

**SESSION 98-03 OF THE COUNCIL**  
**26 May 1998**

**SUMMARY RECORD**

The Council, represented by the Alternate Representatives, met via conference call on 26 May 1998. Mr. José Luis Samaniego (Mexico) chaired the meeting and Messrs. Avrim Lazar and William Nitze represented Canada and the United States, respectively. Ms. Janine Ferretti, Interim Executive Director of the CEC and Mr. Marc Paquin, Council Secretary participated on behalf of the Secretariat. Ms. Lorraine Brooks attended as observer on behalf of the Chair of the JPAC. Other government officials were also in attendance.

**Item 1            Opening of the session and adoption of the agenda**

The Chair opened the session and the agenda for the session was adopted based on the provisional agenda with the following change: Item 7 was moved up after Item 1. In-depth discussion on item 6 was deferred to the next session to allow more time for the Parties to review the revised version of the Proposed Annual Program and Budget 1998.

**Item 2            Strategic Planning Process**

The Alternate Representatives agreed to hold the brain storming session of the strategic planning process on 8 June 1998 at the Far Hills Inn in Val-Morin. It was further agreed that a trilateral conference call will take place in the morning of 18 June 1998 and that the executive drafting committee will meet in Mérida on 23 June 1998. The process will also involve bilateral conference calls.

The Alternate Representatives also agreed to hold an informal meeting in the evening of 7 June 1998 at the Far Hills Inn.

**Item 3            Approval of summary records (97-10, 98-01, 98-02)**

It was agreed that Mexico will circulate proposed language for Item 2 of the summary record of session 97-10, that relates to the three main decisions the Secretariat make with regard to Article 14 submissions. The summary record for session 98-01 was approved by the Alternate Representatives. With regard to the summary record for session 98-02, Mexico would like the Secretariat to reflect with additional details the decisions taken at the session. In order to assist the Secretariat in doing so, Mexico will share its notes from the meeting with the Secretariat.

**Item 4            Statement by the Chair of JPAC**

The Chair of JPAC was represented by Ms. Lorraine Brooks as observer who did not make any statement.

**Item 5            Report by the Interim Executive Director**

The Interim Executive Director briefly updated the Council on Secretariat activities.

**Item 6            Approval of the Annual Program and Budget 1998**

The Alternate Representatives agreed to provide the Secretariat with their comments on the Annual Program and Budget 1998 (April 1998 version) by 29 May 1998.

**Item 7            1998 regular session of the Council**

The Alternate Representatives approved the provisional program, annotated agenda and program of activities opened to all registered participants at the regular session of the Council with minor changes which will be reflected by the Secretariat in the next version of these documents.

Mexico indicated that the Governor of the State of Yucatan will be present at the public opening of the session to welcome the Council and the participants and conduct the opening of the session.

The Alternate Representatives requested that an executive summary of the State of the Environment (SOE) report be prepared in view of the regular session of the Council. The Secretariat will distribute by 1 June 1998 the SOE executive summary as well as the summary of the Phase II of the Emissions Trading Project.

Mexico will provide shortly a background paper on item 12.2 of the regular session of the Council, relating to the CEC's administrative procedures.

The Alternate representatives agreed to send out the program of activities for the registered participants and that the first hour of the Council session on Thursday, 25 June will be held before public.

**Item 8            Report of the Review Committee under Article 10(1)(b)**

The Alternate Representatives instructed the Secretariat to draft, for their signature, a letter to the Review Committee enjoining it to forward as soon as possible an advance copy of the original version (English) of its report to the Council to facilitate the preparation of the Parties for the brainstorming session on the CEC's three year strategic plan and the regular session of the Council, with the understanding that translation of the report should be undertaken with celerity.

**Item 9            Article 14 submissions**

Further to the Secretariat's release of a document entitled "Recommendation of the Secretariat to the Council for the development of a factual record in accordance with Articles 14 and 15 of the NAAEC", the Alternate Representatives instructed the Secretariat to amend said document to delete any reference to the word "recommendation" and to use the language of Article 15 of the agreement, send the amended version to the Parties and the submitters and modify the registry and public file accordingly. It was further agreed that the Parties will endeavor to select, in the course of the review of the Article 14 guidelines, a suitable noun to identify the document

prepared by the Secretariat under Article 15(1) and to replace the word "recommendation" used thus far.

Canada indicated it would like to have a discussion on the BC Hydro submission before the regular session of the Council and wished it could be discussed at the next Alternate Representatives session. Canada further indicated that it hoped to be able to provide information on its position with respect to the Council decision on the BC Hydro submission to the other parties next week.

**Item 10      Other business**

Under this item it was proposed by the Secretariat, for consideration by the Parties, that 1996 excess funds be directed to an "Emergency Relief Fund" to help Mexico cope with the very important forest fires currently active in Mexico. Mexico and the US agreed in principle. Mexico indicated that it will propose language to address that matter appropriately. Canada indicated that its normal practice is to apply any surplus funds against its next year's contribution as provided for in the financial rules but agreed to give consideration to the proposal.

Under this item, Mexico indicated that it is in the process of finalizing the appointment of its national advisory committee as provided for by Article 17 of the NAAEC. Mexico further indicated that it was awaiting said appointments before selecting the recipients of financial assistance for the regular session of the Council.

Prepared by Marc Paquin, Council Secretary  
26 May 1998

**PROVISIONAL AGENDA  
FOR SESSION 98-03 OF ALTERNATE REPRESENTATIVES**

Teleconference scheduled for Tuesday, 26 May 1997

from 12:45 PM to 2:00 PM (Eastern Time) / 11:45 AM to 1:00 PM (Mexico time)

CHAIR: J.L. Samaniego (Mexico)

- Item 1      Opening of the session and adoption of the agenda
- Item 2      Approval of summary records (97-10, 98-01, 98-02)
- Item 3      Report by the Interim Executive Director
- Item 4      Statement by the Chair of JPAC
- Item 5      Approval of Annual Program and Budget 1998
- Item 6      1998 Regular Session of the Council
- Item 7      Strategic planning process
- Item 8      Report of the Review Committee under Article 10(1)(b)
- Item 9      Article 14 Submissions
- Item 10     Other business
- Item 11     Next session of Alternate Representatives
- Item 12     Closure of the session

**SESSION 98-03 OF ALTERNATE REPRESENTATIVES**  
**ANNOTATIONS TO THE AGENDA**

**Item 1      Opening of the session and adoption of the agenda**

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

The Alternate Representatives are expected to adopt the agenda for the session.

DOCUMENTS:

- a) Provisional annotated agenda C/C.01/98-03/AGEN/01/Rev.3

**Item 2      Approval of summary records**

In accordance with Council Rules of Procedure (R. 11), the Executive Director prepared the summary records of Council and Alternate Representatives sessions 97-10 (approval pending for item no. 2 only), 98-01 and 98-02. Speakers may submit corrections to the summary records of their remarks before they are finally approved by the Council (R.11).

The Alternate Representatives are expected to review and approve the summary records, as appropriate.

DOCUMENTS:

- a) Alternate Representatives Session 97-10 draft Summary Record (item 2 only) C/C.01/97-10/SR/01/Rev.3  
b) Alternate Representatives Session 98-01 draft Summary Record C/C.01/98-01/SR/01/Rev.2  
c) Alternate Representatives Session 98-02 draft Summary Record C/C.01/98-02/SR/01/Rev.1

**Item 3      Report by the Interim Executive Director**

In accordance with Council Rules of Procedure (R. 5.3), the Executive Director may make oral and written statements to the Council. The Interim Executive Director will report on Secretariat activities.

DOCUMENTS:    No document

**Item 4      Statement by the Chair of JPAC**

Under this item the Chair of JPAC will update the Alternate Representatives on JPAC activities.

DOCUMENTS:    No documents

**Item 5      Approval of Annual Program and Budget 1998**

The Alternate Representatives are expected to approve the Annual Program and Budget 1998 submitted by the Interim Executive Director in May 1998, in accordance with Article 11(6) of NAAEC.

DOCUMENTS:

- a) Annual Program and Budget 1998 (April 1998)  
b) APB Revised Budget proposal (23 April 1998) C/C.01/98-03/DISC/02/Rev.1  
c) Proposed Annual Program and Budget 1998 - Breakdown of Activity Costs by Project (23 April 1998) C/C.02/98-03/DISC/03/Rev.2

**Item 6      1998 Regular Session of the Council**

Under this item, it is proposed that the Alternate Representatives discuss and finalize the arrangements and review the documentation for the regular session of the Council scheduled 25-26 June 1998 in Mérida, Mexico. The finalization of the program and agenda is critical for the timely organization of the session. The discussion will focus on the following rubriques:

- Provisional program
- Provisional agenda
- Public meeting and workshop
- Logistics and other matters

**Item 6.1 Provisional program**

The Alternate Representatives are expected to review the provisional program for the session with a view to make final adjustments.

- a) Provisional program C/98-00/PLAN/02/Rev.3

**Item 6.2 Provisional agenda**

This item is to allow a discussion of the agenda items of the in-camera session. Secretariat is seeking guidance for the finalization of the overall provisional agenda and supporting documentation.

DOCUMENTS:

- a) Provisional annotated agenda C/98-00/AGEN/01/Rev.4  
 b) Secretariat Notes C/98-00/BACK/01, 02, 03, 04, 05, 06, 07

**Item 6.3 Public meeting and workshop**

The Alternate Representatives are expected to review and discuss the arrangements and format of the public meeting and workshop. They are also expected to advise the Secretariat on the selection of recipients for financial assistance.

DOCUMENTS:

- a) May 4th letter from the Interim Executive Director to the public (re: overall program for the public)  
 b) May 4th memo from the Interim Executive Director to Alternate Representatives re: financial assistance  
 c) Provisional program of activities open to all registered participants C/98-00/PLAN/04/Rev.1

**Item 6.4 Logistics and other matters**

The Secretariat and Mexico (host) will provide logistical information.

DOCUMENTS: No document

**Item 7 Strategic planning process**

The Alternate Representatives are expected to discuss the strategic planning process and agree on a date to reschedule the meeting.

DOCUMENTS:

- a) Exercise to develop a three year strategic plan for the annual programme and budget of the CEC (draft) C/C.01/98-03/DISC/01  
 b) Agenda for the strategic planning meeting

**Item 8 Report of the Review Committee pursuant to Article 10(1)(b)**

In accordance with Council Resolution 97-06, the Council will prepare a final report which “will be made available to the public and will include the Review Committee’s Report to Council.” It is proposed that the Alternate Representatives agree on the process to be followed for the preparation and public release of the Council’s final report, including the Review Committee’s report to the Council.

DOCUMENTS:

- a) Council Resolution 97-06  
 b) Review Committee’s report

**Item 9 Article 14 Submissions**

Under this item, it is proposed that the Council agree on the process to decide whether or not to instruct the Secretariat to prepare a factual record in the matter of Article 14 submission 97-001 (BC Hydro and Canada) further to the Secretariat's recommendation to develop a factual record submitted to the Council on 27 April 1998.

DOCUMENT:

- a) Recommendation of the Secretariat to the Council for the development of a Factual Record in accordance with Articles 14 and 15 of the NAAEC A14/SEM/97-001/ADV/15

**Item 10 Other business**

At the time of writing the Secretariat had no issues to include under this item.

**Item 11 Next session of Alternate Representatives**

The Alternate Representatives are expected to schedule their next session.

DOCUMENTS: No document

**Item 12 Closure of the session**

The Chairperson is expected to close the session.

DOCUMENTS: No document