



**ADVICE TO COUNCIL: NO. 01-05**

**Re: 2002–2004 Work Program Outline of the Commission for Environmental Cooperation**

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC);

IN ACCORDANCE with its mandate to provide advice to Council under Article 16(4) of the North American Agreement on Environmental Cooperation (NAAEC);

HAVING participated in the very successful CEC round tables and workshop, held 27 and 28 June 2001, in Guadalajara, Mexico, and further discussed the subject in a public plenary session during JPAC's regular session 01-02 on 28 June; and

UNDERSTANDING that our common challenge is to better develop the role of the CEC in an integrated North American economy;

JPAC makes the following general and specific recommendations for consideration by the CEC in developing the proposed Program Plan for 2002–2004 over the next several months.

**General recommendations**

**Public access to information about the CEC**—An effort should be made to improve awareness and public access to information about the CEC, its mandates, structure, and projects/activities. One way to do this would be to broaden information networks through other media, to share success stories and lessons learned—understanding that not everyone in North America has access to the CEC web site.

In order to improve awareness about the CEC and encourage the participation of local, provincial and state authorities that have legal and regulatory responsibilities for environmental management and land-use planning, cooperative links to those authorities should be developed within some of the activities of the CEC.

**Public participation**—There remains a continuing need to strengthen public participation and expand the space available for the public within the operation of the CEC. As a matter of practice, there should be a stronger commitment for public representation in all CEC working groups and advisory bodies.

**Capacity building**—Capacity building is a crosscutting issue within the CEC program. The Secretariat should designate areas that lend themselves to increased capacity building in order to permit JPAC to provide specific advice on how to move forward.

Environmental education is another crosscutting issue where the CEC can greatly contribute in North America. While work in this area can be pursued as part of capacity building strategies, it should mainly target local communities. One way to strengthen this capacity could be by having the Secretariat play the role of catalyst and clearinghouse for existing environmental education programs, to increase sharing and cooperation in a regional context.

**Timelines**—Exit strategies for projects and strict timelines should be clearly established, particularly in light of the CEC’s budgetary limitations.

### **Specific recommendations**

#### **Environmental, Economy and Trade Program**

Future activities regarding green goods and services should consider social and cultural diversity as well as local involvement and local market incentives.

A Secretariat initiative to facilitate the development of market mechanisms (including conservation measures and energy efficiency technologies) to reduce greenhouse gas emissions within the North American context should be built into the program, as recommended in JPAC advice to Council 01-04.

CEC should lead an initiative to develop effective government procurement strategies in support of a shift in demand toward green goods and services, keeping in mind the need to establish targets and create incentives for all other stakeholders.

#### **Conservation of Biodiversity Program**

**Biodiversity**—Following the example of the North American Biodiversity Information Network (NABIN), the CEC could act as a clearinghouse for information and a network on a wide array of biodiversity issues (including education and linking to green goods and services initiatives).

Conservation of biodiversity cannot be separated from the respect for and promotion of the cultural diversity of people in affected areas. Conservation strategies should integrate social and cultural criteria, particularly regarding the rights, knowledge and traditions of indigenous peoples (as recommended in JPAC advice to Council 99-05 and 99-10). For example, local people are stewards of their lands and resources and are often already engaged in the conservation of biodiversity through their daily activities. Therefore, land-use planning and community development should figure more prominently in the biodiversity conservation network, especially in issues related to biotechnology and bioprospecting.

**Water**—The Secretariat should consider the establishment of a permanent multi-stakeholder body to advise the Secretariat on how to build water conservation initiatives into the Program Plan. It should also develop a capacity-building initiative linked to low technology solutions for water and wastewater treatment. As watershed management and the sharing of water between countries are both becoming urgent issues, the CEC could inventory experiences, develop a survey of best practices and support a pilot project in a transborder watershed.

**Urgent issues**—The CEC should consider developing strategies for mobilizing emergency public attention around urgent biodiversity issues. The San Pedro and Silva Reservoir experiences could serve as useful examples of situations where the CEC convened and stimulated citizen and local government participation to develop intervention and management strategies.

### **Pollutants and Health Program**

Carbon-containing gaseous emissions cause changes to air quality that result in climatic change and public health issues. As previously indicated, this issue should be integrated into the work of the CEC, in terms of gas emissions standards and monitoring.

The Pollution Prevention Fund (*Fondo de Prevención de la Contaminación*—Fiprev) should be completed under this program as soon as self-sufficiency is obtained.

### **Law and Policy Program**

The program should now begin shifting its focus to the effective enforcement of existing environmental legislation and develop its priorities in function of the other program areas of the CEC. This is particularly important as the CEC matures and develops a more integrated program plan. For example, it could coordinate the development of government procurement strategies to promote green goods and services recommended by JPAC under the Environment, Economy and Trade program.

Regarding environmental management systems, JPAC recommends that the proposed pilot project to test the CEC Guidance Document be concluded and no further resources be put toward this effort. Other funding could support such an initiative if it proves attractive to industry or others.

### **Specific Obligations under the Agreement**

Related to NAAEC Article 10(6), JPAC has requested that progress be made toward organizing a public meeting with the environment and trade officials to inform the public on the progress made on this issue over the last eight years.

NAAEC Article 28 requires the development of Model Rules. JPAC would like to see progress on this issue.

Once again, JPAC recommends engaging the remaining Canadian provinces in NAAEC. Council should review the provisions of NAAEC Annex 41, item 8, in this regard.

Over the years, little progress has been accomplished in the development of the issue of the Transboundary Environmental Impact Assessment (TEIA) (see JPAC advice to Council 99-07). JPAC encourages the CEC to initiate discussion and advance on the issue as soon as possible.

### **North American Fund for Environmental Cooperation**

NAFEC has been invaluable as a means of engaging local communities and to incubate projects that have later been fully integrated into the CEC program. Understanding that funding limits present serious constraints to restoring NAFEC, JPAC will continue to discuss the matter and provide further advice in September 2001.

APPROVED ON 30 JULY 2001