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Joint Public Advisory Committee Round Tables on Opportunities for Enhancing North American Cooperation

Executive Summary

Introduction

In conjunction with the Joint Public Advisory Committee (JPAC) Regular Session 01-02 and the Regular Session of Council of the Commission for Environmental Cooperation (CEC), JPAC organized four round table discussions with the public on 27 June 2001 in Guadalajara, Jalisco.

Themes for the round tables are based on comments that various stakeholders have repeatedly brought up with JPAC since the implementation of the CEC.

The topics were:

- Managing Pollutants in North America;
- Conservation of Biodiversity;
- North American Trade and Transportation Corridors; and
- Management of Renewable Resources

To facilitate the discussions during the round tables, concept papers have been prepared by the CEC Secretariat on the each of the topics.

The purpose of these discussions was to take a bold view of each topic, identify priority areas of concern and provide concrete ideas on how the CEC can contribute to developing solutions in a North American context. The results were also used to inform and assist JPAC in developing its advice to Council on the 2002–2004 Program Outline (see this document, attached) and, in September 2001, to provide its advice to Council on the proposed 2002–2004 Program Plan and Budget.

The discussions were also a great opportunity for the CEC Secretariat's program managers to look at the long-term vision of the CEC program plan and its strategies.

A JPAC member facilitated each round table discussion. Other JPAC members attended the session and participated in the discussions. The round tables were very well attended, interactive, and provided JPAC with very useful information and ideas for future work. The results of the discussion were reported to Council and to the public in a plenary session.

The following summarize the main points discussed in each of the round tables.

Management of Pollutants in North America

Facilitator: Raúl Tornel

Under the auspices of the Joint Public Advisory Committee, a round table was held on Management of Pollutants in North America.

The session began by a presentation of Victor Shantora, Head of the Pollutants and Health Program. After introducing his colleagues, Erica Phipps and José Carlos Tenorio, he gave an indepth explanation of the program's objectives and achievements.

Results of the Discussion

- The numerous comments from the attendees, some in the form of questions that were answered immediately, can be summarized as follows:

- The manner in which the CEC interacts with society for decision making purposes was questioned. It was explained that it is in fact the goal of such round tables and workshops to establish contact with civil society, NGOs and business and academic organizations.

- The non-existent tracking of substances and wastes once they cross borders was mentioned.

- It was remarked that Mexico is bearing most of the burden of eliminating substances covered by the program.

- It was requested that the impacts of substances be identified before their producers place them on the market.

- The need for Mexico to complete its pollutant release and transfer register was stressed. (The Mexican government committed to establishing a mandatory approach during the Council session)

- It was mentioned that the voluntary Mexican standard on the Pollutant Release and Transfer Register includes emissions of the main greenhouse gases.

- It was proposed that the work of the CEC include carbon-related emissions.

- It was also proposed to develop a carbon emissions-trading program.

- It was mentioned that some auto parts contain mercury, which is released into the environment when the vehicles are salvaged and their components recycled.

- It was remarked that in Mexico, some legal obstacles stand in the way of establishing a compulsory Pollutant Release and Transfer Registry (PRTR). It was suggested that since the elimination of these legal obstacles will take a long time, work should continue on soliciting the voluntary commitment of industry to provide emissions information.

- It was requested that the North American Regional Action Plan on Monitoring and Assessment be completed before continuing to include substances in the program.

Conservation of Biodiversity

Facilitator: Peter Berle

Under the auspices of the Joint Public Advisory Committee, a round table was held on Conservation of Biodiversity.

Peter Berle identified the challenge as developing appropriate means for the public to participate in implementing the Strategic Plan for the Conservation of Biodiversity.

Hans Herrmann, Head of the Conservation of Biodiversity Program, then presented the program outline.

The discussion with the public focused on the following questions.

1. How to secure the effective participation of society-at-large in the implementation and evaluation of the Strategic Plan.
2. How to ensure continuity of work and, at the same time, be able to adapt to changing priorities.
3. How could the public assist the CEC in assessing the effectiveness of the Strategic Plan.
4. How could the public assist the CEC in influencing policies related to the biodiversity of North America.

Results of the Discussion

- There is a need for greater public involvement in the management of wildlife in Mexico. Citizen access to environmental information is essential. The public should not have to litigate to acquire information.

- The CEC should develop a system for promoting better implementation of public participation laws that are already in place.

- The CEC could play a role in developing a reward or incentive system for public involvement in biodiversity conservation. One suggestion might be to promote "microlending," including reasonable repayment rates.

- The CEC should encourage the development of performance indicators and citizen-monitored audit systems. There are existing models to draw from.

- Promoting green goods and services is an effective means to promote biodiversity.

- Local and state governments in our three countries play a very important role and have legal and regulatory authority for land use and management. The CEC should pursue their greater involvement in habitat protection strategies. It was also noted that, for the most part, local

and state governments may not be well informed about the CEC and efforts should be made to improve communication and information dissemination.

- The Strategic Plan must be connected to enforcement if it is to be credible and effective.

- The rights of peasants and indigenous peoples as stewards of biodiversity should be promoted by the CEC. This includes matters related to bioprospecting, intellectual property and benefits to holders of biodiversity information. The food production and drug industries now receive most of the benefits, and new monetary arrangements are required.

- Within each of our countries, it is important to strive for national coherence among all levels of government before the CEC can effectively move into regional action.

- The biodiversity program should connect better with NAFEC to benefit from lessons learned from these community-based projects.

- The CEC has an important role to play in convening agencies with financial resources to participate in, and support implementation of the Strategic Plan. One important area is to develop financing arrangements to support sustainable agriculture as is now being done for shade coffee.

- Preserving biodiversity must be approached ecosystemically. A very important part of this is incorporating a better understanding human behavior and its associated impacts on the environment in conservation work. Water management, for example, which is considered to be of critical importance, has to be approached by understanding and integrating habitat management, human impact, resource development, wildlife management and production issues. We cannot protect species and habitats without addressing broader issues such as water management and energy production. Another example is that in Mexico habitat degradation is directly related to poverty.

- Management of freshwater is an area of common concern. It is considered a growing crisis and in some areas, for example Lake Chapala, it is urgent. The CEC should consider developing strategies mobilizing emergency collective attention. The San Pedro and Silva reservoir experiences provide useful lessons where the CEC convened and stimulated citizen and local government participation to develop an intervention and management strategy. (JPAC communicated in writing with the CEC Secretariat and the governments on this issue. See the letter to the Secretariat attached)

- One way of ensuring that the information and databases now being developed by the CEC are used would be to develop links with other institutions, such as academia and professional associations.

- The Strategic Plan needs to consider other ways of communicating with the North American public beyond electronic means. Many, many people do not have access to the Internet.

- The Strategic Plan should address climate change, genetic modified organisms, invasive species, impacts of "megaprojects" and developing trilateral agreements for marine protected areas regarding, for example, fishing and ocean dumping.

- Green goods and services work should be expanded to include green technologies.

North American Trade and Transportation Corridors

Facilitator: Daniel Basurto

Under the auspices of the Joint Public Advisory Committee, a round table was held on North American Trade and Transportation Corridors.

The session began by a presentation of Greg Block, Director of Programs of the Commission for Environmental Cooperation, substituting for Paul Miller, in which he stressed two main objectives:

1. Identify possible corridors for trinational cooperation.
2. Resolve disputes over air quality impacts.

In addition, some of the main points covered by the final report of the Winnipeg workshop (15 March 2001) held under the auspices of the CEC were reviewed;

- Trade and gas emissions will increase by a factor of 2.4-4.0 by 2020.
- Despite increased trade, a reduction in truck emissions is projected suggesting that rail will account for a larger portion of emissions.

Results of the Discussion

A period for public comments followed the presentation of the CEC Director of Programs.

During the round table, various points of views and observations were expressed on the work program, including the following:

- The use of rail and maritime transportation as alternatives should not be underestimated, nor should the effect of these modes of transportation on trade corridors be ignored.

- Harmonizing relative risk reduction among modes of transportation in the three countries was discussed. However, given the limitations imposed by the US federal government that prevent Mexican units from entering its territory, it was concluded that it is not possible to change the physical characteristics of the transportation units.

- It was resolved that it is necessary to link the corridors project with the other programs—especially Conservation of Biodiversity—in order to arrive at an integrated perspective on transboundary transportation issues.

- The desirability of relating emissions controls on transportation units with climate change aspects was mentioned.

- It was indicated that since transportation is an essential element of regional integration, border communities must not be left aside. They must play an active role in the integration process.

- The relevance of building ties among various organizations, in particular the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB), was mentioned. The mandates of these organizations have been enlarged since they were created. Given the financial limitations of the CEC, this could open up additional funding opportunities to facilitate the implementation of this project.

- Finally, it was recommended that the CEC assess the environmental impact of transportation units on endangered species in transboundary areas.

Management of Renewable Resources

Facilitator: John Wirth

Under the auspices of the Joint Public Advisory Committee, a round table was held on Management of Renewable Resources.

John Wirth introduced the context by explaining that integration through NAFTA creates a growing impetus for regional management of renewable resources. Ecosystems are interconnected and our ecological footprints extend considerably beyond the North American region. Our consumption patterns are not sustainable. We are draining our ecological capital. Examples include the growing freshwater crisis; disappearing wetlands; and deforestation. Renewable energy production poses possibilities but market inroads are slow for various reasons. There is no sign that carbon-based production and consumption will diminish.

José Carlos Tenorio, the program manager on Sound Management of Chemicals, then presented the program outline.

Results of the Discussion

Water

- There is an opportunity in this era of water conflicts worldwide to advance cooperation and develop a framework for regional solutions that may indeed be a model for other areas. Pressure is increasing in the North American region to address imbalances of access and supply by water sales and transport. This issue is emerging within Chapter 11 disputes. Clearly, water is now a trade resource and a public policy matter.

- In absolute terms, we do not have less water, we have less useable water. There should be a concentration, therefore, on treatment and purification, along with desalination.

- We need better inventories before proper planning can take place. Consideration of behavior, lifestyles, political priorities and public policy has to enter into the discussions. It is a very complex undertaking, but necessary.

- Water should be properly valued in order to create incentives for conservation and treatment. This must be approached with caution, however, to ensure equity i.e., not resulting in a situation where those least able to pay are deprived access.

- The CEC can assist local authorities to access funds to finance water treatment facilities and also to focus limited local resources on water treatment. One way would be to approach international lending authorities.

- Mexico needs urgent attention. There is an imbalance in supply, access and quality.

- Any management approach must factor in the economic impact of lost production. For example, for the Colorado River system, the 1944 treaty makes provision to share losses in drought conditions, but not surpluses. The CEC could advocate changes in this treaty so that Mexican producers are not inequitably affected.

- Basin management and sharing across borders should be featured in any discussion undertaken by the CEC.

- The CEC could inventory experiences, develop best practices and support a pilot project in a transborder basin.

- Capture, control, and treatment of water should be considered as an approach to water management for protecting human health, maximizing resource potential and creating opportunities for economic development.

- Freshwater problems are of sufficient permanence to require that we think more broadly. The CEC could establish a permanent working group to respond to policy challenges as they arise.

- Invest in ongoing environmental education at all levels of society. It is the only way to influence lifestyle changes. Means of communicating information, literacy levels and respect for indigenous learning systems should be considered when developing programs.

- The CEC could inventory water consumption by user groups, i.e., agriculture, industry, etc. This could provide the basis for developing an action plan.

- There are low technology solutions using water to treat waste. Composting and engineered wetlands are also techniques. However, this requires a significant coupling with environmental education and citizen mobilization.

- Given the limited financial resources, the CEC should concentrate on convening and helping to access resources and create networks.

Soil and Forestry

- As with water, look for low technology solutions when working with rural communities. The CEC could compile information on processes used around the world and provide these to rural communities. Solicit best practices and create a clearinghouse for information on funding sources. The CEC web site could be used. This would be a very useful tool for the public.

- When discussing reforestation, work should focus on reintroducing indigenous species. The fast growing species do not necessarily produce the desired result and can cause other environmental problems. We have to maintain the total biomass, otherwise it is not real replacement [of lost timber resources].

- Create incentives and recognition for initiatives taken by local communities. In this regard, the CEC could be a clearinghouse for putting industry who are looking for ways to pursue due process in contact with local communities.

Climate Change

Is there a North American solution and what is the CEC's role?

The CEC should investigate ways to facilitate exchanges to implement Clean Development Mechanisms side-by-side with advocating emissions reduction in the US and Canada. (Please find attached the CEC JPAC advice to Council on climate change.)

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ADVICE TO COUNCIL 01–04

Re: Climate Change

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC);

IN ACCORDANCE with its mandate to provide advice to Council under Article 16(4) of the North American Agreement on Environmental Cooperation (NAAEC);

CONSCIOUS that climate change is an urgent environmental issue facing North America requiring multiple strategies including market and conservation measures;

NOTING that the CEC can play a significant role in efforts to reduce greenhouse gas emissions;

UNDERSTANDING that, because of its links to trade through NAFTA, the CEC is uniquely positioned to facilitate the development of market mechanisms to reduce greenhouse gas emissions in North America; and

ACKNOWLEDGING that certain North American nongovernmental organizations and members of the business community are already working on the development of carbon-trading mechanisms;

RECOMMENDS that Council instruct the Secretariat to facilitate, within the 2002–2004 Program Plan, the development of market mechanisms within the North American context to reduce greenhouse gas emissions.

APPROVED BY JPAC MEMBERS

28 June 2001