

CANADIAN INSTITUTE FOR ENVIRONMENTAL LAW AND POLICY

L'INSTITUT CANADIEN DU DROIT ET DE LA POLITIQUE DE L'ENVIRONNEMENT

Est. 1970

February 25, 1999

Sheila Gariepy,
A/Director
Federal-Provincial Relations Branch
Environment Canada
10 Wellington St.
Hull, Quebec
K1A 0H3

Dear Ms. Gariepy,

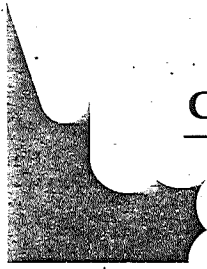
Please find attached the report of the Canadian Institute for Environmental Law and Policy "Development of a Framework for the Two-Year Review of the Canada-Wide Accord on Environmental Harmonization."

Free to contact me, or the Institute's Director of Research, Dr. Mark Winfield, should you have any questions regarding this report.

Yours sincerely,



Anne Mitchell,
Executive Director.



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DEVELOPMENT OF A FRAMEWORK FOR THE TWO YEAR REVIEW OF THE CANADA-WIDE ACCORD ON ENVIRONMENTAL HARMONIZATION

Canadian Institute for Environmental Law and Policy
February 1999

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Development Of A Framework For The Two Year
Review Of The Canada-Wide Accord On

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DEVELOPMENT OF A FRAMEWORK FOR THE TWO YEAR REVIEW OF THE CANADA-WIDE ACCORD ON ENVIRONMENTAL HARMONIZATION

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February 1999.**

I. BACKGROUND

In January 1998, the federal, nine provincial and two territorial Ministers of the Environment signed a "National Accord on Environmental Harmonization" and three Sub-Agreements, dealing with Environmental Assessment, Inspections and "Canada-Wide Standards." An Annex to the Accord on Public Accountability and Participation was signed by the Ministers in September 1998.

Clause 7 of the Administrative Section of the National Accord provides that:

"The Council of Ministers in consultation with the public will review this Accord 2 years after the date of its coming into force to evaluate its effectiveness and determine its future."

This implies that a review of the harmonization process should be completed for the January 2000 CCME meeting. The Ministers also agreed to further elaborate commitments regarding stakeholder participation, the involvement of aboriginal peoples and public accountability, in the harmonization process, at the January 1998 CCME meeting. An evaluation of progress on these commitments should also form part of the review process.

This report outlines options for the review process. It addresses two major subjects: 1) the scope of the review; and 2) the structure of the review process itself.

II. SCOPE OF REVIEW AND KEY QUESTIONS

1) Introduction

Two options are available regarding the scope of the review. The first would be a limited review of progress on the implementation of Accord, Sub-Agreements and the commitments to further elaboration on the subjects of public accountability, public participation, and the involvement of aboriginal peoples. The second option would be a substantive review of the impact of harmonization on the stated objectives of the undertaking.

2) Options for Review Process

OPTION 1 - Evaluate Progress on Implementation of Accord, Sub-Agreements, Annex, and January 1998 Commitments to Further Elaboration

Scope and Objectives

First option would be limited to a review of progress on the implementation of the Accord and Sub-Agreements. This would include a review of such things as the development of implementation agreements under the Environmental Assessment and Inspection Sub-Agreement, and the development of "Canada-Wide Standards" for designated substances under the Standards Sub-Agreement. Progress on the January 1998 CCME commitments to further elaboration on the subjects of public accountability, public participation, and the involvement of aboriginal peoples would also be within the scope of the review.

The advantages of such an approach are its limited scope and simplicity.

However, such an approach would suffer from a number of serious disadvantages. In particular, it would fail to provide Ministers, other stakeholders, and the public at large with an assessment of the actual impact of harmonization on protection of the environment, and its other objectives. It would also fail to provide Ministers with information with which to evaluate the effectiveness of the Accord, for use in their decision-making regarding its future.

Key Questions

A review of this nature should:

- * assess progress on the implementation of the Accord, Sub-Agreements, and commitments to further elaboration of specified subjects;
- * review and explain failures or weaknesses in the implementation of the Accord, Sub-Agreements or commitments to further elaboration; and
- * present recommendations to improve implementation of the Accord and Sub-Agreements, and related commitments as necessary.

Commentary

Some stakeholders may decline to participate, as they will not regard Option 1 as fulfillment of the commitment to review the "effectiveness" of the Accord.

OPTION 2: Substantive Review of Impact on the Objectives of Harmonization

Scope and Objectives

The Canada-Wide Accord on Environmental Harmonization states three objectives of the harmonization agreements:

- * enhanced environmental protection;
- * the promotion of sustainable development; and
- * the achievement of greater effectiveness, efficiency, accountability, predictability and clarity of environmental management for issues of Canada-wide interest.

An evaluation of harmonization against these objectives would be much more meaningful and useful to the Ministers of the Environment, other stakeholders, and the public at large, than Option 1. This option would provide information on the actual impact of harmonization on the protection of the environment, promotion of sustainable development and accountability of governments. Answers to questions of this nature will be critical to the Ministers' decision-making regarding the effectiveness and future of the Accord.

In addition, as with Option 1, in order to assist Ministers and other interested parties in their decision-making regarding the future of the Accord, the review process would need to examine the reasons for the outcomes identified in the evaluation phase. Finally, the review process should generate advice and recommendations on the future of the Accord on the basis of the findings of the evaluative and explanatory phases of the review.

Key Questions

- i) Evaluation Against Objectives of Harmonization**
 - a) the Enhancement of Environmental Protection**
 1. Have gaps, needs, and weaknesses in environmental management in Canada been addressed through the Accord? Has a process for the identification of gaps been established?
 2. Conversely, has harmonization "engendered weaker environmental protection in Canada through the creation of additional gaps, needs and weaknesses or other negative impacts?"

3. Has harmonization strengthened or impaired the ability of the Parties, collectively or individually, to deal with emerging environmental issues in a timely and effective manner?

Responses to these questions will require assessments of the impacts of harmonization on the areas addressed through the sub-agreements on standards, environmental assessment, and inspections.

An assessment in the area of standards would be the most straightforward. Progress on the development of "Canada-wide Standards" would need to be examined. The key questions would include the following: have Canada-wide standards been developed and implemented in the areas identified by Ministers; and have these Canada-Wide Standards been effective in achieving their goals?

The area of Environmental Assessment is more complex. The development of implementation agreements and impact of these agreements on practice of environmental assessment where a federal assessment triggered would need to be examined.

In the area of inspections, there will be a need to examine the development of implementation agreements. An evaluation of the impact of these agreements will depend on the level of information available on delegated inspection functions.

The evaluation of the "effectiveness" of the Accord will also need to consider more generalized impacts on approaches to environmental protection.

b) Promotion of Sustainable Development

4. Has harmonization promoted sustainable development in Canada, defined as "development that meets the needs of present generations, without endangering the ability of future generations to meet their needs?"

c) Greater Effectiveness, Efficiency, Accountability, Predictability, and Clarity

Effectiveness

5. The issue will be addressed through the assessment of performance against the objective of enhanced environmental protection.

Efficiency

6. Has harmonization resulted in the elimination of duplication in the delivery of effective environmental protection, where such duplication could be demonstrated to have existed?

Accountability

7. Has harmonization enhanced or diminished the accountability of Ministers and governments to Parliament, the Legislatures, and the Canadian public for their environmental decisions and policies?

Predictability

8. Has harmonization achieved greater predictability in environmental management for issues of Canada-wide interest? Conversely, has Harmonization impaired the ability of the Parties, collectively or individually, to deal with emerging environmental issues?

Clarity

9. This issue will be partially addressed under the heading of accountability. It also raises issues related to public/stakeholder participation in CCME processes.

d) Additional January 1998 CCME Commitments to be Elaborated

Public Accountability

10. Will be Addressed as part of c(7)

11. Public Participation

Related to 9(c). Has the commitment to further elaboration on public participation been fulfilled? Have public participation processes been consistent with these commitments, and are they seen to be adequate by stakeholders?

Aboriginal Peoples

12. Has the commitment to further elaboration on involvement of aboriginal peoples been fulfilled? What has been the impact of harmonization on the role of aboriginal peoples and governments in environmental policy and decision-making in Canada?

ii) Explanation of Outcome

13. Where objectives of harmonization have or have not been fulfilled, what are the reasons for this outcome? Where objectives have been met, what have been the key factors in the achievement of this outcome? Where objectives have not been met, what are the causes of these outcomes (e.g. have parties failed to fulfil commitments under the Accord, or are there weaknesses in the approach and structure underlying the Accord)?

iii) Recommendations

14. Should the Accord and Sub-Agreements be renewed?

- a) If yes:
- * should amendments be made to the Accord, Sub-Agreements and Annex, and if so, what should be the nature of these amendments?
 - * should additional Sub-Agreements or Annexes be developed under the Accord and, if so, what should be their content and what process should be followed in their development? and
 - * should there be changes in the Parties approach to the implementation of the Accord, Sub-Agreements and Annexes, and if so, what should be the nature of these changes.
- b) If no, what structures, if any, should be established to replace the Accord, Sub-Agreement and Annex.

Commentary

This approach, of necessity, incorporates all of elements in Option 1. It should be noted that it is the clear understanding of non-governmental stakeholders, based on statements made by the Ministers in January 1998, that the future of the Accord, including the issues raised in question 14, was to be determined through the two year review. There is also an expectation of a rigorous and thorough approach to the review.

4) Conclusion and Recommendations: Review Scope and Key Questions

Conclusions

The limited Option 1 review is relatively simple and straightforward, but of limited value to Ministers and stakeholders. It does not allow Ministers to assess the effectiveness of the Accord, as per the review process mandate.

Option 2 permits the evaluation of the effectiveness of the Accord as per the review process mandate.

An Option 2 review may be necessary to address concerns of key constituencies. Some may decline to participate in the review process if substantive questions are not on the table, which would reduce the credibility and legitimacy of the review process. There may be a similar response if it is determined that the future of the Accord is not to be determined through the review process.

Option 2 presents greater methodological and research challenges. The capacity of key actors to participate in the review process becomes a significant issue.

Opportunities for further scoping should be available to lead/key actors in the review process in light of available timelines/budgets. Questions 1-3 (effect on environmental protection) and 7/12 (Accountability) are likely to emerge as key evaluative questions from a further scoping exercise. Aboriginal issues (Question 13) may present particular challenges.

The answers to the questions outlined in Options 2 and 1 would reflect the findings of the review process. The final decision regarding the future of the Accord would rest with the Ministers.

Recommendation

The scope of the review process should include the issues outlined in Option 2 (Substantive Review of the impact of the Accord on the Objectives of Harmonization), with opportunities for further scoping by lead/key actors in the review process.

III. REVIEW PROCESS STRUCTURE

1) Introduction

Seven options for the structure of the review process are identified. These options are evaluated against evaluative criteria, including factors drawn from the September 1998 Annex to the Harmonization Accord

2) Evaluative Criteria

Credibility

Will the findings of the review process be seen to be credible by Ministers, other stakeholders and the public at large? This will be a function of the independence of the review body from the Parties to the Agreement, its recognized expertise, and its research capacity.

Scope of Mandate.

Does the body mandated to conduct the review have the authority or mandate to address all the potential questions outlined under Scope Options 1 & 2?

Full and Fair Access (CCME Stakeholder Participation Annex Principle 1)

Does the body or process have the capacity to receive input from members of the public and involve them in the review process? Are there mechanisms to facilitate participation of constituencies with limited resources?

Openness, Transparency and Access to Information (Stakeholder Participation Annex Principle 2)

Can all submissions to the process (including those from governments) be on the public record? Will the review report be released to public prior to the January 2000 CCME meeting?

Accountability/Management/Resource Requirements

Can appropriate accountability and management structures be established for the review process? What resources are required to complete the review process? Can the process be completed within the required timeframe?¹

3) Options for Review Process

OPTION 1

Review by Governments - Report to Public

Structure

Review of the Accord by representatives of the Parties, possibly with support of consultants. The review might be supported by multi-stakeholder advisory/review committee along the lines of National Advisory Group (NAG). This would include ENGO, industry, academic, health, and aboriginal representation. The review report would be approved by senior officials or ministers, before its release to the public.

Evaluation

Credibility

Very low with the public and non-governmental stakeholders, as the review is not independent of the Parties.

Scope of Mandate

The process could consider Scope Option 2. However, governments may be seen by the public and non-governmental stakeholders to be unlikely to arrive at a

¹.It should be noted that on the basis of the statements of Ministers in January 1998, it is the understanding of many non-governmental stakeholders that the review process was to be completed by the January 2000 CCME meeting, and the future of the Accord determined at that time.

negative evaluation of their own performance. The same concern may apply to even the more limited scope of Scope Option 1.

Access

The process could receive submissions from members of the public. However, on the basis of previous experience with CCME processes, public and stakeholder confidence that these submissions would be considered could be low. On the basis of past experience, ENGOs and other stakeholders may not participate in process along the lines of the NAG.

Resources could be provided to constituencies with limited resources for development of submissions.

Openness

Submissions to the process could be matters of public record, although on the basis of past practice, it is unlikely government submissions would be made available to the public. Although possible, it is unlikely, on the basis of past practice, that the review report would be released prior to the CCME meeting at which decisions regarding the future of the Accord would be made.

Administration/Management/Resource Requirements

The process would be administered by CCME and/or the Parties to the Accord. The Advisory Committee would be selected by CCME and/or the Parties.

Resource Requirements:

- * Per diems and expenses would be required for advisory committee members.
- * Resources would be required by constituencies with limited resources to assist with the development of submissions to the process.

OPTION 2

Review by House of Commons Standing Committee on the Environment.

Structure

Study by House of Commons Standing Committee under House of Commons Standing Order 108(2). This would be a follow-up to the previous Standing Committee study and federal government response.

Evaluation

Credibility

High with non-governmental stakeholders, Parliamentarians and the public.

The approach could be seen by provinces as 'federal' process. However, there could be opportunities for provincial governments to appear as witnesses. Process provides no direct role for provincial legislators, although they could conduct reviews of their own within appropriate committees of their legislatures. MPPs/MLAs could appear as witnesses before Parliamentary committee. There is precedent for this, including a recent study by the Standing Committee on Fisheries and Oceans Study on the Great Lakes.

There is no precedent or structure for a joint federal-provincial parliamentary/legislative review.

The credibility of a parliamentary review should be high with Ministers, although there may be concerns over the lack of direct control over the process, as in Option 1. However, the absence of such control by governments is central to the credibility of the process to non-governmental stakeholders, Parliamentarians and the public.

Scope of Mandate

Would be able to consider Scope Options 1 and/or 2 questions.

Access

Strong opportunities for public input and involvement would exist through the submission of briefs and the making of presentations to the Parliamentary committee. Resources could be provided to constituencies with limited resources for development of submissions.

Openness

All submissions to the process would be matters of public record. A Report could be tabled prior to the CCME meeting at which the review of the Accord would take place.

Administration/Management/Resource Requirements

The process would be administered through House of Commons Committee process.

Resource Requirements:

- * May require assignment of additional research resources to standing committee to complete study.
- * Resources should be provided to constituencies with limited resources to assist with development of submissions.

OPTION 3

Review by Auditor-General or Commissioner for Environment and Sustainable Development

Structure

Review conducted by Auditor-General of Canada or the Commissioner for Environment and Sustainable Development.

Evaluation

Credibility

High in terms of both independence and capacity. However, this option may be seen by provinces as a 'federal' process, although the process might involve representatives of the provincial auditors/environmental commissioners as advisors. Provincial auditors are unlikely to do their own studies of the Accord given the 'national' scope of the issues.

As with Option 2, the credibility of a review by the Auditor-General or Commissioner for Sustainable Development should be high with Ministers. However, there may be concerns over the lack of direct control over the process, as in Option 1. However, the absence of such control by governments is central to the credibility of the process to non-governmental stakeholders, Parliamentarians and the public.

Scope of Mandate

The scope of the review may be limited by the constraints on the mandates of offices of the Auditor-General and Commissioner. Neither may be able to address

all of the Scope Option 2 questions.

Access

No mechanisms exist within the offices of the Auditor-General or Commissioner for receiving briefs, other forms of input from the public. External advisors, however, are employed on most environmental audits by the Auditor-General.

Openness

See above. The timing of the release of a review report would be a function of the workplans of the Offices.

Administration/Management/Resources

The process would be administered through the Offices of the Auditor-General or Environmental Commissioner. No specific additional resources would be required if the review is part of the workplans of these offices.

OPTION 4

Review by Consultant, with Multi-Stakeholder Advisory Committee.

Structure

The review and evaluation would be conducted by consultant with appropriate expertise. The work could be supported by a multi-stakeholder advisory/review committee.

Option 4a

The review team does not include representatives of the Parties.

Option 4b

The review team does include representatives of the Parties.

Evaluation

Credibility

The credibility of the option would be limited. Consultants may be perceived by some to be dependant on governments for work, and therefore unwilling to deliver unwelcome news.

The credibility of the review to non-governmental stakeholders and the public would be strongest under Option 4a, where the advisory committee does not include representatives of the Parties to the Accord. Such representatives could be perceived to be in conflicts of interest, and there could be an expectation that they would attempt to influence the findings of the process in a manner favourable to their governments.

The presence of representatives of the Parties, under Option 4b, may enhance the degree of comfort felt with the process by Ministers. However, the absence of such potential for direct influence by governments is central to the credibility of the process to non-governmental stakeholders, Parliamentarians and the public.

Scope of Mandate

Options 4a and 4b could consider all Scope Option 2 questions.

Access

Options 4a and 4b could invite submissions/briefs and make all submissions a matter of public record. Resources could be provided to constituencies with limited resources for development of submissions.

Openness

Submissions, including those from governments, could be a matter of public record, under Options 4a and 4b.

Administration/Management/Resource Requirements

It should be clear who the consultant would be working for. This could be the Advisory committee, the CCME or Environment Canada. For the reasons outlined above, a reporting relationship to advisory/steering committee would have highest credibility with non-governmental stakeholders. The same consideration would

apply to the selection process for the consultant. A process would have to be designed for the nomination and selection of the advisory committee.

It is important to note that, in practice, it would be hard for a consultant to provide more than a summary of submissions and views on the advisory committee, as a consultant generally is not perceived to have credibility or authority of Parliamentary Committee (Option 2), the Auditor-General/Environmental Commissioner (Option 3) or a team of academics with appropriate expertise (Option 6).

Resource requirements for Options 4a and 4b would include the following:

- * fees for consultant;
- * per diems and expenses for review team members; and
- * resources for constituencies with limited resources to assist with development of submissions to process.

OPTION 5

Review by Multi-Stakeholder Review Team

Structure

The review would be conducted by a multi-stakeholder review team supported by consultant/writer. This option is similar to Option 4, but involves a less active role for the consultant. The explicit mandate of consultant would be to reflect the views of the review team.

Option 5a

The review team does not include representatives of the Parties.

Option 5b

The review team does include representatives of the parties.

Evaluation

Credibility

The credibility of this option with non-governmental stakeholders and the public is potentially stronger than Option 4. Credibility would be a function of composition

of review team and degree of independence provided to it.

As with Option 4, the credibility of the review process to non-governmental stakeholders and the public would be strongest under Option 5a, a review team that does not include representatives of the Parties to the Accord. Such representatives could be perceived to be in conflicts of interest, and there could be an expectation that they would attempt to influence the findings of the process in a manner favourable to their governments.

Under Option 5b, the presence of representatives of the Parties may enhance the degree of comfort felt with the process by Ministers. However, the absence of such potential for direct influence by governments is central to the credibility of the process to non-governmental stakeholders, Parliamentarians and the public.

Scope of Mandate

The review team under Options 5a and 5b could consider Scope Option 2 questions.

Access

Review Team under Options 5a and 5b could receive submissions from public, stakeholders and governments. Resources could be provided to constituencies with limited resources for development of submissions.

Openness

All submissions, including those from governments, could be a matter of public record.

Administration/Management/Resource Requirements

It should be clear who the consultant would be working for. This could be the Advisory committee, the CCME or Environment Canada. For the reasons outlined above, a reporting relationship to advisory/steering committee would have highest credibility with non-governmental stakeholders. The same consideration would apply to the selection process for the consultant. A process would have to be designed for the nomination and selection of the review team.

Resource Requirements:

* fees for consultant/writer to support review team

- * per diems and expenses for review team members
- * Resources for constituencies with limited resources to assist with development of submissions.

OPTION 6

Review by Independent Review Team, with advisory/review committee.

Structure

Review would be conducted by appropriately constituted group of 3-5 academics, rather than consultants. The expert review team could be provided with an advisory committee. This committee could be multi-stakeholder, excluding (6a) or including (6b) government representatives. As a third alternative (6c), the advisory committee could be made up of representatives of the Parties.

The advisory committee could review draft reports, participate in a workshop on scoping and methodology. However, final drafting and decision-making would rest with the review team.

Evaluation

Credibility

The credibility of this option is potentially very high among non-governmental stakeholders, the public and Parliamentarians. The option would provide a structure with the credentials and stature to reach its own evaluative conclusions regarding the Accord. If the review team includes the appropriate disciplines, such as political science, law, environmental policy and intergovernmental relations, it would have the necessary expertise in research design and methodology to meet challenges of Scope Option 2. An expert review team would also have the advantage of not being seen to be a 'federal' or 'provincial' process.

The credibility of this option with non-governmental stakeholders and the public would be highest if the advisory committee did not include representatives of the Parties (Option 6a), although this is less of a concern than under Options 4b and 5b, as decision-making would rest with the review team.

An advisory committee composed solely of representatives of the Parties (Option 6c), although potentially providing greater comfort to the Parties, would raise significant issues of credibility with non-governmental stakeholders and the public. Issues of potential conflict of interest among advisors would be raised. This issue

may even be a concern to the expert review team.

Scope of Mandate

This option would be able to address Scope Options 1 & 2 questions.

Access

The review process would be able to invite submissions from the public and governments for consideration. Resources could be provided to constituencies with limited resources to enable them to make submissions to the process.

Openness

Submissions to the process, including those from governments, could be a matter of public record.

Administration/Management/Resource Requirements

A process would have to be established for the nomination and selection of both the review team and the advisory committee.

Resource Requirements:

- * research budget for coordination and research assistance.
- * review team per diems and expenses.
- * advisory/review team per diems/expenses.
- * resources to constituencies with limited resources to assist with development of submissions.

4) General Comments on Review Process Options

A process would have to be established for the nomination and appointment of advisory committees for options 1, and 4-6. This process needs to ensure that the committees reflect the diversity of interested constituencies, including environmental and health non-governmental organizations, the academic community, business and industry, and aboriginal communities, while remaining small enough to be functional. Where feasible, constituencies should be permitted to identify their own representatives.

The question of aboriginal participation in the review process may warrant a separate approach, given the governmental nature of some aboriginal interests. In the past, aboriginal governments have express dissatisfaction with being dealt with as "stakeholders" rather than governments in CCME processes. Further consultation with aboriginal governments and communities on this issue is required to determine the best approach to this issue for the purposes of the review process.

It is important to note that Options 2 and/or 3 reviews may occur on the independent initiative of the House of Commons, Auditor-General or Environmental Commissioner. These institutions can define the scope of their own reviews.

5) Conclusions and Recommendations - Review Process

Only options 2 (parliamentary review), 5 (multi-stakeholder review team), and 6 (expert review team) can meet all the evaluative criteria.

Options 1 (review by parties) & 4 (review by consultant) fail on credibility criteria, particularly with non-governmental stakeholders and the public. 5b is also weak on this basis.

Options 4b, 5b, 6b and 6c may provide a higher level of comfort to the Parties by providing for direct or indirect participation by the Parties in the review process. However, such participation may compromise the credibility of the review process from the perspective of non-governmental stakeholders.

Option 3 fails on basis of limited mandate, capacity to accommodate review within existing work plan, and inability to receive public input.

Options 2 & 6 may be better positioned than option 5 to deal with methodological and research challenges in review. Both can bring methodological expertise to bear on the issue through the Library of Parliament (Option 2) or the academic community (Option 6). Option 2 uses existing infrastructure, and may be only one capable of meeting short timelines.

Recommendation

The recommended options are 2 (Parliamentary review) or Option 6a (Expert Review Team). Options 6b and 5a, are recommended as alternatives.

IV. REVIEW TIMELINES

Note: Timelines may vary depending on timing of CCME meetings.

Note: Timeline for Option 2 (Parliamentary Review) is at discretion of Standing Committee and dependant on the Parliamentary Calendar.

Note: Timeline for Option 3 (Auditor-General/Commissioner Review) depends on OAG/CSD workplans.

Note: It is the understanding of many external stakeholders that the review process is to be completed for the January 2000 CCME meeting.

Note: The timeline dates are notional and may be adjusted to reflect a January 2000 Minister's decision on the review process, with a fall 2000 date for presentation of the final report.

Timelines for Options 1, 4,5, and 6

- February 1999: Presentation of review options to officials.
- April 1999: Officials develop recommendations to Ministers for review process.
- May 1999: Ministers' decision on review process (If Options 1, 4-6 would require appointment of advisory/review team).
- May 1999: Contract researchers as required. Scoping workshop with Stakeholder Advisory Group (recommended If Options 1,4,5 or 6 chosen).
- May 1999: Invitation to public input (minimum 90 days required. Background research for review may take place during public comment period).
- August 1999: Deadline for public submissions.
- October 1999: 1st Draft review report (minimum 3 months required from close of public comment period). Stakeholder advisor workshop to discuss findings (recommended if Options 1, 4-6).
- November 1999: Revisions to report (minimum 1 month required).
- December 1999: Editing and desktopping (minimum 1 month required).
- January 2000: Presentation of Final Report (First to Ministers, then Public).

V. RESOURCE REQUIREMENTS

Options 1, 4a, 4b, 5a, 5b, 6a, 6b and 6c.

Advisory Committee Expenses/Per Diems.

Options 1, 4a, 4b, 5a, 5b, 6a, 6b and 6c.

Consultant and Research Support.

Options 1, 2, 4a, 4b, 5a, 5b, 6a, 6b and 6c.

Assistance for constituencies with limited resources.

Option 6a, 6b and 6c.

Review team per diems.

VI. CONCLUSIONS

Scope Option 2 (review of impact of the Accord on the goals of harmonization) is best able to meet the needs of Ministers and expectation of other stakeholders in the review process.

Process Options 2, 5 and 6 are able to meet all the evaluative criteria identified for the review process. Options 2, 5a, and 6a, would have the highest credibility with external stakeholders. Options 5b, 6b and 6c, may provide greater comfort to Ministers, but do so at the expense of credibility with non-governmental stakeholders.