

State of Binational Cooperation Today, Prospects for the Future

This article is the final piece in a three-part borderlines series looking at policy initiatives related to the U.S.-Mexico border environment and prospects for future work in that area. In the past decade, U.S.-Mexico federal collaboration has progressed, but the direction and extent of future collaboration remain uncertain. This month borderlines reviews the state of cross-border federal cooperation on environmental issues, with a focus on the binational environmental institutions created under the North American Free Trade Agreement (NAFTA) and a look at the Border XXI program.

by Nicole Carter

The next year represents a critical time for cooperation on U.S.-Mexico border environmental issues. The conclusion of the Zedillo and Clinton administrations and the five year wind-down of the Border XXI program signal the end of what many consider to be the most successful period to date for environmental cooperation between the two countries. This transition period provides an opportunity to reflect on current and future federal cooperation. The challenges confronting future collaboration are great; neither border environmental problems nor the trade/environment dichotomy are receiving the national attention or support that NAFTA elicited in the 1990s. Although national attention has waned, the need for cooperation is not diminishing, as the border region's population growth and industrialization continue.

Background

Environmental cooperation between Mexico and the United States is rooted in the recognition that border environmental problems, regardless of where they originate, impact communities and ecosystems of both countries and result largely from trade between the two countries. A major issue in any collaborative effort is to respect each country's sovereign right to manage its resources while ensuring that such activities do not damage the neighboring country and the larger, binational borderlands region.

In recent years, Mexico and the United States have taken several steps toward improving binational management of shared borderlands' resources and jointly addressing common transboundary environmental problems. The 1983 Agreement on Cooperation for the Protection and Improvement of the Environment in the Border Area (the La Paz



The Mexican and American flags.

Agreement) started the process, seeking to establish cooperation between the two nations in order to protect the border environment and prevent pollution. In 1990 the two countries expanded La Paz by creating the Integrated Border Environmental Plan (IBEP) 1992-1994 which sought to improve transboundary U.S.-Mexico cooperation on environmental issues. IBEP was heavily criticized for not representing the priorities of the border community, lacking specific action items, and not incorporating public participation. Environmental concerns surrounding the NAFTA debate led to a U.S.-Mexico agreement in 1994 establishing the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADBank) to enhance border environmental infrastructure development. A 1994 NAFTA side-agreement also created the Commission for Environmental Cooperation (CEC) to address environmental law issues. In 1995, the EPA and

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SEMARNAP replaced IBEP with Border XXI, a five-year program intended to bring binational work on border environmental issues under one framework.

According to border scholar Steve Mumme of Colorado State University, despite the inevitable setbacks, stumbles, and disagreements, binational U.S.-Mexico cooperation on environmental issues came a long way in the 1990s. "We've seen considerable institutional development coupled with the growth of citizen interest and public participation to include a growing number of groups, organizations, and programs dealing with environmental concerns in the border region," he says. "These developments are truly binational, with concrete expressions found up and down the border on both sides."

borderlines

January 2000
Volume 9 ♦ Number 1

Editor

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Production

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SUBSCRIPTIONS

Individual *borderlines* subscriptions are \$12/year in the U.S. and Mexico, \$17/year to other countries. Institutional subscriptions are \$20/year in the U.S. and Mexico, \$25/year to other countries.

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The Interhemispheric Resource Center is a nonprofit, research and policy institute. Publication of *borderlines* is supported by the Ford Foundation and the Charles Stewart Mott Foundation.

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Border environment expert Mark Spalding of the University of California, San Diego, agrees that the past decade has seen a drastic improvement in the quality of binational cooperation on border environmental issues. "Today, there is cooperation!" he notes. "I have seen a dramatic growth in increased cooperation between governments, especially at the federal level."

Border XXI

One of the mechanisms for federal cooperation has been the Border XXI program, which has its roots in the 1983 La Paz Agreement. La Paz moved U.S.-Mexico environmental cooperation beyond the water focus of the binational International Boundary and Water Commission (IBWC), established in 1942. Specifically, La Paz created six work groups of U.S. and Mexican federal agency representatives—water, air, contingency planning and emergency response, hazardous and solid waste, cooperation enforcement and compliance, and pollution prevention. Border XXI involves a total of nine binational work groups—the six original La Paz workgroups, plus workgroups on environmental information resources, environmental health, and natural resources—that seek to integrate the environmental activities of participating government entities in order to meet specific Border XXI objectives. The nine work groups meet individually and convene as a whole once a year, most recently in El Paso, Texas, in September 2000.

Cross-border governmental cooperation has never been easy. Nonetheless, Steve Mumme comments that "there is little doubt that federal bilateral interactions have increased and intensified under the Border XXI mantle in the 1990s." According to Mumme, Border XXI has resulted in a doubling of agencies routinely involved in environmental management discussions, and the program is evidence of the greater institutionalization of a binational approach to border environmental management.

Many border environment officials point to the Border XXI work groups as an excellent model for promoting binational communication and collaboration. For instance, the Mexican co-chair of the cooperative enforcement and compliance work group, Miguel Angel Cancino, describes the work group as a successful cooperative experience: "There exists a good level of cooperation," he says, "due to, among other things, a continuous contact among our counterparts and an inter-

change periodically of environmental information based on indicators."

Although participants generally express positive results from the work group approach, they also point out that individual work groups experienced varying degrees of success, both in terms of outputs and in terms of binational collaboration. Some work groups, for instance, have not progressed beyond collecting data and identifying problems. La Paz requires a joint meeting of all work groups each year, but aside from that, additional meetings are not mandated, and how frequently members meet depends on the personality of each workgroup. In some cases, work groups have gone an entire year without meeting face to face.

With the five-year Border XXI program ending, ideas for its successor are being informally discussed. Border states and tribes have proposed organizing the next program by geographic regions and increasing local responsibility for overseeing projects and engendering cooperation. During roundtable discussions about Border XXI recently conducted by the EPA, public participants also expressed interest in a more regional approach that would recognize the unique problems faced on the different parts of the border.

However, a regional approach may present difficulties for binational cooperation. One hitch concerns the readiness of Mexican state environmental agencies and state governments to assume an expanded role in cooperation—and the willingness of the Mexican federal government to act as a promoter of cooperation rather than a decision maker.

At first, Border XXI was limited to federal agency representatives—a fact that has been much criticized. But this is not surprising, given the continuing strong role of the federal government in Mexico. On the U.S. side, border states and tribes have been pushing for more involvement; the signing of Coordination Principles formally recognizing Mexican states and U.S. states and tribes as subnational participants is an indication that these sectors are increasingly participating in binational cooperation. But in Mexico, ongoing attempts to delegate responsibility for environmental policymaking to state and local governments have not yet translated into substantial change. All 31 Mexican states have enacted environmental statutes that clarify authority between state and local levels. However, environmental policymaking in Mexico generally



remains dominated by the federal government. Further decentralization of responsibilities and finances in Mexico is fundamental to greater state-to-state, community-to-community, and cross-border collaboration.

The Good Neighbor Environmental Board

The Good Neighbor Environmental Board (GNEB) is another mechanism for binational communication regarding the border environment, although that is not its primary mandate. The board was created by the Enterprise for the Americas Initiative Act of 1992 to advise the U.S. president and Congress on environmental issues in the U.S. borderlands. Since 1997, the GNEB has been endeavoring to improve relations with what is roughly its counterpart in Mexico, Region 1 of the *Consejos* (Councils) for Sustainable Development.

Development of this relationship was instigated by Border XXI organizers who, in their framework plan, determined that the GNEB and Consejo Region 1 should meet annually and work together. The GNEB and the Consejo, however, are not well-matched entities in terms of constituent members, geographical scope, or mandate. For example, Consejo Region 1 is not a border-focused entity; its area of responsibility would be more accurately described as the northern half of Mexico, including Baja California, Baja California Sur, Chihuahua, Coahuila, Durango, Nuevo León, Sinaloa, Sonora, and Tamaulipas. As a result, the mechanisms for collaboration between the two organizations do not necessarily mesh well.

"We have met each year and have tried to send representatives to each others' meetings," says GNEB member Mark Spalding, "however, the Consejo has little interest in the border, except for a few strong voices like Oscar Romo [of El Colegio de la Frontera Norte in Tijuana]."

Another difficulty, says Spalding, has to do with differences in the ways that the GNEB and Consejo Region 1 operate. "The Consejo is more formal in its meetings than we tend to be," he says. "They also invite high-level officials, which tends to increase the pomp and ceremony but can impede the substantive portion of the meeting." This tendency can also complicate coordination and impede cross-border engagement. This year, for example, the Consejo has pushed for a joint meeting at which SEMARNAP Secretary Julia Carabias and EPA Administrator Carol Browner would both be present. Carabias

accepted, Browner declined. "We reached a standstill," says Spalding. "I am not sure how to resolve this in the future."

The NAFTA Institutions

In the 1990s, possibly the greatest progress in environmental cooperation between the U.S. and Mexico resulted from the development of three new NAFTA-related environmental institutions—the Commission for Environmental Cooperation (CEC), the Border Environment Cooperation Commission (BECC), and the North American Development Bank (NADBank). The trilateral CEC was formed under a NAFTA side-agreement to address environmental conflicts in North America, especially those related to trade, and to promote the effective enforcement of North American environmental laws. BECC and NADBank are binational U.S.-Mexico institutions working together to promote sustainable development in the U.S.-Mexico border region by facilitating the construction of environmental infrastructure projects to address water pollution, wastewater treatment, and solid waste management needs.

BECC and NADBank. The U.S. and Mexican governments first formally attempted to address border sanitation problems through the International Boundary and Water Commission (IBWC). A 1944 binational treaty established the IBWC to manage all international water projects and water resource disputes involving the two countries' shared border, including territorial limits and water allocation. Responsibility for wastewater treatment and water quality was added later as issues arose. In the past 25 years, rapid industrialization and population growth has increasingly surpassed the IBWC's original mandate and resources; only a few IBWC projects have addressed the urban infrastructure and water/wastewater treatment needs of the growing border communities. The IBWC framework has also failed to provide for a broader binational dialogue on environmental issues and does not offer many opportunities for binational cooperation that could address the region's environmental infrastructure needs.

The creation of BECC and NADBank in 1994 represented a significant advancement in cooperation on water, wastewater, and solid waste infrastructure projects. These two institutions work in a binational manner to develop and fund projects in the border region.

Located in Ciudad Juárez, Mexico, BECC is responsible for certifying that projects meet its criteria in the following areas: human health and environment, technical and financial feasibility, project management, community participation, and sustainable development. Certification is intended to assure investors and border communities that projects are environmentally sound and financially viable.

NADBank, headquartered north of the border in San Antonio, Texas, is in charge of developing financing packages for BECC-certified projects. NADBank has a capitalization of almost \$3 billion—\$349 million in paid-in capital and \$2.55 billion in callable capital. The bank is authorized to use the paid-in capital to lend to communities, to guarantee payment of communities' non-NADBank loans in case of default, and for collateral when it borrows from commercial lenders. Callable capital is money that the U.S. and Mexican federal governments pledge to make available in the unlikely case that a large number of NADBank borrowers fail to repay their loans. Because NADBank must preserve its capital and cannot borrow in the tax-exempt bond market, it lends at market-based interest rates. NADBank was designed to leverage its limited resources into substantial financing for border environmental infrastructure by creating financing packages that can combine NADBank loans, federal grants, and private investments.

BECC began accepting project applications in May 1995. As of September 2000, 17 Mexican projects and 25 U.S. projects had earned BECC certification. Twelve of the Mexican projects and 20 of the U.S. projects had NADBank financing packages as of October 2000.

Two groundbreaking developments in terms of binational collaboration that occurred under the auspices of BECC and NADBank were the establishment of the EPA's Border Environment Infrastructure Fund (BEIF) and the 1997 NADBank-EPA agreement that gave NADBank responsibility for managing BEIF. To date, NADBank has had responsibility for \$252 million in BEIF grants for border water and wastewater projects. These grants can be used for projects on either side of the border as long as they benefit the United States.

As of October 2000, NADBank had committed more than \$236 million in grants; however, its debt-financing of \$11

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million represents only 3% of its paid-in capital. Although NADBank did not participate as a lender in most of the financial packages it coordinated, the packages often included other debt-financing mechanisms.

In addition to certifying and financing projects, BECC and NADBank have each created programs that have strengthened the capacity of border utilities. [Strengthening utility operations furthers decentralization of water and sewer service provisioning in Mexico and of investments made in BECC-certified, NADBank-financed projects.] BECC established the Project Development Assistance Program (PDAP) in 1997, providing technical assistance grants for water and wastewater project development to applicants seeking certification. PDAP is funded by \$20 million from the EPA. Using the interest on its capital, NADBank created the Institutional Development Cooperation Program (IDCP) in 1997 to assist public utilities in achieving effective and efficient operations by reinforcing their institutional capacities. As of October 2000, NADBank had used the IDCP to assist 71 communities with a total of 98 projects, and it had committed a total of \$6.6 million worth of IDP funds. In 1999, NADBank, as part of its IDCP effort, developed the Utility Management Institute to train the border region's utility professionals in long-term utility organization, administration, finance, and management. PDAP and the IDCP represent unique advancements in U.S.-Mexico cooperation, contributing to financially and environmentally sound water management utilities and projects.

Although BECC and NADBank have in the past six years created a foundation for binational collaboration which has positively impacted border environmental infrastructure, the future direction of the two organizations is uncertain. NADBank's investigation of a mandate expansion that would increase its lending has forced the border environmental community to confront basic questions about the two institutions' future activities.

Although BECC has accomplished much, both by establishing its criteria and by certifying 42 projects, the need for improving future operations remains as a challenge for this young and still-evolving institution. BECC has incorporated public participation into its project criteria and its operations at an unprecedented level for a development organization. Nonetheless, some observers believe that

BECC still needs to hone the quality of its outreach to the public in order to spread awareness, encourage the use of BECC/NADBank services, and improve the application of its sustainability factors in project design and implementation. Meanwhile, both the debate over the handling of NADBank's mandate expansion, as well as the different visions that Mexico and the United States have for these institutions, have reinforced ongoing concerns about NADBank's relationship and coordination with BECC.

And although many in the border community may have a vision for the future of BECC and NADBank, much of what the two institutions will be able to accomplish is being decided in Washington, DC. For the past three years, the U.S. Congress has provided less than the EPA's request for border funding. Instead of amounting to the \$100 million requested for 2001, the EPA's border funding, from which its BEIF grants are drawn, stands at only \$75 million, with \$9.5 million of this earmarked for specific projects.

According to EPA's Eugenia McNaughton, the inadequate grant funding available for border projects is symptomatic of the lack of concern for border environmental needs outside the region: "It is not easy to keep one area's problems in the forefront year after year, so we expect to have to keep making the case for support of the effort at the border." Some federal agency representatives and researchers argue that both BECC and NADBank's effectiveness are being hampered by gross underfunding. According to McNaughton, BECC's inadequate funding certainly affects its performance: "BECC is woefully understaffed," she complains. "These needs must be addressed, if BECC is to continue and improve its work."

The Commission for Environmental Cooperation (CEC). Though BECC and NADBank are binational, the CEC is a trilateral organization that works on environment trade and environmental law issues in the three NAFTA countries. The CEC has emerged as a useful monitor of environmental trends in the NAFTA zone, and an important advocate for trinational environmental solutions.

Because it is directed by the environmental ministers of Canada, Mexico, and the United States and is charged with fostering collaboration among the three countries in order to address the thorny issues that lie at the heart of transboundary environmental management in a free

trade context, the CEC is a precedent setting experiment in transboundary cooperation regarding environmental matters. However, the institution has not yet fully developed its procedures and has not been fully utilized. In particular, the CEC still needs to develop the necessary procedures to implement its dispute resolution process, and the commission has been unable to conclude a trinational agreement on transboundary environmental impact assessments (EIAs), due to differences between Mexico's fairly centralized government and the more decentralized systems in both the U.S. and Canada. Dispute resolution and transboundary EIAs could potentially form keystones of trinational environmental cooperation in the NAFTA region.

The CEC has been hindered in accomplishing more by a lack of funding. The commission has been operating on \$9 million annually, down from the \$15 million originally promised. This lack of funding has slowed the pace of implementing studies and processing citizen submissions, which are designed to trigger investigations of alleged nonenforcement of domestic environmental laws.

Envisioning Future Cooperation

Cross-border communication and coordination between the U.S. and Mexico regarding environmental issues improved in the 1990s. But current border environmental institutions and programs still tend to be reactive and do not address the complexity of the region's environmental problems—nor do they fully acknowledge the increasing participation of states, local and tribal governments, and the public. As the recent debate on NADBank's mandate shows, differences in capacities and economies between the United States and Mexico mean differences in needs and priorities. These differences will continue to complicate U.S.-Mexico cooperation relative to the border environment.

With two new presidential administrations and the end of Border XXI, Mexico-U.S. environmental cooperation is at a critical juncture that may lead to greater cooperation, maintenance of the *status quo*, or a regression. Advocates of greater border cooperation argue that the time has come to reflect on what has been accomplished as a step in devising a framework for future U.S.-Mexico cooperation.

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Binational Cooperation on the Border Environment

GUIDELINES FOR INTERNATIONAL CALLS

To call Mexico from the U.S., dial:

011-52 (city code) + the number

For example, to call Ciudad Juárez from the U.S., dial:

011-52 (16) XX-XX-XX

To call the U.S. from Mexico, dial:

001 (area code) + the number

For example, to call El Paso from Mexico, dial:

001 (915) XXX-XXXX

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BEP's Dick Kamp is a member of the NAFTA Effects Advisory Group to the Commission for Environmental Cooperation (CEC) and a leading figure in the crossborder environmental community.

Border Environment Cooperation Commission (BECC)

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BECC was created to assist local communities and other sponsors in developing and implementing environmental infrastructure projects, and to certify projects for North American Development Bank financing. They can also provide technical assistance to communities wishing to submit projects to BECC for consideration. The website provides information on projects and technical assistance, access to a virtual library, and full-text joint status reports and other documents.

Center for U.S.-Mexican Studies

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The Center is the largest U.S. academic program devoted to the study of Mexico and U.S.-Mexican relations. One of their priority research areas for 2000-2001 is political transition in Mexico in a comparative perspective, with topics including the consequences of social inequality for political participation and representation, national and local processes of institutional reform, political party development, legislative-executive relations, the content of (and sources of change in) political culture, and the political representation and human rights of indigenous peoples. An extensive publications catalogue is available on request.

BIOS

BORDER INFORMATION AND OUTREACH SERVICE

BIOS provides citizens in the binational U.S.-Mexico borderlands with information and analysis, takes the on-the-ground experiences of the border community into decisionmaking circles, and advocates for more responsible U.S. policies toward Mexico in key issues areas like transboundary environmental matters, immigration and drug control, the evolution of the Mexican state, and regional economic development.

BIOS is a project of the Interhemispheric Resource Center (IRC), a research and policy-studies center. Funding for BIOS is provided by The Ford Foundation, the Charles Stewart Mott Foundation, and the Kellogg Foundation.

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The CEC is a trinational organization created under the NAFTA environmental side agreement, the North American Agreement on Environmental Cooperation (NAAEC), to address regional environmental concerns, help prevent trade and environmental conflicts, and promote the effective enforcement of environmental law.

Consejo Regional para el Desarrollo Sustentable, Region I

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 Roughly, Mexico's equivalent to the Good Neighbor Advisory Board.

Good Neighbor Environmental Board (GNEB)

Office of Cooperative Environmental Management
 U.S. Environmental Protection Agency (1601A)
 1200 Pennsylvania Ave. NW
 Washington, DC 20004
 Contact: Elaine M. Koerner, Federal Designated Officer or
 Judith Espinosa, Board Chair
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 Web: <http://www.epa.gov/ocempage/gneb-page.htm>
 Composed of 26 representatives from the government, business, academia, and nongovernmental organization sectors, the GNEB was developed as an advisory council during the transition from IBEP to Border XXI to advise the President and Congress about environmental and infrastructure issues and needs within the states contiguous to Mexico. It can only issue non-binding recommendations in its annual reports, but those recommendations are well thought out, insightful, and reflect the presence of the NGOs on the board. The site provides full-text access to the GNEB annual reports and other documents.

International Boundary and Water Commission (IBWC)

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The IBWC/CILA is a binational organization responsible for applying and enforcing binational treaties on boundaries and waters, and resolving conflicts that result from their implementation. Their jurisdiction includes water allocation, solid and hazardous wastes, and pollution prevention.

North American Development Bank (NADBank)

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 Email: ccatala@nadb.org
 Website: <http://www.nadbank.org/>

NADBank was established under the auspices of the North American Free Trade Agreement between Mexico and the United States. Its role is to facilitate financing for the development, execution, and operation of environmental infrastructure projects certified by BECC.

U.S. Environmental Protection Agency (EPA)

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 Regional EPA headquarters responsible for Texas, New Mexico, Arkansas, Louisiana, and Oklahoma.

Office of Border Affairs, Region 9

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Website: <http://www.epa.gov/region9/>

Regional EPA headquarters responsible for Arizona, California, Nevada, and Hawaii. This office has been very involved in Border XXI and other border initiatives.

Region 6 Border Liaison Office

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San Diego, CA 92101

Tel: (619) 235-4768

Region 9 Border Liaison Office

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Websites

Annual Meeting on the Border Environment

<http://www.encuentrofronterizo.org/>

This annual meeting focuses on strengthening the capacity of nongovernmental and community-based organizations to improve environmental quality and health in the U.S.-Mexico border region.

BIOS Action Kit—Border XXI

<http://www.irc-online.org/bordline/1999/bl55/bl55inci.html>

Extensive list of contacts of Border XXI contacts for both sides of the border.

Border XXI

<http://www.epa.gov/usmexicoborder/ef.htm>

Embassy of Mexico

<http://www.embassyofmexico.org/english/main2.htm>

This Mexican embassy site provides a wealth of information on Mexico and the U.S.-Mexico relationship.

Programa XXI

<http://www.semarnap.gob.mx/ucai/FronteraXXI/indicefron.htm>

SEMARNAP's Border XXI site. The site isn't simply a mirror of the EPA's B21 site, but also contains additional useful information and links as well.

U.S. Environmental Protection Agency (EPA)

Office of International Activities (OIA)

<http://www.epa.gov/oia/index.html>

The OIA enlists the cooperation of other nations in solving environmental problems of concern to the United States.

U.S.-Mexico Binational Commission

http://www.state.gov/www/regions/wha/000518_usmex_binational.html

The U.S.-Mexico Binational Commission (BNC) was established in 1981 as a forum for regular cabinet-level exchanges between the two countries on a wide range of issues important in U.S.-Mexico relations. The U.S.-Mexico BNC has working groups on agriculture; border cooperation; business development, fisheries, and tourism; education and cultural affairs; energy; environment and natural resources; fiscal, financial, and customs issues; health; labor; legal affairs and anti-narcotic issues; migration and consular affairs; science and technology; trade and investment; and transportation. This website provides information on the 17th annual commission meeting held in Washington, DC in 2000 and the reports of the 15 working groups of the commission.

Listservs

BECCnet

To subscribe, send email to listserv@listserv.arizona.edu. In the body of the message, type subscribe beccnet <firstname last-name>. Leave the subject line blank.

This listserv provides information on activities and news related to the Border Environment Cooperation Commission and the North American Development Bank.

Border Environmental Network

To subscribe, send email to listproc@nmsu.edu. In the body of the message, type subscribe bordenvnet-L. Leave the subject line blank.

A rich resource for those wishing to learn and do more about border environmental issues, or to contact environmentalists throughout the borderlands.

borderlines-L

To subscribe to the listserv, send a blank message to irc-us-mex-subscribe@lists.irc-online.org.

The *borderlines* listserv sends emails with border updates as well as announcements regarding the content of future issues of *borderlines*.

CECnet

To subscribe, send email to listserv@listserv.arizona.edu. In the body of the message, type subscribe cecnet <firstname last-name>. Leave the subject line blank.

This listserv provides updates and information on Commission for Environmental Cooperation (CEC) publications, meetings, and projects.

Emisiones-L

To subscribe, send your request to emisiones@laneta.apc.org. Discussion list maintained by La Neta and dedicated to environmental issues in Mexico. For more information visit <http://www.laneta.apc.org/tlachinollan/casos.html>

FOR YOUR INFORMATION

Article 14/15 Public Input

The Joint Public Advisory Committee (JPAC) is accepting written comments on NAFTA Articles 14 and 15—citizens' submissions on enforcement matters process—through January 31, 2001. The JPAC is a 15-member, independent, volunteer body that provides advice and public input to the North American Commission on Environmental Cooperation (CEC) which was formed through the NAFTA environmental side agreement.

Date Set For 3rd Annual Encuentro on the Border Environment

The 3rd annual conference on the border environment has been scheduled for April 26-28, 2001 in Tijuana, Baja California, Mexico. For information on the conference, check out the website at <http://www.encuentrofronterizo.org/>. Space will be available for groups who wish to arrange for pre-conference workshops, meetings, or training. Financial aid is widely available to activists, non-profits, and community based organization. Contact Evelyn Alvarez at (520) 626-8197 or by email at bordenv@u.arizona.edu for more information.

Interim Executive Director Needed

The Texas Immigrant and Refugee Coalition (TIRC) is seeking an interim executive director to oversee and coordinate TIRC's organizational transition as well as the pro-immigrant and refugee advocacy and policy directives for the upcoming legislative session. For more information, or to send a resume, contact Nidia Salamanca by phone at (512) 476-9788 or by email at nidiapapa@yahoo.com

Keep the Wild Alive!

The National Wildlife Federation's Keep the Wild Alive (KWA) campaign is offering 10 grants, each between \$3,000 and \$7,000, to assist groups in implementing innovative ideas for helping imperiled species featured in the KWA campaign. Applications to the campaign's Species Recovery Fund are due December 22, 2000, and grants will be awarded in April 2001. Rebecca Harrison at the National Wildlife Federation can be contacted for information about the campaign at (202) 797-6892.

New Border Documentary

The Centro de Estudios Fronterizos y Promoción de los Derechos Humanos, A.C. (CEFPRODHAC) has recently released a video documentary, "Frontera Norte," which chronicles the travels of CEFPRODHAC staffers along the entire length of the border and provides a fascinating on-the-ground look at people, places, and problems along the 2000-mile political boundary separating the United States and Mexico. The video is \$10 plus shipping and handling. For more information email CEFPRODHAC at cefprodh@mail.giga.com or visit <http://www.giga.com/~cefprodh/>.

New Information Resources:

The National Council for Science and the Environment has many environmentally based CRS documents available through their website. Over the last two months they have made it easier to find these documents by adding search capabilities and designing a new interface. Check out their website at <http://www.cnie.org/> to find these CRS documents.

The International Water Law Project (IWLP) has announced the launching of their new dedicated and redesigned website located at <http://www.internationalwaterlaw.org/>. This new IWLP website features a tremendous amount of information pertaining to the regulation, allocation, management, and conservation of transboundary freshwater resources.

A new Online Map Creator (OMC) is an amazing resource for geologists, geographers, or anyone needing to make a map figure as a .gif image or in .pdf format. Political boundaries, rivers, bathymetry, and topography can be displayed on these generated maps, along with tectonic features such as faults and ridges. To find instructions on creating these maps, go to the website at http://www.aquarius.geomar.de/omc/omc_intro.html

New Publications

A number of books on U.S.-Mexico issues were published in 2000. The following is a partial list of some of those materials:

Maxwell A. Cameron and Brian W. Tomlin. *The Making of NAFTA: How the Deal was Done* (Ithaca, NY: Cornell University Press, 2000).

Clemente Ruiz Durán and Enrique Dussel Peters. *Dinamica Regional y Competitividad Industrial* (San Diego: Center for U.S.-Mexican Studies, 2000).

John R. MacArthur. *The Selling of "Free Trade": NAFTA, Washington, and the Subversion of American Democracy* (New York: Hill and Wang, 2000).

Robert Manning. *Five Years after NAFTA: Rhetoric and Reality of Mexican Immigration in the 21st Century* (Washington, DC: Center for Immigration Studies, 2000).

Joseph A. McKinney. *Created from NAFTA: The Structure, Function, and Significance of the Treaty's Related Institutions* (Armonk, NY: M.E. Sharpe, 2000).

John H. Mutti. *NAFTA: The Economic Consequences for Mexico and the United States* (Washington, DC: Economic Strategy Institute, 2000).

Lionello F. Punzo and Martin Puchet Anyul. *Mexico Beyond NAFTA: Perspectives for the European Debate* (New York: Routledge, 2001).

Clint E. Smith. *Inevitable Partnership: Understanding Mexico-U.S. Relations* (Boulder, CO: Lynne Rienner Publishers, 2000).

Richard Tardanico and Mark B. Rosenberg. *Poverty or Development?: Global Restructuring and Regional Transformations in the U.S. South and the Mexican South* (New York: Routledge, 2000).

Pablo Vila. *Crossing Borders, Reinforcing Borders: Social Categories, Metaphors, and Narrative Identities on the U.S.-Mexico Frontier* (Austin: University of Texas Press, 2000).

Arturo Zárate-Ruiz. *A Rhetorical Analysis of the NAFTA Debate* (Lanham, MD: University Press of America, 2000).

Paso al Norte Immigration History Museum

The University of Texas at El Paso (UTEP) has announced the establishment of a new museum. To facilitate a brainstorming session that will launch the Paso al Norte Immigration History Museum, UTEP will convene a conference in El Paso, TX from January 25-27, 2001. Contact Damariz Macias, coordinator of the project, for more information at (915) 747-8679.

Program Administrator Sought

The Texas Natural Resource Conservation Commission (TNRCC) is seeking a program administrator. The official posting of the position may be found at the following website: <http://home.tnrcc.state.tx.us/admin/employ/index.html>

Residential Fellowships Available

The Center for U.S.-Mexican Studies at the University of California, San Diego solicits interdisciplinary research proposals focused on sustainable development and the environment along the U.S.-Mexican border. Successful candidates will participate as Visiting Research Fellows in the Center's project "Sustainable Development on the U.S.-Mexican Border: Enhancing Citizen Participation in Water, Land Use, and Environmental Health Policy Making." The deadline for receipt of applications is January 12, 2001. Inquiries should be directed to C.R. Hibbs at (858) 534-4503, or by email at chibbs@ucsd.edu.

The Environmental Movement in Mexico and Cross-Border Organizing Today: Where do Things Stand?

by Annika S. Hipple

In March 2000, Mexico's nascent environmental movement won one of its biggest battles to date when President Ernesto Zedillo permanently vetoed the proposed construction of a salt production plant at Laguna San Ignacio in Baja California. The campaign to stop the salt facility lasted five years and involved more than fifty Mexican environmental groups. U.S. organizations, like the U.S.-based Natural Resources Defense Council (NRDC) and the International Fund for Animal Welfare (IFAW), also played important roles in the effort; thus, in addition to winning important protection for the gray whale, the San Ignacio decision also represents a victory for cross-border environmental organizing.

The success at San Ignacio reflects two trends. One is that Mexican environmental groups are becoming increasingly vocal and visible actors in the national policymaking arena. The second is that, in the post-NAFTA era, activists on both sides of the U.S.-Mexico border are keenly aware that by organizing across the international dividing line, they can greatly enhance the scope and impact of their work.

Some analysts have questioned whether the various environmental groups in Mexico can truly be called an environmental movement. In his book *Endangered Mexico*, Joel Simon notes that "there is no mass membership organization or political movement associated with environmentalism in Mexico; by and large it remains an elite issue." Indeed, few Mexican environmental groups have a national platform of issues, and many do not share political ideas and strategies. And with the exception of NAFTA and the 1992 Earth Summit in Rio de Janeiro, initiatives to develop networks have been slow to evolve into strong linkages. As Miriam Alfie, a sociologist at the Universidad Autónoma Metropolitana-Azcapotzalco explains it, "there is no common project."

But although Mexico's environmental community is sometimes fragmented and

continues to face serious obstacles—such as lack of access to environmental information as well as funding—today, green groups south of the border are building their capacity, nurturing alliances, and focusing their energies in new, more effective ways. An environmental movement has indeed emerged, and despite the challenges that lie ahead, the outlook for its continuing development looks good.

Environmental Mobilization in Mexico

Environmental nongovernmental organizations (NGOs) first emerged as important actors in Mexico during the 1980s. Early groups mobilized primarily around specific concerns, such as worsening air pollution in Mexico City. One major rallying point during the 1980s was the construction of Mexico's first nuclear power plant at Laguna Verde in Veracruz

trade, then-President Carlos Salinas faced the political necessity of having to prove that Mexico was indeed serious about safeguarding the environment. This reality, says Betty Ferber of the Grupo de los Cien, a Mexico City-based environmental group comprised of prominent writers, artists, and intellectuals, "was very useful for us in [terms of] getting [legislation] passed in the years leading up to the passage of NAFTA."

The NAFTA debate also led to the creation of new national networks and international alliances, as environmental and labor groups cooperated across the border in order to attract media coverage to NAFTA's shortcomings and to lobby in favor of socially conscious side-agreements in the U.S. Congress. In the end, the efforts of environmental groups in Mexico, the U.S., and Canada forced the three governments to attach an environ-

Environmental groups in Mexico have continued to face numerous challenges, including cooptation and other forms of government control.

state. Although the attempts to stop the plant were unsuccessful, the campaign "detonated the environmental movement in this country," says Federico Gaxiola, environmental program leader at Radio UNAM in Mexico City. According to Miriam Alfie, "Laguna Verde was the door that opened up the active participation of civil society in ecological issues."

The debates surrounding the negotiation of the North American Free Trade Agreement (NAFTA) further galvanized environmental groups in Mexico. NAFTA also presented a political opportunity for Mexican groups at home. In order to satisfy U.S. and Canadian concerns tied to the potential negative impacts of increased

mental side-agreement to NAFTA, setting the stage for much of the cross-border environmental organizing that is occurring today. Mark Spalding, an environmental lawyer and faculty member at the University of California-San Diego's School of International Relations and Pacific Studies, notes that "prior to our work with Mexican counterparts during the NAFTA negotiations, there was little such organizing. Now it is becoming commonplace for appropriate issues."

Despite these important achievements, however, environmental groups in Mexico have continued to face numerous

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challenges, including cooptation and other forms of government control. During the Salinas administration, for example, some groups complained that they were being willfully excluded from government forums and consultations while other organizations were granted access, and this aggravated divisions within Mexico's environmental community.

This fragmentation continued during the *sexenio* of Ernesto Zedillo, as some environmentalists opted to join or cooperate with new federal agencies, while others did not. For example, Raquel Gutiérrez Nájera, notes that Mexico's *Consejos Consultivos para el Desarrollo Sustentable* (National Advisory Councils for Sustainable Development) "certainly appear to be dominated by representatives of organizations with 'rosy' attitudes toward the politics of the system." According to Gutiérrez Nájera, this has contributed to "the demobilization" of environmental groups.

Homero Aridjis, president of the *Grupo de los Cien*, adds that "to be a civil society activist in this country is very difficult without being bribed or coopted.

Besides direct government suppression, many other barriers hinder the efforts of environmentalists in Mexico. "The [environmental] movement is shackled by a lack of access to environmental information, such as toxics inventories, and the lack of a regulatory framework with mandates for public participation in decisionmaking," says Tali Nauman, a journalist who has covered the environment in Mexico for many years. She adds that "government policy prioritizing globalization of the economy undermines grassroots efforts to promote sustainable development alternatives."

But for all the obstacles, including a chronic lack of funding for nonprofit groups, Mexico's environmental community today is stronger, smarter, and more organized than ever before. The big question now is how the political transition in Mexico will affect environmentalists and their work. Will the administration of Vicente Fox offer new opportunities or new constraints—or both?

According to Tali Nauman, "some analysts fear that since Fox is a businessman, he will run the country like a company, and since the private sector record

leading Mexican environmentalist based in Tijuana. "Groups need to be very responsible; they need a strong reason, a clear argument for opposing something," agrees Gustavo Alanís, president of the Mexican Environmental Law Center (CEMDA).

To maintain its momentum, Raquel Gutiérrez Nájera says, "the environmental movement must recover its cohesion, since it seems that the [Fox] team does not have much sympathy for environmental issues. The environmental movement, it seems to me, must overcome this period of ebb through institutionalized spaces, and go beyond them."

Cross-Border Environmental Organizing

An increasingly common strategy for expanding the spaces and resources available to environmental groups is cross-border organizing. Though cross-border work began during the NAFTA debates, the focus of those efforts has shifted. According to Dick Kamp of the Bisbee, Arizona-based Border Ecology Project, "[activity has] died down on attempts to develop cross-border policies, while the focus on assisting groups on priority policy issues in Mexico has increased." Specific issues that are receiving this kind of attention today, Kamp says, include right-to-know legislation, hazardous waste management, forestry practices, and the mining industry.

Another area in which cross-border solidarity can weigh in to good effect is in public awareness efforts tied to specific campaigns and cases. One recent campaign was the fight to stop construction of a nuclear waste storage facility at Sierra Blanca in western Texas, just 32 kilometers from the Mexican border. To challenge the site, activists established an international coalition, with groups on both sides of the border sponsoring a wide range of protest actions. South of the border, they lobbied with Mexican local and state governments, which adopted resolutions against the proposed siting, as did, eventually, Mexico's Congress. Influenced by binational pressure, Texas environmental authorities finally rejected the Sierra Blanca proposal on October 22, 1998. According to Richard Boren, one of the key organizers of the Sierra Blanca campaign, "the binational campaign was absolutely essential to the success we had in stopping the dump. It exponentially increased our effectiveness in fighting the

"The [environmental] movement is shackled by a lack of access to environmental information, such as toxics inventories, and the lack of a regulatory framework with mandates for public participation in decisionmaking."

Zedillo's policy has been "I close my ears, I don't answer to these people." "The government denies the authority and credibility of civil society," Aridjis complains. Miriam Alfie agrees. "All this talk of opening, citizen participation, and democratization—it's just slogans. Who really gets to participate?" she asks.

In addition to these subtler forms, government constraint of environmentalists in Mexico occurs in more flagrant ways as well. In one case that has drawn the attention of human rights activists, Rodolfo Montiel, the leader of a peasant group opposing logging in Guerrero state, has been held in jail for over a year on trumped-up charges.

on environmental quality is not good, this will entail more risks for the environment as well as setbacks for the movement. On the other hand, some say that the president-elect has a knack for listening, and since he doesn't have personal expertise on environmental issues, he may be responsive to the movement's demands."

Another concern is that the tradition of cooptation in Mexico has led some environmental groups to oppose government policy indiscriminately, without formulating and forwarding a coherent alternative agenda. This will have to change in coming years, argue activists south of the border. "We have to move beyond *la denuncia*," says Laura Durazo, a



state of Texas." Though it is too early to assess the long-term impacts of the victory, Boren argues that Sierra Blanca has strengthened other grassroots efforts to stop toxic waste dumps and polluting facilities.

In a second recent example, the Laguna San Ignacio case, the international campaign against the proposed salt facility (jointly owned by the Mexican government and the Mitsubishi Corporation under the name Exportadora de Sal, S.A., or ESSA) demonstrated just how effective cross-border campaigns can be in raising the profile of particular cases. The effort involved advertisements in major newspapers, legal suits, a consumer boycott of Mitsubishi, and massive letter writing campaigns. After President Zedillo eventually cancelled the project, Mitsubishi director James Brumm acknowledged that international pressure from environmentalists and the public had been a factor in the decision. The company received 700,000 postcards from around the world asking them not to harm the gray whale. Zedillo also received some 15,000 letters urging him to protect the whales.

Beyond stopping the salt plant, the San Ignacio campaign, according to Mark Spalding, has led to a "greater deepening of relationships and trust [and the] transfer of strategies and planning concepts [in both directions]." He adds that "for us in the U.S., [we now have] a better idea of who we can [and cannot] successfully work with in Mexico. Presumably they feel the same about us."

Another sign of enhanced cross-border organizing is the increase in recent years of conferences and workshops held to stimulate binational and trinational cooperation on environmental issues. Perhaps the largest and most diverse such conference is the Annual Meeting on the Border Environment (Encuentro), organ-

ized by the University of Arizona's Latin American Area Center and Proyecto Fronterizo de Educación Ambiental in Tijuana. The first two meetings, held in Ciudad Juárez in 1998 and Tijuana in 1999, each attracted approximately 400 participants from diverse walks of life on both sides of the U.S.-Mexico border. The third meeting is slated to take place in

counterparts in Mexico long-term" by identifying and channeling sources of funding.

But money is not the whole story. To develop a successful collaboration, Kamp says, it is necessary to "spend a whole lot of time looking at what motivates groups and individuals that you intend to work with. Then," he says, "you select the areas

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Tijuana in the spring of 2001. Among other goals, say conference organizers, the Encuentro seeks to foster cross-border alliance building. The event also seeks to provide capacity building training sessions to NGOs and activists, and much of its budget provides travel and lodging funds and fee waivers for Mexican groups and participants that otherwise might not be able to attend.

This sort of financial assistance is consistent with a larger trend focused on increasing the resources available to Mexican groups, both in terms of funding as well as capacity building and training opportunities. "Among those of us who have been at this since the 1980s," says Dick Kamp, "there is focused, serious cooperation on trying to strengthen our

that you are likely to succeed in through common interest and be damned sure that, if you are organizing from the U.S. side, you are looking at it from the Mexican perspective first." In the end, says Richard Boren, cross-border organizing "really boils down to: do you want to do it or not? If you want to do cross-border [work], then you seek out groups in Mexico or the U.S. and open up those contacts." More and more groups appear to be doing just that. ■

Annika S. Hipple received an MA in Latin American Studies from the University of Arizona in May 2000. Her thesis examined the relationship between environmental groups and the media in Mexico.

Date Set for the Third Annual Encuentro on the Border Environment

April 26-29, 2001

Grand Hotel

Tijuana, Baja California, Mexico

Proyecto Fronterizo de Educacion Ambiental
Paseo Estrella del Mar 1025 INT. 2A
Sección Coronado
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Contact Encuentro organizers to learn about early registration and financial aid.

www.encuentrofronterizo.org

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The challenge facing the new administrations in both Mexico and the U.S., according to Judith Espinosa, who chairs the Good Neighbor Environmental Board, "is to make sure that the U.S.-Mexico border stays in the forefront and actually moves forward on the national agenda.... What we need to work on is the education of any new administration that comes in and the education of Congress. This is not just about the border—these are national issues."

And in Mexico under Vicente Fox, says Octavio Chávez of Juárez-based NGO InfoMexUS, "there's going to be an opening—perhaps even a dangerous one—to discuss new proposals." Because many in the incoming Mexican administration will need orientation and background information related to the environment, he says, "we tentatively have an important opportunity to encourage and make significant progress, and this is where the advantage lies for Mexico's environmental community. Clearly, the possibility also exists that the new actors might put things on hold until they better understand the situation—but we must not let this happen."

At an October CEC symposium on trade and environment, Raúl Arriaga Beccerra, the coordinator of the transition team for Vicente Fox, spoke of continuing support for areas of current binational and trinational cooperation that have proven successful. The vision presented by Arriaga consisted of a sustainable economic

development program that would incorporate transparency, accountability, and long-term planning. According to Arriaga, the Fox administration will focus on two or three strategic issues, such as water and forestry, in order to concentrate financial support. Arriaga cited the CEC's activities as being critical for envisioning the effects of trade on the environment and strengthening future environmental cooperation.

These positive indications of the Fox administration's interest in environmental cooperation have come at a time when the U.S. border environmental community has been fighting simply to shore up existing funding. Achieving more formalized and stable cooperation during the new presidential administrations will require building broad public understanding of what is at stake with U.S.-Mexico environmental cooperation. ■

Nicole Carter is an independent consultant currently based in Mexico City. She received her Ph.D. in environmental engineering from Stanford University in January 2000 and worked as a post-doctoral fellow at the Center for U.S.-Mexican Studies at the University of California in San Diego before moving to Mexico. An article co-authored by Carter, "Working Toward Sustainable Water and Wastewater Infrastructure in the U.S.-Mexico Border Region: A Perspective on BECC and NADBank," will appear in the December issue of the International Journal of Water Resources Development.

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