

COUNCIL SESSION 97-03
13 May 1997

SUMMARY RECORD

The Council, represented by its Alternate Representatives, met via teleconference on 13 May 1997. The agenda can be found as Annexes "A". Mr. William Nitze (USA) chaired the meeting. Mr. Anthony Clarke and Mr. José Luis Samaniego represented Canada and Mexico, respectively. Ms. María Cristina Castro, JPAC Chair, and Mr. Victor Lichtinger, Executive Director of the Secretariat, also participated in the conference call, together with other officials. Mr. Marc Paquin acted as Secretary.

Item 1 Approval of Agenda

Except for item 4 which was deleted, the provisional agenda was adopted as proposed.

Item 2 Remarks by Chair of JPAC

The Chair of JPAC reported on the JPAC budget indicating that, according to a draft budget update prepared by the Secretariat, approximately US \$140,000 was spent so far on JPAC Operations and the Mexico public consultations. She also stressed that the JPAC intends to conduct its activities and the public consultations within the approved budget (JPAC Operations: \$100,000; Public Consultations: US \$200,000). The Chair of JPAC reported that the subject "Other environmental topics", which was discussed in a fourth workshop during the public consultations held in Mexico City, will instead be discussed in plenary in Vancouver and Pittsburgh. Also included will be discussions on the review of the NAAEC.

The Chair of JPAC also introduced the agenda of the JPAC meetings which will be held in Vancouver.

The Chair of JPAC asked the Parties on their intention with regard to the term of office for JPAC members, an item that has been on the agenda of the Alternate Representatives for some time now. The Parties reported that they are in agreement with the JPAC proposal to have new members appointed for three years with annual reappointments. Such a procedure would provide the necessary flexibility to ensure that new appointments do not affect continuity. The Parties agreed that JPAC rules should be modified accordingly.

Mexico reported on the public consultations held in Mexico, emphasizing the interest demonstrated by some participants for organic agriculture. Mexico proposed that the JPAC identify, in view of the June Council Session, issues that the CEC should address in the field of Environment and Trade. The United States stated that JPAC is welcome to provide advice to the Council on any issues it deems appropriate.

Item 3 Remarks by the Executive Director

The Executive Director did not make any remarks so that more time could be spent on the agenda items related to the upcoming Regular Council Session.

Item 4 Approval of Sessions 97-01 and 97-02 Summary Records

Item deleted from the agenda.

Item 5 Next Regular Council Session**Item 5.1 Overall Program**

The Alternate Representatives reviewed the proposed Overall Program and agreed on changes that will be reflected in the next revision to be prepared by the Secretariat. Among those changes, the Alternate Representatives agreed to meet informally (at lunch) and formally in the afternoon of 11 June in Pittsburgh. An opening reception is likely to take place from 7:00 to 9:00 PM that day. The possibility of a meeting of the GSC on 10 June is still open.

Concerning the inauguration of the Session by the Council in the morning of 12 June, the members of Council and a local dignitary will each deliver a five-minute address before the Council meets in-camera.

The first portion of the Council Session on the afternoon of 12 June will be devoted to the report from each of the three workshops. The second portion will be entirely devoted to a discussion between the participants and the Council on any environmental issues.

A dinner on the evening of 12 June, between 7:00 and 9:30 PM, is tentatively being planned by the host country.

Item 5.2 Agenda

The Alternate Representatives reviewed the proposed agenda and agreed to add an item to discuss the possibility of the Ministers' participation at the UNGASS.

- NAFTA Environmental Effects and Environment and Trade Agenda: The Alternate Representatives agreed to take the following steps in view of the Council Session: The United States will send to Canada a copy of its latest proposal and Mexico will share its proposed changes to the US proposal with Canada and the United States on 15 May; on 16 May, the GSC and trade officials will meet via teleconference in order to finalize the NAFTA Environmental Effects project description; should the project description not be finalized after the teleconference of 16 May, a face-to-face meeting will be arranged. It was also agreed that the trade and environment officials meeting with the expert group does not necessarily have to take place before the June meeting.
- Sound management of Chemicals: Mexico and the United States agreed to take a close look at the unresolved issues relating to the DDT and Chlordane NARAPs.

- NAAEC Article 10(1)(b) Review: The Parties agreed to look into the possibility of asking the Steering Group of Mr. Strong's review committee to incorporate the various reviews to be conducted by JPAC, the Secretariat, the general public, etc.
- Guidance to JPAC: The Parties discussed various elements that could be included in the discussion between the Council and JPAC including: a) JPAC's ideas on the content of next year's work program; b) draft rules for dispute settlement; c) a JPAC independent review of the Parties annual report's section on obligations.

Item 5.3 Supporting Documents

The Secretariat reported that the preparation of the supporting documentation for the Regular Council Session was well advanced.

Item 5.4 Logistics and other matters

The host country (United States) confirmed that Pittsburgh was selected as the venue for the Regular Council Session.

Item 6 1997 Annual Program and Budget

The Parties approved the "New Approaches for Improving Environmental Performance" project subject to a legal review.

The NAFTA Environmental Effects project description will be submitted to the Council for its approval at the June Session.

Item 7 Headquarters Agreement

Mexico indicated formally that it had no comments on the latest draft of the headquarters agreement and agreed that it be signed by the Secretariat on behalf of the CEC.

Further to Canada's request, the United States will send their comments on the latest draft in writing to Canada.

Item 8 Guidelines for Articles 14 and 15 - Review Process

This item was not discussed.

Item 9 Ministers Participation at the UNGASS

The Parties agreed to add this item to the Council Regular Session agenda in order to determine whether it will be possible for the three Council members to attend the UNGASS together.

Item 10 Term of office for JPAC Members

This item was discussed under Item 2 "Remarks by Chair of JPAC."

Item 11 Next Session

It was agreed that the next Alternate representatives Session be held on 30 May 1997 at 9:00 AM (Eastern Standard Time)

Adjournment

The Session adjourned at 4:00 PM on 13 May 1997.

Prepared by Marc Paquin, Secretary to Council

ALTERNATE REPRESENTATIVES SESSION 97-03

ANNOTATED AGENDA

Held via conference call on

Tuesday, May 13 from 1:00 PM to 4:00 PM (Eastern Time)

12:00 PM to 3:00 PM (Central Time) 10:00 AM to 1:00 PM (Pacific Time)

CHAIR: W. Nitze (USA)

- Item 1 Approval of Agenda
- Item 2 Remarks by the Chair of JPAC
- Item 3 Remarks by the Executive Director
- Item 4 Approval of Sessions 97-01 and 97-02 Summary Records
- Item 5 Next Regular Session of Council
 - Item 5.1 Overall Program
 - Item 5.2 Agenda
 - Item 5.3 Supporting Documents
 - Item 5.3 Public Session
 - Item 5.4 Logistics and other matters
- Item 6 1997 Annual Program and Budget
- Item 7 Headquarters Agreement
- Item 8 Guidelines for Articles 14 and 15 - Review Process
- Item 9 Ministers Participation at the UNGASS
- Item 10 Term of office for JPAC Members
- Item 11 Next Sessions

ALTERNATE REPRESENTATIVES SESSION 97-03
ANNOTATIONS

Item 1 Approval of agenda

ACTION: Approval of the agenda

DOCUMENTS:

- a) Provisional annotated agenda C/C.01/97-03/AGEN/01

Item 2 Remarks by the Chair of JPAC

Under this item the Chair of JPAC will update Council Representatives on JPAC activities.

ACTION: Information

DOCUMENTS:

- a) Preliminary Agenda for the May 14-15 Public Consultation J/97-00/AGEN/02
b) Preliminary Agenda for the May 16 JPAC Session 97-02 J/97-02/AGEN/01
c) JPAC Executive Report (following the 1997 Public Consultation in Mexico City) J/97-00/RPT/01/Rev.3

Item 3 Remarks by the Executive Director

Under this item the Executive Director will update Council Representatives on Secretariat activities.

ACTION: Information

DOCUMENTS: No document

Item 4 Approval of Sessions 97-01 and 97-02 Summary Records

Under this item the Parties are asked to review and approve, as appropriate, the summary records of sessions 97-01 and 97-02 of Alternate Representatives.

ACTION: Approval of Summary Records for Sessions 97-01 and 97-02

DOCUMENTS:

- a) Session 97-01 draft Summary Record C/C.01/97-01/SR/01/Rev.1
b) Session 97-02 draft Summary Record C/C.01/97-02/SR

Item 5 Next Regular Session of Council

Under this item the Parties are asked to review progress and finalize plans for the June 11-13 Regular Session of Council, more specifically: the overall program, agenda, public session and key milestones. Discussion of the substantive agenda and announcements is necessary for the timely organization and finalization of the supporting documentation for the session.

Item 5.1 Overall Program

Under this item, the Parties are asked to review the overall program for the session with a view to making final adjustments.

ACTION: Discussion

DOCUMENTS:

a) Preliminary Overall Program

C/97-00/PLAN/02/Rev.2

Item 5.2 Agenda

Under this item the Parties are asked to review the provisional agenda for the session with a view to making final adjustments.

ACTION: Discussion

DOCUMENTS:

a) Provisional Agenda

C/97-00/AGEN/01/Rev.4

Item 5.3 Supporting Documents

Under this item the Parties are asked to review the supporting documentation for the session with a view to making final adjustments.

ACTION:

DOCUMENTS:

a) Refer to Document Status Report

C/97-00/PLAN/01/Rev.4

Item 5.4 Public Session

Discussion on the format of the public portion of the Council session.

ACTION: Discussion

DOCUMENTS: No document

Item 5.5 Logistics and other matters

Under this item the host country and the Secretariat will provide logistical information as appropriate.

ACTION: Discussion

DOCUMENTS: No document

Item 6 1997 Annual Program and Budget

Under this item the Parties are asked to approve the outstanding projects: NAFTA Environmental Effects and Principles for a New Generation of Environmental Management.

ACTION: Discussion

DOCUMENTS:

a) Project description: New Approaches for Improving Environmental Performance C/C.01/97-003DISC/01

Item 7 Headquarters Agreement

Under this item the Parties will report on progress made in their review of the proposed H.Q. Agreement.

ACTION: Discussion

DOCUMENTS:

- a) Headquarters Agreement - final version

Item 8 Guidelines for Articles 14 and 15 - Review Process

Under this item, the Parties will discuss next steps in relation to the review process of the Guidelines for Articles 14 and 15.

ACTION: Discussion

DOCUMENTS: No document

Item 9 Ministers Participation at the UNGASS

Under this item, the Parties will discuss next steps in view of an informal joint presentation by the Council Members, in parallel to the UNGASS, on the importance of their cooperation in the CEC and the achievements that cooperation resulted in.

ACTION: Discussion

DOCUMENTS: No document

Item 10 Term of office for JPAC

At their December 16-17 Session (96-11), the Alternate Representatives had agreed with JPAC Advice no. 96-07 concerning a 1-3 year renewal. However, considering that the US members of JPAC are appointed by the President of the United States, the US was to determine if this recommendation could be acted upon and JPAC's Rules of Procedures modified accordingly.

ACTION: Discussion

DOCUMENTS:

- a) JPAC Advice no. 96-07 (Term of office for JPAC Members)
- b) Session 96-11 Summary Record, p. 6

Item 11 Next Sessions

Under this item the Parties are asked to review and approve, as appropriate, the following tentative schedule of forthcoming teleconferences and meetings:

ACTION: Determine June 3 or 11 as the date for the next Session of Alternate Representatives

DOCUMENTS: No document