MEETING SUMMARY

of the

INTERNATIONAL SUBCOMMITTEE

of the

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

December 5, 2001
Seattle, Washington

Meeting Summary Accepted By:

Wendy Graham	**Larry Charles**
Designated Federal Official	**Acting Chair**

CHAPTER SIX
MEETING
OF THE
INTERNATIONAL SUBCOMMITTEE

1.0 INTRODUCTION

The International Subcommittee of the National Environmental Justice Advisory Council (NEJAC) conducted a one-day meeting on Wednesday, December 5, 2001, during a four-day meeting of the NEJAC in Seattle, Washington. Mr. Larry Charles, Sr., O.N.E./C.H.A.N.E., Inc., served as acting chair of the subcommittee in the absence of Mr. Alberto Saldamando, International Indian Treaty Council, who is the current chair of the subcommittee. Ms. Wendy Graham, U.S. Environmental Protection Agency (EPA) Office of International Activities (OIA), continues to serve as the Designated Federal Officer (DFO) for the subcommittee. Exhibit 6-1 presents a list of the members who attended the meeting and identifies those members who were unable to attend.

This chapter, which provides a summary of the deliberations of the International Subcommittee, is organized in six sections, including this *Introduction*. Section 2.0, *Remarks*, summarizes the opening remarks of the acting chair and the DFO. Section 3.0, *Theme Discussion: The Relationships Among Water Quality, Fish Consumption, and Environmental Justice,* summarizes presentations about and discussions of the topic of water quality and fish consumption. Section 4.0, *Presentations and Reports,* presents an overview of other presentations and reports received by the subcommittee, as well as discussions carried out and comments offered by members of the subcommittee. Section 5.0, *Presentation by the Thailand Delegation*, summarizes the presentation made by representatives of Thailand to the subcommittee. Section 6.0, *Action Items*, summarizes action items adopted by the subcommittee.

2.0 REMARKS

Mr. Charles, acting chair of the International Subcommittee, opened the meeting by welcoming the members and Ms. Graham, the DFO. Mr. Saldamando, chair of the International Subcommittee, was unable to attend because he had accepted an opportunity to work with the United Nations to organize a conference on human rights. Mr. Tseming Yang, Vermont School of Law and vice-chair of the International Subcommittee, was unable to attend because of conflicts in his schedule.

Mr. Charles described the new deliberative format for meetings of the NEJAC that, he said, is intended to allow collaborative work between the NEJAC and EPA. He emphasized that one of the principle goals of the new format is to influence the policies of EPA, with the intention to increase the influence of the NEJAC and integrate environmental justice into all decisions formulated by EPA. Mr. Charles stated that he welcomed comments and suggestions from members of the subcommittee about further improvements to the format.

Exhibit 6-1

MEETING
OF THE
INTERNATIONAL SUBCOMMITTEE

Members Who Attended the Meeting
December 5, 2001

Mr. Larry Charles, Sr., **Acting Chair**
Ms. Wendy Graham, **DFO**

Mr. Philip L. Hillman
Mr. Jose Matus
Ms. Dianne Wilkins

Members
Who Were Unable To Attend

Mr. Alberto Saldamando, **Chair**
Mr. Tseming Yang, **Vice-Chair**
Mr. Fernando Cuevas
Ms. Caroline Hotaling
Mr. Cesar Luna

3.0 DISCUSSION OF THE RELATIONSHIPS AMONG WATER QUALITY, FISH CONSUMPTION, AND ENVIRONMENTAL JUSTICE

This section summarizes the discussion by the members about the theme for the meeting: the relationships among water quality, fish consumption, and environmental justice. That discussion included the presentations to the subcommittee that are described below.

3.1 Environmental Justice and Indigenous Peoples in the Great Lakes Region

Mr. Tom Goldtooth, Indigenous Environmental Network, provided information about the connection between environmental justice, indigenous peoples, and transboundary issues in the Great Lakes region. Mr. Goldtooth, former member of the NEJAC, explained that affected tribes include indigenous

peoples who reside in both the United States and Canada. In the early colonial time, he continued, a political boundary established an "invisible border" between Canada and the United States. The indigenous peoples, however, continued to function socially, economically, culturally, and spiritually as one nation despite the political boundary, he pointed out. Therefore, said Mr. Goldtooth, many issues of environmental justice of concern to indigenous peoples living in that area are international issues. He emphasized that pollution, especially persistent organic pollutants (POP), does not respect political boundaries. POPs, he said, tend to migrate from warmer climates to colder climates; as a result, they accumulate in the northern Great Lakes region.

Mr. Goldtooth explained that environmental protection and the health of indigenous people are tied to treaties. Treaties address the rights of indigenous peoples to land and resources and their rights to hunt, fish, and gather, he pointed out. For that reason, he said, indigenous peoples differ from other people of color who are affected by issues of environmental justice. Mr. Goldtooth emphasized as well that indigenous peoples have a strong spiritual connection to the land. He added that testimony offered during the public comment session held on December 4, 2001 demonstrated that there is a lack of communication and collaboration with Canada's First Nations and the indigenous tribes of the United States. Such problems, he continued, create complications in efforts to protect their environment.

Mr. Goldtooth distributed to the members of the subcommittee copies of a report titled "Environmental Justice in the Great Lakes Water Quality Agreement" that had been presented to the International Joint Commission. He explained that the United States and Canada had formed that commission to assist governments in resolving water quality issues in the Great Lakes region. The commission was established under the 1909 Boundary Waters Treaty in recognition that each country is affected by the other's actions, he said. The report distributed by Mr. Goldtooth addressed contamination that affects human populations and the ecosystem and biodiversity in the Great Lakes region. Mr. Goldtooth stated that the report raises the question of who is responsible for protecting the environment of the Great Lakes region. He questioned whether environmental protection is the responsibility of the federal governments of the United States and Canada or of the state and provincial governments of the two countries.

Mr. Goldtooth stated that indigenous people have demanded an opportunity to hold a seat on the board of directors of the International Joint Commission. Currently, he pointed out, indigenous peoples are not represented on that board. He urged that indigenous peoples should have a role in that decision-making body, which influences the future of their people, the protection of habitat and biodiversity, and environmental policies.

Mr. Goldtooth then encouraged the members of the subcommittee to discuss issues related to climate change during future meetings. He stated that climate change is an international issue about which consultation with indigenous peoples has been lacking in the United States. Climate change causes changes in the environment that in turn affect the relationship of indigenous peoples with the land, as well as the hunting and fishing rights granted to them under treaties, he explained. Mr. Goldtooth also stated that indigenous peoples are affected disproportionately by the effects of climate change, noting in particular increases in the cost of electricity.

The members of the subcommittee endorsed Mr. Goldtooth's call for the inclusion of the voice of indigenous peoples in discussions of environmental issues, both in the United States and internationally.

Ms. Dianne Wilkins, Oklahoma Department of Environmental Quality Pollution Prevention Program, then spoke about obstacles that prevent collaboration between government agencies at the state level and indigenous peoples. She emphasized the need to identify a process for ensuring tribal participation in decision making. Mr. Charles then pointed out that existing collaborations between tribal groups and state governments are based on personal contacts and networking. Continuing, he stated that there is difficulty in identifying individuals from indigenous tribes to interact with state and federal governments, suggesting that there is a need for a mechanism, such as a database, that can be used to identify such individuals. Mr. Jose Matus, Indigenous Alliance Without Borders, stated that the indigenous peoples of his tribe historically have had no voice in the development of legislation related to various issues. In addition, the Yaqui Nation, he said, has no representative or organization that addresses environmental issues.

3.2 Transfrontier Risks Posed by POPs and the Global Treaty on POPs

Ms. Amy Fraenkel, EPA OIA, addressed transfrontier risks posed by POPs and reported on the content of the global treaty on POPs completed under the United Nations Environmental Programme, as well

as the treaty's progress toward adoption. Ms. Fraenkel pointed out the connection between the treaty and the theme of the current meeting of the NEJAC, noting that four of the five contaminants that cause the issuance of fish advisories are POPs, she stated.

Ms. Fraenkel first explained that POPs generally are a group of chemicals that have four characteristics in common:

- They persist in the environment.
- They bioaccumulate in the food chain.
- They are toxic.
- They are capable of traveling long distances.

The potential impacts of POPs include links to reproductive, developmental, behavioral, endocrine, and other health effects, continued Ms. Fraenkel. Humans are exposed to POPs primarily through consumption of food, she said. Populations exposed to potentially higher than average risks, she added, include indigenous groups who rely on subsistence diets that include large amounts of fish.

The treaty initially addresses 12 chemicals, known as the "dirty dozen," and includes a mechanism for considering additional chemicals that may be POPs, continued Ms. Fraenkel. The United States has taken significant steps to regulate the initial 12 POPs addressed by the treaty, she added. She then stated that international action would be necessary to address the problem fully because the use and manufacture of the chemicals in other countries will affect people and the environment in the United States.

Ms. Fraenkel then described an effort underway to identify the effects on the United States of the transportation of such chemicals by air currents. Noting that air modeling is not an exact science, she then presented a chart that illustrated the transport by air of POPs from Russia to the Pacific Northwest region of the United States. She stated that there is a need to examine how the rest of the world affects air systems in the United States.

The global treaty on POPs, said Ms. Fraenkel, has been endorsed by the President and was signed by EPA Administrator Christine Todd Whitman on May 23, 2001. The treaty currently is awaiting ratification by the United States Senate, she added. The treaty requires that each signatory country develop a national action plan. EPA OIA plans to ask the NEJAC to provide to EPA its views on the implementation plan for the United States, which is in early draft stage at EPA OIA, continued Ms. Fraenkel. The members of the subcommittee expressed general agreement that commenting on the development of the plan would be an opportunity for groups concerned about environmental justice to influence implementation of the treaty. Ms. Fraenkel pointed out that the POPs treaty obliges the federal government to consult with indigenous groups and involve them in its implementation.

Ms. Fraenkel then stated that some countries do not have the resources necessary to meet all their obligations under the treaty. A capacity-building and financial provision of the treaty states that the United States will assist other countries in meeting those obligations, she said, adding that OIA hopes to obtain financial support from Congress to assist countries that need such assistance.

The members of the subcommittee members acknowledged that air and ocean currents cause an international connection between contamination produced in one country and health effects in communities in another country. The members of the subcommittee also acknowledged that the NEJAC's fish consumption report does not address this international link. The members then agreed that there is a need to revise the report to recognize international sources of contamination of water and fish.

Ms. Marva King, EPA Office of Environmental Justice and Program Manager for the NEJAC, suggested that the members of the subcommittee form an informal work group to work with members of the Indigenous Peoples Subcommittee to prepare comments to EPA's implementation plan for the proposed treaty on POPs and present that plan to the Executive Council of the NEJAC.

3.3 Report on EPA OIA and Biodiversity

Ms. Eileen Henninger, EPA OIA, whose work involves international issues related to biodiversity, reported that OIA has been working with international agencies to protect biological diversity and resources. She explained that her work involves the Convention on Biological Diversity, an agreement signed at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil in 1992. The ongoing convention, she continued, is the first global agreement on the conservation and sustainable use of biological diversity. She added that EPA OIA is working increasingly frequently with the World Conservation

Union, an international body that assists societies throughout the world in conserving the integrity and diversity of nature and in ensuring that the use of natural resources is equitable and ecologically sustainable. She then requested that the members of the subcommittee provide comment on issues of biodiversity.

Ms. Henninger also reported that EPA OIA is recruiting culturally diverse individuals and is providing opportunities for upward mobility within the agency.

3.3 Overview of the Effects of POPs on the Indigenous Peoples of Alaska

Ms. Katy Taylor, Community Health Service, Alaska Native Tribal Health Services, presented an overview of that organization's study of POPs and their effects on indigenous peoples of Alaska. Alaska Native Tribal Health Services is an organization of the indigenous tribes in Alaska, she noted. The group, she continued, is studying the presence of industrial organic pollutants and the effects of POPS on indigenous peoples in the populations of the arctic regions of Alaska, Canada, and Greenland. The problems identified through the study are international issues of environmental justice, she pointed out. Migratory species carry contaminants as they move throughout the oceans; contaminants are distributed by air currents, as well, she reported.

Ms. Taylor explained that Alaska Native Tribal Health Services attempts to demonstrate the health benefits of the traditional subsistence-based diet, while examining the possible exposure of indigenous peoples to pollutants through their diet. She explained that her group currently was studying the indigenous people of the northern slope of the Aleutian Chain in the Arctic Ocean. She stated that EPA funds a major portion of the study, which focuses on organic pollutants and heavy metals accumulated in the bodies of indigenous women and children.

Ms. Taylor then presented a chart that illustrated the various types of subsistence foods consumed in areas of Alaska. Such foods, she said, include birds, plants, shellfish, fish, and marine mammals. The chart demonstrated that the percentage of each type of food consumed varies by region. Ms. Taylor then presented a graph that illustrated the movement of ocean currents. Because of the pattern of the oceanic current, she pointed out, warmer oceanic waters pick up pollutants and deposit them in the colder Arctic Ocean. Once the pollutants have been deposited in the Arctic Ocean, they persist for an extended period in marine mammals and fish, she explained. Eventually, those mammals and fish are consumed by the people in the area, she said.

Ms. Taylor then demonstrated how the distribution of pollutants is biomagnified throughout the food chain, beginning with krill and plankton, which are in turn consumed by fish and shellfish. Seabirds and marine mammals then consume the fish and shellfish, she continued. The contaminants eventually accumulate in people who rely on a subsistence diet. The study, she stated, has concluded that, among the population groups affected, unborn babies pick up the highest concentrations of contaminants consumed.

Alaska Native Tribal Health Services encourages the traditional diet, Ms. Taylor declared, adding that the organization presents the results of the study to participants in the study and allows those participants to make decisions about their dietary intake. Weighing the benefits of the traditional diet against the suspected, but not yet fully understood, risks posed by contaminants, continued Ms. Taylor, the group recommends continuation of traditional diets, while recognizing that there is a need to provide dietary advice that supports informed choices. The group also highly recommends a traditional diet because of the cost-effectiveness of the practice, she said. Ms. Taylor also explained that, when indigenous people consume a nontraditional diet, the incidence of diabetes and cancer increases. The positive effects of the traditional subsistence diet include the consumption of essential fatty acids that help ensure the proper development of unborn babies and prevent some neurological problems, she said. The study concluded that fatty acids are higher in concentration in areas of Alaska in which the levels of consumption of fish are higher than the average for the state, she added.

3.4 Transportation of POPs in the Arctic Area and Contaminated Military Sites in Alaska

Ms. Pam Miller, Executive Director, Alaska Community Action on Toxics, provided to the subcommittee information about the significance of long-range air and oceanic transportation of POPs in the Arctic and contamination present at U.S. Department of Defense (DoD) sites in Alaska. Alaska Community Action on Toxics is a statewide grassroots organization dedicated to achieving environmental health and justice, explained Ms. Miller. The group works with indigenous tribes to resolve environmental issues ranging from POPs to contaminants originating from military sites, she said.

Ms. Miller explained that contamination resulting from the long-range transportation of POPs and the contamination originating from military sites pose a threat to the health of people who include significant amounts of fish and marine mammals in their diets.

The Arctic area has become an atmospheric sink for POPs, including industrial chemicals and pesticides, Ms. Miller pointed out. Many of those POPs originate thousands of miles distant from the Arctic; they travel northward in air and ocean currents and are captured in the cold Arctic environment, she explained. Some industrial chemicals and pesticides have been banned in the United States, but no such action has been taken in other countries, she added. Those contaminants also end up in the Arctic region, she said. Ms. Miller cited a study conducted by Dr. Barry Commoner, Center for the Biology of Natural Systems, that used atmospheric transport models to link sources of dioxin in the United States, Mexico, and Canada with deposition of dioxin in the Arctic region. The study, said Ms. Miller, concluded that facilities in the United States contributed 70 to 82 percent of the dioxin deposited in the Arctic region.

Continuing, Ms. Miller stated that adoption of the global POPs treaty is essential to protect the health of Alaska's indigenous people and that of future generations of those people. Ms. Miller urged that the subcommittee work to ensure that the Senate ratifies the treaty and to encourage the addition of other chemicals to the initial list of 12 currently addressed by the treaty. She also urged that EPA release its final dioxin reassessment and that the United States implement regulations that eliminate exposure to dioxin. She urged further that the subcommittee encourage the NEJAC and EPA to support limitations on the production of dioxin to reduce levels of exposure to the contaminant. She added that evidence is sufficient to support the taking of the precautionary approach that will eliminate sources of pollution and therefore future adverse effects.

Ms. Miller then explained that the effects of DoD sites in Alaska have international implications because of their geographic locations and the transport of contaminants through air and ocean currents. She stated that, in Alaska, there are five Superfund sites and approximately 700 formerly used defense sites (FUDS), many of which are located on the Arctic coast. Many of those sites are located in close proximity to other countries, she continued. For example, she said, St. Lawrence Island, a heavily contaminated DoD site, is located only 40 miles from Russia. Contaminants from those sites include polychlorinated biphenyls (PCB), heavy metals, fuel, radioactive material, and solvents, she reported. She added that there are a number of weapons testing sites in Alaska, one of which is the size of the state of Kansas. Ms. Miller then suggested that EPA should hold DoD responsible for the cleanup of FUDS, rather than merely the identification of such sites, as is currently the case. For example, she said, the world's largest underground nuclear test site is located in Alaska. Radioactive waste had been injected into a fractured underground cavity in an area in which levels of seismic activity are high. Despite evidence of the leaking of radioactive material into the Bering Sea, she charged, the U.S. Department of Energy refuses to implement monitoring or address the implications of the problem.

The members of the subcommittee agreed to draft a letter to EPA OIA to express the subcommittee's support for the global POPs treaty and to express support for ratification of the treaty by the Senate.

4.0 PRESENTATIONS AND REPORTS

This section summarizes the presentations made and the reports submitted to the International Subcommittee about other issues.

4.1 Update on the Activities of EPA OIA in Africa

Mr. Lionel Brown, EPA OIA, discussed various activities EPA OIA is conducting in Africa. Those activities focus on public health issues related to rapid urbanization and industrialization, he reported. During the past two years, he continued, the Agency had addressed two concerns: safe drinking water and the phasing out of leaded gasoline. Mr. Brown stated that EPA OIA also had been working to promote environmental awareness in Africa. The office initiated an information access program that provides training and computer education related to hazardous chemicals and climate change. The office conducted training in the areas of access to information, basic computer skills, and the use of electronic mail and the Internet to teach people in Africa how to obtain access to environmental information.

Continuing, Mr. Brown stated that the training program also involves bringing participants together with mentors who assist the participants in learning how to work with both government and industry entities to resolve issues of environmental justice. Participants prepare projects for environmental fairs during which they compete for the opportunity to travel to the United States to work with counterparts working to achieve environmental justice. During the

December 2000 meeting of the NEJAC, Mr. Brown noted, EPA OIA had presented to the International Subcommittee a proposed program that would use environmental justice to promote environmental awareness. The program presented at that meeting has been funded by EPA and currently is educating African women of high school age, he announced.

Mr. Brown then stated that, in parts of Africa, fish makes up a significant portion of the diet of the population. As they experience rapid industrialization and urbanization, he explained, African countries are beginning to encounter issues related to water quality and consumption of fish that are similar to issues discussed during the NEJAC meeting. Mr. Brown stated his support for the addition of consideration of international issues to the fish consumption report. He emphasized that EPA OIA places a high priority on environmental justice and wishes to work with the NEJAC to link issues of environmental justice that affect Africa with such issues that affect the United States.

The members of the subcommittee then recommended that EPA OIA circulate the fish consumption report in countries in which OIA is engaged to encourage the development of strategies for communities in other countries.

4.2 Cultural Diversity Within EPA OIA

Mr. Brown provided some insight into the action EPA OIA is taking to address the lack of cultural diversity among the staff of EOA OIA. Mr. Brown expressed concern that most of the people with whom staff of the office deal, are people of color, but the staff does not include an appropriate number of people of color. In his experience in working with international groups, Mr. Brown said, he had observed that individuals readily identify with EPA staff with whom they share a cultural link.

Mr. Charles suggested that the subcommittee encourage EPA OIA to deploy culturally diverse teams to represent EPA in international discussions. He stated that the United States can take advantage of its cultural diversity to form relationships with other countries, adding that EPA OIA should make cultural diversity a priority. Mr. Charles then proposed that the subcommittee draft a letter to EPA OIA to encourage the use of culturally diverse teams in international discussions.

4.3 Update on U.S.-Mexico Border Activities

This section provides updates from various EPA regional offices and the Southwest Network for Environmental and Economic Justice (SNEEJ) related to activities underway in the border areas of the United States and Mexico.

4.3.1 EPA Region 9

Mr. Enrique Manzanilla, Director, Cross-Media Division, EPA Region 9, first distributed materials that presented background information about the activities of EPA Region 9 related to border issues. For the benefit of the new members of the subcommittee, he presented a brief overview of those activities, including those related to hazardous waste, water and air quality, and response to emergency situations. He stated that the presence of the political boundary between the United States and Mexico creates obstacles to environmental protection.

Continuing, Mr. Manzanilla explained that, during the development of the North American Free Trade Agreement (NAFTA) in the early 1990s, specific institutions were created along the border to examine such infrastructure issues as drinking water, wastewater, and solid waste. One such institution, he continued, is the Border Environmental Cooperation Commission (BECC), which deals with infrastructure projects on both sides of the border. The North American Development (NAD) Bank is a funding institution designed to leverage and fund infrastructure development through loans, he added. In addition, he said, the International Boundary Water Commission deals with wastewater sanitation issues along the border. With the creation of such institutions, said Mr. Manzanilla, the need for outreach to communities along the border became apparent to EPA. EPA Region 6 and Region 9 established offices in locations near the border; the primary role of those offices is community outreach, he added. The outreach offices attempt to improve EPA's ability to interact with the communities and communicate the agency's activities to communities, he noted.

In 1999, at the request of the International Subcommittee, EPA held a Border Roundtable meeting in San Diego, California, Mr. Manzanilla then explained. During that meeting, participants expressed concern about hazardous waste; lack of cleanup; and other problems that are not strictly environmental issues, such as issues related to labor policies and patterns of migration. Mr. Manzanilla stated that the proceedings of the roundtable demonstrated the complexity of environmental and socioeconomic issues and the interplay among them. The agency has continued dialog with individuals who participated in the roundtable, he said, adding

that both regional offices have developed border environmental justice plans.

Mr. Manzanilla stated that there is a need in border communities for a more deliberative process of engagement for examining issues of disproportionate and adverse environmental effects. There are issues in the border areas that are not encountered in other places, he pointed out. That circumstance, he declared, indicates environmental injustices affect the border areas. EPA, he continued, is attempting to engage and support environmental justice communities on the border. He added that the agency had made a special effort to reach out to the indigenous tribal communities in border areas because EPA recognizes that the political border ignores family and community connections among members of indigenous tribes.

4.3.2 EPA Region 6

Ms. Olivia Balandran, Environmental Justice Coordinator, EPA Region 6, presented an update on the activities of the Region 6 border outreach office in El Paso, Texas. She stated that, as a follow-up to the roundtable meeting held in San Diego in 1999, stakeholders wished to participate in another roundtable meeting to discuss how the issues confronting EPA Region 6 were being addressed. The follow-up roundtable meeting was held in January 2001, she reported; 25 stakeholders participated in it. The issues brought up at that meeting include the need to create an environmental justice commission that would foster binational participation, as well as issues of concern to indigenous populations, such as lack of funding to support the participation of tribal members in discussions of border issues.

Ms. Nelda Pérez, Small Grants Coordinator, EPA Region 6 Office of Environmental Justice, presented information about grant activities in the border area. The grants awarded in the border area are intended to increase participation by members of environmental justice communities located in the border area, she said. She reported that, of the 12 total grants awarded by EPA Region 6, 2 were awarded to programs underway in the border area:

- Project Bravo focuses on environmental justice in neighborhoods. Its primary mission is to increase knowledge and capacity in low-income communities to foster effective problem-solving and involvement in issues of environmental justice that affect those neighborhoods. The project also provides training related to environmental justice and tactics for “fighting city hall.”
- Casa de Colores in Brownsville, Texas addresses the needs of the primarily Hispanic low-income youth in the Brownsville area. The grant focuses on problems related to water quality and quantity in the lower Rio Grande region. The grant also trains young people in environmental issues and leadership.

To address the issue of a lack of funding for individuals to travel to and participate in community meetings, she reported, the BECC had awarded $30,000 to pay the travel expenses for representatives of environmental justice community groups who otherwise could not afford to attend such meetings.

4.3.3 Update on the Activities of Grassroots Organizations

Mr. Richard Moore, Executive Director, SNEEJ and former chair of the NEJAC, discussed the concerns of grassroots organizations about issues pertinent to the border areas of the United States and Mexico. SNEEJ is a collection of grassroots organizations in six states located in the southwestern United States and in Mexico. He emphasized that the members of the subcommittee have a great responsibility to ensure that issues of environment justice pertinent to the border areas are addressed. Mr. Moore praised the commitment of the staff of the EPA Region 6 border outreach office, stating that the members of the staff are highly qualified and experienced in addressing issues of environmental justice.

Mr. Moore presented letters written to EPA Administrator Whitman to request that a meeting, be held in the Southwest, between Administrator Whitman and representatives of SNEEJ. He stated that the organization had not received a response to the letter by the date by which such a response had been requested. Mr. Moore reported that SNEEJ also sent a letter to President Bush about NAFTA, the FTAA, and issues of environmental justice that affect the border areas. He also discussed the effects of increased militarization along the border since the September 11 terrorist attacks. Before September 11, explained Mr. Moore, President Bush and Mexico’s President Vincente Fox had met to discuss border and trade issues. Mr. Moore then expressed concern about the lower priority status of issues related to immigration and environmental problems along the border.

Mr. Moore informed the members of the subcommittee that the recommendations developed during the 1999 roundtable meeting in San Diego had been provided to the International Subcommittee, along with a request for a response within 30 days. He then reported that the subcommittee had not completed its response. Ms. Graham stated that the vice-chair of the subcommittee, Mr. Yang, who had been unable to attend the current meeting, had spearheaded the work on the report. She stated that the subcommittee expects that work to be completed by January 31, 2002.

Mr. Moore then requested that the subcommittee also complete its work on the report of the Farm Worker Work Group. The subcommittee expects to complete that work by January 31, 2002, as well, said Ms. Graham.

Concluding his presentation, Mr. Moore suggested that the NEJAC fish consumption report should address areas of the Rio Grande River, the New River in California, and the Colorado River that are affected by issues related to water quality and fish consumption. Mr. Charles requested that Mr. Moore put in writing his recommendations and comments on the report. Mr. Charles also requested a meeting with Mr. Moore to discuss his specific concerns related to environmental justice in the border regions of the United States and Mexico.

5.0 PRESENTATION BY THE DELEGATION FROM THAILAND

EPA's United States-Asia Environmental Partnership sponsored the participation of four delegates from Thailand in the current meeting of the NEJAC. EPA is working with Thailand as that country reauthorizes its environmental laws, develops an administrative court, decentralizes its their authorities, creates a process for public participation, and establishes a new environmental ministry.

Mr. Apichart Thongyou, Secretary General, Thailand Research and Action for Development Institute, discussed efforts undertaken in Thailand to reduce effects on environmental justice caused by modernization and the development of heavy industry. Mr. Thongyou explained the structure of the government of Thailand: the population is 63 million, and the country is divided into four regions; north, south, east, and west. There are three levels of government: central, provincial, and local municipal administrations. The central and provincial leaders are appointed, and municipal leaders are elected, he continued.

Mr. Thongyou then presented general information about Thailand. Modernization began in the 1950s, he said, and, as that process progressed, the gap between rich and poor widened. In approximately 1990, Thailand adopted a new industrial policy and became "the fifth tiger" in the Asia economy. In 1997, he continued, the country experienced an economic crisis, and environmental problems increased throughout Thailand, especially in the eastern portion of the country where the heavy industries are located. The government, he reported further, has experienced problems with management of the industries; such poor management unfortunately has included human exposure to contaminants, he said. Mr. Thongyou also stated that several shortfalls and limitations affect the public participation process. Government procedures do not encourage public participation, he observed.

Mr.Thongyou enumerated the following examples of environmental injustice in Thailand:

- There is unfairness in the use of natural resources. Industry, he charged, has taken natural resources from communities for its own use.

- Forests, rivers, oceans, and other pristine habitats are becoming dumping grounds for industrial waste. Mr. Thongyou stated that he had been working on a study with the fisherman of the eastern seaboard area of Thailand, an area in which the government has encouraged extensive industrial activities. Since 1990, more than 60 species of fish and marine organisms reportedly have disappeared from the area. The shrinking of the marine population has had an adverse effect on the way of life of the fishermen. Through his research, Mr. Thongyou reported, he was attempting to map the marine resources and investigate why the species have disappeared. Those involved in the study also train the younger generations by linking them with the fisherman. Mr. Thongyou also noted that an artificial coral reef has been created to improve the marine environment.

- To reduce operating costs, industries have forgone protective environmental measures. For example, releases from petrochemical factories cause water pollution. Refineries, some of which are facilities owned by American companies, produce harmful emissions. The government gives foreign investors such privileges as tax incentives. The introduction of industrialization in a manner that does not

address issues related to environmental justice has brought "disharmony" to communities and their way of life, observed Mr. Thongyou.

- In some areas, the diversity of small local industries has been diminished. Farmers and fisherman have been replaced by low-wage factory workers. The oceans have become polluted, and local landowners have sold their land to large industries. During the economic collapse in 1997, many people were left without jobs or the resources necessary to farm and fish, he said.

Mr. Thongyou then stated that, to develop an acceptable environmental justice model, Thailand must have more cooperation and exchange of information.

The members of the subcommittee discussed whether members of the communities in Thailand can make their voices heard with regard to issues of environmental justice. Mr. Amnat Wongbandit, faculty of law, Thammasat, Thailand, responded that residents can voice their opinions to the lower level of government, but their voice often goes unheard at the higher levels of government. He said that, in recent years, the public increasingly has demanded the opportunity to comment on development projects and issues of environmental justice.

The members of the subcommittee then discussed whether EPA could bring pressure on the government of Thailand to influence that government to consider public opinion. Mr. Burt Akkaraporn, Thailand Pollution Control Department, stated that, when the government does consider public opinion, environmental regulators in Thailand do not have enforcement authority. He added that EPA currently is supporting 20 projects in Thailand, many of which are operated through his pollution control department. Some, he added, are operated through local authorities, and others through non-government organizations. He stated that EPA provides training to people in Thailand and supports the elimination of use of leaded gasoline by providing subsidies to reduce the cost of unleaded gasoline.

The members of the subcommittee also discussed other activities that EPA could undertake to provide assistance to Thailand. The delegates from Thailand stated that, in the future, increased environmental education for communities about protection of natural resources would be helpful. People often are unaware of the harmful effects of their actions on the environment, they pointed out. The delegates also suggested that a system of information networks would help give Thailand access to the information resources the country needs.

Mr. Charles asked about the types and sources of contamination of water that Mr. Thongyou had identified through his study. In response, Mr. Thongyou reported that the study had identified heavy metals, nitric acid, and mercury. He added that, from a legal perspective, it is difficult to identify the sources of such pollution. Ms. Wilkins then observed that, when she traveled to Bangkok, Thailand, she had noted that heavy industry is located in the communities, characterizing the situation as "a conglomeration of life and industry." Ms. Wilkins also suggested that the subcommittee explore avenues of collaboration with participants in other international roundtable discussions sponsored by EPA OIA, such as the Pollution Prevention Roundtable that facilitated discussion of issues related to pollution prevention and international environmental justice.

6.0 ACTION ITEMS

This section summarizes the action items adopted by the subcommittee. The members of the International Subcommittee agreed to adopt the following action items:

- **T** Recommend to the Executive Council of the NEJAC that the draft fish consumption report be revised to acknowledge the international consequences of the pollution of water in a given country that affects human health in communities in other countries.

- **T** Encourage EPA OIA to circulate the final fish consumption report to the members of the NEJAC, stakeholders, and representatives of countries in which EPA OIA is engaged.

- **T** Draft a letter to EPA OIA that expresses pride in the volume and breadth of the accomplishments of OIA. Some of that work, the members of the subcommittee agreed, will bring about major worldwide reductions in the amounts of key harmful chemicals (POPs) in use in farming and industry.

- **T** Endorse the deployment of culturally diverse teams to represent EPA in international discussions by encouraging EPA OIA to continue and increase the use of that strategy for field teams to engage members of communities in treaty discussions and to work with other countries to share resources.

- Collaborate with the Indigenous Peoples Subcommittee to provide to EPA OIA information about the planning process for implementation of the global POPs treaty.

- Prepare a draft document that outlines principles of environmental justice for multinational corporations based in the United States.

- Complete by January 31, 2002 the subcommittee's response to recommendations developed at the 1999 Roundtable on Environmental Justice on the U.S.-Mexico Border and the report of the Farm Worker Work Group.

- Explore avenues the subcommittee might use to collaborate with participants in other international roundtable discussions sponsored by EPA OIA to facilitate discussion of issues related to international environmental justice.