

PART THREE
DOMESTIC OBLIGATIONS

Article 3: Levels of Protection

Recognizing the sovereign right of each Party to establish its own levels of domestic environmental protection and its environmental development policies and priorities, and to adopt or modify accordingly its environmental laws and policies, each Party shall ensure that its environmental laws and policies provide for high levels of environmental protection and shall strive to continue to develop and improve those laws and policies and the environmental governance that supports them.

Article 4: Compliance with and Enforcement of Environmental Laws

1. With the aim of achieving high levels of environmental protection, each Party shall effectively enforce, through government action, its environmental laws.
2. Each Party shall ensure that violations of its environmental laws can be remedied or sanctioned under its law through judicial, quasi-judicial or administrative proceedings.

Article 5: Non-derogation

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

Article 6: Environmental Assessment

1. Each Party shall ensure that it maintains appropriate procedures for assessing the environmental impact of proposed projects which may cause significant adverse effects on the environment with a view to avoiding or minimizing such 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 laws, shall allow for public participation in such procedures.