



COMPENDIUM OF CANADA'S ENGAGEMENT IN INTERNATIONAL ENVIRONMENTAL AGREEMENTS AND INSTRUMENTS

Canada-Ukraine Free Trade Agreement (CUFTA): Environment Chapter

SUBJECT CATEGORY:

Environmental Cooperation

TYPE OF AGREEMENT / INSTRUMENT:

Bilateral

FORM:

Legally-binding treaty

STATUS:

- Signed on July 11, 2016
- Ratified by Canada on February 14, 2017
- In force in Canada August 1, 2017
- In force internationally August 1, 2017

LEAD & PARTNER DEPARTMENTS:

Lead: Environment and Climate Change Canada

Partners: Global Affairs Canada

FOR FURTHER INFORMATION:**Web Links:**

- [Canada-Ukraine Free Trade Agreement Environment Chapter](#)
- [Canada-Ukraine Free Trade Agreement](#)

Contacts:

[ECCC Inquiry Centre](#)

COMPENDIUM EDITION:

October 2018

PLAIN LANGUAGE SUMMARY

CUFTA includes a substantive chapter on the environment that seeks to reinforce the positive relationship between trade and the environment. In the Agreement, both parties commit to promoting good environmental governance by agreeing to maintain high levels of environmental protection, enforcing environmental laws and requiring parties to conduct environmental impact assessments.

The Agreement establishes mechanisms that allow Canadian and Ukrainian residents to submit written questions to either country regarding obligations in the chapter. The Agreement also provides that Canadians and Ukrainians may request an investigation of violations of environmental laws. Once established, the Environmental Chapter will be overseen by the Committee on the Environment, and will be composed of officials from Environment and Climate Change Canada and the Ukrainian Ministry of the Environment and Natural Resources.

OBJECTIVE

Canada is committed to pursuing policies that promote sustainable development and sound environmental management. The Canada-Ukraine Free Trade Agreement (FTA) reinforces the mutual supportiveness between trade and environment policies and the need to implement this Agreement in a manner consistent with environmental protection and conservation.

KEY ELEMENTS

The Environment Chapter in the Canada-Ukraine FTA contains ambitious environmental obligations consistent with Canada's other agreements, including commitments to:

- maintain high levels of environmental protection;
- ensure the effective enforcement of environmental laws, and that does not waive or derogate from such laws to promote trade or investment;
- ensure that violations of its environmental laws can be remedied or sanctioned under its law through judicial, quasi-judicial or administrative proceedings;
- maintain appropriate procedures for assessing the environmental impacts of proposed projects which may cause significant adverse effects on the

environment, with a view to avoiding or minimizing such adverse effects;

- ensure that its environmental assessment procedures provide for the disclosure of information to the public concerning proposed projects subject to assessment and, in accordance with its law, shall allow for public participation in such procedures;
- promote public awareness of its environmental legislation by ensuring that relevant information is available to the public, including information about enforcement and compliance procedures;
- promote the development, establishment, maintenance or improvement of performance goals and standards used in measuring environmental performance;
- provide for residents in the territory of either party to submit written questions to either country regarding any obligation under the Agreement;
- strive to strengthen the cooperation of the Parties on environmental issues in other bilateral, regional and multilateral forums in which they participate;
- establish a Committee on the Environment, composed of senior representatives of each Party;
- inform the public of activities, including meetings of the Parties and cooperative activities, undertaken to implement this Chapter; and
- reaffirm commitments to international environmental agreements Canada and Ukraine have ratified.

A dispute resolution process also exists within the agreement to address any questions regarding compliance, and includes a review mechanism through an independent panel of experts whose recommendations will be made publicly available.

EXPECTED RESULTS

High levels of environmental protection are maintained, and potentially improved, in light of increasing bilateral trade flows and potential cooperation between Canada and Ukraine.

Effective mechanisms are enacted to allow the identification of issues related to the environment chapter and to address concerns.

CANADA'S INVOLVEMENT

This agreement is aligned with Canada's Global Markets Action Plan: The Blueprint for Creating Jobs and Opportunities for Canadians through Trade.

Canada is bound by obligations for matters within federal jurisdiction and has committed to use its best efforts to encourage provinces and territories to agree to be bound by the obligations in the Canada-Ukraine FTA Environment Chapter.

RESULTS / PROGRESS

Activities

No activities have been undertaken to date.