

Environmental Assessment of NAFTA: Lessons Learned from CEC's Trade and Environment Symposia

Background Paper for the
Senior Trade and Environment Officials Meeting

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Introduction

The Commission for Environmental Cooperation (CEC) held in April 2008 its Fourth North American Symposium on Assessing the Environmental Effects of Trade, which concentrated on the services sector. The previous three symposia were held in 2000, 2003 and 2005. The first one (2000) focused on the impacts of NAFTA on freshwater, fisheries, forests, hazardous wastes and domestic environmental laws. The 2003 symposium examined the environmental impacts of NAFTA in the energy and agricultural sectors, while the 2005 symposium assessed the environmental impacts of investment and economic growth. The overall goals of these symposia have been to improve the understanding of the environmental effects of free trade and related economic growth in North America, as well as to identify opportunities for further integration between environmental and trade policies.

In conjunction with the CEC's Fourth Symposium, the Joint Public Advisory Committee (JPAC) held a public session to review the proceedings, results, and recommendations of past symposia. The intention of this review was to provide recommendations on how the CEC can improve public access to the information generated for the symposium (e.g., background papers), as well as to the information disseminated during the event. There was also a discussion on how the CEC could render the ongoing environmental assessment of NAFTA more relevant to efforts aimed at ensuring that trade liberalization and environmental protection are mutually supportive.

A discussion paper provided background material for JPAC's public session. Based on a review of relevant literature as well as on interviews with 24 leading North American and international experts,¹ the paper aimed to present an assessment of the proceedings, results, and recommendations of the previous symposia. The impact and effectiveness of past symposia were assessed based on a set of criteria which includes policy impact, cost effectiveness, communications and outreach, as well as other criteria proposed by the experts. While experts' interviews focused on assessing past success of the CEC's symposia, the discussions that were held during the Fourth Symposium mainly focused on exploring ways to respond to identified weaknesses. The present report summarizes the findings and recommendations made by the experts and the public during both the interviews and the public session.

This discussion paper is divided into four sections that synthesize a review of relevant literature and the results of the interviews with experts.²

- **Section I** analyses the results and impacts of past symposia on advancing the understanding of the trade and environment relationship.
- **Section II** assesses the results of efforts at outreach to and engagement with stakeholders in the context of the symposia, including through JPAC's involvement.

¹ The list of experts interviewed is available in Appendix I.

² The lines of inquiry are available in Appendix II.

- **Section III** analyses the effectiveness of strategies put in place to disseminate the results of the symposia.
- **Section IV** assesses the symposia’s ability to influence trade and environment–related policies in North America.

Given the nature of the CEC’s work, the evaluation conducted in this report is mainly qualitative. Quantitative elements were used as a complement where available. The Conclusion identifies questions and issues for discussion at the roundtable.

I. Advancing Knowledge on the Trade and Environment Relationship

Established in 1994 by the North American Agreement on Environmental Cooperation (NAAEC), the Commission for Environmental Cooperation (CEC) was entrusted with a general mandate to promote environmental cooperation among Canada, Mexico and the United States as well as a more specific mandate to monitor and assess on an ongoing basis the environmental effects of the North American Free Trade Agreement (NAFTA). These mandates addressed the fears prevalent at the time that the newly negotiated regional trade agreement would have overall significant negative environmental impact in all three member countries. In addition, the CEC’s role was to improve and deepen the general understanding of the trade and environment relationship, as positive effects were also expected to arise from increased continental liberalization.

To fulfill the requirement to consider the environmental effects of NAFTA, the CEC first elaborated a comprehensive analytic framework that set criteria to identify and empirically document changes in environmental quality and policy trends linked with trade liberalization in North America.³ For its first *North American Symposium on Assessing the Linkages between Trade and Environment*, in 2000, the CEC issued a public call for research papers to be presented at the event, hence allowing for substantive input from a broader group of pertinent organizations and experts. Since then, symposia have been one of the major venues used by the CEC to fulfill its mandate and conduct an ongoing assessment of the North American environment. Two other symposia were subsequently held following the same procedures, one in 2003 in Mexico City (focusing on energy and agriculture) and one in 2005 in Montreal (focusing on investment, growth and the environment). A total of 50 research papers have been produced since 2000.

The research and data collected with the support of the CEC and presented at these events demonstrated that most assumptions and expectations (both positive and negative) expressed at the time of NAFTA’s negotiations did not materialize, at least not to the extent anticipated fifteen years ago. This section presents a brief summary of the main conceptual results and findings.

COMPETITION EFFECTS: RACE TO THE BOTTOM AND POLLUTION HAVENS

The most important environmental fears towards NAFTA were linked to the possibility that the intensification of competitive pressures would lead to a regulatory “race to the bottom” or to a “regulatory

³ CEC. 1999. *Analytic Framework for Assessing the Environmental Effects of the North American Free Trade Agreement*. Montreal: CEC.

chill,”⁴ thereby setting the stage for the creation of pollution havens where industry would relocate in order to benefit from lower environmental standards. However, an analysis of the North American environmental regulatory context since NAFTA’s inception finds only anecdotal evidence supporting the hypothesis of a race to the bottom,⁵ and a few examples can be found where NAFTA-associated liberalization created an upward movement of environmental standards or regulations, especially in Mexico.⁶ Studies to date allow for a general conclusion that industry relocation is only tenuously influenced by environmental regulations, whereas factors such as wages, market proximity, infrastructure and fiscal policy, among others, have been shown to have a greater influence on the choice of location.⁷

SCALE EFFECTS: ECONOMY GROWTH AND INCREASED INDUSTRIAL POLLUTION

It was largely assumed that the entry into force of NAFTA would lead to increased industrial production resulting in additional environmental pressures. This hypothesis is supported today,⁸ especially in the absence of proper policies to cope with fast market liberalization, though it is generally de-linked from gross domestic product (GDP) growth and varies from one sector or country to the other.⁹ The most important impact of increased trade was measured in the transport sector, where freight transport expanded massively while local infrastructure had not adapted to the changes.¹⁰

There were also expectations that new production activity created by NAFTA would concentrate in the most economically and environmentally efficient firms and regions, which would in turn limit the

⁴ In the first hypothesis, competitive pressures lead jurisdictions to lower environmental standards or enforcement in order to attract foreign investment, while in the latter hypothesis, the jurisdictions refrain from enacting new environmental laws. Both hypotheses were based on the fear that producers would move to the location with the most lax environmental standards.

⁵ For a brief presentation of studies discussing this issue, see CARPENTIER, Chantal Line, 2006, "NAFTA Commission for Environmental Cooperation: Ongoing assessment of trade liberalization in North America," in *Impact Assessment and Project Appraisal* 24: 259–272, at 6–7.

⁶ *Ibid.*, at 8–9.

⁷ Yet, two examples show the necessity to ensure comparable levels of environmental legislation and enforcement in order to avoid such a phenomenon. First, a 400% increase in imports of hazardous waste by Quebec and Ontario from the United States following NAFTA’s entry into force was caused by lower regulatory compliance costs and the absence of joint and severable liability and pretreatment standards in Canada. See JACOTT *et al.*, “Energy Use in the Cement Industry in North America: Emissions, Waste Generation and Pollution Control, 1990–2001.” Paper presented at the Second North American Symposium on Assessing the Environmental Effects of Trade, 24–26 March 2003, Mexico City, Mexico. Also JACOTT *et al.*, *The Generation and Management of Hazardous Wastes and Transboundary Hazardous Waste Shipments between Mexico, Canada, and the United States since NAFTA: A 2004 Update for the CEC* (Austin TX: Texas Center for Policy Studies, 2004). At the same time, lower enforcement standards between the United States and Mexico contributed to locational shifts in the textile sector from the north to south. See ABEL, Andrea, and Travis PHILIPS, “The Relocation of El Paso’s Stonewashing Industry and Its Implications for Trade and the Environment,” in CEC, *The Environmental Effects of Free Trade: Papers Presented at the North American Symposium on Understanding the Linkages between Trade and Environment*. (Montreal: CEC, 2002).

⁸ GALLAGHER, Kevin. 2004. *Free Trade and the Environment: Mexico, NAFTA and Beyond*. Stanford CA: Stanford Law and Politics. REINERT, Kenneth A., and David W. ROLAND-HOLST. “The Industrial Pollution Impact of NAFTA: Some Preliminary Results,” in CEC 1999, *supra* note 3. PORTER, Gareth. 2003. “Agricultural Trade Liberalization and the Environment in North America: Analyzing the ‘Production Effect.’” Paper presented at the Second North American Symposium on Assessing the Environmental Effects of Trade, 24–26 March 2003. Mexico City, Mexico.

⁹ MAYRAND, Karel, and Marc PAQUIN. 2004. *The CEC and NAFTA Effects on the Environment: Discussion Paper*. Montreal: Unisféra International Centre, at 7.

¹⁰ POYNTER, Rachel, and Sheila HOLBROOK-WHITE. “NAFTA Transportation Corridors: Approaches to Assessing Environmental Impacts and Alternatives,” in CEC 1999, *supra* note 3.

anticipated additional environmental stress. This was the case only on some occasions.¹¹ Concentration of production and specialization occurs at different rates according to the sector and does not necessarily happen in “areas where environmental conditions are most favourable and regulatory oversight the strongest.”¹²

CONVERGENCE OF ENVIRONMENTAL PRACTICES, INCREASED TECHNOLOGY TRANSFERS, IMPROVED MANAGEMENT APPROACHES

Greater liberalization was expected to favour the spread of best environmental practices, cleaner technologies and management approaches through increased foreign direct investment (FDI) across North America. It was assumed that rising income would increase resources dedicated to environmental protection, while this trend would be strengthened by higher consumer expectations and public demand.

With some exceptions, these expectations generally did not materialize, especially in the Mexican context. There are few examples of technology diffusion¹³ and “scant empirical evidence supports the hypothesis that, in the near term, increased incomes associated with trade liberalization correlate with increased resources for environmental authorities or improved policies to ensure sustainable use of resources.”¹⁴ On the other hand, the upgrading of Mexico’s environmental regulations positively affected the environmental performance of Mexican businesses, while export-oriented businesses were also influenced by the “pull” effect of additional exporting opportunities into markets with environmentally sensitive demand.¹⁵

In summary, based on the research supported by the CEC over the last decade, it appears that the environmental impacts of NAFTA are neither very bad nor very good, and that they vary considerably from one sector to the next and from one region to another.

It was demonstrated that “trade liberalization does not in itself favour environmentally preferable goods and services or favour sustainable economies.”¹⁶ Trade liberalization does not automatically lead to the elaboration of mutually supportive trade, environmental and economic policies at the continental level. This is true especially in a context where policy decisions are made based on imperfect information. Furthermore, many dimensions of the trade and environment nexus, notably in the energy and services sectors, have yet to be documented and analyzed, thus making it impossible to draw an overall conclusion on the environmental impacts of NAFTA in North America.

II. Engaging Stakeholders and Civil Society

The importance of outreach and the participation of civil society in the implementation of NAAEC are reflected in its provisions. For its purposes, JPAC defines outreach as “an organization going outside its

¹¹ Such as the displacement of tomato production from the Florida region to Mexico. See Porter 2003, *supra* note 8.

¹² Carpentier 2006, *supra* note 5, at 10.

¹³ Such as the adoption of drip-irrigated technologies in tomato production in Mexico, but in other sectors it seems that NAFTA has had no effect on the rate of technology diffusion.

¹⁴ Carpentier 2006, *supra* note 5, at 8 and 11.

¹⁵ WISNER, Priscilla, and Mark P. EPSTEIN. 2005. ‘Push’ and ‘Pull’ Impacts of NAFTA on Environmental Responsiveness and Performance in Mexican Industry. Paper presented at the Third North American Symposium on Assessing the Environmental Effects of Trade, 30 November–1 December 2005. Montreal: CEC. Also published in *Management International Review*.

¹⁶ Carpentier 2006, *supra* note 5 at 11.

normal scope of operation to provide information, resources and services to those not in its immediate service area” and believes that “public engagement is obtained through open communication with the desire to understand its issues and concerns [...]. It is not simply informing the public, but an active process whereby feedback from interested parties/individuals is sought.”¹⁷ The symposia have been an important part of the CEC’s engagement and outreach strategy. Based on experts’ comments as well as public interventions, this section seeks to assess the impact and effectiveness of symposia as outreach and engagement mechanisms and to explore how the CEC could more effectively engage key stakeholders.

PAST SYMPOSIA ATTENDANCE

For its symposia, the CEC engaged civil society, academics and other stakeholders through public calls for papers, advisory committees, and partnerships. This approach has the benefit of bringing transparency and a participatory value to a technical, specialized process. Financial support to allow for the participation of the North American nongovernmental organization (NGO) community was instrumental in making the symposia more participatory. Each symposium attracted between roughly 200 to 300 stakeholders. Notwithstanding that the location of the symposia influenced the dominant nationality of the persons attending, a slight increase in Mexican participation has been noticed over the years. Canadian and American participation has, however, been decreasing over the years.

Based on an analysis of the symposia’s participants lists, regional **NGOs** have comprised about 20% of the audiences in both 2000 and 2005 symposia, with a significant increase in participation in 2003 that was maintained in 2008. However, the participation of NGOs in the production of knowledge has diminished over time as the **academic community** has become more involved in the symposia. In 2005, most of the papers were produced by experts with an academic background, while participants from the academic community more than doubled from 2000 to 2005. In 2008 however, the NGO and academic communities’ participation was approximately the same. Participation from governments drastically dropped to a third of its original attendance, from more than 36% of the whole audience in 2000 to about 12% in 2005. Moreover, only three papers have been produced by government (two by the United States in 2000 and 2003 and one by Mexico).

As attendance is a good indicator of which stakeholders are interested in the symposia, the decrease in **government officials’** participation may be symptomatic of a certain disengagement linked to a perception that the symposia do not deliver ready-to-use policy recommendations. However, it must be recognized that the objectives and approach used for the symposia have not explicitly encouraged such recommendations, and instead focused on the research methodology and findings.

Participation by both the **private sector** and **international experts** has been low in all four symposia. Nonetheless, a few important business players on the corporate social responsibility front have demonstrated interest. Greater effort will be needed to increase and solidify links with both groups.

ENHANCING FUTURE OUTREACH AND ENGAGEMENT STRATEGIES

The first condition for a successful engagement and outreach strategy for symposia is to have a clear definition of the **targeted audiences**. Different activities and messages will reach different audiences. Government officials, NGOs, academics and private-sector representatives do not entirely share

¹⁷ Joint Public Advisory Committee (JPAC). 2006. *Our Future within the CEC: Strategic Plan of the Joint Public Advisory Committee (JPAC) 2006–2010*. (JPAC Strategic Plan.) Montreal: CEC. Available online at <http://www.cec.org/files/PDF/JPAC/JPAC-StrategicPlan_en.pdf>.

the same expectations from such symposia, nor do they have similar concerns. They also have distinct contributions to make. Since the CEC is perceived by many as the only forum that engages all North American stakeholders on trade and environment, a balance needs to be struck among the needs and expectations of different categories of stakeholders in order to create a coherent and dynamic event that will help advance knowledge, inform the public and foster productive and policy-relevant discussions.

To guarantee the success of CEC symposia, special attention needs to be given to **who is attending**. Not only do the CEC and JPAC need to determine who their targeted audiences are, but most importantly they need to engage the key and most active agents from each group of stakeholders. The overall quality and representativeness of participants will affect the symposia's capacity to attract people. Given that such events are often seen as networking opportunities, mobilizing key stakeholders could allow the symposia to attract more attention.

In order to generate high-profile attendance, improved networking and targeted communication strategies with key sectoral stakeholders will be needed. Specific audiences and communities could be mobilized through enhanced partnerships. Working increasingly in partnership with other organizations, whether academic, governmental or private, is an effective way to reach experts in the field and the appropriate audience, especially for an institution with limited resources such as the CEC. Experts suggested that the CEC could maximize the use of its scarce resources by systematically seeking to **develop partnerships** with industry associations, NGOs, academic networks and international organizations. This would allow the CEC to play a catalytic role and to increase its outreach and engagement. Others mentioned that the CEC could be a focal point in the trade and environment research community. Such a role could facilitate the coordination of research in North America by informing the stakeholders of the different specializations and perspectives being developed across the continent. Finally, it was suggested that performance indicators should be defined to help assess the effectiveness of the CEC's engagement and outreach strategies, and that greater attention should be given to following up with main constituencies on the results of the symposia. Regarding evaluation and monitoring indicators, use could be made of the Evaluation Framework outlined in the JPAC Strategic Plan.¹⁸ In the light of experts' comments, it also seems that the engagement and outreach strategy outlined in the JPAC Strategic Plan would be transferable to the symposia.

It was also mentioned that the stakeholders are not provided with subsequent information on what are the impacts of the research presented in the symposia or if their recommendations are implemented. During the public session, some suggested that the CEC could establish a trilateral working group with representatives of civil society to provide this follow-up. Advantage could also be taken of the expertise gathered at the symposia to design action plans to implement relevant recommendations made during the events and present them to the Council.

The Public session also noted that there is a lack of active engagement of registered stakeholders before the symposia. Attention was drawn to virtual tools that would allow people to be proactively engaged regarding key topics in advance of the event, and thus build capacity for constructive dialogue during the event.

¹⁸ *Ibid.*, at 10.

KEY STAKEHOLDERS

The role of the symposia is to conduct an ongoing assessment of the environmental effects of trade in North America in order to inform NAFTA members' trade and environment policy. In this regard, the engagement of **government officials, policy makers and leaders** is essential. However, as we previously mentioned, government officials' interest seems to have decreased over the years. To reverse this trend it was suggested that the CEC pay greater attention to the Parties' priorities and focus on attracting high-level stakeholders. It was also suggested that the CEC should not only reach out to senior trade and environment officials, but also to officials from other ministries relevant to the work of the CEC such as agriculture, energy, natural resources, etc. Direct participation of sub-national and local governments in the symposia (states, provinces and municipalities) would also be beneficial, in terms of both the CEC's impact and influence. In order to enhance the CEC's outreach to officials, the information and recommendations generated from the symposia need to be conveyed in a proper manner. Such outreach will better contribute to government decision-making and may also play a key role in informing future CEC work. It is necessary to be specific, results-focused and policy-oriented and to communicate the information presented at the symposia to the appropriate authorities. Also, media professionals should be used to assist in proper messaging.

The symposia's primary audience so far has been the North American **scientific and academic community**. Past events have been relatively successful in engaging this community, where the CEC is perceived as a convener of high-quality research on trade and environment issues in North America and is respected for having created comprehensive methodologies and gathered information on a vast array of topics. However, most experts pointed out that the results of the symposia were not disseminated adequately, while a few others pointed out that macro-studies and methodologies were not necessarily useful in practice as opposed to more-targeted research.

A more systematic effort at disseminating the results of the symposia needs to be at the center of any expert outreach strategy in the future. The development of new partnerships with NGOs, academic networks and international organizations, for instance, was proposed as a cost-efficient way to increase awareness of the CEC and its work and to deepen the community's engagement in trade and environment research. Such partnerships would also create new channels to disseminate the findings, results and recommendations of the symposia and increase their impact. Finally, agreements with universities, by way of scholarships or internships, could be an interesting way to mobilize a greater number of researchers and get university programs engaged in trade and environment-related issues.

So far, the symposia's engagement and outreach with the **international experts community** has been relatively limited. Numerous international experts interviewed, if aware of the symposia, never attended the events and could not identify how these symposia could contribute to their work. They were generally more aware of the work of the Organisation for Economic Co-operation Development (OECD), the World Trade Organization (WTO), the United Nations Conference on Trade and Development (UNCTAD), the International Centre for Trade and Sustainable Development (ICTSD), etc., on trade and environment issues. Some experts mentioned that the CEC's expertise would be highly beneficial to other regions experiencing regional economic integration, such as the Central American Free Trade Area (CAFTA) and Mercosur (Common Market of the South), or emerging economies such as China and India that are subject to increased trade. Therefore, greater efforts could be made to disseminate symposia results and show their relevance to the understanding of the trade and environment relationship. Moreover, by

engaging more internationally, the CEC could improve its methodologies, learn new approaches and expand its sources of data.

Experts suggested numerous times that the diversity of stakeholders brought to the table during the CEC symposia is an important dimension of their success. However, many interviewed experts estimate that engagement and outreach to the **broader public** is relatively weak and that the symposia have not been prime instruments for outreach and engagement outside the traditional trade and environment–specialized community. Although more difficult to quantify, awareness and interest of the general public are other indicators of the success of the symposia. Numerous experts pointed out that trade and environment issues are not on top of the list of the public’s priority concerns as they were during the mid-1990s. Of course, the CEC symposia, by disproving overall the “race to the bottom” and “pollution havens” theories, helped reduce the worst fears regarding the environmental impacts of trade. They also played a role in addressing public concerns over the issues brought up by Chapter 11 of NAFTA on investment rules in the late 1990s and early 2000s. But experts stressed that diminished interest can be mainly explained by the rise of other concerns, generally linked with climate change.

Some experts mentioned that efforts could be made to reach out to **local communities**, especially where the symposia are held. JPAC already stated in its Strategic Plan that it “will seek to engage local groups and organizations that may disseminate information or facilitate communication with the public.”¹⁹ A few experts suggested that the symposia could incorporate sessions to address local issues. They believe this would improve awareness in the area and link the subject of the symposium with the daily life and problems of local citizens.

During the public session, previous outreach efforts to indigenous people within the CEC’s Pollutants and Health Program were highlighted as a successful and effective initiative that should be extended to the Environment, Economy and Trade Program. It was also suggested that there be increased outreach to youth and faith groups. Numerous participants stressed the importance of direct participation and contact at a local level, which was said to be an efficient means to increase awareness and engage the public in discussion around regional issues and to contribute to capacity building.

In addition to the general public, almost all consulted experts stressed that the CEC should engage more with the **private sector**, especially corporate decision-makers and business academics. Working with private-sector actors would help to identify best practices, to develop successful incentives and strong engagement strategies, and to tailor the latter to different sectors. The best way to engage the corporate world would be to develop strategies and tools that can produce business value. For instance, more information on international trends in environmental standards could help corporations stay at the cutting edge, enhance business predictability, reduce risk and improve competitiveness while encouraging a shift towards greener technologies. Calls were made to develop applied research to improve the private sector’s awareness of the concrete opportunities to promote and protect the environment. Moreover, it was proposed that during the symposia there should be sessions held specifically oriented toward the private sector, such as business roundtable side events or sessions on best business practices. This could enhance private-sector participation and create new and greater networking opportunities while raising this sector’s awareness of environmental issues.

¹⁹ JPAC Strategic Plan 2006, *supra* note 17 at 5.

In summary, results-oriented, innovative strategies and partnerships could be explored to improve the CEC's engagement and outreach to all four main constituencies: government officials, international experts, the private sector, and the broader public. Mapping the key agents within each group, adapting engagement and outreach strategies for them, and providing adapted deliverables while working to enhance dialogue among all constituencies could contribute to increasing the dynamism of the CEC's symposia.

III. Disseminating Symposia Results

In the last decade, the CEC symposia have constituted one of the most inclusive fora in the world in which to discuss the trade and environment relationship. But symposia are one opportunity among a myriad of others to assess the environmental effects of NAFTA on an ongoing basis. Moreover, the success of such an event will vary, not only depending on outreach and engagement strategies but on information production and dissemination as well.

So far, the symposia findings have been the results of research paper proposals reviewed by a trilateral advisory committee. The symposia proceedings have been distributed in a printed format (2000), through a CD-ROM (2005) and each year all the papers have been made available online on the CEC's website. New venues for producing and disseminating knowledge could be explored in order to improve the symposia's effectiveness.

This section presents experts' suggestions for criteria for the selection of papers, and for methods and approaches the CEC can use to provide broader access to its results, findings and recommendations in order to inform the public, stakeholders and decision-makers. Their suggestions are grouped under some of the tactical options identified in the CEC 2008 Operational Plan.²⁰ Finally, each method is assessed for its potential to reach different categories of stakeholders.

RESEARCH PAPERS SELECTION

Most experts agreed that the actual format of the CEC's symposia is an adequate way to channel money to finance serious peer-reviewed research and to inform the community about new results and findings. Criticism has nonetheless been formulated with regard to the criteria that guide papers selection. It was suggested that papers presenting other organizations' work in the field of trade and environment would be of great interest and benefit for both the experts and the CEC.²¹ In addition, exploratory work should have a less prominent share of the supported research. Indeed, according to some experts, more importance should be given to empirical cases as well as to the analysis and application of lessons learned in other sectors. Furthermore, greater focus should be put on yielding results-oriented research and policy-relevant recommendations. In general, experts estimated that the CEC should increase and promote the symposia's potential to create links and networks and foster collaboration among researchers of the three countries.

During the public session discussion, participants from all three NAFTA countries pointed out that too much attention was sometimes given to issues of specific relevance to Mexico only. The CEC should put

²⁰ CEC. 2007. *Operational Plan of the Commission for Environmental Cooperation 2008*. Montreal: CEC.

²¹ When asked to name organizations working on similar issues as the CEC, experts mentioned the following organizations: UNEP, OAS, ADB, UNCTAD, EU, OECD, WWF, IISD, ICTSD, IUCN, NRTEE, WBCSD, WTO and the European Commission's program on trade sustainability impact assessment.

more effort into identifying transborder or regional issues that would foster greater cooperation and understanding among the Parties.

Finally, a few experts questioned whether symposia were the best way to conduct an up-to-date assessment of the environmental effects of NAFTA, as they focus on only a few sectors/issues every two or three years. The experts wondered if an ongoing identification of issues would be a better way to highlight changing pressure points in North America's environment.

SPEECHES AND PRESENTATIONS

Direct contact and briefings in person have been recommended as a good way for the CEC to reach out to and engage with stakeholders. As such, the symposia are offering interesting networking opportunities and allow for the creation of personal relationships which in turn foster greater exchange of ideas.

However, additional presentations and outreach could allow for information to be tailored to the specific situations, needs and cultures of the participants. This could be particularly useful when engaging the private sector or more remote communities. However, such activities can be costly and time consuming.

DISTRIBUTION OF PUBLICATIONS, REPORTS AND PROCEEDINGS

Although the usefulness of printed publications was mentioned in reference to communities that do not have access to the Internet, especially in Mexico, printed publications are generally considered too expensive for their limited use. Therefore, distribution of physical material could be limited to specific regions or stakeholders.

A majority of experts agreed that electronic versions of the symposia's papers, summaries and proceedings are sufficient, especially if the participants are informed of their online publication through a newsletter or an e-bulletin, for instance. However, in order to increase the dissemination and outreach of the CEC's work, greater efforts to provide article summaries and briefs that are specifically adapted to targeted audiences might complement more general documents in specific stakeholder communities. This effort could take the form of, for example, newsletters, press releases and listserves targeting specific audiences.

The CEC symposia could lead to the production of a new, annual CEC flagship publication in the vein of the *Taking Stock* report, which has generated significant media attention over the years by providing an inventory of pollutant releases in North America. The Environment, Economy and Trade Program could publish a report on the state of North American trade and the environment, based on ongoing monitoring and innovative research presented in the symposia. Such a report could increase the CEC's outreach and help convey the result of its work to new audiences.

Finally, increased presence in academic journals has been suggested numerous times as one of the best ways to reach out to the scientific and academic communities.

WEBSITE

According to all experts, the CEC website (www.cec.org) has to become a real informational focal point for all stakeholders, where access to the CEC's findings, results and publications is easy. Currently, the website is perceived as being difficult to navigate and having a poor search engine, with limited key words. It does, however, present the purpose and objectives of the CEC and its program in a comprehensive manner.

The website could be enhanced in order to better serve the symposia outreach needs. Experts suggested, for instance, that videos be hosted on the symposia webpages to attract more visitors. In addition, the CEC was encouraged to create blogs, chat lines and an online space for groups to discuss issues before the symposia take place.

MEDIA RELATIONS, BRIEFINGS AND OP-ED/FEATURE ARTICLES

Trade and environment issues can be highly challenging if not controversial, hence the potential for media attention is important, especially during high-level events such as the symposia. Many experts suggested increased relations with the media to attract public attention.

In fact, most experts were not aware of the CEC's media outreach and suggested that more news releases be written and even a periodic chronicle be published in different media, while press conferences, op-eds and featured articles should announce the release of new publications or the preparation of events. However, the CEC's *Media Impact* reports and the *Electronic Outreach Impact* reports,²² although containing useful materials that could help guide future outreach strategies, do not give comprehensive insight into what would be the impacts of such initiatives, nor do they offer real analysis of long-term trends.

It may also be opportune to take advantage of simple messaging systems by, for example, using charismatic species or public personalities, which is a good way to capture public attention.

TRIO, E-BULLETINS AND NEWSLETTERS

A majority of experts estimated that newsletters are efficient means to transmit information. Thus many suggested summarizing the most innovative symposia findings and recommendations in an e-bulletin. *Trio*, the CEC's newsletter, only offered a minimal coverage of the past three symposia.²³ A special issue dealing specifically with the symposia could therefore increase access to its results and findings.

Moreover, as previously mentioned, experts suggested designing special newsletters for specific audiences, especially policy makers and the private sector. The production of newsletters composed of shorter articles referencing online documents, and specifically aimed at promoting the CEC's work to the appropriate experts, could increase readership. Experts also suggested distributing to partner organizations summaries and announcements that could then be circulated in their own networks.

IV. Informing and Influencing NAAEC Implementation

According to interviewed experts, measuring the impact of the symposia, and its publications, on policy developments and decision-making is very difficult. If there has been influence, it is hard to pinpoint. Measuring policy influence means assessing effects that are diffuse in time and space, based on indirect observations and on the interaction of multiple intervening variables. In the absence of strong methodologies to measure policy impact, assessments often focus on the formal integration of

²² CEC's *Media Impact* reports and *Electronic Outreach Impact* reports are available online at <<http://www.cec.org/qcomreports/>>.

²³ Only one mention of 2000 and 2003 symposia, two mentions of 2005.

recommendations into new policies. However, informal influence is much more frequent, making direct causal linkages between recommendations and policy all the more difficult to identify.

While it should be recognized that the symposia are focused on research results and not necessarily on generating policy-oriented findings, experts believe the symposia had a minimal influence on policy in the three countries. The reasons for this situation are mainly institutional and relate to the policymaking processes in the three countries. First, in order to introduce new policies in the field of trade and the environment, environment ministries in the three countries need to build support across trade and economic departments. Such support is difficult to obtain, given the relative influence of economic and environment departments. Also, experts consider that the lack of dynamic collaboration between the Free Trade Commission (FTC) and the CEC is a missed opportunity in this regard.

Moreover, the CEC is not perceived as having strong bonds and networks with government officials in the three countries, outside of its immediate network of government representatives. In this context, it is difficult to convey policy recommendations. Symposia results and recommendations do not seem to have circulated through to relevant decision processes. According to experts, the CEC fulfilled its mandate of documenting the environmental impacts of NAFTA, but the information did not reach sectoral decision makers. CEC recommendations were discussed by environment officials or junior trade officials only and were not delivered to high-level officials in an appropriate format with relevant content. Moreover, experts also said that the influence potential of symposia recommendations may depend on who is attending the symposia. Engaging high-level speakers and participants can attract higher levels of interest from government.

Informing and influencing policy is a central role of the CEC and one of the key areas where it needs to show added value. According to a majority of experts, the CEC has to become more policy- and results-oriented. The CEC needs to produce more concrete, applicable suggestions and recommendations and to convey them to policy-makers. It also needs to develop methodologies to assess its policy influence and measure its role in the adoption of new policies, standards, laws or regulations.

In order to influence policy, greater efforts at networking, such as with the FTC and the Security and Prosperity Partnership (SPP), will be needed in order to improve awareness in key processes for influencing North American integration. Consulted experts also suggested that the CEC should be given an enhanced role to assist trade departments in dealing with environment-related issues raised in trade policy, including outside NAFTA. Other experts suggested that the CEC symposia involve more government officials working outside the trade and environment ministries, including officials from transport, energy or agriculture ministries, for instance.

Overall, the CEC's accumulated expertise, including what was obtained from the symposia, can inform policy processes, trade negotiations and environmental assessments in trade processes and sectoral policymaking, leading to improved economic and environmental outcomes. Lessons from the last decade show that the key to the CEC's success is to produce policy-relevant results and to find ways to convey these results to the appropriate audiences.

Conclusion

Based on the review of the symposia literature, on interviews conducted with experts and on comments presented during a public session, it can be concluded that the CEC symposia have been successful in advancing knowledge on trade and environment issues in North America and engaging the North American specialized trade and environment community. However, the symposia seem to have had limited success in engaging actors outside this community, especially among broader academic audiences, international experts, the private sector, and public officials.

The CEC had limited success in disseminating the symposia results outside its primary, expert audience. In order to convey these results to new audiences, the CEC needs to find new ways to synthesize and distill its findings. It also had limited impact in influencing policy in the three countries. In summary, the CEC has proven its capacity to mobilize the specialized North American community to increase its knowledge on trade and environment-related issues but it has failed to reach broader audiences and to influence policy.

Based on this analysis, it appears timely to look at ways in which the CEC could improve its capacity to engage with and reach out to new audiences, notably the private sector, research institutions, international organizations and policy makers. The need to establish precise criteria to measure the success of future initiatives and strategies was also strongly felt.

The preparation of the 2010–2015 CEC Strategic Plan offers an interesting opportunity to refocus the work of the CEC on strategic regional issues, taking into account the Puebla Declaration²⁴ priorities and based on new methodological monitoring criteria.

²⁴ CEC. 2004. *Puebla Declaration*. Eleventh Regular Session of the CEC Council. 23 June 2004. Puebla, Mexico.

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Appendix I: List of Experts Interviewed

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Greg Block

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Former Program Manager, Environment, Economy and Trade Program
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Brad Gentry

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Senior Lecturer and Research Scholar
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Irene Henriques

Associate Professor
Schulich School of Business, York University

Roland Hosein

Board Member
Canadian Manufacturers & Exporters

Veena Jha

Visiting Professor
Warwick University

Colin Kirkpatrick

Hallsworth Professor
Development Economics Director
Impact Assessment Research Centre Institute for Development Policy

Management School of Environment and Development Humanities

John Kirton

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Munk Centre
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Howard Mann

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Katia Opalka

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Umberto de Pretto

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Adriana Nelly Correa Sandoval

Directora, Cátedra Andrés Marcelo Sada en Conservación y Desarrollo Sostenible
Profesora Investigadora, Centro de Calidad Ambiental
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Carlos Sandoval

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Benjamin Simmons

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Robert Slater

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Carleton University
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Blanca Torres

Profesora
El Colegio de México
Centro de Estudios Internacionales

Scott Vaughan

Fellow
Unisfera International Centre
Former Head, Environment, Economy and Trade Program
Commission for Environmental Cooperation

Appendix II: Lines of Inquiry

- 1) Have you participated in any of the CEC's three previous symposia as a participant? If so, which one(s)?
 - a. Do you have specific comments about your past experience?
 - b. What impact has your participation in past symposia had on you?
 - c. Were the discussions during or outcomes from the symposia useful to your work, your sector, etc.?
- 2) Do you intend to participate in the fourth one? Why or why not?
- 3) Have CEC symposia been effective in advancing knowledge about the relationship between trade and the environment?
 - a. How could the symposia be made more effective?
 - i) Should they be more/less frequent?
 - ii) What format should they have?
 - iii) How should topics be selected?
 - b. Are there models other than symposia which would be more effective?
- 4) To what extent have symposia been effective in informing and influencing NAAEC implementation?
 - a. Have symposia generated useful recommendations to the Parties?
 - b. Have results of the symposia been successfully forwarded to relevant decision-making processes?
 - c. Have results of the symposia influenced policy in the three countries?
 - d. Have results of the symposia influenced the work program of the CEC?
- 5) Have CEC symposia been effective in engaging key stakeholders, NGOs, and the broader public on the environmental effects of trade?
 - a. Why or why not?
 - b. Who in North America has been reached by the symposia? Who is being missed?
 - c. Are there alternatives or complementary approaches that could improve performance?
- 6) Have past symposia successfully responded to civil society's concerns in regards to the environmental effects of trade?
 - a. How can the CEC better respond to these concerns?
- 7) Are you aware of other organizations that have a mandate or objective that overlaps or complements the CEC's work on assessing the environmental effects of trade?
- 8) How can the CEC provide broader access to symposia findings, results and recommendations?
 - a. Which key audiences should be targeted?
 - b. How best could the CEC reach these audiences?
 - i) Printed Proceedings
 - ii) Web/CD-ROMs
 - iii) Summary articles
 - iv) Other

- 9) Following each symposium on trade and environment, there will be a JPAC regular session on the lessons learned from it. What key issues and questions should be addressed during the public session held by the JPAC at the next symposium?