

**Comments in Response to the JPAC call for Public Comments in response to the requirement for the Secretariat to provide the Parties with its work plans and the opportunity to comment on them as part of the factual record preparation process**

Submitted by Randy Christensen, Sierra Legal Defence Fund, Vancouver Canada  
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As an public interest legal organization that has represented numerous organization in filing citizen submissions (BC Hydro, BC Mining, BC Logging and Ontario Logging), we are very concerned about the implementation of the requirement that the Secretariat prepare a work plan and further that there be an opportunity for the parties to comment on the work plan. This requirement appears to be a clear infringement on the independence of the Secretariat and further creates an opportunity for the Parties to attempt placing restrictions on areas of inquiry. Such an attempt by on of the Parties would place the Secretariat in an untenable position and would undermine the purpose and effectiveness of the citizen submission process.

We feel that the requirement may also have the effect of denying the Secretariat the latitude to pursue potentially fruitful areas of investigation that were not anticipated at the outset. Finally, this additional requirement will add further delay to a process that the public and all Parties agree is already too slow.

We would be pleased to answer any questions the JPAC has regarding our experience or provide further information. We thank the JPAC for undertaking consideration of this important issue.

Regards,

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