

SESSION 00-09 OF ALTERNATE REPRESENTATIVES

SUMMARY RECORD

The Council, represented by its Alternate Representatives, met via conference call on 10 November 2000. Ms. Veronique Deli (Mexico) chaired the meeting on behalf of Mr. José Luis Samaniego. Ms. Christine Guay and Mr. William Nitze represented Canada and United States respectively. Ms. Regina Barba represented JPAC and Ms. Janine Ferretti, Executive Director, represented the Secretariat. Mr. Cristóbal Vignal, Council Secretary, acted as secretary for the session. Other officials of the Parties and the Secretariat were also in attendance.

Item 1 Adoption of the agenda

The Alternate Representatives adopted the agenda based on the provisional agenda. The agenda as approved can be found in Annex A.

Item 2 Report of the Executive Director

In light of the good progress achieved at the General Standing Committee (GSC) level in pre-approving the 2001-2003 Program Plan and finalizing the budget, the Executive Director commended the GSC and Secretariat staff for their outstanding work. She also took this opportunity to encourage the Parties to endeavor to reach a decision on Submission SEM-98-006 (Grupo Ecológico Manglar) before the end of the year.

Item 3 Report by the JPAC Representative

The JPAC representative stated her appreciation that the 2001-2003 Program Plan had been approved in such a timely manner, describing this accomplishment as a step forward in the right direction for the sake of continuity. She expressed confidence that future members of the Council would have the opportunity to personalize the program.

Item 4 Approval of summary records

This item was deferred to the next session.

Item 5 Proposed 2001–2003 Program Plan

Further to the pre-approval of the 2001-2003 Program Plan at the GSC level, three outstanding issues were referred to the Alternate Representatives for resolution as follows.

The Alternate Representatives signed off on the language proposed by the United States regarding the mandate of the Working Group to be created under project 2.1.1 “*Strategic and*

Cooperative Action for the Conservation of biodiversity in North America". The Alternate Representatives approved the project and agreed, in principle, that a working group would be created. However, they agreed to have the experts in the area further discuss the structure and mandate of the working group before it is finalized. The Alternate Representatives also cleared project 3.2.1 "*Sound Management of Chemicals*" and approved language for Project 4.2.4 "*Environmental Management Systems to Promote Compliance and Environmental Performance*".

Item 6 Articles 14 and 15 of NAAEC

Discussion on this matter was deferred to the next session.

Item 7 Administrative issues

Discussion on this matter was deferred to the next session

Item 8 Use of Outstanding Balance from Financial Year 1998

Discussion on this matter was deferred to the next session.

Item 9 State of the Environment Report

Discussion on this matter was deferred to the next session.

Item 10 Other issues

No other issues were discussed.

Item 11 Next sessions of Alternate Representatives

The Parties noted the importance of holding another session of Alternate Representatives as soon as possible in order to address outstanding issues.

Item 12 Closure of the session

The Chairperson closed the session.

**SESSION 00-09 OF ALTERNATE REPRESENTATIVES
AGENDA**

Held on Friday, 10 November 2000 from 12:00 to 3:00 PM (Eastern time)
11:00 AM to 2:00 PM (Mexico time)

- Item 1 Adoption of the Agenda
- Item 2 Report by the Executive Director
- Item 3 Report by the Chair of JPAC
- Item 4 Approval of Summary Record
- Item 5 Proposed 2001-2003 Program Plan
- Item 6 Articles 14 and 15 of NAAEC *
- Item 7 Administrative Issues *
- Item 8 State of the Environment Report *
- Item 9 Other issues
- Item 10 Next sessions of Alternate Representatives
- Item 11 Closure of the session

* The main purpose of this session being to approve the 2001-2003 Program Plan, Articles 14 and 15 submissions, the State of the Environment Report and Administrative Issues will only be discussed if time permits.

**SESSION 00-09 OF ALTERNATE REPRESENTATIVES
ANNOTATIONS TO THE AGENDA**

Item 1 Adoption of the agenda

In accordance with Council Rules of Procedure (R. 9.6), the Council shall adopt the agenda for the session at the beginning of the session based on the provisional agenda. The Alternate Representatives are expected to adopt the agenda for the session.

DOCUMENTS:

- a) Draft annotated agenda (distributed 30-10-00) C/C.01/00-09/AGEN/01/Rev.1

Item 2 Report of the Executive Director

The Executive Director will briefly address the Council and present them with a written report on Secretariat activities and matters requiring their attention. (*Rule 5.3 of Council Rules of Procedure*).

DOCUMENTS: No documents

Item 3 Report by the Chair of JPAC

Under this item the JPAC Chair will provide an update to the Alternate Representatives on JPAC activities.

DOCUMENTS:

- a) JPAC Bulletin: Next JPAC Meetings (to be distributed)
- b) Agenda for JPAC Workshop on the Public History of Submissions under Articles 14 and 15 of the NAAEC (distributed 27-10-00)
- c) Agenda for the joint JPAC and Intergovernmental Advisory Group public meeting on Critical and Emerging Trends (to be distributed)

Item 4 Approval of summary record

In accordance with Council Rules of Procedure (R.11), the Executive Director prepared the summary record of Sessions 00-08. Speakers have submitted corrections to the summary of their remarks (R.11). The Alternate Representatives are expected to review and approve the summary records.

DOCUMENTS:

- a) Session 00-08 draft Summary Record (distributed 23-10-00) C/C.01/00-08/SR/01

Item 5 Approval of 2001–2003 Proposed Program Plan

The Alternate Representatives are expected to review, and approve as appropriate, the proposed 2001-2003 Program Plan. Discussion will focus mainly on the following:

- 2.1.1-Strategic and Cooperative Action for the Conservation of Biodiversity in North America (new project subsumes 2.2.1-Conserving North American Biodiversity in Priority Regions and 2.2.2-Ecosystem Monitoring Initiative)
- 3.1.2-Developing Technical and Strategic Tools for Improved Air Quality in North America
- 3.4.2-Children’s Health and the Environment
- Balancing of the budget and proposed budgetary allocations

DOCUMENTS:

- a) Revised project descriptions (to be distributed)
- b) 2000 Program Update, January to June 2000 (distributed 15-08-00)
- c) Quarterly financial report for 6 months ended 30 June 2000 (distributed 31-08-00)
- d) 2001-2002 Work Program Outline (distributed 24-05-00)
- e) Memo to Council dated 19 October 2000 from the Executive Director re: Approval process for Program Plan (distributed 19-10-00)
- f) Memo to Council dated 15 May 2000 from the Executive Director re: CEC Program and Budget (distributed 24-05-00)
- g) Timeline for completion of proposed 2001-2003 Program Plan and Budget (distributed 17-7-00)

Item 6 Articles 14 and 15 of NAAEC

Item 6.1 Submission SEM-98-006: Grupo Ecológico “Manglar”

Pursuant to Guideline 10(2), the Secretariat informed the Council on 4 August 2000 that it considers that submission 98-006 warrants developing a factual record. As provided by Article 15(2) of the NAAEC, Council may, by a two-thirds vote, instruct the Secretariat to prepare a factual record on the matter.

DOCUMENTS:

- a) Secretariat’s Article 15 determination dated 4 August 2000

Item 6.2 Submission SEM-97-006: The Friends of the Oldman River

Pursuant to Council Resolution 00-02, and noting that one specific case presented in Submission SEM-97-006 –The Sunpine Forest Products Forest Access Road Project– was the subject of

domestic proceedings in Canada, the Council decided on 16 May 2000 to defer consideration of the Secretariat's notification to the Council dated 19 July 1999 to the effect that the development of a factual record is warranted in relation to Submission SEM-97-006. Further to the Supreme Court of Canada's denied leave to Appeal to the Friends of the West Country regarding the Sunpine Forest Products case on 21 September 2000, the Council is expected to discuss the status of this submission.

DOCUMENTS:

- a) Secretariat's Article 15 determination dated 19 July 1999
- b) Council Resolution 00-02 dated 16 May 2000
- c) Letter dated 3 October 2000 from The Friends of the Oldman River to the CEC (distributed 4-10-00)
- d) Letter dated 3 October 2000 from Norine Smith to Janine Ferretti

Item 7 Administrative Issues

Item 7.1 Use of Outstanding Balance from Financial Year 1998

Further to Session 00-07 of Alternate Representatives, Canada is expected to present options related to the use of the outstanding balance from financial year 2000.

DOCUMENTS:

- a) Explanatory memo dated 1 August 2000 from Riccardo Embriaco to the GSC (distributed 4-8-00)
- b) Memo dated 24 July 2000 from Executive Director to Council re: Budget results for 1997-1998 (distributed 25-07-00)

Item 7.2 Approval of Spanish version of the CEC rules

The Alternate Representatives are expected to approve the Spanish version of the CEC rules as well as related linguistic changes required to the English and French versions.

DOCUMENTS:

- a) Edited version of Council Rules of Procedure (to be distributed)
- b) Edited version of Financial Rules (to be distributed)
- c) Edited version of JPAC Rules of procedure (to be distributed)
- d) Edited version of Rules of Employment (to be distributed)

Item 8 State of the Environment Report

Under this item, the Alternate Representatives are expected to discuss the release of the State of the Environment Report.

DOCUMENTS: No document

Item 9 Other issues

At the time of writing no other issues were proposed under this item.

Item 10 Next sessions of Alternate Representatives

The Alternate Representatives are expected to confirm the date of their next session.

DOCUMENTS:

- a) Schedule of sessions of Alternate Representatives for
2000 (distributed 2-10-00)

C/C.01/99-11/PLAN/01/Rev.13

Item 11 Closure of the session

The Chairperson is expected to close the session.