

**UNITED STATES – PERU  
TRADE PROMOTION AGREEMENT  
ENVIRONMENTAL AFFAIRS COUNCIL**

**DECISION NO. 5**

**SELECTION AND DESIGNATION OF THE EXECUTIVE DIRECTOR**

**Whereas** Article 18.8 of the United States – Peru Trade Promotion Agreement (TPA) establishes a mechanism for Submissions on Enforcement Matters;

**Whereas** Article 18.9 of the TPA provides for Factual Records and Related Cooperation;

**Whereas** Article 18.6(2)(f) of the TPA and Article 4.3 of the Understanding for Implementing Article 18.8 of the United States – Peru Trade Promotion Agreement (hereinafter the “Understanding”) establish the Secretariat for Submissions on Environmental Enforcement Matters ( the “Secretariat”), and provide the Council on Environmental Affairs (“Council”) the authority to designate the Executive Director for appointment to the Organization of the American States or any other entity where the Secretariat is housed;

**Whereas** Article 3.1 of the Understanding and Article 2.1 of the Memorandum of Understanding between the Government of the United States, the Government of Peru, and the General Secretariat of the Organization of American States (OAS) regarding a Secretariat for Submissions on Environmental Enforcement Matters (MOU) provide that the Executive Director shall operate under the sole direction and supervision of the Council and that the Secretariat shall function separately and independently from the OAS with regards to the functions established in Articles 18.8 and 18.9 of the TPA and the Understanding;

**Whereas** Article 4.4 of the Understanding provides that the Executive Director shall serve for a term of two years unless the Council decides otherwise;

**Whereas** the Council decided in Council Decision 1 the specific responsibilities of the Executive Director;

**The Environmental Affairs Council DECIDES:**

To reappoint Mr. Dino Delgado as the Executive Director of the Secretariat to the General Secretariat of the Organization of American States. The Council will evaluate the Executive Director no later than one month before the end of one year, at which point the Council may decide to reappoint the incumbent for an additional year, or another timeframe that the Council decides, or choose to select a new Executive Director. If the Council decides to select a new Executive Director, it will follow the agreed procedures for the selection process as laid out in Council Decision One Procedures for the Secretariat. The Council will aim to fill the Executive Director position within three months. The incumbent will continue to serve until the position is filled.