

**COUNCIL SESSION 97-05**  
**11 June 1997**

**SUMMARY RECORD**

The Council, represented by its Alternate Representatives, met on 11 June 1997 in Pittsburgh. The agenda of the Session can be found as Annex "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, Chair of JPAC, and Mr. Victor Lichtinger, Executive Director of the Secretariat, also participated in the meeting, together with other officials. Mr. Marc Paquin acted as Secretary.

**Item 1            Approval of Agenda**

The agenda was approved as proposed.

**Item 2            Remarks by the Chair of JPAC**

The Chair of JPAC informed the Council of the availability of the executive report covering the public consultations held in Mexico and Vancouver and, at the request of Mexico, provided more information on the substance of the report. Additionally, the Chair of JPAC informed the Council that JPAC is endeavoring to finalize several Advice to Council for its consideration during the Regular Session.

The JPAC Chair updated the Council on the status of the ongoing public consultation and mentioned that it was proceeding in a very satisfactory way.

**Item 3            Remarks by the Executive Director**

The Executive Director thanked the United States for hosting the Regular Session of Council in Pittsburgh. Reporting on the preparations that led to the Council Session, the Executive Director indicated that the short time frame between the announcement of the venue and the session itself had created an additional burden and posed challenges for the Secretariat but that most of the obstacles encountered were finally overcome, although the Secretariat was still experiencing some minor technical problems.

Reflecting on the absence from the Session of two of the three Council members, the Executive Director voiced concern over the possible downgrading of the level of decision making at Council meetings and mentioned that if the present experience was to be repeated the CEC would run the risk of becoming an irrelevant institution. The Executive Director proposed that the Regular Council Session be held the next day nevertheless since the public had already been convened to attend the public portion of the session and since both the Parties and the Secretariat have put a lot of effort into preparing for the Session. He also suggested that the Parties consider holding a Special Session of Council during the fall at the CEC Headquarters in Montreal. The Executive Director presented a proposed modified agenda for the current Regular Session and suggested

that the one day Special Session of Council could focus on the following four items: NAAEC Review; Environment and Trade Agenda; Meeting with the JPAC; and, Article 13 report on LRTAP.

The Alternate representatives agreed with the proposal of the Executive Director and also agreed that the item be further discussed the next day during the Regular Session of Council.

Finally, the Executive Director informed the Parties that the Secretariat's Article 13 Report on Continental Pollutant Pathways will be distributed to the Parties on 12 June for their review.

#### **Item 4        Regular Session of Council**

##### **Item 4.1      Overall Program**

This item was not discussed.

##### **Item 4.2      Agenda**

In the context of this agenda item, discussions touched on the following issues:

##### **1998-1999 Program and Budget**

The Secretariat proposed and the Parties agreed that the discussions on 1998-1999 Annual Program and Budget be deferred to the Fall.

The United States indicated that it would be willing to increase its contribution, starting 1999, to \$US 4 million. Canada and Mexico commented that it is unlikely they will be able to increase their respective contribution towards the CEC budget in 1999.

##### **Environment and Trade Agenda**

The United States requested that an item Environment and Trade Agenda (Working Group) be added to the Regular Council Session's agenda to discuss the appropriateness of creating a working group to discuss the Environment and Trade Agenda of the CEC in view of the Fall Council Special Session.

The Parties agreed to create a working group on Trade and the Environment with representatives from the Environment departments and Trade departments to frame the issues and make recommendations to the Council on proposed approaches to the Work Program pursuant to Article 10(6) of the NAAEC.

**Sound Management of Chemicals**

The United States requested that the approval of the DDT and Chlordane NARAPs be added as an item on the Regular Council Session's agenda.

Canada expressed the sense of urgency with which it views the need to act on the "dirty dozen" or other chemicals on which decisions will have to be taken.

**Proposed Resolution on the Conservation of Sharks**

The United States deferred to a future meeting the formal introduction of a proposed resolution on the conservation of sharks.

**Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the NAAEC**

The Parties agreed to initiate the review process of the operation of the Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the NAAEC in accordance with section 19.1 of these Guidelines. To initiate the process, the Parties will exchange, no later than 1 September 1997, their proposed modifications to the Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the NAAEC. The Parties are welcome to share their proposed modifications in advance should they wish to do so. Further to the exchange of their proposed modifications the Parties will endeavor to develop by 30 September 1997 common proposed modifications to the Guidelines and submit these to the JPAC for a 60-days review process. The ultimate objective is to have agreed upon modifications to the Guidelines by 15 December 1997.

**Model Rules for Dispute Settlement**

The Parties also agreed to develop Model Rules for Dispute Settlement. To initiate the process, the Parties will exchange, no later than 1 September 1997, their proposed draft Model Rules for Dispute Settlement. The ultimate objective is to have agreed upon Model Rules for Dispute Settlement by the end of 1997.

**Item 5        1996 Annual Report**

The Secretariat informed the Parties that they would receive a pre-print version of the 1996 Annual Report and that they should consider including an item in the Regular Session's agenda in order to approve the report in principle.

**Items 6      Technology Clearinghouse Demonstration**

The Secretariat presented an overview of the progress and status of the technology clearinghouse including an overview of the pilot demonstration.

**Items 7      Geographic Information System (GIS)**

The Secretariat presented an overview of the progress and status of the GIS developed by the Secretariat.

**Item 8      Other matters discussed**

The Report on Activities for 1996 was presented by the Executive Director. The standing request by Mexico regarding a listing of CEC contracts by consultant, with information on duration, cost, and expected results was repeated. The Secretariat indicated that this task would require resources which, up until now, have not been available.

The session adjourned at 5:15 PM.

Prepared by Cristóbal Vignal, Global Strategies and Program Liaison Coordinator and Marc Paquin, Secretary to Council.

ALTERNATE REPRESENTATIVES SESSION 97-05  
AGENDA

To be held Wednesday, June 11 from 2:00 PM to 5:00 PM

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 Regular Session of Council
  - Item 4.1 Overall Program
  - Item 4.2 Agenda
  - Item 4.3 Supporting Documents
  - Item 4.4 Public Session
  - Item 4.5 Logistics and other matters
- Item 5 1996 Annual Report
- Item 6 Technology Clearinghouse Demonstration
- Item 7 GIS Demonstration