



# Transboundary Law Enforcement Workshop

9–10 January 2003

Omni Shoreham Hotel - Washington, D.C.  
*Hampton Ballroom*

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## **Day 1**

Thursday, 9 January

7:30 A.M. TO 8:45 A.M.

**REGISTRATION, MEET AND GREET**

8:45 A.M. TO 9:10 A.M.

**WELCOME AND INTRODUCTION**

Tim Whitehouse, Head, Law and Policy Program, CEC  
Norma Munguía, International Coordinator, PROFEPA  
Phyllis P. Harris, Deputy Assistant Administrator, Office of  
Enforcement and Compliance Assurance, USEPA  
John Cruden, Deputy Assistant Attorney General, Environment and  
Natural Resources Division, USDOJ

9:10 A.M. TO 9:30 A.M.

**WHAT IS TRANSBOUNDARY ENFORCEMENT? – AN  
OVERVIEW**

Thomas L. Sansonetti, Assistant Attorney General, Environment  
and Natural Resources Division, USDOJ

9:30 A.M. TO 10:20 A.M.

**PANEL DISCUSSION: MUTUAL LEGAL ASSISTANCE IN  
CRIMINAL MATTERS**

A panel of Mexican, US and Canadian government lawyers will make presentations on the Mexico-USA, the Mexico-Canada and the Canada-USA mutual legal assistance in criminal matters treaties, and extradition treaties. They will discuss how to make requests, and how each country processes and meets requests that have been made under these treaties.

*MODERATOR:* Peter Lamont, Environmental Prosecutions  
Coordinator, Criminal Law Branch, Department of  
Justice Canada

*For Canada:* Claude LeFrançois, Senior Counsel, International  
Assistance Group, Department of Justice Canada

*For Mexico:* Alejandro Diaz de León, PGR attaché, Mexican  
Embassy in Washington

*For US:* Stewart Robinson, Deputy Director, Office of International Activities, Criminal Division, USDOJ

10:20 A.M. TO 10:40 A.M. **HEALTH BREAK**

10:40 A.M. TO 11:00 A.M. **Question and Answer Period**  
Questions and answers from participants to the members of the first panel

11:00 A.M. TO 11:40 A.M. **PANEL DISCUSSION: MUTUAL LEGAL ASSISTANCE IN CIVIL AND ADMINISTRATIVE MATTERS**

A panel of Mexican, US and Canadian government will make presentations on the extent to which each country can provide mutual legal assistance in civil and administrative matters pertaining to environmental and wildlife law enforcement.

*MODERATOR:* Russell Smith, Senior Attorney, Environment and Natural Resources Division, USDOJ

*For Canada:* Irène Gauthier, Legal Counsel, Environment Canada  
Legal Services, Department of Justice Canada

*For Mexico:* Teodoro Maus, Representante de la SEMARNAT en Washington, D.C.

*For U.S.:* John Rothman, Attorney, USEPA Region 9

11:40 A.M. TO 12:00 P.M. **Question and Answer Period**  
Questions and answers from participants to the members of the second panel

12:00 P.M. TO 1:30 P.M. **LUNCH**

1:30 P.M. TO 3:00 P.M. **PANEL DISCUSSION: EXCHANGE OF INFORMATION AND QUESTIONS AND ANSWERS**

The focus of this panel discussion will be to explain the laws of Mexico, the USA and Canada with respect to the exchange and the protection of information, including confidential business and government information. These laws are the *Access to Information Act* (Canada), the *Freedom of Information Act* (USA) and the *Information Access Law* (Mexico). The panelists will discuss what information is required for law enforcement purposes what information can be exchanged. They will also discuss legal restrictions on the exchange of such information. By confidential business information, we refer:

- trade secrets of a third party;
- financial, commercial, scientific or technical information that is confidential information supplied to a government institution by a third party and is treated consistently in a confidential manner by the third party;

- information the disclosure of which could reasonably be expected to result in material financial loss or gain to, or could reasonably be expected to prejudice the competitive position of, a third party;
- and, information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of a third party.

We also refer to trade secrets or financial, commercial, scientific or technical information that belongs to a private party, the Governments of Mexico, the USA, and Canada, or to a government institution and has substantial value or is reasonably likely to have substantial value.

*MODERATOR:* Norma Munguía, Coordinadora de Asuntos Internacionales, PROFEPA

*For Canada:* Joseph Keller, Legal Counsel, Environment Canada Legal Services, Department of Justice Canada

*For Mexico:* Gabriel Calvillo, General Director of Federal Environmental Crimes and Litigation PROFEPA

*For U.S.:* Richard L. Huff, Co-Director, Office of Information and Privacy, US DOJ

*Public:* Amelia Simpson, Director, Border Environmental Justice Campaign, Environmental Health Coalition

3:00 P.M. TO 3:20 P.M.

**HEALTH BREAK**

3:20 A.M. TO 4:00 P.M.

**Question and Answer Period**

4:00P.M. TO 4:15 P.M.

**CLOSING OBSERVATIONS BY THE JOINT PUBLIC ADVISORY COMMITTEE**

Gustavo Alanís-Ortega, the Chair on the Joint Public Advisory Committee will offer some observations about the issues raised at the conference.

4:15P.M. TO 4:30 P.M.

**SUMMARY OF DAY 1 DISCUSSIONS**

The CEC will summarize the day’s discussions and set the stage for day 2.

**Day 2 - For Invited Governmental Employees**

Friday, 10 January

9:00 A.M. TO 9:35 A.M

**PANEL DISCUSSION: PRIORITY AREAS FOR COOPERATION IN WILDLIFE PROTECTION**

A panel from Mexico, the US and Canada will discuss priority areas for wildlife enforcement in their own countries that will require cooperation from each other.

*MODERATOR:* Robert Anderson, Trial Attorney, Wildlife and Marine Resources Section, US DOJ

*For Canada:* Graham Ridley, Chief Wildlife Intelligence, Enforcement Branch, Canadian Wildlife Service, Environment Canada

*For Mexico:* Marco Heredia, Particular Assistant for the Natural Resources Under Attorney, PROFEPA

*For the U.S.:* Richard Marks, Deputy Assistant Director, Division of Law Enforcement, US Fish and Wildlife Service

9:35 A.M. TO 10:05 A.M.

**PANEL DISCUSSION: PRIORITY AREAS FOR COOPERATION IN ENVIRONMENTAL PROTECTION**

A panel from Mexico, the US and Canada will discuss priority areas for environment protection enforcement in their own countries that will require cooperation from each other.

*MODERATOR:* Renzo Benocci, Director, Enforcement Branch, Environmental Protection Service, Environment Canada

*For Canada:* Dave Aggett, Manager, Regional Support Division, Enforcement Branch, Environmental Protection Service, Environment Canada

*For Mexico:* Felipe Olmedo, Deputy Director for Standards and Procedures, PROFEPA

*For the U.S.:* Ann Prezyna, Deputy Regional Counsel, USEPA Region 10

10:05 A.M. TO 10:30 A.M.

**HEALTH BREAK**

10:30 A.M. TO 11:30 A.M.

**PANEL DISCUSSION: MEANS OF VOLUNTARY COOPERATION**

The focus of this panel will be on cooperation through voluntary means. A panel of investigators from Mexico, the US and Canada will discuss the provision of mutual assistance through mechanisms other than treaties.

*Day 2 - For Invited Governmental Employees Only*

*MODERATOR:* Deborah Barnes, Deputy Secretary for Law Enforcement & Counsel, California EPA

*For Canada:* Brian Petrar, Regional Special Investigations Coordinator, Prairie and Northern Region, Canadian Wildlife Service, Environment Canada

*For Mexico:* Hermilo López Sánchez, Director of Administrative Research, PROFEPA

*For the U.S.:* Roger Vintze, Hazardous Substances Scientist, Department of Toxic Substances Control

11:30 A.M. TO 12:00 P.M.

**Question and Answer Period**

Questions and answers from participants to the members of the three panels

12:00 A.M. TO 1:30 P.M.

**LUNCH**

1:30 P.M. TO 3:30 P.M.

**BREAKOUT GROUPS**

Participants will go to assigned groups. A facilitator will be assigned to each group. The discussion will focus on providing mutual legal assistance in criminal, civil and administrative matters. Government lawyers familiar with mutual legal assistance in criminal matters, and civil and administrative enforcement will be assigned to each group as resource persons.

Each group will be given written scenarios that will be discussed during the first hour. During the second hour, participants will be asked to discuss scenarios based upon their law enforcement experience.

**The actual group discussions will not begin until after lunch. Since networking is an objective of the workshop, participants in each breakout group and their facilitator will have lunch together. Following lunch, each group will discuss their scenarios. The facilitator will write up a short report for law enforcement participants who attended the workshop**

**Participants in each breakout group and scenarios:**

Environmental protection investigators will go to a group that will focus on an environmental case. Wildlife investigators will go to a group that will focus on a wildlife case. The scenarios will involve Mexico-US environmental protection law enforcement issues, US-Canada environmental protection law enforcement issues, and Mexico-US-Canada wildlife protection law enforcement issues.

**Mexico-US Environmental Protection Law Enforcement Breakout Group**

*FACILITATOR:* Lisa Brown, Assistant General Counsel for Enforcement, California EPA

*Rapporteur:* John Rothman, Attorney, USEPA Region 9

*Day 2 - For Invited Governmental Employees Only*

**US-Canada Environmental Protection Law Enforcement Breakout Group**

FACILITATOR: Paul Gavrel, Legal Counsel, Environment Canada  
Legal Services, Department of Justice Canada

Rapporteur: Tim Whitehouse, Head, Law and Policy Program,  
CEC

**Mexico-US-Canada Wildlife Protection Law Enforcement Breakout Group**

FACILITATOR: Gabriel Calvillo, General Director of Federal  
Environmental Crimes and Litigation PROFEPA

Rapporteur: Ignacio Gonzalez, Program Manager, Law and Policy  
Program, CEC

3:30 P.M. TO 3:45 P.M.

**HEALTH BREAK**

3:45 P.M. TO 4:45 P.M.

**PANEL DISCUSSION: TECHNOLOGY AND INTELLIGENCE GATHERING**

Speakers from Mexico, the US and Canada will speak about future directions in transboundary enforcement related to intelligence gathering, access to data bases, and the use of technology. Their presentations may be augmented by audio-visual presentations.

*MODERATOR:* Robert Heiss, Director, Import-Export Program,  
Office of Compliance, USEPA

*For Canada:* Frank Barrett, Manager, Program Development,  
Enforcement Branch, Environmental Protection Service,  
Environment Canada

*For Mexico:* Gabriel Calvillo, General Director of Federal  
Environmental Crimes and Litigation PROFEPA

*For the U.S.:* USEPA Representative.

4:45 P.M. TO 5:00 P.M.

**CLOSING REMARKS**

Tim Whitehouse, CEC  
Norma Munguía, PROFEPA  
John Cruden, US DOJ

- will summarize the conference highlights;
- identify needs, gaps and next steps for transboundary cooperation;  
and,
- close the conference.