

PART TWO
OBLIGATIONS

Article 3: Levels of Protection

Recognizing the right of each Party to establish its own levels of domestic environmental protection and environmental development policies and priorities, and to adopt or modify accordingly its environmental law and policies, each Party shall ensure that its environmental law and policies provide for high levels of environmental protection, and each Party shall strive to continue to develop and improve that law and those policies and the environmental management systems which support them, taking into consideration their respective levels of development, technologies, and financial resources available to them.

Article 4: Compliance with and Enforcement of Environmental Law

1. With the aim of achieving high levels of environmental protection and compliance with its environmental law, each Party shall effectively enforce its environmental law through government actions.
2. Each Party shall ensure that enforcement proceedings are available under its law to sanction or remedy violations of its environmental law.

Article 5: Non-derogation

A Party shall not waive, or otherwise derogate from, or offer to waive or otherwise derogate from, its environmental law in a manner that weakens or reduces the protections afforded in that law to encourage trade or investment.

Article 6: Assessment of Environmental Impacts

1. Each Party shall ensure that they maintain appropriate procedures for assessing the environmental impacts of proposed projects that may cause significant adverse effects on the environment, with a view to avoiding or minimizing these adverse effects.
2. Each Party shall ensure that its environmental assessment procedures provide for the disclosure of information to the public concerning proposed projects subject to assessment and, in accordance with its law, shall allow for public participation in such procedures.