

11 July 2012

COUNCIL RESOLUTION: 12-06

***Adoption of revised Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the North American Agreement on Environmental Cooperation***

THE COUNCIL:

REAFFIRMING its support for the Submissions on Enforcement Matters (SEM) process provided for under Articles 14 and 15 of the *North American Agreement on Environmental Cooperation* (the Agreement), an information-sharing mechanism established to promote public participation regarding the effective enforcement of environmental law in North America;

MINDFUL of its authority to oversee the implementation and further elaboration of the Agreement, and to address questions and differences that may arise between the Parties regarding the interpretation or application of the Agreement;

RECOGNIZING the critical contribution of Joint Public Advisory Committee (JPAC), whose advice to Council in recent years recommended actions to increase the timeliness of the SEM process, among other improvements;

RECALLING Council's commitment in 2009 to implement operational changes to the Commission for Environmental Cooperation (CEC) so that it may serve as a model of transparency and accountability included modernizing the SEM process;

FURTHER RECALLING that Council reiterated its commitment to modernize the SEM process in the 2010-2015 Strategic Plan and the Governance Proposal and, in 2011, established the SEM Modernization Review Task Force for the purpose of developing proposals for Council consideration in 2012;

NOTING the collaborative work between the SEM Modernization Review Task Force, the JPAC and the Secretariat in seeking to improve the timeliness, accessibility, and transparency of the SEM process, which resulted in proposed revisions to the *Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the North American Agreement on Environmental Cooperation*; and

ALSO RECOGNIZING the role of JPAC in facilitating invaluable public participation in the SEM review, especially by convening public sessions on SEM-related issues, conducting a survey to poll the experiences of past SEM submitters, and engaging in substantive consultations with the Parties;

HEREBY:

DECIDES to adopt the attached revised *Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the North American Agreement on Environmental Cooperation*.

APPROVED BY THE COUNCIL:

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Peter Kent  
Government of Canada

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Juan Rafael Elvira Quesada  
Government of the United Mexican States

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Lisa P. Jackson  
Government of the United States of America