



ADVICE TO COUNCIL NO: 08-02

Re: Public comment period for the proposed Operational Plan for the Commission for Environmental Cooperation (CEC) of North America for 2009

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) of North America;

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”;

MINDFUL of its role as a voice of the North American public in matters pertaining to the North American Agreement on Environmental Cooperation;

AWARE that it is fundamental to the effectiveness of the CEC as an institution that JPAC safeguard the public’s right to have a meaningful opportunity to comment on CEC matters, such as its Operational Plan;

CONCERNED that any ongoing delays in approval of the draft Operational Plan may result in the minimization of the opportunity for substantive public input and the opportunity for Council to give due consideration to the public’s comments;

RECOGNIZING the disruption that occurs throughout the CEC institution when approval of the Operational Plan is unduly delayed;

JPAC respectfully:

1. Urges Council to approve the current draft of the Operational Plan for immediate release and direct the Secretariat to immediately post the document for public comment;
2. Wishes to inform Council that, pending immediate release of the third draft of the Operational Plan, JPAC will seek input from the public for a period of 45 days, after which time at its next public meeting, JPAC will review the comments from the public and the decisions or actions taken by the CEC to address these comments;
3. Through separate advice, JPAC will immediately provide its comments on the draft Operational Plan to Council for review and response.

**Approved by the JPAC members
3 December 2008**