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**Canada  
and  
Colombia**

**Agreement on the environment between Canada and the Republic of Colombia (with annexes and corrections, Bogotá, 18 February 2009 and 20 February 2009). Lima, 21 November 2008**

**Entry into force:** *15 August 2011, in accordance with article 18*

**Authentic texts:** *English, French and Spanish*

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**Canada  
et  
Colombie**

**Accord sur l'environnement entre le Canada et la République de Colombie (avec annexes et corrections, Bogota, 18 février 2009 et 20 février 2009). Lima, 21 novembre 2008**

**Entrée en vigueur :** *15 août 2011, conformément à l'article 18*

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**AGREEMENT ON THE ENVIRONMENT**

**BETWEEN**

**CANADA**

**AND**

**THE REPUBLIC OF COLOMBIA**

**CANADA** and **THE REPUBLIC OF COLOMBIA** hereinafter referred to as the “Parties”:

**RECALLING** their resolve in the *Free Trade Agreement between Canada and the Republic of Colombia* to implement that Agreement in a manner consistent with environmental protection and conservation, and sustainable use of their resources, and within that area to:

- (a) enhance and enforce environmental laws and regulations;
- (b) strengthen cooperation on environmental matters; and
- (c) promote sustainable development;

**CONVINCED** of the importance of the conservation, protection and enhancement of the environment in their territories and of the essential role of cooperation in these areas for achieving sustainable development for the well-being of present and future generations;

**ACKNOWLEDGING** the growing economic, environmental and social links between their countries through the creation of a free trade area;

**RECALLING** the Parties' commitment to pursue policies that promote sustainable development and sound environmental management; and

**ACKNOWLEDGING** the importance of transparency and public participation in the development of environmental laws and policies and with respect to environmental governance;

**AGREE AS FOLLOWS:**

**Section I – Environmental Rights and Obligations**

**Article 1: Definitions**

For purposes of this Agreement:

“**environment law**” means any statute or regulation of a Party, or provision thereof, the primary purpose of which is the protection of the environment, or the prevention of a danger to human life or health, through:

- (a) the prevention, abatement or control of the release, discharge, or emission of pollutants or environmental contaminants;
- (b) the control of environmentally hazardous or toxic chemicals, substances, materials and wastes, and the dissemination of information related thereto;  
or
- (c) the conservation of biological diversity, which includes the protection of wild flora or wildlife, endangered species and their habitat, and specially protected natural areas in the Party's territory. For the Republic of Colombia, conservation of biological diversity also includes its sustainable use;

but does not include any statute or regulation, or any provision thereof, directly related to worker health and safety or public health.

For greater clarity the term “environmental law” does not include any statute or regulation, or provision thereof, of which the primary purpose is managing the commercial harvest or exploitation, or subsistence or aboriginal harvesting, of natural resources;

“**indigenous and local communities**” means, for the Republic of Colombia, those native, Indigenous, Afro-American and local communities which are defined in Article 1 of the Andean Decision 391 as a human group whose social, cultural and economic conditions distinguish it from other sectors of the national community, that is governed totally or partially by its own customs or traditions or by special legislation and that, irrespective of its legal status, conserves its own social, economic, cultural and political institutions or a part of them;

“**person**” means a natural person, or a legal person such as an enterprise or non-governmental organization incorporated pursuant to the laws of a Party;

“**province**” means a province of Canada, and includes the Yukon Territory, the Northwest Territories and Nunavut;

“**statute**” or “**regulation**” means:

- (a) for Canada: a statute or regulation or provision thereof, including legally binding instruments made pursuant to the above, enacted, made or issued at the federal level of government and by any province listed in a declaration provided by Canada under Annex II;
- (b) for the Republic of Colombia: a law of Congress, or Decree or Resolution promulgated by the central level of government to implement a law of Congress, that is enforceable by action of the Central Level of government;