



Advice to Council No: 17-03

Re: Environmental Considerations in the Further Elaboration of the North American Agreement on Environmental Cooperation (NAAEC) in the event of a Further Elaboration of the North American Free Trade Agreement (NAFTA)

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) of North America,

IN ACCORDANCE with Article 16(4) of the North American Agreement on Environmental Cooperation (NAAEC), which states that JPAC “may provide advice to Council on any matter within the scope of this agreement [...] and on the implementation and further elaboration of this agreement;”

RECALLING the environmental goals and objectives of NAFTA, which include enhanced levels of environmental protection;

TAKING NOTE of the published initiative of the White House (www.whitehouse.gov) that the President of the United States “is committed to renegotiating NAFTA” in a way that is fair and emphasizes economic growth and “revitalizing [...] suffering communities”;

FURTHER NOTING the 6 June 2017 public statement to the House of Commons made by Global Affairs Canada, that “we look forward to working with our continental partners to modernize the North American Free Trade Agreement, and to making a great trading partnership even better,” (www.canada.ca/en/global-affairs/news/2017/06/address_by_ministerfreelandoncanadasforeignpolicypriorities.html) and the statement to the press of the Minister of Economy of Mexico, welcoming the opportunity to “update” and improve NAFTA, (www.elfinanciero.com.mx/economia/guajardo-percibe-que-eu-quiere-quedarse-en-el-tlcan.html);

ACKNOWLEDGING that processes of public consultation on the renegotiation of NAFTA have commenced in all three signatory Parties to NAFTA and NAECC;

RECOGNIZING that the environmental impacts of increased trade are an important consideration that must be addressed to minimize negative externalities and maximize the long-term sustainability and economic prosperity that can be advanced through a regional trade agreement;

REAFFIRMING the interrelationship of the environments of Canada, Mexico and the United States;

BEARING IN MIND that for over twenty years the NAFTA parties have successfully implemented NAAEC as a means of addressing the environmental impacts of trade and promoting sustainability and prosperity in a cooperative and mutually-supportive manner;

SUBMITS the following recommendations for Council's consideration:

1. Take meaningful steps to assure that government officials responsible for, and involved in, any further elaboration or renegotiation of NAFTA duly recognize the critical importance of addressing, improving and strengthening environmental concerns as part of any fair, modern, and updated regional trade instrument that puts the needs of communities first and promotes sustainable economic growth;
2. Take diligent action to assure that government officials responsible for, and involved in, any further elaboration or renegotiation of NAFTA are aware of the inherent linkage between progressive regional trade and enhanced environmental sustainability throughout North America;
3. Take steps to promote and assure that the vital democratic principles of transparency and meaningful public participation are respected and advanced throughout any process of discussion, debate, and renegotiation of NAFTA, at both a national and the North American level;
4. Take account of the experiences, successes, knowledge, and value added of NAAEC and its institutional bodies—the Council, Joint Public Advisory Committee, and Secretariat—in addressing environmental concerns and advancing transparency, dialogue and public participation, throughout the history of NAFTA; and
5. Support the integration of NAAEC and its institutions, principles, and public submission mechanisms into any renewed and revitalized North American Free Trade Agreement.

JPAC is confident that the recommendations contained herein are relevant to the CEC Council's strategic priorities and is unanimous in supporting this Advice to Council.

**Approved by the JPAC members
26 July 2017**