



## An Agreement on the Environment between Canada and the Republic of Peru



On August 1, 2009, the Canada-Peru Free Trade Agreement (FTA) entered into force, along with a parallel Agreement on the Environment (known as the “Environment Agreement”).

### **Protecting the Environment**

The Canada-Peru Environment Agreement commits both countries to pursue high levels of environmental protection and to continue to strive to develop and improve their environmental laws and policies. The Environment Agreement commits the Parties to:

- comply with and effectively enforce their domestic environmental laws and policies;
- not derogate from domestic environmental laws to encourage trade or investment;
- ensure that proceedings are available to sanction or remedy violations of environmental laws;
- increase public awareness of environmental laws and policies by ensuring that information regarding environmental laws and policies is available to the public;
- ensure that environmental impact assessment processes are in place;
- encourage the use of voluntary best practices of corporate social responsibility (CSR) by enterprises;
- strengthen the protection of biological diversity; and
- respect, preserve and maintain traditional knowledge, innovations and practices of indigenous and local communities.

### **Enforcement of Environmental Standards**

Both countries are obligated under the Environment Agreement to effectively enforce their domestic environmental laws and policies through appropriate government actions.

### **Complaints Procedure/Dispute Resolution**

The Environment Agreement provides that members of the public can submit a question to either Party regarding any obligation under this Agreement, including requests for investigation of alleged violations of environmental laws.

With a view to addressing any matter arising under this Agreement, the Environment Agreement commits the Parties to make every attempt, through consultations and the exchange of information, with an emphasis on cooperation, to address any matter. If the Parties fail to resolve the matter, a Party may seek consultation at the ministerial level.



## Environment-related Cooperation Activities

The Environment Agreement includes a framework to undertake environmental cooperation activities that aim to support the objectives and obligations of this Agreement.

Recognizing the need to reinforce sustainable development on all fronts, Canada will endeavour to leverage its particular expertise in target areas such as cooperation on best practices in environmental stewardship in the resource sector and environmental impact assessment. Canada is also committed to working with Peru to help protect and conserve biological diversity.

## Other Environment-related Provisions in the Free Trade Agreement

Apart from the Environment Agreement, the Canada-Peru Free Trade Agreement, including its principles-based Environment Chapter, sets out key provisions that strive to protect the environment. The Free Trade Agreement:

- highlights the importance of environmental conservation and protection and the promotion of sustainable development;
- reaffirms the Parties' commitments to Multilateral Environmental Agreements;
- provides for specific Multilateral Environmental Agreements (e.g. Montreal Protocol on Substances that Deplete the Ozone Layer) to prevail in the event of an inconsistency between an FTA obligation and the obligations in the MEA;
- encourages the Parties not to weaken their domestic health, safety or environmental measures to attract investment; and
- allows the Parties to take measure necessary to protect human, animal and plant life or health, which may be inconsistent with trade or investment obligations, provided that they are not done in an arbitrary or discriminatory fashion and are not disguised restrictions on trade.

For more information on the Canada-Peru FTA, please visit the following website:  
<http://www.international.gc.ca/trade-agreements-accords-commerciaux/agr-acc/andean-andin/can-peru-perou.aspx>

