

23 June 2014

COUNCIL RESOLUTION: 14-07

Instruction to the Secretariat of the Commission for Environmental Cooperation to make public the factual record for submission SEM-04-005 (*Coal-fired Power Plants*)

THE COUNCIL:

SUPPORTIVE of the process provided for in Articles 14 and 15 of the North American Agreement on Environmental Cooperation (NAAEC) regarding Submissions on Enforcement Matters;

AFFIRMING that the purpose of factual records is to provide an objective presentation of the facts relevant to the matter(s) raised in a submission and to allow readers of a factual record to draw their own conclusions regarding a Party's environmental law enforcement;

NOTING that, pursuant to Article 15(7) of the NAAEC, the Council may vote to make the final factual record publicly available; and

FURTHER NOTING that Guideline 12.3 of the *Guidelines for Submissions on Enforcement Matters under Articles 14 and 15 of the North American Agreement on Environmental Cooperation* states that if a Party so desires, its comments made pursuant to NAAEC Article 15(5) on the accuracy of the draft factual record will be posted on the Submissions on Enforcement Matters registry;

HEREBY DECIDES:

TO MAKE PUBLIC the attached factual record for SEM-04-005 (*Coal-fired Power Plants*); and

TO DIRECT the Secretariat to publish a Party's comments in the Submissions on Enforcement Matters registry, separately from the factual record, if that Party so desires.

APPROVED BY THE COUNCIL:

Dan McDougall
Government of Canada

Enrique Lendo Fuentes
Government of the United Mexican States

Jane Nishida
Government of the United States of America