

ENVIRONMENTAL LAW

Canada, Mexico and the United States signed the North American Agreement on Environmental Cooperation (NAAEC) on September 14, 1993. The NAAEC has established closer ties between the signatories in the development and coordination of their environmental policies through the establishment of the Commission for Environmental Cooperation (CEC). The CEC includes: a Council consisting of Ministers of the Environment of the three Parties; a Secretariat based in Montreal, staffed with professionals from the three Parties; and a Joint Public Advisory Committee.

Canada participated in the third meeting of the Conference of the Parties (COP) to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, held in Geneva in September 1995. We actively participated in the discussions to amend the Convention to impose a ban on the export of hazardous wastes from OECD to non-OECD countries, which was adopted by consensus. Prior to the next meeting of the COP in 1997 we shall participate in the Technical Working Group to Refine the Definition of Hazardous Wastes and we shall continue our involvement on the Draft Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal.

The Convention on Climate Change entered into force in March 1994 and the first meeting of the COP took place from 28 March to 7 April in Berlin. The Parties agreed that existing commitments under the Convention were inadequate and that a further protocol or other legal instrument was necessary to strengthen those commitments for developed countries in the period beyond 2000. Canada will be an active participant in this upcoming round of negotiations, including discussions on the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13).

On April 27, 1995, Canada and the United States initialled *ad referendum* a Protocol to Amend the 1916 Convention Between the United Kingdom and the United States of America for the Protection of Migratory Birds in Canada and the United States (MBC) in Parkesville, British Columbia. The Protocol removes inconsistencies between the MBC and aboriginal and treaty rights protected under Section 35 of the Constitution Act, 1982 and ensures the accommodation of traditional harvesting by Aboriginal people. It also regulates the long-established Newfoundland murre hunt, extends hunting privileges to non-aboriginal residents of northern communities which depend on a subsistence life style and permits an earlier opening of the fall hunting season for northern recreational hunters, allowing them more