Advice #95-6

Council Resolution #95-9

Item 8. Silva Reservoir Report

Following receipt of JPAC's advice at session 95-05, this agenda item is to allow a discussion on the actions the Council may wish to take in response to the *CEC Secretariat Report on the Death of Migratory Birds at Silva Reservoir (1994-95)*

ACTION: Discussion of actions and timetable to develop Council's response to the report

DOCUMENTS:

Silva Reservoir Report

JPAC Advice #95-7

Summary Record of Session 95-05, page 5

Item 9. Other Matters

This item allows for a review and decisions of more pressing non-program related matters that were not considered at the previous session. Other items in this category such as: *1994 External Audit; Headquarters Agreement with Canada; Agreement with Quebec; Privileges and Immunities; Annual Report; Revenue Generation and Linguistic Accuracy amongst the three languages of NAAEC* will be considered at future sessions.

9.2 1995 Regular Session - Outstanding Matters

ACTION:

Formal approval of Summary Record

Update on the signing of the resolutions

Drafting of a resolution on NAFTA expansion

DOCUMENTS:

Summary Record of Session 95-00 - draft #3

Summary Record of Session 95-05, page 2

9.3 Session 95-05 (Dec. 12-13) Summary Record

ACTION: Review and approval

DOCUMENTS:

Summary Record of Session 95-05

9.4 Payment of Contributions

Canada and USA have completed the payment of their 1995 contribution. Canada has made the initial payment for the 1996 contribution.

ACTION: Indication from the Parties as to the schedule of payments

DOCUMENTS:

Table of contribution payments received from each Party

Council Resolution #94-2

9.5 Tax Reimbursement Agreement with the USA (USA)

ACTION: Progress report and discussion of timeframe for follow-up actions

DOCUMENTS: None

Item 10. Next Session

This agenda item is to allow for a discussion on the merit of establishing a calendar of sessions for 1996. Considerations could also be given to the modification of the chairing formula of the Alternate Representatives sessions whereby the sessions would be chaired by the host country of the next annual Regular Session of Council.

ACTION: Discussion of:

1996 Session calendar proposed dates

February 15-16 (meeting in Montreal)

March 14 (conference call)

April 14 (conference call)

April 22-25 (meeting in Hamilton)

June 17-18 (meeting in Montreal)

September 19-20 (meeting in Montreal)

December 12-13 (meeting in Montreal)

Key agenda items for the next session

Chairing formula