

**Eighth Regular Session of the Council of the Commission for Environmental Cooperation
Summary of interventions made during the public portion**

29 June 2001, Guadalajara, Jalisco, Mexico

DISCLAIMER: Although this summary was prepared with care, readers should be advised that it has not been reviewed nor approved by the presenters and therefore may not accurately reflect their statements.

Secretary Lichtinger welcomed everyone and explained that the program of the public session this year had been organized to allow for an interactive discussion between the Council and the public, providing an opportunity for the Council to respond after each block of presentations.

Ms. Liette Vasseur, JPAC Chair, gave a brief introduction on the conduct of the public session.

BLOCK 1. ENVIRONMENT, ECONOMY AND TRADE

Andrea Abel, National Wildlife Federation, began by thanking the Council, the Secretariat and JPAC for all the past year's work. She noted that cooperative environmental efforts, public participation and transparency were all themes raised during this Council session, and she acknowledged the maturation in the CEC's thinking on how to put these concepts into practice. She recognized that the challenge still remains of putting these principles into action within the North American context and beyond. As the United States, Mexico and Canada consider further trade liberalization, the paradigms created by the CEC will be key to getting greater support for trade liberalization initiatives. She commended the Council for upholding these principles by creating a multi-stakeholder Biodiversity Conservation Working Group. The CEC has developed a proven track record for identifying key environmental issues, convening stakeholders and analyzing options and should continue this role, striving for a lean and focussed agenda to maximize success. Finally, regarding Articles 14 and 15, she expressed her appreciation for the movement to act on the lessons learned report, but also disappointment that not more of the recommendations were acted upon and that Council chose to postpone decisions on pending submissions. She reminded Council that each of these submissions involved years of toil and frustration by the submitters. She concluded by expressing her hope that JPAC would formulate strong advice on these matters during its session later in the day.

Melinda Hanson, Eastern Charlotte Waterways Inc., discussed resource valuation as a technique for linking the environment and economy, expressing it in monetary terms, thereby allowing a more accurate reflection of the active and passive value of a resource. She described how this tool can promote community input into decision-making concerning local environment and resource management issues. The acceptance of sustainable development as a global imperative has intensified the focus on how humans and economic activities interact with the environment. For communities, the important question is how they can manage their socio-

economic activities to sustain long-term environmental and economic benefits. She explained how Eastern Charlotte Waterways has developed, and successfully used, a step-by-step process designed to apply resource valuation at the community level. Their experience demonstrates the power of this tool for communicating decision-making processes for the management of resources upon which communities rely. Finally she noted that this methodology could also have global application.

Karel Mayrand, Union mondiale pour la conservation de la nature (IUCN), began by commenting on the Hemispheric Trade and Sustainability Symposium held recently in Quebec City (17-19 April) where the CEC and the environment ministers played an active role in discussing matters related to environment and trade. He went on to make some observations from the symposium. He noted that the negotiations for the Free Trade Area of the Americas (FTAA) have not included civil society nor the link between trade and environment, creating tension surrounding increased free trade in the Americas. He also underlined the fact that, contrary to some views, many Latin American and Caribbean countries support the inclusion of environmental matters in trade discussions, creating the basis for an open dialogue on the subject. He noted that the public in these countries requires more information and expertise in order to establish data exchange regarding environment and trade. He then recommended that the Council share its experience and expertise with other organizations, creating synergies for environmental cooperation at the government level. He also suggested the creation of a hemispheric team of experts on the subject of trade and environment. Finally, he supported the earlier comments of Andrea Abel regarding Articles 14 and 15.

Secretary Lichtinger invited his Council colleagues to comment. **Ms. Redman** expressed her interest in resource valuation and the importance of water, which has a resonance throughout North America. She noted that Council had discussed the link between trade and environment and reported that Canada is actively working on integrating environmental issues in the FTAA.

Governor Whitman noted that JPAC has already put forward a recommendation for a meeting between trade and environment officials and that Council will now seek support for a meeting in 2003. She assured the audience that Council understands the importance of a closer relationship and that it is working towards this goal, adding that putting principles into action is an important point. She also underlined the importance of resource valuation and expressed an interest in learning more about this approach.

Secretary Lichtinger explained that the CEC is the only organization in the world that has a direct mandate to link environment and trade issues and is working hand-in-hand with the North American Free Trade Commission. He underscored that President Fox has publicly expressed his government's support to link environment and trade with any ongoing discussions on trade liberalization. Regarding resource valuation, he noted that Council has instructed that water issues, and particularly water valuation, be part of the CEC's program and indicated that he would welcome more information about community experiences with this methodology.

BLOCK 2. CONSERVATION OF BIODIVERSITY

Cleveland Stewart, Sustainable Fisheries Foundation, explained that his organization works with government agencies, private industry, Indian tribes, First Nations, civic groups and other

NGOs to promote the rational and environmentally sensitive utilization of fisheries resources. He gave, as an example, his organization's recent involvement with the 1999 Seattle Homecoming—NAFTA, the Environment and Indigenous Peoples of the Northwest—noting that the CEC and JPAC participated in this important discussion on the impact of NAFTA on native communities. The Sustainable Fisheries Foundation has earned a reputation for science-driven conservation and would like to see the same expertise and approach infused in the CEC process. He observed that the CEC needs to be strengthened by a greater infusion of science. His observations on the policy discussions indicated that these do not reflect the best information currently available, specifically when it comes to biodiversity. He went on to explain that, in his view, the primary goal should not be to sustain biodiversity per se, but to sustain the habitat-forming processes that promote diversity. Finally, he encouraged a greater role for the public in policy discussions, decision-making and monitoring.

Brian Houseal, Nature Conservancy, described the role of his organization in North America and elsewhere. He went on to address species of concern throughout North America in relation to the expressed interest by the three countries to satisfy energy demands by increased integration of the extraction, generation and distribution of energy. The sources are fossil fuels, which will result in increased greenhouse gas emissions affecting global climate change. He explained that his organization supports the United Nations Framework on Climate Change and believes that there is a good opportunity at this time to move forward with scientifically based market mechanisms to mitigate the effects of carbon emissions. A carbon emission-trading framework for North America could prevent man-made interference with climate systems. He indicated that carbon emissions trading provides an opportunity to enhance “green infrastructure” by ensuring the protection of shared habitat and corridors for migratory species while, at the same time, promoting renewable energy technologies, reforestation and sustainable land-use practices. In closing, he proposed that this issue be addressed in the work program of the CEC this year, in order to facilitate stakeholder involvement in exploring the various options in the development of market-based mechanisms for North America. If successful, it could rapidly be expanded to other areas. In closing, he noted that the CEC is well positioned to take on this role.

Governor Whitman agreed that best available science is something we all strive for in decision-making. She also agreed that the CEC is in a unique position to encourage market-based approaches to carbon sequestration and to promote renewable resources as a way to address global climate change. She expressed support for the last speaker's suggestion and indicated that she looks forward to a greater role for the CEC.

Ms. Redman underscored the important role of JPAC as independent members of the public. Canadian membership, for example, comprises representatives of industry, academia, First Nations and the legal profession. Regarding carbon trading, she noted that industry should be included as part of the solution, not just as part of the problem. She added that Council members were able to find a lot of common ground in its discussions. She again thanked JPAC members for their contribution to the work of the CEC.

Secretary Lichtinger added that the proposal for the CEC to work on carbon emissions and market mechanisms is already being considered. He stressed the importance of the link between biodiversity and climate change and noted that while the CEC is not a forum for negotiating climate change, it can be a vehicle for cooperation. He went on to explain the importance of

linking the work of the CEC to other countries in Latin America and gave as examples the Meso American Corridor for the protection of coral reef systems.

BLOCK 3. POLLUTANTS AND HEALTH

Mindahi C. Bastida Muñoz, Consejo Mexicano para el Desarrollo Sustentable, outlined the problematic of the Lerma-Santiago river, which originates in Central Mexico and flows into the Pacific ocean. For years, industry has been involved in an “ecocide” by discharging waste into the river, resulting in a crucial lack of oxygen in the first 15 kilometers of the river and the disappearance of all fauna. Millions of dollars have been spent in recovery work with no positive results, leading to the idea that there has been unprecedented corruption. He noted that while discharge standards do exist, they are not being enforced. Expressing a sense of despair on behalf of the community, he called upon the environment ministry to take immediate action. He suggested that the CEC conduct an audit of the river and that a national recovery commission be established with the participation of experts and representatives from indigenous communities. He further urged that water from the upper Lerma be no longer diverted for use by Mexico City and asked that important areas of the river system be declared protected areas and that this region be treated similarly to the approach taken for the Silva dam.

Don Houston, Canadian Institute of Child Health, focussed on two key concerns: the special vulnerability of children to environmental contaminants and the application of the precautionary principle to protect children. Touching on the reasons why children are more susceptible to contaminants than adults, he noted that from conception children in North America are exposed to a variety of naturally occurring and synthetic contaminants. He further described the views of many that the precautionary principle should guide the decisions about the release of synthetic chemicals as this puts the burden of proof on the proponents rather than on potential victims. He also stressed the need for the public to be fully informed. He continued by explaining that children are often the first and the worst affected and, as such, they should be the standard for the precautionary principle. He noted that progress has been made in North America in protecting children from environmental threats but that we should, however, be continually refining our standards based on new scientific evidence. He expressed satisfaction with the existence of a special office for children’s health within the EPA and expressed hope that a similar effort can be made in Canada and Mexico. He also urged improved cooperative effort to protect children and finally, that the three governments support civil society’s efforts to increase public awareness. In closing, he reminded that children are our future and that they should not be treated simply as “the canary in the mine.”

Jose Guillermo Galindo, Universidad Autónoma de Sinaloa, presented a case study on water pollution in Mazatlan that is affecting biodiversity and human health. In the port of Mazatlan, there is severe fish and shrimp mortality. The region supports a human population of some 400,000 who consume approximately 8 million liters of water per day. He further described the problem of wastewater draining into the environment and the resulting pollution, noting that traces of DDT—a substance forbidden under Mexican law—are being found, in addition to carcinogenic substances and disease-causing fecal matter. He continued by outlining the complexity of the problem: the water treatment system—initially built for a population of 60,000—has never been upgraded and 80 percent of wastewater is untreated and drains directly into the sea. He recommended the reduction of water consumption, improved water treatment by

institutions (hotels, hospitals) and an upgraded treatment facility. He also encouraged the application of strict sanctions.

Brenda Morehouse, Pembina Institute for Appropriate Development, explained the mandate of her organization and its interest in the environmental impacts of energy exploration, distribution and use. The recent discussions on a continental energy strategy are a source of concern, particularly the proposals relying on increased dependence on fossil fuels. This will reduce air quality, damage human health and accelerate global climate change. The associated environmental impacts of increased fossil fuel exploration and extraction are also of concern, particularly in ecologically sensitive areas such as the Far North. A continental energy strategy should be based on improved energy efficiency and focus on low-impact renewable energy sources—the technologies of the 21st century. Where fossil fuels are required, the emphasis should be on less carbon-intensive natural gas and not coal. Finally, she stated that her organization does not believe that nuclear power represents either an economically credible or an environmentally acceptable component of a continental energy plan. She joined her Mexican colleagues in calling for the mandatory PRTR. At the same time, the Canadian and US inventories need to be expanded to include criteria air pollutants and greenhouse gases.

Alejandro Lorea, Asociación Nacional de la Industria Química (ANIQ), presented to the Council a proposal put forward by his association relating to the development of pollutant release and transfer registries in Mexico, based on voluntary standard NMX-AA-117 of Secofi published in 2001. He underlined the important role played by ANIQ in reviewing this project since it was initiated in Mexico in 1994. He noted that the need to make progress on registries was expressed in various CEC meetings. However, during the PRTR consultative group meeting held in March 2001 in Mexico City, it remained clear that there are two options: a voluntary, or a mandatory system, which would require amendments to the legislation. He continued with the presentation of a program to develop PRTRs, approved by the Board members of ANIQ, in order to present to the authorities in June 2002 with consolidated information on total emissions from companies associated with ANIQ. He concluded his presentation by appealing to the sensitivity of Mexican authorities and the CEC for their support in this initiative, and for an end to the preoccupations expressed in recent meetings.

Aurora Michel de Martínez, Organización Sociedad Amigos del Lago de Chapala, presented geographical information and statistics on Lake Chapala. She indicated that the lake forms part of the Lerma-Chapala-Santiago basin, which comprises the states of Querétaro, Guanajuato, Michoacan, Jalisco and Nayarit. The surface of the Lerma-Chapala basin is approximately 48,215 km², which corresponds to 2 per cent of the national territory. The basin is a source of irrigation of 800,000 hectares that produce 13 per cent of the nation's agricultural production. There are many industries in the basin, including, oil, car, chemical, leather, agricultural, and livestock, accounting for approximately 9 per cent of the gross domestic product. There is a water crisis in Lake Chapala both from the perspective of quality and quantity. She explained that untreated industrial waste is pumped into the lake and chemicals from agricultural operations drain into the lake. Irrational water consumption and the continuing use of slash and burn practices contribute to the shortage crisis. Mismanagement of the Lerma River results in an inadequate supply of water to Guadalajara. Droughts and natural evaporation are also contributing factors. The water shortage is also affecting power supplies. She proposed that authorities develop a master plan for the Lerma-Chapala-Santiago basin, including adequate legislation for addressing the sustainable

use of water. The upgrading of irrigation systems is urgently required as well as a massive reforestation program. Finally she urged the re-orientation of public values to place emphasis on the pride of living in a clean and green country. She invited all authorities to work cooperatively to solve this urgent problem and declare Lake Chapala an emergency zone. Budgets have to be adequate and the work of implementing bodies closely monitored. She expressed the willingness of the public to work hand-in-hand with authorities to save Lake Chapala.

Secretary Lichtinger invited his colleagues to respond. **Ms. Redman** took up several of the issues, beginning with the precautionary principle and drawing attention to its use in the Canadian Environmental Protection Act (CEPA). Canada also promoted joint meetings of environment and health ministers to make the important connection discussed here today, and to bring the issue to the community and keep attention focused on children's health. The CEC itself is already focusing attention on children's health. Sound science and the sharing of usable information are key to both citizen engagement and the work of government. She gave as an example the results of testing on breast milk in Canada's north that triggered international attention. She commended the Pembina Institute for their work. Regarding the Chapala basin, she indicated that the Council has discussed local, innovative technologies for water management.

Governor Whitman thanked the presenters for their commitment and for taking time to bring their views forward. Children's health is an area where the CEC has shown real focus and results and Council will support ongoing work, including expansion to other vulnerable groups. She added that the precautionary principle is behind every decision made on the environment and certainly behind every regulation. The EPA will expand to incorporate other vulnerable groups beyond children such as the elderly and migrant workers. She stressed the importance of information and data sharing. Water has been a major focus of Council's discussion over the past day and a half, focusing on water shed management, the challenges presented by non-point source pollution, the need for useable technology for alternative farming and irrigation techniques. She touched on the issue of a continental energy plan stating that Council had discussed the issue looking at the importance of renewable resources, alternate technologies and conservation as a shared goal. She stressed that public education must underlie all our efforts.

Secretary Lichtinger responded to the issue presented on Lake Chapala, explaining that he recently participated in a "caravan" that visited the entire basin and which ended with a meeting with users and the public at Lake Chapala. Noting that no adequate policy for basin management exists in Mexico—a deficiency that has contributed to Mexico's water quality and quantity crisis—at that meeting he committed to review all of the agreements and water management measures. He noted that former commissions have not yielded the required results but that the Mexican government now understands that a comprehensive management program is needed to save Lake Chapala. He admitted that unfortunately the mistakes of the past cannot be corrected overnight and that we have to review all available scientific information, ensure that all communities are involved and that democratic decision-making processes are in place, emphasizing that this would be a priority for his ministry. He went on to discuss PRTR and explained that the Mexican government is working with Congress to implement a mandatory system. The proposal will be submitted to Congress in the September session. He noted that, in the meantime, his ministry will continue to promote the voluntary option and pursue transparent information sharing.

BLOCK 4. OTHER (ARTICLES 14 AND 15, INDIGENOUS PEOPLES, PUBLIC AWARENESS AND EDUCATION)

Brian Staszewski, Destination Conservation, introduced himself as coming from “Oilberta”, Canada. His comments focused on how energy is used and on the education of children, the public and our leaders. As the idea of a continental energy plan is expanded, there is a need for more responsibility. Canada and the United States are the “belly of the beast” in terms of energy consumption, using more energy per capita than anywhere else in the world. There is at least 30 to 40 per cent waste in the system. He went on to describe a project his organization is running with the Ottawa School District to work on energy retrofit, which creates energy savings, pollution reduction and jobs. The exciting feature is that students in the system are assisting in the project. The core subject areas in school—math, social studies, science—are being used to learn how to achieve efficiencies leading to the important long term cultural and attitudinal changes needed to shift society towards solutions. He noted that there should be more effort on the part of the CEC to encourage coordinated support for increased education in resource efficiency. He concluded by remarking that while some people believe there is an energy crisis, he believes there is a “thinking” crisis.

Luis Felipe Ayala Soto, Comité Pro Limpieza del Rio Magdalena, referred to his organization’s submission under Article 13 regarding mercury pollution in the Laguna de Pedernalillo in the municipality of Guadalupe Zacatecas. For a long time this area has been impacted by pollution from mining activities. He provided some of the basic statistics and indicated that pollution is further distributed along the 110 kilometers of the river system. As the city of Zacatecas has grown to the border of the containment area, citizens are now very concerned about the possible effects on humans. Comparing this area to Minamata in Japan, he indicated that the permissible limits of mercury have been exceeded and that there has already been a significant bird die-off in the area. He urged the CEC to rapidly take a position on this environmental emergency.

Anne-Renée Touchette, Centre québécois du droit de l’environnement, commended JPAC on the lessons learned report on Articles 14 and 15 and the actions taken by Council. She presented two positions. First, she commented on the importance of increasing public participation in order to encourage the public’s input in the work of the CEC and increase the opportunity for the public to have direct communication with the Secretariat. Second, she emphasized the need for better follow-up. In closing, she supported comments made earlier by colleagues on Articles 14 and 15.

Stephen Porter, Center for International Environmental Law, began by thanking Council members for their work on a broad, cooperative agenda for the North American environment. He noted that a topic that remains to be seriously considered is Chapter 11 of NAFTA, which is being used aggressively by corporations to challenge environmental and other laws. He then turned to the Articles 14 and 15 submission process and expressed his disappointment that decisions on pending cases had not been taken at this meeting. Considering that there have been talks of timeliness and of moving the process forward, he noted that this was a missed opportunity. In the interests of full disclosure, he noted that his organization is involved in the migratory birds submission. He expressed particular disappointment with the United States because part of the blockade is the inability of the US to conclude. He further noted that lack of

staff and resources did not stop the US in reversing course on the Kyoto Protocol (as an aside to Governor Whitman, he did say the he knew he was preaching to the converted, but wanted to go on record). He maintained that there is an unfortunate perception by government that these factual records pose a threat. He expressed his hope that they be seen as an opportunity to get independent analysis which any government ought to welcome. The Secretariat has proven itself objective, thorough and fair. The existence of the citizen submission process is fundamental to further economic liberalization in this hemisphere. He urged Council to impress this upon their commercial colleagues back home.

Secretary Lichtinger intervened stating that having received the JPAC report on lessons learned, Council is preparing a resolution to support timeliness and transparency. Furthermore, concerning the submission on “Metales y Derivados”, he indicated that a full response to the Secretariat’s request to Mexico would soon be provided. He also noted that Mexico has unilaterally decided to lift the confidentiality restrictions and will make this information public, adding that the Council has decided to review the confidentiality rules in accordance with national laws.

Luis Gerardo Monzo-Salazar, Kivalliq Inuit Association, representing an Inuit region in the Territory of Nunavut, Canada, noted that provisions for land-use planning, research and impact assessment exist in the land claim agreement signed between the government of Canada and the Inuit of Nunavut in 1993. He indicated that the bodies created to implement these provisions are all concerned about the effects of climate change in the Arctic. Through these bodies, Inuit and their traditional knowledge are involved and this should be taken into account by the CEC. Inuit also strongly support the Kyoto Protocol because innocent people like them are paying the price for the harm done by industrialization. Industrialized nations use natural resources for short-term gain and do not take into account sustainability. Inuit do not want to see more health impacts from pollution simply to feed energy appetites in the South; they are already victims of contaminants transported from other parts of the world. Governments must play a strong role to ensure this does not occur.

Jeff Dickison, Squaxin Island Tribe, explained that tribal members have treaty rights to fish and hunt in usual and accustomed places. In recent decades it has become apparent that protection of habitat and environment were necessary to ensure the continuing enjoyment of these treaty rights. He explained the steps this tribe has taken to protect salmon stocks and their habitats both on reservations and public lands. In some cases, other land users have also taken voluntary actions by entering into agreements to ensure similar protections. He went on to explain their concern that these land-use regulations and voluntary land-use restrictions not be compromised to achieve parity in North American free trade. These restrictions should not be considered as barriers to trade when cost equalization measures are proposed to sustain the viability of operational standards. Finally, he cautioned that free trade should not be used as a mechanism to abrogate the responsibilities of the US government under treaties with Indian tribes. Those treaties protect tribal interests and in so doing, protect biodiversity.

Secretary Lichtinger invited comments from his Council colleagues. **Ms. Redman** expressed complete agreement with the need to involve students and youth in conservation initiatives. She addressed the concerns of Inuit by explaining that the Canadian government clearly welcomes aboriginal involvement. Also key is to continue seeking best science concerning the Arctic.

Currently before a standing committee in Canada is the proposed species at risk legislation where aboriginal traditional knowledge has been incorporated in a very substantive way.

Governor Whitman agreed with the critical importance of education and that this is a priority for the US government. She explained that the EPA has a program—Energy Star—directly focused on educating the public on energy conservation. Recently, the US President announced challenges on how to meet conservation requirements, particularly for those pieces of equipment that drain energy even when turned off. Through Energy Star the public is educated and informed as to how it can make smart purchasing choices. She described another initiative which consists of information, given by broadcasters during weather forecasts, on the most efficient ways of using air conditioners. On the pending Article 14 and 15 submissions, she stated that the US looks forward to a resolution. She attributed the delays to the fact that the new administration needs to engage in an inter-agency process and has encountered delays in obtaining the necessary congressional approvals for new appointments in the U.S. government agencies. She went on to state that from the perspective of the CEC, it is not a question of a healthy environment and trade or a healthy economy—it is not a trade off or zero sum game. Council and JPAC have reaffirmed the cooperation that needs to take place to ensure this.

Secretary Lichtinger used the remaining time to open the floor to comments from the public.

Paulino Ponce Campos, Bosque Tropical, spoke about crocodile conservation in Jalisco. A conservation plan was presented to authorities. To date, his organization has done monitoring in 90 per cent of coastal waters. They now have data on mortality, reproduction and other environmental factors. His organization's main concern now is habitat and biodiversity conservation and proposals have been presented to the authorities.

Sean Mattson, Nuevas publicaciones en inglés de México, asked Governor Whitman what the US can do or say to convince the CEC and the international community that the United States of America is committed to the reduction and control of greenhouse gases when it pulls out of an agreement as important as the Kyoto Protocol.

Governor Whitman replied that one's commitment is shown by the action it takes, including important domestic action. She stressed the importance of achieving results and affirmed that the President of the United States is clearly committed to addressing the issue of greenhouse gases, stating that she herself is part of the Cabinet-level review group that is looking at the issue. She referred to an announcement made by the President the day before to the effect that \$80 million in new money is to be directed to energy conservation and will have a direct impact on reduction of greenhouse gases. She reiterated that the way to convince the rest of the world is by acting, adding that the US is also reaching out internationally to look at other opportunities. When the US moved away from the Kyoto Protocol, it moved away from the treaty, not the process. The President is still committed to the process of international engagement.

Mr. Mattson went on to ask for more information on some of the specific actions the US is planning to take.

Governor Whitman explained that for now, the Administration is focusing on the energy plan and the multi-pollutant legislation. It is also addressing carbon sequestration through the CEC,

analyzing market-based initiatives that are now being taken, and continuing the work of the Cabinet-level committee.

Cliff Wallis, Alberta Wilderness Association, welcomed the new members of Council and the NGO community. He observed that while progress is being made on information gathering, the battle is still being lost. The old-style economic bullies are still beating up on the environment. The CEC was to provide the balance, however, the fact of the matter is that we are still seeing a lot of the bad aspects of trade. The precautionary principle is being used on environmental protection, not on development. He expressed hope that the Council members would continue to be strong advocates in the home governments. He went on to encourage the CEC to look at what is already going on in the development of green communities and how these experiences can guide visions for the future.

Ms. Redman commented that the leaders themselves are advocating these very issues, observing that, in his Throne Speech, Canada's Prime Minister brought forward three initiatives: clean air, clean water and the health of Canadians, and protecting green spaces.

José Zavala, Tijuana State Board of Ecology, first brought forward his region's concerns over the electricity utilities being built along the border, in Baja, to service California. He then congratulated Secretary Lichtinger for making a decision to pursue mandatory reporting of emissions and offered his organization's support. He added that he is looking for enforceable legislation and getting information to the grass roots level.

Areli Correón, Red de comunicación Morelos, shared the position of the various organizations that have gathered here to discuss the "so-called" green goods and services and who do not agree with the definition being used. It should include the improvement of quality of life and social values. Industrial and economic growth should be limited to capabilities of the environmental and social systems. Consideration of indigenous communities, genetic resources and biodiversity are all additional elements. She asked what exactly the ministers are doing to support communities in the development of green goods and services—not just for the international market, but also for domestic use—and invited the Council to answer through direct action.

Alvaro Salgado Ramírez, Coalición Rural, appealed for a review of legislation concerning bioprospecting to ensure the protection of local communities. There is also a need to preserve lifestyles and cultural perspectives on development—as practiced by local communities—as a way to protect biodiversity. We all have a responsibility for "in situ" conservation—not everything should be directed to the marketplace. He also asked for a halt on the marketing, and even the planting of transgenic corn in Mexico. The CEC should continue to promote projects that preserve biodiversity locally, such as the project on shade coffee.

The next speaker, who was not identified, congratulated Council on supporting efforts to save the Lerma-Santiago-Pacific basin and Lake Chapala. Referring to the Silva dam case, she asked the Secretariat about the possibility of developing a Chapter 13 report regarding environment and water issues. She suggested that Mexico review water related legislation, looking towards a federal law for basin management. She further suggested that Article 27 of Mexico's Constitution should be reconsidered in terms of ownership and the preservation of natural resources.

Ignacio Angeles, Rescate Ecológico de Tamuín, expressed concerns over the electrical utilities being built in his region which will release tons of polluting agents, noting that there are no standards or emissions control for power producers in Mexico. Our only references are studies carried out in the United States. We have endangered species and endangered habitat in this region. The residents are very concerned about health impacts and want a halt on construction of these facilities.

Martha Esther Cortés, Colectivo Ecologista Jalisco, introduced herself as an individual who has been involved in work of the CEC for many years. She spoke about the need to establish a trilateral energy policy focused on energy savings. She called for tax dollars to be put into developing intelligent alternative energy sources. Growers in Mexico are also concerned about global warming and the effect on crop production. She also asked for Secretary Lichtinger's support to include civil society in energy planning. Finally, she noted that water should not be privatized or open for trade.

Cesar Luna, Environmental Health Coalition, congratulated Mexico for reconsidering its position on the confidentiality of information regarding the submission filed by his organization (regarding Metales y Derivados). He reminded that long-term victory for the public, however, will only be achieved when Mexico and United States take all the necessary steps to protect the citizens of this region.

Miguel Bortolini Castillo, Mexican Congressman, on behalf of the citizens he represents, presented a press release he issued that day, highlighting the public concerns that he heard during this meeting. The concerns he depicted were related primarily with bioprospecting, property rights, indigenous rights to lands and resources, the negative impacts of the Puebla-Panama Plan, dumping of contaminants in Mexico's waterways, imposition of projects financed by the Inter-American Development Bank and the World Bank, community participation in environmental decision-making, supporting the Kyoto Protocol on climate change and the need for the development of complementary legislation for environmental protection as called for in the NAAEC.

Francisco Chapela spoke about the importance of increasing the participation of civil society, including NGOs. He referred to a petition that was signed by a good number of organizations and individuals represented at the meeting, asking that the CEC continue to expand support for activities carried out by civil society, a support that has gradually been reduced. If the objective is cooperation in support of the North American environment, then public participation is essential. Everyone acknowledges the importance of JPAC; however, the CEC should go further and broaden mechanisms for public participation, including specific initiatives. There is also an urgent need for funds beyond the diminishing capacity of NAFEC.

Lisel Lifshitz, Secretaria de Turismo de Estado de Michoacán, called upon Mexico to implement the program for the management and preservation of the monarch butterfly, noting that since the publication of the official document, nothing further has been done in this regard. She indicated that international agencies have contributed five million dollars, but as these funds have not been invested in a consistent fashion—partly due to the lack of commitment from the

local population—they are constantly confronted with a lack of funds. She concluded her statement by announcing that a proposal would be submitted to Secretary Lichtinger and to the Secretariat.

Alejandro Gutiérrez, Sociedad Mexicana de Aguas de Occidente, representing a professional association concerned with water management in the State of Jalisco, presented three proposals to Secretary Lichtinger. The first suggested a legal framework for the hydraulic sector with strong enforcement capabilities, specifying that without will no private sector financing can be attracted. Financial penalties should be established for non-compliance with regulations. The second proposal regarded promoting the participation of civil society in the protection of the Lerma-Santiago-Lake Chapala basin; and the third focused on establishing strategies so that finances can be managed at the local level. In conclusion, he stressed the need for municipalities to be strongly encouraged and supported in their efforts to improve water and wastewater management.

William Muffett, Defenders of Wildlife, first thanked the CEC for its decision to address the challenge of freshwater. As populations grow throughout North America and climate-related droughts proliferate, the crises will mount. He urged action now while there is time to deal with the issue in a wise and just manner. Second, he indicated that the CEC needs more funding, and urged creative thinking in finding new sources. Finally, he touched on climate change, stressing that the change is real and is happening. Ecosystems are shifting, species are disappearing and people are dying of drought, famine and disease. He made a plea for drastic action, noting that the costs of not doing anything would be immeasurable, and invited Council to look beyond politics and show courage.

José Martín Velazquez, Partido de la Revolución Democrática, repeated what was said earlier by representative Bortolini, calling for a study on mega projects. He indicated that the Puebla-Panama Plan should be studied by the CEC, and that mega projects will not work; they are therefore not intelligent investments. He reported that in San Cristóbal last June, the Maya adopted a statement on biodiversity calling for respect and support for ecologically sound production systems and self-sufficiency of local communities. In closing, he stressed that green markets are in danger and that investments should not be for short-term gain. He called upon the adoption of laws to prevent the imposition of such projects.

A speaker, who did not identify himself, noted that on the one hand, we are speaking about conserving biodiversity and on the other hand there are species in Mexico, such as the sea turtle, that are at risk of extinction because of politics. He described this as an offense. Reflecting on the many obstacles citizens face when seeking legal protection for the turtles and their habitat, he expressed their will to protect the species with or without government support.

Secretary Lichtinger announced that time had run out and encouraged those who did not have a chance to speak to send their comments in writing to the Secretariat. He then invited his Council colleagues to comment.

Ms. Redman thanked the participants for their thoughtful presentations. She noted that the link between trade and environment was a recurrent theme, and expressed confidence that the CEC can continue to play a leadership role in this area.

Governor Whitman also thanked participants and stated that, through her experience with public meetings, she has never seen this kind of structured involvement from the public and that this is what sets the CEC aside from other fora. She assured the public that their comments would be taken into the deliberative process as agendas are developed.

Secretary Lichtinger acknowledged that public participation could always be improved, but agreed with Governor Whitman that the CEC is a good model. He noted that he has been personally involved with the CEC since the beginning and can certainly see the improvements and the important role JPAC has played.

Ms. Liette Vasseur, JPAC Chair, on behalf of JPAC, thanked Secretary Lichtinger for having taken the decision to lengthen this public session. It was an important demonstration of the CEC's commitment to a transparent dialogue with the public. She went on to acknowledge those presenters who called for greater transparency and participation at the community level and the additional funding that this will require. She also expressed surprise and pleasure at how the NGOs and individuals organized themselves at this meeting to present coordinated positions. The networks and contacts created are a necessary element for strengthening North American cooperation.

Secretary Lichtinger adjourned the session.