

Dallas, 11 June 2000

COUNCIL RESOLUTION 00-04

**Instruction to the Secretariat of the Commission for Environmental Cooperation to make public the Factual Record regarding the assertion that Canada is failing to effectively enforce s. 35(1) of the *Fisheries Act* with respect to certain hydro-electric installations in British Columbia, Canada (SEM-97-001)**

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 and the preparation of factual records;

HAVING RECEIVED the final factual record;

NOTING that pursuant to Article 15(7) of the NAAEC the Council is now called upon to decide whether to make the factual record publicly available; and

AFFIRMING its commitment to a timely and transparent process;

HEREBY DECIDES:

TO MAKE PUBLIC and post on the registry the final factual record with respect to this submission; and

TO ATTACH to this resolution and the final factual record the letters sent by the Parties to the Secretariat pursuant to Article 15(5) of the NAAEC commenting on the draft factual record.

APPROVED BY THE COUNCIL:

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Norine Smith  
Government of Canada

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José Luis Samaniego  
Government of the United Mexican States

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William A. Nitze  
Government of the United States of America