



TRIUMVIRAT

The First North American Inter-parliamentary Simulation
Canadian Senate, Ottawa, May 23 to 27, 2005

PARTICIPANT'S HANDBOOK



• North American Forum on Integration •
Foro sobre la Integración Norteamericana • Forum sur l'Intégration Nord-Américaine

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1. Word of Welcome from the Executive Director of NAFI and Triumvirate's Secretary General

Dear participants,

It is the North American Forum on Integration's great pleasure to welcome you to the Triumvirate!

NAFI is very proud of the Triumvirate and realizes that it is your interest and participation that will render this project a real success.

During the simulation you will immerse yourself in real North American debates, defend your point of views, and strive to convince your colleagues of them. But most of all you will be innovators, simulating a greatly needed North American parliament.

While the three North American head of states have only just begun working towards a more regular cooperation, you, the Triumvirate participant, will have already taken a step forward evoking the possibility of further integration regarding parliament political actions and collaboration. Who knows maybe our governments and parliamentarians will be inspired by our motivation and effort and go forward with an official North American parliament!

NAFI hopes the Triumvirate will open you to North American integration issues, allow you to familiarize yourself with democratic processes and permit you to develop long lasting relations with your fellow North American colleagues.

Have a Great Triumvirate!

A handwritten signature in black ink, appearing to read 'Christine Fréchette', with a stylized, cursive script.

Christine Fréchette

2. General Presentation of NAFI

The North American Forum on Integration (NAFI) is a non-profit organization devoted to developing North American dialogue and networks.

Created in 2002, NAFI aims to build awareness on the issues raised by North American integration and to focus the attention of decision-makers on the importance of the challenges at hand.

Through the organisation of the Triumvirate, the principle objectives are :

- To bring together future leaders from Canada, the United States and Mexico in order to sensitize them to the challenges of North American integration and to develop their sense of North American identity;
- To inform the current decision makers of the priorities and the concerns of North American youth;
- To encourage intercultural exchanges and to create networks of interests between North American academics.

It is with this in mind that NAFI welcomes you to the very first North American inter-parliamentary simulation.

3. Roles and Responsibilities

General Secretariat

The team of the General Secretariat consists of the NAFI officials whose names and responsibilities during the Triumvirate are indicated below. In case of any problems, first contact the chair of your committee or caucus; if it persists, you can contact the appropriate member of the Secretariat from the list below. Please note that all members of the General Secretariat will be staying at the same hotel as you and their room numbers are also indicated.

The team of the General Secretariat

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Partner and
Guest Speaker Relations
tjumelle@fina-nafi.org

The team of the Secretariat will stay at the Aristocrat Suite Hotel – Tel: (613) 236-7500

Legislators

Those simulating the role of legislators at the Triumvirate will discuss the draft bill assigned to their political committee and negotiate the provisions in order to reach a consensus within that committee. Political committee meetings enable you to determine the content of draft resolutions, while country caucuses and legislative meetings give you the opportunity to discuss and negotiate with your colleagues to get their support for the various draft resolutions and seek a consensus.

Ideally, such discussions will enable you to reach a consensus within your committee. The consensus will be outlined in the draft resolution notice that will be presented for adoption by each committee chair at a plenary session of the General Assembly.

Note that the adoption of a draft resolution requires a majority of votes from each country and each legislative level, as indicated in article 5.3 of the Constitution.

As far as logistics is concerned, to assist you with your work, you are advised to bring along a laptop (if you have one), as well as all necessary material (notebooks, pencils, and documentation, etc.). You will have access to printers and photocopiers during the Triumvirate. However, we ask you to bring a copy of all the documents you have already received, thus the Constitution (consult our web site in order to make sure you have the latest version), the Participant's Handbook, and the Commissions guide.

The list of participants is presented in Appendix I.

Journalists

Your role as a journalist is to set up an editorial team for a newspaper that will be published every day of the Triumvirate, for a total of five releases from Tuesday morning to Saturday morning. Throughout the week, you will be supervised by the editor-in-chief who will assign you the committees and events to cover. You will be required to write at least one editorial based on a pre-assigned ideological leaning. You will have access to all participants; however, interviews with guest speakers, distinguished guests, experts and non participants require prior authorization from the editor-in-chief. Journalists set their own schedule. The deadline for the submission of articles will be determined by the editor-in-chief.

To help you with your work, you will have access to a news room. We recommend that you bring along a laptop, recorder and a digital camera, if possible.

Every journalist must respect the following guidelines on formal writing:

- Precise and validated information;
- Accuracy of facts and clarity of ideas;
- Intellectual and methodological precision in writing.

The editorial team for the newspaper consists of the following:

Editor-in-chief: Ms Annie Mathieu, Université de Montréal, Quebec, Canada.
Languages spoken: French, English.
E-mail address: annie.mathieu@gmail.com

Graphics and Editing Assistant/ Journalist: Ms Judith Lussier
Languages spoken: French, English.
E-mail address: lcdj1@yahoo.ca

Photographer/Journalist: Mr Chris Corsetti
Languages spoken: English.
E-mail address: chriscorsetti@hotmail.com

Journalist: Ms Gabriela Valeria Villavirencio Valdez
Languages spoken: Spanish, French, English
E-mail address: gvaleria_villavicencio@yahoo.com

Journalist: Mr Enrique Esquivel-Lopez
Languages spoken: Spanish, English.
E-mail address: enrilopez@yahoo.com

Lobbyists

As a representative of an interest group, you will ensure that the draft resolutions presented to the final General Assembly reflect the interests of your organization. You are thus required to put pressure on legislators in both caucuses and political committees in order to persuade them to accept your proposals. As a result, you will be invited to testify as experts in political committees to comment on draft resolutions and suggest amendments. You can also attend all caucus meetings as observers and respond to journalists.

You should have the necessary materials that are required to accomplish the task (e.g.: laptop, flyers (to distribute) or a brief position paper).

The list of lobbyists and their assigned political committees is outlined in Appendix I.

Executive Committee

The role and mandate of the members of the Executive Committee are specified in the Constitution (art. 3.2). Your role as a member of the executive committee will consist of assuring the smooth development of the Triumvirate work all while respecting the Constitution. Please note that the members of the Executive Committee also act as legislators.

The list of members of the Executive Committee is presented in Appendix I.

Caucus and Committee Chairs

The role and mandate of committee and caucus chairs are specified in the Constitution (art. 3.4 and 3.5).

Chairs must ensure that the Constitution and regulations are respected and that order is maintained during the sessions. They must act in a manner that helps their committee or caucus to accomplish their mandates and respect the allowed time. Note that committee and caucus chairs also act as legislators.

The list of chairpersons is presented in Appendix I.

Code of Conduct and Policy

You must act in a respectful and professional manner throughout the Triumvirate.

All participants must show respect toward their colleagues, as much in their behavior as in their language. No disrespectful words, gestures or behavior will be tolerated, nor any kind of misconduct or lack of respect.

Participants should also show respect for property in their rooms and during the Triumvirate. Participants are fully responsible for any damage caused.

With regard to political ideas, legislators must act in accordance with the customs and interests of the State they represent, while journalists must respect the basic rules of journalism. Legislators should also consider the geographical characteristics of the State they represent. With these points

in mind, legislators are free to express their personal views with respect to the issues being debated.

For reasons beyond our power, the simultaneous translation during plenary sessions will only be offered in English and French. Political committee business will be conducted in the committee's official language, while discussions in caucuses will be carried out in English. All participants should respect their colleagues for whom English, French or Spanish is not a first language.

Semi-formal attire is mandatory (a tie is optional).

4. Draft resolutions

The Secretariat has developed four draft resolutions from the preliminary draft resolutions presented by legislators. Each draft resolution will be debated and negotiated in the political committees, caucuses and plenary sessions.

- A) Trade Corridors
- B) Chapter XI of NAFTA
- C) Renewable Energy
- D) Immigration

PROJET DE RÉSOLUTION SUR LES CORRIDORS COMMERCIAUX

Proposé par le Comité exécutif du Triumvirat
Mai 2005

ÉNONCÉ DE MOTIVATIONS ET D'INTENTIONS¹

L'Accord de libre-échange nord-américain (ALENA) et plus particulièrement la suppression des barrières tarifaires au commerce des biens et des services a exacerbé les relations et échanges commerciaux entre le Canada, le Mexique et les États-Unis. Cette augmentation a provoqué une montée en flèche du trafic routier, ferroviaire, portuaire et aéroportuaire, avec comme résultat des délais d'attente et des embouteillages importants, particulièrement aux postes frontières nord-américains. Ainsi, l'augmentation du volume des biens échangés dépasse aujourd'hui la capacité d'absorption de nos routes, ponts, chemin de fer et postes frontaliers.

Bien que cet engorgement des réseaux de transport découle de la signature de l'ALÉNA, celui-ci ne fournit pas de cadre politique, légal ou institutionnel qui permette de répondre aux besoins occasionnés par les échanges commerciaux accrus. Cette absence de considération pour les enjeux liés au transport vient aujourd'hui limiter les retombées commerciales pouvant résulter de l'ALÉNA.

C'est pourquoi il est essentiel de favoriser le développement de corridors commerciaux nord-américains, lesquels fonderont les bases d'un système de transport intégré en Amérique du Nord.

Le présent projet de résolution vise à maximiser le potentiel économique de l'Amérique du Nord par la création de la Commission nord-américaine pour les corridors commerciaux (CNACC), à diminuer l'engorgement aux postes frontières, à réduire le nombre de véhicule circulant sans chargement, à réduire le niveau de pollution et à permettre la mobilité des transporteurs accrédités au sein de l'ensemble du territoire nord-américain.

Les parlementaires nord-américains, réunis dans le cadre de la première assemblée du Triumvirat, conviennent de ce qui suit :

Chapitre 1– Commission nord-américaine pour les corridors commerciaux (CNACC)

¹ Ce projet de résolution est inspiré de propositions de résolutions soumises par des parlementaires du Triumvirat.

Section 1 – Mandat et structure

1. Est créée la Commission nord-américaine pour les corridors commerciaux (CNACC) dont le mandat consiste à gérer de manière optimale le développement des corridors commerciaux de l'Amérique du Nord selon les principes suivants:
 - a. Améliorer, moderniser et intégrer l'infrastructure de transport nord-américaine;
 - b. Concilier les intérêts économiques liés au transport commercial avec les objectifs de sécurité et de protection de l'environnement;
 - c. Créer un cadre législatif harmonisé, équitable et sécuritaire en matière de transport.
2. La CNACC, en vue de planifier le développement des corridors commerciaux, verra à :
 - a) Recueillir et mettre à jour les informations sur la fréquence d'utilisation des corridors de transport actuels, l'origine, la destination, la quantité, le poids et la valeur des biens transportés.
 - b) Développer un plan d'action en matière de développement des corridors commerciaux tenant compte de liste des corridors commerciaux à « haute priorité » développée par le congrès américain;
 - c) Créer et coordonner le travail des comités de la CNACC, lesquels traiteront notamment de l'harmonisation des législations, de la protection de l'environnement et des postes frontaliers.
 - d) Créer et gérer le Fonds d'investissement pour les transports (FIT), lequel financera le développement des infrastructures de transport (ponts, routes, voies ferrées, postes douaniers,...) au sein de corridors commerciaux reliant au moins deux des trois pays nord-américains.
 - e) Mettre sur pied un programme de mobilité nord-américaine pour les entreprises de transport;
3. La CNACC est composée des ministres des Transports des États fédéraux et fédérés d'Amérique du Nord, ci-après appelés les « Membres ».
4. Des représentants des municipalités, des chambres de commerce, des organisations environnementales, des syndicats et des universités des trois pays peuvent assister à l'ensemble des travaux de la CNACC, à titre d' « Observateurs », avec droit de parole et sans droit de vote.
5. La CNACC se réunit aussi souvent que nécessaire et au moins une fois par année.

6. La CNACC adopte ses recommandations à la majorité de ses Membres.
7. La CNACC rend publique les banques de données qu'elle constitue, les études qu'elle réalise et qu'elle commande et les résolutions qu'elle adopte.

Section 2 - Financement de la CNACC

8. a) La CNACC est financée par les contributions des Membres, du secteur privé et du secteur bancaire.

b) Le FIT est financé grâce à une taxe prélevée aux postes douaniers d'Amérique du Nord, auprès de toute entreprise de transport dont le véhicule (camion, train, bateau) de passage à la frontière est libre de chargement, ainsi qu'auprès des entreprises de transport dont le véhicule de passage à la frontière ne respecte pas les normes environnementales minimales convenues par les Membres.

Section 3 – Comités de la CNACC

Sont créés des comités qui devront être composés à part égale de Membres et d'Observateurs.

9. Le *Comité sur l'harmonisation des normes* proposera des méthodes d'harmonisation des législations des trois pays et créera un cadre législatif juste, transparent et équitable pour le transport terrestre, ferroviaire et maritime, dans une perspective de développement du transport intermodal.
10. Le *Comité sur l'environnement* évaluera l'impact environnemental de tout projet de développement des corridors commerciaux. Il formulera des recommandations visant à minimiser les impacts environnementaux des projets de corridors commerciaux. Le Comité verra également à définir les normes environnementales minimales que les transporteurs devront respecter.
11. Le *Comité des postes frontaliers* proposera un plan de modernisation et d'accroissement du nombre de postes douaniers à l'échelle du territoire nord-américain, afin de rendre plus efficace le transport des marchandises et des personnes.

Chapitre 2 – Programme de mobilité des camionneurs

12. La CNACC développera les modalités de fonctionnement d'un programme de mobilité des camionneurs lequel permettra aux entreprises de camionnage nord-américaines d'être accréditée par la CNACC comme « Transporteur nord-américain certifié ». Seules les entreprises respectant les normes de sécurité et d'environnement convenues par les Parties pourront être accréditées. La certification de la CNACC rendra possible aux entreprises de camionnage :

- a. L'octroi de services de transport pour l'ensemble du territoire nord-américain;
- b. Le cabotage au sein du territoire nord-américain pour tout transporteur certifié par la CNACC.



DRAFT RESOLUTION ON NAFTA’S CHAPTER XI

Proposed by the Executive Committee of the Triumvirate
May 2005

STATEMENT OF MOTIVATION AND INTENT ²

This resolution has as primary objective to reform Articles 1110 and 1114 of section A of Chapter XI in the North American Free Trade Agreement (NAFTA) with the goal of ensuring that NAFTA provides fair and competitive jurisdictions for direct foreign investment (DFI) while protecting public interest.

This resolution has, as its second objective, the creation of an appeal system for claims filed under Chapter XI, section B, of the North American Free-Trade Agreement (NAFTA). The proposed ad hoc appellate body is the North American judicial court, composed of judges from all three Parties to the NAFTA. It has jurisdiction to hear appeals from first instance Tribunals of the Chapter XI investor-state disputes.

North American parliamentarians of the first Triumvirate assembly have convened upon the following:

Chapter I - Reform to Article 1110

1. A new preamble is inserted into Chapter XI to reflect the changes to Article 1110. This new preamble states:

The reforms made to Article 1110 are to ensure that Chapter XI can no longer challenge areas of public policy that are deemed to be for the public good. These changes reflect the principles that the rights of FDI should not outweigh the public good. Chapter XI still allow for challenges to be made in cases that fall outside of these areas.

2. The term “measures tantamount” can not refer to any government’s measures devoted to respect the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

² This project resolution has been inspired by Triumvirate parliamentarians’ resolution proposals and by IISD Model International Agreement on Investment for Sustainable Development.

3. Governments can exempt policies from Chapter XI in cases of national importance for a period of up to 5 years.
4. In times of national emergency, crisis, or other dire circumstances governments can exempt public policy from Chapter XI during that period of time.

Chapter II - Reform to Article 1114 - Implementation of an Environmental Compliance Policy

5. The Parties recognize that it is inappropriate to encourage investment by relaxing environmental measures and thus shall not waive or otherwise derogate from, or offer to waive or otherwise derogate from, such measures as an encouragement for the establishment, acquisition, expansion or retention in their territories, of an investment.
6. Recognizing the right of each Party (Government of Canada, United States and Mexico) to establish its own level of domestic environmental protection and its own sustainable development policies and priorities, and to adopt or modify its environmental laws and regulations, each Party shall ensure that its laws and regulations provide for high levels of environmental protection and shall strive to continue to improve those laws and regulations.
7. All Parties shall have a domestic environmental impact assessment law that meets the minimum standards previously adopted by the Parties on these matters.
8. Investors or the investment shall comply with environmental assessment screening criteria and assessment processes applicable to their proposed investments prior to their establishment, as required by the laws of the host state for such an investment OR the laws of the home state for such an investment. Whichever environmental assessment process is more rigorous in relation to the investment in question shall be applied. On all occasions, the investor or investment shall comply with the minimum standards on environmental impact assessment and screening established by the Parties.
9. Investors or the investment shall make the environmental impact assessments public and accessible in the local community in the host state where the investment is intended to be made prior to the completion of the host state measures prescribing the formalities for establishing an investment.
10. A list of independent organisations shall be submitted to the Investors by the host state to proceed with the environmental impact assessment. No environmental impact assessment produced by another organisation shall be accepted.

Chapter III – Creation of an *ad hoc* Appellate Body for decisions rendered by a first instance Tribunal under NAFTA – Chapter XI investor – State Claims

Section 1 - General Clauses

11. The present statute creates **The NAFTA COURT OF APPEAL FOR INVESTOR-STATE CLAIMS**, an *ad hoc* court of appeals for suits filed under Chapter 11 of the NAFTA investor-state claims.
12. It is understood that in the body of the present statute, the **NAFTA COURT OF APPEAL FOR INVESTOR-STATE CLAIMS** will be referred to as “The Court”.
13. It is understood that in the present statute, the Government of Canada, the Government of Mexico and the Government of the United States of America will be referred to collectively as “the PARTIES”.

Section 2 - Composition of the COURT

14. The Court will be composed of seven (7) judges:
 - a. Two judges appointed by the Government of Canada;
 - b. Two judges appointed by the Government of Mexico;
 - c. Two judges appointed by the Government of the United States of America, and
 - d. One judge, appointed upon consensus by the NAFTA PARTIES.
15. Judges will be appointed for a term of five (5) years, during which they cannot be removed.
16. Judges may not be reappointed and their term cannot be extended.
17. Candidates must have practiced law for a minimum of 10 years in their respective judicial systems to be eligible for appointment.
18. Candidates must be citizens of their respective country, both at the time of appointment and throughout their term, to be eligible for appointment.
19. In case of serious illness or death, the government of the concerned party shall appoint a judge to complete the term. The prohibition indicated at article 16 shall not apply to judges appointed in this fashion.
20. Other considerations for appointment are left to the discretion of the individual.

Section 3 - Judicial Powers of the Court

21. The Court has jurisdiction to hear the appeal of any decision rendered in a suit filed under Chapter 11 of NAFTA, provided that:
 - a. A decision has been rendered by a first instance tribunal under the dispute rules set by the UNCITRAL or the ICSID;
 - b. The appeal is sought within one (1) year after the decision of the first instance tribunal was rendered, and;
 - c. The Parties make public the decision of the first instance tribunal.

22. Decisions of the Court are final and not subject to further appeal.
23. The PARTIES must abide by the Court's decision and uphold its decisions by: reversing, amending, or implementing appropriate legislation to satisfy the claimant's demands.
24. The Court's decisions shall serve as precedent and, where applicable, shall have a binding effect on first instance tribunals (*stare decisis*).
25. The Court has no jurisdiction to hear appeals relating to claims filed under any other Chapter of the NAFTA or of any other treaty or commercial agreement.

Section 4 – Access to documents

26. Decisions rendered by the Court shall be made public by the PARTIES, except:
 - a. Information found to be of a confidential commercial nature;
 - b. Privileged information that cannot be divulged because of one of the Party's national or local statutes;
 - c. Information that cannot be divulged by a Party as per the rules of arbitration as applied in the first instance.

Section 5 - Costs

27. The Court's administrative costs shall be incurred by the Parties equally.
28. The judges' salaries will be borne by each Party according to a scale to be determined by each Party.
29. Claimants will bear additional costs that relate to each specific appeal if their appeal is dismissed.

Section 6 - Language

30. English, French and Spanish are the official languages of the Court.
31. All decisions of the Court shall be rendered in English, French and Spanish, all of which shall bear equal force of Law.
32. Simultaneous translation in all three official languages will be provided during all of the Court's proceedings.



Proyecto de resolución sobre energía renovable

Proposed by the Executive Committee of the Triumvirate
May 2005

ENUNCIADO DE MOTIVACIONES E INTENCIÓN³

Los recursos energéticos renovables son inagotables y reducen considerablemente las repercusiones ambientales de la generación de energía. Sin embargo, el precio pagado para obtener la energía “tradicional” no toma en consideración los importantes subsidios que recibe el sector energético como así tampoco los daños ambientales que él mismo genera. Además, los subsidios otorgados a las energías convencionales disminuyen la posibilidad de que las fuentes renovables de energía incrementen su participación en el mercado y así se beneficien con las economías de escala, lo que crea una distorsión en los costos de las diferentes fuentes energéticas. Por consiguiente, se necesita restablecer una cierta igualdad entre el mercado energético tradicional y el no tradicional.

La contribución de las fuentes renovables de energía permite lograr una variedad de objetivos que son centrales para el desarrollo de los Estados de América del Norte:

- el logro de un crecimiento económico sostenible, ya que las fuentes renovables de energía contribuyen a la reducción de los impactos ambientales y de los gases de efecto invernadero;
- el mejoramiento de la seguridad y de la autonomía energética derivado de la diversificación de las fuentes energéticas que se produce gracias a las energías renovables;
- la disminución de las externalidades – incluyendo los costos de salud, de seguridad y ambientales– en comparación con las energías convencionales;
- la creación de empleos de calidad;
- la autonomía y el fortalecimiento de las economías de las regiones periféricas o aisladas de América del Norte, con el fin de contribuir a la cohesión económica y social.

Dada la integración del mercado norteamericano, la coordinación de los esfuerzos entre los tres países es indispensable para lograr un desarrollo sostenible en la región. El objetivo del presente proyecto de resolución es encaminar en forma conjunta a los Estados de América del Norte en la vía de un desarrollo energético más seguro, diversificado, eficiente y respetuoso del medio ambiente.

³ This project resolution has been inspired by Triumvirate parliamentarians’ resolution proposals.

Los parlamentarios de América del Norte, reunidos en el marco de la Primera Asamblea legislativa del Triunvirato acuerdan lo siguiente::

CAPÍTULO I – RESOLUCIÓN RELATIVA AL APOYO GUBERNAMENTAL A LAS ENERGÍAS RENOVABLES Y NO RENOVABLES

1. Los representantes de los Estados de América del Norte convienen en adoptar un plan concertado de reducción de los subsidios y ayudas gubernamentales otorgados al sector de las energías no renovables. Las reducciones anuales de los subsidios, escalonadas en los próximos 25 años, deberán ser de por lo menos un 4% por año, y desaparecer completamente antes del año 2030;
2. Los Estados que no cumplan con esta obligación se expondrán a medidas de represalia económica de naturaleza equivalente al daño causado por el Estado que no hubiere respetado sus compromisos;
3. El 20% de los montos no gastados en subsidios y ayudas gubernamentales irá al Fondo de Desarrollo de Energías Renovables de América del Norte (FODERAM);
4. Los gobiernos de América del Norte podrán otorgar subsidios y ayudas gubernamentales que apoyen la generación y la compra de energía renovable. Estas ayudas deberán sin embargo ser temporarias y suspenderse al término del período de veinticinco años.

CAPÍTULO II - RESOLUCION SOBRE LAS ZONAS DE PRIORIDAD ENERGÉTICA MEDIOAMBIENTAL DE AMÉRICA DEL NORTE

Sección 1 - De las Zonas de Prioridad Energética Medioambiental de América del Norte

4. Las Zonas de Prioridad Energética Medioambiental de América del Norte (ZOPEMAN) se encuentran situadas en los territorios de Canadá, de los Estados Unidos de América y de los Estados Unidos de México.
5. Los objetivos de las ZOPEMAN son favorecer el uso de las fuentes renovables de energía, a fin de permitir un desarrollo sostenible a escala de América del Norte.
6. Los criterios de definición de las ZOPEMAN incluirán:
 - a) el porcentaje de producción y el porcentaje de consumo energético de combustión fósil;

b) el porcentaje de producción y el porcentaje de consumo energético nuclear.

Cada uno de los porcentajes deberá ser indexado en una escala del 0 al 1, en el que el 0 representa el porcentaje del 100% de producción fósil o nuclear y el 1 representa el 0% de producción fósil o nuclear. La media de los índices, con un valor mínimo de 0 y máximo de 1, se denominará “Índice de las Zonas de Prioridad Energética Medioambiental” (IZOPEMAN) de América del Norte.

7. El IZOPEMAN, así como la lista de los Estados de la ZOPEMAN, serán actualizados cada dos años.
8. Las provincias o estados de los tres Estados soberanos del TLCAN que tengan un IZOPEMAN igual o inferior a 0,5 serán declarados “Zonas de Prioridad Energética Medioambiental de América del Norte” (ZOPEMAN).
9. Los Estados partes de las Zonas de Prioridad Energéticas:
 - a) Deberán, dentro de los 18 meses siguientes a la publicación de la lista de las ZOPEMAN, presentar, lograr la aprobación por parte de la Comisión de Cooperación Ambiental (CCA) de América del Norte, e implementar un plan de acción con medidas tendientes a aumentar la producción y/o el consumo de energía procedente de fuentes renovable en el Estado;
 - b) De no cumplir con los compromisos del Artículo 9a), un Estado deberá contribuir al financiamiento del Fondo para el Desarrollo de las Energías Renovables de América del Norte (FODERAM).

Sección 3 - Del Fondo para el Desarrollo de las Energías Renovables de América del Norte (FODERAM)

10. El FODERAM invertirá sus fondos en los siguientes campos:
 - a. desarrollo de tecnologías verdes
 - b. uso de fuentes renovables de energía
 - c. incremento de la eficiencia energética
 - d. cumplimiento de los compromisos por parte de los Estados del ZOPEMAN.



DRAFT RESOLUTION ON IMMIGRATION

Proposed by the Executive Committee of the Triumvirate
May, 2005

STATEMENT OF MOTIVATION AND INTENT⁴

Canada, the United States and Mexico share a rich past with regards to immigration. The North American population is made up of immigrants from diverse cultures that have played a major role in building a unique community. Historically, immigration has been one of the key factors in the demographic development, prosperity and identity of North American society. As a result, North American immigration issues cannot be addressed in purely national terms.

The economic and social development of each North American country is closely dependent on the contribution and harmonious integration of immigrants into the labor market. A better system for managing migratory flows is therefore imperative.

After trade liberalization, North American countries must now proceed in improving the management of migratory flows within this region. Immigration's major challenge is balancing the following: the goals of prosperity, the need for social cohesion, the need for security, as well as the necessity to protect individual rights.

In this context and bearing in mind the goals of prosperity, security and protection of human rights, the current draft resolution proposes the creation of the Commission on Immigration in North America that should be responsible for managing and regulating migratory flows within this region and should help in the development and implementation of a North American immigration strategy.

North American parliamentarians of the first Triumvirate assembly have convened upon the following:

⁴ This Draft resolution has been inspired by Triumvirate parliamentarians' resolution proposals.

Chapter 1 – Creation Commission on Immigration in North America

1. A Commission on Immigration in North America (CINA) is created and has as its main mandate to supervise and regulate migratory flows in Canada, the United States and Mexico, keeping in mind the following objectives:
 - a) facilitate and increase legal migratory flows within North America;
 - b) ensure security in North America;
 - c) respect the basic needs and rights of immigrants;
 - d) respect the national sovereignty of Canada, the United States and Mexico regarding immigration.
2. CINA is composed of Immigration and Homeland Security Ministers from Canada, the United States and Mexico.
3. CINA adopts its recommendations unanimously.
4. CINA is accountable to the governments of Canada, the United States and Mexico.
5. CINA's mandate does not affect the immigration policies of Canada, the United States and Mexico with regard to non North American countries.

Chapter 2 – CINA Responsibilities

Section 1 – North American Visas

6. A North American work and study visa is created. This visa is issued and administered by CINA.
7. The requirements to obtain a North American work or study visa are the following:
 - a) be a Canadian, American or Mexican citizen, permanent resident or refugee;
 - b) not pose a security threat to Canada, the United States and Mexico.
8. Visas are granted in order of priority to:
 - a) current holders of a work or study visa in Canada, the United States or Mexico who are citizens of one of the these three countries;
 - b) illegal immigrants living or working in Canada, the United States or Mexico who are citizens of one of the these three countries;
 - c) other citizens of the three countries who request a North American visa.
9. CINA is committed to increasing the number of North American visas issued yearly, based on a percentage to be agreed among the three countries.

10. Visas are issued for duration of five years and are renewable based on the initial conditions of issue.

11. Work and study visas uses biometric technology and all information about the holder which CINA deems necessary.

Section 2 – Common Database

12. CINA is committed to establishing a common and confidential database for Canada, the United States and Mexico containing all the information in visas.

13. CINA is responsible for managing this information.

14. Based on information provided by agencies in Canada, the United States and Mexico, CINA issues an attestation confirming that the applicant does not pose a security threat.

Chapter 3 – The North American Immigration Tribunal (NAIT)

15. The North American Immigration Tribunal is created to ensure that the rights and freedom of all Canadian, American and Mexican citizens, permanent residents and refugees are respected by overseeing the decisions rendered by CINA.

16. NAIT is composed of three judges who are appointed respectively by Canada, the United States and Mexico to five-year terms.

17. All Canadian, American and Mexican citizens, permanent residents and refugees have the right to appeal to the NAIT any decision rendered by CINA with regards to the processing of their application for a North-American visa.

18. NAIT may approve, reject or modify any decision rendered by CINA.

19. Decisions rendered by CINA are final.

Chapter 4 – Advisory Committees on Immigration Policies and Infrastructure

Section 1 – Committee for Harmonizing Immigration Policies and Refugee Status (CHIPRS)

20. Is created the Committee for Harmonizing Immigration Policies and Refugee Status (CHIPRS) composed of three senior officials who are appointed respectively by the three members of CINA.

21. The CHIPRS is responsible for:

- a) determining the need for a common list of countries that require a North America visa;
 - b) carrying out studies on harmonizing policies among Canada, the United States or Mexico regarding the determination of refugee status; and,
 - c) monitoring the implementation of the *Agreement between the Government of Canada and the Government of the United States of America for Cooperation in the Examination of Refugee Status Claims from Nationals of Third Countries* and study its possible expansion to include Mexico.
22. CHIPRS provides its conclusions and recommendations to CINA.
- Section 2 – Committee on Border Infrastructure (CBI).**
23. The Committee on Border Infrastructure (CBI) is created by CINA and composed of three senior officials appointed respectively by the three members of CINA.
24. The CBI is responsible for studying:
- a) possible customs infrastructure measures in North America to facilitate the entry of immigrants in possession of a North American visas and prevent entry to illegal individuals;
 - b) the need to create a relief fund for Mexico to be used to acquire border technology and infrastructure required by CINA.
25. The CBI provides its conclusions and recommendations to CINA.



5. Awards and Distinctions

The various prizes and distinctions that will be awarded at the closing ceremony of the Triumvirate are listed below.

Delegates/ Lobbyists

1. Outstanding performance

2. Distinguished performance
3. Honorable performance
4. Best preliminary draft resolution/paper
5. Best negotiator

Journalists

6. Best article

The prizes and distinctions will be awarded by the General Secretariat at the recommendation of the chairs of caucuses and political committees, and the president and vice-president of the Executive Committee.

The award criteria are as follows:

- Relevance of the proposals put forward by the participants (delegates/lobbyists);
- Respect for the interests, customs and objectives of the State/organization represented;
- Respect for other delegates, regulations, code of conduct and policies;
- Excellent knowledge of the topics debated at the political committees;
- Excellent knowledge of the rules of parliamentary affairs;
- Openness to compromise and negotiating;
- Professionalism.

Good luck to everyone!



North American Forum on Integration

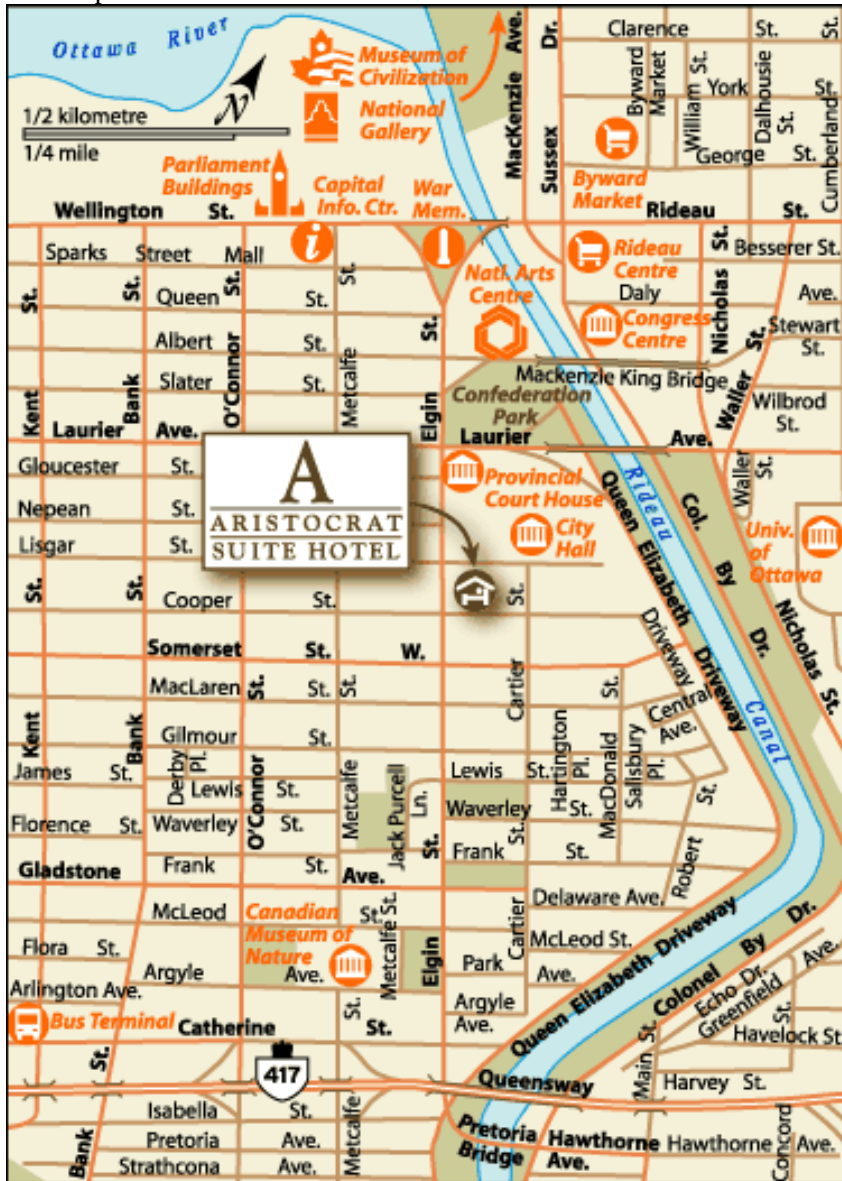
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 Tel: (514) 844-8030 | Fax: (514) 844-2030
www.fina-nafi.org | info@fina-nafi.org

Appendix II – Accommodation

You will be lodged at the Aristocrat Suite Hotel in Ottawa during your stay. The hotel is located at 141 Cooper Street - Tel: (613) 236-7500 Fax: (613) 563-2836.

Four participants will share a room. The room comes with breakfast provided by NAFI and it will be served daily from 7 a.m. to 8:15 a.m. Free wireless Internet service is available in each room. The hotel will provide you with the necessary adapters for wireless access.

The map below shows the location of the hotel and Senate.



PARTICIPATING UNIVERSITIES

CENTRE D'ÉTUDES
ET DE RECHERCHES
INTERNATIONALES



Université 
de Montréal



Université du Québec

École nationale d'administration publique



Carleton
UNIVERSITY

Canada's Capital University



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