



Joint Public Advisory Committee (JPAC)
Comité Consultivo Público Conjunto (CCPC)
Comité consultatif public mixte (CCPM)

11 July 2003

Mr. Jose Campillo
Semarnat

Chair of the North American Working Group on Environmental Enforcement and Compliance Cooperation

RE: Follow-up to the Plenary Public Session on the CEC North American Environment Enforcement and Compliance Cooperation Program

Dear Mr. Campillo:

On behalf of the Joint Public Advisory Committee (JPAC), first let me extend sincere thanks to the North American Working Group on Environmental Enforcement and Compliance Cooperation (EWG) for participating in the Plenary Public Session on the CEC North American Environment Enforcement and Compliance Cooperation Program, held on 23 June 2003, in Washington, DC.

While the purpose of the Plenary Session was to consult the public on your draft long-term strategic plan, the country presentations that preceded this discussion were extremely useful and informative, as witnessed by the degree of interest expressed by the public. The frank exchanges between agency representatives and participants were a demonstration of the value and benefits of transparency and dialogue.

Many important comments and recommendations on your work emerged from the Plenary Session, and these will be reported in the Summary Record for this session. However, JPAC feels that several of these merit special mention:

- The need to develop the capacity for measuring impacts of law enforcement on the environment, as well as impacts from the lack of legislation or regulations;
- Disseminating information to encourage and promote compliance;
- Keeping pace with evolving international instruments by ensuring effective involvement of indigenous peoples and affected populations in policy development, the elaboration of appropriate enforcement mechanisms and decision-making, drawing on traditional knowledge and respectful of customary practices; and
- Notice to Council that compliance must be supported by additional investment, particularly in Mexico for training, capacity building, technology transfer and infrastructure development.

Regarding the draft long-term strategic plan specifically, JPAC members raised several points during the session, which we would like to reiterate for your consideration as you develop the final document.

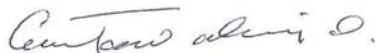
We would suggest that you:

- Prioritize and re-group the strategic objectives, using risk assessment as a criterion;
- Highlight the need for adjustments to legislation and regulations that will be required for effective implementation;
- Emphasize the need to develop indicators to measure the environmental and health benefits resulting from enforcement actions;
- Engage municipal, indigenous, state, territorial and provincial governments;
- Require the development a strategy for involving industry and the private sector with an emphasis on capacity building and training for small and medium sized businesses;
- Reference the importance of ensuring that the judiciary are knowledgeable in matters related to environmental enforcement and compliance issues;
- Reinforce cooperation with other international agencies and environmental law institutions to provide a North American perspective; and
- Add the words “with environmental legislation” to the end of Objective #10.

We look forward to receiving the final version of the long-term strategic plan following your public comment period. In the fall of 2003, JPAC will be reviewing the Proposed Program Plan and Budget for 2004–2006 and will provide an Advice to Council. At that time we will be in a better position to assess the extent to which it is reflected in your program of work.

Be assured of our continued cooperation.

Sincerely,



Gustavo Alanís-Ortega
JPAC Chair for 2003

cc: EWG Members
CEC Alternate Representatives
CEC Acting Executive Director
CEC Head of Law and Policy Program
JPAC Members