



**Joint Public Advisory Committee (JPAC) and  
Sound Management of Chemicals (SMOC) Working Group Session  
Held in Conjunction with the  
Ninth Regular Session of Council  
Commission for Environmental Cooperation (CEC)  
of North America**

**Château Laurier Hotel  
Ballroom Room  
Ottawa, Ontario Canada**

**17 June 2002  
From 10:00 to 16:00**

***Introduction***

In preparation for the joint session of the Joint Public Advisory Committee (JPAC) and the Sound Management of Chemicals (SMOC) Working Group, to be held in conjunction with the Ninth Regular Session of the CEC Council, on 18 June in Ottawa, this document provides information and key considerations on capacity building and educational opportunities related to the SMOC initiative.

JPAC has a long history of interest in promoting capacity building and education related to SMOC at the local level. In its 1998 report to Council, JPAC made specific recommendations concerning capacity building and education. In 1999, JPAC organized a joint session with the SMOC Working Group in Anchorage, Alaska specifically to engage Indigenous peoples in the work of SMOC. The resulting Advice to Council noted that *“JPAC is convinced that working directly with Indigenous peoples within the CEC is both a valuable and necessary objective. At the same time, JPAC also recognizes the need to better involve other groups whose access to the CEC process is limited, and encouraged Council to continue emphasizing the need for refining and strengthening capacity building efforts within CEC programs in order to expand the involvement of the North American public.”*

Following a plenary session to introduce the SMOC initiative, two topical sessions will take place, one on capacity building and the other on education. These two sessions will be co-chaired by a member of JPAC and a member of the SMOC Working Group. For each topic, a rapporteur will be selected from the public, who will report to Council the following day.

JPAC will draw on the information obtained during the public sessions to develop an Advice to Council that will provide direction and recommendations on how the SMOC program can improve and incorporate education and capacity building initiatives in its on-going work.

JPAC is a 15-member, independent, volunteer body that provides advice and public input to Council on any matter within the scope of the North American Agreement on Environmental Cooperation (NAAEC).

The SMOC Working Group is composed of two senior officials selected by each party (Canada, Mexico and the United States) responsible for developing regional action plans on DDT, chlordane, PCBs and mercury, dioxins, furans and hexachlorobenzene, and environmental monitoring and assessment, and reviewing other substances as candidates for action plans. The Council Resolution 95-05 on Sound Management of Chemicals created the Working Group and governs its activities.

## ***1. Capacity Building Opportunities***

### ***1.2 Issue***

The governments of Canada, Mexico and the United States agree that capacity building is an essential ingredient for implementing North American Regional Action Plans (NARAPs) for the sound management of persistent bioaccumulative and toxic substances. Capacity building needs greatly exceed what can be provided from the resource base of the CEC. Identifying SMOC priorities for action and leveraging financial and human resources from partnerships with third parties is required.

### ***1.3 Background related to SMOC Working Group***

Resolution 95-05 established a program for the sound management of toxic, persistent and bioaccumulative chemical substances. This program includes the establishment of North American Regional Action Plans (NARAPs) for specific substances. Currently, NARAPs exist for DDT, chlordane, PCBs and mercury. New NARAPs are currently being developed for dioxins, furans and hexachlorobenzene, and environmental monitoring and assessment.

SMOC-related activities in support of NARAP implementation have enhanced capacity building in all three countries, the majority of it in Mexico. These activities, for the most part, have addressed needs in the areas of risk assessment, information exchange on environmental technologies and standards, alternative chemicals and strategies, and monitoring.

### ***1.4 Background related to JPAC***

JPAC fully supports increased attention to capacity building and over the years has raised this directly with Council. Following a joint public meeting with SMOC Working Group in November 2001, JPAC issued an Advice to Council recommending that:

Capacity building should not be limited to assisting governments to implement the NARAPs. Capacity building efforts should also focus on how information is provided to agencies and members of the public, enabling their informed involvement in monitoring local phenomena, conducting risk assessment and constructively

participating in the implementation of the NARAPs. Strategies aimed at improving CEC activities for making information both accessible and understandable to the general public and to affect local populations are an important part of capacity building and should be built into each of the NARAPs.

In addition, it is understood that governments also are challenged by the capacity to implement new NARAPs. This may be the case with lead. In fact, in 2000, JPAC strongly urged Council to call for an evaluation, on a priority basis, of the technical reports prepared to support lead as a candidate substance for regional action. However, given the maturity of programs related to lead in the three countries and the very different conditions in each of the three countries regarding next steps for lead, issues related to what activities to undertake, by whom, and the capacity to launch new initiatives will have to be carefully weighed in any upcoming decisions.

### **1.5 Context**

In the 2001 Regular Session *Council Communiqué*, the CEC Council agreed to “place greater emphasis on capacity building in all aspects of the CEC’s work.”

The Council asked the Secretariat “to explore opportunities for leveraging funds from multilateral agencies and other sources.”

The governments of Canada, Mexico and the United States have recognized capacity building as very important to attaining the goals of Resolution 95-05. To help strengthen chemical management capacity in North America, the North American Sound Management of Chemicals (SMOC) Working Group identified the need to develop an overall Sound Management of Chemicals Capacity Building Strategic Plan. The Capacity Building Task Force (CBTF) appointed by the SMOC Working Group completed this work in 2000. The “*SMOC Leveraging Strategy*” was subsequently developed to leverage additional resources for implementing capacity building projects of the type identified by the CBTF and NARAP Implementation Task Forces.

The objectives of the SMOC Leveraging Strategy for capacity building are:

- To expand the financial and human resources available for NARAP implementation by promoting SMOC project ideas as opportunities for other delivery agents (e.g., international financial institutions (IFIs), nongovernment organizations, universities, nonprofit institutes and private sector organizations); and
- To identify and undertake specific project/partnership opportunities with IFIs, regional and multilateral organizations and other appropriate groups.

### **1.6 Key Principles**

The key principles underlying this Strategy are:

- NARAPs are approved by the Council of Ministers and therefore are indicative of the high political priority that the three governments place on the actions contained therein.
- NARAPs and related CEC initiatives, such as work on children's health, are products of significant investments made by the CEC and the Parties.
- NARAPs are a resource of priority projects identified by experts through extensive dialogue and research.
- NARAPs reflect what is needed to get the problem(s) resolved. They are purposely not constrained by resource (human or financial) limitations.
- Full NARAP implementation will require engaging/outreaching to other stakeholders, who could act as delivery agents for certain NARAP work items.
- NARAP investments should therefore be leveraged for the greatest possible benefit to NARAP objectives.

### **1.7 Key Considerations**

A key objective of the Leveraging Strategy is to enter into partnerships with various like-minded organizations. A number of factors will need to be considered in the development and realization of this objective. They include:

- The majority of potential partners and funding sources will be tied directly to or strongly influenced by the commitments of the Stockholm Convention, or other International obligations, and the needs of developing countries to comply with the Convention;
- Competition for limited financial and human resources within and among the many regional and multilateral organizations and other institutions will require the CEC and SMOC to make a strategic and concerted effort over a two- to three-year period to fully test opportunities for success; and
- Regional cooperation is now being increasingly stressed as a necessary prerequisite for funding support. A logical geographical area for promoting regional cooperation is Central America and the Caribbean because of their geographic proximity to North America and their similar needs, interests, languages and culture.

In light of the aforementioned considerations, it is worth stressing that the SMOC program's "competitive" advantage lies in its seven-year involvement in the area and its considerable track record of accomplishment. In addition, this track record, coupled with the leadership role played by the Parties in the Stockholm Convention, will assist any leveraging opportunities that may be available. A recent example of successful regional cooperation is the DDT project that was recently approved by the GEF.

It is considered that the Leveraging Strategy should include the following elements:

- a. SMOC, its Implementation Task Forces and the CEC Secretariat review current NARAPs and related CEC initiatives such as the Children's Health Initiative (see JPAC Advice to Council 02-01) to identify compatibility and consistency with international obligations and IFI funding priorities;

- b. SMOC, its Implementation Task Forces and the CEC Secretariat identify important work items that have good partnership potential and could constitute fundable projects;
- c. Implementation Task Forces determine, in consultation with the CEC Secretariat, which projects will be taken on internally in the SMOC program and which should be advanced in cooperation with other delivery agents;
- d. Potential delivery agents should be made aware of project ideas that present opportunities for them to become involved;
- e. Implementation Task Forces, supported by the CEC Secretariat, work with delivery agents at the proposal stage (i.e., to provide expert advice, guidance, intellectual value added and comments);
- f. The SMOC Working Group and/or Task Forces provide a letter of support (and other supportive actions as needed and appropriate) for a proposal produced by a third-party delivery agent;
- g. If the proposal is successful, one or more Task Force members sit on the project advisory committee as a quid pro quo for proposal support and to ensure consistent and timely reporting against NARAP work items or other related CEC programming, as appropriate (e.g., children's health); and
- h. SMOC NARAP Development Task Forces and the CEC Secretariat incorporate the thinking of this strategy into the development of any new NARAPs.

In addition, there is a communication need associated with the strategy that involves three steps:

**Step 1:** Gathering information on potential partners and establishing the fundamentals of the Leveraging Strategy by clearly articulating, in writing for distribution, the overall objectives, targets, scope and nature of the SMOC program.

**Step 2:** Building on the knowledge and communications base assembled during Step 1 to further refine and target the communications approach, including focused communications products/deliverables for key events (e.g., GLOBE 2002, Americana, CEC Ministerial 2002, etc.). This step will set the stage for the "roll-out" of capacity building project ideas originating with the SMOC program.

**Step 3:** Working with partner organizations to develop detailed projects to be shared by the new partners and organizational alliances. This involves proposal preparation and stewarding through funding approval processes.

## **2. *Public Education Opportunities***

### **2.1 *Issue***

As part of the Council Resolution 95-05 establishing the SMOC program, the Council specifically directed the SMOC Working Group to: "encourage and provide for meaningful participation of the public, including nongovernmental organizations; business and industry; provincial, state, and municipal governments; academia; and technical and policy experts in developing its recommendations."

## **2.2 *Background related to SMOC Working Group***

It is considered that the work related to the development and implementation of the NARAPs tends to be highly technical and does not necessarily lend itself easily to public participation. However, the governments are committed to public education, awareness, and participation. Therefore, SMOC is seeking ideas from stakeholders as to how this process can be improved.

## **2.3 *Background related to JPAC***

One of the objectives of the JPAC is to ensure active public participation and transparency in the actions of the Commission, which includes the SMOC program. In 1999, the JPAC drafted a Framework for Public Participation in Commission for Environmental Cooperation activities, which was adopted by the Council. In the Framework, public participation is defined in its broadest sense to include information, public education, solicitation of input, circulating documents for comment, providing for internet exchanges, and offering formal participation in public meetings. The basic premise of the Framework is that all CEC activities should contain a public participation component. The guiding principles under which CEC programs were to be developed and implemented were equity for public participants, efficiency and timeliness, transparency and accessibility, inclusiveness, and financial support and accountability to the public.

## **2.4 *Context***

In November 2001, at a full-day joint meeting, members of JPAC, the SMOC Working Group and stakeholders representing the public, engaged in detailed discussions of SMOC activities, including how to increase public participation. There is justifiable concern among SMOC members that a semi-annual, one-day public meeting that focuses only on presentations limits the opportunity for substantive dialogue between government representatives and our stakeholders. The meeting agendas are organized around progress reports on NARAPs. Opportunities for open discussion are normally left to the end of the day. Involving public representatives who are not familiar with the SMOC program and NARAPs would in all likelihood need additional presentations to increase knowledge, further reducing dialogue opportunities. The challenge is to educate and raise awareness among members of the public to allow for more meaningful input.

During the early planning stages for the NARAP on dioxins, furans and hexachlorobenzene, a broad-based public workshop was incorporated into the NARAP development process to assess whether this would assist in the public education and outreach. The workshop was held in October 2001 and presentations were made available on CD-ROM for any interested party. It is too early to tell whether this was successful but early accounts indicate that the workshop was well received. As the NARAPs are being implemented, a similar question arises as to whether and how the public and key stakeholders can assist in achieving NARAP goals. The challenge is that it is more difficult to involve the public in implementation if they have not developed a stake through involvement in the planning. Again, the

NARAP on dioxins, furans and hexachlorobenzene may serve as a pilot for new ways to involve the public when it reaches the implementation stage.

There are notable imbalances in the level of public involvement that already exists; Canadian industry has shown interest in SMOC activities, the NGO involvement is strong in the United States, and research academics are engaged in Mexico. There is, however, very little involvement of local governments, considered by some to be key players in the implementation of NARAPs.

The limiting factor for all public education/involvement is that of resources, both time and money. Public involvement has been viewed in terms of attendance at public meetings, with associated travel costs. New technologies have not been at the forefront of public involvement planning. There have also been requests to keep the consultations and information flow simple and 'low-tech' in order to be able to reach people who do not have access to computers or the Internet.

## **2.5 Key Considerations**

It is recommended that the SMOC Working Group consider a two-year program to improve the public involvement process related to the Sound Management of Chemicals. The first order of business might be to establish a SMOC Expert Advisory Committee on education and public involvement, which would include members from SMOC, the NARAPs and stakeholder groups. Once the advisory committee has been established, some of the issues it could consider would be:

- New approaches to public education, information and awareness raising.
- The role of the public in selecting new areas for SMOC engagement (new NARAPs? other ways of doing business?).
- The value of producing a video/CD/DVD on the history and achievements of the SMOC and its NARAPs.
- The involvement of university teaching programs in SMOC meetings.
- The engagement of local governments in SMOC implementation.
- The use of 'low-tech' approaches to involving the public: what works best?
- The use of new technologies for involving the public.