



Joint Public Advisory Committee (JPAC)

Comité Consultivo Público Conjunto (CCPC)

Comité consultatif public mixte (CCPM)

4 July 2002

The Honourable David Anderson
Minister of the Environment (Canada)

Licenciado Víctor Lichtinger
Secretary, Secretaría de Medio Ambiente y Recursos Naturales (Semarnat)

Governor Christine Todd Whitman
Administrator, United States Environmental Protection Agency

Re: Follow-up of JPAC Advice to Council on Articles 14 and 15 of the NAAEC and the Tenth Anniversary of NAFTA and the NAAEC

Dear Council Members:

It was a pleasure to meet with you during the 2002 Regular Session of Council in Ottawa. On behalf of the membership of the Joint Public Advisory Committee (JPAC), may I express our hope that progress was made in re-establishing a closer working relationship with Council members.

Follow-up of JPAC Advice to Council on Articles 14 and 15 of the NAAEC

I would like to take up some of the matters related to the Citizen Submissions process under Articles 14 and 15 of the North American Agreement on Environmental Cooperation (NAAEC) that were discussed during our meetings.

First, JPAC was very pleased with Council's interest in further exploring the options for monitoring and following up on factual records within procedures Council would see as appropriate, first, in JPAC's report on Lessons Learned and, secondly, following a request from the Alternate Representatives in March 2002. We look forward to receiving further information on how you will proceed.

Secondly, concerning a public review on the matter of limiting the scope of factual records, as recommended in our Advice to Council 01-09 and 02-03 and discussed during our in-camera session, JPAC remains of the opinion that a public review of this matter is warranted at this time for the reasons outlined in the advice. I would again ask you to reconsider your decision to delay the public review until the completion of the factual records in question and authorize JPAC to conduct such a review as recommended in the last JPAC advice on this issue. This view is supported by the public—as was evident during the public portion of the last Council Session. JPAC feels that you should not wait one or two more years before undertaking such a review.

Finally, as stated in Council Resolution 00-09, “the Council shall review the operation of this resolution after two years” and JPAC would appreciate receiving information on how the Parties intend to conduct this review. JPAC sees this as a crucial step in maintaining the credibility of the Citizen Submission process and we recommend that Council instruct JPAC to conduct a public review of the operation of Council Resolution 00-09.

Tenth Anniversary of NAFTA and the NAAEC

Finally, as we communicated to you, JPAC will be very pleased to participate in the retrospective of achievements and challenges of NAFTA and NAAEC over the past ten years. As this initiative will be undertaken by 2004, we would appreciate your informing us by September 2002 of the nature of the process to be implemented so that we can include this activity in our 2003 work plan.

Best regards,

A handwritten signature in cursive script that reads "Jon Plaut".

Jon Plaut
JPAC chair for 2002

c.c. CEC Alternate Representatives
CEC Acting Executive Director
NAC/GAC Chairs
JPAC members