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Dear colleagues of NACEC

I am very pleased to see that the 2008 strategic program is, overall, well written and focused on real priorities. There are a number of elements that worry me and thus I am submitting my commentaries in writing.

a) Lack of focus on the SEM unit.

By and large, the Citizen Submission on Enforcement Matters (CSEM) is one of the most well-known mechanisms to pressure governments to enforce domestic environmental laws. It has been discussed extensively in the literature and it is currently the focus of one of my research projects with Professors Jonathan Fox and Inger Weibust.

However, as I read the Strategic Plan, I saw very little emphasis on future projects on the CSEM. I think there is a real need to study this mechanism but from a field perspective. That has been the rationale underlying the project I am currently undertaking with Professors Fox and Weibust.

The CSEM has great potential even if it is perceived to be a "tooth-less" process. I would hope that the CEC has a stronger long-term plan for the SEM unit than the Operational Plan would suggest.

b) Excessive focus on competitiveness and sustainability.

The debate on competitiveness and sustainability is, in my opinion, over-debated. There are many other projects where resources could be better spent. As an academic, I am well aware of the status of the debate in the literature on competitiveness and sustainability. If anything, I think some emphasis should be placed on training and educating industry on the benefits of an environmentally-friendly production process and the effect of cleaner technologies on the bottom-line.

c) Little focus on PRTRs

It seems to me as though the CEC is reducing/limiting the scope of its work on PRTRs. I think that the fact that Mexico has just begun producing reports from the RETC should be an incentive (not a deterrent) to continue the work on PRTRs. Particularly, I think that the CEC should support the implementation of RETC by ENGOs. Since it is an environmental policy instrument that is based on citizen participation and use of information, it would be a good idea to support ENGOs to train and educate industry reporters and the general public on the value

of RETC information. I really would hope that all the work that the CEC has put on PRTRs is not lost due to this lack of emphasis.

d) Too much focus on projects that would yield very little in the long term.

I am not a specialist in conservation of marine species so I am not able to speak about the vaquita project, but I am worried that maybe some of the projects suggested are not going to be yielding results just yet.

e) Suggested improvement on JPAC's composition process

As an academic, I am substantially worried about the transparency of the JPAC members' selection process. I am aware of the fact that each government decides to nominate the members to JPAC. However, I am not aware of what the process for each country is. Since the Secretariat and all three governments are so concerned with trying to harmonize all three countries' environmental policies (and since all three countries contribute equally to the CEC budget), then there should be a harmonization process of the JPAC members' selection process. I believe that this would increase the transparency of the process and would also help build credibility of JPAC as a real citizen participation mechanism.

I also think that there is no emphasis on your operating plan on how you plan to make JPAC more accountable and how the members will relay the discussions to the general public in each one of the three countries. Since JPAC is supposed to be a mechanism for citizen input into the CEC decision making processes, it would be good if JPAC itself did a substantial effort to represent the views of the public. As it operates right now, JPAC is composed of citizens chosen by each country whose views may (or may not) represent the general public views.

I also would suggest an independent examination of the issue of length of tenure in JPAC. Some members have been participants for only a year, some are going on seven years. I think that renewing the composition of JPAC would be very healthy, particularly those members who have exceeded a three-year term. Re-appointment should not happen at least within a period of 10 years. No examination of this issue has ever been undertaken, and I don't see it in your operational plan for 2008 either.