



**NORTH AMERICAN COMMISSION FOR ENVIRONMENTAL COOPERATION  
Joint Public Advisory Committee Session No. 00-04**

**7–8 December 2000  
Montréal, Québec**

**Summary Record**

The Joint Public Advisory Committee (JPAC) of the North American Commission for Environmental Cooperation (NACEC) held a regular session on 8 December 2000, in Montréal, Québec, in conjunction with a joint public meeting of the Intergovernmental Advisory Group on Emerging Environmental Trends. This regular session followed a JPAC public workshop on the Public History of Submissions under Articles 14 and 15 of the North American Agreement on Environmental Cooperation, held on 7 December 2000. The report on this workshop is being prepared separately.

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 agendas, and Annex B for the list of participants.)

Previous summary records, advice from JPAC to Council and other JPAC-related documents may be obtained from the JPAC Liaison Officer's office or through the NACEC web site <<http://www.cec.org>>.

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

**Friday, 8 December 2000**

**Joint Public Meeting with the Intergovernmental Advisory Group on Emerging Environmental Trends**

The Chair, Ms. Regina Barb, introduced Michael Brody, chair of the Intergovernmental Advisory Group. He explained the purpose of this session was to solicit views on how to improve public participation in this project. He also explained that the session could be used to vet the results of a questionnaire that had been widely distributed and analyzed. A report of this Analysis was previously distributed.

The Advisory Group kept its own notes on the session. However, from JPAC's perspective, the following key points from the public are recorded as background for the development of an Advice to Council at a later date:

- Develop regionalism as unit of analysis and as tool for identifying where NACEC can effectively influence national policies.
- Maintain a focus on those areas within the North American region where NACEC can make a difference.
- Plan a symposium to engage a wide range of thinkers.
- NACEC should act as an early warning system for the North American region by systematically identifying new issues and advising governments and industry on how to implement a precautionary approach working toward regional solutions.
- NACEC should be more strategic in identifying and working with other groups interested and engaged in this issue.
- NACEC needs to find its role in the issue of GMOs and biotechnology.
- NACEC's work in this area needs to be organized in a way that it can serve to influence policymaking.

The following topics were identified by the public as important in emerging trends work (not necessarily listed in order of importance).

- Water—quality, quantity, use, access, conflict resolution, public policy, management, etc.
- hazardous waste disposal
- voluntary and mandatory compliance of environmental standards
- invasive species
- a regional approach to climate change
- GMOs and biotechnology
- population growth, movement and displacement
- public education
- the development of alternate energy sources
- engaging youth
- identifying trends which are having positive influences on the environment

Finally, JPAC cautioned the Advisory Group not to rely too heavily on the results of surveys and questionnaires where bias can easily be introduced into the results.

Before the lunch break, the Chair announced that this was Mary Simon's last meeting with JPAC as her term at come to an end. She presented Ms Simon with a plaque, thanking her for her work within JPAC, particularly in promoting the role of indigenous peoples.

The Chair then announced her own resignation from the committee. She informed the meeting that she had been recently appointed by Victor Lichtinger, Mexico's new Secretary of the Environment and Natural Resources to head a department responsible for public participation. The Chair then introduced Liette Vasseur as the elected JPAC Chair for 2001 and explained that she had kindly accepted to take over these responsibilities immediately following this meeting.

Ms Vasseur expressed her enthusiasm for the challenges that lay ahead in 2001 and her excitement at the possibilities being created from the optimism emerging in Mexico.

Ms Barba received warm words of appreciation for her work and expressions of good wishes for her new position and was presented with a plaque by the new Chair.

Following the lunch break, the meeting reconvened at the offices of the NACEC Secretariat. It is important to note here that the intention was to hold an in-camera session for this primarily administrative session. However, it was announced at the close of the morning session that it would continue as a public meeting.

### **Overview by the Chair**

The Chair noted the absence of Cam Avery with reasons.

### **Approval of the Provisional Agenda**

The agenda was approved.

### **Report from the NACEC Executive Director and Question Period**

The Chair invited Janine Ferretti, Executive Director of NACEC to make her report.

Ms Ferretti began by reporting on her recent trip to Mexico and meeting with Mr. Lichtinger. She expressed her pleasure at meeting with many colleagues who have previously been associated with NACEC. She reported a strong willingness to work with NACEC as a tool for achieving environmental objectives in Mexico. The following were presented as Mexico's priorities:

- the renewal and strengthening of Articles 14 and 15 of NAAEC, particularly regarding public access, transparency and credibility;
- strengthening JPAC;
- resuscitating the transboundary environmental impact assessment initiative; and
- Demonstrating leadership in trade and environment in bilateral, regional and international processes.

She noted that as host of this year's Council session, Mr. Lichtinger had also indicated that the session would be substantive and that the Secretariat and JPAC would play active roles.

She went on to announce that the Three-year Program Plan (2001–2003) had been approved—the first time in NACEC's history that the plan had been approved before year end—and that Secretariat staff were now well on the way to implementing the 2001 program.

Regarding staffing, she informed the meeting that Geoffrey Garver had been recently hired as Director, Submissions on Enforcement Matters Unit and Vic Shantora as Head, Pollutants and Health program area. A replacement for Marcos Silva was still being sought.

Finally she noted that the 1999 Annual Report was still awaiting Canada's input. In order to bridge the timing gap in the future, she was exploring with her staff ways of producing a yearly milestone review and would keep JPAC informed.

JPAC members and Ms Ferretti then had an exchange and the following points were made:

- NAFEC funding is being maintained at \$500,000.
- Build on the new spirit within NACEC and propose making the Alternate Representative meetings more open to the public.
- Sharpen the role of JPAC as a watchdog of NACEC.
- Seek better support from the business community in Canada and the United States.

### **NACEC Program Plan**

#### **a) Update on the proposed NACEC Program Plan and Budget for 2001–2003**

Greg Block reviewed the highlights of the Program Plan.

A member noted that JPAC had not had input into the plan through an Advice to Council and did not want this to become a precedent. A discussion resulted and it was decided that JPAC would schedule this review earlier in its work plan to permit timely advice. It was also noted that JPAC should focus its limited time on policy and strategic issues.

**Action: JPAC**

#### **b) Follow up of the JPAC letter to Council on the Symposium on Understanding the Linkages between Trade and Environment**

Greg Block reported that feedback from the symposium was still being received. All the papers and presentations, along with an executive summary, will be published in the three languages.

JPAC agreed to wait until this report was available to prepare its Advice to Council on any follow-up initiatives.

**Action: Secretariat and JPAC**

#### **c) Follow-up of the letter to Darlene Pearson, re: GMOs**

Ms Pearson summarized her letter of reply. She suggested that if JPAC wants NACEC to actively pursue the topic, then NACEC should approach it in a strategic manner. An opportunity may exist to examine this issue at an upcoming NACEC strategic planning meeting. Although the Law and Policy program may be the appropriate program area for this issue, the very complex nature of GMOs and biotechnology require that NACEC, as an institution, decide what role it can best play in the debate.

A discussion ensued and it was agreed that JPAC has been circling this issue for some time and should now take some concrete decisions. The topic is complicated, highly politicized, and it may or may not be a good area for work by the Commission. It was further noted that JPAC is not a 'science advisory group'—it is a policy group and therefore has a role to play in helping Council make this determination.

As a first step, it was agreed that JPAC had better educate itself about the issue. John Wirth and Serena Wilson each volunteered to approach an expert about preparing a short report to help direct and guide JPAC's thinking. Jon Plaut also volunteered to seek out information from an advocate of GMOs to ensure more balanced input.

**Action: JPAC**

**d) Suggestions from the JPAC working group for a potential Advice to Council on Emerging Trends**

The JPAC working group reported that while the public session with the Intergovernmental Advisory Group earlier in the day had provided some preliminary ideas, it was still premature to prepare an Advice to Council. It was agreed that the Chair would write to the Advisory Group, indicating the need for more concrete information and data.

**Action: JPAC Chair**

**Articles 14 & 15**

**a) Next steps related to the Lessons Learned report**

The JPAC working group reported on the status of interviews conducted to date with the Alternate Representatives and Secretariat staff. The JPAC consultants will prepare a summary that will be combined with the results of yesterday's excellent public workshop. A draft report will be available for JPAC review at its regular session on 15–16 March 2001, and prepare for its public release. It was further decided that a second workshop was not necessary, given the quality of input to date. It is planned, therefore, to release the final document during the June Council Session.

**Action: JPAC Working Group on Lessons Learned, JPAC Consultants**

**b) Follow-up to the JPAC letter transmitting issues raised by Martha Kostuch**

It was agreed that, having sent the matter to Council, no further action was required until Council indicated if it wished JPAC to consider the matters raised.

**c) Next steps related to the draft Public Review Process**

It was agreed that the JPAC working group would prepare a new draft, based on public input received to date by the end of January 2001. JPAC would then discuss next steps during the March regular session.

**Action: JPAC Working Group on Articles 14 and 15****Various Issues****a) Update of Article 10(6)**

There was nothing further to report on this matter.

**b) Presentation of the NACEC Communications Strategy**

The Chair invited Charles Dickinson, Director of Communications, to make a presentation. She also encouraged the JPAC working group to use this opportunity to exchange views and ideas.

Several members expressed strong support for the new newsletter *Trio* and suggested it be used as a vehicle to target specific issues and audiences, as necessary. Generally, the public does not easily read NACEC reports and *Trio* could be used to summarize findings as was done for the report on dioxin transfer.

A discussion also took place about the limitations with electronic mailings, especially in Mexico and JPAC encouraged Mr. Dixon to look at other ways of distributing information.

**c) Comments on the Council Commitment Chart and next steps**

This matter was not discussed.

**d) Suggestions from the JPAC Ad Hoc Committee**

An Ad Hoc Committee, composed of Regina Barba (current Chair), Jon Plaut (past Chair), Liette Vasseur (new Chair), Manon Pepin and Lorraine Brooke, met prior to the session to develop some recommendations on how to improve JPAC meetings and improve interaction among the members. Liette Vasseur summarized the results.

- Each meeting should focus on one issue only so it can be dealt with in depth.
- All meetings should be public and interactive.
- At the end of each meeting, one to two hours should be reserved for administrative matters with the public welcome to attend as observers.
- All meals should be informal so members can discuss matters of their choice.

These recommendations were accepted.

Regarding priorities for 2001, the following recommendations were made.

- Based on Council Resolution 00-09, implement a Public Review Process and provide Council with a Lessons Learned report.
- Provide Advice to Council on trade and transportation corridors.
- Organize a joint public meeting with the SMOC Working Group to advance the implementation of this important program.

- Request that NAAEC Article 10(6) Environment and Trade officials organize a meeting and invite JPAC to participate. JPAC's strong recommendation would be that this meeting is open to the public.

All recommendations were accepted and a work plan developed.

15–16 March 2001 (Winnipeg, Canada): Trade and Transportation Corridors, review the draft Lessons Learned report and prepare its release for a public comment period, and decide on next steps for the Public Review Process related to Articles 14 and 15.

June 2001, in conjunction with the Council Session (Mexico): Public workshop on Green Goods and Services to evaluate lessons learned from the work on shade coffee, the chamaedorea palm and sustainable tourism and seek public input for other sectors where NACEC could facilitate the development of regional approaches to support sustainable use and biodiversity—an Advice to Council would be prepared; consult the public on the NACEC Program Plan and Budget for 2002–2004 in preparation for an Advice to Council; and release the Articles 14 and 15 Lessons Learned report.

20–22 September 2001 (Tucson, Arizona): Joint public meeting with the SMOC Working Group to review the SMOC program as a whole and its priorities for the coming years—an Advice to Council would be prepared; and a site visit to the San Pedro River for JPAC will be scheduled.

6–7 December 2001 (Montréal, Québec): In conjunction with a meeting of environment and trade officials on Article 10(6) of NAAEC—an Advice to Council would be prepared.

#### **e) Next JPAC meeting**

The next meeting will take place on 15–16 March 2001, in Winnipeg, in conjunction with a public workshop on North American trade and transportation corridors organized by NACEC.

#### **f) Observers' comments**

Don Wedge expressed grave concern that this afternoon's session had been JPAC's least public meeting to date and he hoped a precedent was not being set.

The outgoing and incoming Chairs thanked the staff, the interpreters and members, wishing everyone a very happy and safe holiday season, then adjourned the session.

Prepared by Lorraine Brooke

APPROVED BY JPAC MEMBERS ON 26 JANUARY 2001



Environment, Economy and Trade Program

Gestionnaire de Programme sur l'Environnement, économie et commerce

Programa de Medio Ambiente, Economía y Comercio

**Public Meeting on Emerging Environmental Trends with the  
Intergovernmental Advisory Group and  
the Joint Public Advisory Committee**

**8 December 2000**

Delta Hotel  
777 University  
Montréal, Québec  
Phone: (514) 879-1370 • Fax: (514) 879-1761

**Provisional Agenda**

- |               |  |
|---------------|--|
| 9:00 – 9:15   | Welcome Comments from JPAC and Intergovernmental Advisory Group Chairs |
| 9:15 – 9:30   | Presentation: Highlights of the Public Survey                          |
| 9:30 – 10:15  | Public Comments on Report and Next steps                               |
| 10:15 – 10:30 | Break  |
| 10:30 – 12:15 | Public Comments on Reports and Next steps (cont'd)                     |
| 12:15 – 12:30 | Conclusion and steps forward   |
| 12:30         | End of the Public Meeting  |



## North American Commission for Environmental Cooperation

### Joint Public Advisory Committee Meetings

8 December 2000

Delta Hotel  
777 University  
Montréal, Québec  
Phone: (514) 879-1370 • Fax: (514) 879-1761

### Provisional Agenda

Friday, 8 December 2000

- 12:30 – 14:00 Lunch
- 14:15 – 15:30 JPAC working session \*
- Overview by the JPAC Chair
- Approval of the provisional agenda
  - Report from the NACEC Executive Director and question period
- NACEC Program Plan
- Update on the proposed NACEC Program Plan and Budget for 2001–2003 by Greg Block and next steps for JPAC related to this issue
  - Follow-up of the JPAC letter to Council on the North American Symposium on Understanding the Linkages between Trade and Environment held in October 2000
  - Follow-up of the JPAC letter to Darlene Pearson on GMO
  - Suggestions from the JPAC Working Group for a potential Advice to Council on Emerging Trends
- 15:30 – 15:45 Break
- 15:45 – 17:00 Articles 14 and 15 \*
- Suggestions from the JPAC Working Group on this issue and the Next Steps related to the Lessons Learned report
  - Follow-up of the JPAC letter to Council about Martha Kostuch's issues related to Council Resolution 00-09
  - Suggestions from the JPAC Working Group for the next steps related to the draft Public Review Process
- 17:00 – 18:00 Various issues \*
- Update of Article 10(6)
  - Presentation of the NACEC communications strategy by Charles Dickson and suggestions from the JPAC Working Group
  - Comments on the status of Council Commitments Table and next steps related to this issue
  - Suggestions from the JPAC Ad Hoc Committee
  - Statements from the JPAC Chair for 2001
  - Next JPAC meeting, 15 and 16 March 2001
- 18:00 End of the working session

\* Session opened to the public as observers.



**Session du Comité consultatif public mixte (CCPM) n° 00-04**  
**Sesión 00-04 del Comité Consultivo Público Conjunto (CCPC)**  
**Joint Public Advisory Committee Session (JPAC) N° 00-04**

**7–8 décembre 2000 / 7 y 8 de diciembre de 2000 / 7–8 December 2000**

Delta Hotel  
 777 University  
 Montréal, Québec

Liste des participants  
 Lista de participantes  
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