

Federal Court
of Appeal



CANADA

Cour d'appel
fédérale

Date: 20091015

Docket: A-572-08

Citation: 2009 FCA 297

**CORAM: NADON J.A.
SEXTON J.A.
SHARLOW J.A.**

BETWEEN:

FRIENDS OF THE EARTH – LES AMI(E)S DE LA TERRE

Appellant

and

**THE MINISTER OF THE ENVIRONMENT and
THE GOVERNOR IN COUNCIL**

Respondents

Heard at Toronto, Ontario, on October 15, 2009.

Judgment delivered from the Bench at Toronto, Ontario, on October 15, 2009.

REASONS FOR JUDGMENT OF THE COURT BY:

SHARLOW J.A.

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REASONS FOR JUDGMENT OF THE COURT

(Delivered from the Bench at Toronto, Ontario, on October 15, 2009)

SHARLOW J.A.

[1] This is an appeal from the judgment of Justice Barnes (2008 FC 1183) dismissing three applications for judicial review seeking declaratory and mandatory relief in connection with a succession of alleged breaches of duties said to arise under the *Kyoto Protocol Implementation Act*, 2007, c. 30. We agree with the decision of Justice Barnes, substantially for the reasons he gave. For that reason, this appeal will be dismissed with costs.

"K. Sharlow"

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-572-08

AN APPEAL FROM THE ORDER OF MR. JUSTICE BARNES OF THE FEDERAL COURT IN FILE NO. T-2013-07, DATED OCTOBER 20, 2008

STYLE OF CAUSE: FRIENDS OF THE EARTH- LES AMI(ES) DE LA TERRE v. THE MINISTER OF ENVIRONMENT and THE GOVERNOR IN COUNCIL

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: October 15, 2009

REASONS FOR JUDGMENT OF THE COURT BY: (NADON, SEXTON & SHARLOW J.J.A.)

DELIVERED FROM THE BENCH BY: SHARLOW J.A.

APPEARANCES:

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Andrea Bourke

FOR THE RESPONDENT

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