

27 January 2015

COUNCIL RESOLUTION 15-01

Instruction to the Secretariat of the Commission for Environmental Cooperation with regard to submission SEM-10-002 (*Alberta Tailings Ponds*) asserting that Canada is failing to effectively enforce the *Fisheries Act*.

THE COUNCIL:

AFFIRMING that the process provided for in Articles 14 and 15 of the *North American Agreement on Environmental Cooperation* (NAAEC or the “Agreement”) was established by the Parties of the NAAEC to provide an opportunity for residents of Canada, Mexico, and the United States to present their concerns regarding the effective enforcement of environmental law and to “bring facts to light” regarding those concerns;

RECOGNIZING that the Submissions on Enforcement Matters (SEM) process is designed to promote information-sharing between members of the public and the governments on matters concerning the effective enforcement of environmental law;

CONSIDERING the revised submission filed by Environmental Defence (Canada); the Natural Resources Defense Council (United States); John Rigney of Fort Chipewyan, Alberta; Don Deranger of Prince Albert, Saskatchewan; and Daniel T'seleie of Yellowknife, Northwest Territories; and the response provided by the Government of Canada on 31 January 2014;

HAVING REVIEWED the 29 July 2014 Notification by the Secretariat recommending the development of a factual record regarding submission SEM-10-002; and

NOTING that Party positions presented in the Council’s reasons for the following instructions should not be understood as views held by the entire Council;

HEREBY UNANIMOUSLY DECIDES TO:

INSTRUCT the Secretariat not to prepare a factual record with respect to this submission; and

INSTRUCT the Secretariat to post the reasons of the members of the Council for their votes in the SEM public registry.

On behalf of the Council:

Dan McDougall
Government of Canada

Enrique Lendo Fuentes
Government of the United Mexican States

Jane Nishida
Government of the United States of America