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:
January 2020

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 also establishes enforcement and complaint mechanisms that allow any Canadian and any Ukrainian to submit a written question to either country regarding any obligation contained therein. 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

The Agreement commits both countries to encourage high levels of domestic environmental protection, promote sustainable development and sound environmental management and to encourage public engagement. 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

Commitments to ensure high levels of environmental protection and effective enforcement of environmental laws.

- A non-derogation article that obligates countries not to relax their environmental laws in order to encourage trade or investment.

- A commitment to maintain appropriate procedures to conduct environmental impact assessments, and allow for public participation in these procedures.

- Provisions to ensure that interested persons can request the investigation of alleged violations of environmental laws.

Canada

- A requirement for each country to designate a National Contact Point and to establish a Committee on the Environment to oversee the implementation of the Agreement and any cooperative activities undertaken under the Agreement.

- A requirement that parties promote the development, maintenance and improvement of performance goals and standards used in measuring environmental performance.

- A dispute resolution mechanism regarding obligations identified in the chapter.

- A commitment to strengthen cooperation among parties on environmental issues in other bilateral, regional and multilateral forums in which they participate.

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

Environment and Climate Change Canada works with the Ukrainian Ministry of Ecology and Natural Resources to implement this agreement, in partnership with external experts (including representatives of other government departments/agencies, academics, private sector and NGOs) who support collaborative activities.

RESULTS / PROGRESS

Activities

No activities have been undertaken to date.