



**Joint Public Advisory Committee (JPAC) Activity Report
to the Council of the Commission for Environmental Cooperation (CEC)
since June 2011**

This table is intended to provide Council with an overview of JPAC activities since the June 2011 Regular Session of Council to assist discussions during the annual joint Council/JPAC session in July 2012.

Please note that JPAC activities have been undertaken 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, and may perform such other functions as the Council may direct”; and with Article 16(5), which provides that JPAC “may provide relevant technical, scientific or other information to the Secretariat, including for purposes of developing a factual record under Article 15. The Secretariat shall forward to the Council copies of any such information.”

Please note the internal Council policy for producing responses to JPAC advice states that a response should be sent out **“within eight weeks of receiving the advice.”**

JPAC Activity and Context	Description	Status or Result
<p>Joint Public Advisory Committee Regular Session 11-02 “Public Forum on Managing E-waste in North America,” 21–22 June 2011, Montreal, Quebec</p>	<p>The main objective for the meeting was to discuss the rapidly growing amount of electronic waste in North America and ways Canada, Mexico and the United States can promote better management of e-waste through product design, recycling and enforcement cooperation, to halt illegal trade of discarded electronic products within and from North America.</p>	<p>As a result of the meeting, the members agreed to provide the Council with an Advice:</p> <p>Advice 11-03: Managing E-waste in North America</p>
<p>Advice to Council 11-03 Re: Managing E-waste in North America (Distributed on 3 August 2011)</p>	<p>As a result of the discussions during the public forum in Montreal “Managing E-waste in North America,” and having provided preliminary verbal comments during the joint Council/JPAC in-camera session, JPAC members provided the following observations and recommendations:</p> <p>JPAC applauded Council’s inclusion in the CEC’s Operational Plan of Project 9, “Enhancing Environmental Law Enforcement in North America,” and Project 15, “Sound Management of Electronic Wastes in North America,” and urged that these projects adopt the following suggestions to maximize their effectiveness:</p> <ul style="list-style-type: none"> ● Use a broader definition of e-waste ● Include the global players ● Bring the public onboard 	<p>Council responded to each of the recommendations and observations in the Advice, adding that JPAC’s comments were valuable and very timely, as Council endeavors to improve the understanding of the transboundary movements of used electronics throughout North America, and the role it can play as a region to stem the tide of the number of used electronics being discarded worldwide.</p> <p>(Response received on 8 December 2011)</p>

	<ul style="list-style-type: none"> • Support international agreements on e-waste • Address e-waste in procurement policies and other incentives • Adopt a trinational collaborative approach to the problem 	
<p>JPAC Comments on the CEC 2011–2012 Draft Communications Strategy (Distributed on 3 November 2011)</p>	<p>JPAC members provided general and specific comments on the CEC 2011–2012 Draft Communications Strategy. These included: acknowledgment of the document’s comprehensiveness despite constraints imposed by the CEC's limited resources; JPAC support for the creation of a benchmarking system for communications and outreach, so performance can be tracked over time; the need to develop a plan to reach out to stakeholders/communities—especially in poor, rural areas and indigenous communities that do not have access to technology; among others.</p>	<p>JPAC comments were discussed with the GSC and Secretariat communications staff, during the joint private meeting held in El Paso, Texas, on 8 November 2011.</p>
<p>Summary of Responses to the JPAC Questionnaire on Submitters’ Experiences with the Citizen Submission Process under NAAEC Articles 14 and 15 (Distributed on 4 November 2011)</p>	<p>In order to obtain a detailed picture of Submitters’ experiences and views on the operation of the citizen submission process, JPAC put together a questionnaire aimed at shedding light on ways to improve it.</p> <p>The questionnaire was sent to all submitters and their responses, consolidated in a summary, voiced overwhelming concern that the SEM process is not being administered in a manner consistent with the spirit and intent of the NAAEC. The prevailing public perception was that the credibility of the SEM process has been seriously eroded, primarily because of a lack of timely action and a resistance to full transparency and independent review by the Council and the Parties.</p>	<p>The Summary of Responses was discussed with the Task Force Representatives, during the joint private meeting held in El Paso, Texas, on 8 November 2011.</p>
<p>Joint Public Advisory Committee Regular Session 11-03 “Submissions on Enforcement Matters (SEM) and Cross Border Movements of Chemicals in North</p>	<p>On 7 November, JPAC hosted a public meeting in El Paso, Texas, featuring perspectives from submitters, as well as an overview of responses to the JPAC questionnaire on the SEM process.</p>	<p>As a result of the meeting, the members agreed to provide the Council with an Advice: Advice 11-04: Submissions on</p>

<p>America,” 7 November 2011, El Paso, Texas</p>	<p>The meeting also focused on the cross border movement of chemicals in North America, impacts on human’s health and the environment, CEC’s work on the cross-border transfers database and mapping tool through <i>Taking Stock Online</i>, and a hazardous waste and recyclable materials tracking system developed by enforcement officials in the three countries.</p>	<p>Enforcement Matters (SEM) and Cross Border Movements of Chemicals in North America</p>
<p>JPAC Private Meeting with the SEM Task Force Representatives 8 November 2011, El Paso, Texas</p>	<p>On 8 November, JPAC members met privately with the SEM Task Force Representatives to discuss their modernization efforts for the Citizen Submissions Process. The meeting included an overview of the JPAC public meeting of the previous day, and a discussion of the results of the SEM questionnaire and on a preliminary issues list, which had been drafted by the TF representatives.</p>	<p>The JPAC members and SEM Task Force Representatives agreed to stay in close communication and to meet again during the upcoming JPAC private working meeting in Montreal, scheduled to take place in January 2012.</p>
<p>JPAC Private Meeting with the General Standing Committee (GSC) “CEC 2011-2012 Draft Communications Strategy,” 8 November 2011, El Paso, Texas</p>	<p>JPAC members met on 8 November with the General Standing Committee (GSC) representatives and Secretariat staff, to discuss the 2011–2012 Draft Communications Strategy.</p> <p>During the joint session, JPAC reiterated their support for the initiative to review the effectiveness of the CEC’s communications, noting that effective outreach to a wide range of audiences, is integral to the Commission’s overall success. The CEC’s ability to successfully implement the goals and objectives set by the Council depends, in large part, on the extent to which good communication practices generate visibility and support for its work.</p>	<p>The CEC 2011–2012 Communications Strategy was approved by the Parties on 13 April 2012.</p>
<p>Advice to Council 11-04 Submissions on Enforcement Matters (SEM) and Cross Border Movements of Chemicals in North America (Distributed on 7 December 2011)</p>	<p>JPAC Advice to Council 11-04, included recommendations on the SEM process and the Cross Border Movements of Chemicals in North America.</p>	<p><i>No response to date</i></p>

	<p>JPAC emphasized the need to restore public confidence in the SEM process and the issues raised included timely processing of submissions, the inconsistency of outcomes of the process with submitter's expectations, and the limited information provided in the Parties' responses to submissions. JPAC commended the Council for creating the SEM Modernization Task Force and advised that the Task Force should focus on the timeliness and accessibility of the process, increased deference to the Secretariat's independent recommendations and interpretations in the process, and on follow-up to factual records.</p> <p>Regarding Cross Border Movements of Chemicals, JPAC voiced concern over an alarming increase in toxic waste, as well as lead poisoning and other hazardous consequences resulting from the cross-border movement of spent lead-acid batteries to Mexico. They referenced the CEC's 2007 report, noting that some of the serious concerns identified in that document appeared to have worsened since it was published, and that industry workers and communities adjacent to recycling facilities were regularly being exposed to levels of lead toxicity that are extremely dangerous to human health.</p>	
<p>Session 12-01 of the Alternate Representatives 6 February 2012, Washington, DC</p>	<p>Rodolfo Lacy participated in session 12-01 of the Alternate Representatives, in representation of the JPAC Chair. The meeting had as its main objectives:</p> <ul style="list-style-type: none"> • To review the text for the trilateral announcement of 2012 NAPECA grants. • To discuss options for streamlining the current working group structure. • To discuss issues related to transboundary environmental impact assessments (TEIA). • To provide direction towards the completion and approval of the CEC communications strategy. • To provide guidance to officials on the proposed revisions to the SEM 	<p>Rodolfo Lacy provided the Alternate Representatives with a report on the JPAC working meeting, held in Montreal on 26–27 January, which included a discussion on JPAC's work plan for 2012; their public sessions in Toronto, New Orleans and Mexico City; additional feedback to Secretariat staff on the Draft CEC Communications Strategy; and an overview of the private meeting with the SEM Task Force Representatives, in which they exchanged views on the status of their modernization efforts.</p>

	<p>guidelines, as they continue their consultation and endorse proposed steps leading to the 2012 Council Session.</p> <ul style="list-style-type: none"> • To discuss how to enhance the CEC's trade and environment agenda. • To confirm the date for the intersessional Ministerial meeting in Washington and discuss potential items for the agenda. • To exchange views on the format of the meeting as well as on potential items for discussion and decision at the 2012 Council Session. 	
<p>JPAC letter to Jocelyn Adkins Re: SEM Task Force participation during the Montreal JPAC working meeting <i>(Distributed on 10 February 2012)</i></p>	<p>The JPAC Chair thanked Jocelyn Adkins and her colleagues on the SEM Task Force for meeting with the JPAC members during their working session in Montreal. He noted that the meeting provided them with valuable insight on the SEM Task Force deliberations and was pleased to hear of the progress made on a number of issues, in addition to general objectives, which include reducing any ambiguity in the guidelines as well as obstacles.</p> <p>The Chair added that JPAC was looking forward to being more engaged with the SEM Task Force and suggested they meet, either via teleconference or in person, to discuss the two sets of written revisions the SEM Task Force planned on sharing with JPAC before the end of February and mid-March.</p> <p>The Chair also suggested that the SEM Task Force consider participating in JPAC's regular session in Toronto on 18 April, in order to ensure a productive dialogue between JPAC, the SEM Task Force and the public.</p>	<p>The JPAC SEM Working Group met with the SEM Task Force representatives in Mexico City on 7 March 2012.</p>
<p>JPAC letter to US Alternate Representative Re: Change of format for the Council Public Meeting. <i>(Distributed on 15 February 2012)</i></p>	<p>On behalf of the JPAC members, the Chair sent a letter to Michelle DePass, expressing support for exploring ways to change the format of the Council public meeting to make it more engaging.</p>	

	<p>He noted that JPAC members have long discussed this important issue among themselves, as well as with representatives from the public, and felt that a format that would allow for more productive interaction with civil society would be highly beneficial.</p> <p>He reiterated JPAC's full collaboration in ensuring the complete success of the New Orleans Council meeting.</p>	
<p>JPAC SEM Working Group Meeting with the SEM Task Force Representatives 7 March 2012, Mexico City, Mexico</p>	<p>The JPAC SEM Working Group met with the Task Force Representatives in Mexico City, to follow up and continue with the discussion on their modernization efforts.</p>	<p>The SEM Task Force Representatives agreed to provide their proposed revisions to the JPAC prior to their Regular Session in Toronto and reiterated their support for a fulsome 30-day public consultation.</p>
<p>JPAC Private Meeting with the SEM Task Force Representatives 17 April 2012, Toronto, Ontario</p>	<p>The JPAC SEM Working Group met with the Task Force Representatives to discuss the proposed changes to the SEM Guidelines, and the compilation of memos on proposed changes. JPAC members shared some initial comments and engaged the task force in a very productive discussion.</p>	<p>The SEM Task Force Representatives presented the proposed changes to the SEM Guidelines, during the JPAC Regular Session on 18 April 2012.</p>
<p>JPAC Public Consultation on the proposed changes to the SEM guidelines 30-day public consultation 17 April–17 May 2012</p>	<p>JPAC members launched a 30-day public consultation on the CEC website on the proposed changes to the SEM guidelines.</p>	<p>As a result of the public commentary received during the 30-day JPAC-led consultation, JPAC members provided an Advice to Council:</p> <p>JPAC Advice 12-01: SEM Task Force Proposals for Changes to the Guidelines for Submissions on Enforcement Matters (SEM)</p>
<p>Joint Public Advisory Committee Regular Session 12-01 “North America’s Energy Future: Powering a Low-carbon Economy for 2030 and Beyond,” 18 April 2012, Toronto, Ontario</p>	<p>The first JPAC public meeting for 2012 held in Toronto, Canada, had two main components; the first, a public forum on “Powering a Low-carbon Economy for 2030 and Beyond,” which included expert presentations and discussions with the public on the current status of</p>	<p><i>To be determined</i></p>

	<p>renewable energy in the region, as well on as its future outlook. A presentation on the challenges for remote communities, with a specific focus on Alaska, was also featured.</p> <p>The second component was a presentation of the proposed revisions to the CEC's Guidelines for Submissions on Enforcement Matters by members of the trilateral SEM Task Force.</p>	
<p>NAC & GAC meeting 26 April 2012, Washington, DC</p>	<p>The JPAC Chair provided a report on JPAC activities since the last US NAC & GAC meeting, including:</p> <ul style="list-style-type: none"> • The JPAC meeting in El Paso, Texas, in November 2011, which centered on two main topics: the cross border movement of toxic chemicals and the Citizen Submissions on Enforcement Matters Process. • A report on the JPAC working meeting in Montreal on 26–27 January 2012. • An overview of the four meetings between JPAC and the SEM Task Force Representatives. • A report on the JPAC Toronto Public Session. • A status update on the 30-day public consultation on the draft revised guidelines. • An overview of the JPAC planning efforts for their New Orleans workshop, which will center on resilient communities in North America. 	<i>Ongoing</i>
<p>JPAC participation in the CEC Chemicals Management Forum 15–16 May 2012, San Antonio, Texas, USA</p>	<p>Irasema Coronado, in representation of the JPAC, participated in a panel discussion with SMOC WG members, which centered on ideas to enhance stakeholder engagement in SMOC activities.</p>	<i>Ongoing</i>
<p>Session 12-03 of the Alternate Representatives 18 May 2012, Conference Call</p>	<p>The JPAC Chair, Martín Gutiérrez, participated in a conference call with the Alternate Representatives, which had as its main objectives:</p>	<p>The JPAC Chair expressed appreciation for JPAC's numerous opportunities to engage with the Task Force representatives in the</p>

	<ul style="list-style-type: none"> • To hear the results of the meeting of the SEM modernization task force held on 17–18 April in Toronto, as well as the status of consultations on the revised SEM guidelines • To discuss and possibly approve the revised terms of operations and proposed new working group structure. • To approve the agenda outline for the Council session and the new format for public participation. • To discuss Canada’s proposal for marquee projects. • To discuss outstanding 2011 tasks 	<p>SEM modernization process. Referring to the meeting in New Orleans, he expressed JPAC’s desire to have a fulsome discussion on resilient communities aimed at yielding a robust Advice, and reiterated JPAC’s support for the change in format for the public portion of the Council Session.</p>
<p>Advice to Council 12-01 Re: SEM Task Force Proposals for Changes to the Guidelines for Submissions on Enforcement Matters (SEM) <i>(Distributed on 23 May 2012)</i></p>	<p>Having conducted a series of public forums on SEM issues in Mexico City and El Paso, Texas, in 2011; having reviewed the responses to the JPAC questionnaire on Submitters’ Experiences with the Citizen Submission Process under NAAEC Articles 14 and 15; having received briefs on the SEM Modernization initiative from the SEM Task Force in November 2011, January 2012, March 2012 and April 2012; having conducted a final public forum in Toronto, Ontario, Canada, in which the SEM Task Force presented the proposed changes to the Guidelines for the SEM process; and having led a 30-day public consultation on the proposed changes to the guidelines, JPAC submitted a series of observations and recommendations for Council’s consideration.</p>	<p><i>No response to date</i></p>
<p>Letter to Council Re: Expiry of the terms of the Canadian JPAC members on 31 May 2012 <i>(Distributed on 28 May 2012)</i></p>	<p>The JPAC Chair sent a letter to Council regarding the imminent expiry of the terms of the current Canadian JPAC members on May 31, particularly given the proximity of the meeting in New Orleans.</p> <p>He emphasized the importance of having a full Canadian membership, noting the numerous important contributions made by the current members during their terms of service,</p>	<p><i>No response to date</i></p>

	<p>which ensured appropriate representation of each Party. He pointed that a delay in the appointment of the new members would have a severe impact on JPAC's ability to fulfill their mandate and conduct their day-to-day business.</p>	
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