



CEC
CCA
CCE

Submissions on Enforcement Matters under CUSMA/USMCA

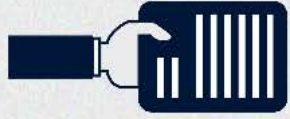


A renewed trilateral commitment under the CUSMA and ECA

1994: The CEC and SEM process established under the North American Agreement on Environmental Cooperation (NAAEC)

2020: Renewed commitment to the SEM process under the Agreement on Environmental Cooperation and CUSMA/USMCA





A SUBMISSION IS FILED



GOVERNMENT RESPONDS

60 DAYS MAXIMUM

If the issues in the submission are part of an ongoing proceeding, the submission process may end here.

WHAT HAPPENS WHEN A SUBMISSION ON ENFORCEMENT MATTERS IS FILED?

The Secretariat may determine that the submission needs to be revised to go forward. The submitter would have 60 days to make changes and submit a revised version.

SECRETARIAT REVIEWS SUBMISSION & ISSUES DETERMINATION

30 DAYS MAXIMUM



SECRETARIAT MAY RECOMMEND A FACTUAL RECORD

60 DAYS MAXIMUM

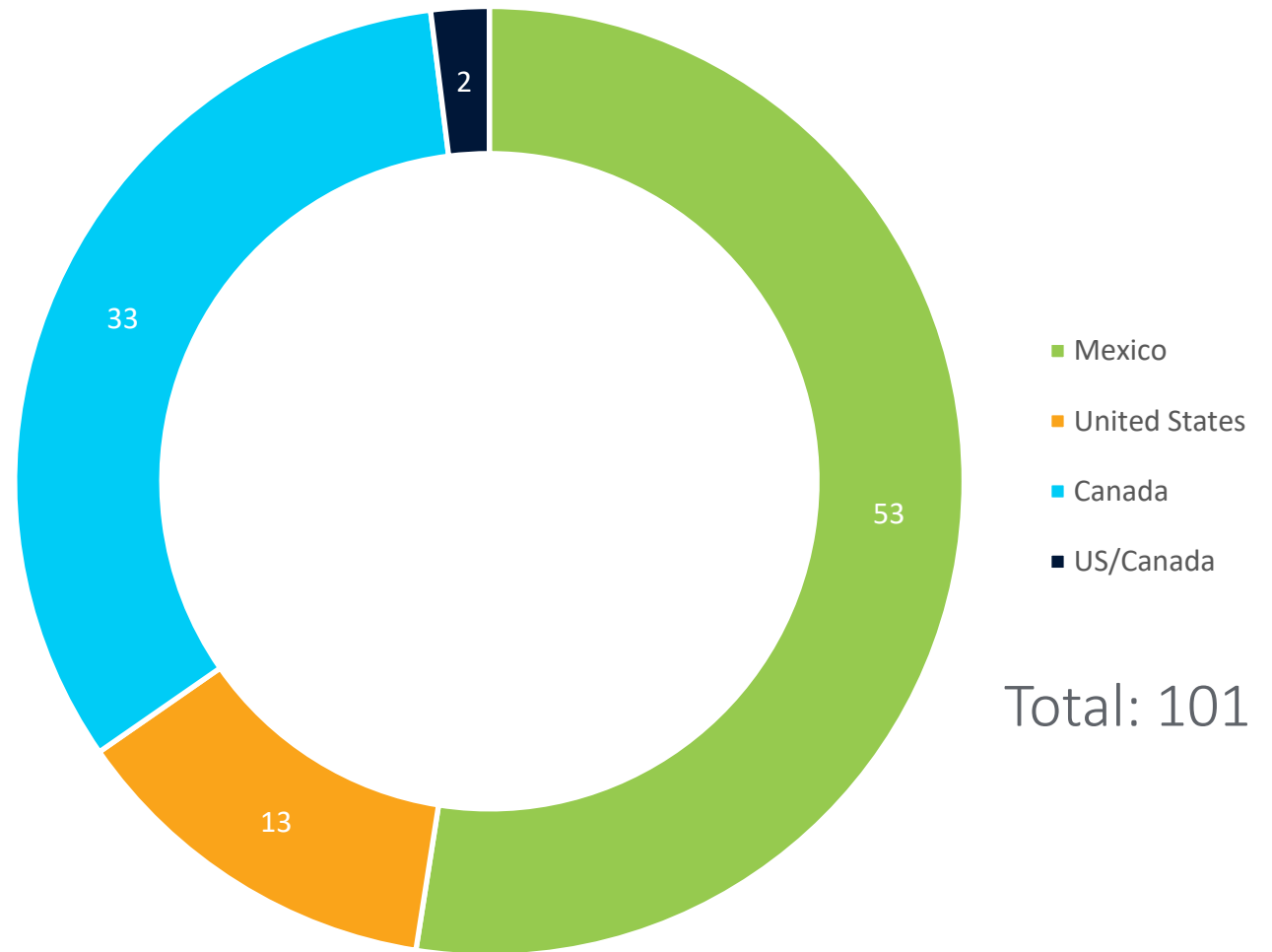




Article 24.28 Factual Record

- Following the Party response, the Secretariat determines whether to recommend preparation of a factual record
- The Council votes on whether to authorize the Secretariat to develop a factual record

Submissions



24 Factual Records: MEX (14), CAN (8), US (2)

Active Submissions

NAAEC

Metrobús Reforma

Factual record in preparation

City Park Project

Council vote pending

Hydraulic Fracturing
in Nuevo León

Council vote pending

USMCA/CUSMA

Loggerhead Turtle

Council vote pending

Vaquita Porpoise

Processing submission

Fairview Terminal

Recently terminated

NAAEC v. USMCA/CUSMA Timelines

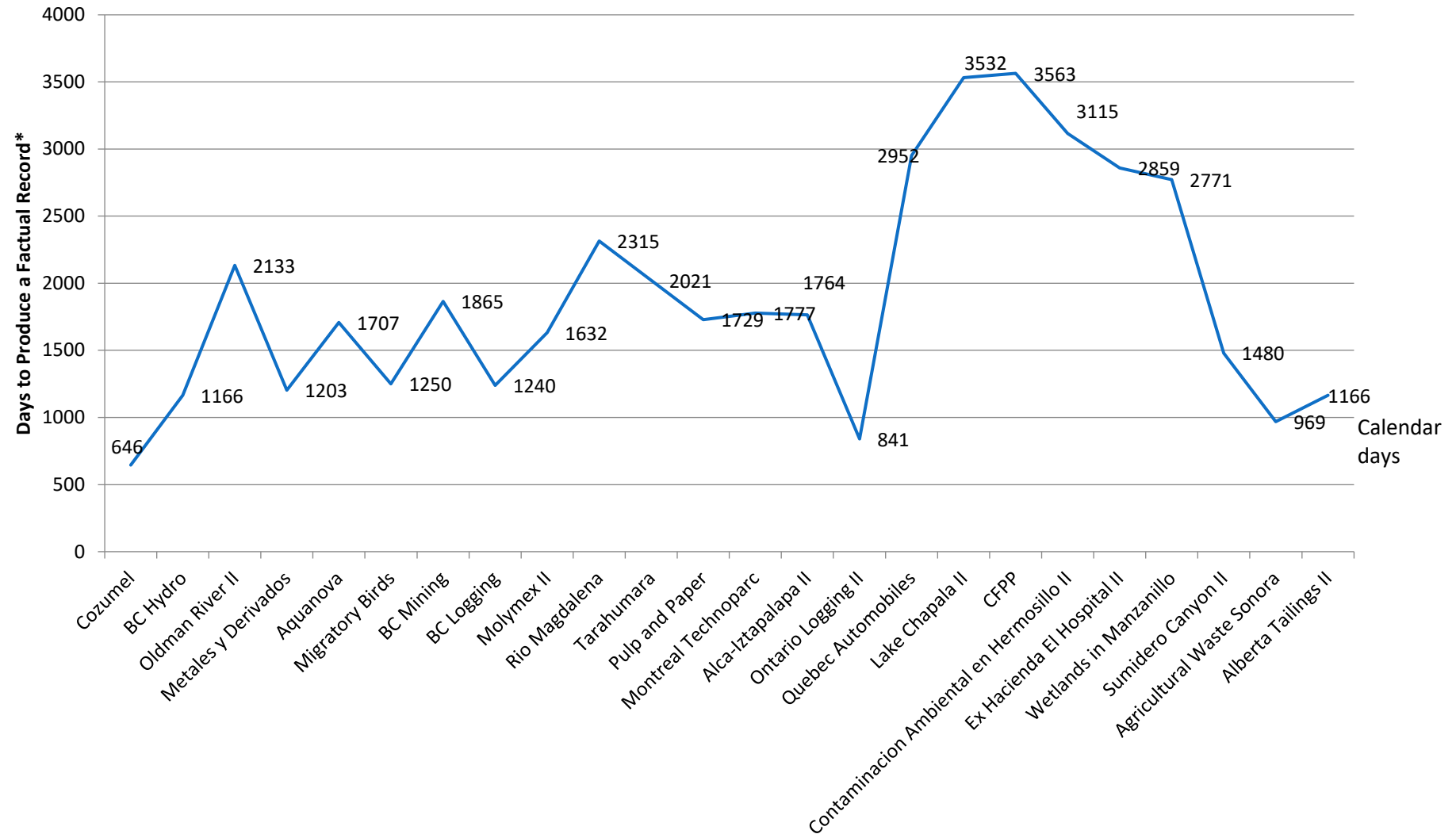
SEM Steps	NAAEC	USMCA.CUSMA	Impact
Admissibility	30	30	-30
Merits response?	30		
Party response	60	60	No change
Recommendation?	120	60	-60
Council Vote	60	No deadline*	Undetermined
DFR	180	120	-60
Comments on DFR	45	30	-15
Incorporation of comments	45	No deadline**	Undetermined
Council Vote	60	30 days by default	-30
	630 days (2.5 years)	435 days (1 year 9 months)	195 working days less (-10 months)

*Assuming 60-days for the Council vote

**Assuming 45 days for incorporation of comments

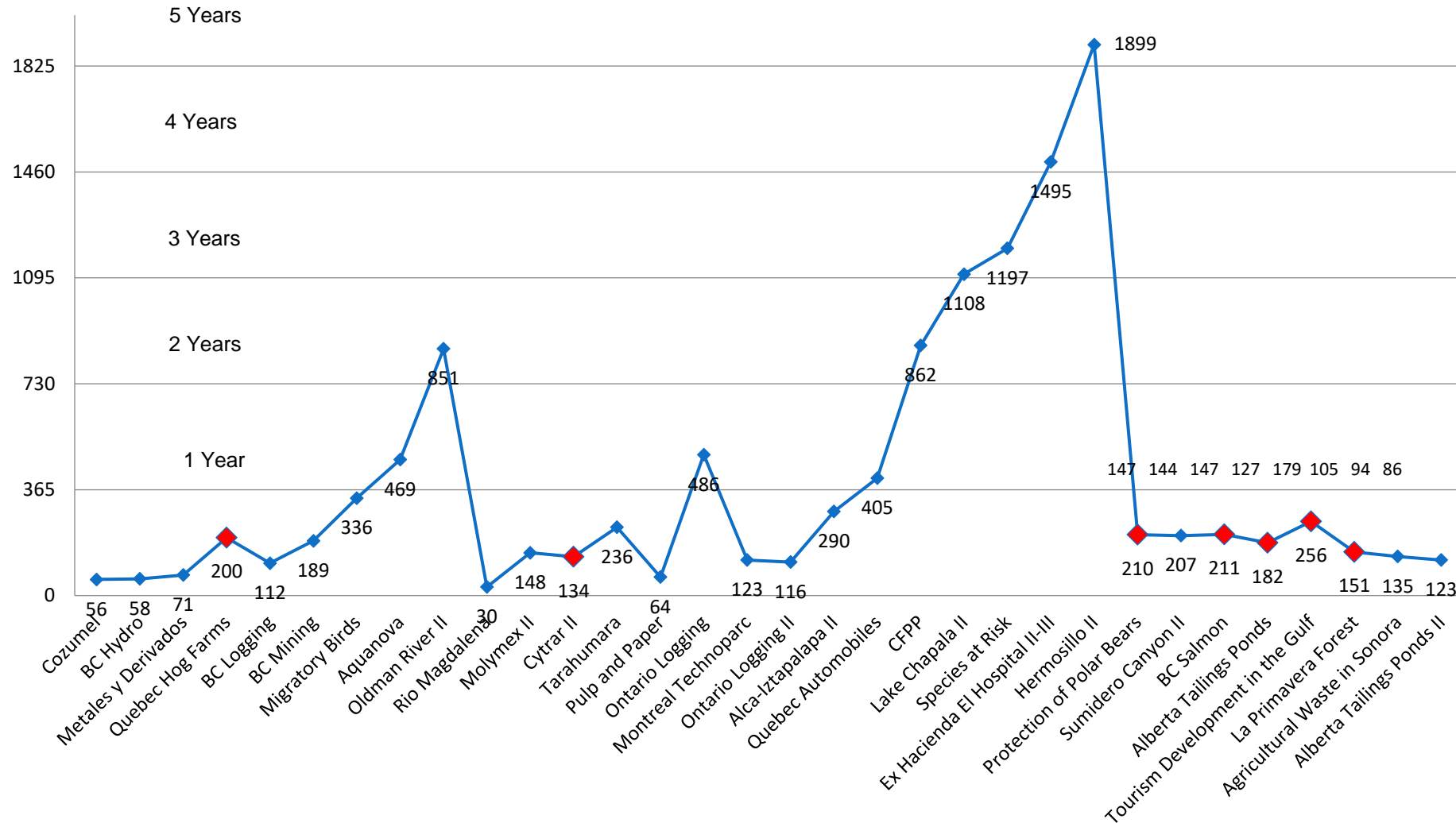
From Submission to Factual Record

- NAAEC total timeline was **630** working days
- USMCA total timeline is **435** working days
- Alberta Tailings Ponds II took **816** working days



Council Action

Timeliness of Council Vote under 15(1)





COMMISSION FOR
ENVIRONMENTAL
COOPERATION

COMISIÓN PARA
LA COOPERACIÓN
AMBIENTAL

COMMISSION
DE COOPÉRATION
ENVIRONNEMENTALE

