

Law and Business Review of the Americas

Volume 2 | Number 2

Article 2

1996

Editor's Welcome

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Recommended Citation

Jill A. Kotvis, *Editor's Welcome*, 2 LAW & BUS. REV. AM. 3 (1996)
<https://scholar.smu.edu/lbra/vol2/iss2/2>

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Editor's Welcome

Even those who followed the North American Free Trade Agreement (hereinafter "NAFTA") proceedings at a distance, knew of the importance which environmental issues played in the trade negotiations leading up to the passage of the NAFTA and its side agreements. A heroic first in international trade agreement negotiation, the NAFTA included provisions in the trade agreement on environmental laws, their implementation and enforcement, and on sustainable development. We are, therefore, very pleased to provide to you the second of two issues which explore in detail the environmental aspects of the NAFTA, its side agreements, and its impact in member countries and Latin America. As with prior issues, the two Environmental Issues are interdisciplinary in nature addressing the legal, business, economic, political, and social policy dimensions of the environmental aspects of the NAFTA, its implementation, expansion and overall impact on doing business throughout the Americas. These interdisciplinary areas once again address both practical and policy aspects of the NAFTA, its implementation, and its associated issues.

This second Environmental Issue focuses on the second NAFTA side agreement, a bilateral agreement between the United States and Mexico involving the 2,000 mile border between the two nations. This agreement established the Border Environmental Cooperation Commission (BECC) and the North American Development Bank (NADBank), both of which are discussed in introductions provided by the heads of these agencies, Roger Frauenfelder, General Manager of the BECC and Alfredo Phillips, Managing Director of the NADBank. These agencies and their impact on the Border environment are explored in greater detail in articles by experts on border environmental issues. Gregg A. Cooke provides direction on the BECC Project Certification Guidelines which he helped draft while with and on loan from the Texas Attorney General's office. My article provides an analysis of the NAFTA's impact on the Border environment and a review of BECC and NADBank current activities. Student notes lend further background on the new BECC and NADBank institutions and underlying documents are provided as well. Mexican lawyer Sergio Bustamonte of Ciudad Juarez provides insight into current trends in Mexico's environmental laws and regulatory scheme, an issue of importance to border communities as well as NAFTA negotiations. Finally, U.S. attorney Jeff Gracer gives us a perspective on NAFTA's impact on Latin America. We look forward to sharing these views with you as well.

Our immediately preceding Environmental Issue focused on the environmental provision of the NAFTA and the Supplemental Agreement on the Environment, and included an analysis of the filings to date before the North American Commission on Environmental Cooperation. That issue included introductions and perspectives from high-level officers of the environmental agencies of all three NAFTA member countries: Gabriel Cabrillo-Diaz, Technical Secretary to the Attorney General of Environmental Protection and Moises Medleg, Private Secretary to the Attorney General of Environmental Protection of Mexico; Sheila Copps, Minister of the Environment, Environment Canada; and William A. Nitze, Assistant Administrator for International Activities of the U.S. Environmental Protection Agency. It also included environmental articles as well from environmental experts selected to provide the practical viewpoint of practicing attorneys from all three member countries. Canadian lawyers, Timothy M. Egan and James W. Harbell provided an interesting perspective on the international environ-

mental management standard ISO 14,000, *vis a viv* the North American Commission on Environmental Cooperation. Mexican lawyer Louis R. Vera Morales enlightened us on the facts behind the most recent filing before the North American Commission on Environmental Cooperation arising from post-construction of the pier in Cozumel, Quintana-Roo, Mexico. My contribution provided a U.S. perspective on the environmental successes of the Miami Summit of the Americas and environmental issues likely to be addressed in the extension of the NAFTA to Chile. The global perspective was also provided on sustainable development from Mary P. William Silveira, a Senior Officer with the Division for Sustainable Development, Department for Policy Coordination and Sustainable Development for the United Nations.

In producing this professional journal, we are fortunate to have a highly competent Board of Professional Editors, guided by a distinguished Board of Editorial Advisors selected by the ABA Section, Southern Methodist University and the Centre for Commercial Law Studies. On these two Environmental Issues in particular, our editors were assisted by the Student Editorial Board, drawn from highly qualified law students at Southern Methodist University School of Law.

We hope you will take advantage of the practical information provided by this and our prior companion Environmental Issue, in developing close relations with the institutions discussed within, and with those who have authored the articles in these two issues. We trust you have enjoyed this issue as much as we have enjoyed preparing it for you enlightenment and guidance.

Thank you for reading our journal. We are most appreciative of your continued readership.

Jill A. Kotvis
Editor, Environmental Symposium Issue
