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Mr. Arturo Durán
Joint Public Advisory Committee
Chair for 2005
c/o Secretariat for the Commission
for Environmental Cooperation
393 St. Jacques Street West, Suite 200
Montreal QC H2Y 1 N9

Dear Mr. Durán:

On behalf of the Council of the Commission for Environmental Cooperation (CEC) and the Alternate Representatives, I would like to thank the Joint Public Advisory Committee (JPAC) for Advice 04-04 provided to Council on New Directions for the Commission for Environmental Cooperation of North America.

We appreciate the detailed consideration given to the Council's progress towards the development of the new Strategic and Operational Plans for the CEC. Your concern regarding the lack of opportunity to review the information in advance of the meeting has been duly noted. We would like to mention that this information was the subject of active discussion and continues to be under review. The intent of the presentation we made at the JPAC Public session was to present a general overview of the status of the exchanges that have been taking place amongst the Parties on a possible path forward for the future work program. At that time, the Alt Reps provided the most updated information we had available and unfortunately, we were not in a position to share this more in advance of the meeting.

As we work toward making the CEC a more focused, results-oriented and effective organization, we are carefully considering your suggestions pertaining to each of the priority areas. We would like to offer the following comments on your advice.

Information for decision-making

The parties have tasked our respective experts, with the assistance of the Secretariat, to provide a long-term strategy and implementation plan for the work on information to be undertaken in the new work program. More specifically, we agree that we need to continue to consider traditional knowledge held by indigenous peoples and local communities. As per our response to your advice 04-01 on securing the long-term involvement of indigenous peoples in the activities of the CEC, we would like to reiterate that traditional knowledge will be integrated as we further define the work that will be required for the implementation of the 2005 work program.

The identification of gaps in information, and methods of generating comparable and compatible information has been discussed and will continue to be an underlying objective as we implement



the work program over the next few years. In terms of the involvement of Academia as a producer and user of information, we agree that this is something to be considered in the implementation of the work the Parties have agreed to undertake.

Indeed, we want the CEC to produce reliable and accurate information which is valuable both to the public and to decision-makers. As you have stated, the *Taking Stock Series* is a good example of the work that can be accomplished by stakeholder and government partnership via the CEC. We believe this series is an example of success in providing accessible and understandable information to stakeholders and are pleased that you agree. We intend to continue producing valuable reports of this nature, and, as we start working on some new information products, the *Taking Stock Series* will be considered an example of reports responsive to the role of the CEC in providing public access to important environmental information.

In your advice, you mention your strong support for the continuation of the Children's Health and the Environment work, as it relates to the Information priority. We agree that Children's Health work is very valuable and recognize the CEC's work as a catalyst in that area in the past years. However, as Mexico is currently re-evaluating their participation in the Cooperative Agenda for Children's Health and the Environment in North America, we are not in a position to continue this work at this point in time. We would also like to mention that, while funding for the Children's Health agenda work will not continue as in the past, we have agreed to complete the Children's Health Indicators report by the end of the year.

Capacity Building

We would like to note that the focus for this priority is to build the capacity to manage the environment within the different levels of governments, as well as in the private, and civil society sectors in all three countries, but with a greater emphasis on Mexico. As we continue to discuss potential projects, we are considering the engagement of a wide variety of participants to ensure more effective and efficient implementation of the environmental management regimes in place in North America.

We concur with your statement that Mexico offers some unique expertise. In our discussions, we are carefully considering the strengths and needs of our three countries in order to maximize the benefits of the work to be done in the future CEC work program. We are also considering capacity-building initiatives that are already taking place in North America as well as the work underway in other international organizations. We agree that the CEC faces resource challenges especially when it comes to undertaking such complex work and needs to consider partnering with others and/or leveraging resources from other sources. In order to ensure lasting results from CEC capacity building investments, to continue supporting local-level capacity building, and to continue broadening the CEC's constituency base, this is the approach we are taking.

Trade and Environment

We agree with you that Trade and Environment issues are at the core of the CEC's mandate and are pleased to report that the 10(6) working group has been making significant progress towards

defining the work to be undertaken in 2005 in this priority area. We have also found opportunities to further the Trade and Environment work in projects within the Information and Capacity Building priorities.

Your suggestion supporting the promotion of clean energy and fuel production and the role of ecological service was noted and we have forwarded this suggestion to the 10(6) working group for their consideration.

The 10(6) working group has formulated a focused goal accompanied by a series of objectives. The goal is broad enough, in our view, to cover the topics you suggested. The risk in using a list approach is the potential inability to capture all relevant issues. Using the term "Economy" helps to keep the goal broad enough in order to maintain the flexibility to incorporate a wide range of topics.

We agree that transparency and public participation are important components of the CEC's work on trade and the environment. As such, we will continue our consultations with the JPAC and with domestic stakeholders as the 10(6) group further elaborates the strategic plan. In addition, please note that several of the proposed projects in this pillar include significant opportunities for stakeholders to participate in the design and implementation of our work.

Your evaluation and measurement concerns were noted. Appropriate measurement tools to evaluate effectiveness and to measure progress will be built into the strategic and operational plans as they move forward.

Specific Obligations under the NAAEC

The CEC work program for 2005, based on three new priorities, is intended to be focused and does not alter our general obligations under the NAAEC. We continue to be committed to fulfilling these obligations as we have been in the past.

As indicated at our last meeting in Los Cabos, on February 7 and 8, we will ensure that you continue to receive the documents that form the basis of our discussions. Your advice is valuable and we continue to encourage your active engagement in this process.

Yours sincerely,

A handwritten signature in black ink, appearing to read "D. McGovern", followed by a long horizontal line extending to the right.

David McGovern
Alternate Representative for Canada

c.c.: Mr. José Manuel Bulas, Alternate Representative for Mexico
Ms. Judith Ayres, Alternate Representative for the U.S.A
JPAC Members
Mr. William Kennedy, Executive Director, CEC Secretariat