



**Joint Public Advisory Committee (JPAC) Activity Report
to the Council of the Commission for Environmental Cooperation (CEC)
since June 2007**

This table is intended to provide Council with an overview of JPAC activities since the June 2007 Regular Session of Council to assist discussions during the annual joint Council/JPAC session in June 2008.

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
Advice to Council 07-01 Re: “Roundtable on Conservation and Trade” <i>(Distributed on 23 May 2007)</i>	The JPAC conducted a “Roundtable on Conservation and Trade” as part of their Regular Session 06-04, on 7 November 2006, in Cancun, Mexico. This meeting featured sessions with expert speakers from government agencies, nongovernmental organizations and other institutions. As a result JPAC formulated an Advice to Council, which provides specific recommendations under the three program priorities, to further enhance conservation efforts in North America.	Council replied mentioning that many of the recommendations would be helpful to the Council as they consider related program elements for the 2008 CEC Operational Plan. They also noted that many of the recommendations on the Advice had been raised during the Trade & Environment Officials Meeting in Morelia, where there was broad agreement among the party’s that the work of the CEC should be more focused to ensure on-the-ground, measurable, compelling results. The letter also addressed the specific conservation related Advice, mentioning that the current Strategic Plan for North American Cooperation in the Conservation of Biodiversity was reaching its five year review, and that the JPAC recommendations would be taken into consideration as the work evolves. The Council also welcomed JPAC’s suggestions on effective mechanisms for conducting public consultations. <i>(Response received on 4 September 2007)</i>

Joint Public Advisory Committee Regular Session 07-03 24 – 26 September 2007 “Engaging Indigenous Communities in the work of the CEC” Winnipeg, Manitoba	The main objective of this meeting was to receive feedback from North American indigenous community representatives, on how the CEC can better engage them in their work. The Meeting had a three day component: North American Indigenous Peoples Renewable Energy Forum - Topics included addressing energy costs and accessibility, energy project partnerships and financing, developing renewable energy projects and building energy capacity through information sharing. North American Indigenous Peoples, Pollutants and Health: Sharing Experiences, from Problem Identification to Resolution. This meeting featured presentations on current efforts on behalf of North American indigenous communities, to address contaminants in their environment, as well as the CEC’s work under the Sound Management of Chemicals (SMOC) program and the Pollutant Release and Transfer Register (PRTR) project. Success Stories, Networking “How-to” and Open Agenda Discussion. This meeting followed up on the discussions of the previous two days. It featured a panel on networking and provided an open forum for participants to share their concerns and recommendations relating to a wide range of environmental issues affecting their communities.	The JPAC Members agree to formulate an Advice to Council based on the commentary received at the meeting. (07-02) (Distributed on 27 February 2008)
US NAC & GAC Meeting 17-18 October 2007 Washington, D.C.	The JPAC Chair, Irene Henriques, provided an update on JPAC activities, which included: ▪ The JPAC Winnipeg Meeting on engaging indigenous communities in the work of the CEC ▪ JPAC led Public Consultation on the CEC 2008 Operational Plan ▪ JPAC’s final meeting of the year in San Antonio, Texas, on the SEM Process	<i>On going</i>

Email to Environment Canada From the JPAC Chair for 2007 to the Canadian Alternate Representative <i>(Distributed on 19 November 2007)</i>	The JPAC Chair, Irene Henriques, sent an email to the Canadian Alternate Representative, requesting the extension of Gordon Lambert's JPAC Membership for an additional year - 31 December 2008.	<i>No response to date</i>
Session 07-06 of the Alternate Representatives 27 November 2007 Conference call	The JPAC Chair, Irene Henriques, referenced the memo sent on 5 October 2007 which commends the CEC for addressing their earlier comments regarding the presentation of the Operational Plan, noting that the 2008 CEC Operational Plan is more concise with clear tasks, outputs and budgets. She then referred to the specific recommendations: ▪ The CEC should explicitly state which programs are new and which are carryovers. For the carryover projects, there should be a clearly stated completion date. ▪ The CEC should expand the key partners section of the implementation plan to include some key institutions/stakeholders across the three countries that would complement each of the projects. Doing this would increase the CEC's outreach while avoiding duplication. ▪ JPAC encourages the CEC to include indigenous communities in all of their programs. For example, in project 8 entitled Urban and regional sustainability in North America, it is critical that indigenous communities be part of this discussion. She also mentioned that they had received a significant number of public comments on the draft 2008 Operational Plan, which would later be forwarded to Council for future consideration. She also provided an update on the planning efforts for their upcoming JPAC Meeting in San Antonio, Texas; referred to the email sent on 19 November regarding Gordon Lambert's JPAC Membership and announced	The three Alternate Representatives thanked the JPAC Chair for her good work and constructive approach throughout this year and the Canadian representative assured her that they were looking closely at the issue of Canadian membership on JPAC.

	officially that Jane Gardner from the United States had been elected as JPAC Chair for 2008.	
Joint Public Advisory Committee Regular Session 07-04 6 December 2007 “Submissions on Enforcement Matters: From Lessons Learned to Following up Factual Records” San Antonio, Texas	The JPAC held its last session for 2007 in San Antonio, Texas, which had as a main objective to discuss the Articles 14 and 15 submission process, as a vehicle for public oversight of the enforcement of environmental laws by the Parties to the North American Free Trade Agreement (NAFTA).	The JPAC Members agree to formulate an Advice to Council based on the recommendations that were received on behalf of the experts as well as the public commentary. (08-01) <i>(Distributed 27 February 2008)</i>
Advice to Council 07-02 Re: “Engaging Indigenous Communities in the Work of the CEC” <i>(Distributed on 20 December 2007)</i>	Having conducted a workshop on 25 & 26 September 2007 in Winnipeg, Manitoba, on “Engaging Indigenous Communities in the Work of the CEC”, the JPAC provided the Council with short, medium and long term recommendations, to be considered under the three program priorities.	Council replied by mentioning that the recommendations would be very helpful to the Council and the Alternate Representatives as they consider ways to enhance CEC engagement with indigenous peoples in North America. Council also referred to the Convening of Indigenous Peoples to Heal Mother Earth that would be taking place in Palenque, Mexico, in March; acknowledging the CEC's contribution in terms of planning and logistical support. They established their continued engagement of indigenous stakeholder groups in the work of the CEC, and noted they will consider future areas of work that specifically address the needs of indigenous Peoples and communities. <i>(Response received on 28 January 2008)</i>
Advice to council 08-01 Re: “From Lessons learned to following up Factual Records” <i>(Distributed 27 February 2008)</i>	JPAC held its last Regular Session for 2007 in San Antonio, Texas, on the CEC Submissions on Enforcement Matters process. The meeting featured two panel discussions: “Lessons Learned” and “Follow-up and future outlook”. Representatives from academia, submitters, governmental agencies, nongovernmental organizations and institutions from Canada, Mexico and the United States were in attendance.	<i>No response to date</i>

	As a result of the discussion, JPAC provided specific recommendations under the following: Improvements on Timeliness; Visibility, Transparency and Outreach; Decision-Making and Follow-up. It also referenced Council Resolution 00-09, establishing that in conformity with JPAC's working principles of transparency, outreach and engagement (JPAC's Strategic Plan 2006–2011), JPAC proposed to undertake a review to compile a list of the issues identified, inventory the "fixes" that have been identified and implemented, and update the status of the concerns raised.	
US NAC & GAC Meeting 16 April 2008 Alexandria, Washington, D.C.	The JPAC Chair, Jane Gardner, was unable to attend the NAC & GAC meeting; notwithstanding Evan Lloyd, CEC Director of Programs, provided the JPAC update on her behalf, which included: ▪ Planning efforts for the upcoming joint meeting with the CEC Trade & Environment Program. ▪ JPAC Public Forum to take place on Thursday 24 April, which also included an expert Roundtable on Emerging Issues in Analyzing Trade and Environmental Linkages in North America. ▪ JPAC Outlook Conference on 25 June in Ottawa in conjunction with the CEC Council Session. ▪ Their recent JPAC Advice to Council 08-01: Submissions on Enforcement Matters: From Lessons Learned to Following up Factual Record	<i>On going</i>
Joint Public Advisory Committee Regular Session 08-01 24 April 2008 "Environmental Assessment of NAFTA: Lessons Learned from the CEC's Trade and Environment Symposia" Phoenix, Arizona	The Joint Public Advisory Committee hosted a public forum as part of their Regular Session, in Phoenix, Arizona, in conjunction with the fourth North American Symposium on Assessing the Environmental Effects of NAFTA. The main objective was to review the proceedings, results, and recommendations of past CEC symposia in order to develop	The consulting firm Unisféra is preparing a final JPAC report based on the interviews and literature review, as well as the key elements emerging from the JPAC session discussion. This report will assist the JPAC in its recommendations to the Parties, on how to make the ongoing

	recommendations for enhancing the usefulness of future symposia and identify possible topics for them. This initiative stems from a proposal made by the Trade & Environment Working Group during the Joint meeting between Senior Trade and Environment Officials and JPAC, during the 2007 Council Session in Morelia. The JPAC received a formal written request from the TEWG, on 28 January 2008, in which they invite the JPAC to engage in three joint initiatives: to conduct a review of past proceedings, results and recommendations of the first three North American Symposia on Assessing the Environmental Effects of Trade; to host a public session on the margins of the 'CEC 2008 Symposium on Assessing the Environmental Effects of Trade in the Service Sector' and lastly, to organize a workshop on competitiveness and environmental sustainability in North America. This workshop will be taking place in the fall in Mexico – exact location to be determined.	environmental assessment of NAFTA more relevant to policy development and help identify areas for further work in the CEC. The final report will be sent to the Council prior to the 2008 June Meeting.
Letter to Environment Canada From the JPAC Chair for 2008 to the Canadian Alternate Representative (Distributed on 8 May 2008)	The JPAC Chair, Jane Gardner, sent a letter to the Canadian Alternate Representative on behalf of the JPAC, requesting confirmation of Gordon Lambert's membership for the remainder of this year. She also noted that the committee has been without a fifth Canadian member for more than five years and that the term of the three current members expires 31 December 2008.	<i>No response to date</i>