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**Canada
and
Honduras**

**Agreement on environmental cooperation between Canada and the Republic of Honduras
(with annexes). Ottawa, 5 November 2013**

Entry into force: *1 October 2014, in accordance with article 26*

Authentic texts: *English, French and Spanish*

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**Canada
et
Honduras**

**Accord de coopération dans le domaine de l'environnement entre le Canada et la République
du Honduras (avec annexes). Ottawa, 5 novembre 2013**

Entrée en vigueur : *1^{er} octobre 2014, conformément à l'article 26*

Textes authentiques : *anglais, français et espagnol*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT
ON ENVIRONMENTAL COOPERATION
BETWEEN
CANADA
AND
THE REPUBLIC OF HONDURAS

PREAMBLE

CANADA AND THE REPUBLIC OF HONDURAS (“Honduras”), hereinafter referred to as “the Parties”,

NOTING their resolve to enter into the *Free Trade Agreement between Canada and the Republic of Honduras* (“Canada-Honduras FTA”) in a manner consistent with environmental protection and conservation;

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 in achieving sustainable development for the well-being of present and future generations;

AFFIRMING the sovereign right of States to exploit their own resources pursuant to their own environmental and development policies and their responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or areas beyond the limits of national jurisdiction;

FURTHER AFFIRMING the *Rio Declaration on Environment and Development* of 1992, the *Johannesburg Declaration on Sustainable Development* of 2002 and *Johannesburg Plan of Implementation of the World Summit on Sustainable Development* of 2002;

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

RECALLING that Canada and Honduras share a commitment to pursue policies that promote sustainable development, and that sound environmental management is an essential element of sustainable development;

NOTING the existence of differences in their respective natural endowments, climatic and geographical conditions, and technological, financial, and infrastructural capabilities;

FURTHER NOTING the existence of differences in their respective socio-economic conditions and legal systems;

ACKNOWLEDGING the importance of transparency and public participation in the development of environmental law and policies;

AFFIRMING that it is inappropriate to relax environmental law in order to encourage trade and investment;

RECOGNIZING that enhanced cooperation between the Parties brings benefits which can help strengthen the environmental management systems of the Parties; and

EXPRESSING their shared desire to support and build on international environmental agreements through cooperation between the Parties,

HAVE AGREED as follows:

PART ONE

DEFINITIONS AND OBJECTIVES

Article 1: Definitions

1. For the purposes of this Agreement:

administrative ruling of general application means an administrative ruling or interpretation that applies to persons and to fact situations that fall within the general scope of that ruling or interpretation and that establishes a norm of conduct but does not include:

- (a) a determination or ruling made in an administrative or quasi-judicial proceeding that applies to a particular person, good, or service of the other Party in a specific case; or
- (b) a ruling that adjudicates with respect to a particular act or practice;

environmental law means any statutory or regulatory provisions of a Party, including legally binding instruments made pursuant to those provisions, 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 related information; or
- (c) the conservation and protection of wild flora or wildlife, including endangered species, their habitat, and specially protected natural areas,

in the Party's territory and areas under its jurisdiction, but does not include a statute or regulation, or provision, directly related to worker safety or health, and does not include a statute or regulation, or provision for which the primary purpose is managing the commercial harvest or exploitation, or subsistence or aboriginal harvesting, of natural resources.