



Commission for Environmental Cooperation of North America

Regular Session of the Joint Public Advisory Committee 06-01:

Working Meeting on the North American Clean Electronics

Pollution Prevention Partnership,

and

SME Workshop

Vancouver, BC

28–29 March 2006

Summary Record¹

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) of North America held a regular session on 28 March 2006, centered on the presentation of the “North America Clean Electronics Pollution Prevention Partnership” (CEP 3 / NAP 3). The main objective of this working meeting was to present and discuss the project, as well as to define a common strategy for its successful implementation in North America. In addition, on 29 March, the public had the opportunity to visit North America’s leading business and environment trade fair, the Globe Foundation’s biennial fair and conference, and attend the JPAC workshop with SMEs.

This Summary Record reports on each agenda item, records all decisions made by the Committee and identifies action items and responsibilities. (See Annex A for the agenda, Annex B for the list of participants and Annex C for copies of the panel presentations).

Previous summary records, advice from JPAC to Council and other JPAC-related documents may be obtained from the JPAC liaison officer or through the CEC’s website at <<http://www.cec.org>>.

Welcome and Opening Remarks by the JPAC Chair, Carlos Sandoval

The JPAC chair welcomed participants to the 1st JPAC Regular Session of 2006, held in Vancouver, BC. He proceeded to provide the audience with a brief overview of JPAC and its mandate: JPAC is composed of fifteen volunteer citizens, five appointed by each Party; its mandate is to provide advice to Council on any matter within the scope of the North American Agreement on Environmental Cooperation (NAAEC) and perform any other functions that Council may direct. JPAC may provide policy, technical, scientific or other information to the Secretariat, including that which is for the purpose of developing a factual record under Articles 14 and 15.

¹ Disclaimer: Although this summary was prepared with care, readers should be advised that while JPAC members have approved it, it has not been reviewed nor approved by the interveners and therefore may not accurately reflect their statements.

JPAC's vision is to promote continental cooperation in ecosystem protection and sustainable economic development and to ensure active public participation and transparency in the actions of the Commission. The members share a commitment to preserve and enhance the North American environment and to achieve a sustainable society. JPAC works by consensus and recognizes that it functions, in one responsibility, as a microcosm of the public—independent individuals who contribute diverse institutional experience and cultural perspectives.

JPAC has a certain number of working groups, which must each include among its members one representative from each country. The working groups' mandate is to prepare a draft Advice to Council on a specified issue for JPAC approval and to attend selected CEC meetings on behalf of JPAC.

JPAC meets three to four times a year, rotating among the countries. One of these meetings is always held in conjunction with the Regular Session of Council in June. The JPAC chair also participates in meetings of the Alternate Representatives and meets with Council once a year during the Council Session. JPAC also meets twice a year directly with the alternate representatives. JPAC members also attend various meetings related to the CEC.

The JPAC chair introduced the recently nominated Mexican JPAC member, Gaston Luken, who is currently the president of the *Consejo Consultivo del Agua*, and went on to provide highlights of his prominent career, which included: vice-president of the board of directors of Pronatura; chairman of the board of GE Capital Mexico; member of the board at Telmex; among many others. The JPAC chair also mentioned that the US and Canada have outstanding members to appoint and called for the governments to do so before the next CEC Council session (June 2006).

He then explained the objectives of this session:

- Present the North American Clean Electronics Pollution Prevention Partnership project to different stakeholders from industry, government, and nongovernmental organizations.
- Discuss the project and assess the viability of its implementation in the North American region.
- Facilitate the decision-making process regarding the necessary steps for the successful implementation of the project.

All presentations are available at:

<http://www.cec.org/calendar/details/index.cfm?varlan=english&ID=1996>

Approval of the Provisional Agenda

The agenda for the session was approved.

Report by the CEC Executive Director

The JPAC chair invited the CEC executive director to provide a report on activities of the Secretariat from November 2005 to March 2006.

The executive director thanked the JPAC chair and mentioned that a copy of the report would be available on the CEC website in the coming weeks. He then presented some of the highlights of the ongoing implementation of the CEC Operational Plan: the CEC Secretariat published six North American Conservation Action Plans (NACAPs); a factual record on Sierra Tarahumara logging; and the first regional indicators report on children's health and the environment in North America. The Secretariat also initiated an independent study on the challenges and opportunities for green building in North America under Article 13 of NAAEC.

He pointed out that the CEC completed some activities under "current projects" and proceeded with the implementation of "new projects" under the three Puebla pillars: Information for Decision Making, Capacity Building, and Trade and Environment. He explained that the activities undertaken were from the 2005 work program, which is based on the 2005–2010 Strategic Plan, adopted by the Parties in June 2005.

The Executive Director highlighted the NACAPs for the leatherback sea turtle, the humpback whale, the pink-footed shearwater, the black-tailed prairie dog, the ferruginous hawk, and the burrowing owl, which were launched in November 2005, and mentioned that in 2006, numerous NACAP implementation activities will begin.

He also called attention to the report *Crossing the Border: Opportunities to Improve the Tracking of Hazardous Waste in North America*, which was published in October 2005 and includes a number of concrete actions, such as electronic tracking, aimed at reducing the administrative burden on both government and the private sector.

Under the "Information for Decision Making" pillar, one important activity was to develop the North American Environmental Atlas. The CEC hosted a workshop at the USGS facilities to create a seamless map that includes the boundaries of river basins. The CEC provided coordination and editorial assistance in the preparation of a hard-copy version of the map.

The executive director reported that under the Capacity Building pillar, the CEC has been working closely with the private sector, specifically large multinational companies like Bristol Meyers, Colgate, Palmolive & Clarion, and some of their suppliers, on a pilot project that is aimed at greening their supply chain. SMEs will also be part of the project. Also under this pillar, the North American Green Purchasing Initiative (NAGPI) met in Miami to develop steps to promote green purchasing. The pilot project that resulted from the meeting is aimed at identifying environmentally-superior alternatives to the cleaning products and practices currently being used in Semarnat offices, and at working with suppliers to green the ministry's procurement practices.

The executive director also underlined the importance of the CEC's work related to Article 14 & 15, the citizen submission process. He explained that the citizen submission mechanism enables the public to play an active whistleblower role when a government appears to be failing to enforce its environmental laws effectively. Members of the public trigger the process by submitting to the CEC a claim alleging such a failure on the part of any of the NAFTA partners. Following the review of the submission, the CEC may investigate the matter and publish a factual record of its findings, subject to approval by the CEC Council.

He then presented the status of the eleven submissions under review as of 15 March 2006, as follows:

- *Four draft factual records are being developed as instructed by Council:* 1. Ontario Logging; 2. Pulp and Paper; 3. Alca-Iztapalapa II; 4. Montreal Technoparc.
- *Council vote pending, following notification that a factual record is warranted:* 1. Coal-fired Power Plants; 2. Lake Chapala II; 3. Quebec Automobiles.
- *Determination pending whether a factual record is warranted under Article 15(1):* 1. Coronado Islands; 2. Environmental Pollution in Hermosillo II.
- *Reviewing a new submission under Article 14:* Ex Hacienda El Hospital.

In January 2006, the Secretariat released to the public the factual record on the Tarahumara submission. This was the eleventh factual record released to date.

Under the CEC activity related to Strengthening Partnerships with the Private Sector, the executive director drew attention to a meeting that would be taking place in the next couple of days in Vancouver, with Canadian, Mexican and US cement companies. He went on to mention that this initial encounter was in accordance to the CEC's Action Plan to Enhance the Comparability of Pollutant Release and Transfer Registers in North America, which could potentially facilitate the development of standardized approaches to emissions reporting in the cement industry in the NAFTA region. The CEC will endeavor to incorporate any accomplishments in this year's *Taking Stock* report, which will include a specific chapter on the cement industry in North America.

Regarding administrative and financial matters, the executive director announced that the Secretariat had received Mexico's full contribution for 2006. Notwithstanding the positive news, he went on to mention that the funding resolution for 2006 had not been signed by the parties and therefore the Secretariat was operating on 2005 surplus funds.

The JPAC chair underlined Mexico's commitment to fulfilling its contribution in accordance with the agreement. He thanked the executive director and congratulated the CEC for its outstanding work over the past months. He also pointed out that Ms. Donna Tingley, former JPAC chair, and Mr. Daniel Basurto, former JPAC member, were in attendance.

Reports from the National and Governmental Advisory Committee Representatives

Each Party appoints a National Advisory Committee, commonly referred to as NAC, made up of members of its public, including representatives of nongovernmental organizations. Its role is to advise its Council member on the implementation of NAAEC.

Also, each Party is to convene a Governmental Advisory Committee, referred to as GAC, including representatives of various levels of government. Its role is to advise its government on the implementation of NAAEC. Both Canada and the US have created their committees.

The Mexican NAC, comprised of 17 representatives from the different regions in Mexico, is active and the Secretariat is awaiting confirmation from Mexico.

The JPAC chair then invited Mr. Paul Hunt, the Canadian NAC representative, to address the audience, and the following are highlights from his report:

- He cautioned against the loss of intellectual capital when CEC projects are dropped.
- He noted that two projects under the Capacity Building pillar were perceived as being less important, specifically Children's Health and Biodiversity.
- He addressed the relevance of bringing into play economic instruments, such as emissions trading, that will encourage the desired actions.
- He stressed the importance of follow-up to factual records; to illustrate, he mentioned the possibility of environmental audits.
- He pointed out that in Canada only three provinces have signed the NAAEC agreement, and expressed concern on behalf of his NAC, mentioning that the Committee has recently urged the Canadian government to engage the remaining provinces.

The JPAC chair then invited Mrs. Patricia Muñoz to address the audience, and the following are highlights from her presentation:

- She explained that the Mexican NAC members are representatives from the 32 states, in addition to 42 stakeholders, including women, youth, academia, NGOs and indigenous groups.
- The committee recommends to the government concrete actions such as ecological planning. On behalf of the other members, she expressed her interest in participating regularly in all future JPAC sessions, in order to present their proposals.
- Finally, she added that the Committee reports to the Minister of the Environment and not to the President, as established in the Rio Declaration.

A Mexican JPAC member thanked Patricia Muñoz for the excellent work the NAC has accomplished and suggested integration at the earliest possible time of agencies like Hacienda, in Mexico, which manages the funds to work towards sustainable

development. By working collaboratively, it would be easier to identify needs, gaps and strengths that will result in better planning. She went on to mention that even though she has been a member of this committee for a short period of time, she felt it was important to recognize the value of the work being done.

The JPAC chair opened the floor to comments and questions from the public:

- A member of the public underscored the citizen submission process as a point of last resource in terms of law enforcement; she called it an “avenue with a great deal of political strength.” She also stressed the importance of following up on said submissions.
- In reference to the most recent submission regarding Devil’s Lake, a member of the public stressed the importance of this first-time bilateral initiative. She went on to explain that in Canada this file had not been taken into consideration by the corresponding authorities, and reiterated the importance of counting on the CEC, therefore, as a venue for this type of issues.
- Another member of the public mentioned that in Mexico there are also important issues that are not being followed up by the authorities, such as illegal logging in several protected areas.
- A member of the public enquired about any plans to involve indigenous people in CEC’s projects. The executive director responded that although there are no specific projects under the Puebla pillars that involve indigenous people, the CEC is looking to fill a staff position with an indigenous person.

The JPAC chair acknowledged the presence of GSC representatives Julie Pelletier, Elena Porrás and Sylvia Correa from Canada, Mexico and the United States respectively.

Presentation of the North America Clean Electronics Pollution Prevention Partnership, by Maria Kelleher of Kelleher International

Key messages from her presentation:

Maria Kelleher presented an overview that included the background of the initiative CEP3 & NAP3, its objectives and steps for its implementation. The scoping study was prepared for the CEC in cooperation with the North American Pollution Prevention Partnership (NAP3). The purpose of the CEP3 is to encourage companies manufacturing and importing electronics and electrical equipment (EEE) into North America to reduce and/or eliminate CEP3-targeted toxic materials, specifically lead, mercury, cadmium, hexavalent chrome, polybrominated biphenyls (PBBs) and polybrominated diphenyl ethers (PBDEs). This is the same list of materials banned by the EU RoHS Directive, which becomes effective 1 July 2006. The ultimate goal of this partnership is to increase compliance with RoHS Directive standards, through a voluntary program in North America.

According to Ms Kelleher, CEP3 faces many challenges. Among them: the electronics sector is very varied, most products are manufactured off-shore, and leading brand

owners don't see the benefit in being involved in "yet another" program. Ms Kelleher described how the EEE industry in North America is structured with large multinationals, component manufacturers, assemblers, small, locally based companies, and white box assemblers. She then provided a profile of the industry in North America, pointing out that in Mexico 75 percent of the companies are engaged in the manufacture of telecom equipment, computers, parts and components, and that the country is known world-wide for TV manufacturing. The United States EEE focuses on software production, and most of the manufacturing is done off-shore, while the EEE industry in Canada is highly specialized in communication products and software, with minimal manufacturing.

Ms Kelleher noted current standardization efforts relevant to pollution prevention in the EEE sector:

1. **the legislated P2**, which includes the RoHS Directive and the State of California's SB20/20;
2. **voluntary agreements**, to which the US is committed through the Federal Electronics Challenge (FEC); and
3. **procurement specifications**—to date, there are two registers of green procurement specifications on computers, the EcoLogo in Canada and EPEAT in the United States.

Ms Kelleher explained some of the initiatives that the industry has undertaken in pursuit of pollution prevention, such as training programs, supply chain management and procurement specifications. She mentioned that large companies have been aware of the RoHS Directive for many years and have been trying to avoid it, but now that Europe is going ahead with its implementation, the US will follow in an effort to maintain its European market.

According to the scoping study, in order for the project to make sense in North America these elements should be considered:

- *green procurement*—best way to influence manufacturing through the design chain;
- *RoHS Directive training*—should be widely disseminated, as its impacts will trickle down through the supply chain;
- *design for the environment*—educate product designers and add to curriculum of design centers to eliminate hazardous components from electronics completely; and
- *end-of-life management*—add EoL commitment and education to those involved in other elements of CEP3.

The scoping study recommends as potential partners for funding the program: large institutional buyers of information technology (IT) equipment; retailers and consumer associations; industry associations; and educational facilities.

Ms Kelleher presented the next steps for the implementation of CEP3, which include hiring a full-time project manager, developing a website, brand and logo; compiling best practices information; and beginning development of training programs. She considers engagement and outreach to SMEs essential to the CEP3 workplan.

A copy of the presentation can be found at the following link:

<http://www.ccc.org/files/pdf/JPAC/Kelleher-28th-March-CEP3.pdf>

The North American Pollution Prevention Partnership (NAP3) on the CEP3 Project, by Chris Wolnik of the Canadian Centre for Pollution Prevention

Key messages from his presentation:

Mr. Wolnik explained that NAP3 is the result of an international partnership of the three North American Pollution Prevention Roundtables. The mission of the NAP3 is to advance environmental protection through pollution prevention. Activities to date include the publication entitled *Moving Forward with Pollution Prevention in North America: A Progress Update*.

He also mentioned that the CEP3 is a voluntary commitment, and added that components such as education and public reporting on behalf of companies, particularly SMEs, are essential for its success. CEP3 should also focus on the life cycle of electronic products, including end-of-life management for used and discarded equipment, which has a huge impact on the environment.

NAP3 wants this project to be self-sustaining in the short-term future and will continue to encourage its implementation in North America.

The Electronics Industry Alliance (EIA)—Perspective and Potential Role in the Project, by Richard Goss, Director of Environmental Affairs

Key messages from his presentation:

Mr. Richard Goss explained that the EIA is a national trade organization that includes the full spectrum of US manufacturers. From EIA's point of view, which is based on the global nature of the business, major brand names have to comply with the RoHS Directive and should push for its implementation. However they have identified the need for further clarification on its compliance terms. Defining the scope, knowing the target audience, and innovation are critical.

The association is working towards identifying and minimizing the use of particular compounds in these products. As technology advances, replacements for toxic substances will become increasingly available.

EIA's major concern is making sure that different compliance directives are standardized. They need to be consistent and harmonized whether they are in China, Europe or North America.

The National Chamber of the Electronics Industry (Canieti)—Perspective and Potential Role in the Project, by Jacobo Esquenazi of Canieti

Key messages from his presentation:

Mr. Esquenazi provided the audience with a brief overview of Canieti, highlighting that, as a national chamber, it has a membership of more than 700 companies from the electronics sector in Mexico. Its mandate is to promote the development of the electronics, telecommunications and processing equipment sector in Mexico.

He explained the economic impact of the telecommunications industry in Mexico: as it represents 6.3 percent of GDP, it generates about 600,000 jobs and represents 27.4 percent of manufacturing exports.

He then presented a distribution map which highlighted the main electronic industrial hubs in Mexico, including the states of Jalisco, Chihuahua, Baja California, Sonora, and Tamaulipas, among others.

Mr. Esquenazi went on to provide some general comments on behalf of Canieti on the scoping study that was prepared by Kelleher International:

- The data used in the study dates back to 1998; therefore it does not include updated information.
- It disregards not only the globally integrated production chain but also the fact that most manufacturers already comply with the RoHS Directive.
- The study doesn't take into consideration other global initiatives promoted by the industry, such as the Electronic Industry Code of Conduct (EICC).
- The characteristics of a highly integrated global industry are not accurately measured.
- It does not take into consideration the specific characteristics of the electronics industry in Mexico, particularly as a manufacturing source.
- The study establishes as a high priority the use of a combined standard, EPEAT–Environmental Choice, which is not recognized in the Mexican standards (*Normas Oficiales Mexicanas*).

He proposed some alternatives to improve the study:

- Carry out a field study in Mexico to gather information about compliance with the RoHS Directive.
- Implement capacity building and training workshops to disseminate information about the terms and conditions of RoHS compliance; these workshops could easily be facilitated through the Canieti centers in Mexico.
- Eliminate the proposal regarding government purchases until there is consensus on a single recognized standard.

A copy of the presentation can be found at the following link:
<http://www.cec.org/files/pdf/JPAC/Jacobo-Esquenazi-NAP3.pdf>

Presentation by Agustin Pecina of Clarion Mexico

Key messages from his presentation:

Mr. Pecina provided an executive summary on Clarion Mexico which centered on the company's achievements in eliminating toxic substances in its production line.

Some of Clarion's major production items are car audio systems, car speakers, TV and video systems, and automobile navigation systems. Some of its customers include world-renowned companies like Volkswagen, Ford, Toyota and BMW, among many others.

Mr. Pecina underlined that Clarion is committed to a rigorous compliance in favor of the environment and therefore has taken concrete measures to eliminate cadmium, hexavalent chrome, and lead.

In 2006, Clarion began production of some products that are completely lead-free and it expects that by 2007, all of these will no longer contain this material. He mentioned that in order to eliminate these substances there are important investments to be made in the assembly line, for example, acquiring lead-free solder equipment. In his view, the implementation of the CEP3 initiative should proceed gradually.

A copy of the presentation can be found at the following link:
<http://www.cec.org/files/pdf/JPAC/Clarion-Presentation-final.pdf>

The Electronic Product Environmental Assessment Tool (EPEAT) Position and Potential Involvement in CEP3, by Jeff Omelchuck, Director of Green Electronics Council

Key messages from his presentation:

Mr. Omelchuck's presentation included a comprehensive account of the Electronic Product Environmental Assessment Tool (EPEAT). He explained its use as a green purchasing system for institutional customers, to help them identify environmentally preferable electronics. It was originally aimed at the US market and applied only to computers and monitors. It is not an eco-label; EPEAT was developed based on the IEEE 1680 public standard.

Operated by Green Electronics Council (GEC), a nonprofit org, EPEAT was developed over a 3-year multi-stakeholder process, which involved NGOs, industry, institutional purchasers, EPA and others. Through this process, consensus was achieved on the IEEE 1680 standard.

Mr. Omelchuck explained that IEEE 1680 defines the method to be used by manufacturers to declare products' conformance to environmental criteria; it specifies the

environmental criteria, both required and optional. It also indicates the data to be provided by a manufacturer, to demonstrate conformance to each environmental criterion.

The presenter listed some of the environmental requirements of IEEE 1680, such as material selection, design for end of life, and end-of-life management. EPEAT recognizes three tiers: Bronze, Silver and Gold. Gold is given to products that meet all EPEAT criteria plus 21 optional; Silver is awarded to products that meet all required criteria and 14 optional; Bronze is awarded to products that meet all required criteria.

He summarized how EPEAT works:

- The manufacturers sign an agreement with GEC and pay an annual fee to obtain unlimited use of the system.
- The manufacturer declares its products by registering them on GEC website. These products appear in the registry immediately and are categorized as Gold, Silver, or Bronze, based on criteria met.
- The GEC conducts annual verifications and all registered products are subject to this process.
- Institutional purchasers write EPEAT registration into requests for procurement (RFPs) and access the website for registered products.

He underscored that EPEAT was developed with manufacturers and purchasers in mind and spoke of the power of stakeholder involvement. Involving industry, purchasers, NGOs and government will ensure the development of a strong environmental standard with a credible implementation system.

According to Mr. Omelchuk, EPEAT is the most comprehensive standard out there. EPEAT is unique because it is based on a public consensus standard, which gives the public confidence and translates to a balanced and open process that enables change. Its structure is based on other successful systems, and requirements are harmonized with programs like Energy Star, RoHS, etc. It is unique in giving the purchasers a tier structure that recognizes leadership. EPEAT works through “self-declaration” with after-market verification, and at a low cost to register products. He reported that, to date, no NGOs have come out against EPEAT.

Mr. Omelchuck addressed the implications for government and public policy. These include the following:

- The standard is environmentally comprehensive, well thought-out, and balanced.
- The use of EPEAT requires no legislative action and there are no costs associated for government.
- It is a credible system, operated by an independent nonprofit body.

Some of the implications for information technology (IT) manufacturers are:

- Any manufacturer anywhere can register products through the Web-based interface.
- Major manufacturers have already paid to register their products—use in Canada or Mexico does not have an additional cost.
- Fees provide unlimited use of EPEAT, based on US sales of computers and displays.

Implications for information technology (IT) purchasers:

- EPEAT is free to purchasers. The fees are paid by the manufacturers.
- Purchasers can select “how green” they want to be: Bronze, Silver, Gold.
- EPEAT is based on a public standard.

He continued to explain EPEAT’s verification process, which is carried out on an annual basis by contracted technical experts. The plan includes vertical (one product across many attributes) and longitudinal (one attribute across many products) verification.

The adoption of the IEEE 1680 standard is complete and the text will be publicly available from IEEE by 30 April 2006.

A copy of this presentation can be found at the following link:

<http://www.ccc.org/files/pdf/JPAC/GEC-EPEAT-JPAC-Pres.pdf>

Presentation by Scott McDougall, President of TerraChoice, on its position and potential involvement in CEP3

Key messages from his presentation:

Mr. McDougall’s presentation centered around two key messages regarding the CEP3 initiative:

1. Avoid starting from scratch; instead, he suggested taking advantage of other green purchasing initiatives out there, like NAGPI.
2. He stressed the importance of servicing the buyer and not the manufacturer, by using market mechanisms to deliver greener products.

He also mentioned that green procurement systems allow for gradual progress, which can help bring Mexico to the same level eventually as the US and Canada. He went on to emphasize that industry endorsement is key, but it is the buyers who drive the market.

Mr. McDougall also explained that TerraChoice is a private-sector firm, serving both the environmental agenda and private clients. TerraChoice delivers rating and reporting programs and the Eco-Logo labeling and consultant services, all under the one environmental marketing umbrella.

According to TerraChoice, validation is critical; it gives the consumer the confidence that the product has been audited by a credible third party. Eco-logo focuses primarily on Canada and the northern US market. Eco-Logo has developed a Type 1 verification label for electronics.

A copy of this presentation can be found at the following link:

<http://www.cec.org/files/pdf/JPAC/JPAC-McDougall-3-28-06.pdf>

The facilitator opened the floor to questions and comments from the public.

- A member of the public expressed her concern that the CEP3 is centering too much on industry. She mentioned that North American consumers/citizens need to have the same level of protection as Europeans and that the CEP3 standards should be over and above those of the RoHS Directive. She also mentioned that CEP3 should not rely solely on voluntary measures. One of the panelists replied that this initiative is only one of many programs that will help clean the environment and that the program is currently structured to evolve and be implemented over five years in support of environmental stewardship. Another panelist confirmed that there is a regulatory backdrop currently in place and that in a fairly short time there will be global compliance with RoHS.
- A member of the audience pointed out that the process for establishing regulatory and voluntary measures differs significantly among the three countries. He suggested the development of standardized norms among the NAFTA members.
- A member of the public expressed his support of trilateral legislated practices and certification.
- A JPAC member asked the panelists how long it would take to eliminate the green washing from the process. The reply was that, given that the procedure operates on an annual basis and that the actual verification takes several months, they did not know at this point how long it would take.
- A member of the public expressed the need to change environmental legislation in Mexico in order to prevent the importation of environmentally aggressive and harmful products. He cautioned against expecting that the CEC can do the work alone; he expressed the need to involve policy makers from the three countries instead.
- Several members of the public agreed with the previous statement and stressed the importance of a stronger legislation for dealing with stockpiles of electronic waste, as opposed to relying on voluntary programs. It was also mentioned that efforts should be made on behalf of manufacturers to design products that have longer shelf life instead of becoming rapidly obsolete.
- A member of the public considered that the study doesn't take into consideration side products such as plastic packaging, which is highly toxic. He encouraged the members of this initiative to look at waste reduction and to engage these manufacturers in recycling programs.
- Another member of the public highlighted the importance of capacity building programs for SMEs, through the use of existing local and regional networks.
- One of the panelists pointed out that in North America as well as China there are RoHS-compliant companies. He also believes that this number will be much

higher as more manufacturers conform to these directives in order to have a greater market share for their products.

General discussion of the project's future

A general discussion was held in order to define a common strategy for the successful implementation of the project and to promote the competitiveness of companies in North America.

The moderator acknowledged the role of JPAC in facilitating communication with the electronics industry, in order to minimize its negative footprint in the North American environment. He recognized the significant differences in compliance systems in Canada, Mexico and the United States and invited the audience and the panelists to continue discussions focusing on ideas that will allow the project to move forward.

In order for the project to meet the desired objectives, the panelists and members of the public made the following recommendations:

- Actively involve NGOs and SMEs in related workshops and meetings.
- Develop a field study to obtain data on SME compliance with RoHS.
- Engage other sectors in the elimination of lead throughout the supply chain.
- Foster standardized legislation in the three countries by using economic incentives to promote change.
- Subsidize a study on the full cycle of the product.
- Link this project to other CEC initiatives, like NAGPI and pollution prevention.
- Establish a program with clear objectives and strategies to comply with RoHS.
- Improve recycling, through specialized companies and/or government programs, particularly in Mexico, where recycling practices are followed on an irregular basis.
- Consumer behavior and environmental impacts are linked inextricably, thus consumer education is essential.
- To avoid the risk of re-inventing the wheel, it is necessary to understand and make use of the tools that are already out there.

Finally, in her closing comments, the author of the study thanked the panelists and the public for their input. She went on to mention that she will continue with her research, particularly on some of the points brought up during the meeting, and that she would be incorporating some of the comments in her final draft to the CEC.

JPAC follow-up and administrative matters

a) CEC Operational Plan for 2006–2008:

The JPAC chair presented a brief overview of CEC's Operational Plan for 2006–2008. He mentioned that the projects were in their final stages of approval and that the document would be available on the CEC website in the coming weeks.

A JPAC member noted that the description of JPAC's activities within the CEC Operational Plan was quite brief and suggested that excerpts from JPAC's Strategic Plan be incorporated in the document. The JPAC chair replied that the overall content of the Operational Plan had been narrowed down, including the portion relating to JPAC.

b) The JPAC Strategic Plan 2006–2010

The JPAC chair provided the audience with background information on the Strategic Plan. He then proceeded to describe JPAC's working principles, Transparency, Outreach and Engagement, which are the means by which JPAC's vision will be achieved over the next five years (2006–2010).

- A member of the public reiterated the importance of involving indigenous communities, and of making information easily available to society at large and in a timely manner. This would enable the public to provide meaningful feedback.
- Another participant invited JPAC to find ways to make its work more accountable and more transparent, to reach out to the greater public and be involved in the discussions.
- A JPAC member recognized the need to use more traditional means of communication, to include those who don't have access to electronic tools.

The JPAC chair asked Patricia Muñoz, Mexican NAC Representative, to explain how public participation works in Mexico. She replied that it is a process in constant development. Public participation to date has not been a common practice. Therefore, the work of the national committees to get people involved and to spread the knowledge is critical.

- A former member of JPAC mentioned that it isn't clear what JPAC and the CEC are, nor their objectives. He said only those involved in the projects understand what they are about. This creates confusion and disinterest on the part of the governments and the civil society. In his opinion, JPAC should include a wider range of sectors and representatives to boost the richness of the process. Carlos Sandoval replied that JPAC has started a new dynamic to bolster more open thought and discussions.
- A JPAC member invited both the CEC and JPAC to bear in mind the relationship between NAFTA and the environment, and to make this relationship clear and explicit to the public, to better understand how decisions in one area affect the other.

The JPAC chair reminded the audience that the Puebla Declaration commits the Parties to concrete results and that there are ongoing negotiations to have a Results Framework. With regards to the public's comments on JPAC's objectives and role, he explained that that's one of the reasons why JPAC developed its own Strategic Plan; to define its direction and to increase its accountability and transparency.

- A member of the public requested that other groups be invited, such as youth organizations, children and elderly people. She underscored the importance of having NGO representatives, who communicate the information resulting from these meetings to civil society, including remote communities.
- A member of the public highlighted the value of having representatives with experience in the environmental field, since technical knowledge facilitates progress.

The JPAC chair reiterated that the public's comments are very important and that they are taken into careful consideration. On another topic, he noted that the public can access JPAC's administrative documents via internet. He announced that he will meet with the Alternate Representatives to present JPAC's Strategic Plan.

He then asked Gaston Luken to give a brief presentation on the results of the World Water Forum. He highlighted the Forum's plurality, pointing out that the Forum gathers and evaluates successful practices around the world and brings attention to them by presenting them publicly. One of the main objectives of this Forum is to raise awareness about water issues, such as access to this resource. He described some of the most relevant results, such as, among others, a Ministerial Declaration which will ideally pave the way to other agreements; the presentation of concrete solutions and proposals; and raising people's awareness.

- A JPAC member urged the group not to lose momentum on JPAC's Strategic Plan. She recommended that the JPAC working group meet via conference call in order to begin defining its priorities under the Strategic Plan. These would be a series of concrete objectives which would then be reported back to the other members for their consideration. She proposed that the working groups prepare a report on the results of each meeting, including progress on deliverables and challenges encountered in the evaluation process, and have this item included at every JPAC public session for discussion. She also recommended that the Strategic Plan subcommittee meet with the Article 14 & 15 working group to jointly discuss and establish recommendations regarding JPAC's role in the factual record follow-up. She reiterated that both committees should present their proposals to the members, before CEC's Council meeting in Washington (June 2006).
- The JPAC chair expressed support for both initiatives and mentioned that both conference calls could be coordinated after his meeting with the alternate representatives, during which he would be presenting JPAC's Strategic Plan.
- The same JPAC member stressed the need to move forward with the Strategic Plan, reiterating that due process had taken place and that the final version of the document was agreed to by all of the members. She noted that the parties had been given the opportunity to comment and that she did not see the need to wait until after the meeting with the alternate representatives to begin defining their priorities.

- The JPAC chair endorsed both conference call initiatives and indicated that these should be coordinated upon the conclusion of the meeting.

The JPAC chair presented Jane Gardner with a diploma in recognition for her service and dedication to the work of JPAC and the CEC, during her time as Chair in 2005.

c) Next JPAC meeting and Council Session

The JPAC chair informed the public that the next JPAC meeting would take place in conjunction with the Council Session, tentatively scheduled for 28 June in Washington DC. He mentioned that JPAC was planning to hold a workshop on the 27th of that same month, and that they were considering possibly focusing the meeting on “green buildings.”

The JPAC chair thanked the public, the members, the CEC staff and the interpreters and adjourned the session.

Approved by JPAC Members
May 2006



Annex A
DISTRIBUTION: General
J/06-01/AGEN
ORIGINAL: English

Commission for Environmental Cooperation of North America

**Regular Session of the Joint Public Advisory Committee 06-01
Working meeting on the North American Clean Electronics Pollution Prevention
Partnership
&
SME workshop**

Vancouver, BC

March 28

Hotel Crowne Plaza Georgia

March 29

GLOBE 2006 Trade Fair

JPAC workshop – Fairmont Waterfront Hotel (Cheakamus room)

Hotel Crowne Plaza Georgia

801 West Georgia St.

Vancouver, BC V6C 1P7

Phone: (604) 682-5566 • Fax: (604) 642-5579

The JPAC Public Session on March 28, will center on the presentation of the “North America Clean Electronics Pollution Prevention Partnership” (CEP 3 / NAP 3). The main objective of this working meeting will be to present and discuss the project as well as to define a common strategy for its successful implementation in North America. In addition on March 29, the public will have the opportunity of visiting North America’s leading business and environment trade fair GLOBE, and attend the JPAC workshop with SME’s.

Draft Provisional Agenda

Tuesday March 28, 2006

- | | |
|--------------|---|
| 8:00 – 9:00 | Registration of Participants |
| 9:00 – 9:10 | Welcome and opening remarks by the JPAC Chair, Carlos Sandoval |
| | a) Approval of the Provisional Agenda |
| 9:10 – 9:25 | Report from the National and Governmental Advisory Committee Representatives |
| 9:25 – 9:40 | CEC Executive Director Report on behalf of William V. Kennedy |
| 9:40 – 10:40 | Presentation of the “North America Clean Electronics Pollution Prevention Partnership”, by Maria Kelleher of Kelleher International |

10:40 – 10:55	The North American Pollution Prevention Partnership (NAP3) on the CEP3 project, by Chris Wolnik of the Canadian Centre for Pollution Prevention
10:55 - 11:10	The Electronics Industry Alliance (EIA) - perspective and potential role in the Project, by Richard Goss, Director of Environmental Affairs
11:10 – 11:25	The National Chamber of the Electronics Industry (CANIETI) - perspective and potential role in the Project, by Jacobo Esquenazi of CANIETI
11:25 – 11:40	Presentation by Agustin Pecina of Clarion Mexico
11:40 – 11:55	The Electronic Products Environmental Assessment Tools (EPEAT) position and potential involvement in CEP 3, by Jeff Omelchuck Director of Green Electronics Council.
11:55 – 12:10	Presentation by Scott McDougall, President of Terrachoice, on their position and potential involvement in CEP 3
12:10 – 12:25	Presentation by Suelle Mele, Washington Citizens for Resource Conservation, on their position and potential involvement [TBC]
12:25 – 12:40	Question and answer period
12:40 – 13:40	Lunch [provided]
13:40 – 15:00	General discussion of the project's future

Moderator: Gordon Lambert, Vice President, Sustainable Development, Suncor Energy Inc. and member of CEC Joint Public Advisory Committee

With moderator assistance, a general discussion will be held on the cooperation activities and expectations of the project. A common strategy will be sought to use the project proposal to the extent possible to promote the competitiveness of North American electronics companies.

- 15:00 – 15:15 Conclusions and agreements
- With moderator assistance, the conclusions and agreements reached will be summarized to foster and improve the projects and its results.
- 15:15 – 16:15 JPAC Follow up and Administrative matters
- a) CEC Operational Plan for 2006-2008
 - b) The JPAC Strategic Plan 2006-2010
 - c) Next JPAC Meeting and Council Session
 - d) JPAC Priorities for 2006
 - e) JPAC Working Groups: Report on Member appointment and participation at CEC Meetings
- 16:15 – 17:00 Observers’ comments
- 17:00 End of the Session

Wednesday March 29, 2006

- 9:00 – 14:30 Access for participants to the GLOBE 2006 Trade Fair
- 15:00 – 17:00 JPAC Workshop on “Business across North America for green products – Opportunities and Barriers for SME’s” - Fairmont Waterfront Hotel (Cheakamus room)



Annex B
DISTRIBUTION: General
J/06-01/AGEN
ORIGINAL: English

Commission for Environmental Cooperation of North America

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**Regular Session of the Joint Public Advisory Committee 06-01:
Working Meeting on the North American Clean Electronics
Pollution Prevention Partnership**

March 28, 2006

Links to access the panel presentations

Presentation of the North America Clean Electronics Pollution Prevention Partnership, by Maria Kelleher of Kelleher International

<http://www.cec.org/files/pdf/JPAC/Kelleher-28th-March-CEP3.pdf>

The National Chamber of the Electronics Industry (Canieti)—Perspective and Potential Role in the Project, by Jacobo Esquenazi of Canieti

<http://www.cec.org/files/pdf/JPAC/Jacobo-Esquenazi-NAP3.pdf>

Presentation by Agustin Pecina of Clarion Mexico

<http://www.cec.org/files/pdf/JPAC/Clarion-Presentation-final.pdf>

The Electronic Product Environmental Assessment Tool (EPEAT) Position and Potential Involvement in CEP3, by Jeff Omelchuck, Director of Green Electronics Council

<http://www.cec.org/files/pdf/JPAC/GEC-EPEAT-JPAC-Pres.pdf>

Presentation by Scott McDougall, President of TerraChoice, on its position and potential involvement in CEP3

<http://www.cec.org/files/pdf/JPAC/JPAC-McDougall-3-28-06.pdf>