

**THE DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES
FREE TRADE AGREEMENT
ENVIRONMENTAL AFFAIRS COUNCIL**

DECISION NO. 17

**IN REFERENCE TO THE WORKING PROCEDURES AND DECISION
MAKING PROCESS OF THE CAFTA-DR ENVIRONMENTAL AFFAIRS
COUNCIL**

Pursuant to Article 17.5 on the establishment of the Environmental Affairs Council (Council) Under the Environment Chapter of the Dominican Republic–Central America–United States Free Trade Agreement (CAFTA-DR),

Considering the high costs and length of time associated with referring physical copies of official Council decisions for review and final approval,

Recognizing that Chapter 17 of CAFTA-DR does not prescribe a specific process for the adoption of decisions made by the Council,

Affirming that all decisions of the Council shall be taken by consensus, except as provided in Article 17.8, Factual Records and Related Cooperation,

In order to provide additional guidance on the process for making consensus decisions within the Council,

The Environmental Affairs Council, established under Article 17.5.1 of CAFTA-DR, hereby

DECIDES:

The Organization of American States Department of International Law¹ (OAS) will serve as depositary for all decisions made by the Council.

The host country will be responsible for managing all documentation related to the decision drafting process. A host country will be identified at the end of each Council meeting, and this country will exercise its decision process functions until

¹ Article 112 (f) of the OAS Charter establishes that the General Secretariat serves as depositary of inter-American multilateral treaties and their instruments of ratification. This function is delegated to the Secretariat for Legal Affairs (SAJ) of the Department of International Law.

the next Council meeting. Should a host country be unable to exercise its function related the Council decision process, it should notify all Points of Contact and Council Members so that they can determine an alternate country to exercise this function.

The following procedures will apply to decisions taken by Council Members at the annual Council meetings:

1. A draft of the decision text should be reviewed and agreed upon by the Points of Contact no later than fifteen (15) days before the Council meeting;
2. Council Members will then review and provide final edits to the draft decision text before signature;
3. The host country should provide eight copies in English and eight copies in Spanish, one copy for each CAFTA-DR country and one copy for the OAS;
4. The decision will enter into force when signed by the Council or on a date thereafter agreed by the Council and specified in the decision; and
5. The host country should send a final copy of the decision signed by all Council Members to the OAS within thirty (30) days.

As an alternative to the practice of signing physical copies of decisions at Council meetings, decisions may be adopted through an email exchange of scanned, signed copies of the decision. The following procedures will apply to such decisions:

1. A draft of the decision text should be reviewed and agreed upon by the Points of Contact and each Point of Contact will share the draft with his or her respective Council Member(s) for review and approval;
2. The Council Member(s) for each Party will sign their respective copy of the decision in English and Spanish;
3. Each Point of Contact will send a scanned copy of the final signed decision through e-mail to all Points of Contact;
4. The host country will notify all Points of Contact of the receipt of all scanned copies;
5. The decision will enter into force when all scanned copies are received by the host country or on a date thereafter agreed by the Council and specified in the decision; and
6. The host country should send a final copy of the decision signed by all Council Members to the OAS within thirty (30) days.

FOR THE MEMBERS:

THE GOVERNMENT OF THE REPUBLIC OF COSTA RICA



Ministry of Environment and Energy

THE GOVERNMENT OF THE DOMINICAN REPUBLIC



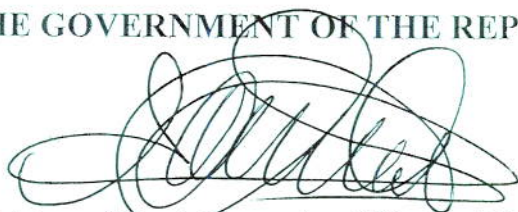
Ministry of Environment and Natural Resources

THE GOVERNMENT OF THE REPUBLIC OF EL SALVADOR



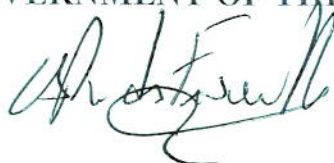
Ministry of Environment and Natural Resources

THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA



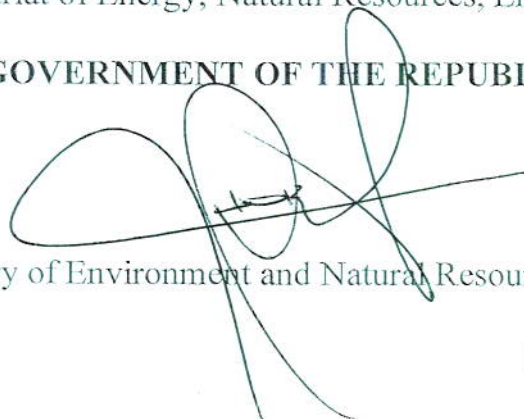
Ministry of Environment and Natural Resources

THE GOVERNMENT OF THE REPUBLIC OF HONDURAS



Secretariat of Energy, Natural Resources, Environment, and Mines

THE GOVERNMENT OF THE REPUBLIC OF NICARAGUA



Ministry of Environment and Natural Resources

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

A large, stylized handwritten signature in black ink, appearing to read "John M. Sumner".

U.S. Department of State

A smaller, stylized handwritten signature in black ink, appearing to read "John M. Sumner".

Office of the U.S. Trade Representative