



CAFTA Facts

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ENVIRONMENTAL FIRSTS IN CAFTA ***New Citizen-Participation Process, Benchmarking of Progress***

CAFTA's Environment Chapter Provides a Robust New Public Submissions Process

- Modeled on the NAFTA environmental side agreement, the public submissions mechanism will create an important new avenue for civil society to raise specific problems associated with enforcement of environmental laws. It also offers opportunities for further capacity-building on enforcement matters and civil society dialogue.
- CAFTA is the only FTA to include this kind of public submissions mechanism in the core text (NAFTA mechanism is contained in a side agreement). The CAFTA mechanism goes beyond NAFTA in important respects:
 - There is a lower threshold for a meritorious case to move forward to development of a detailed "factual record" (on request of a single party, whereas NAFTA requires a 2/3 vote);
 - There are provisions for following through on the "factual record" findings, including recommendations by the joint Environmental Affairs Council to build the capacity of countries to enforce their environmental laws.

Environmental Cooperation Agreement (ECA) Provides for Benchmarking and Monitoring

- An ECA was negotiated in parallel with CAFTA that builds on USAID's long-term environmental planning in the region and is specifically linked to activities under the Central American-U.S. Joint Accord.
- Allows for implementation of a unified interagency budget strategy to ensure that priorities identified in the ECA and its work plan are fully funded.
- Establishes benchmarks to identify short-, medium- and long-term goals for improvements in environmental protection in Central America and the Dominican Republic. Provides for independent, outside monitoring by organizations such as UNEP and the IDB to assess progress towards achieving benchmarks.
- Priority areas include: reinforcing capacity to implement and enforce environmental laws; promoting implementation of obligations under certain multilateral environmental agreements, such as CITES; improving conservation of natural resources and increasing transparency in their pricing and regulation; and promoting clean technologies and environmentally friendly goods and services.
- Provides opportunities to increase regional coordination. For example, Central American legislators have already met to coordinate their efforts to improve clean water legislation.