



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

### *Free Trade Agreement between Canada and the Republic of Korea: Environment Chapter*

**SUBJECT CATEGORY:**

Environmental Cooperation

**TYPE OF AGREEMENT / INSTRUMENT:**

Bilateral

**FORM:**

Legally-binding treaty

**STATUS:**

- Signed on September 22, 2014
- Ratified by Canada on December 3, 2014
- In force in Canada January 1, 2015
- In force internationally January 1, 2015

**LEAD & PARTNER DEPARTMENTS:**

**Lead:** Environment and Climate Change Canada

**Partners:** Global Affairs Canada

**FOR FURTHER INFORMATION:**

**Web Links:**

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

**Contacts:**

[ECCC Inquiry Centre](#)

**COMPENDIUM EDITION:**

January 2020

#### PLAIN LANGUAGE SUMMARY

This Agreement is Canada's first trade agreement in Asia and contains a substantive chapter on the environment that seeks to reinforce the positive relationship between trade and the environment.

In the Agreement, parties commit to promoting good environmental governance by maintaining high levels of environmental protection, effectively enforcing environmental laws and promoting public awareness of these laws. The Agreement also requires parties to investigate and remedy possible violations of environmental laws. The implementation of the chapter is overseen by the Environmental Affairs Council, composed of senior officials from Environment and Climate Change Canada, and the South Korean Ministry of the Environment.

#### OBJECTIVE

Canada is committed to pursuing policies that promote sustainable development and sound environmental management. The Canada-Korea Free Trade Agreement (FTA) reinforces both countries support for trade and environment policies by including for the first time for Canada, an Environment Chapter within the FTA that sets out substantive commitments to foster good environmental governance.

#### KEY ELEMENTS

The Environment Chapter in the Canada-Korea 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 proceedings are available to provide for domestic sanctions or remedies for violations of environmental laws;
- provide for residents in the territory of either party to submit written questions to either country regarding any obligation under the Agreement;

- promote the trade and investment of environmental goods and services;
- ensure transparency and public participation in the making of such laws; and
- reaffirm commitments to multilateral environmental agreements Canada and South Korea have ratified.

A framework for cooperation in areas of mutual interest to promote cooperative programs and activities subject to available resources.

A dispute resolution process to address any questions regarding compliance, including review by 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 Korea.

Provide effective mechanisms to raise and resolve concerns about the effective enforcement of domestic environmental laws.

### **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-Korea FTA Environment Chapter.

### **RESULTS / PROGRESS**

#### ***Activities***

The Environmental Ministerial Council held its first meeting via videoconference on September 16, 2019. Canadian and Korean officials engaged in technical discussions on each country's environmental priorities including the interconnection between trade systems and climate change.