



NORTHWEST TERRITORIES

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September 23, 1999

Ministers of the Environment
C/O Commission for Environmental Cooperation
393 rue St. Jacques Ouest Bureau 200
MONTREAL QUE H2Y 1N9

Dear Minister Anderson, Administrator Browner and Minister Carabias:

Re: CEC Mercury Action Plan (NARAP)

The Métis people of the Northwest Territories have a particular interest in any issue that is likely to affect the quality of the environment in which they live. As aboriginal people we have a long history of association with the freshwater systems of the Mackenzie Valley. These waterways have provided us with transportation routes and sustenance through commercial and subsistence fishing and trapping. The level of mercury found in our food species is increasing. This is of concern to us. We are writing to you today to provide comments on the North American Regional Action Plan on Mercury, released by the Commission for Environmental Cooperation.

First, we commend the governments on the effort they have put into this initiative and on the marked improvement over the Phase I NARAP for mercury. There are still a number of significant shortcomings in the Phase II NARAP to which we would like to draw your attention.

We are providing the three countries with general comments that apply to the overall purpose of the document. There are three basic weaknesses of the Phase II NARAP. First, the document is very weak in terms of efforts to reduce or eliminate the deliberate use of mercury. There are many cases where mercury is used in products, where cost-effective and safer alternatives exist. These alternatives should be promoted and regulations should be put in place to discourage and eventually eliminate these "non-essential" uses of mercury. In many cases, the most cost-effective and environmentally preferred route for reducing mercury emissions is through pollution prevention. Pollution prevention

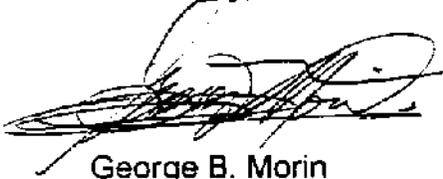
refers to a reduction in the use of a substance, not merely separation and segregation from the waste stream.

Second, the NARAP II relies too heavily on the concepts of "safe use", "life-cycle management" and "risk management." There is no "safe use" of mercury, and this is evident once one understands the life-cycle of a mercury product and the physical behavior of mercury in the environment. These "risk" concepts are contrary to the stated objectives of the parties, who have committed to reductions that go far beyond the NARAP and consider the phase-out of the deliberate use of mercury and virtual elimination of anthropogenic releases (ie Binational Toxics Strategy). These "risk" notions are even contrary to the NARAP II resolutions. To achieve "naturally occurring levels and fluxes" (as stated in the NARAP) one must seek to reduce and eliminate, where possible, all deliberate uses and incidental releases of mercury.

Third, there are few specific targets and timelines in the document, and those that exist are reiterations of existing agreements. Moreover, none are binding or enforceable in any way. The CEC and the NARAP should help identify best practices in North America, not adopt the lowest common denominator.

We encourage the Parties to consider these comments and look forward to your response.

Yours truly,

A handwritten signature in black ink, appearing to read 'George B. Morin', with a large, sweeping flourish extending to the left.

George B. Morin
President
Métis Nation - NWT