



Accord de coopération environnementale
Acuerdo de Cooperación Ambiental
Agreement on Environmental Cooperation

THE CANADA-CHILE COMMISSION FOR ENVIRONMENTAL COOPERATION

2016-17

Annual Report

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Annual Report at a Glance

PURPOSE OF THE ANNUAL REPORT

The Canada-Chile Agreement on Environmental Cooperation (CCAEC) entered into force in 1997 at the same time as the Canada-Chile Free Trade Agreement (CCFTA) and the Canada-Chile Agreement on Labour Cooperation (CCALC). Its main objectives are to foster the protection and enhancement of the environment in both countries; to promote sustainable development policies; and to promote transparency and public participation in the development and improvement of environmental laws, regulations, policies and practices.

Article 13 of the CCAEC calls for the preparation of an annual report by the Commission for Environmental Cooperation and specifies a range of areas that the report must cover, including:

- a) activities and expenses of the Commission during the previous year;
- b) the approved program and budget of the Commission for the following year;
- c) the actions taken by each Party in connection with its obligations under this Agreement, including data on the Party's environmental enforcement activities;
- d) relevant views and information submitted by Non-Governmental Organizations (NGOs) and persons, including summary data regarding submissions, and any other relevant information the Council deems appropriate;
- e) recommendations made on any matter within the scope of this Agreement; and
- f) any other matter that the Council instructs the National Secretariats to include.

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1 | EXECUTIVE SUMMARY

This year, Canada and Chile are celebrating the 20th anniversary of the Council of the Canada-Chile Commission for Environmental Cooperation, signed in 1997, in parallel with the bilateral Canada-Chile Free Trade Agreement. This agreement offers a model for environmental cooperation in the context of expanding integration, based on the principle that trade should not occur at the expense of environmental protection.

Since the Agreement’s inception, Canada and Chile have collaborated on:

- Building capacity of environmental enforcement and increasing public participation in environmental decision-making, including working on establishing a pollutant release and transfer registry in Chile.
- Increasing scientific and technical efforts to conserve and protect migratory birds, including conservation strategies, population surveys, data collection, bird banding, ornithologist training, habitat conservation, and community outreach. Canada and Chile share 41 species of migratory birds, and they work across the hemisphere through regional networks to protect species at risk.
- Advancing biodiversity conservation and sustainable tourism in Chile’s network of protected areas and national parks, including ecological restoration of protected areas as an adaptation to climate change.
- Exchanging expertise and research on environmental-effects monitoring, invasive species, contaminated sites, low-carbon urban development, environmental accounting, and climate-change issues, among others.

In addition to their regular work program, Canada and Chile will collaborate on delivering a program to deploy technology and to pilot innovative new approaches supporting the reduction of methane emissions in the waste sector, across eight cities in Chile. This four-year, seven-million dollar project will be an opportunity to advance commitments under the Paris Agreement and build on efforts to reduce short-lived climate pollutants as part of the Climate and Clean Air Coalition.

The Council of the Canada-Chile Commission for Environmental Cooperation met for its 16th regular session, on May 9 and 10, 2017, in Gatineau. Canada and Chile remain committed to the Agreement, and look forward to its continued success in the future. The 17th regular session of the Commission is likely to take place in Santiago, in Spring 2018.

Constance Nalegach
Executive Secretary
Chilean National Secretariat

Daniel Hallman
A/Executive Secretary
Canadian National Secretariat

2 | COUNTRY PROGRESS REPORTS

Canada/Chile Report

2.1. Canada Report

Environment and Climate Change Canada (ECCC), working with other federal departments, provincial, territorial and Indigenous partners, as well as with other key partners and stakeholders, realized significant achievements in its effort to address climate change and ensure a clean, prosperous and sustainable economy in 2016. A number of these achievements are highlighted below:

Climate Change:

To reinforce global efforts on the Paris Agreement, ECCC advocated for climate action in other international fora, including the G7 and G20, the Major Economies Forum on Energy and Climate, and the Carbon Pricing Leadership Coalition. Canada's leadership was recognized when it became co-Chair of the Climate and Clean Air Coalition (CCAC), a voluntary international coalition of governments, international organizations, the private sector and non-governmental organizations to reduce short-lived climate pollutants (SLCPs) such as methane and black carbon.

Along with ratification of the Paris Agreement, Canada participated in COP22, in Marrakech, Morocco. Minister McKenna's focus at COP22 was the swift implementation of the Paris Agreement, the development of a global low-carbon economy, and the competitive advantages for business and industry in low-carbon solutions. Canada also submitted its mid-century strategy to the United Nations Framework Convention on Climate Change, making it one of the first countries to do so. The strategy looks beyond 2030 to start a conversation on the ways we can further reduce emissions for a cleaner, more sustainable future by 2050.

Clean Growth:

A meeting of First Ministers (provincial and territorial Premiers), held on March 3, 2016 (within 90 days of the Paris Conference), resulted in the signing of the Vancouver Declaration on Clean Growth and Climate Change, which commits to concrete actions to reduce greenhouse gas emissions (GHGs) and to transition the country to a stronger, more resilient, low-carbon economy. Following the First Ministers meeting, ECCC launched a partnership with provinces, territories and Indigenous organizations to establish a pan-Canadian framework for addressing climate change.

In addition, amendments to regulations for coal-fired electricity generation were announced that would ensure all traditional coal-fired units will now be required to meet a stringent performance standard of 420 tonnes of carbon dioxide per gigawatt hour (tCO₂/GWh) by no later than 2030. This approach would accelerate the phase-out of traditional coal-fired units across Canada. Traditional units are those that do not use carbon capture and storage technology, which traps and stores carbon dioxide so to prevent its release into the atmosphere. Further, to support the transition away from coal towards cleaner sources of generation, performance standards for natural gas-fired electricity are also being developed. The standards will ensure that new natural gas-fired units are built using efficient technology and will also set clear parameters around the use of boilers converted from coal to run on natural gas.

Pan-Canadian Approach to Carbon Pollution/Pricing:

The Government of Canada introduced its pan-Canadian approach to pricing carbon pollution. Under the new plan, all Canadian jurisdictions will have carbon pricing in place by 2018. Provinces and territories will have flexibility in deciding how they implement carbon pricing by electing to either put a direct price on carbon pollution or adopting a cap-and-trade system. Pricing will be based on GHGs and applied to a common and broad set of sources to ensure effectiveness. Provinces and territories have been early leaders in addressing climate change. The Government of Canada will continue to work with provinces and territories to implement

carbon pricing as a central component of the Pan-Canadian Framework on Clean Growth and Climate Change. It is one of the essential tools Canada will put in place to reach or exceed its objective of reducing its emissions by 30 percent below 2005 levels.

Ozone Depleting Substances:

Environment Minister Catherine McKenna announced that Canada would reduce its hydrofluorocarbon (HFC) consumption by 85% by 2036, to be achieved through a series of regulations. The product-control regulations apply to newly manufactured and imported products containing and emitting HFCs, which Canada does not manufacture. Imported HFCs and HFC mixtures will be subject to phase-down regulations. Under the new regulation, consumers are not required to replace already-owned appliances, and industries are entitled to use up existing inventories containing HFCs. HFCs are the world's fastest growing source of GHGs, but the new HFC regulations would reduce carbon equivalents between the years 2018 and 2040 by 176 million tonnes. Canada has finalized recovery, recycling and destruction mechanisms for HFCs held within appliances, and established an HFC permit and reporting system.

Clean Fuel Standard:

The Government of Canada is working in consultation with provinces and territories, Indigenous communities and non-governmental organizations to establish a clean fuel standard. The standard will require reductions in the carbon footprint of the fuels, based on a lifecycle analysis. The consultations will inform the establishment of a regulatory approach under the Canadian Environmental Protection Act (CEPA). This approach would be performance-based, focusing on the emissions reductions rather than prescribing technologies that must be used. The aim is to stimulate the development and implementation of lower-carbon fuel sources and alternative technologies such as electricity, biogas, hydrogen, and renewable fuels. The clean fuel standard is likely to reduce GHG emissions by 30 megatonnes by 2030.

Biodiversity

The Government of Canada developed the Critical Habitat of the Roseate Stern Order to protect the Roseate Stern; a migratory bird found in the Atlantic, Pacific and Indian Ocean coastlines, recently listed as an endangered species under the Species at Risk Act (SARA). The critical-habitat protection order for the Roseate Stern immediately protects the federal land and waters surrounding Country Island and the waters surrounding Sable Island and North Brother and South Brother islands, all in Nova Scotia. The lands of North and South Brother islands are provincially protected, and Sable Island is protected as both a migratory bird sanctuary and a national park reserve. The Critical Habitat Order will serve to protect the birds from human activities. The Government of Canada has also developed a recovery strategy for the Roseate Stern.

Review of Environmental Assessment Processes

As indicated in her mandate letter, the Minister of Environment and Climate Change is reviewing the federal environmental assessment process associated with the Canadian Environmental Assessment Act, 2012 (CEAA 2012). In August 2016, a four-person Expert Panel was established and spent months engaging the public, Indigenous groups, and stakeholders, both in person and online. The Expert Panel has now delivered its report to the Minister of Environment and Climate Change, entitled [“Building Common Ground: A New Vision for Impact Assessment in Canada”](#).

2016-2019 Federal Sustainable Development Strategy

The Federal Sustainable Development Strategy (FSDS) is the Canadian government's primary vehicle for sustainable development planning and reporting. It sets out our sustainable development priorities, establishes goals and targets, and identifies actions to achieve them. The 2016–2019 FSDS is the third whole-of-government strategy prepared under the Federal Sustainable Development Act. It outlines what we will do to promote clean growth, ensure healthy ecosystems and build safe, secure and sustainable communities over the next three years.

Canadian Environmental Protection Act (CEPA) review

The Canadian Environmental Protection Act, 1999 (CEPA 1999) is an important tool in Canada for the protection of the environment. Section 343 of CEPA 1999 provides for a parliamentary review of the administration of the Act every five years after the coming into force of the Act. A review of CEPA 1999 was initiated in 2016. As part of this process, the Minister of Environment and Climate Change provided the Standing Committee on Environment and Sustainable Development with a discussion paper for consideration, outlining the issues with CEPA 1999 that she believes are important to address in order to strengthen existing programs and help respond to emerging issues.

2.2. Chile Report

In 2016, the Chilean Ministry of the Environment (MMA) achieved significant advances to address pollution, climate change and sustainable development goals. These achievements are highlighted below:

Law No. 20,920, Framework for Waste Management, Extended Producer Responsibility (REP) and Promotion of Recycling

In May 2016, Law No 20,920 was enacted, the objective of which was to reduce waste and promote its reuse, recycling and other types of recovery, through the implementation of REP and other waste management instruments. In March 2017, the Ministers' Council for Sustainability approved the first three regulations to implement the Law: the procedural regulation of the framework law; the recycling fund regulations; and the regulation governing the cross-border movement of waste. For more information go to:

<http://leydereciclaje.mma.gob.cl/>

Air Decontamination Strategy for 2018

In March 2016, four new Air Decontamination Plans (PDAs) went into force in the towns of Talca and Maule; Chillán and Chillán Viejo; and Osorno and Coyhaique, which are aimed at substantially optimizing air quality in the southern region of the country. The MMA has an Air Decontamination Strategy for 2018, the final objective of which is to establish 14 new PDAs for the urban centres of Andacollo, Huasco, Puchuncaví and Quintero (industrial zones), Metropolitan Region, Curicó-Teno, Talca-Maule, Chillán-Chillán Viejo, Gran Concepción, Los Ángeles, Temuco-Padre Las Casas, Valdivia, and Osorno and Coyhaique (PM10 and PM2.5) (areas associated with the use of firewood for heating). For more information go to: <http://www.mma.gob.cl/1304/w3-article-56174.html>

Adriana Hoffmann Environmental Training Academy

The Academy began operations in the second quarter of 2015. Its objective is to meet the growing demand of citizens for environmental and sustainable development education, guaranteeing the transmission of knowledge and the teaching of contemporary environmental protection concepts, aimed at the understanding of and awareness-raising on environmental issues. This program offers free e-learning courses to different segments of the population, such as teachers, civil servants and the general public. From 2015 to 2016, seven courses were given with approximately 1,600 registrations. Seventeen in-person conferences were also held with a total of 800 people taking part. For more information go to: <http://portal.mma.gob.cl/wp-content/academia/>

Bill to Create the Biodiversity and Protected Areas Service (SBAP)

The SBAP is a key component to managing the conservation of the country's biodiversity and preserving protected areas, species, genes and ecosystems in the entire country. The initiative is of vital importance because it complements the environmental institutional reforms contained in Law 20,417. In 2016, the Ministry of the Environment (MMA) led an indigenous consultation process in every region of the country regarding specific material to develop guidelines for the bill. In the process, 622 meetings were held. In March 2017, the material consulted was brought in for consideration in the parliamentary discussion regarding the bill.

Increase in Terrestrial and Marine Protected Areas

In 2016, the Nazca-Desventuradas marine park and a network of protected areas in the Juan Fernández sea were created, which tripled the marine area under official protection, going from 150 thousand to 450 thousand km². In addition, a project led by the MMA in 2017 to create a network of parks in Patagonia will add a total of 4.5 million hectares of new national parks between the Magallanes and Los Lagos regions. This network consists of three new parks (Pumalín, Melimoyu and Patagonia), an expansion of the existing national parks, Hornopirén, Corcovado and Isla Magdalena, and the reclassification of 4 reserves into national parks (Cerro Castillo, Lago Cochrane, Lago Jeinimeni, and Alacalufes forest reserve).

Presidential Advisory Commission for the Evaluation of the Environmental Impact Assessment System (SEIA)

In July 2016, the MMA delivered the Commission's final report to the President of the Republic. Among the main proposals were the creation of a special assessment mechanism for projects deemed strategic, the expansion of citizen participation entities in the Environmental Impact Statements, and the creation of an early outreach process between project holders and communities. In 2017, work is underway on the development of a regulatory and legal proposal to implement the measures proposed, among others, and to establish a schedule for the final delivery of amendments. Work will begin in June on implementing management measures, reviewing the legal and regulatory proposals with commissioners, and processing the presidential directives. By August, a final proposal should be submitted to the Ministers' Council for Sustainability, and later forwarded to the Auditor General. Finally, in September, the proposal for legal amendments is expected to be submitted to the President of the Republic.

Second Environmental Performance Review by the Organization for Economic Co-operation and Development (OECD)

In July 2016, the second Environmental Performance Review (EPR) conducted by the OECD was launched. This is the first time that Chile has done so since becoming a full member of the Organization. Although Chile did well on the previous assessment, the review was voluntary. In the last EPR, 54 recommendations emerged in the following areas: environmental performance—recent events and trends; environmental management and governance; towards green growth; climate change; and the conservation and sustainable use of biodiversity. For more information go to: <http://portal.mma.gob.cl/>

National Council for the Implementation of the Agenda 2030 for Sustainable Development

A National Council for the implementation of the Agenda 2030 for Sustainable Development was created in 2016 by Supreme Decree No. 49 of the Ministry of Foreign Affairs (MINREL). This organization has the responsibility of implementing Agenda 2030 and is comprised of the Ministries of: Foreign Affairs ((as chair); Economy, Development and Tourism; Environment; and Social Development (technical secretary). In keeping with what was established in SD No. 49, three committees will be created: Economic, Social and Environmental; in addition to Working Groups on specific and cross-cutting issues coordinated by the respective ministries. The committees are expected to study the progress of public actions related to the ODS; contribute to conducting the initial analysis of each aspect; review the indicators related to the objectives and their targets; propose information sources and data methodologies when they are unavailable; review, analyze and consolidate the progress of the respective committees, develop proposals for the Council's understanding; propose the creation, coordination and follow-up of the Working Groups organized around a specific set of objectives; and consolidate, review and analyze the progress of the Working Groups, developing summaries for the information of the Council. For more information go to: <http://sinia.mma.gob.cl/ods/>

Paris Climate Change Accord and the Chilean Climate Change Agency

On September 20, 2016, as the country's representative, President Bachelet signed the Paris Climate Change Accord at the United Nations' headquarters (New York), as part of the activities of the 71st General Assembly of the United Nations. On October 25, this international agreement came before the National Congress as a bill, and later, the Senate's Environmental Committee unanimously approved the draft agreement that ratifies the Paris Accord on Tuesday, January 3, 2017.

Consequently, the signatories of the Accord assume the obligation to prepare, communicate and maintain the set commitments, contributing at the national level to the world's response to climate change, which must be communicated every five years. In its INDC, Chile committed to reduce, by 2030, its CO₂ emissions per GDP unit by 30% to reach the 2007 level. In addition, contingent upon receiving international monetary contributions, the country promises that by 2030 it will further reduce its CO₂ emissions by GDP unit to reach a reduction of between 35% and 45%.

To implement this agreement, President Bachelet made a commitment to create a climate change and sustainability agency. It will coordinate agreements between the government and businesses to implement concrete mitigation, adaptation and strengthening measures with respect to this new reality, through a Corporación de Fomento de la Producción de Chile (CORFO) Committee. The new Climate Change and Sustainability Agency began operations on January 1, 2017, and with the objective of creating policy guidelines that will be set out by the Ministers' Council for Sustainability for businesses and territories.

Green Tax on Vehicles and Large Industries

Implemented gradually, the green tax entered its third phase, effective December 28, 2016. Its fundamental objective is to discourage the purchase of automobiles that generate higher nitrogen oxide (NO_x) emissions, toxic gases, irritants and precursors to the formation of fine particle matter (PM 2.5) and ozone, which affect people's health. In accordance with the analyses conducted by the MMA and the Treasury of the Republic, the environmental authority claims that on average, the vehicle population in 2016 polluted 29% less than the previous year. This is a result of green taxes effecting change in the automobile market, and consequently, leading to the sale of cleaner cars (Euro6).

Through the Exempt Resolution 333 of December 2, 2016, the MMA drew up a list of the "establishments potentially affected" by the green tax. The preliminary list reveals all those establishments whose set sources, composed of boilers and turbines, individually or as a whole, amounted to thermal power that was greater than or equal to 30 MWt (thermal megawatts), factoring in possible margins of error in the statements issued under the decrees No. 13 (2011) of the MMA and No. 138 in 2005 of the Ministry of Health. The list identifies 85 establishments in separate production sectors.

Prompting Non-Conventional Renewable Energy Sources (ERNCs)

In April 2017, 26 non-conventional renewable energy projects were reported under construction, according to Resolution No. 206/2017 of the National Energy Commission (CNE). It states that the projects' operations were scheduled to begin between April 2017 and October 2018. The installed ERNC capacity is up to 17% (3,795 MW), with almost 83.6% connected to the Central Interconnected System.

The low cost of technology and government incentives have contributed to the increase. Since 2009, the price of solar panels has dropped by 90%, while wind farm costs have decreased by 50%.

The input from ERNC plants to the grid was 910 GWh, which is the equivalent of 15.7% of total generation. Analysis by technology indicates that there was an input of 319 GWh from solar parks, 256 GWh from wind energy, 103 GWh from mini-hydraulic plants and 150 GWh from biomass.

Nevertheless, some barriers remain, such as the transmission system's lack of capacity and the inflexibility of conventional plants in terms of adapting to the operation plan that variable ERNCs require. Overall, the self-imposed targets set by the government (20% in 2025 and 60% in 2035) are possible and may reach "100% renewable energy by 2050." For more information go to: <http://www.energia.gob.cl/> and <https://www.cne.cl>

3 | REPORT ON SUBMISSIONS ON ENFORCEMENT MATTERS

Under the Agreement, any non-governmental organization or person can assert that a Party to the Agreement is failing to effectively enforce its environmental law by presenting a submission on enforcement matters (SEM).¹ If the SEM meets, among other things, initial screening criteria as to its purpose, and it contains sufficient information, it is then forwarded to an independent committee (the Joint Submissions Committee) to determine whether the submission merits requesting a response from the Party, and in light of any response, whether the preparation of a factual record against the Party is warranted. If the Council agrees with the recommendation of the Joint Submissions Committee, the Party that is not the subject of the complaint will commission an expert in environmental matters to prepare the factual record on the submission. The Council shall make the factual record public at the request of either Party.

No submissions were submitted or open between January 2016 and March 31, 2017.

An online registry of petitions is available at <http://www.ec.gc.ca/can-chil/default.asp?lang=En&n=D3DE2C48-1>

If you would like an electronic copy of the document, please use the "contact us" section of the website: <http://www.ec.gc.ca/default.asp?lang=En&n=DA294545-1>

¹ Article 14 of the Agreement stipulates that any Canadian citizen or organization that submits a request under the Canada–Chile Agreement must agree not to also submit the issue to the North American Commission for Environmental Cooperation. It should be kept in mind that, given Canada's large volume of trade with the United States and Mexico, Canadians are more familiar with the North American Commission for Environmental Cooperation (NACEC) and are therefore more likely to submit a request under the NACEC. To consult submissions against Canada under the NACEC, visit <http://www.cec.org/sem-submissions/registry-of-submissions>.

4 | REPORT ON THE 10TH WORK PROGRAM AND BUDGET

Cooperative Activities

THEME 1: CLIMATE CHANGE

16.1.1. Carbon Markets and Cooperative Arrangements

Chile, Mexico and Canada are all signatories to the Paris Agreement, members of the Carbon Pricing Leadership Coalition (CPLC), and are all implementing carbon pricing schemes. On March 28, 2017, Canada and Chile hosted a trilateral one day workshop on Carbon Markets in Santiago, Chile, which focused on sharing experiences, challenges and opportunities for future cooperation. Participants included Environment and Climate Change Canada, the Canadian Embassy, the governments of Ontario, Quebec and British Colombia (via videoconference), Mexican representatives from the Ministry of Environment and Natural Resources (SEMARNAT) and the state-owned oil and gas company Petr leos Mexicanos (PEMEX), as well as representatives from the Chilean Ministries of Environment, Energy and Foreign Affairs. The first day was also open to Chilean academia and civil society and included both local and international institutions (such as the UK based Carbon Trust and the World Bank).

Workshop survey respondents felt that the meeting helped to build capacity on carbon market mechanisms (87%) and identified the following as the biggest challenges to implementing carbon market mechanisms in Chile: political will; developing appropriate monitoring, reporting and verification (MRV) methodologies; and capacity building.

On March 29, Canada held independent bilateral discussions with both Chile and Mexico on monitoring, reporting, and verification (MRV) of emissions reductions expected under projects planned in Chile (waste management sector) and Mexico (oil and gas sector) for implementation over the next 4 years. It was agreed among all parties that these projects would be an ideal opportunity to experiment with different methodologies for measuring and trading emissions reductions. Canada, Chile and Mexico's intention to use these projects as "labs" will provide leadership in showcasing solutions for the international community in its efforts to develop a system of carbon markets under Article 6 of the Paris Agreement.

16.1.9. Co-hosting the 24th Conference of the Parties of the Inter-American Institute for Global Change Research (IAI)

Canada and Chile successfully co-hosted the 24th Conference of the Parties of the Inter-American Institute for Global Change Research (IAI) in Santiago, Chile, on June 14-17, 2016. The Inter-American Institute is an intergovernmental organization dedicated to developing capacity to understand the impact of climate change in the Americas and to promoting collaborative and well-informed actions in the region. The 2016 meeting resulted in elections for vacant positions on the Science Advisory Committee (SAC) and the Science Policy Advisory Committee (SPAC), both of which contribute to the long-range plans and programming of the Science Agenda of the IAI. The Conference of Parties also approved a new country engagement strategy based on the analysis presented by Canada to encourage member country participation.

THEME 2: ENVIRONMENTAL PROTECTION AND BIODIVERSITY

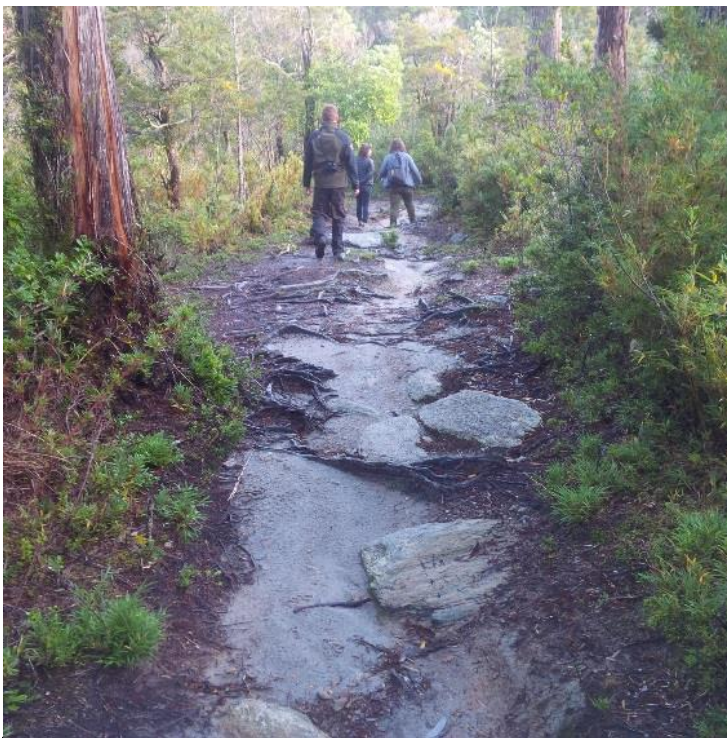
16.2.6. Shorebird Banding Training

In collaboration with the Canadian Wildlife Service, Panama hosted a training workshop on shorebird banding on February 18, 2016. The workshop was delivered in conjunction with planning sessions for the Pacific Americas Shorebird Conservation Strategy and Protocols for Waterbird Monitoring in the Western Hemisphere. The shorebird banding workshop examined the general principles of working with wild birds for research and the

optimal methods that can be used to answer specific monitoring and research questions. The workshop trained participants on the information that can be obtained through banding and tagging programs, including the sampling that can be conducted when birds are captured, the information that can be obtained through repeated surveys of marked individuals and what can be obtained using electronic tracking equipment. Field equipment was available at the workshop in order to allow participants to see and handle the materials and tagging units that can be used on shorebirds. In addition, a field trip was organized which provided training on shorebird identification and methods to detect tagged shorebirds. The banding workshop was attended by 25 participants from 14 countries. Certificates of participation were provided as well as electronic versions of training materials used during the workshop.

The Canada-Chile Commission for Environmental Cooperation provided funds to cover travel for a Chilean attendee, Paula Rossi, who manages the *Pan American Shorebird Program* for Chile at the Servicio Agrícola y Ganadero. Ms. Rossi attended the workshop in order to develop her skills in capturing and sampling shorebirds as a part of a surveillance system for Avian Influenza in Chile.

16.2.6. Sustainable Tourism in Protected Areas



Project participants hike to assess trail erosion in Alerce Costero National Park

In support of Chile's efforts to implement its *National Plan for Sustainable Tourism Development (2015-2018)*, Parks Canada worked with the Tourism Sub-Secretariat of Chile in 2016 to share Canada's best practices with regards to improving visitor experience in national parks.

In the first phase of work (May 2016), Parks Canada's Director of Visitor Experience, Ed Jaeger, led workshops piloting Parks Canada's Visitor Experience (VE) assessment tool in three of Chile's National Parks: Torres del Paine, Vicente Pérez Rosales and Alerce Costero. The workshops brought together professionals from the public, private and NGO sectors to discuss and adapt the VE tool to the Chilean context. The tool was broadly commended as valuable, proactive and comprehensive, and has been adapted to the Chilean context for continued use. The Chilean Tourism Sub-Secretariat will be investing CAD \$891,880 (\$440 million CLP) in Torres del Paine, CAD \$454,048 (\$224 million CLP) in Alerce Costero and CAD \$202,700

(\$100 million CLP) in Vicente Peres Rosales to implement many of the measures identified through the pilots.

In the second phase of work (September 2016), a two-member Chilean delegation consisting of Magdalena Garcia Perez, from the Tourism Sub-Secretariat, and Francisca Aylwin Fernandez, from SERNATUR, visited 14 sites across Canada and met with Parks Canada staff from across the organization to understand Canada's operations and the application of the Visitor Experience approach. These visits have solidified a growing connection between Canada and Chile's parks systems and identified a range of ways that both countries can

work together to advance international parks standards, and encourage local economic development and environmental protection through sustainable tourism practices.



Chilean delegates met with Parks Canada staff from across the country and at all levels of operations.

THEME 3: ENVIRONMENTAL DEMOCRACY AND GOVERNANCE

16.3.1. Indigenous Consultation in Environmental Decision Making

On January 18-19, 2017, Canada and Chile hosted a workshop on *Indigenous Consultation in Environmental Decision-Making* in Santiago, Chile. The aim of the workshop was to build capacity in environmental governance by exchanging expertise on how indigenous communities can best be engaged in environmental decision-making, both at the policy-making level and through the environmental assessment review process. Both the Canadian and Chilean governments are undertaking reviews of their environmental assessment systems in order to regain public trust and improve engagement. In this context, the workshop sought to promote a dialogue with 38 participants from across the Chilean government and to feed into the work of the Presidential Advisory Committee reviewing Chile's Environmental Impact Assessment System (SEIA), as well as provide insights for Canadian delegates.

The Canadian delegation was composed of representatives from Indigenous and Northern Affairs Canada (INAC), the Canadian Environmental Assessment Agency (CEAA) and the Canadian Wildlife Service (CWS) of Environment and Climate Change Canada (ECCC). Discussions focused on the institutional context of each country, approaches/programs/policies for engagement, and ended with a wrap-up session on challenges and opportunities to collaborate on further information exchange. The Canadian delegation noted that while institutional and legal practices in both countries are very distinct, the practical tools and procedures to conduct effective consultations remain relevant. A workshop evaluation of participants resulted in 75% of respondents having identified at least one best practice they could use in their own work and 87.5% of respondents saying it generated relevant ideas.



Then-Vice-Minister Marcelo Mena (left) and Canadian Ambassador Marcel Lebleu (right) listen to discussions at the International Labour Organization (ILO) building in Santiago, where the *Indigenous Consultation in Environmental Decision-Making Workshop* was held.

Pacific Alliance countries were invited to participate in the workshop. Colombia participated via videoconference throughout meetings and had a bilateral discussion with the Canadian delegation following the two-day workshop.

Overall, the workshop was an important opportunity for Canada and Chile to share their approaches and learn about how best to engage their indigenous communities in environmental decision-making, a priority for both governments.

Budget

The costs of implementing the Agreement involve three areas: (1) Cooperative activities, including the Council sessions and project implementation; (2) the Joint Public Advisory Committee (JPAC); and (3) the Citizen Submission process described in articles 14 and 15. The costs of these budget items were shared by the parties.

Commission Expenses from January 1, 2016 to March 31, 2017								Totals	
Cooperative Activities				Public Engagement					
Work Program		Council & Annual Reports		JPAC		Citizen petitions			
Chilean pesos	Canadian dollars	Chilean pesos	Canadian dollars	Chilean pesos	Canadian dollars	Chilean pesos	Canadian dollars	Chilean pesos	Canadian dollars
23,928,925	49,370	7,905,929	16,311	2,624,010	5,414	0	0	34,458,864	71,095

In addition to the amounts provided by the Commission, projects leveraged \$32,770 CAD or \$15,883,146 CLP in contributions from other sources, and staff and project leaders provided 48 days of in-kind support to implement projects.

The cost to operate the National Secretariats is not included above nor are the in-kind contributions provided by the National Secretariats, the JPAC and the JSC.

Future Work Program and Budget

The following is the proposed program and budget of the Commission for the **second year** of the 2016-2018 Work Program and is subject to final approvals by both Parties:

THEME 1: CLIMATE CHANGE		
Project	Description	Estimated Budget
16.1.7 Carbon Budget Models for Sustainable Forest Management	To provide training on carbon budget modelling for a representative from the Chilean Forestry Corporation (CONAF).	\$ 4,000 CAD
16.1.8 Climate Change Policy Dialogue	To discuss and share information on relevant climate change issues, while also testing different virtual meeting technologies between Canada and Chile.	\$ 3,000
THEME 2: ENVIRONMENTAL PROTECTION AND BIODIVERSITY		
16.2.1 Sustainable Tourism in	To support Chile's Action Plan for	\$ 15,000

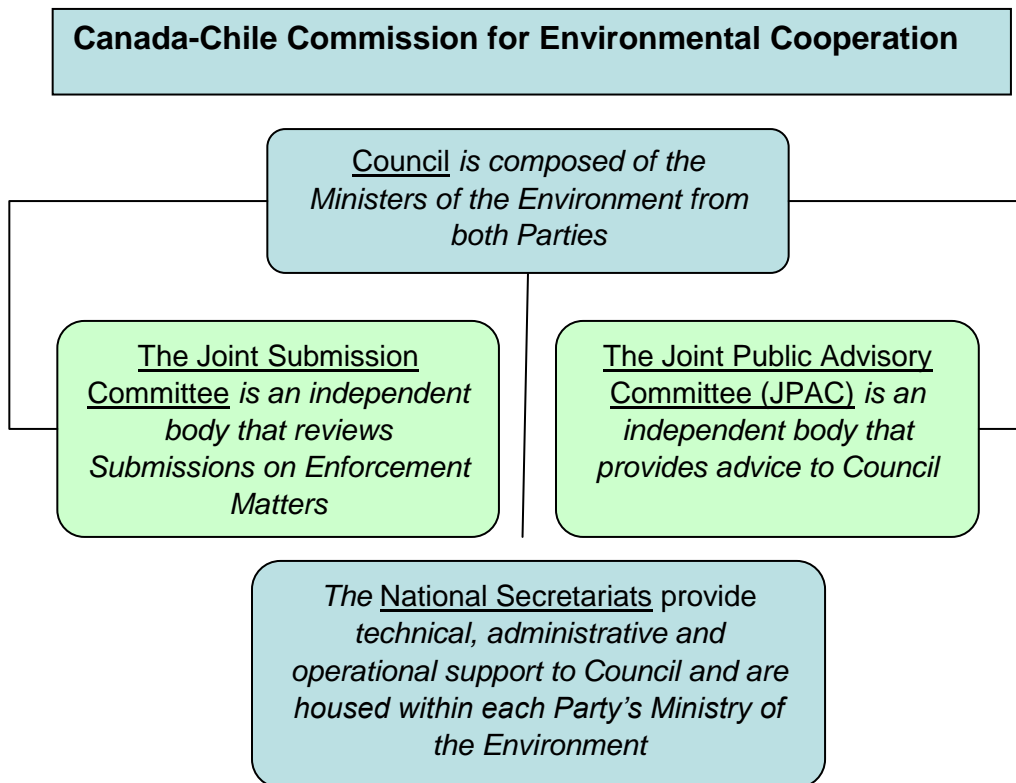
Protected Areas	Sustainable Tourism, leveraging Parks Canada's international leadership in protected areas management.	
*16.2.2 Follow-up to Canada's participation in OECD in-country environmental review process for Chile	To facilitate an information exchange on the subject for future work planning.	None.
16.2.3 Marine Protected Areas	To support Canadian and Chilean bilateral meetings during the upcoming 4 th International Congress on Marine Protected Areas (IMPAC4) in 2017.	\$ 5,000 CAD, plus an additional \$10,000 sponsorship from Parks Canada to support the organization of IMPAC4.
*16.2.4 Parks Twinning	To facilitate an information exchange on the subject for future work planning.	None.
16.2.5 Chemicals Management Planning and Standards	To support capacity building on chemicals management and advance Chilean understanding of the Minamata Convention.	\$ 15,000
THEME 3: ENVIRONMENTAL DEMOCRACY AND GOVERNANCE		
16.3.2 Pacific Alliance Cooperation	GENERAL POLICY: It was agreed that the Commission would seek to support Pacific Alliance country involvement in project implementation, where feasible.	
*16.3.3 Environmental Accounting and Economics	To facilitate an information exchange on the subject for future work planning.	None.

***Proposed information exchange in order to develop proposals for the 2018-2020 Work Program.**

5 | ANNEXES

Commission for Environmental Cooperation

Established under the Canada-Chile Agreement for Environmental Cooperation, the Canada–Chile Commission for Environmental Cooperation consists of a Council, a Joint Public Advisory Committee (JPAC), and a Joint Submission Committee (JSC). The Commission is assisted in the implementation of the Agreement by two National Secretariats, respectively located in each country’s Ministry of the Environment.



National Secretariat Executive Directors: Jennifer MacIntyre (Canada), Constance Nalegach (Chile).

Members of the Joint Public Advisory Committee: Alejandro Alcantara (Canada), Marcela Fernandez (Chile), To be Appointed (Canada), To be Appointed (Chile)

Members of the Joint Submissions Committee: To be Appointed (Canada), to be Appointed (Chile)

For more information about the Canada-Chile Agreement for Environmental Cooperation (CCAEC) visit our websites: www.ec.gc.ca/can-chil and <http://acuerdochilecanada.mma.gob.cl>

Annex II - Obligations & Related Links

The following are the obligations articulated in the Agreement for both Parties and Website links with related information, where applicable/available.

<p>STATE OF THE ENVIRONMENT REPORTS</p>	<p>Article 2(1)(a) of the Agreement provides that each Party shall, with respect to its territory, periodically prepare reports on the state of the environment and make them publicly available.</p> <p>CANADA: Sustainable Development Strategy: https://www.ec.gc.ca/dd-sd/default.asp?Lang=En&n=CD30F295-1 Canada-Alberta Oil Sands Environmental Monitoring: www.JointOilSandsMonitoring.ca The Pan-Canadian Framework on Clean Growth and Climate Change: https://www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework.html Canadian Environmental Sustainability Indicators (CESI): http://www.ec.gc.ca/indicateurs-indicators/default.asp?lang=En Species at Risk Public Registry: http://www.registrelep-sararegistry.gc.ca/default.asp?lang=en&n=24F7211B-1</p> <p>CHILE: http://portal.mma.gob.cl/division-de-informacion-y-economia-ambiental/</p>
<p>ENVIRONMENTAL EMERGENCY PREPAREDNESS MEASURES</p>	<p>Article 2(1)(b) of the Agreement provides that each Party shall, with respect to its territory, develop and review environmental emergency preparedness measures.</p> <p>CANADA: Implementation Guidelines for The Environmental Emergency Regulations 2011 https://ec.gc.ca/lcpe-cepa/default.asp?lang=En&n=1FB6D405-1</p>
<p>ENVIRONMENTAL EDUCATION</p>	<p>Article 2(1)(c) of the Agreement provides that each Party shall, with respect to its territory, promote education in environmental matters, including environmental law.</p> <p>CHILE: http://educacion.mma.gob.cl/</p>
<p>SCIENTIFIC RESEARCH AND TECHNOLOGY DEVELOPMENT</p>	<p>Article 2(1)(d) of the Agreement provides that each Party shall, with respect to its territory, further scientific research and technology development in respect of environmental matters.</p> <p>CANADA: ECCC's Science and Technology Website http://www.ec.gc.ca/Scitech/default.asp?lang=En&n=AC4418A5-1</p>

<p><u>ENVIRONMENTAL IMPACT ASSESSMENT</u></p>	<p>Article 2(1)(e) of the Agreement provides that each Party shall, with respect to its territory, assess, as appropriate, environmental impacts.</p> <p>CANADA: Canadian Environmental Assessment Registry https://www.ceaa-acee.gc.ca/050/index-eng.cfm</p> <p>CHILE: Environmental assessment service http://sea.gob.cl/</p>
<p><u>ECONOMIC INSTRUMENTS</u></p>	<p>Article 2(1)(f) of the Agreement provides that each Party shall, with respect to its territory, promote the use of economic instruments for the efficient achievement of environmental goals.</p> <p>CANADA: <u>ECCC's Economic Instruments Website</u> https://ec.gc.ca/air/default.asp?lang=En&n=A3EA44BA-1</p>
<p><u>EXPORT CONTROLS</u></p>	<p>Article 2(3) of the Agreement provides that each Party shall consider prohibiting the export to the territory of the other Party of a pesticide or toxic substance whose use is prohibited within the Party's territory. When a Party adopts a measure prohibiting or severely restricting the use of a pesticide or toxic substance in its territory, it shall notify the other Party of the measure, either directly or through an appropriate international organization.</p> <p>CANADA: ECCC's Export Control List https://www.ec.gc.ca/lcpe-cepa/default.asp?lang=En&n=06942923-1</p>
<p><u>LEVELS OF PROTECTION</u></p>	<p>Article 3 of the Agreement provides that each Party shall ensure that its laws and regulations provide for high levels of environmental protection and shall strive to continue to improve those laws and regulations.</p> <p>CANADA Environmental Acts, Regulations and Agreements https://www.ec.gc.ca/default.asp?lang=En&n=48D356C1-1</p>
<p><u>PUBLICATION</u></p>	<p>Article 4 of the Agreement provides that each Party shall ensure that its laws, regulations, procedures and administrative rulings of general application respecting any matter covered by this Agreement are promptly published or otherwise made available in such a manner as to enable interested persons and the other Party to become acquainted with them.</p>

<p><u>GOVERNMENT ENFORCEMENT ACTION</u></p>	<p>Article 5 of the Agreement provides that each Party shall: (1) effectively enforce its environmental laws and regulations through appropriate governmental action; and (2) ensure that judicial, quasi-judicial or administrative enforcement proceedings are available under its law to sanction or remedy violations of its environmental laws and regulations. Also, that these sanctions and remedies shall, as appropriate:</p> <p>(a) take into consideration the nature and gravity of the violation, any economic benefit derived from the violation by the violating Party, the economic condition of the violator, and other relevant factors; and</p> <p>(b) include compliance agreements, fines, imprisonment, injunctions, the closure of facilities, and the cost of containing or cleaning up pollution.</p> <p><u>CANADA</u> Enforcement Notifications https://www.ec.gc.ca/alef-ewe/default.asp?lang=En&n=8F711F37-1</p> <p>CHILE : Superintendence of the Environment http://www.sma.gob.cl/</p>
<p><u>PRIVATE ACCESS TO REMEDIES</u></p>	<p>Article 6 of the Agreement provides that each Party shall ensure that: (1) interested persons may request the Party's competent authorities to investigate alleged violations of its environmental laws and regulations and shall give such requests due consideration in accordance with law; and (2) persons with a legally recognized interest under its law in a particular matter have appropriate access to administrative, quasi-judicial or judicial proceedings for the enforcement of the Party's environmental laws and regulations. Also, private access to remedies shall include rights, in accordance with the Party's law.</p> <p><u>CANADA:</u> In Canada, persons with a recognized legal interest have access to remedies before administrative tribunals and the courts. Interested persons, in addition to being able to institute private prosecutions, may also put forth, to a competent authority, a request to investigate alleged violations of environmental laws and regulations.</p>

PROCEDURAL
GUARANTEES

Article 7 of the Agreement provides that each Party shall: (1) ensure that its administrative, quasi-judicial and judicial proceedings are fair, open and equitable; (2) provide that final decisions on the merits of the case in such proceedings are (a) in writing and preferably state the reasons on which the decisions are based, (b) made available without undue delay to the parties to the proceedings and, consistent with its law, to the public, and (c) based on information or evidence in respect of which the parties were offered the opportunity to be heard; (3) provide, as appropriate, that parties to such proceedings have the right, in accordance with its law, to seek review and, where warranted, correction of final decisions issued in such proceedings; and (4) ensure that tribunals that conduct or review such proceedings are impartial and independent and do not have any substantial interest in the outcome of the matter.

CANADA:

Canada has administrative, quasi-judicial and judicial proceedings available for the enforcement of environmental laws and regulations. Both the *Canadian Charter of Rights and Freedoms* and the courts have ensured that persons are given an opportunity, consistent with the rules of procedural fairness and natural justice, to make representations to support or defend their respective positions and to present information or evidence. An example of fair, open and equitable proceedings at the administrative level is the Board of Review process (<https://www.ec.gc.ca/lcpe-cepa/eng/regulations/detailReg.cfm?intReg=71>) available under the Canadian Environmental Protection Act (CEPA) 1999.

CHILE:

<http://www.tribunalambiental.cl/>

<http://www.tercertribunalambiental.cl/>

Annex III – Published article on the 20th Anniversary of the CCAEC from the Magazine “Induambiente”, published June 20, 2017



ALIANZA VERDE

Canadá y Chile celebran 20 años de sólida cooperación ambiental.

El 5 de junio se celebró el Día Mundial del Medio Ambiente, una iniciativa de Naciones Unidas para fomentar la conciencia mundial y la acción para proteger la naturaleza, que se ha convertido en una plataforma global en más de 100 países. Cada año, tiene un país anfitrión, y en 2017 ese honor lo tuvo Canadá.

De manera coincidente, Chile y Canadá están celebrando 20 años de la entrada en vigencia del Acuerdo de Cooperación Ambiental, suscrito en 1997. Durante este tiempo, hemos colaborado para fomentar la protección y el mejoramiento del medio ambiente en nuestros países.

El acuerdo partió con un enfoque gradual y con iniciativas encaminadas a mejorar la comprensión mutua de nuestros Sistemas de Gestión Ambiental (SGA), en un contexto donde Chile ponía en marcha su naciente institución ambiental.

A medida que la cooperación fue madurando, abordamos las lagunas de nuestros respectivos SGA tales como la aplicación de la ley, la participación ciudadana, el comercio y medio ambiente, entre otros. Chile adoptó el sistema canadiense de Registro de Emisiones y Transferencias de Contaminantes, el cual hoy es la base del sistema de monitoreo de emisiones para el programa chileno de precios del carbono.

BIODIVERSIDAD Y CAMBIO CLIMÁTICO

Actualmente, la cooperación Chile-Canadá se centra en prioridades ambientales compartidas y globales como son la biodiversidad y el cambio climático. Hemos colaborado en la gestión de áreas protegidas y la conservación de la biodiversidad a fin de contribuir a establecer el Sistema Nacional Integrado de Áreas Protegidas de Chile. En 2016 organizamos talleres liderados



Marcelo Mena.

por Parcs Canada en los Parques Nacionales Torres del Paine, Vicente Pérez Rosales y Alerce Costero, y apoyamos a la Subsecretaría de Turismo en la implementación de su Plan Nacional para el Desarrollo Turístico Sostenible. A su vez, dicha Subsecretaría y Sernatur visitaron Canadá para entender las operaciones de nuestros parques y la aplicación del programa “Experiencia de Visitantes”. Así, se ha consolidado una conexión creciente entre nuestros sistemas de parques, y hemos identificado diversas maneras en que podemos trabajar juntos para avanzar en las normas internacionales de parques, fomentar el desarrollo económico local y la protección ambiental mediante prácticas de turismo sostenible.

En materia de cambio climático, Canadá y Chile hemos co-presidido la Coalición de Clima y Aire Limpio, instancia internacional para reducir los contaminantes climáticos de corta duración. En 2016, co-organizamos un taller trilateral con México sobre Mercados de Carbono y compartimos experiencias, desafíos y oportunidades para la cooperación futura. Chile ha sido uno de los receptores del aporte canadiense a fondos multi-



Marcel Lebleu.

laterales para enfrentar el cambio climático, más específicamente en proyectos para el Plan de Acciones Nacionalmente Apropriadas de Mitigación de Chile en gestión de residuos y para 6 iniciativas fotovoltaicas en el norte del país, entre otras. Conscientes de la importancia de los pueblos originarios, este año organizamos un taller sobre consulta indígena en la toma de decisiones para crear capacidades en materia de gobernanza ambiental, para que dichas comunidades participen mejor tanto a nivel de formulación de políticas como a través del proceso de la evaluación ambiental.

Estamos orgullosos de lo que hemos logrado con nuestra cooperación bilateral porque da cuenta de avances concretos en materia de protección ambiental. Estamos también optimistas de lo que todos podemos hacer si nos transformamos en protagonistas y “guardianes de la naturaleza”, ¡no sólo en el Día Mundial del Medio Ambiente, sino que todos los días!

Marcelo Mena, Ministro del Medio Ambiente
Marcel Lebleu, Embajador de Canadá en Chile