

USA-CUBA Key Environmental Issues: Lessons Learned – Lessons Shared

February 9 &10, 2023 ACOEL/FANJ Joint Symposium - Havana

Venue: Foundation Antonio Nunez Jimenez of Nature and Humanity
Havana, Cuba

Dates: Thursday and Friday, February 9 & 10, 2023
9:30 am to 1:00 pm each day, concluding with light lunch

Faculty: Fellows of the American College of Environmental Lawyers, Environmental Law Professors from the University of Havana, representatives of CITMA - The Cuban Ministry of Science, Technology and Environment, representatives of the Cuban Ministry of Agriculture; with the participation of representatives of FANJ.

ACOEL Faculty:

Elizabeth Andrews
Bessie Daschbach
Lee DeHihns III
David Farer
Lewis Jones
Rob Kirsch
Marla Wieder

Cuban participants:

Law Faculty, Havana University.

Dagniselys Toledano Cordero, Full Professor of Environmental Law
Ahmed Ramírez Sánchez, Full Professor Administrative Law

Cuban Ministry of Science, Technology and Environment

Daimar Canovas Fernández, Environment Directorate and Professor of Environmental Law
Teresa Cruz Sardiñas, Environment Directorate
Orlando Rey Santos, Environment Directorate

Agriculture Ministry

Orlando Díaz, International Relations Director
Mayra Cruz Legón, Legal Director

Foundation Antonio Nunez Jimenez of Nature and Humanity

Liliana Nuñez Jimenez, President

Yociel Marrero Baez, Program Director

Yordanka Castillo Porras, US-Cuba Regulatory Consultant and FANJ Collaborator;
former General Counsel of FANJ

Others lawyers from other Ministries (MINREX, foreign affairs and MINCEX, foreign
business)

Agenda

Thursday, February 9

9:30 am Words of Welcome, Introductions of Participants and Overview of the
Symposium

10:00 am Panel One: Current structure of environmental laws and regulations in
Cuba
-CITMA representatives.
-Univ of Havana professors.
-FANJ Representative and US-Cuba Consultant.

Overview of the current legal and regulatory scheme for addressing
the primary issues of concern to FANJ; changes in Cuban
environmental law over the past three years.

10:45 am Panel Two: How to assure that environmental issues are addressed as a
central element of negotiations between Cuban and foreign companies
when they are contemplating joint ventures in Cuba
-ACOEL Fellows:
Lee DeHihns
David Farer
Rob Kirsch
-Yordanka Castillo Porras

11:30 am Coffee/juice break

11:45 am Open discussion on Morning Sessions

12:15 Panel Three: Community enforcement of environmental laws
-- ACOEL Fellows:
Elizabeth Andrews
Bessie Daschbach
Lee DeHihns

How do you show the community the ways in which they can use the environmental laws as a tool to prevent future damage, including as to trees? Who can they contact and how? How to register a concern or complaint?

Are there such mechanisms in the U.S.? At what government level or levels? Municipal? County or district? State? Federal? What lessons can be learned from existing mechanisms in the U.S.?

1:00 pm Continued Open discussion on Today's Sessions/ Light Lunch

1:30 pm Adjourn for day

Friday, February 10

9:30 am Panel Four: Agricultural Law and its relationship to Environmental Law; including aspects particular to US-Cuba Food Market
-Representatives of Cuban Agriculture Ministry

10:15 am Panel Five: Environmental Liability, past and present in Cuba
-Professors of Law School, Habana University.

11:00 am Open discussion on morning sessions

11:30 am Coffee/juice break

11:45 am Panel Six(Multinational Panel). Urban Life in Cities: Urban Trees, Environmental Violations, Noise, Air Pollution, Consumer Protection.
- ACOEL Fellows: Elizabeth Andrews
Lewis Jones
Marla Wieder
CITMA representative.
Law Professor, Havana University

What are the legal approaches and mechanisms employed in the U.S. to protect urban trees against damage or destruction, and to support or require the planting and sustenance of new trees? Do these approaches address different types of trees, such as fruit trees?

Where such laws have been established, who enforces the laws, and in what ways? How to effectively enforce when individuals, businesses or governmental entities (including utilities) cut down trees or damage them due to work being done around them. Examples: utilities drilling or putting up electric lines; impacts of air, water and sewer pollution; individuals cutting down trees in front of their own homes.

How can a regimen be developed, implemented and enforced for planting new trees? Could one entity be put in charge of urban trees, including development of nurseries to grow trees to be planted in urban environments?

12:30 pm General discussion on topics covered and where to go from here

1:00 pm Open discussion/ Light Lunch

1:30 pm Adjourn symposium

Note: For discussions on all issues being covered: To date, how has Cuba been addressing these issues? What are the mechanisms in the U.S.? What lessons can be learned from the experience in the U.S.? What lessons can be learned from the experience in Cuba?