



**Joint Public Advisory Committee (JPAC) Activities Report
to the Council of the Commission for Environmental Cooperation (CEC)
as of June 2006**

This table is intended to provide Council with an overview of JPAC activities since the June 2005 Regular Session of Council to assist discussions during the annual joint Council/JPAC session in June 2006.

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
JPAC letter to Council concerning the preparation of an Article 13 report on case studies on transboundary environmental impact assessment (TEIA) – 22 August 2005	JPAC urged Council to support the Secretariat’s initiative on the Article 13 report on transboundary environmental impact assessment (TEIA). Reference is made to past advice, as well as several in-camera conversations, in which they underscore the importance of moving to conclude an agreement on TEIA. JPAC expresses confidence in the Secretariat’s work and agrees with the case study approach. They also request that special attention be paid to ensuring that experiences of indigenous peoples in transboundary matters be addressed.	Council’s responds to JPAC’s letter on 5 December 2005, stating that after carefully reviewing the proposal on behalf of the Secretariat, they had concluded that such a report would not represent the best use of CEC resources, in light of the efforts underway by the three parties to conclude an agreement on TEIA under the Security and Prosperity Partnership (SPP).
JPAC letter to Council concerning the June Council session 2005 – 29 August 2005	The JPAC Chair for 2005, Jane Gardner, acknowledged the unusual set of circumstances that resulted in missing the opportunity of meeting with them during the private and public annual meetings. She also made reference to the committee’s interest in having face to face meetings, between JPAC Members and their respective Ministers, in order to maintain the collective momentum during a year of transition, and exchange ideas and perspectives on a number of issues. Among these: collaboration to improve	Council replied on 5 December 2006, highlighting the importance of future collaboration between JPAC and Council to continue improving the effectiveness of the CEC. The implementation of the CEC 2005-2010 Strategic Plan was also noted, particularly the work under the three new priority areas: 1) Information for Decision-making; 2) Capacity-building and 3) Trade & Environment. Council expressed their interest in holding meetings with their countries JPAC

	public participation, JPAC's Strategic Plan in the context of the new CEC direction, to name a few.	members, to talk about the effectiveness of the CEC and to also discuss the JPAC Strategic Plan and the opportunities for collaboration in the CEC program.
The JPAC Chair for 2005, Jane Gardner participated in session 05-06 of the Alternate Representatives held in Montreal on 31 August 2005	The JPAC Chair provided an update on JPAC activities and extended an invitation to the Alternate Representatives to attend the upcoming Meeting in Mexico City on 11 October. She also indicated that JPAC would be meeting in Montreal on 29 November in conjunction with the Trade & Environment Symposium. She expressed support for the Secretariat's Article 13 proposal on TEIA.	The Alternate Representatives decide unanimously to not support the preparation of the Article 13 report on TEIA and Council subsequently sign Resolution 05-07 - <i>"Decision Regarding the Proposal by the Secretariat of the Commission for Environmental Cooperation(CEC) to Prepare an Article 13 Report on Case Studies on Transboundary Environmental Impact Assessment"</i>
The JPAC Strategic Plan 2006-2010 – "Our future within the CEC"	In June 2005, JPAC announced that it would develop its own strategic plan. To this end, members of JPAC were asked to list JPAC's strengths, weaknesses, opportunities and threats. This information was used to identify JPAC's strategic direction. Although JPAC's vision itself does not change, how they plan to implement it has. They established JPAC's own working principles which will form the foundation of their strategic plan. These are Transparency, Outreach and Engagement, and they are the means by which JPAC will achieve its vision over the next five years (2006-2010). The Strategic plan is also largely based on the TRAC Report and JPAC at Ten recommendations.	Ongoing
Memo to the Alternate Representatives on behalf of the JPAC Chair for 2005, Jane Gardner, with a copy of the draft of the JPAC Strategic Plan to be discussed during the Mexico City JPAC meeting – 4 October 2005	The first draft of the JPAC Strategic Plan is sent out to the Alternate Representatives on 4 October, noting that it is an evolving document that will be presented for discussion during the session in Mexico City. It is also mentioned that once the meeting is concluded, a second draft will be produced and posted on the CEC	GSC Members from Canada, Mexico and the United States attend the meeting on behalf of the Alternate Representatives, and participate during the break out sessions. A second draft is produced.

Second draft of the JPAC Strategic Plan for 30 day public consultation period	Website for a 30 day public consultation period. On November 8, the second draft of the JPAC Strategic Plan is posted on the CEC website. Deadline to receive comments is 9 December 2005.	Several comments on behalf of the public are received, and that information, including the one gathered during the Mexico City meeting, is incorporated on a third and final draft.
JPAC responds on 27 January 2006, to a letter sent on behalf of the US with comments to the their Strategic Plan	A letter was sent to JPAC on 7 December 2005, on behalf of the US Alternate Representative, in which concern is expressed regarding some of the activities mentioned in the JPAC Strategic Plan, specifically several of their contributions to the CEC Pillars: • A few activities under the capacity building pillar seem to be outside Article 16 authority • The establishment of Trade & Environment Awards appear to be beyond the scope of JPAC's mandate • JPAC's proposed mid-term review of the CEC work program	JPAC responds to the US comments by noting that the activities proposed on their Strategic Plan will be done in furtherance of their role to provide advice to Council and information to the Secretariat. They mention that any review or evaluation of the CEC work will be done consistent with Article 16 and that instead of issuing Trade and Environment Awards, they will acknowledge the achievement of organizations by providing a venue in which they present their success stories.
JPAC receives a letter on behalf of the Canadian Alternate Representative regarding the JPAC Strategic Plan - 28 December 2005	The Canadian Alternate Representative, David McGovern, sent a letter to JPAC expressing support for the JPAC Strategic Plan initiative, as a means of making JPAC even more effective in its role within the CEC. He also mentions his interest in discussing the final version with all of the Members at some point during the New Year.	
JPAC receives a letter on behalf of Council regarding the JPAC	On behalf of Council, Jerry Clifford congratulates Carlos Sandoval on his	Ongoing

Strategic Plan - 3 March 2006	appointment as Chair of JPAC for 2006, and makes reference of their interest in working with JPAC in the implementation of the new CEC work program. He also expresses that the JPAC Strategic Plan raises some issues that the Alternate Representatives would like the opportunity to discuss, to ensure a clear understanding of the work to be done by JPAC, as well as Council's full support. They mention that a discussion on the plan will be part of the next Alternate Representatives Meeting.	
JPAC Regular Session 05-03 in Mexico City – 11 October 2005	The purpose of this meeting was to provide the public with an overview of the JPAC Strategic Plan for 2006-2010; which was drafted by the JPAC Members based on the TRAC Report and JPAC at Ten recommendations. The presentation of the document was followed by a series of breakout sessions, with the objective of seeking public input.	A second draft is put together with comments from the break-out sessions. This version was posted on the CEC Website, for a 30 day public consultation period that ended on 9 December 2005.
JPAC Regular Session 05-04 in Montreal, QC – 29 November 2005	The JPAC Public Meeting was organized in conjunction with the Third North American Symposium on Assessing the Environmental Effects of Trade: Investment, Growth and the Environment, which was held on November 30 – December 1, in the same location. The purpose of the JPAC Meeting was to engage in a discussion with different stakeholders, on the effects that liberalized trade has had on the environment in North America. The following roundtables were organized: Session # 1: Environmental Stewardship of Procurement Policies – Renewable Energy Objective: Procurement policies towards green purchasing have become increasingly important in creating	JPAC Members participated in the Symposium as observers. Some key messages and recommendations from the JPAC Roundtables were provided by the Chair during the following Alternate Representatives meeting. Ongoing

JPAC Regular Session 05-04 in Montreal, QC - November 29, 2005 (cont...)	markets for environmental products and services. In the specific case of renewable energy; consumers currently have access to a broad range of alternatives to conventional power sources. During this session the panellists provided the audience with specific examples of how environmental stewardship of such policies is contributing and promoting to increase the use of renewable energy in North America. Session # 2: Submissions on Enforcement Matters – Follow up to factual records Objective: The submission process of North America’s Commission for Environmental Cooperation, with its international character and its granting of authority to non-governmental actors to initiate the process, is the first of its kind in the world. This session allowed the audience to grasp the experience of individuals who have gone through the process (including the publication of a factual record) and learn about other mechanisms that non-government actors can employ to gain access to information about follow-up to factual records and other environmental information Session # 3: Market-based Drivers for Sustainable Development Objective: Market based drivers, along with national and regional policies can provide both the incentives and disincentives required for achieving sustainable development in North America. Panellists for this session offered different perspectives which assisted in the discussions towards gaining a better understanding of the contributions and limitations of economic instruments in the context of the North American Agreement on Environmental Cooperation.	
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JPAC letter to Council dated 13 December 2005, on the Citizen Submissions process	JPAC makes reference to the factual record on Tarahumara/SEM-00-006 which after 120 days, is still pending for a Council decision	<i>No response to date</i>
JPAC letter to Council dated 16 March 2006, regarding the 2006 Council Session	JPAC expresses their desire to meet with the Council members privately, during the next Council Session to be held in Washington D.C.	<i>No response to date</i>
JPAC letter to Council dated 20 March 2006, on the PROFEPA proposal	The JPAC Chair for 2006, Carlos Sandoval, expresses JPAC's support and offers their active involvement, should Mexico's proposal to study and assess the performance of the Office of the Federal Attorney for Environmental Protection (PROFEPA), be agreed to by the parties.	<i>No response to date</i>
JPAC Regular Session 06-01 in Vancouver BC – 28 March, 2006	The JPAC Public Session on March 28, centered on the presentation of the "North America Clean Electronics Pollution Prevention Partnership" (CEP 3 / NAP 3). The main objective of this working meeting was to present and discuss the project as well as to define a common strategy for its successful implementation in North America. In addition on March 29, the public had the opportunity of visiting North America's leading business and environment trade fair GLOBE, and attend the JPAC workshop with SME's.	The meeting presented members of the public with the opportunity to provide the author of the report, Maria Kelleher, with feedback on the content of the study including recommendations for minimizing the negative footprint of the electronic industry in the North American environment. On going – JPAC to follow-up once the report is concluded. Workshop with SME's - the main purpose of this meeting was to explore jointly what can be done to expand market opportunities and identify/address barriers for SME's in North America. On going
The JPAC Chair for 2006, Carlos Sandoval, participated in session 06-02 of the Alternate Representatives held in Montreal on 13 April 2006	The JPAC Chair provided an update on JPAC activities, which included: ▪ Report on the JPAC 06-01 Vancouver Meeting ▪ The JPAC Strategic Plan	The US Alternate Representative expressed concern about JPAC potentially duplicating the efforts of the Secretariat (Article 13 on Green Buildings) and mentioned that renewable energy was a theme

	JPAC workshop on Green Buildings, to take place in conjunction with the Session of Council in Washington DC	which could be explored by JPAC. The JPAC Workshop to take place in conjunction with the June 06 Council Session will be entitled: “<i>Renewable Energy Alternatives: Bio-fuels, Solar Energy and Wind Power</i>”. The main objective of this public workshop will be to have different stakeholders present their work in the field, and engage the audience in a discussion on ways to enhance the implementation of Renewable Energy projects in North America. On going ***** Regarding the JPAC Strategic Plan, the US Alternate Representative conveyed that further conversations were needed among the Alternate Representatives to respond to the JPAC Strategic Plan in a consensus manner. The JPAC Chair indicated that JPAC will be looking forward to this response. He stressed however that he believed there was no contradiction between the mandate of JPAC and what was laid out in the Strategic Plan. On going
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