



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

## *Tenth Regular Session of the CEC Council*

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**Washington, DC, 25 June 2003**—We, the environment ministers of Canada, Mexico and the United States, members of the Council of the Commission for Environmental Cooperation (the “CEC” or “Commission”), met for our annual regular session on 24 and 25 June 2003. We reviewed activities of the Commission over the past year and received input and advice from the Joint Public Advisory Committee (“JPAC”) and the public.

Our discussions encompassed a number of important topics within the context of North American regional environmental cooperation.

### **Protecting Our Common Environment**

#### **Conservation of Biodiversity**

North America hosts a wealth of economically important, ecologically essential and highly cherished terrestrial and aquatic ecosystems.

Following extensive collaboration among governments, nongovernmental organizations, and indigenous people, and recognizing the contribution of the public and the Biodiversity Conservation Working Group, we are pleased to adopt the Strategic Plan for North American Cooperation in the Conservation of Biodiversity by Resolution. The Parties support the goals and vision statement of the Strategic Plan. This accomplishment marks a landmark of cooperation among our countries to protect our shared environment. We recognize the importance of the knowledge and role of indigenous and local communities in the implementation of this Strategic Plan. We also note the importance of measuring progress in the Plan’s implementation.

With the adoption of this long-term strategy and the identification of priorities for action, North America will be a global leader in developing cooperative approaches to address shared biodiversity issues.

#### **Management of Freshwater**

The management of freshwater is an issue of global concern. In 2001, we asked the Secretariat to examine possible areas of collaboration among the three countries where the CEC could add value. We have now asked the Secretariat to collect and facilitate the sharing of case studies that demonstrate national and local experiences and best practices on water quality, specifically:

1. Affordable conservation technologies and techniques, water management practices, and approaches to public participation, to improve water-use efficiency and protect aquatic ecosystems; and

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2. Sustainable watershed practices in North America that relate to promoting water quality.

### **Sound Management and Tracking of Hazardous Waste**

The proper management and movement of hazardous waste is important to human health and the environment. In North America there is a significant trade in hazardous waste destined for recycling and disposal operations. We are continuing development of a compatible, North American approach for environmentally sound management of hazardous waste, including pilot projects to track hazardous waste movement. We directed the Secretariat to execute the work identified in a Resolution adopted today concerning the environmentally sound management and tracking of hazardous wastes and hazardous recyclable materials and wastes of mutual concern. We also note the need for collaboration and capacity building with our customs agencies.

### **Articles 14 and 15 Submissions on Enforcement Matters**

The submission process established under Articles 14 and 15 is a key component of the North American Agreement on Environmental Cooperation (the "NAAEC"). Since the entry into force of the NAAEC, the CEC Secretariat has received a total of 40 submissions on enforcement matters. We commend the Secretariat for its considerable progress in expediting the processing of submissions.

In Resolution 00-09, we resolved, among other things, that issues concerning the implementation and further elaboration of Articles 14 and 15 may be referred to JPAC so that it may conduct a public review. Consistent with that resolution, last year we authorized the public review of two issues, one of which involves the manner in which the scope of a factual record is defined. We expect this review to be initiated following the completion of four specific factual records, which we anticipate will occur shortly. Thereafter, our review of the operation of Resolution 00-09 will commence. With this in mind, the Parties have begun examining the appropriate review process to be applied.

### **Environmental Enforcement and Compliance Cooperation**

Enhancing compliance with, and enforcement of, environmental laws and regulations at the national level is critical to promoting a clean and safe environment in North America, along with recognizing and supporting the use of incentives and other flexible and voluntary mechanisms that complement enforcement and compliance activities. We welcome the leadership role of the North American Working Group on Environmental Enforcement and Compliance Cooperation and JPAC in developing a draft strategic plan to promote enforcement and compliance cooperation in North America and in organizing this week's public meeting to receive feedback on this draft plan. This plan will strengthen our efforts to improve environmental border security and enhance overall cooperation. Based on our discussions we are submitting the draft strategic plan for a 60-day public review and intend to finalize and implement this plan following that review.

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### **Healthy People and Communities**

#### **Children's Health and the Environment**

Over the past year, progress has been made towards developing and selecting indicators of children's health and the environment. We note this progress is a result of collaboration among the CEC and several other international organizations.

Based on the Cooperative Agenda for Children's Health and the Environment in North America we decided to prepare a first report on such indicators, to be published in 2004. Specifically, we intend to compile an initial set of twelve indicators. Other relevant indicators may be added as decided by the Parties and based on data availability. We resolved to improve continuously the quality and comparability of indicators and data across North America, and to publish a second set of indicators of children's health and the environment within five years, and periodically thereafter.

We welcome the emerging role for North America, through the CEC and its partners, to serve as a global leader in this area, and we expect the development of such indicators will contribute to the implementation of commitments made at the World Summit on Sustainable Development in 2002.

We also decided to extend the mandate of the Expert Advisory Board on Children's Health and the Environment in North America (the "Expert Advisory Board") to September 2004, and to seek its advice to ensure that issues related to children's health and the environment are addressed in an integrated fashion throughout the CEC work plan. Additionally, we welcome its advice on next steps regarding the cooperative agenda. To monitor our progress in this important area we called upon the Expert Advisory Board to work with each of our countries in preparing a report for next year regarding our progress in implementing the Cooperative Agenda on Children's Health and the Environment.

Consistent with our cooperation under the Health and Environment Ministerial of the Americas, we are inviting senior representatives of our health ministries to join us in considering the first report on indicators.

#### **Sound Management of Chemicals (SMOC)**

The CEC has shown leadership in reducing or eliminating persistent toxic substances in our environment through a series of North American regional action plans (NARAPs). To date, five NARAPs have been launched concerning PCBs, mercury, chlordane, DDT and environmental monitoring and assessment. The chlordane NARAP has now been completed and the production and use of this toxic chemical in North America has ended. The PCB and DDT NARAPs are nearing completion. The development of a NARAP on lindane has been initiated and a draft decision document on lead has been produced for public consultation.

We are pleased that a draft Phase I NARAP for dioxins and furans, and hexachlorobenzene, which emphasizes building capacity and a common North American foundation of expertise and knowledge on these substances, will be released for a 60-day public review period.

There remains, however, much work to be done. We request the SMOC Working Group to consider the path forward and to report at our next session on how the SMOC program should evolve in future years in order to reduce and eliminate, wherever possible, the threats to our environment and health from the most toxic and persistent chemicals. We also instructed it to

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strengthen its linkages with other relevant areas and working groups. In addition, we are pleased that the particular vulnerability of children to toxic substances continues to be taken into account by the SMOC Working Group. Finally, we note the CEC's efforts to assist Mexico in meeting its obligation under the Stockholm Convention on Persistent Organic Pollutants to develop and endeavor to implement a national implementation plan.

### **Cooperation on North American Pollutant Release and Transfer Registers (PRTRs)**

Since Mexico passed legislation establishing a mandatory PRTR program in December 2001, it has made significant progress in developing implementing regulations to put in place key components of a mandatory PRTR program. The CEC continues to support the Mexican PRTR program and to foster cooperation among the three PRTR programs for the US, Canada, and Mexico. The cooperative relationship between the Parties and the CEC helps promote compatibility among the three PRTR programs and helps provide a more complete continental picture of overall pollution and the use, management, and disposal of chemicals in North America.

### **Cooperation on North American Air Quality Issues**

We appreciate the opportunity for high-level cooperation offered through the North American Air Working Group (the "NAAWG"). This working group will play an integral role in providing advice to us on the CEC's air quality program and other air-related activities. We expect that the NAAWG will contribute to CEC air-related efforts across program areas. We support the development of a strategic plan with advice from JPAC to address air-related issues relevant to North America. We encourage the NAAWG to work with other relevant bodies, including the North American Energy Working Group, to share information and work cooperatively on air quality issues. Additionally, we note the impressive progress achieved by Mexico and the Secretariat in developing the first national air emissions inventory in Mexico.

## **Linking the Environment and Economy**

### **Renewable Energy**

In previous sessions, we considered the environmental challenges and opportunities associated with the generation and distribution of, and trade in, energy among our three countries. We have also expressed a strong interest in pursuing increased development of renewable energy throughout North America. In response, the Secretariat has promoted a variety of efforts to foster markets and financing for renewable energy. In this session we discussed the findings of some of this work, including a CEC-sponsored investigation of the feasibility of green certificates for increasing the development of renewable energy in Mexico.

Encouraged by the potential for such domestic mechanisms, we directed the Secretariat to develop a background paper on existing green certificate policies and programs within each country and to engage the Parties in a dialogue on possible next steps in this area. Moreover, we authorized the Secretariat to propose a future course of work to promote other mechanisms to increase renewable energy development in North America. This might include further work to harmonize methods for calculating the environmental benefits of renewable energy and to develop additional information about available and potential renewable energy resources in North America.

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### **Corporate Environmental Stewardship**

We recognize the importance of public-private partnerships in promoting voluntary initiatives to attain higher levels of environmental protection throughout North America. We acknowledge the CEC's work in this area, including: the initiation of the North American Green Purchasing Initiative; support for the North American Pollution Prevention Partnership; and the publication of the guidance document *Improving Environmental Performance and Compliance: 10 Elements of Effective Environmental Management Systems*.

We direct the Secretariat to review, along with the Parties, best practices on voluntary corporate environmental stewardship, and how it can be advanced within the CEC work program, and also to engage the views of industry, the financial sector, and environmental advocacy groups in the continuing analysis. We encourage the Secretariat to provide information on best practices in the business community and related work of other organizations, and to identify activities that could increase environmental leadership.

### **Disclosure of Financially Relevant Environmental Information**

We believe it is essential to enlist private sector financial markets in support of the sustainable development of our countries and recognize the work of the Secretariat and the advice provided by JPAC on this issue. To that end, it is desirable to improve information linkages among the banking, securities, and investment communities, the environmental community and the full range of suppliers of goods and services.

A key step is to enhance the availability of financially relevant environmental information. We encourage the Secretariat to continue to explore voluntary mechanisms through which environmental information can be made easily available to, and useful for, financial analysts and investors.

We note that Mexico has proposed to host a meeting between environmental ministries and representatives of relevant financial regulatory authorities.

### **North American Green Purchasing Initiative**

Green purchasing by the Parties accounts for a relatively important portion of the goods and services produced annually in North America. The CEC has created the North America Green Purchasing Initiative (the "NAGPI"), and has taken initial steps to bring together representatives of key green purchasing programs across North America, document the level of green purchasing, and identify some success stories.

We directed the Secretariat to work with the Parties and the NAGPI towards the development of a green purchasing action plan, consistent with national and international obligations of the Parties.

As part of that plan, the Secretariat should work with the Parties and the NAGPI to identify tools, priorities, and best practices to facilitate green purchasing, and to explore the willingness of the Parties to identify specific product categories for possible priority attention in the 2004 work program. In keeping with CEC practice, discussion of the plan will include stakeholder input.

### **Trade and Environment**

In our 2001 Regular Session, we decided to explore with our trade counterparts the possibility of convening a joint meeting between the CEC and the North American Free Trade Commission.

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We believe there are trade and environment matters that merit discussion. We thank our officials for their continuing efforts in developing a detailed agenda for a possible trade and environment ministerial meeting. We have requested the NAAEC Article 10(6) working group, at a senior level, to report back to us on a proposed agenda and their work on crosscutting trade and environment issues of concern before the next Council Session.

### **Ten-year Retrospective of NAFTA/NAAEC**

The year 2004 marks the tenth anniversary of the entry into force of the North American Free Trade Agreement (“NAFTA”) and the NAAEC. We have announced our intention to undertake a retrospective of the implementation of the NAAEC, as well as an assessment of the environmental effects of NAFTA, and we are nearing completion of the selection of members who will comprise the independent ten-year review and assessment committee. We look forward to the results of their review to guide our work over the next decade.

In light of the tenth anniversary of the NAFTA, other such retrospectives are occurring. We were pleased to receive preliminary assessments from expert observers on the lessons learned from our efforts at North American environmental cooperation.

### **CEC Budget and Next Meeting of Council**

The Parties will continue to support the CEC in the amount of US\$9 million for the year 2004. We will meet in June 2004, in Mexico, for the next Regular Session of Council.

*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. Attending this tenth session of Council was Canadian Environment Minister David Anderson, Mexican Secretary for Environment and Natural Resources Victor Lichtinger, and US Environmental Protection Agency Administrator Christine Todd Whitman. 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 [www.cec.org](http://www.cec.org).