

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

DECISION NO. 7

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 between the Government of the United States of America and the Government of the Republic of Peru for Implementing Article 18.8 of the TPA (hereinafter the “Understanding”), which establishes the Secretariat for Submissions on Environmental Enforcement Matters (the “Secretariat”), provides the Council on Environmental Affairs (“Council”) the authority to designate the Executive Director of the Secretariat for appointment to the Organization of American States or any other entity where the Secretariat is housed;

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

Whereas Article 3.1 of the Understanding provides that the Secretariat shall carry out the functions established in Articles 18.8 and 18.9 of the TPA under the sole direction and supervision of the Council; it shall report exclusively to the Council, and shall not receive or act on instructions from the General Secretariat of the Organization of American States or any authority other than the Council with respect to the functions established in Articles 18.8 and 18.9 of the TPA.

Whereas the Council decided in Council Decision No. 1 the specific responsibilities of the Executive Director, among other matters;

Whereas the Council decided in Council Decision No. 4 that when the Council decides to replace the Executive Director, the Council will seek to alternate the nationality of the Executive Director between the Parties;

Whereas the Council decided in Council Decision No. 6 to immediately initiate the process to select a new Executive Director to perform the specific responsibilities elaborated in and according to the procedures adopted in Council Decision No. 1, and to cooperate in good faith to select a U.S. national as Executive Director, per Council Decision No. 4; and

Whereas a fully functioning Secretariat is critical to the effective implementation of the TPA Environment Chapter;

The Environmental Affairs Council DECIDES:

To select Mr. Dane Ratliff as the Executive Director of the Secretariat and to designate him for appointment for a period of two years to the General Secretariat of the Organization of American States.