



TRIUNVIRATO

Montreal, del 25 al 30 de mayo, 2008
Organizado por el Foro sobre la Integración Norteamericana (FINA)

INFORME FINAL




NORTH AMERICAN FORUM ON INTEGRATION
FORUM SUR L'INTÉGRATION NORD-AMÉICAINE
FORO SOBRE LA INTEGRACIÓN NORTEAMERICANA

❖❖ COMMENTARIOS DE LOS PARTICIPANTES ❖❖

"I was completely blown away; the event was beyond my wildest expectations. I have been able to be a part of some wonderful experiences, both business and scholastic. The experience of being independent, fully immersed in another culture, and outside of your comfort zone is truly unique. It is also quite educational and gratifying. I believe the Triumvirate is something that every student should experience. From the schedule of events to the rules of the game to the guest speakers, everything was top notch, professional and effective."

Un participante Estadounidense



Ayuntamiento de Montreal–Sesión Plenaria

"He tenido experiencias previas en simulaciones (HMUN, UNA-USA, TEIMUN) y en mi opinión personal, este ha sido la mejor en las cuales participe por causa de los roles, los temas, las personas, la logística, la calidad de la organización, la pasión de la prensa y el profesionalismo de los participantes. Esto ha sido mas de lo que jamás hubiera esperado!"

Un participante de México



Comisión WHTI

"El evento es muy bien pensado, las instalaciones son inspiradoras y profesionales. Te dejan con la sensación de como se siente llegar a una posición donde tu decisión podría ser catalizador de cambios políticamente relevantes."

Un participante de México

100% de los delegados van a recomendar a sus colegas participar al Triunvirato!



Delegados del Triunvirato

"Events like this change lives, promote tolerance and understanding and serve the best interests of today's young university students".

Un participante Canadiense

"Si tuviera que definir la experiencia del Triunvirato, yo con una palabra diría 'Aprendí!'"

Un participante de México



Ayuntamiento de Montreal

"I learned how to pragmatically compromise on legislation and consider the widespread economic & cooperation implications of implementing our recommendations".

Un participante Estadounidense

Gracias por un Triunvirato en Montreal fantástico!

El Foro sobre la Integración Norteamericana (FINA) se complace en informarle los resultados del cuarto Triunvirato, la simulación parlamentaria norteamericana, que tuvo lugar del 25 al 30 de mayo de 2008 en el Ayuntamiento de Montreal y McGill University. En este informe recordaremos algunos de los momentos culminantes de esta intensa semana de trabajo pero antes que nada, deseamos felicitar a todos los participantes por el excelente trabajo realizado.

Más de setenta delegados provenientes de quince universidades canadienses, mexicanas y estadounidenses, se congregaron durante una semana, fungiendo como legisladores, cabildos o periodistas para simular la realización de una asamblea parlamentaria. Los delegados abordaron diversos temas tales como el fomento de los mercados de electricidad removible, la deslocalización empresarial fuera de América del Norte, la Iniciativa Relativa a Viajes en el Hemisferio Occidental (WHTI), y el Capítulo 11 sobre inversiones del TLCAN proponiendo diferentes soluciones para estos desafíos norteamericanos. Intensos debates y negociaciones en las comisiones políticas y en las sesiones plenarias suscitaron la aprobación en asamblea general de cuatro proyectos de resolución. Todos los textos finales se encuentran en este documento, así como en nuestro sitio web (www.fina-nafi.org) en donde se encuentren también muchas fotos del evento.

El inmenso trabajo de los periodistas posibilitó la publicación del TrilatHerald, el periódico que cubrió los debates del Triunvirato. Los diferentes números del periódico se encuentran disponibles en el sitio Web, en la sección Medios. Del mismo modo, los cabilderos, tuvieron un gran impacto en la adopción de las resoluciones finales, sobre todo aprobaron las enmiendas antes de que se sometieran a la asamblea general.

El Triunvirato tuvo el honor de recibir a conferencistas de gran talla como Dr. Earl Fry, profesor de la Universidad de Brigham Young, Ex-primer ministro de Québec Pierre Marc Johnson, Gilles Duceppe Jefe del Bloc Québécois, y Jack Layton, Diputado y Jefe del Nuevo partido democrático. Agradecemos a todos los oradores el haber compartido sus vastos conocimientos y su experiencia con los participantes.

Muchas gracias a la valiosa colaboración del Ayuntamiento de Montreal y McGill University. Agradecemos también a nuestros patrocinadores, es decir, el Ministerio de Relaciones Internacionales de Quebec, la Association por Estudios Canadienses en los Estados Unidos, *Foreign Affairs Canada* y a nuestros socios que son *Bombardier*, el *Bloc Quebecois*, el Consulado general de México, la *Secrétariat à la jeunesse du Québec* y la *Secretariat aux affaires intergouvernementales canadiennes*.

Finalmente, varias estaciones de radio y de televisión Quebecense, Canadienses, y internacionales, tal como, CIBL, RDI, Radio-Canada, Telemundo y Radio-Canada international cubrieron el evento, llevando a cabo entrevistas con los delegados del Triunvirato.

El próximo Triunvirato se llevara a cabo en Mexico!

Cordialmente,

Christine Fréchette
Directora general del FINA

Céline Roche-Crespo
Coordinadora del Triunvirato

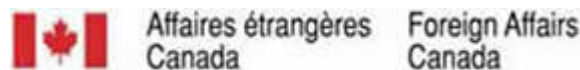
❖ ❖ Universidades Participantes ❖ ❖

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❖❖ Miles de gracias a nuestros anfitriones❖❖



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❖❖ y Socios ❖❖

Bloc Québécois

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Secrétariat à la jeunesse du gouvernement du Québec

Secrétariat aux affaires intergouvernementales
canadiennes





GRACIAS A NUESTROS CONFERENCIANTES POR HABER COMPARTIDO SUS IDEAS



Prof. **Earl H. Fry**, Martes, el 27 de Mayo

Earl Fry es Professor de Ciencias Políticas y de Estudios Canadienses en la Universidad Brigham Young. Su trabajo se ha concentrado en el desarrollo económico y en el comercio internacional y regional en Asia, Europa, América Latina y América del Norte. La conferencia se titulará "Is the Canada-U.S-Mexico Relationship at a Crossroads?"



Pierre Marc Johnson, 29 de Mayo

Ex-Primer Ministro de Quebec, el Sr. Johnson es abogado y jefe negociador del gobierno de Quebec del expediente de madera entre Canadá y los EE.UU. Sus publicaciones incluyen "The Environment and Nafta - Understanding and Implementing the New Continental Law" y fue asesor de la Comisión para la Cooperación Ambiental (CCA) del TLCAN.



Gilles Duceppe, 30 de Mayo

El Sr. Duceppe es un político nacionalista del Quebec de índole social demócrata. Es diputado en la Cámara de los Comunes de Canadá y líder del partido político Bloc Québécois, el partido soberanista de Quebec. En lo que atañe a las relaciones norteamericanas, el Sr. Duceppe aboga por la creación de un Fondo de Desarrollo Norte Americano además del TLCAN. Nos presentará sus ideas respecto al futuro de las relaciones norteamericanas.



Jack Layton, 30 de Mayo

Líder del Nuevo Partido Democrático, el Sr. Layton encabeza el partido canadiense de centro-izquierda en el espectro político. Conocido por sus opiniones críticas del TLCAN, dijo recientemente a CNN: «Nos parece que el TLCAN no está funcionando bien para las familias trabajadoras y para la clase media». La conferencia se titulará: "A better future for working families: Rethinking the North American Free Trade Agreement".

El Triunvirato felicita a los ganadores de los premios por su trabajo excepcional

- ❖ *Premio Triunvirato – creado y otorgado por la asamblea de delegados a la persona que mejor encarna los valores postulados por el Triunvirato:*
Ben Magnus, Delegado estatal del parlamento de Nuevo Leon. Delegación Carleton University.
- ❖ *Desempeño Excepcional:*
Darren Jackson, Delegado federal del parlamento de Mexico. Delegación Brigham Young University.
- ❖ *Excelente Desempeño:*
Eva Wingren, Delegada Federal del parlamento de Mexico y Presidenta de la Comision sobre el Fomento de los mercados de electricidad removible. Delegación de Arizona State University.
- ❖ *Desempeño Notable:*
Alberto Padilla Rivera, Delegado federal del parlamento de los Estados Unidos. Delegación University of Alberta- Campus Saint Jean delegation.
- ❖ *Mejor Negociador:*
Ben Magnus, Delegado estatal del parlamento de Nuevo Leon. Delegación Carleton University.
- ❖ *Mejor propuesta de proyecto de resolución:*
Gabriel Joshee-Arnal, Delegado federal del parlamento de los Estados Unidos. Delegación University of Alberta- Campus Saint Jean delegation.
- ❖ *Mejor Periodista:*
Alejandro Garcia de la Garza, Periodista, Delegación Universidad de Monterrey.





EXPLANATORY NOTES

Renewable electricity is derived from unlimited energy sources such as the sun, wind, water, nuclear, biomass and heat from the Earth's interior. Renewable electricity markets are becoming more and more important in today's North American societies especially when this particular way of transforming energy sources aims at reducing greenhouse gas emissions (GHG) which acts positively against climate change. The rising price of oil in international markets has been a crucial factor in terms of 'stimulating' renewable electricity markets. This gives potential suppliers more credibility, as they can offer economic benefits in addition to environmental gains. There is tremendous opportunity for renewable electricity to meet an increasing proportion of the North American electricity market.

Considering the effect on food prices, there is debate as to whether ethanol should be included as biomass. The effects of renewable energy production on economic and food security should be taken into consideration by member nations when developing national strategies.

Some of us have adopted mandatory targets for the purchase/production of renewable electricity. Others have adopted a voluntary approach for governmental agencies and large corporations. Recognizing that each nation is at a different point in terms of development of renewable energy production as well as overall consumption, benchmarks should be adjusted so that each country is able to comply with them. For example, Canada currently gets 73% of its electricity from renewable sources, Mexico gets 19%, and the United States gets 29%. We consider that the time has come to deepen our collective effort and strengthen our actions in order to make our region a leader in the global challenge we face to limit the impact of our energy consumption on climate change and increase our energy security in diversifying our energy portfolio.

North American legislators consider that there is room for improvement, such as future expansion into a trilateral REC market. Effective public policies need to be more widely implemented to foster the use of renewable electricity.

FOSTERING RENEWABLE ENERGY SECTORS IN NORTH AMERICA

DEFINITION

Hereafter, the term ‘renewable electricity’ or simply “RE” will be used to refer to all renewable energy sources for the generation of electricity, including sun, wind, water, biomass, nuclear and heat from the Earth’s interior.

Hereafter, the term ‘North America’ will be used to refer to the United States, Mexico, Canada, and their respective sovereign territories.

Chapter I – Developing Renewable Electricity Sectors In North America: Objectives and Principles

SECTION I – OBJECTIVES

Article 1.1 Increase energy security and diversify energy portfolio

North American legislatures agree to increase the supply of electricity derived from renewable sources. As a result, they promote sustainable development and wish to increase North America’s energy security by diversifying States’ energy portfolios.

SECTION II – TRANSPARENCY PRINCIPLES

Article 1.2 Mandatory transparency for electric companies

Realizing that in order to act efficiently, clear and comparable information must be available; the North American legislators therefore recommend that States adopt rules requiring companies producing electricity on their territory to make information regarding their use of renewable and non-renewable energy public.

Chapter II – Developing Renewable Electricity Sectors In North America: Mechanisms

SECTION I – DIVERSIFYING THE OFFER

The *per capita* energy consumption rate increases every year in North America making it necessary to augment the production of renewable energy, maintaining the long-term goal of reducing energy consumption rates.

Article 2.1 Ensuring a minimal percentage of renewable energy

It is understood that each North American state should maintain a minimal percentage of renewable energy in their portfolio of global energy consumption that must reach the following benchmarks:

Mexico will have 30% of its global energy consumption consist of renewable energy by 2015. This percentage will increase to 45% by 2025, and later to 65% by 2050.

The United States will have 45% of its global energy consumption of renewable energy by 2015. This percentage will increase to 65% by 2025, and later to 80% by 2050.

Canada will have 75% of its global energy consumption of renewable energy by 2015. This percentage will increase to 80% by 2025, and later to 85% by 2050.

All countries commit to cooperate in achieving these goals, while recognizing the importance of energy security.

Article 2.2 Exchange of renewable energy certificates (REC)

The NAFTA nations commit to establishing voluntary REC markets within their respective countries. This system would allow those who have produced excess amounts of renewable energy to make a profit while simultaneously permitting those who have fallen short to reach their renewable energy goals.

The North America nations envision possible future expansion into a trilateral REC market.

SECTION II – PROMOTING DEMAND

Many consumers wish to increase their renewable energy consumption but fail to do so because they lack information.

Article 2.3 Offering the possibility of choosing the type of energy consumed

In order to promote renewable energy, legislators encourage all State governments to demand that electric companies operating on their territory offer the consumers the possibility of buying energy produced with renewable energy sources where available. Where offering renewable energy is currently impossible, the governments should require utilities to develop a means to access it.

Article 2.4 Produce, buy or import

Companies will be free to either, produce renewable electricity themselves, purchase it through contracts with other producers or import it from other nations. The NAFTA nations agree to give each other priority over third party countries as suppliers of renewable electricity.

Article 2.5 Mandatory government procurement

In order for public authorities to foster the demand of renewable electricity, North American legislators recommend that governmental agencies procure an increasing portion of their electricity needs from renewable energy sources. The recommended percentage benchmarks are: 25% by 2015, 50% by 2025, and 100% by 2050 for the United States and Canada. Realizing that Mexico has similar goals but faces different challenges, the recommended percentage benchmarks for Mexico are: 5% by 2015, 30% by 2025, 80% by 2050, and 100% by 2060.

Chapter III – Establishing Healthy North American Investment

The North American legislators realize that the establishment of investment drivers among States is an avenue that must be explored in order to promote proactive

behavior in regards to renewable energy. Consequently, a North American investment mechanism should be established in order to encourage the development of renewable sources of electricity within NAFTA nations.

Article 3.1 National fund contribution

A committee composed of three representatives of each NAFTA nation will be created and be called the North American Partnership for Sustainable Energy (NAPSE). Its purpose would be to facilitate development projects within the renewable electricity sector and to decide on CEC recommendations and grant proposals from public or private entities. They would control disbursement of a fund made up of monies levied from the three states. Each Government will provide matching funds to grant recipients within their sovereign nation. All North American nations will have equal access to funds through a proposal process that the committee will establish.”

Articles 3.2 Contribution calculations

The State’s contribution to the fund will equal \$0.0005 /kwh consumed above a North American per capita average rate of total energy consumption by private users and a separate rate for industrial users. This rate will be set by averaging the per capita average rate of total energy consumption by private users of the top one-third of federated states and the bottom one-third of federated states (in terms of consumption) among the three NAFTA countries. The Commission on Environmental Cooperation (CEC) will be tasked with the responsibility of identifying and publicizing the rankings of all federated states within the three NAFTA countries in terms of these consumption rates. The committee is invested with the power to reset this rate based on updated data.

Article 3.3 Sunset clause

It is agreed upon that these contribution commitments will persist until each country has reached their long-term goal of renewable energy, as outlined in Art. 2.1 and 2.5.

Article 3.4 Divulging information

Each North American Federated State commits to communicating the percentage of renewable energy consumed the previous fiscal year on its territory to the Commission for Environmental Cooperation (CEC) of NAFTA.

Article 3.5 Expansion of CEC responsibilities

It is the responsibility of each member state to be committed to the cooperative agenda of the CEC Working Group on Renewable Energy. This agency will, in addition to its current responsibilities, suggest investment opportunities to NAPSE, encourage public and private investment and facilitate technological information sharing relationships amongst the NAFTA nations. The CEC will also manage the collection of information about member states’ renewable energy use. They will present progress reports to the public in order to encourage hold governments to fulfill their commitments as enumerated in this document.





TRIUMVIRAT

PRÉAMBULE

Désirant agir pour le bien être, la prospérité, la création et le maintien des emplois et des entreprises en Amérique du Nord dans une économie mondialisée;

Témoins du fait que le contexte économique actuel est caractérisé par la compétitivité entre blocs économiques régionaux, tels l'Union européenne, le Mercosur, l'ASEAN et l'ALÉNA.

Reconnaissants que l'ALÉNA vise notamment à renforcer le partenariat entre les pays nord-américains par l'élimination des barrières au commerce et à encourager les entreprises à déployer leurs marchés, leurs activités et leurs chaînes de production à l'échelle de l'Amérique du Nord.

Déplorant que nombre d'entreprises, auparavant établies en Amérique du Nord, aient choisi au cours des dernières années de délocaliser leurs activités au sein d'autres régions du monde en particulier où les pratiques en matière de droits des travailleurs sont parfois discutables;

Rappelant la nécessité de trouver des solutions pour contrer les effets négatifs de la délocalisation dans l'esprit de l'ALÉNA;

Conscients que le phénomène de délocalisations entraîne des préoccupations grandissantes dans la société civile et contribue à fragiliser le tissu économique continental;

Convaincus de la nécessité d'agir pour contribuer à préserver les emplois au sein du territoire nord-américain;

Les parlementaires d'Amérique du Nord, réunis pour la quatrième Assemblée législative du Triumvirat conviennent de ce qui suit :

Définitions

Par « délocalisation », il est fait référence à tout transfert d'activités ou d'emplois du territoire de l'Amérique du Nord vers une région située en dehors de l'Amérique du Nord.

Par « déplacement », il est fait référence à tout transfert d'activités ou d'emplois d'une région de l'Amérique du Nord vers une autre région d'Amérique du Nord.

Par « Amérique du Nord », il est fait référence à l'ensemble de la zone territoriale comprenant le Mexique, le Canada et les États-Unis.

Chapitre Premier – Principes entourant le Partenariat nord-américain

Article 1.1. Réaffirmer le partenariat nord-américain

Nous réaffirmons que l'esprit de l'accord de libre-échange nord-américain (ALÉNA) consiste en l'établissement d'un partenariat économique entre nos trois pays, en vue d'accroître le flux des échanges commerciaux et des investissements.

Article 1.2. Protéger et maintenir les emplois en Amérique du Nord

Nous réaffirmons le droit des entreprises établies en Amérique du Nord d'y exercer leurs activités, incluant la possibilité de déplacer leurs activités et leurs emplois au sein du territoire nord-américain tel que prévu par l'ALENA.

Article 1.3. Lutter contre les effets négatifs de la délocalisation des emplois nord-américains

Nous nous engageons à œuvrer en faveur du maintien des emplois au sein de l'Amérique du Nord et à réduire les effets négatifs résultant du phénomène de délocalisation d'activités d'entreprises vers d'autres régions du monde.

Article 1.4. Délimitation du champ d'application de la résolution

Il est établi que les mesures législatives dirigées contre les effets négatifs des délocalisations de cette résolution ne s'adressent pas aux déplacements.

Chapitre Second – Mécanismes de lutte contre les effets négatifs des délocalisations

Article 2.1. Mesures fiscales contre les effets négatifs des délocalisations.

L'adoption par les États d'Amérique du Nord de mesures de contrôle à l'endroit d'entreprises procédant à des délocalisations est encouragée. Nous suggérons l'établissement d'une taxe sur les profits des entreprises qui délocalisent. Une Commission technique temporaire sera mise sur pied afin d'établir les modalités d'implantation de la taxe.

Article 2.2. Mesures de sanctions à l'égard des entreprises qui ne respectent pas les droits des travailleurs établis dans l'ANACT

Nous affirmons le droit des pays d'Amérique du nord d'adopter des mesures sanctionnant les entreprises qui délocalisent dans des pays qui ne respectent pas les droits établis dans l'Accord nord-américain de coopération dans le domaine du travail (ANACT), créant de ce fait une compétition déloyale envers l'Amérique du Nord.

Chapitre Troisième – Création d'un fonds commun d'aide aux emplois délocalisés (FCAED)

Article 3.1 – Création d'un Fonds Commun d'aide aux emplois délocalisés (FCAED)

Afin de palier aux effets négatifs du phénomène des délocalisations, les parlementaires d'Amérique du Nord proposent de créer un Fonds commun d'aide aux emplois délocalisés (FCAED).

Article 3.2 – Objectif du FCAED

L'objectif du FCAED est d'établir un programme d'aide qui vise à soutenir la réinsertion professionnelle des travailleurs nord-américains licenciés à la suite d'une délocalisation d'entreprise. Le FCAED s'inspire de l'expérience en réinsertion du travail utilisé dans le programme « NAFTA-TAA ».

Article 3.3 – Financement du FCAED

Les fonds récupérés des mesures fiscales prévues à l'article 2.1 seront transférés, dans le FCAED. Cependant des versements additionnels volontaires peuvent être admis.

Article 3.4 - Gestion des fonds du FCAED

i) Un Comité sera mis sur pied au sein de la Commission de Coopération nord-américaine dans le domaine du travail pour gérer les fonds servant à financer le FCAED. Le Comité sera formé selon une représentation proportionnelle à la contribution au fonds. Les décisions au sein du Comité seront prises à majorité simple et pondérées selon les contributions des différentes parties.

ii) Ce Comité aura une présidence rotative égale entre les pays d'Amérique du nord. Le président encadrera les discussions de Comité et son mandat sera d'une durée de deux ans. Le président sera élu par la commission nord-américaine dans le domaine de travail.

iii) Les fonds de FCAED seront repartis par le Comité selon les besoins des parties intégrantes de fonds.

Article 3.6 - Mise en application du FCAED

Chaque État sera responsable du versement des fonds qui lui seront accordés sur son propre territoire par l'intermédiaire d'institutions qui auront été mis en place et qui rendront des comptes devant le Comité.

Art.3.7 – Durée de vie du FCAED

Le FCAED sera mis sur pied pour une période de six ans, avec possibilité de renouvellement.



Explanatory Notes

North American border management faces major challenges, particularly because Canada and the United States share the longest undefended border in the world, stretching more than 8,891 km, while the US-Mexico border extends over more than 3,141 km. Following the terrorist attacks of September 11 in the United States, the American government decided to put measures in place to better protect the United States from terrorist threats.

In April 2005, the U.S. Department of Homeland Security and the State Department announced the Western Hemisphere Travel Initiative (WHTI). This law requires all travellers to and from the Americas (including Canada, Mexico, Central America and South America), the Caribbean and Bermuda to present a passport or other acceptable document or combination of documents when entering or re-entering the United States in order to confirm their identity.

Trade within NAFTA is estimated at about \$650 billion annually, and 75% of it is conducted by land routes. On average, 300 million people cross North American borders annually. It is also estimated that more than 30% of those without passports will be less likely to cross a border if a passport is required. This represents a potential decrease of 22 million travelers. Such a change could have a major economic impact on each of the North American countries. Losses of an estimated \$3.2 billion and \$2.2 billion could occur in Canada and the United States respectively. In addition, 95,000 jobs would be at risk in Mexico as a result of this measure.

The present draft resolution aims to foster a balance between security needs and economic development. It aims to propose amendments to the WHTI so that it meets high security requirements while not impeding trade by land and the flow of tourists between our three countries. In fact, North American parliamentarians believe that the increased security measures must result in the least harm possible to our economic partnership and our citizens.

Chapter I – Document Required For Crossing Land And Sea Borders

SECTION I – DOCUMENTS REQUIRED FOR LAND TRAVEL

Article 1. Documents accepted to facilitate border crossings by land

In order to reduce the economic impact on North American partners, as well as travelers, and to limit as much as possible the reduction in the number of border crossings between North American countries, it is agreed that for land border crossings **one of** the following will be used at borders between Canada, the United States and Mexico:

- a) Valid passport with any and all applicable visas
- b) Enhanced driver's license
- c) For U.S. citizens
 - PASS card, NEXUS, FAST, or SENTRIFor Canadian citizens:
 - NEXUS or FASTFor Mexican citizens:
 - SENTRI in combination with a passport or border crossing card.

Article 2. Method for acquiring enhanced drivers' licenses

The issuance and revocation of enhanced drivers' licenses shall not infringe upon each state or province's requirements. The enhanced license will provide a second option that will include common requirements determined by the Trilateral Commission discussed in 3.1:

- a) The license is valid and issued by the legally and officially recognized bureau of motor vehicles of each state and/or province
- b) The bearer of the license is a citizen of the North American country and a resident of the state/province that issued the license
- c) The enhanced licenses' validity will be in accordance with all state and provincial licensing regulations.
- d) The enhanced licenses must be renewed no later than five years after issuance.

Article 3. Availability of enhanced drivers' licenses

Anyone who meets the state, province, and Trilateral Commission's conditions will be eligible for an enhanced driver's license regardless of race, creed, religion, gender, and/or sexual orientation. Governments will seek to offer the new enhanced drivers' licenses at the lowest possible cost in order to limit any potential financial obstacles.

Article 4. Exemptions

Article 4.1 Exemptions for minors accompanied by adults

With a view to facilitating family travel, children under 18 will be exempt from the need to present one of the documents referred to in Article 1. A document from an officially recognized institution identifying the relationship with one of the accompanying adults will nevertheless have to be provided.

Article 4.2 Exemptions for residents of Canada-U.S. border cities

Recognizing the close ties that bind the citizens of cities along the Canada-U.S. border, Canadian citizens living in a city less than 15 kilometres from the Canada-U.S. border may use a traditional driver's license (indicating the street address) in order to enter the neighbouring country, but only up to a limit of 40 km within the territory of the neighbouring country. Travelers needing to go beyond this limit must be in possession of the other necessary documents.

Article 4.3 Future consideration for U.S.-Mexico Border Exemptions

Pending ongoing monitoring of the U.S.-Mexico border situation, future consideration will be given to extending conditions similar to those that are present on the Canada-U.S. border. Conditions will be determined by the Trilateral Commission.

Article 5. Common and increased security standards for enhanced drivers' licenses

Information relating to physical characteristics is the standard for increasing the security level of enhanced drivers' licenses. For the purposes of this legislation, it is an automated method of recognizing a person based on fingerprints.

Article 6. Privacy protection

Personal data integrated into enhanced drivers' licenses will remain confidential and will not be accessible to third-party countries or organizations. The governments concerned must agree on a common strategy to formulate a set of uniform policies on privacy.

Article 7. Beneficial movement of enhanced driver's licenses

Owners of enhanced drivers' licenses will have access to dedicated lanes that will enable easy and immediate crossing of borders through automated fingerprint recognition.

Article 8. Report on implementation of the law for travel by land

The new conditions imposed by the WHTI regarding documents required for travel by land are to be implemented as soon as possible, but no later than June 1, 2010.

SECTION II – DOCUMENTS REQUIRED FOR TRAVEL BY SEA AND AIR

Article 1. Law regarding travel by sea and air

North American parliamentarians recommend that the requirements imposed by the WHTI for travel by sea and air remain unchanged.

Chapter II –Implementation of The WHTI

SECTION I – ENFORCEMENT OF THE NEW LAW

Article 1. Dissemination of information

To ensure that the general public and residents of border states in particular know about and understand the new law, North American governments must make use of various means of communication and advertising to guarantee wide distribution of information to their citizens regarding the terms of the law and the steps involved in obtaining the various documents required. Federated provinces and states must inform citizens about secure identification documents, processes, and modifications set forth in 1.1.1.

SECTION II – FUNDING

Article 1. Funding of infrastructure and information

Border crossings must be equipped with technologies that can process secure identification documents. Financing of the technological infrastructure, as well as the costs to federated provinces and states to inform their citizens about secure identification documents, processes, and changes will be borne out 60% by the United States and 20% each by Canada and Mexico.

SECTION III- CREATION OF A TRILATERAL COMMISSION TO OVERSEE THE IMPLEMENTATION OF THE WHTI

Article 1. Creation of a Trilateral Commission

It is suggested that a Trilateral Commission be created with the goal of overseeing:

- a) Maintenance and strengthening of border security
- b) Encouragement of trade
- c) Conducting of information campaigns for citizens
- d) Assistance in the implementation of new border technologies
- e) Coordination of information-sharing measures among member countries

Article 2. Composition of the Trilateral Commission

1. The commission will be made up of 9 representatives consisting of the United States (4), Mexico (2), Canada (2), as well as an annually rotating non-voting chair with tie-breaking rights.
2. The meetings will be held alternately in each member country.

3. The reports of these meetings will be kept secret in consideration of the security issues that will be discussed.
4. Administrative and travel costs will be borne by legislatures of the member countries.

SECTION IV – FOLLOW UP MEASURE

Members of the trilateral legislative commission will submit a comprehensive report on the economic and social impact of the WHTI every two years. An initial report will be presented to the TRIUMVIRATE 2010.





Chapter I – Reform to Section A of Chapter XI

SECTION I. REFORM TO ARTICLE 114” OF THE RESOLUTION AS AMENDED BY NAFTA’S CHAPTER XI COMMISSION

FDI (Foreign Direct Investment) shall not infringe upon any environmental laws of any participant nation at the time of this amendment to Chapter 11 of NAFTA (North American Free Trade Agreement).

Chapter II – Reform to Section B of Chapter XI

SECTION I. THE CREATION OF THE AD HOC FIRST INSTANCE PANEL AND THE PERMANENT TRANSPARENCY COUNCIL FOR DECISIONS RENDERED UNDER NAFTA CHAPTER XI INVESTOR-STATE CLAIMS

Article 1. General Clauses

1. The present statute creates the NAFTA Investor States Claims Commission; an autonomous commission for the negotiation of cases falling under the jurisdiction of Chapter 11.
2. The commission will be composed of a First Instance Panel and a Transparency Council.

Article 2. Composition of the First Instance Panel

The First Instance Panel will be composed of a three-person body in which the investor and state each nominate their own mediator to the panel. The third neutral mediator will be mutually agreed upon by both parties, unless the disputing parties agree to appoint additional mediators.

Article 3. Functions of the First Instance Panel

1. To facilitate the proper negotiation between the investor and the State by means of:
 - a. Mediating a non binding settlement between the parties involved.

- b. Formulating a risk assessment for both parties on the possible outcomes of non acceptance of the mediated settlement.

Article 4. Composition of the Transparency Council

1. The Transparency Council will be composed of three members appointed by each state delegation following a vote of confidence in the corresponding national legislative branch and officially appointed by a two thirds majority in the Triumvirate inter-parliamentary session.
2. The expert panel will be appointed for a term of ten years.

Article 5. Functions of the Transparency Council

The provision of this section should be in accordance with Annex 1137.4 of Chapter 11;

1. Modeled after the *Instituto Federal de Acceso a la Informacion Publica* (IFAI); an autonomous organization responsible for the publishing of information considered to be of public interest in Mexico, all information relevant to the Commission and its proceedings, as well as its resolutions shall be administered and published by NTP (NAFTA's Transparency Portal) in order to facilitate access to information on the conditions that the following criteria are met:
 - a. Registration of users for NTP
 - b. Stating the reasons of requested information
2. Thereafter, it is NTP's role to evaluate what information is to be kept confidential and what information is to be divulged to its users in each particular case.
3. The Transparency Council will be located within each respective NAFTA Secretariat Country Headquarters.

Article 6. Costs

1. Cost of First Instance Panel: Each party in dispute will incur the cost associated with their appointed mediator. Both parties involved in the dispute will share the costs of the third, neutral mediator.
2. Cost of Transparency Council: For a period of 10 years, at which time this issue will be reassessed, the cost will be shared between all parties based proportionally on GDP of each member country.

Article 7. Language

1. English, French and Spanish are the official languages of the Commission.
2. All decisions of the Commission shall be rendered in English, French and Spanish.

3. Simultaneous translation in all three official languages will be provided when necessary during Commission proceedings.
4. Transparency Portal shall be translated in the three official languages.



Triumvirate – North American Legislature

Fourth Legislative Assembly

Current Affairs resolution adopted by the General Assembly on Remittance Markets in North America

May 30th 2008



RESOLUTION ON REMITTANCE MARKETS IN NORTH AMERICA

Proposed by Ben Magnus Legislator Nuevo Leon

May 2008

Sponsored by:

Luis Caceres State of Chihuahua

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EXPLANATORY NOTES

Remittances are the transfers of funds from foreign workers to their countries of origin. These transfers are generally sent to family, friends and acquaintances in foreign countries from which migrants or refugees have come. These transfers of funds directly to the poor are more effective than international financial institutions, governments and foreign direct investment in alleviating poverty. Moreover, when recessions, natural disasters or problems of corrupt or weak government paralyze states, remittances increase while foreign aid and direct investment tend to diminish or disappear.

In a recent annual global economic prospects report the World Bank estimates that annual official recorded remittances are \$197 billion while more than \$290 billion in total remittances are sent each year. Including these “underground” unrecorded transactions the remittance funds are five times the sum of all foreign aid combined.

Throughout the 1990s the number of international migrant workers rose from 120 million to 175 million and the annual sums they sent home have more than tripled. These trends of increased foreign workers and remittance flows are especially important in a North American context. Remittances from Mexicans living in the United States are Mexico's second-biggest source of foreign currency and rose more than 15 percent in

2006 to a record \$23 billion. The flow of remittances from Mexicans living abroad will grow as little as 5 percent in 2007 due to tougher migration controls and an economic slowdown in the United States.

Strengthening remittance markets in North America facilitates increased Mexican contributions to U.S. and Canadian economies in jobs that are locally difficult to fill. These benefits to the Canadian and American economies also lead to development and poverty reduction in Mexico. This offers the opportunity to spur development in Mexico by capitalizing on market forces for the benefit of all North American partners.

Continued inaction on remittances will lead to the maintenance or growth underground transfers that have been shown to be closely linked to drug trafficking and terrorist organizations. North American shared interests in development, poverty reduction, transparency, security and the freedom and strength of our markets demands we foster remittance markets.

FOSTERING REMITTANCE MARKETS IN NORTH AMERICA

Definition

Hereafter, the term “Remittances” will be used to refer to all transfers of funds from foreign workers to their countries of origin. These transfers are generally sent to family, friends and acquaintances in foreign countries from which migrants, refugees or new citizens have come.

Chapter I- Objectives and Principles in Fostering North American Remittance Markets

SECTION I - OBJECTIVES

Article 1.1 Increase the efficiency, transparency, competitiveness, security and effectiveness of the North American remittance market.

SECTION II - PRINCIPLES

Article 1.2 Economic Principles:

- a) People respond to incentives
- b) Capitalizing on market forces is an effective means of achieving objectives
- c) Markets require enforcement of property rights to function
- d) The market power of a single actor, or small group of actors, should not have a substantial impact on prices in a competitive market

Article 1.3 Transparency Principles:

Mandatory transparency for remittance charges is necessary as many immigrants have no way of comparing transfer fees, currency conversion premiums and other service charges applied to remittances.

Chapter II- Mechanisms of fostering North American remittance markets

SECTION I – DATA COLLECTION

Article 2.1 Collection of Essential Data

The Federal Government must collect essential data on the volumes, destinations and costs of remittances. A better understanding of barriers to the free movement of funds is necessary for better policy choices to be made.

SECTION II – ESTABLISHING A HEALTHY NORTH AMERICAN COMPETITION

Article 2.2 Increasing competitiveness

The North American legislators realize that the establishment of a competitive environment within and between States is an avenue that must be explored in order to generate and promote the adoption of proactive behaviour in regards to remittance markets.

Article 2.3 Competitiveness Mechanism

A North American competitive mechanism must be established in order to encourage and incite service providers with abusive and monopolistic levels of market power to provide services with reasonable transparency within an environment where consumers are protected.

Article 2.4 Transparent Competition Requirements

Transfer fees, currency conversion premiums and other service charges applied to remittances must be clear and comparable in a free market system. States will adopt rules requiring all institutions handling remittances to post such information in an understandable, transparent way to encourage competition.

SECTION III – MAXIMIZING DEVELOPMENT AND POVERTY REDUCTION POTENTIAL OF REMITTANCE FUNDS

Article 2.5 Minimizing double reduction of remittance-bound income

While workers are taxed on earned income, this reduced sum becomes subject to punitive fees that amount to a second devastating blow to funds intended as remittances. A competitive market would ensure this and consumer protection is necessary to the extent the market is not competitive.

Article 2.6 Fee regulation in non-competitive market sectors

Remittances services can be, and are, provided with total consumer costs ranging from 0 to 5 percent of and yet billions are lost each year to fees that range from 10 to 20 per cent. In consideration of this potential for abuse of a dominant market position the freedom of capital will be protected by the state that will impose maximum allowable rates for remittance service providers.

Chapter III – Mechanisms of enhancing security in North American Remittance markets

SECTION I – SHARED SECURITY INCENTIVES

Article 3.1 Minimizing Remittance Security Threats

One third of remittances are estimated to move underground or through informal ways where they can be mixed with money for drug trafficking and terrorist organizations. Bringing these people into a monitored and regulated remittance market will make transactions more secure and beneficial while making North America more stable and safe.

Article 3.2 Promotion of Legal Systems

Due to the shared security incentives of allowing transfers of funds across borders to move by legal means states should seek to offset any regulatory costs to remittance service providers through shared costs of advertising and promotion of legal services. Legally recognized remittance service providers will benefit from state funds in service promotion and their increased ability to attract new users to their financial services. Meanwhile, the state will benefit from more accurate remittance information by encouraging the growth of legal services while diminishing the risks posed by underground markets.

Chapter IV – Future enhancement of the developmental potential of North American remittance markets

Article 4.1 Annual Analysis

After annual data collection of the volumes, destinations and costs of remittance services state-specific outcomes and North American outcomes will be analysed to understand best how to further improve the remittance markets for better North American outcomes

Article 4.2 Possible Further Developmental Cooperation

Innovative ideas concerning shared developmental funding will be further considered including, but not limited to, the facilitation of communal remittance systems that allow workers to send funds home not to individual acquaintances but to a local communal infrastructure fund. This would empower workers to not only raise the standard of living of their loved ones but also the community through increased infrastructural development.

Article 4.2 Possible State Funding

State matching systems of communal infrastructure fund could help encourage this initiative. While Mexico would lead funding of this initiative Canada and the U.S. would be asked to consider their interests in promoting remittance-based development. The further development of Mexico would reduce poverty, threats of illegal integration, and strengthen Mexico as a trading partner. Canada and the U.S. would increase incentives and productivity among their foreign workers and also benefit from improved business and investment prospects in Mexico.

