

International Joint Commission

Principles for the Review of the Great Lakes Water Quality Agreement

The Parties are responsible for the overall review of the Great Lakes Water Quality Agreement. In the process of conducting the review, the International Joint Commission recommends that the Parties adhere to the following principles.

It is recognized that “the Parties shall conduct a **comprehensive** review of the **operation and effectiveness** of the Agreement” (Article X.4). Consequently, for discussion purposes, the principles were organized around “operation and effectiveness” and “comprehensive”.

Operation and Effectiveness

The process of conducting the review should be:

- **Open and Transparent**

To the extent practicable, deliberations related to the review should be open and part of the public record.

- **Inclusive**

Solicit a full range of views and perspective throughout the Basin through a variety of means (meetings, workshops, websites, etc.). Engage a wide spectrum of groups and individuals, including those who are not normally part of Agreement activities and discussions. Is the Agreement meeting the needs of the people of the Great Lakes basin?

- **Ensure that the Review is Timely**

Capitalize on the opportunity of wide-spread community support for a review, the renewal of the Great Lakes Program in Canada and the proposals for a Restoration Program in the U.S. Timely onset of the review is as important as a reasonable time frame for completing the review. It should be sufficiently long to obtain necessary information and viewpoints, but sufficiently short to minimize “burnout.” A time period of 18-months is suggested.

- **All Aspects of the Review Must be Binational**

Workgroups or teams should normally have an equal number of members from both countries. Consultations should allow equal opportunities for the citizens of both countries to voice their opinions.

- **Impartial**

The review should be impartial and avoid conflict of interest. Recognizing that all players in the Basin have a vested interest in maintaining certain roles and responsibilities, care should be taken to avoid having organizations alone review their own work.

Comprehensive

The process of reviewing the Agreement comprehensively will address, by necessity, substantive issues within the Agreement. Principles for guiding a comprehensive review should:

- **Consider the Purpose of the Agreement First**

In order for the review process to be most efficient, the purpose of the Agreement should be confirmed before taking a more in-depth look at the articles and annexes of the Agreement.

- **Use Science and Science-Policy Linkages as the Basis for the Review**

The review should be guided by the scientific evidence regarding what action is needed to restore and maintain the chemical, physical and biological integrity of the waters of the Great Lakes Basin Ecosystem. In line with the Commission's Guiding Principles, the concept of sustainable development, the ecosystem approach, virtual elimination and zero discharge of persistent toxic substances should be affirmed. Moreover, while the importance of a sound scientific basis for conclusions and recommendations should be emphasized, it may sometimes be necessary to adopt a precautionary approach and to act even in the absence of a scientific consensus where prudence is essential to protect the public welfare.

- **Be Forward-Looking**

Consider the relevance of existing articles and annexes, as well as any new issues for possible additions that are aligned with the Agreement purpose. The goals, objectives, and endpoints in the Agreement should serve as drivers for action.

- **Consider Governance**

Consider governance roles, responsibilities, and relationships for those implementing the Agreement, including the Parties' interactions with First Nations, Tribes, States, Provinces, municipal and regional governments, and non-governmental organizations, in order to maximize a sense of ownership throughout the Great Lakes community. Consider the roles and effectiveness of organizations created under, or implementing, the Agreement (e.g., the IJC together with its Great Lakes Regional Office, the Water Quality Board, the Science Advisory Board, and the Binational Executive Committee.) Clarify, as necessary, how the Agreement relates to other basin organizations, such as the Commission on Economic Cooperation (CEC), Great Lakes Fishery Commission (GLFC), Great Lakes Commission (GLC), and Council of Great Lakes Governors (CGLG).

- **Consider Accountability**

Each element in the Agreement being reviewed should consider how accountability to the public can be enhanced for Agreement implementation by the Parties, states and provinces, as well as by cooperating stakeholders in the Great Lakes basin.