

ENVIRONMENTAL LAW

a) North American Agreement on Environmental Cooperation

The NAAEC, the so-called "environmental side accord" to the NAFTA, entered into force on January 1, 1994. Its Parties are Canada, the United States, and Mexico. The NAAEC seeks to protect the North American environment by ensuring that each Party effectively enforces its environmental laws. Article 14 of the NAAEC provides that the Secretariat may prepare a "factual record" with respect to the alleged failure of a Party to enforce its environmental laws.

The NAAEC Council of the Commission for Environmental Cooperation (CEC) held its Fourth Regular Session on 12 June 1997 in Pittsburgh. At this meeting the Parties agreed to initiate a review of the operation of the Guidelines for Submissions on Enforcement Matters. Discussions on this issue are currently taking place between the Parties.

Currently, four submissions have been made under Article 14 that involve Canada. These pertain to the Atlantic Groundfish Strategy, the enforcement of environmental laws with respect to pork producers in Quebec, the enforcement of environmental regulations to protect endangered species, and the protection of fish habitat from damage caused by hydro-electric dams in B.C. Responses have been filed with the Secretariat with regard to the hydro-electric dam and pork submissions. The other submissions are still under consideration by the Secretariat as to whether a response by Canada is merited.

b) Climate Change

Canada participated in the meetings of the Parties of the Framework Convention on Climate Change in 1997. In particular, final negotiations are currently underway with the objective of reaching an agreement on further commitments for greenhouse gas emission reductions for developed countries beyond the year 2000. These negotiations were launched at the first Conference of the Parties in 1995 in Berlin. It is the objective of the Parties to conclude negotiations by the third Conference of the Parties, scheduled for December 1997 in Japan. As well, Canada is pursuing its strong interest in parallel discussions under Article 13 of the Climate Change Convention for the development of mechanisms for more effective implementation of the Convention.