



TRIUNVIRATO

La primera simulación interparlamentaria de América del Norte
Senado Canadiense, Ottawa
23 al 27 de mayo 2005

Informe Final



Organizado por

El Foro sobre la Integración Norte Americana (FINA)

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¡UN DEBUT A TODO ÉXITO!

El Foro sobre la Integración Norteamericana está muy satisfecho con los resultados de la primera simulación parlamentaria norteamericana, que tuvo lugar del 23 al 27 de mayo de 2005 en el Senado canadiense. Esta primera experiencia resultó ser una de las más apasionantes. Felicitaciones a todos los participantes, que nos impresionaron por su seriedad y su alto nivel de preparación. ¡Su entusiasmo nos ha transmitido energía para los meses venideros!

Recordemos que durante cinco días, setenta estudiantes universitarios del primer ciclo y de los ciclos superiores simularon un encuentro de legisladores procedentes de parlamentos nacionales y subnacionales de Canadá, Estados Unidos y México. Las negociaciones, los compromisos y las largas jornadas de trabajo se dieron cita entre los participantes, quienes debieron presentar y defender su punto de vista en el marco de sesiones plenarias y comisiones políticas, relativas a proyectos de resolución referidos a los corredores comerciales, las fuentes renovables de energía, la inmigración y el capítulo del TLCAN sobre las inversiones. Para conocer el fruto del trabajo de los estudiantes, consulte las resoluciones finales presentadas a continuación, tal como fueron adoptadas por la Asamblea de los miembros, en la lengua oficial de trabajo de cada comisión.



Durante los trabajos, se llevaron a cabo reuniones de caucus con los elegidos por país o por nivel legislativo, con el fin de facilitar la obtención de consenso. Por otra parte, la presencia de cabilderos que intentaban influenciar a los legisladores, así como periodistas que informaban sobre la evolución de los

debates, permitió iniciar a los participantes en las relaciones de fuerza entre los elegidos, los medios de comunicación y los grupos de presión.

Asimismo, cabe destacar que la celebración de las reuniones en la sala oficial del Senado y en las salas de comisiones del Senado, así como la presencia de un equipo de rodaje durante las sesiones del Triunvirato proporcionaron un fuerte carácter de autenticidad al evento.

Debido a que cada legislador debía presentar un país diferente del suyo, el Triunvirato aportó a los participantes una rica adquisición de conocimientos relativos a las relaciones de poder, al funcionamiento de las instituciones parlamentarias, a la necesidad de crear alianzas y a la realidad norteamericana.



Bajo la presidencia de honor de Raymond Chrétien, ex Embajador de Canadá en Estados Unidos y en México, el Triunvirato posibilitó asimismo las pláticas entre participantes y numerosos conferencistas de alto nivel sobre los temas sujetos a debate.

No debemos dejar de mencionar que, gracias al Triunvirato, se creó una sólida red de amistad norteamericana para el futuro.

EL
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TrilatHerald

No olviden de consultar el periódico "El TrilatHerald", donde se relatan los hechos destacados del Triunvirato. Las cinco ediciones están disponibles en la página del FINA (www.fina-nafi.org), en la sección "Triunvirato".

Para concluir, queremos agradecer sinceramente al equipo de la Secretaría del FINA, que llevó a cabo un trabajo colosal para la organización de esta primera gran experiencia. Agradecemos también al Senado canadiense, a los patrocinadores y a las universidades participantes por su invaluable apoyo, sin el cual este proyecto no hubiera podido concretarse. Celebramos asimismo el trabajo de los cuatro asesores de las comisiones políticas que supieron guiar con habilidad los debates de los legisladores.

Considerando el éxito obtenido en la primera edición del Triunvirato y el muy alto nivel de satisfacción de los participantes, se ha previsto realizar una segunda edición del Triunvirato en 2006. Consulte nuestro sitio Internet para conocer la evolución de las gestiones en este sentido.

Tenemos prisa por renovar esta experiencia el próximo año y deseamos fervientemente contar nuevamente con su participación para escribir la continuación de esta aventura iniciada con brío.

Trilateralmente a vuestra disposición,



Christine Frechette
Presidenta y Directora General
Foro sobre la Integración Norteamericana



LO QUE NOS DIJERON

«Es uno de los mejores modelos a los que he asistido!» afirma un participante de la Universidad de Monterrey.

“Realmente fue una de las mejores experiencias de mi vida. El Triunvirato fue una experiencia extraordinaria y me siento honrado de haber participado en ella junto con toda esta gente maravillosa”, afirma Marlon Brown, de la American University.



“Considero que el evento ha contado con una excelente organización y ha otorgado la oportunidad de desarrollar un foro de discusión de alto nivel académico” dice un participante del TEC de Monterrey.



“El Periódico constituyó un muy buen medio para inscribir en la historia del Triunvirato los momentos más importantes de la simulación. Felicitaciones a todo el equipo”, comenta un participante de la ENAP.

“Esta experiencia ha enriquecido mi visión de la integración y de las relaciones norteamericanas. Me siento agradecido por esta oportunidad de representar a otra nación y exaltado por tan loable visión común”, afirma un participante de Carleton University.

Los periodistas del TrilatHerald



“La aventura del Triunvirato fue una de las mejores experiencias de mi vida. El aprendizaje que un delegado realiza durante esta semana es simplemente increíble. Por eso, el Triunvirato debería ser una prioridad para cualquier institución universitaria que considere que el aprendizaje de los fenómenos políticos es esencial para la formación de sus estudiantes”, sostiene Mike Medeiros de la ENAP.



CONFERENCISTAS QUE INSPIRAN

“Los debates fueron realmente estimulantes y educativos. Las conferencias fueron asombrosas y muy informativas”, opina un participante de la Université de Montréal.



Prof. Ronald Watts
Principal Emeritus, Professor Emeritus of Political Studies
And Fellow of the Institute of Intergovernmental Relations
Queen's University



M. Bob Rae
Presidente del Foro de las Federaciones
Ex Primer Ministro de la Provincia
de Ontario



James H. Williams
Minister-Counselor for Public Affairs,
Embajada de los Estados Unidos a Canadá



Raymond Chrétien, Presidente de Honor
Amb. Chrétien es Consejero Estratégico en
Fasken Martineau. Se desempeñó también
como embajador de Canadá en los Estados
Unidos y en México



M. Terrance Christopher
Usher of the Black Rod
of the Canadian Senate



Excell. Maria Teresa de Madero, Embajadora de México
en Canadá con la delegación de la Universidad de Monterrey

Síntesis de los debates

NAFTA's Chapter XI commission:

I can sum up the debate on the Chapter XI commission in two words: efficient and effective. In our first commission session, I decided to divide the draft resolution into three sections: chapter I dealt with public goods; chapter II dealt with environmental norms and chapter III with the creation of the permanent appellate court. The commission quickly agreed (by straw pole vote) that there should be no discussion on the possibility of altering or altogether eliminating Chapter XI from the NAFTA.



Each delegate was given the chance to express his or her views on each of the chapters in order. After the first round table, it was clear that the first chapter was too vague and needed to be further defined and that it was unwise to alter directly the text of the NAFTA, but instead it would be wiser to simply make reviews and recommendations on Chapter XI's interpretation through the use of the new court. It was agreed that if consensus could not be reached on how to define public goods, then the whole chapter would be stricken from the draft resolution.

The second round table sparked the most controversy; delegates did not seem to agree on how environmental norms should be included in the resolution. It was also agreed that if consensus could not be reached, we would strike the whole chapter from the draft resolution.

The third round table was short; all delegates agreed on the need for a permanent appellate court and agreed that small modifications and additions needed to be made. The commission then agreed that for the second and third sessions, the commission would begin by amending chapter III first (creation of the court), then chapter I (public good) and finally chapter II (environment) since the latter was the most controversial.

The second committee session proceeded with deliberations on the details of the new court. Most of the debate focused on the judges' nominations, power, tenure time and required experience. There was also substantial debate on the Court's power and jurisdiction. But overall, the delegates were all in agreement, and consensus was easy to reach for this chapter.

The commission then proceeded to discuss the chapter I section. Debates were short, and all delegates realized that the best thing to do was to remove the active clause into the statement of intent and to encourage the judges from both first instance and appeals courts to interpret Chapter XI in a more restrictive manner, allowing for governments to legislate in favor of public good and in times of national crises.

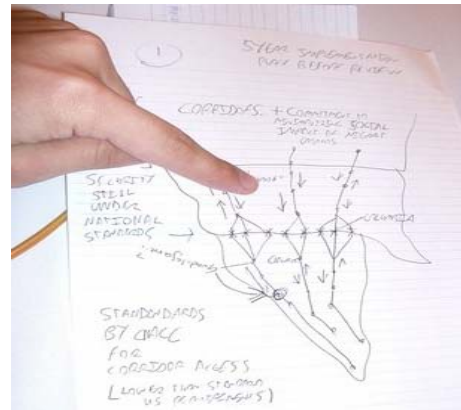
Finally, the commission took on the task of reaching consensus on the delicate environmental issue. It is noteworthy to point out that at this particular point, the delegates had become quite proficient and effective in their proposals and negotiations. It took little time for the

delegates to come to an agreement, amending the section by further defining certain clauses, adding new clauses and striking redundant and/or incoherent clauses. The commission unanimously agreed on the draft resolution, so there was no need to either separate or strike any section from the whole text. The commission reached its decision, and final draft resolution, well before schedule. Moreover, no further modifications or recommendations were made and the draft resolution was adopted unanimously in the General Assembly.

Report prepared by:
Daniel Souhami, Chair for the Commission
on NAFTA's Chapter XI

Commission sur les corridors commerciaux :

La Commission sur les corridors commerciaux a dû faire face à, essentiellement, deux sujets de litige. Premièrement, il y avait la question des camions mexicains. La délégation mexicaine voulait à tout pris que les États-Unis accordent un accès inconditionnel aux camions de transport mexicains sur le territoire américain. Par contre, la délégation américaine devait protéger les intérêts des transporteurs américains contre les transporteurs mexicains qui sont beaucoup moins dispendieux. Un compromis a été atteint avec la création d'un système à double accréditation. Les camions mexicains auront un libre accès sur le territoire américain s'ils atteignent les exigences américaines. Ces exigences permettront de contrôler la forte différence des coûts d'exploitation, causé par des conditions de travail et des réglementations techniques et environnementales moins exigeantes au Mexique, entre les compagnies de transport mexicaines et ses homologues américaines. Pour les camions qui ne peuvent pas obtenir cette accréditation, certains pourront obtenir une accréditation qui leur permettra de circuler sur des corridors de transport désignés. Cette proposition représente une ouverture pour les camions mexicains dans le marché américain et protège le marché américain contre un accroissement important de camions mexicains sur le territoire américain.



Deuxièmement, chaque pays voulait à tout pris garder sa souveraineté sur les questions de transport national. Alors, nous avons élaboré l'idée des conseils nationaux et de la Commission nord-américaine pour les corridors commerciaux (CNACC). Chaque pays décide de la composition de son conseil national. Ces conseils nationaux régissent, essentiellement, le domaine du transport commercial transfrontalier nord-américain sur leur territoire national. Du plus, chaque pays décide de la composition de ses représentants à la (CNACC), une organisation intergouvernementale et non supranationale.

Notre commission a, principalement, rédigé une nouvelle résolution qui, avec beaucoup de compromis et de coopération, a satisfait toutes les délégations et tous les représentants.

Synthèse préparée par:
Mike Medeiros, Président de la Commission
sur les Corridors Commerciaux

Immigration Commission:

Como todos sabemos, el flujo de personas a través de las fronteras norteamericanas es una parte muy importante del sistema económico, político y social de la región, y por tanto, era de suma importancia el alcanzar un acuerdo que facilitara este intercambio sin poner en riesgo la seguridad de las tres naciones. Dentro de la comisión de inmigración, se dieron debates muy intensos por la complejidad del tema que se estaba tratando y debido a la postura tan definida de cada país con respecto a la materia, fue necesario durante la negociación estar dispuestos a ceder con el propósito de lograr el bienestar común.

De esta forma, los delegados de los tres países combinamos los intereses estatales y federales en la búsqueda de una mayor integración migratoria que a la larga traerá beneficios incalculables. El resultado fue una resolución muy completa, que propone la creación de una comisión norteamericana entre cuyas funciones está el facilitar e incrementar el flujo migratorio legal en la región, expedición de visas norteamericanas, creación de una base de datos común y la creación de los comités de Infraestructura Fronteriza e Investigación y Consejo para la migración norteamericana.

Reporte preparado por:
Denisse García Díaz, Presidente de la
Comisión sobre Inmigración



Energy Commission:

The experience I had chairing the Commission on Energy at the Triumvirate was great. Consensus within the Commission was the best example of the commitment of the honourable delegates and the political will, needed to accomplish the objectives established to look for a better environment in North America. The first decision taken was to homogenize terms by changing the word renewable to non traditional and to classify the modes of production in two categories for the purposes of the resolution.

During the debates it was possible to create the North American Advisory Committee on Energy that will conduct studies and investigations to improve and increase energy efficiency. We also feel proud of the decision to reduce government subsidies and assistance given to the traditional forms of energy. It was not an easy task but with the enthusiasm and dedication of the fellow delegates of this Commission, the valuable contributions promoted during the General Assembly and the extraordinary work we all did during the lobbying, our negotiations and debates could finally become the Final Resolution on Energy adopted by the First Legislative Assembly of the Triumvirate.



Report prepared by:
Liliana Perez, Chair on the Energy Commission



TRIUMVIRATE

Resolution on NAFTA'S CHAPTER XI

Adopted by the First Legislative Assembly of the Triumvirate
Ottawa, May 28, 2005

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

STATEMENT OF MOTIVATION AND INTENT

This resolution has as primary objective to review 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 permanent 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.

The reviews 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 DFI should not outweigh the public good. Chapter XI still allows for challenges to be made in cases that fall outside of these areas.

Chapter I - Review to Article 1110

1. The TRIUMVIRAT parliament strongly recommends that both the first instance *ad hoc* tribunals as well as the new permanent **NAFTA COURT OF APPEAL FOR INVESTOR-STATE CLAIMS** interpret the term “measures tantamount” found in NAFTA’s Chapter XI in a much narrower scope by the judiciary to reduce spurious cases and to focus on cases related in two limited areas:
 - a. When a PARTY directly confiscates the investments of foreign investors without proper compensation.
 - b. When protectionist measures are created which favour domestic investors over foreign investors.

2. Governments can exempt policies from Chapter XI in cases of national importance, such as in times of national emergency, crisis, or other dire circumstances during that period of time and to a maximum of three years.

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

3. 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.
4. Recognizing the right of the PARTIES to establish their own level of domestic environmental protection and their own sustainable development policies and priorities, and to adopt or modify their 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.
5. 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. On all occasions, the investor or investment shall comply with the minimum standards on environmental impact assessment and screening established by the Parties.
6. Investors or the investment shall make the environmental impact assessments public and accessible to 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.
7. A list of independent organisations shall be submitted to the Investors by the PARTIES to proceed with the environmental impact assessment, unless the government has an existing internalised process for conducting environmental assessments; any environmental impact assessment produced by any of these organisations or the internalised government process shall be accepted as final.

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

Section 1 - General Clauses

8. The present statute creates The NAFTA COURT OF APPEAL FOR INVESTOR-STATE CLAIMS, a permanent court of appeals for suits filed under Chapter 11 of the NAFTA investor-state claims.
9. 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”.
10. 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

11. 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 Specialist Judge, appointed upon consensus by the six permanent judges to the case on an ad-hoc basis dependent on their expertise in the topic area of the specific case at hand. If consensus is not possible, then the six permanent judges will vote for the seventh ad hoc judge. In case of a tie in the vote, the chief justice will have the tie breaking vote.
12. The permanent judges will be appointed for a term of seven (7) years, during which they cannot be removed.
 - a. The seventh *ad hoc* judge will be appointed for the full duration of an appeal filed, until a decision is rendered.
13. A chief justice will be appointed on a rotational basis by the individual PARTIES and will serve as such for the duration of his first term only.
14. The permanent judges may be reappointed for one (1) extra term to a maximum of 14 years.
 - a. The seventh *ad hoc* judge may be reappointed to other filed appeals.
15. Candidates must have practiced law for a minimum of 10 years in their respective judicial systems to be eligible for appointment;
 - a. The seventh *ad hoc* judge requires an expertise of a minimum of ten (10) years of practice in the specific field of law related to the filed appeal.
16. Candidates must be citizens of their respective country, both at the time of appointment and throughout their term, to be eligible for appointment.

17. In case of serious illness, death or resignation, the government of the concerned PARTY shall appoint another judge to complete the term.
18. Other considerations for appointments are left to the discretion of the individual Parties.
 - a. Other considerations for the ad hoc judge will be left to the six (6) permanent judges.

Section 3 - Judicial Powers of the COURT

19. 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.
20. Decisions of the COURT are final and not subject to further appeal.
21. The decision of the court is binding on both the PARTIES and the claimant; PARTIES must abide by the COURT's decision and uphold its decisions by: reversing, amending, or implementing appropriate legislation consistent with the COURT's decision.
22. The COURT's decisions shall serve as precedent and, where applicable, shall have a binding effect on first instance tribunals (stare decisis).
23. 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.
24. The COURT will not receive retroactive cases but will be able to receive cases that are still pending in first instance tribunals, provided that the decisions in the first instance tribunals are not rendered before the creation of this COURT and that all the criteria for appeal of this resolution are respected.

Section 4 – Access to documents

25. 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

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

Section 6 – Language

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

Section 7 – Location

32. It shall be the responsibility of the PARTIES to provide suitable location for the COURT to be heard; the location shall be determined on a case-by-case basis, with the location being within the domestic territory of the PARTY against which the claim is being made.

Section 8 – Administration

33. The COURT will determine its own administrative and procedural rules provided that they are not in violation of this document.
34. The COURT must present an annual report to the TRIUMVIRAT parliament on its hearings.





TRIUMVIRAT

Résolution sur les corridors commerciaux

Adoptée par la première Assemblée législative du Triumvirat

Ottawa, le 28 mai 2005

Les parlementaires d'Amérique du Nord, rassemblés dans le cadre de la première assemblée du Triumvirat, conviennent de ce qui suit:

ÉNONCÉ DE MOTIVATION ET D'INTENTION

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, chemins 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.

Ce projet créera des conseils nationaux (CN) et un conseil trilatéral qui régiront à partir de cette résolution les domaines de transports nord-américains. Les conseils nationaux et trilatéraux auront alors un pouvoir résiduel sur tout aspect qui n'est pas expressément indiqué dans cette résolution.

La Commission nord-américaine pour les corridors commerciaux visera à développer de meilleures conditions sociales et environnementales dans ses trois pays membres.

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

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-américain;
 - b. Concilier les intérêts économiques liés au transport commercial avec les objectifs de sécurité;
 - 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 »;
 - c. Créer et coordonner le travail des conseils de la CNACC, lesquels traiteront notamment de l'harmonisation des législations, de la protection de l'environnement et des postes frontaliers;
 - d. Mettre sur pied un programme de mobilité nord-américaine pour les entreprises de transport.
3. La CNACC sera composé de conseils nationaux (CN) de nature bureaucratique pour chaque pays membres; et ces pays membres auront une discrétion quand à la composition de leurs conseils.
4. Ces conseils nationaux formeront par la suite un conseil trilatéral. Ce conseil trilatéral sera formé de parts égales par des membres des conseils nationaux. La sélection des membres du conseil trilatéral sera choisit par chaque conseil national des trois pays membres.
- 5- Des liaisons gouvernementales assureront un lien entre les départements de sécurité intérieure, de commerce international, de transport et des affaires étrangères de chaque État fédéré.

- 6- La CNACC et ses conseils se réunissent aussi souvent que nécessaire et au moins une fois par année.
- 7- La CNACC et ses conseils adoptent ses recommandations à la majorité de ses Membres.
- 8- La CNACC et ses conseils rendront publiques les banques de données qu'ils constituent, les études qu'ils réalisent et qu'ils commandent et les résolutions qu'ils adoptent.

Chapitre 2 - Programme de mobilité des camionneurs

- 9- La CNACC développera les modalités de fonctionnement d'un programme de mobilité des camionneurs lequel permettra aux entreprises de camionnage nord-américaines d'être accréditées par la CNACC comme « Transporteur nord-américain certifié ». Seules les entreprises respectant les normes de sécurité, d'environnement et du droit de travail convenues par les Parties pourront être accréditées. Ceci mènera à la création de :
 - a) voies rapides commerciales (fast-lane) pour faciliter le transport de marchandise qui sera accrédité par la CNACC en vue d'améliorer l'efficacité du transport frontalier;
 - b) 15 nouveaux postes douaniers (fast-lane) aux frontières mexicaines-américaines qui seront redistribués en trois corridors (est, central et ouest) qui traverseront l'Amérique du Nord.
- 10- La CNACC donnera l'accréditation à tous transporteurs qui va atteindre les critères et exigences décidées par chaque conseil national sur les aspects environnementaux, de droit du travail et de sécurité. Cette accréditation donnera le droit aux transporteurs de circuler librement sur tout le territoire géré, respectivement, par chaque CN.
- 11- Pour les transporteurs qui ne se qualifient pas pour l'accréditation visée par l'article précédent, la CNACC donnera une accréditation réduite aux transporteurs qui atteindront des exigences désignées par le conseil trilatéral; cette accréditation limitera ces transporteurs aux corridors commerciaux.
- 12- Les critères et exigences pour les deux types d'accréditation seront publiés; sauf pour tout renseignement qui pourrait être une menace à la sécurité nationale des États membres.

Chapitre 3 - Financement de la CNACC

- 13- La CNACC sera financée par les trois membres à part égale avec des dispositions pour des exceptions spéciales pour le Mexique qui seront révisées à tous les cinq ans.
- 14- Des frais tarifaires seront aussi imposés sur la marchandise pour aider au financement.
- 15- Nous encourageons le développement de partenariat public-privé (PPP) pour la formation de tout projet de la CNACC.





TRIUMVIRATE

Resolution on Immigration

Adopted by the First Legislative Assembly of the Triumvirate
Ottawa, May 28, 2005

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

Chapter 1 – Creation of the Commission on Internal Migration in North America

1. A commission on internal migration in North America (CIMNA) is created and has as its main mandate to supervise and regulate internal 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) CIMNA recognizes and establishes common goals to ensure safety and security of North America, including the eventual harmonization of migratory policies within 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. a) CIMNA is composed of the immigration, Homeland Security, foreign affairs and international aid ministers or three equivalent officials from Canada, the United States and Mexico.
- b) The chair of CIMNA shall rotate every six month between the three countries in the following order: United States of America, Mexico, Canada, with the longest-serving minister from that particular country assuming the position.
3. CIMNA adopts its recommendations unanimously.
4. CIMNA is accountable to the governments of Canada, the United States and Mexico.
5. CIMNA may also make recommendations concerning the migratory policies of the United States, Canada and Mexico in regards to migrants from non-North American countries.

6. CIMNA shall have the power to create any committees deemed necessary to achieve its mandate.

Chapter 2 – CIMNA Responsibilities

Section 1 – North American Visas

7. A North American work and study visa is created. This visa is issued and administered by CIMNA.
8. The requirements to obtain a North American work or study visa are the following:
 - a) Be a Canadian, American or Mexican citizen;
 - b) Not pose a security threat to Canada, the United States and Mexico;
 - c) Respond to the needs and respect the qualifications established by the provinces and states.
9. 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 ranked according to a system of points established by CIMNA to reflect the interests of the states, provinces and countries;
 - c) Other citizens of the three countries who request a North American visa ranked according to a unique system of points established by CIMNA.

Visas must be issued to representatives of all three of the above categories of potential applicants.

10. The number of North American visa issued by CIMNA should reflect the labor market needs for new working force by each states, provinces and countries.
11. CIMNA shall help and encourage Mexico in promoting Canada as a destination for Mexican workers.
12. Visas are issued for a duration of five years and are renewable based on the initial conditions of issue.
13. Work and study visas use biometric technology and all information about the holder which CIMNA deems necessary.

Section 2 – Common Database

14. CIMNA is committed to establishing a common and confidential database for Canada, the United States and Mexico containing all the information in visas.
15. CIMNA is responsible for managing this information and should ensure that every individual share access to their own personal information.
16. Based on information provided by agencies in Canada, the United States and Mexico, CIMNA issues an attestation confirming that the applicant does not pose a security threat.

Chapter 3 – Advisory Committees on Immigration Policies and Infrastructure

Section 1 – Committee on Research and Advising on North America Internal Migration (CRANAIM)

17. This commission must work on the evolution of the North American labor market and, specifically, on the links between incentives to return internal migration and economic development in North America.

Section 2 – Committee on Border Infrastructure (CBI)

18. The Committee on Border Infrastructure (CBI) is created by CIMNA and composed of three senior officials appointed respectively by the three members of CIMNA.
19. 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 visa 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 CIMNA.
20. The CBI provides its conclusions and recommendations to CIMNA.

Chapter 4 – Financing CIMNA

21. A common fund must be established for financing CIMNA.
22. CIMNA's fund is accountable to the government of Canada, the United States and Mexico.

23. For determining the fees paid by each country, the following criteria must be considered:

- a) Population
- b) GNP
- c) Percentage of the total immigration flows in the region.





TRIUMVIRATE

Resolution on Energy

Adopted by the First Legislative Assembly of the Triumvirate
Ottawa, May 28, 2005

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

STATEMENT OF MOTIVATION AND INTENT

The production of Energy is vital to both the people of North America and their economies. In the future, the need for energy is expected to grow. However, the production of energy comes with an environmental cost. This impact on the environment can be of different degrees, depending on what type of energy is produced and on how it is produced.

Power is the one subject that North American States are concentrating their efforts on in this Resolution. The three countries and their federated states have agreed to recognize the impact of electricity production on North American environment. Therefore, it is important, from now on, to gather our efforts in reducing those impacts.

Such an effort can only be made through an integrated vision of economical development. Energy should be produced in a way that respects both environmental standards and economic growth. Two relevant issues will be present in this document in order to secure the viability of it: first, knowing that the distribution of energy sources as well as the demand of each province or state are heterogeneous, we will not homogenize North American energy systems but instead, we will foster the best use of energy. Secondly, there is an economic gap between the States of the North American countries. This will always be taken into account through out the elaboration of these resolutions to make sure the three countries are in fact converging and not increasing their economic differences.

Since the concept of renewable or green energy has not come up to a precise definition yet by scientists, the three countries however agree on the following priorities, classifying the modes of production in two categories. The first one, the non traditional energy, which is considered better for the environment; the second one, the traditional energy, which is more commonly used but considered to cause more damage to the environment.

Non traditional energies:

1. Biomass
2. Geothermal
3. Hydro-electricity
4. Solar
5. Tidal
6. Wind

Traditional energies:

7. Coal
8. Natural gas
9. Nuclear
10. Oil

Given the integration of the North American market, the coordinated efforts of the three countries are essential in order to achieve sustainable development in the region. This resolution aims to encourage North American states to work towards producing energy in a safer, more diversified, efficient and environmentally friendly manner for the short and the long term.

Although this resolution does not encourage the further usage of nuclear energy, it does recognize that when properly managed, it represents a safe and inexpensive source of energy.

Chapter 1 – Resolution regarding government support for non traditional and traditional energy sources

1. Representatives of the three North American countries agree to adopt a coordinated plan to reduce government subsidies and assistance given to the traditional forms of energy. The three countries agree to present a plan of subsidy reductions to the North American Advisory Committee on Energy (NAACE) development within a year with the objective of balancing the subsidies between traditional and non traditional forms of energy, regarding production structure and energy consumption of each country.
2. The States of North America concur to create the North American Advisory Committee on Energy (NAACE) which will address academic and technological exchange.
3. NAACE will have the faculty to conduct studies which will determine the criteria defining an energy and environmental priority zone. The result of this research will be submitted to the governments of the member states in order for these members to identify pollution reduction measures in those zones.

Chapter 2 – Resolution regarding North American Environmental and Energy Priority Areas

4. According to article 1, the objectives of the North American Environmental and Energy Priority Areas (NAEEPA) include energy savings programs, efficient use of current sources and the promotion of renewable energy sources, which would allow the achievement of a sustainable development in North America.
5. The NAACE would have the responsibility to create the definition criteria of NAEEPA, taking into account the expertise of its members and of the North America governments.

Chapter 3 - The North American Advisory Committee on Energy (NAACE)

8. NAACE will investigate, taking in account the economical impact, the following areas:
 - a. Development of environmentally friendly technology;
 - b. Use of non traditional energy;
 - c. Increase in energy efficiency;
 - d. Ways to implement progressive changes that favor the use of non traditional energy to achieve the goals stated in Article 1.
9. During the following six month period this Energy Commission will get together to discuss energy integration issues.
10. In order to insure the economic viability of this resolution in North America, the NAACE will meet to create a fund through NAEEPA, which will promote development.



Delegados	Status	País/Estado	Comisión	Papel	
Gabriela Valeria Villavirencio Valdez	Periodista	-	-	Presidente de la Asamblea	
Annie Mathieu	Periodista	-	-		
Guillaume Lavoie	Estatad	Texas (1/3)	-		
Enrique Esquivel-Lopez	Periodista	-	-		
Miriam Mariana Quintanilla Camargo	Federal	USA	Capítulo 11	Secretaria com. Cap11	
Inès Maxaira Baltazar Gutiérrez	Federal	USA	Capítulo 11		
Tokou Traoré	Federal	México	Capítulo 11		
Calin Plesa	Estatad	Florida (1/2)	Capítulo 11		
Jessica Wong	Estatad	Texas (1/3)	Capítulo 11		
Brian Yaeck	Estatad	Washington State	Capítulo 11		
Aaron Rodericks	Estatad	Estado de México (2/2)	Capítulo 11		
Rosalinda Del Valle	Estatad	Ontario (1/2)	Capítulo 11		
Nery Evelyn Gracia Ledezma	Estatad	Illinois (1/2)	Capítulo 11		
Oscar Fernando de la Mora Abdo	Estatad	Pennsylvania	Capítulo 11		
Javier Muñoz Torres	Estatad	California (1/4)	Capítulo 11	Tesorero Presidente caucus de los estados federados	
Daniel Souhami	Federal	México	Capítulo 11		
Marlon Brown	Federal	Canadá	Capítulo 11		
Iván Farias Pelcastre	Federal	USA	Energía		
Liliana Pérez Chávez	Federal	USA	Energía	Presidente com. Cap 11 Presidente caucus Canadá Presidente caucus federal/secretaria com. Energía	
Javier Alberto Lichtle Fragoso	Federal	USA	Energía		
Vanessa Casanovas	Federal	México	Energía		
Michel					
Natalie Chapdelaine					
Irina Koulatchenko					
Patricia Morales	Estatad	Canadá	Energía	Presidente caucus USA	
Maria Isela Meléndez Tamborrell	Estatad	Alberta	Energía		
Rodrigo Baltazar Ruiz Gandarilla	Estatad	Pennsylvania	Energía		
Arturo Salazar González	Estatad	New York (1/3)	Energía		
Nuty Cárdenas Alamitos	Estatad	Alaska	Energía	Vice-presidente	
Vladimir Vázquez Hernández	Estatad	Michigan (1/2)	Energía		
Daniel Alberto Cámara Avalos	Federal	USA	Inmigración		
Gabriela Corton Santana	Federal	USA	Inmigración		
Eugénie Despatie-Pelletier	Federal	México	Inmigración	Presidente caucus México Secretaria com. inmigración	
Karim Cheaib	Federal	México	Inmigración		
Ricardo Cuellar	Estatad	México D.F.	Inmigración		
Jean-François Carrière	Estatad	New York (2/3)	Inmigración		
Cindy Serre	Estatad	New Mexico	Inmigración		
Marie Bélanger	Estatad	Arizona	Inmigración		

Mark J. Panneton	Estatat	Texas (1/3)	Inmigración	
J. J. McCullough	Estatat	Florida (1/2)	Inmigración	
Cynthia Facio	Estatat	Puebla	Inmigración	
Melba Denisse Garcia Diaz	Estatat	Massachusetts	Inmigración	Presidente com.
Daniela Rodriguez Gutierrez	Estatat	Illinois (1/2)	Inmigración	Inmigración
Alberto Carlos Guzmán Abundes	Estatat	Québec	Inmigración	
Paulina Pérez	Federal	USA	Comercio	
Gabriel Guillermo Arellano Aguilar	Federal	USA	Comercio	
			Comercio	Secretaria com.
Audrey Lafontaine	Federal	México		Comercio
				Presidente com.
Mike Medeiros	Estatat	Ohio (2/2)	Comercio	Comercio
Karl Segnoe	Estatat	Kansas	Comercio	
Janna Ferguson	Estatat	Jalisco	Comercio	
Hilary Spek	Estatat	Nuevo León	Comercio	
Mario Treviño	Estatat	Manitoba	Comercio	
			Comercio	
Gloria Maria Elizondo Elizondo	Estatat	Ontario (1/2)		
Antonio Del Pozo Garcia	Estatat	Michigan (1/2)	Comercio	
Ana Luisa Hernández			Comercio	
Angeles	Estatat	California (1/4)		
Sven Spengemann	Federal	Canadá	Comercio	Decano
Judith Lussier	Periodista	-	-	
Chris Corsetti	Periodista	-	-	
Victor Meza	Grupo de Presión	Sindicatos - ORIT	-	
Jesús Francisco Chairez Garza	Grupo de Presión	Border Trade Alliance	-	
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Julieta Alejandra Yanez	Monterrey		Inmigración	Asesor
Véronique Robichaud	CCE		Energía	Asesor
Jean-Michel Beaucher	U of Mtl		Comercio	Asesor
Equipo del FINA/NAFI				
Christine Fréchette	Secretaria general			
Magalie Laliberté	Responsable de los Medias			
Tamaïka Jumelle-Kouakou	Responsable de las conferencias			
Jean-Michel Beaucher	Asistente de Tamaïka Jumelle-Kouakou			
Céline Roche-Crespo	Responsable de los participantes			
Minea Valle	Asistente de Céline Roche-Crespo			
Justin Massie	Responsable de las Comisiones Politicas, de los Caucus y del Comité Ejecutivo			

Horario Triunvirato

	Lunes 23 Mayo Lugar : Hôtel Aristocrate	Martes 24 Mayo Lugar : Senado	Miercoles 25 Mayo Lugar: Senado	Jueves 26 Mayo Lugar : Senado	Viernes 27 Mayo Lugar: Senado
A.M.	10h30-14h30 Bienvenida a los participantes Hotel Aristocrate	7h00-8h15 Desayuno en el hotel 9h00-12h00 Sesión Plenaria Intervención de la Secretaría general Elección del presidente Intervención del Presidente Senate Chamber	7h00-8h15 Desayuno en el hotel 9h00-12h00 4 comisiones políticas Edificio Victoria	7h00-8h15 Desayuno en el hotel 9h00-13h00 Sesión Plenaria Senate Chamber	7h00-8h15 Desayuno en el hotel 9h00-12h00 Sesión Plenaria Votos sobre las resoluciones de cada comisión Senate Chamber
Comida		12h00-14h00 Comida Conferencia con Raymond Chrétien, Presidente de honor del Triunvirato Salón Wellington	12h15-13h45 Comida Conferencia con Bob Rae, Presidente del Foro de Federaciones Edificio Center Block,	13h00-14h30 Comida Conferencia con James H. Williams, Minister-Counselor for Public Affairs USA embassy in Canada Salon Wellington	12h30-14h00 Comida Conferencia con María Teresa de Madero, actual embajadora de México en Canadá Edificio Center Block
P.M.	14h30-15h00 Sesión de Información del FINA	14h30-17h30 Sesión Plenaria Elección del Vice-Presidente Presentación de los proyectos de resoluciones de cada comisión Senate Chamber	14h00-17h30 4 comisiones políticas Edificio Victoria	14h30-18h00 Cabildeo	14h00-17h30 Sesión Plenaria Debates sobre temas de actualidad Entrega de Premios Senate Chamber
	15h00-15h45 Conferencia Prof. Ron Watts', Queen's University				
	16h00-16h45 Caucus por país				
	17h00-17h45 Caucus por nivel legislativo				
Cóctel y Cena	19h00 Cena Reunión Comité Ejecutivo	17h30-19h00 Cena	17h30-19h00 Cóctel-cena Edificio Wellington	18h30 Cena	18h00-20h00 Cena
Tarde	Actividad libre	19h30-21h30 4 comisiones políticas 22h00 Reunión Comité Ejecutivo Hotel Aristocrate	19h00 Publicación de los reportes de las comisiones	20h30 Reunión del Comité Ejecutivo	21h00 Actividad libre
			19h00-20h00 Caucus por país	2100 Entrega de las recomendaciones y las propuestas de temas de actualidad para debatir	
			20h00-21h00 Caucus por nivel legislativo	21h00-22h00 Caucus por nivel legislativo	
			22h00 Reunión del Comité Ejecutivo	22h-23h Caucus por país	

Unas estadísticas elocuentes

97% de los participantes juzgaron la elección de los conferencistas alta o buena



97% de los participantes juzgaron los temas relevante o muy relevante



90% de los participantes juzgaron la organización en general de bueno o alto nivel



Hotel Aristocrat

94% de los participantes quieren participar al Triunvirato en 2006



Los organizadores del FINA



Guillaume Lavoie, Presidente de la Asamblea

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

- ❖ *Desempeño Excepcional:*
Daniel Souhami, Delegado Federal del Parlamento de México, Presidente de la Comisión sobre el Capítulo 11 - Université de Montréal.
- ❖ *Excelente Desempeño:*
Marlon Brown- Delegado Federal del Parlamento de Canadá, Presidente del caucus Federal de Canadá - American University.
- ❖ *Desempeño Notable:*
Karl Segnoe, Delegado Estatal del Parlamento de Kansas - Simon Fraser University.
- ❖ *Mejor Negociador:*
Mike Medeiros, Delegado estatal del Parlamento de Ohio, Presidente de la Comisión sobre Corredores Comerciales - École Nationale d'Administration Publique.
- ❖ *Mejor propuesta de proyecto de resolución:*
Vanessa Casanova Michel, Delegada Federal del Parlamento de México -Université de Montréal.
- ❖ *Mejor artículo de diario del TrilatHerald:*
Gabriela Valeria Villavicencio Valdez, Periodista- Instituto Tecnológico de Estudios Superiores de Monterrey.
- ❖ *Elección del nombre del diario del Triunvirato "TrilatHerald":*
Judith Lussier, Periodista- Université de Montréal.
- ❖ *Premio Triunvirato – creado y otorgado por la asamblea de delegados a la persona que mejor encarna los valores postulados por el Triunvirato:*
Marlon Brown- Delegado Federal del Parlamento de Canadá, Presidente del caucus Federal de Canadá - American University.

El FINA agradece sinceramente a todas las universidades participantes su confianza e interés por este proyecto innovador, el Triunvirato. Nos sentimos especialmente orgullosos de su apoyo, que ha permitido concretar esta iniciativa.

UNIVERSIDADES PARTICIPANTES



La organización del Triunvirato ha sido posible gracias al valioso apoyo y respaldo de nuestros patrocinadores. Para ellos nuestro agradecimiento. Su accionar permitirá que numerosos jóvenes norteamericanos avancen más aún en la senda de una ciudadanía activa y responsable.

PATROCINADORES DE PRESTIGIO



Affaires étrangères
Canada

Foreign Affairs
Canada



PATROCINADORES PRIVILEGIADOS

GazMetro

Commission de coopération environnementale
de l'Amérique du Nord

Bureau du premier ministre du Québec

The Washington Center