

SESSION 05-03 OF ALTERNATE REPRESENTATIVES

SUMMARY RECORD

The Commission for Environmental Cooperation (CEC) Council, represented by its Alternate Representatives, met via conference call on 4 April 2005. Ms. Nicole Ladouceur (Canada) chaired the meeting. Mr. José Manuel Bulás and Mr. Jerry Clifford represented Mexico and the United States, respectively. Mr. William Kennedy, CEC executive director, represented the Secretariat and Ms. Nathalie Daoust, Council secretary, acted as secretary for the session. Other officials of the Parties and the Secretariat were also in attendance.

Item 1 Introductions and review of agenda and objectives (including interventions by the executive director and JPAC representative)

The chair opened the session and announced that Norine Smith, who had been assigned new duties within Environment Canada, would not be able to actively participate to CEC activities over the next few months and Ms. Ladouceur indicated she would act on her behalf in the meantime. .

The chair then invited the US and Mexican representatives to review and approve the provisional agenda for this session. The Mexican representative requested that two items be added to the agenda: 1) the recent letter from Secretary Cardenas to Minister Dion and Acting Administrator Johnson relating to a study on monarch butterflies; and 2) the *Security and Prosperity Agenda*, which arose from the recent meeting of the North American leaders in Waco, Texas, as it represented possible links with the agenda for the 2005 Council session.

In response to this request, the US representative indicated that he would prefer to have a private informal conversation with the Mexican representative to address the recent letter from Secretary Cardenas. As for the *Security and Prosperity Agenda*, the US representative indicated that the State Department was leading this initiative and, consequently, he was not in a position to discuss it at this time. The Canadian representative indicated she was in the same situation, given that she was awaiting a briefing from the Canadian Privy Council on this topic. The Mexican representative mentioned that there might be linkages between the *Security and Prosperity Agenda* and the CEC work program and that the role of the CEC within this *Agenda* would need to be addressed eventually. The Alternate Representatives agreed to postpone this discussion.

The Alternate Representatives adopted the agenda for their teleconference based on the provisional agenda.

The executive director indicated he was pleased to note that progress had been made in approving the cooperative work program and corresponding budget. He also reminded the Parties that the Council session was only ten weeks away and that the Secretariat, in the interest of time, had developed a draft provisional agenda for Parties' consideration. He thanked the

United States and Canada for their preliminary comments on the provisional agenda and said that he was looking forward to the discussion among the Alternate Representatives, including hearing their views on the proposed meeting objectives. The Canadian representative expressed appreciation for the draft agenda put forward by the Secretariat.

The executive director informed the Alternate Representatives that Arturo Duran, the JPAC chair, was sending his apologies but could not participate in the call due to a last-minute emergency.

Item 2 Finalize approval of CEC cooperative program for 2005–2007

The chair invited Julie Pelletier, the GSC representative, to introduce the latest budget for the cooperative program submitted by Canada on 1 April. Ms. Pelletier pointed out that consensus had been reached for all projects except for the project on market-based mechanisms and the suggestion to defer its implementation to 2006. She also indicated that under “current projects,” Mexico needed to reaffirm its support for the completion of the regional program of action on DDT and the corresponding budget allocation of C\$80,000.

The chair asked Mexico its current position on the two outstanding items. In responding, the Mexican representative indicated that Mexico was now supporting the use of the C\$80,000 allocation for completing the regional program of action on DDT. In reference to the market-based mechanisms project, he indicated that Undersecretary Francisco Giner had requested delaying a decision on this project by 24 hours to enable him to speak to his counterparts in Canada and the United States regarding the possibility of implementing it in 2005. He assured his counterparts that no financial resources within the proposed budget needed to be assigned for this project, given that the proposal from Undersecretary Giner involved external resources. Accordingly, the Alternate Representatives agreed to defer their decision on this project by 24 hours. The US representative also pointed out that the upcoming meeting of the Biodiversity Conservation Working Group (BCWG) in May might provide an opportunity to discuss this project further, towards its consideration for 2006.

Given that no budget decision remained pending, the Alternate Representatives approved the budget for the cooperative work program as presented by Canada on 1 April 2005. The Alternate Representatives applauded the efforts of the GSC and the Secretariat in ensuring the approval of the work program and budget.

The Alternate Representatives tasked the Secretariat to define in further details these projects for their implementation and to prepare drafts of the Strategic Plan and 2005-2007 Operational Plan.

Item 3 June 2005 Council session

The chair invited the executive director to introduce the draft provisional agenda for the 2005 Council session. The executive director provided an overview of the agenda and pointed to the proposed meeting with the heads of the business associations. He indicated that the objective of this meeting was to provide an opportunity for Council to discuss areas of common interest with the heads of the business associations, including the revised 1996 memorandum of

understanding. He explained that, during the 25 February meeting between the CEC and representatives from the Canadian Council for International Business (CCIB), the United States Council for International Business (USCIB) and the *Confederación de Cámaras Industriales* (Concamin), the heads of these associations had expressed interest in meeting with the CEC Council. He added that the revision of the 1996 MOU stemmed from the TRAC recommendation to foster greater cooperation with the private sector. The director of programs then presented the remainder of the draft provisional agenda, explaining that it offered Council the possibility of a focused discussion and an opportunity to profile the most interesting work of the CEC in the next years. He indicated that further details, including topics for discussion, would be provided to the Parties for their consideration. He also stressed that the 2005–2010 Strategic Plan represented the principal product of the Council session as it will express, in a concise document, how the three countries have decided to move forward on the Puebla Declaration, while emphasizing the concrete work being carried out under the three pillars.

The US representative expressed general support for this proposal and indicated that he viewed the 2005–2010 Strategic Plan as an umbrella document for the specific strategic plans to be developed for each of the three pillars. He cautioned against redundancies and of the need to seek input from stakeholders on the 2005–2010 Strategic Plan. He also commented that US would favor a one-day meeting as opposed to a two-day meeting in order to maximize Council's time together. He suggested that the agenda be streamlined and presentations on the three pillars be shortened to accommodate a compressed schedule. He also proposed eliminating the ministerial media opportunity and the discussion with the heads of the business associations.

The Canadian representative expressed support for a compressed agenda as well as for the 2005–2010 Strategic Plan being an important product of the Council session since it provides the basis for future CEC work. The Mexican representative also supported a one-day discussion among Council members but suggested a roundtable discussion with key experts oriented around two or three topics of interest to the ministers. Two topics he suggested were the *Security and Prosperity Agenda* put forth by the three leaders in Waco, and renewable energy. He also proposed scheduling bilateral meetings between the ministers. However, the Mexican representative supported retaining the ministerial media opportunity and suggested that as many such opportunities as possible be considered. He also expressed support for a meeting between Council and the heads of the business associations as it provided an opportunity for Secretary Cardenas to meet with the heads of the business associations of Canada and United States, and offered an opportunity to crystallize the engagement of the private sector in CEC activities.

In response to the Mexican representative's proposed topics for discussion, the US representative noted that some topics, including the *Security and Prosperity Agenda*, might fall outside the CEC's mandate and work program. Consequently, he suggested giving consideration to a private meeting to be held following the Council session, possibly on 23 June. He pointed to the fact that the Council session falls in the 90-day period in which the ministerial-led working groups have been asked to report back to the presidents and the prime minister on the *Security and Prosperity Agenda*.

The proposal for a private meeting on 23 June met with support from the Mexican and Canadian representatives, pending the availability of their ministers. If this private meeting were to take

place, the Alternate Representatives agreed that the closing press conference could be held on the morning of 23 June. However, the United States cautioned that Acting Administrator Johnson would not be in a position to speak on the *Security and Prosperity Agenda* during the news conference, given that State Department was taking the lead on this initiative. The Canadian representative concurred with her US colleague and suggested that the *Security and Prosperity Agenda* not be addressed during the news conference.

The Alternate Representatives asked the Secretariat to revise the agenda according to Parties' comments and tasked the GSC to review and finalize the provisional Council agenda prior to the end of April.

Item 4 CEC working groups and involvement of stakeholders in the Operational Plan 2005–2007

The chair invited Julie Pelletier to introduce the document, *CEC Working Groups: Future Roles and Responsibilities*, developed by Canada. It was conceived as a follow-up to the discussion held in Los Cabos on this issue and the suggestion for reviewing the mandate and future of the CEC working groups within the new context laid out by the Puebla Declaration. Ms. Pelletier stressed the importance of ensuring a working group structure that supported the new work of the CEC. The Alternate Representatives agreed to review this issue during their next meeting in May. The Mexican representative indicated they would be sending comments prior to that time.

Item 5 Other regular business

Item 5.1 Submissions on Enforcement Matters under Articles 14 and 15 (SEM-03-004 - Alca Iztapalapa II)

The chair confirmed that Parties' legal experts had met via teleconference the week of 28 March on this issue. The Alternate Representatives agreed to have a teleconference before 6 April to ensure agreement on a resolution in time for the 14 April JPAC meeting. The US representative indicated that they would be distributing a new draft resolution and suggested that the legal experts hold a discussion prior to the conference call.

Item 6 Next meeting of the Alternate Representatives

The Alternate Representatives agreed to hold their next face-to-face meeting in Montreal on 4–5 May 2005.