



August 5, 2022

Ms. Bethzaida E. Carranza
Executive Director
Panama Secretariat for Environmental Enforcement Matters
Panamá City, Panamá

Dear Ms. Carranza:

The United States is pleased to receive the first Factual Record resulting from the public submissions process established under Chapter 17 of the United States-Panama Trade Promotion Agreement (TPA): Barú Volcano National Park (SALA-CA-PMA/001/2021). With this letter, the United States transmits its vote to make the Factual Record publicly available in accordance with Article 17.9(7) of the United States-Panama TPA and consistent with section 10 of the Guidelines for Submissions on Environmental Enforcement Matters under Chapter 17 of the United States-Panama TPA.

Sincerely,

A handwritten signature in black ink that reads "Monica P. Medina".

Monica P. Medina
Assistant Secretary
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State

A handwritten signature in black ink that reads "Kelly K. Milton".

Kelly K. Milton
Assistant U.S. Trade Representative
Environment and Natural Resources
Office of the U.S. Trade
Representative

U.S. Representatives on the United States-Panama TPA Environmental Affairs
Council

Instruction to the United States-Panama Trade Promotion Agreement (TPA) Secretariat for Environmental Enforcement Matters (SEEM) Regarding Submission SALA-CA-PMA/001/2021 (Barú Volcano National Park) Concerning the Assertion that Panama Failed to Effectively Enforce Executive Decree No. 40 of 24 June 1976, Resolution No. AG-0295-2004 of 30 July 2004, Resolution No. AG-0904-2009 of 28 October 2009, Law No. 1 of 3 February 1994, Law 41 of July 1, 1998, Executive Decree No. 57 of 16 March 2000, Law 38 of 31 July 2000, and Law 6 of 22 January 2002, which Establish and Manage the Barú Volcano National Park, Manage Forestry Resources, and Promote Transparency and Access to Information, Alleging Illegal Logging, Encroachment of Agricultural Activities, Improper Disposal of Solid Waste, Intensive Farming Practices, and Uncontrolled Tourism Activities in the Barú Volcano National Park.

THE UNITED STATES OF AMERICA:

SUPPORTIVE of the process provided for in Articles 17.8 and 17.9 of the United States-Panama Trade Promotion Agreement (TPA) regarding Submissions on Enforcement Matters and the preparation of factual records;

CONSIDERING Submission SALA-CA-PMA/001/2021 (the "Submission") filed by Ezequiel Miranda, Ángel Aguirre Sánchez, and Ariel Rodríguez on March 12, 2021, and the response provided by Panama on July 21, 2021;

RECALLING the SEEM's recommendation on July 15, 2021, that the preparation of a factual record is warranted, and the vote by the United States on September 10, 2021, instructing the SEEM to prepare a factual record;

HAVING REVIEWED the factual record prepared by the SEEM for Submission SALA-CA-PMA/001/2021; and

ACTING IN ACCORDANCE WITH Article 17.9.7 of the United States-Panama TPA;

HEREBY VOTES to make the final factual record for SALA-CA-PMA/001/2021 publicly available and

INSTRUCTS the SEEM to take the necessary steps to make the aforementioned final factual record publicly available.

Monica P. Medina
Assistant Secretary
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State

Kelly K. Milton
Assistant U.S. Trade Representative
for Environment and Natural Resources
Office of the U.S. Trade Representative

Date: Monica P. Medina

Date: _____

U.S. Representatives on the United States-Panama TPA Environmental Affairs Council