

Ottawa, 19 June 2002

COUNCIL RESOLUTION: 02-04

North American Air Working Group

THE COUNCIL:

REAFFIRMING the importance of the objectives of the *North American Agreement on Environmental Cooperation* (NAAEC);

RECOGNIZING the clear and widespread harm that air pollution such as ground-level ozone, acid rain, and particulate aerosols pose over large regions of North America;

TAKING INTO ACCOUNT and BUILDING UPON current Commission for Environmental Cooperation (CEC) activities, existing bilateral and multilateral agreements and activities, as well as the work of relevant international organizations to enhance cooperation on air issues;

CONSIDERING the opportunity for North America to serve as a global leader in developing cooperative approaches to address air issues of shared concern;

MINDFUL that there are significant opportunities to share experiences and information through regular exchanges among senior air quality officials in North America; and

ACTING pursuant to Article 9(5)(a) of the NAAEC which provides the CEC Council with the authority to establish and assign responsibilities to working groups;

HEREBY:

AGREES to establish a North American Air Working Group (Working Group) to operate pursuant to the attached Terms of Reference; and

WELCOMES the advice of the Working Group in contributing to the annual development of the CEC work plan and the promotion of increased cooperation among the Parties to the NAAEC regarding air issues.

APPROVED BY THE COUNCIL:

David Anderson
Government of Canada

Víctor Lichtinger
Government of the United Mexican States

Christine Todd Whitman
Government of the United States of America

North American Air Working Group

Terms of Reference

1. Official Designation (Title)

North American Air Working Group

2. Mandate

Pursuant to Council Resolution 02-04, the North American Air Working Group (Working Group) is to provide the Commission for Environmental Cooperation (CEC) with advice and commentary related to the development of the annual CEC work plan for the Air Quality Program and for other related activities. The Working Group will be a forum for active exchange of experiences among Working Group members, regarding air programs in each member's country and to inform members on a continuing basis of CEC activities that involve air issues.

3. Description of Working Group Tasks

- 3.1 Provide advice and commentary to the Council on the development and implementation of the annual work plan for the Air Quality Program and for other CEC activities involving air issues.
- 3.2 Participate in an annual one-day intergovernmental meeting of the senior federal air quality officials in North America, with an agenda to be determined by the members.

4. Reporting Structure

The Working Group will communicate (either directly or through members' designated alternates) with the CEC Air Quality Program Manager through scheduled conference calls as needed, through written comments on draft work plans, and through a one-day meeting.

5. Membership

a. Composition

The Working Group will have three members, consisting of one member from each country that is a Party to the North American Agreement on Environmental Cooperation (NAAEC). The members are to be senior federal officials with responsibility for national air quality policy.

b. Chair

The Chair will be rotated on an annual basis among the Parties.

c. Designated Alternates

For purposes of routine communication with the CEC, each Working Group member may designate an alternate at their discretion to facilitate commentary on CEC air activities.

d. Compensation

Members of the Working Group and their designated alternates will serve on a voluntary basis.

6. Operating Principles

- 6.1 The CEC Secretariat shall develop and circulate drafts of proposed air activities in the annual work plan to the Working Group for comment.
- 6.2 The Working Group members, or their designated alternates, shall provide comments to the CEC Air Quality Program Manager either in writing or through scheduled conference calls. Comments shall be provided to the CEC and the other Working Group members on a timely basis.
- 6.3 The Working Group shall coordinate as necessary with other working groups and advisory panels under the CEC.
- 6.4 The Working Group shall take steps to involve stakeholders and provide opportunities for public participation in the formation of its advice to the Secretariat and the Council.
- 6.5 The Working Group members will assist in the implementation of the work plan by facilitating the participation of relevant experts from their countries in CEC activities.
- 6.6 The CEC shall consider all comments provided by the Working Group in drafting the final work plan. Approval of the final work plan shall remain at the discretion of the Council.

7. Meetings

- 7.1 The Chair, assisted by the CEC Secretariat, will convene Working Group meetings.
- 7.2 The Working Group shall meet once a year with an agenda determined by the members in consultation with the CEC Secretariat.
- 7.3 The country of the member serving as Chair will be the presumptive location of the annual meeting.
- 7.4 Teleconference calls by the members or their designated alternates and assisted by the CEC Air Program Manager shall occur on an as-needed basis.

8. Languages

The three official languages of the CEC are English, French, and Spanish. Interpretation and translation will be provided in accordance with CEC policies.

9. Travel

The CEC Secretariat will arrange for official travel of Working Group members upon request, taking into account budgetary constraints and in accordance with the CEC Travel Policy, the domestic laws of the Parties, and to the extent authorized by each Party.

10. Standards of Conduct

- 10.1 Working Group members and their designated alternates shall not directly or indirectly solicit or accept gifts from any source that would compromise their independence and integrity as Working Group members.
- 10.2 Working Group members and their designated alternates shall safeguard from public disclosure any information received in their capacity as Working Group members, where the information is designated by its source as confidential or proprietary.
- 10.3 Working Group members and their designated alternates shall not use, for personal gain, information acquired in their role as Working Group members or designated alternates, unless such information is in the public domain or unless authorized by the Council.