

Questionnaire for the

**REPORT OF CANADA ON THE IMPLEMENTATION
OF THE CONVENTION ON ENVIRONMENTAL
IMPACT ASSESSMENT IN A TRANSBOUNDARY
CONTEXT**

in the period 2010–2012

Information on the focal point for the Convention

Name and contact information:

Ms. Helen Cutts

Vice-President, Policy Development

Information on the point of contact for the Convention

Name and contact information (if different from above):

Ms. Elaine Feldman

President, Canadian Environmental Assessment Agency

Information on the person responsible for preparing the report

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| i. | Country: | Canada |
| ii. | Surname: | Stoimenova |
| iii. | Forename: | Yordanka |
| iv. | Institution: | Canadian Environmental Assessment Agency |
| v. | Postal address | 22 nd Floor, 160 Elgin Street, Ottawa, ON, Canada, K1A 0H3 |
| vi. | E-mail address | yordanka.stoimenova@ceaa-acee.gc.ca |
| vii. | Telephone number | (613) 948-1949 |
| viii. | Fax number | (613) 948-1354 |

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PART ONE – CURRENT LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE IMPLEMENTATION OF THE CONVENTION

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Article 2

General Provisions

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2).*

The *Canadian Environmental Assessment Act, 2012* (CEAA 2012) and its regulations are the legal instruments for the assessment of the environmental effects of projects that are carried out in Canada or on federal lands and are designated by the *Regulations Designating Physical Activities* (Project List). CEAA 2012 also applies to projects outside Canada.

2. *Indicate any further measures to implement the provisions of the Convention that are planned for the near future.*

Implementation of CEAA 2012 and the Convention is ongoing.

3. *List the different authorities that are named responsible for the implementation of the EIA procedure in the transboundary context and domestically.*

The President of the Canadian Environmental Assessment Agency (the Agency) acts as Canada's point of contact for notification under the Convention. The Canadian Nuclear Safety Commission has responsibility for conducting EAs of nuclear projects and the National Energy Board, has responsibility for conducting EAs for international and interprovincial pipelines and transmission lines. For all other projects including certain offshore oil and gas projects, the responsibility rests with the Agency.

4. *Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it.*

The Canadian Environmental Assessment Agency would collect information on transboundary EA cases related to the implementation of the Convention.

5. *Does your country have special provisions for transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?*

The provisions of CEAA 2012 and its regulations establish the procedures for EAs in most regions of Canada including EA requirements for projects with transboundary environmental effects.

In the case of proposed projects with transboundary effects, Canada would initiate consultations with the government authorities in the neighbouring jurisdictions. The discussions would focus on the following areas of cooperation:

- Information sharing on the proposed project and its potential environmental effects;
- Legislative or regulatory requirements for the conduct of EA procedures;

- Public communication and participation requirements/opportunities in the EA procedures;
- The technical review of the environmental information;
- The possibility of joint hearings;
- The timing and announcements of decisions; and
- Follow-up requirements.

There are two types of environmental assessments under the Act: 1) an EA conducted by a responsible authority, and 2) an EA conducted by a review panel.

An EA by a responsible authority is conducted by the Canadian Environmental Assessment Agency, the National Energy Board, and the Canadian Nuclear Safety Commission.

An EA can be referred to a review panel by the Minister of the Environment after he or she considers whether the project may cause significant environmental effects or there are public concerns related to the significant adverse effects. A review panel is a group of independent experts appointed by the Minister and supported by the Agency.

CEAA 2012 provides authority to the Minister of the Environment and the Minister of Foreign Affairs to enter into agreement with the government of a foreign state or a subdivision of a foreign state for the purpose of conducting the assessment of the environmental effects of a proposed project.

IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING ENVIRONMENTAL IMPACT ASSESSMENT UNDER THE CONVENTION

6. *Is appendix I to the Convention transposed fully into your country's national legislation? Please describe any differences between the national list and appendix I to the Convention.*

CEAA 2012 applies to a range of projects listed in the *Regulations Designating Physical Activities* (Project List) that have the potential to cause environmental effects on areas of federal jurisdiction including for example:

- Fish and fish habitat;
- Other aquatic species of the *Species at Risk Act*;
- Migratory birds;
- Federal lands;
- Effects that cross provincial or international borders;
- Effects that impact on Aboriginal peoples, such as their current use of lands; and resources for traditional purposes.

Although the Project List is generally commensurate with Appendix I of the Convention, CEAA 2012 provides authority to the Minister of the Environment to require an EA of a project not identified in the Project List when the Minister is of the opinion that the carrying out of the proposed project may cause adverse environmental effects or public concerns warrant an EA.

7. *Does your country's legislation already cover fully the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7)?*

Please, see response to question 6.

PUBLIC PARTICIPATION

8. *How does your country, together with the affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to your country's public as required in article 2, paragraph 6?*

CEAA 2012 provides several opportunities for public participation in an EA. These opportunities are not limited only to Canadians, but extend as well to the public and authorities of an affected Party.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

9. *Describe how your country determines when to send the notification to the affected Party, which is to occur "as early as possible as and no later than when informing its own public".*

Canada has had no requirements to date to apply the Convention in an operational context. However, notification would be provided during the initial stages of the EA when the Agency is satisfied that the description of the project includes sufficient information about the likelihood of significant adverse transboundary environmental effects.

10. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *The stage in the EIA procedure when your country usually notifies the affected Party (art. 3.1);*

Canada has had no requirements to date to apply the Convention in an operational context. However, CEAA 2012 has provisions for notifying the public as early as the proponent submits a complete description of a proposed project and before the consideration of whether an EA is required. This information is not limited only to Canadians, but would extend as well to the public and authorities of the potentially affected foreign jurisdiction.

- b. *The format for notification. Please indicate whether this is the format as decided by the first meeting of the Parties in its decision I/4 (ECE /MP.EIA/2, annex IV, appendix). If not, does your country use a format of its own (in which case, please attach a copy of it)?*

Canada has not required to date to apply the Convention in an operational context. Despite this situation, Canada would consider using the format in whole or in part as appropriate.

- c. *The time frame for the response to the notification from the affected Party (cf. art. 3, para. 3, "within the time specified in the notification"), the consequence if an affected Party does not comply with the time frame, and the possibility of extending a deadline;*

CEAA 2012 establishes timelines for completion of EAs. A potentially affected party would be required to make their decision about its participation in the EA during early stage of the EA in accordance with the established timelines.

- d. *The request for information from the affected Party (art. 3 para. 6), necessary for the preparation of the EIA documentation;*

Canada has had no requirements to date to apply the Convention in an operational context. Therefore, Canada is not in the position to respond to this question.

- e. *How your country cooperates with the authorities of the affected Party on public participation (art. 3, para. 8);*

Canada has had no requirements to date to apply the Convention in an operational context. Therefore, Canada is not in the position to respond to this question. In the event of the application of the Convention, Canada would take steps to cooperate with officials of the potentially affected party through the appropriate bodies and mechanisms for the purpose of public participation.

- f. *When and how the public in the affected Party is notified (what kinds of media, etc., are usually used). What is normally the content of the public notification?*

Canada has had no requirements to date to apply the Convention in an operational context. Therefore, Canada is not in the position to answer this question. However, the public notifications published on the Canadian Environmental Assessment Registry Internet site are not limited only to Canadians but extends as well to the authorities and public of the affected Party.

- g. *When and how the public in the Party of origin is notified (what kinds of media, etc. are usually used). What is normally the content of the public notification?*

Under CEAA 2012, the Canadian Environmental Assessment Agency is required right after a complete project description is accepted to post a notice on its Registry Internet site that it is considering whether an EA of a proposed project is required. If an EA is required, the Agency will post a notice of commencement of the EA on the Registry Internet site. The public notification contains a summary of the project description and any available information on the project and on the EA process as well as contact information on how the public can obtain further information.

- h. *Whether the notification to the public of the affected Party has the same content as the notification to your country's public. If not, describe why not.*

Canada has had no requirement to date to apply the Convention in an operational context. Canada notes, however, that it would expect all of its external communication materials to be consistent regarding information content regardless of public location.

11. *Does your country make use of contact points for the purposes of notification, as decided at the first meeting of Parties (ECE/MP.EIA/2, annex III, decision I/3), and as listed on the Convention website (http://www.unece.org/env/eia/points_of_contact.htm)?*

Canada has had no requirements to date to apply the Convention in an operational context. However, Canada notes, that in an event of the application of the Convention, Canada would take steps to notify in a timely manner the identified points of contact of the potentially affected party.

QUESTIONS TO AFFECTED PARTY

12. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *How your country decides whether or not to participate in the EIA procedure (art. 3, para. 3)?*

A decision to participate in an EA would be taken on a case-by-case basis and would depend among other things on the degree and significance of the potential adverse environmental effects on Canada including public concern about the adverse environmental effects.

b. The request from the Party of origin for information (art. 3, para. 6), necessary for the preparation of the EIA documentation;

Canada would undertake to transmit the requested information to the Party of origin without undue delay once the collection of information had been completed by Canada.

c. How your country cooperates with the authorities of the Party of origin on public participation (art. 3, para. 8);

Please, see response to question 11 e.

d. When and how the public is notified (e.g., what kinds of media, etc., are usually used).

Appropriate means of communications would be employed such as: newspaper advertisement, Internet postings, mail notification to stakeholders and, where circumstances warrant, local radio or television notices.

Article 4

Preparation of the environmental impact assessment documentation

QUESTIONS TO PARTY OF ORIGIN

13. Indicate the legal requirements in your country, if any, related to:

a. The content of the EIA documentation (art. 4, para. 1; appendix II);

Under CEAA 2012, the EA must take into account the following factors:

- environmental effects of the projects, including the environmental effects of malfunctions or accidents that may occur in connection with the project, and any cumulative environmental effects;
- significance of those environmental effects;
- comments from the public;
- mitigation measures that are technically and economically feasible;
- follow up program requirements;
- purpose of the project;
- alternative means of carrying out the project and the environmental effects of any such alternative means;
- any change to the project that may be caused by the environment;
- results of any relevant regional study;
- any other relevant matter.

b. The procedures for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4, para. 1);

The scope of the factors to be taken into account is determined by the responsible authority or the Minister of the Environment for the EA by a review panel. The EA may take into account community knowledge and Aboriginal traditional knowledge.

- c. *The identification of “reasonable alternatives” in accordance with appendix II, paragraph (b);*

The Agency has developed an operational policy statement to provide clarification of “alternatives to” the project and “alternative means” of carrying out the project. The Agency is in the process of updating its guidance materials to reflect the requirements of the CEAA 2012 which came into force on July 6, 2012. The Agency’s policy statement is consistent with the provisions of appendix II, paragraph (b).

- d. *The procedures and format for providing the EIA documentation domestically;*

Key project information and documentation related to EA are accessible to the public on the Canadian Environmental Assessment Registry Internet Site. The Agency maintains information on the Registry Internet site in relation to projects from the review of the project description until the EA decision is taken. This includes:

- A summary of the project’s description;
- A notice that an EA has commenced;
- Notice requesting public input;
- Description of factors that will be considered in the EA and scope of those factors;
- Documents prepared for public review and comments;
- The draft and final EA report taken into consideration for making EA decision;
- Any other document considered appropriate; and
- The EA decision statement.

The Registry Internet site may also include additional information and records related to a project, including contact information on how the public can obtain further information.

- e. *The procedures and format for providing the EIA documentation to the affected Party. If there is a difference between the procedures and format domestically and for the affected Party, please explain;*

The affected Party has access to the same wide range of documentation that is publicly available to Canadians within the context of an EA under CEAA 2012. Subject to any personal privacy or access to information requirements, Canada would generally provide the entire EA documentation.

- f. *The procedures for the examination of, and the deadlines for comments on, the EIA documentation domestically, and how the comments submitted domestically are addressed;*

The project home page on the Registry Internet site provides access to records related to a particular project. The Canadian Environmental Assessment Agency posts notices inviting public comments and additional information on how to obtain any additional information or records.

The public has an opportunity to review the project description before the decision on whether or not an EA is required.

When the proponent submits its environmental impact statement, the public is invited to comment on the identified potential environmental effects of the project and the measures to prevent or mitigate those effects as proposed by the proponent.

The public is also provided an opportunity to review the draft EA report that contains the Agency's conclusions regarding the potential environmental effects of the project, the mitigation measures considered and the significance of the remaining adverse environmental effects.

The only legislated timeline for providing comments is the 20 days for comments on the project description. The timelines for the rest of the comment periods are determined on a case-by-case basis and in consideration of the following timelines for completion the EA set by CEAA, 2012:

- 365 days from the commencement of an EA by the Agency to the final EA decision, and
- 24 months for an assessment by review panel from the time of referral to the final EA decision. The Minister will set project-specific timelines for each phase of the review panel process.

Public comments, including comments from Aboriginal groups, as well as input from federal departments are considered when the Agency determines that an EA is required; during the finalization of the EIS guidelines and during the finalization of the EA report.

- g. *The procedures for the examination of, and the deadlines for comments on, the EIA documentation from the affected Party, and how the comments submitted by the affected Party are addressed;*

The procedures and the deadlines described above are applicable for the authorities and public of the potentially affected party as well. In addition, technical review committees involving the participation of authorities from a potentially affected jurisdiction could be established to address issues and comments received from the government of a foreign jurisdiction. The Minister of the Environment may extend the time limits by an additional three months to facilitate cooperation with another jurisdiction or to take into account other circumstances specific to the project.

- h. *The procedures for public hearings domestically;*

Under the CEAA 2012, review panels are required to hold public hearing as one of the options for public participation. The hearings allow interested parties to present evidence, concerns, expertise and written comments regarding the potential environmental impacts of the project. Review panels must also consider written comments from the public and include in its report a summary of comments received.

- i. *The procedures for public hearings held on the territory of the affected Party.*

CEAA 2012 does not preclude the establishment of joint procedures for public hearings.

QUESTIONS TO AFFECTED PARTY

14. *Indicate the legal requirements in your country, if any, related to:*

- a. *The procedures and deadlines for comments on the EIA documentation to be submitted to the Party of origin;*

Canada has no experience in this regard given that it has not been required to apply the Convention in an operational context. In practice, however, Canada would

provide comments on the EA documentation to the Party of origin without undue delay once the review of the documentation had been completed by Canada

- b. *The procedures for public participation in the review of the EIA documentation domestically, and the authority responsible for the execution of the aforementioned procedures;*

Canada has no established procedures for public participation in the review of the EA documentation prepared by the Party of origin. In the event of the application of the Convention, Canada would take steps to cooperate with officials of the Party of origin and the affected provincial and territorial governments as appropriate for the purpose of public participation.

- c. *The procedures for the examination of the EIA documentation domestically.*

Canada has no experience in this regard given that it has not been required to apply the Convention in an operational context. In practice, however, Canada would apply an approach that would provide for a thorough review of the EIA documentation including, as appropriate, public input in order to inform Canada's position in relation to the significance of the environmental effects of a proposed project.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

15. *Indicate the legal requirements in your country, if any, related to the following provisions:*

- a. *The procedures for cooperation with the affected Party related to consultations;*

Under CEAA 2012, the responsible authority, or the Minister of the Environment, has an obligation to consult and cooperate with respect to the EA of a proposed project with any government body that has powers, duties or functions in relation to the assessment of environmental effects of the project. This includes a government of a foreign state or a subdivision of a foreign state or any institution of such government.

- b. *The stages, procedures and deadlines for consultations with the affected Party;*

Canada has had no requirements to date to apply the Convention in an operational context. However, Canada would take steps to consult with the affected Party in accordance with the requirements of the Canadian Environmental Assessment Act (as described in the response to question 14g) and in compliance with the Article 5 of the Convention.

- c. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

CEAA 2012 provides opportunities for public participation throughout the EA process:

- Upon acceptance of a complete project description, the public has 20 calendar days to examine and provide comments on the proposed project and its potential for causing adverse environmental effects.
- An opportunity for public participation is provided during the conduct of environmental assessments by a responsible authority - in general, one public comment period on draft Environmental Impact Statement guidelines and another one on the EIS summary.

- Public comment period on draft EA report. This report includes the Agency's conclusions regarding the potential environmental effects of the project, the mitigation measures that were considered and the significance of the residual adverse environmental effects.
- Review panels are required to hold public hearings during which the interested parties can participate.
- Review panels also consider written comments from the public.

As already mentioned, the only legislated timeline for consultation is the 20 days for comments on the project description. The timelines for the rest of the comment periods is determined on a case-by-case basis and have to be in compliance with the 365 day timeline for the completion of a standard EA or 24 months for the completion of EA by a review panel.

The participants in the consultation represent many interests and may include: local residents, media, local and regional government officials, public interest groups, community organisations, etc.

QUESTIONS TO AFFECTED PARTY

16. Indicate the legal requirements in your country, if any, related to the following provisions:

a. The procedures for interaction with the Party of origin related to consultations;

Canada has had no requirement to date to apply the Convention in an operational context. Therefore, Canada is not in a position to respond to this question. See response to question 15 b.

b. The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.

Canada has had no requirement to date to apply the Convention in an operational context. In practice, however, Canada would adopt an approach to allow for a thorough and timely review of the EIA documentation including, as appropriate, public input in order to inform Canada's position in regard to the significance of the environmental effects of the proposed project.

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

17. Indicate the legal requirements in your country, if any, related to the following provisions:

a. The definition of "final decision" related to the implementation of the planned activity; the content of decisions; and procedures for their adoption;

If the Minister of the Environment decides that the proposed project is likely to cause significant adverse environmental effects, the matter is referred to the Governor in Council, who then decides whether those effects are justified in the circumstances. If the Governor in Council decides that the significant environmental effects are not justified, the project cannot be carried out.

- b. *For each type of activity listed in appendix I, identify what is regarded as the “final decision” to authorize or undertake a proposed activity (art. 6 in conjunction with art. 2, para. 3); also provide the term used in the national legislation in the original language. Do all projects listed in appendix I require such a decision?*

Under CEAA 2012, the EA decision affects the exercise of a power or performance of duty or function by a federal authority that will permit a project to be carried out. The decision as to whether the proposed project is likely to cause significant adverse environmental effects lies with the Minister of the Environment for both EA by the Agency and EA by review panel. In making this decision the Minister takes into account the EA report and the implementation of any mitigation measures.

- c. *The procedures for informing of the “final decision” domestically and for the affected Party;*

Following the EA decision, the Minister of the Environment issues an EA decision statement informing the proponent of the decision and identifying the conditions the proponent must comply with.

The decision statement contains conditions that describe the required mitigation measures in manner that is clear, measurable and directly linked to the significant adverse environmental effects in areas of federal jurisdiction. It also includes the requirements for a follow-up program. The EA decision statement is posted on the Agency Internet site.

- d. *Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6, para. 1)?*

Although Canada has had no requirement to date to apply the Convention in an operational context, Canada would likely give strong consideration to the comments received from the public and the authorities of the affected Party.

- e. *The opportunity to review the decision if, before the activity is implemented, additional information becomes available according to article 6, paragraph 3.*

Canada has had no requirement to apply the Espoo Convention in an operational context. The determination to review the decision if additional information on significant transboundary impact of a proposed project becomes available would be made on a case-by-case basis.

Article 7

Post-Project Analysis

18. *Indicate the legal requirements in your country, if any, related to:*

- a. *Post-project analysis (art. 7, para. 1);*

Under CEAA 2012, follow-up programs are mandatory for all EAs. In addition, CEAA 2012 contains provisions for compliance and enforcement to verify the implementation of the conditions identified in the EA decision statement. Enforcement officers will verify compliance and the Minister may also seek an injunction to stop activities that violate CEAA 2012 or to prevent such violations. Contraventions of the CEAA 2012 can result in fines ranging from \$100,000 to \$400,000.

- b. *Procedures for informing of the results of post-project analysis.*

N/A

Article 8

Bilateral and multilateral agreements

19. *Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)? If so, list them. Briefly describe the nature of these agreements. To what extent are these agreements based on appendix VI and what issues do they cover? If publicly available, also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.*

No.

20. *Has your country established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

No.

Article 9

Research programmes

21. *Are you aware of any specific research in relation to the items mentioned in article 9 in your country? If so, describe it briefly.*

Not during the reported time.

Ratification of the amendments to the Convention and of the Protocol on Strategic Environmental Assessment

22. *If your country has not yet ratified the first amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

There are no immediate plans to ratify the first amendment.

23. *If your country has not yet ratified the second amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

There are no immediate plans to ratify the second amendment.

24. *If your country has not yet ratified the Protocol on SEA, does it have plans to ratify the Protocol? If so, when?*

Canada has adopted a non-legislated approach to implement SEA at the federal level. As such, there are no plans to ratify the Protocol on SEA.

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2010–2012

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice; and the goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

CASES DURING THE PERIOD 2010–2012

25. *If your country's national administration has a list of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list it.*

No projects in Canada have required the application of the Convention with another Party to the Convention. In addition, Canada has not been notified by another Party of any projects under the Convention.

26. *Does your country object to the inclusion of the above list of transboundary EIA procedures in a compilation of such procedures to be made available on the website of the Convention? (Indicate "yes" if you object.)*

N/A

27. *Provide information and explanations on the average duration of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

N/A

EXPERIENCE IN THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE DURING THE PERIOD 2006–2009

28. *If your country has had practical experience in the transboundary EIA procedure during the reporting period, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

N/A

29. *Please share with other Parties your country's experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others:*

a. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How does your country determine how much information to include in the EIA documentation?*

N/A

b. *Translation is not addressed in the Convention. How has your country addressed the question of translation? What does your country usually translate? What difficulties has your country experienced relating to translation and interpretation, and what solutions has your country applied?*

N/A

c. *How has your country organized transboundary public participation in practice? As Party of origin, has your country organized public participation in affected Parties and, if so, how? Has your country experienced difficulties with the participation of its public or the public of another Party (e.g., have there been complaints from the public about the procedure)?*

N/A

d. *Describe any difficulties that your country has encountered during consultations, for example over timing, language and the need for additional information. As an affected Party, have consultations under article 5 supported the prevention, reduction or control of possible significant transboundary environmental impacts?*

N/A

e. *Describe examples of the form, content and language of the final decision, when it is issued and how it is communicated to the affected Party and its public;*

N/A

f. *Has your country carried out post-project analyses and, if so, on what kinds of project?*

N/A

g. *Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.);*

N/A

h. *Name examples of good practice cases, whether complete cases or good practice elements (e.g., notification, consultation or public participation) within cases. Would your country like to introduce a case in the form of a Convention's "case study fact sheet"?*

N/A

i. *Identify the most common means of applying the Convention (e.g., through focal points, joint bodies, multilateral agreements).*

N/A

CO-OPERATION BETWEEN PARTIES IN 2010–2012

30. *Does your country have any successful examples of how it has overcome difficulties arising from different legal systems in neighbouring countries? If so please specify.*

N/A

EXPERIENCE IN USING THE GUIDANCE IN 2010–2012

31. *Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online? Describe your country's experience with using these guidance documents and how they might be improved or supplemented.*

a. *Guidance on public participation in EIA in a transboundary context (ECE/MP.EIA/7);*

N/A

b. *Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix);*

N/A

- c. *Guidelines on good practice and on bilateral and multilateral agreements (ECE/MP.EIA/6, annex IV, appendix).*

N/A

CLARITY OF THE CONVENTION

32. *Has your country had difficulties implementing the procedure defined in the Convention, either as Party of origin or as affected Party? Are there provisions in the Convention that are unclear?*

Canada has had no requirements to apply the Convention in an operational context. Therefore, Canada is not in a position to respond to this question.

AWARENESS OF THE CONVENTION

33. *Has your country undertaken activities to promote awareness of the Convention among stakeholders (e.g., the public, local authorities, consultants and experts, academics, investors)? If so, describe them.*

No.

34. *Does your country see a need to improve the application of the Convention in your country and, if so, how does it intend to do so?*

N/A

SUGGESTED IMPROVEMENTS TO THE REPORT

35. *Please provide suggestions for how this report may be improved.*

* * * * *