

Examination Report on Objection to LNG Canada Project

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Based on Paragraph 1, V5. of the “Summary of Procedures to Submit Objections concerning JBIC Guidelines for Confirmation of Environmental and Social Considerations” (hereinafter “the Summary”) under the Japan Bank for International Cooperation Guidelines for Confirmation of Environmental and Social Considerations (hereinafter “the Environmental Guidelines”), the Examiners hereby report the results of the investigation on whether the Japan Bank for International Cooperation (hereinafter “JBIC”) conducted its environmental and social considerations in accordance with the Environmental Guidelines, along with the progress of a dialogue between parties concerned regarding the LNG Canada Project and its associated facility (See Part 2, Section 1. (3) of the Environmental Guidelines), the Coastal GasLink Pipeline Project (hereinafter “CGL Pipeline”). The Environmental Guidelines applicable to the LNG Canada Project and the CGL Pipeline Project (collectively, the “LNG Canada–CGL Pipeline Projects”) are those dated from April 2015.

At the time a request to raise an objection (hereinafter the “Objection”) was submitted, the disbursement of the fund for the LNG Canada Project had been completed. Therefore, the Examiners focused their investigation on whether JBIC had monitored the LNG Canada–CGL Pipeline Projects in accordance with the Environmental Guidelines, among other points of alleged non-compliance with the Environmental Guidelines by the requesters who submitted the Objection (hereinafter “the Requesters”) (See 3 below for details).

1. Outline of the Project with respect to which the Objection was submitted

The outline of the Project with respect to which the Objection was submitted on July 25, 2025, is as follows.

- (1) Name of country: Canada
- (2) Location of project site: City of Kitimat, Province of British Columbia (hereinafter “BC”)
- (3) Name of Project: LNG Canada
- (4) Entity which carries out the Project: LNG Canada Development Inc.
- (5) Outline of the Project: The LNG Canada involves the construction, ownership, and operation of an LNG plant in Kitimat, BC, Canada, for the liquefaction and export of natural gas, with an annual production capacity of approximately 14 million tons (Phase 1). Construction began in 2018, and operations commenced in 2025. The project is implemented by LNG

Canada Development Inc., with the following ownership structure: Shell Canada Energy (40.0%), PETRONAS (25.0%), PetroChina (15.0%), a subsidiary of Mitsubishi Corporation (15.0%), and Korea Gas Corporation (5.0%). In 2021, JBIC decided to extend a loan to Mitsubishi Corporation for the LNG Canada Project and subsequently did so.

The Objection alleges that issues related to the CGL Pipeline, an associated facility of the LNG Canada, constitute evidence of JBIC's non-compliance with the Environmental Guidelines. The outline of the CGL Pipeline project is as follows.

- (1) Name of country: Canada
- (2) Location of project site: From Groundbirch to Kitimat, both in BC, with a total length of 675 kilometers
- (3) Name of Project: CGL Pipeline
- (4) Entity which carries out the project: Coastal GasLink Pipeline Limited Partnership
- (5) Outline of the Project: The CGL Pipeline involves the construction, ownership, and operation of an onshore natural gas pipeline spanning approximately 675 kilometers, transporting natural gas from Groundbirch in northeastern BC to Kitimat. The project is intended to supply natural gas to the LNG Canada located in Kitimat. Construction began around the same time as the LNG Canada, and operations have already commenced. The project is implemented by Coastal GasLink Pipeline Ltd., with the following ownership structure: TC Energy Corporation (35%), and KKR and Alberta Investment Management Corporation jointly holding the remaining 65%. The project proponent and owners of the LNG Canada have not made any capital contributions to the CGL Pipeline.

2. Outline of the Requesters' allegations in the accepted Objection

2.1 Alleged damage actually incurred by the Requesters or damage highly likely to be incurred by the Requesters in the future

The Requesters' allegations largely consist of three components as follows.

2.1.1 Violation of Indigenous Rights

The LNG Canada–CGL Pipeline Projects have been undertaken without properly obtaining Free, Prior, and Informed Consent (hereinafter "FPIC") from the

Hereditary Chiefs of the Wet'suwet'en, Indigenous Peoples, as required under the Canadian Constitution and international human rights standards. This constitutes a grave violation of Indigenous rights.

2.1.2 Ecological Destruction

The LNG Canada–CGL Pipeline projects have caused extensive ecological destruction within the Wet'suwet'en territory. The CGL Pipeline, spanning over 670 kilometers, cuts through highly sensitive environments, including old-growth forests, wetlands, and numerous salmon-bearing rivers. This includes the Wedzin Kwa (Morris River), one of the most critical ecosystems to the Wet'suwet'en people's lives, culture, and governance, and one that will be most severely impacted.

Since its commencement, the CGL Pipeline has repeatedly violated BC's environmental regulations. BC's regulatory authorities have issued 37 warnings and 17 orders related to inadequate erosion and sediment control measures. Furthermore, a total of ten fines have been issued in relation to the CGL Project for violations of the conditions set out in its environmental assessment certificate.

2.1.3 Climate Impacts

The LNG Canada–CGL Pipeline projects will impose significantly disproportionate climate-related damage on the Wet'suwet'en Nation and other Indigenous communities, extending beyond ecological risks. LNG Canada generates emissions equivalent to millions of tons of carbon dioxide each year and continues to release greenhouse gases that remain in the atmosphere for decades, while lacking a credible pathway to achieving net-zero. This further exacerbates the vulnerability of Indigenous lands and health.

Across the Wet'suwet'en territory, intensifying wildfire seasons have forced evacuations, covered communities with toxic smoke, and destroyed wildlife habitats. Winter warming, earlier snowmelt, and unstable water levels are disrupting traditional fishing cycles and threatening the food security of Indigenous Peoples. This direct impact undermines the Wet'suwet'en's constitutionally protected rights to exercise land stewardship, access traditional resources, and sustain intergenerational cultural knowledge.

2.2 Alleged non-compliance with the Environmental Guidelines by JBIC

There are nine matters as follows.

2.2.1 JBIC's failure to evaluate the combined and cumulative impacts of the LNG Canada and CGL Pipeline (hereinafter "Ground A for the Objection")

(1) Articles related to non-compliance

- Part 2, Section 1. (3), Item 2

(2) Fact of non-compliance

JBIC recognized the CGL Pipeline as an associated facility of the LNG Canada. Accordingly, it had an obligation to assess the combined and cumulative impacts of the LNG Canada–CGL Pipeline Projects as a whole. Nevertheless, it failed to fulfill this obligation by relying on local regulatory procedures that treated these projects separately.

2.2.2 JBIC's failure to apply appropriate standards regarding the CGL Pipeline (hereinafter "Ground B for the Objection")

(1) Articles related to non-compliance

- Part 1, Section 3. (4) ③

(2) Fact of non-compliance

The environmental and social impact assessment procedures and approvals in BC on which JBIC relied were inappropriate, given the repeated violations in the CGL Pipeline, the fact that those procedures predated the BC's 2019 Declaration on the Rights of Indigenous Peoples Act, and the opposition of the Wet'suwet'en Hereditary Chiefs. Nevertheless, JBIC failed to conduct a reassessment. Given the serious issues concerning Indigenous rights, JBIC should have applied the United Nations Declaration on the Rights of Indigenous Peoples (hereinafter "UNDRIP") and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct.

2.2.3 JBIC's failure to adequately assess the impacts of the CGL Pipeline on the Wet'suwet'en and to implement measures to avoid or mitigate those impacts (hereinafter "Ground C for the Objection")

(1) Articles related to non-compliance

- Part 1, Section 4. (3), Category A
- Part 2, Section 1. (8), Item 1
- Part 2, Section 1. (8), Item 2

(2) Fact of non-compliance

The local environmental and social impact assessment for the CGL Pipeline did not adequately evaluate the negative impacts on the Wet'suwet'en. Relying on this deficient assessment, JBIC failed to properly assess those impacts. Furthermore,

it proceeded to provide financing without a clear plan for mitigating or remedying these negative impacts.

2.2.4 JBIC failed to sufficiently verify consultations with the Wet'suwet'en (hereinafter "Ground D for the Objection")

(1) Articles related to non-compliance

- Part 2, Section 1. (8), Item 3

(2) Fact of non-compliance

JBIC inaccurately evaluated that opposition to the CGL Pipeline by the Wet'suwet'en Hereditary Chiefs had calmed down and was limited to a very small minority. Moreover, although the CGL Pipeline is an associated facility of the LNG Canada, the consultation framework for the LNG Canada was limited to Indigenous groups located near the LNG terminal and marine shipping route, thereby excluding the Wet'suwet'en Hereditary Chiefs from the consultation process.

2.2.5 JBIC's treatment of the CGL Pipeline as if FPIC from the Wet'suwet'en had been obtained, despite the absence of FPIC (hereinafter "Ground E for the Objection")

(1) Articles related to non-compliance

- Part 2, Section 1. (8), Item 2

(2) Fact of non-compliance

Since the CGL Pipeline crosses the Wet'suwet'en territory and affects the Wet'suwet'en, FPIC from the Wet'suwet'en is required for the project. The Hereditary Chiefs, who are regarded by the Requesters as the legitimate rights holders, have not given their consent to the project. Despite this, JBIC proceeded to provide financing.

2.2.6 JBIC's failure to conduct an expert assessment to consider measures for mitigating ecological impacts (hereinafter "Ground F for the Objection")

(1) Articles related to non-compliance

- Part 2, Section 1. (6), Item 1
- Part 2, Section 1. (6), Item 2

(2) Fact of non-compliance

JBIC should conduct expert assessments to ensure the effectiveness of mitigation measures for the CGL Pipeline's impacts on ecosystems and natural habitats. However, it failed to do so, and as a result, adequate measures were not taken in

the project to address sediment runoff, wetland degradation, or the destruction of fish habitats.

2.2.7 JBIC's failure to adequately monitor the environmental impacts of the CGL Pipeline (hereinafter "Ground G for the Objection")

(1) Articles related to non-compliance

- Part 1, Section 4. (4), Paragraph 1

(2) Fact of non-compliance

For projects classified as Category A and Category B, JBIC must monitor and verify the results of monitoring for significant environmental impact items through the borrower over a specified period. However, for the CGL Pipeline, JBIC failed to ensure effective implementation of monitoring and compliance, resulting in erosion, wetland degradation, water pollution, and aquatic life disruption, and did not address these issues appropriately.

2.2.8 JBIC's failure to appropriately respond to third-party concerns regarding the environmental impacts of the CGL Pipeline (hereinafter "Ground H for the Objection")

(1) Articles related to non-compliance

- Part 1, Section 4. (4), Paragraph 3
- Part 1, Section 4. (4), Paragraph 5
- Part 2, Section 1. (9), Item 4

(2) Fact of non-compliance

Numerous objections and concerns regarding the environmental and ecological impacts of the CGL Pipeline were conveyed to JBIC by the Wet'suwet'en Hereditary Chiefs, NGOs, and other stakeholders. Nevertheless, JBIC neither established a forum for discussion nor engaged with stakeholders, and it ignored most of these objections and concerns while failing to take concrete corrective actions.

2.2.9 JBIC's failure to appropriately respond to concerns raised by Wet'suwet'en regarding the absence of their FPIC for the CGL Pipeline (hereinafter "Ground I for the Objection")

(1) Articles related to non-compliance

- Part 1, Section 4. (4), Paragraph 3
- Part 1, Section 4. (4), Paragraph 5
- Part 2, Section 1. (9), Item 4

(2) Fact of non-compliance

Numerous objections and concerns regarding the absence of Wet'suwet'en FPIC for the CGL Pipeline were repeatedly conveyed to JBIC by Wet'suwet'en Hereditary Chiefs, NGOs, and other stakeholders. Nevertheless, JBIC neither established a forum for discussion nor engaged with stakeholders, and it ignored most of these objections and concerns while failing to take concrete corrective actions.

3. Results of preliminary investigation

The results of preliminary investigation, which is defined in V.2 of the Summary, are shown in Attachment 1. Based on the results of preliminary investigation, the Examiners decided on August 26, 2025, to commence the Procedures. However, because the Objection was submitted after the completion of the disbursement for the LNG Canada, the Environmental Guidelines allowed Requesters to allege only JBIC's non-compliance with the monitoring provisions. Since Grounds A to F were considered not to fall within the scope of those monitoring provisions, they were excluded from this investigation. The Examiners decided to commence the investigation as they considered Grounds G to I in which JBIC's non-compliance with the monitoring provisions in the Environmental Guidelines (Part 1, Section 4. and Part 2, Section 1. (9) Procedures for Confirmation of Environmental and Social Considerations (4) Monitoring) was pointed out.

The Objection is, in substance, an allegation concerning issues related to the CGL Pipeline. Since JBIC provides financing not for the CGL Pipeline but for the LNG Canada, it was necessary, in deciding whether to commence the Procedures, to examine the commencement requirement concerning "projects qualified for the Procedures: whether the CGL Pipeline falls under the category of projects in which JBIC provides funding (IV.1 of the Summary)". Part 2, Section 1. (3) of the Environmental Guidelines provides that the impacts to be examined and considered by JBIC in relation to environmental and social considerations include the impacts of "associated facilities." The definition of such associated facilities is explained in Section 3.12 of the Environmental Guidelines "Frequently Asked Questions" ("Environmental Guidelines FAQ"). The transportation of natural gas to the LNG Canada site is necessary for the liquefaction and export of natural gas by the LNG Canada. Therefore, the CGL Pipeline constitutes an associated facility of the LNG Canada and can be considered indispensable. Consequently, the

Examiners determined that this requirement was satisfied.

4. Results of investigations of relevant facts

4.1 Record of Interviews with JBIC's Operational Department personnel for the purpose of investigating JBIC's compliance/non-compliance with the Environmental Guidelines

i) Dates of interviews: September 17 and October 22, 2025

ii) Content of Interviews: Confirmation of JBIC's position on the Requesters' allegation about JBIC's non-compliance with the Environmental Guidelines and damage, and the results of JBIC's monitoring regarding the CGL Pipeline.

The status of JBIC's interviews with borrowers, NGOs, and other stakeholders is provided in Attachment 2.

4.2 Results of investigation on the facts concerning JBIC's compliance/non-compliance with the Environmental Guidelines

4.2.1 Damage actually incurred by the Requester or damage highly likely to be incurred by the Requester in the future

4.2.1.1 Violation of Indigenous Peoples' rights

The Requesters argue that the CGL Pipeline, which constitutes an integral part of the LNG Canada, has been implemented without obtaining FPIC from the Hereditary Chiefs of the Indigenous Wet'suwet'en, and that the project therefore violates Indigenous rights guaranteed under Canadian domestic law as well as international human rights standards, particularly the UNDRIP.

The alleged damage arising from the lack of FPIC is related to the disputed facts concerning JBIC's compliance or non-compliance with the Environmental Guidelines. Therefore, no determination is made here (see 4.2.2.4).

4.2.1.2 Ecological Destruction

The Requesters assert that the construction and operation of the CGL Pipeline, including river-crossing works and excavation activities, has already caused, or is highly likely to cause, significant and irreparable damage to the fragile ecosystem through sediment runoff, deterioration of water quality, and the destruction of fish habitats. The Requesters further claim that such damage has already been confirmed by administrative authorities.

As a result of the pipeline's construction, the environment has changed from its

previous state, and various violations have been identified by administrative authorities, leading to numerous corrective measures. In this respect, the Requesters' assertions have a factual basis. However, no specific damage to the ecosystem has been demonstrated, and measures were taken to address the problems in connection with actions taken by the administrative authorities. Accordingly, the Examiners do not find that the Requesters actually incur damage or highly likely to incur damage in the future can be recognized.

4.2.1.3 Climate Impacts

The Requesters argue that the construction and operation of the LNG Canada–CGL Pipeline projects will result in substantial greenhouse gas emissions, affecting the climate and causing serious and disproportionate damage. Specifically, the Requesters point to increased risks of wildfires, as well as impacts on fisheries due to warmer winters, earlier snowmelt, and unstable water levels. However, there is no concrete evidence demonstrating that the damage alleged by the Requesters has actually occurred or is likely to occur as a result of LNG Canada–CGL Pipeline projects. Accordingly, the Examiners do not find the Requesters actually incur damage or highly likely to incur damage in the future can be recognized.

4.2.2 Consideration of the facts concerning JBIC's compliance/non-compliance with the Environmental Guidelines

4.2.2.1 Framework to evaluate JBIC's compliance/non-compliance with the Environmental Guidelines

The assessment of JBIC's compliance or non-compliance with the Environmental Guidelines is solely based on the provisions on monitoring for the LNG Canada–CGL Pipeline projects. In assessing compliance or non-compliance with the monitoring provisions, the issue is not whether a project itself complied with the Environmental Guidelines. Rather, the assessment concerns whether monitoring was conducted appropriately and whether the responses to the monitoring results and to claims pointed out by third parties were adequate.

The Requesters' main allegation of non-compliance with the monitoring provisions relates not to the project financed by JBIC, but to its associated facilities. Regarding "associated facilities," FAQ 3.12 of the Environmental Guidelines stipulates that environmental reviews for such facilities should be conducted within a reasonable extent, taking into account the timing and location of their construction. Although the Environmental Guidelines FAQ provides explanations

regarding environmental reviews, its purpose is to clarify that the scope of investigation and consideration for associated facilities is limited in light of the timing and location of their construction. Accordingly, monitoring is likewise required to be conducted to a reasonable extent.

Furthermore, JBIC's ability to influence the project proponent of an associated facility may be limited in certain circumstances. Where JBIC has not provided financing to the project of the associated facility, nor to the project proponent of the associated facility or its investors, and where a JBIC-financed project involves multiple investors, the practical means to ensure compliance with the Environmental Guidelines are inherently limited, despite the obligations of JBIC and its borrowers to comply. In such cases, the assessment of JBIC's compliance with the Environmental Guidelines depends on the nature of the issues identified as potential non-compliance and the degree of influence that JBIC's borrower can exert over the decision-making of the project proponent of the associated facility. Based on these factors, the key consideration is whether JBIC has taken reasonable measures to achieve the intent of the Environmental Guidelines.

Mitsubishi Corporation, which received JBIC financing for its investment in the LNG Canada, holds a 15% equity stake in the project proponent of LNG Canada, and does not exercise a dominant influence over that entity's decision-making. In addition, the proponent of the CGL Pipeline is a different entity and has no capital relationship with LNG Canada investors, including Mitsubishi Corporation. As a result, Mitsubishi Corporation's influence over decision-making for the CGL Pipeline is limited.

Therefore, in determining whether JBIC complied with the monitoring provisions in this case, it is important to consider whether JBIC carried out monitoring-related actions, such as confirming monitoring results and, where necessary, encouraging appropriate actions, within the scope of reasonable and effective measures that Mitsubishi Corporation could have taken.

4.2.2.2 Ground G for the Objection (Monitoring of environmental impact)

The Requesters argue that although JBIC is obligated to continuously confirm monitoring results and oversee significant environmental impacts, it failed to ensure effective implementation of monitoring and compliance. As a result, the Requesters claim that erosion, wetland destruction, water pollution, and damage to aquatic life have occurred.

According to Part 1, Section 4 (4) of the Environmental Guidelines, JBIC is required to confirm the monitoring results for key environmental impact items in

projects classified as Category A or Category B (Paragraph 1). Where necessary, JBIC must encourage the project proponent to take appropriate actions (Paragraph 3). Furthermore, if JBIC determines that improvements are needed regarding environmental and social considerations, it is required under the funding agreement to take measures such as requesting appropriate actions (Paragraph 5). Even if the project proponent commits an environmental violation or engages in inappropriate conduct, such conduct alone does not constitute non-compliance by JBIC with its monitoring provisions.

With respect to monitoring environmental impacts (excluding responses to third-party allegations), the Examiners confirmed that JBIC undertook the following actions. JBIC classified the LNG Canada as Category A and, as part of its monitoring, required the borrower to provide regular reports on compliance with the conditions attached to the CGL Pipeline's Environmental Assessment Certificate, as well as on measurements such as air and water quality. JBIC reviewed the contents of these reports it received on a regular basis. In addition, JBIC confirmed through the borrower that appropriate corrective measures had been implemented in cases where administrative authorities had taken action in response to environmental violations or inappropriate conduct related to the CGL Pipeline. However, JBIC did not urge or require the borrower to take any special additional measures, aside from requiring appropriate verification for the reports. Based on the above, the Examiners are of the opinion that JBIC had been verifying the monitoring results. With respect to the point that "JBIC did not urge or require the borrower to take any special additional measures, aside from requiring appropriate verification for the reports," although the number of actions and notices issued by administrative authorities regarding the CGL Pipeline was considerable, considering that the project proponent implemented corrective and improvement measures in response, and that the pipeline extends over more than 670 kilometers, the Examiners are of the opinion that it was not necessarily required to urge or demand special measures.

Accordingly, with respect to the Ground G, the Examiners do not find that JBIC did not comply with the Environmental Guidelines.

4.2.2.3 Ground H for the Objection (Response to third-party concerns regarding environmental issues)

The Requesters assert that, despite having conveyed concerns regarding the environment and ecosystems related to the CGL Pipeline, JBIC failed to take appropriate action in response to those concerns.

According to Part 1, Section 4 (4), Paragraph 3 of the Environmental Guidelines, JBIC is to take certain actions when third parties point out “in concrete terms” that environmental and social considerations are not being fully undertaken. Accordingly, concerns raised by third parties regarding the environment or ecosystems must be “concrete”, and general or abstract concerns about environmental degradation or climate change do not fall within this category.

Based on JBIC’s records and explanations, the Examiners confirmed that the only concrete concern regarding the environment or ecosystems that had been communicated to JBIC was an NGO’s allegation that administrative authorities had taken action against the CGL Pipeline Project for violations of local environmental laws. The Examiners also asked the Requesters as to whether any other concrete concerns regarding the environment or ecosystems had been communicated to JBIC, but no response was received.

The Examiners confirmed, based on JBIC’s records and explanations, that with respect to the allegation that administrative authorities had taken action against the CGL Pipeline for violations of local environmental laws, JBIC had taken the following actions. Specifically, JBIC had already recognized the facts underlying the allegation, confirmed that corrective measures were being implemented by the project proponent to address problems pointed out by the administrative actions, explained this to the NGO that made the allegation, and exchanged views.

Based on the above, the Examiners are of the opinion that JBIC took the actions required under the monitoring provisions of the Environmental Guidelines when concrete concerns were raised by third parties.

Accordingly, with respect to the Ground H, the Examiners do not find that JBIC did not comply with the Environmental Guidelines.

4.2.2.4 Ground I for the Objection (Response to third-party concerns regarding FPIC)

4.2.2.4.1 Assertions by the Requesters

According to the Canadian domestic law, UNDRIP, and JBIC’s Environmental Guidelines, the CGL Pipeline requires FPIC of the Wet’suwet’en, as the pipeline traverses the Wet’suwet’en’s unceded territory. The Hereditary Chiefs, who are regarded by the Requesters as the legitimate rights holders, did not consent to the project, yet it proceeded. Although this point had been communicated to JBIC, it failed to take appropriate action.

4.2.2.4.2 Summary of the actions and determinations of JBIC confirmed by the

Examiners

(1) From the stage of considering financing for the LNG Canada, JBIC recognized that the existence of FPIC of the Wet'suwet'en was disputed in relation to the CGL Pipeline. JBIC examined this issue during the environmental review for the LNG Canada and has since continued to monitor the situation through the borrower. In its monitoring activities, JBIC limited its involvement to requiring the borrowers to perform appropriate verification for the report related to the Wet'suwet'en, and did not urge or require the borrower to take any special additional measures. The primary reason for this was JBIC's understanding as described (2) to (4).

(2) JBIC's premise was that Canadian domestic law stipulates a Duty to Consult and Accommodate with Indigenous Peoples but does not require obtaining their consent, and FPIC has not been institutionalized. Based on this, JBIC took position that there was no impediments, in the light of following considerations: in the environmental assessment process the Government of BC required the proponent of the CGL Pipeline to consult with the Wet'suwet'en Hereditary Chiefs and bands along the pipeline route; the proponent conducted these consultations and entered into a Capacity Funding Agreement and an Impact Benefit Agreement with the elected Chiefs; the BC government concluded a Benefits Agreement with the elected chiefs regarding the natural gas pipeline.

(3) Although UNDRIP has not been institutionalized in Canada, JBIC considered that the consent-related processes, as well as the actions taken by the Government of BC and the proponent of the CGL Pipeline, were consistent with the requirements set out in UNDRIP.

(4) With respect to the Environmental Guidelines, JBIC considered that the CGL Pipeline would affect Indigenous rights related to land and resources (Part 2, Section 1. (8), Item 2 of the Environmental Guidelines), and, therefore, concluded that FPIC was required for the project. Since the CGL Pipeline crosses the territory over which the Wet'suwet'en assert title, JBIC regarded FPIC from the Wet'suwet'en as necessary under the Environmental Guidelines.

With respect to FPIC of the Wet'suwet'en, JBIC, referring to the IFC Performance Standards, concluded that FPIC had been achieved for the following reasons. On one hand, the proponent of the CGL Pipeline conducted consultations with the Wet'suwet'en Hereditary Chiefs and the relevant elected Chiefs. Subsequently, the proponent entered into Capacity Funding Agreements and Impact Benefit Agreements with the elected Chiefs of all Wet'suwet'en bands located near the pipeline route, as well as one additional band not located near the route, thereby obtaining their consent to the project. On the other hand, the Hereditary Chiefs of

the Wet'suwet'en did not give their consent to the project. Nevertheless, in response to the opposition to the project, a Memorandum of Understanding (hereinafter "MOU") was concluded among the Hereditary Chiefs, the federal government, and the Government of BC to initiate negotiations on matters such as Wet'suwet'en Indigenous rights, title to land, land-use planning, and revenue sharing. These negotiations have been underway. Furthermore, the IFC Performance Standards state that there is no universally accepted definition of FPIC and that FPIC may be considered achieved even when some members of the community oppose the project. Based on this, JBIC regarded FPIC as having been achieved.

4.2.2.4.3 Related circumstances

(1) The Wet'suwet'en, Indigenous peoples residing in north-central BC, are estimated to have a membership of more than 3,000 (although when the Examiners inquired with the Requesters regarding the exact number of Wet'suwet'en members, no response was provided). The Wet'suwet'en have never concluded a treaty with either the federal or provincial government concerning their territory, and they assert that their land constitutes unceded territory. They claim Aboriginal title over a vast area of approximately 22,000 square kilometers. However, the territory they claim overlaps with that asserted by neighboring Indigenous groups. The Aboriginal title claimed by the Wet'suwet'en has not yet been legally established.

(2) The governance structure of the Wet'suwet'en consists of a dual system, the traditional Hereditary Chiefs and the elected band councils established under Canada's Indian Act.

Under the traditional hereditary chieftaincy governance structure, Wet'suwet'en members are divided into five Clans and twelve or thirteen houses (each house belongs to one of the five Clans. The Examiners asked the Requesters about the exact number of houses, but no response was provided). Each house has a Hereditary Chief, and decision-making is said to conduct through consultation among Hereditary Chiefs at assemblies known as feast halls, which are part of the traditional ceremonial system. However, despite the Examiner's inquiries made to the Requesters, no explanation was obtained regarding the specific decision-making procedures or operational details within the feast hall. Furthermore, the Office of the Wet'suwet'en website, discussed later, indicates that multiple Hereditary Chief positions are currently vacant. The Examiners asked the Requester about the status of these vacancies during the period relevant to the

CGL Pipeline, as well as reason of vacancy and how the house is represented and treated in the feast hall during such vacancies, but received no explanation.

The Hereditary Chiefs have established an organization called the “Office of the Wet’suwet’en,” which serves as the administrative body representing their activities. However, the Dark House, one of the Wet’suwet’en houses, later withdrew from the Office of the Wet’suwet’en.

Under the governance structure established by the Indian Act, the band serves as the basic unit. Indigenous Peoples are assigned reserves, and one or more reserves form a band. Individuals belonging to an Indigenous group may register with any eligible band of their group and thereby become band members. Residence on the reserve is not a requirement for registration, and members retain their band member status even if they relocate off-reserve. Each band has a band council composed of an elected Chief and councilors, which exercises administrative authority over the reserves within its jurisdiction. There are six bands associated with the Wet’suwet’en, four of which have reserves located within 2 kilometers of the CGL Pipeline route, while the remaining two have reserves situated more than 30 kilometers from the route.

(3) Although the CGL Pipeline passes through the territory over which the Wet’suwet’en assert title, it does not cross any reserves belonging to Wet’suwet’en bands.

(4) In the environmental assessment of the CGL Pipeline, the administrative authorities of the Government of BC issued an order (hereinafter the “Section 11 Order”) requiring the project proponent to identify the Indigenous groups that may be affected and to conduct consultations commensurate with the degree of potential impact. In that order, with respect to the Wet’suwet’en, the groups designated for consultation were the Office of the Hereditary Chiefs of the Wet’suwet’en and the Dark House, as well as four bands whose reserves are located within two kilometers of the pipeline route.

The proponent of the CGL Pipeline initiated consultations with the Hereditary Chiefs, including the Office of the Hereditary Chiefs of the Wet’suwet’en, which received funding from the proponent to cover consultation-related costs. However, because the proponent refused the route changes requested by the Hereditary Chiefs to avoid cultural and environmental impacts, the proponent was unable to obtain their consent to the CGL Pipeline but continued its efforts to engage with the Hereditary Chiefs.

Regarding the CGL Pipeline, there were disagreements among the Hereditary Chiefs. Although two Hereditary Chiefs and one wing chief supported the project,

their positions were subsequently stripped by other Hereditary Chiefs, and those positions were either reassigned to different individuals or left vacant. It has been reported that the individuals whose positions were removed have challenged the legitimacy of the removals, asserting that the actions were not consistent with Wet'suwet'en traditions.

The proponent of the CGL Pipeline entered into Project Agreements with the elected Chiefs of all four bands required to be consulted under the Section 11 Order, thereby seeking to build consensus on the project. The proponent also consulted with the Witsset First Nation (formerly the Moricetown First Nation), one of the Wet'suwet'en bands not subject to consultation or notification obligations under the Section 11 Order. To further advance consensus on the CGL Pipeline, the proponent entered into both a Capacity Funding Agreement and an Impact Benefit Agreement with the elected Chiefs. After concluding these agreements with the project proponent, the bands subsequently entered into Natural Gas Pipeline Benefits Agreements with the Government of BC in relation to the CGL Pipeline. The CGL Pipeline faced opposition from certain Wet'suwet'en Hereditary Chiefs, who undertook actions to block construction. To address these blockades, the project proponent obtained an interim injunction from the Supreme Court of BC in December 2018, followed by an interlocutory injunction in December 2019. These injunctions were enforced by the Royal Canadian Mounted Police, resulting in the forcible removal of opponents.

Amid ongoing protests against the CGL Pipeline, the Hereditary Chiefs of the Wet'suwet'en entered into an MOU with the federal government and the Government of BC in May 2020. The MOU stipulates that Wet'suwet'en rights and title are held by the Wet'suwet'en Houses under their traditional governance system, and it sets out a commitment for the federal and BC governments to engage in negotiations aimed at reaching agreements on the transfer of jurisdiction over various matters, including the reunification of the Wet'suwet'en Nation, land-use planning, and revenue sharing. Five elected Wet'suwet'en chiefs—all of whom had entered into agreements with the proponent of the CGL Pipeline—objected to the MOU, asserting that it had been concluded through a process that excluded Wet'suwet'en members and the elected Chiefs. They demanded that the negotiations under the MOU be halted and that discussions be conducted with the inclusion of the elected Chiefs. Negotiations between the Hereditary Chiefs and the federal and provincial governments based on the MOU are ongoing, but they appear to be significantly behind the timeline set out in the MOU.

(5) Of the two Requesters of this Objection, one is a Wet'suwet'en Hereditary Chief, and the other is the deputy chief of one of the Wet'suwet'en bands that did not enter into Project Agreements with the proponent of the CGL Pipeline.

4.2.2.4.4 Assessment

4.2.2.4.4.1 Canadian domestic laws

In Canada, Section 35 of the Constitution Act, 1982 recognizes and affirms Aboriginal rights. As a concrete implementation of the above, the “Duty to Consult and Accommodate” has been established through case law. When the government contemplates conduct that may adversely affect Aboriginal rights or title—including rights and title that have not only been legally established, but those that are asserted—it has a duty to engage in good-faith consultation and to consider measures to avoid or mitigate potential adverse impacts. According to case law, the Duty to Consult and Accommodate is an obligation that consultation must be commensurate with the strength of the claim and the significance of the impact. Where Aboriginal title has been legally established, the consent of the Indigenous group is required except in exceptional circumstances. However, this does not mean that consent is required in situations where title has not been legally established. Case law also recognizes that the procedural aspects of the Duty to Consult and Accommodate may be delegated to private proponents.

In Canada at the federal level, the UNDRIP Act was enacted in 2021. The Act affirms that federal laws are to be interpreted and developed in a manner consistent with UNDRIP, and it requires the federal government to prepare an action plan to achieve the objectives of UNDRIP and to report on progress. In BC, the Declaration on the Rights of Indigenous Peoples Act was enacted in 2019. The Act requires the provincial government to take measures to align BC laws with UNDRIP and to develop and report on an action plan to achieve the objectives of UNDRIP. It also enables the Province and Indigenous Peoples to enter into agreements that allow for shared decision-making on specified matters. These acts were enacted after the necessary approvals for the CGL Pipeline had been granted.

In light of the framework under Canadian domestic law, the CGL Pipeline has proceeded in situations where Wet'suwet'en Indigenous title has not been legally established. Consultations were conducted among the Wet'suwet'en Hereditary Chiefs, the elected Band Chiefs whose bands are affected by the project, and the project proponent. Although the Hereditary Chiefs did not provide their consent, the elected Band Chiefs did consent to the project. Accordingly, it is considered

that the Duty to Consult and Accommodate under Canadian domestic law has been fulfilled. The Requesters argue that FPIC is required under Canadian law, however, FPIC is not required as a matter of domestic law. Furthermore, this is not a case in which the duty of consultation would rise to a level approaching consent, given that Wet'suwet'en Aboriginal title has not been legally established.

In light of the above, with respect to the allegation that FPIC is required under Canadian domestic law, JBIC communicated the matter to the borrower and verified the relevant points through its environmental review and monitoring. JBIC confirmed that there was no issue regarding the allegation. The Examiners are of the view that no further action was required in relation to this matter.

4.2.2.4.4.2 International standards

Part 2, Section 1. (8), Item 2 of the Environmental Guidelines requires that the rights of Indigenous Peoples be respected in accordance with the spirit of the relevant international declarations and treaties concerning Indigenous Peoples. FAQ 3.16 of the Environmental Guidelines states that UNDRIP falls within the scope of such "international declarations," while also clarifying that UNDRIP does not constitute an international standard that must be complied with. Article 32 (2) of UNDRIP provides that, prior to the approval of any project affecting the lands or territories of Indigenous Peoples, States shall consult and cooperate in good faith with the Indigenous Peoples concerned, through their own representative institutions, in order to obtain their free and informed consent. This spirit is regarded as sufficiently incorporated through the Duty to Consult and Accommodate under Canadian domestic law and the FPIC-related requirements within the Environmental Guidelines. Therefore, there is no need to assess compliance with international standards separately.

4.2.2.4.4.3 The Environmental Guidelines

(1) According to Part 2, Section 1. (8), Item 2 of the Environmental Guidelines, when a project may have adverse impact on Indigenous Peoples' various rights in relation to land and resources, FPIC must be obtained. FAQ 3.17 of the Environmental Guidelines stipulates that FPIC is required in the circumstance described as "The circumstance that a project site is located on the lands traditionally owned and customarily used, (omitted), adverse impact is expected." FPIC is described as "Although there is no universally accepted definition of FPIC, we consider that it will be established through good faith negotiations between the project proponents and the affected communities of Indigenous Peoples, in

addition to usual consultations and procedures for participation. What is called “consent” here does not necessarily require unanimity by all the participants and may be achieved even when individuals or groups within the community explicitly disagree.”

(2) Moreover, the aforementioned understanding of FPIC in FAQ 3.17 of the Environmental Guidelines, is explained as being consistent with the interpretation of FPIC under IFC Performance Standard 7. Hence, IFC Performance Standard 7 is referred to when considering the content of FPIC required under the Environmental Guidelines.

As matters relevant to this objection, the Performance Standard 7 and its accompanying Guidance Notes contain the following statements.

The Performance Standard 7 “Participation and Consent” 10. provides that the process for engaging Indigenous Peoples in a project should be conducted in a culturally appropriate manner and should involve their representative institutions, such as Councils of Elders or village councils. In this regard, Guidance Note 7 “Indigenous Peoples” GN 17. states that the process should be built upon the community's existing customary institutions and decision-making processes.

Guidance Note 7 GN22. states that the process toward achieving FPIC does not confer a veto rights over the project to individuals or sub-groups.

Guidance Note 7 GN33. defines FPIC as the process of building and agreeing upon the community's collective position regarding a project. It further explains that collective community consent should be derived from the group of Affected Communities as a whole, and thus an FPIC agreement captures the Affected Communities’ broad agreement on the legitimacy of the engagement process and the decisions made.

Guidance Note 7 GN36. (ii) states that, as a consideration in designing a process to achieve FPIC, where administrative and traditional systems recognize different leaders, FPIC should rely on identification, recognition and engagement of greater numbers or representativeness of stakeholder sub-groups.

(3) JBIC communicated to the borrower the allegation that the FPIC required under the Environmental Guidelines had not been obtained, and confirmed the matters related to the allegation through its environmental review and monitoring. JBIC concluded that there was no issue with respect to the allegation. JBIC limited its actions to requesting the borrower to report on and appropriately verify the circumstances related to the Wet’suwet’en and did not urge or require the borrower to take any special measures beyond that. Accordingly, the matters must be examined in light of the monitoring provisions of the Environmental Guidelines—

which require JBIC to take measures such as encouraging the borrower to take appropriate actions as necessary—set out in Part 1, Section 4 (4), Paragraphs 3 and 5.

With respect to the CGL Pipeline, the Hereditary Chiefs of the Wet'suwet'en initiated consultations with the project proponent; however, as the proposed route changes were not accepted, they continue to oppose the project. Nevertheless, given that there are vacancies among the Hereditary Chiefs and that some Hereditary Chiefs who had supported the project appears to have been stripped of their positions, considerable caution is required in assuming that the opposition to the project reflects a stable consensus among the Hereditary Chiefs as a whole. On the other hand, all of the elected Chiefs of the Wet'suwet'en bands involved in the project have expressed their support. As a result, the decision-making processes within the Wet'suwet'en are divided and create a complex situation.

The Performance Standard 7 requires that engagement with Indigenous Peoples be conducted in a culturally appropriate manner and be based on existing customary institutions and decision-making processes. Moreover, within the Wet'suwet'en, decision-making has traditionally been carried out by the Hereditary Chiefs, and the May 2020 MOU with the federal and BC governments identifies the Hereditary Chiefs as parties and recognizes that Wet'suwet'en rights and title are held by the Wet'suwet'en Houses under the Wet'suwet'en governance system. In light of this, the Hereditary Chiefs cannot be regarded as merely individual members of the Indigenous peoples, but rather as key stakeholders within the community. However, it is unclear to what extent the Hereditary Chiefs represent the views of the affected members of the Wet'suwet'en, as no information was provided to the Examiners by the Requesters.

On the other hand, all the elected Chiefs of the bands affected by the CGL Pipeline support the project, and these Chiefs are in the positions representing the members of their respective bands. In some bands, member votes on the CGL Pipeline reportedly resulted in overwhelming approval, however, the specific majority views of the members in general remain unclear.

Based on the Environmental Guidelines, the IFC Performance Standard 7, and their FAQ and Guidance Notes, FPIC may be achieved even where there are dissenting individuals within the community; FPIC does not grant any particular individual a veto right; where administrative and traditional leaders differ, it is noted that consent from both leaders are not required, but may rely on the views of a broader set of sub-groups. Accordingly, even if the Hereditary Chiefs of the Wet'suwet'en oppose the project, this does not preclude the establishment of FPIC.

However, Hereditary Chiefs are not mere members but key stakeholders within the community. Therefore, even if discussions with the Hereditary Chiefs regarding the project—and any subsequent discussions or contacts stemming from them—are still ongoing, since the Hereditary Chiefs have not given consent, it cannot be considered that FPIC has been achieved solely based on the consent of the band's elected Chief.

Accordingly, in a situation where the hereditary and elected Chiefs hold conflicting views, it is to be examined whether FPIC can be established based on clear documentation demonstrating broad community support for the project. However, with respect to the CGL Pipeline, no concrete and clear evidence has been obtained that would substantiate broad support for the project among the sub-groups or members of the Wet'suwet'en communities affected by it.

In this case, although all elected Chiefs of the relevant bands have consented to the CGL Pipeline, documenting whether the project had broad community support through past decision-making processes remains difficult. Reassessing the existence of such support at this stage is also problematic, as the process itself is expected to cause damage. Moreover, given the relationship between Mitsubishi Corporation and the project proponent, it is not realistic to call for the project's suspension because of lacking FPIC. In the absence of consent from the Hereditary Chiefs, the only viable course is to continue the ongoing process of consensus-building. Negotiations concerning land issues are currently underway between the Hereditary Chief, the federal government, and the Government of BC, while the project proponent is also engaging with the Hereditary Chiefs. In light of this situation, and given the relationship between JBIC's borrower (Mitsubishi Corporation) and the project proponent, it does not appear reasonable or effective for the borrower to demand that the project proponent take actions beyond establishing contact with the Hereditary Chiefs and initiating discussions. Accordingly, beyond requiring the borrower to report on and appropriately verify matters related to the Wet'suwet'en, it is the view of the Examiners that no monitoring provisions obligated JBIC to urge or require the borrower to take any additional special measures.

4.2.2.4.4 Forum for information sharing and discussion

The Requesters' allegation that JBIC failed to provide sufficient information to stakeholders and did not establish a forum for discussion is unfounded, as the project proponent of the CGL Pipeline continues to engage with stakeholders, and negotiations concerning land issues are currently underway between the

Hereditary Chiefs, the federal government, and the Government of BC.

4.2.2.4.4.5 Section summary

Accordingly, with respect to the Ground I, the Examiners do not find that JBIC did not comply with the Environmental Guidelines.

4.2.3 Causal nexus between the fact related to compliance/non-compliance of the Environmental Guidelines and damage actually incurred by the Requesters or damage likely to be incurred by the Requesters in the future

As described above, the Examiners find no alleged damage actually incurred by the Requesters or damage highly likely to be incurred by the Requesters in the future. Also, the Examiners do not find that JBIC's non-compliance with the Environmental Guidelines. Therefore, no causal nexus was recognized between the fact of JBIC's compliance/non-compliance with the Guidelines and the actual damage.

4.2.4 Final conclusion

As a result of investigation stated above, the Examiners do not find that there were damages actually incurred by the Requesters or damages highly likely to be incurred by the Requesters in the future. In addition, the Examiners do not find that JBIC did not comply with the Environmental Guidelines.

5. Promotion of dialogue

5.1 Status of the parties' agreement on the promotion of dialogue and record of dialogue conducted among the parties

The Examiners asked the Requesters whether they wished to engage in dialogue with the proponent of the CGL Pipeline, but the Requesters did not indicate their intention in this regard. Consequently, no dialogue took place.

5.2 Results of dialogues between the parties

As there was no dialogue, no agreement was reached.

5.3 Necessity of further facilitation

In light of the fact that the CGL Pipeline is not financed by JBIC and its proponent has no direct relationship with JBIC, and given that the Requesters did not express

any intention to seek the promotion of dialogue, there is no need for further facilitation of dialogue concerning the CGL Pipeline.

6. List of materials that served as Basis for Judgment of the Examiners

6.1 Letters from the Requesters (including CEED, the Agent), materials provided, etc. to JBIC and the Examiners

Date	Sender	Title of Letter, content, and Detail
2021/5/26	22 groups, including the Wilderness Committee	Urging JBIC to reject financing for the LNG Canada project and adopt strong climate policies
2021/7/27	13 groups, including JACSES (*The allegation includes two Australian gas projects. This statement is intended for investors and financial institutions, including the Japanese sponsors' shareholders and the underwriters of JBIC's bond issuances.)	Joint Statement: NGOs Strongly Condemn Decision by Japan Bank for International Cooperation to Support Waitsia 2 Gas Development Project in Australia
2021/8/6	Five groups, including FoE Japan	[Letter of Request] Do Not Finance LNG Canada Project
2021/10/29	Five groups, including FoE Japan	[Statement] JBIC and Private Banks Must Reconsider Decision to Finance LNG Canada Project NGOs Strongly Condemn JBIC's Decision to Provide Public Finance That Ignores Climate Crisis and Rights of Indigenous Peoples Ahead of COP 26

2021/11/10	93 groups, including FoE Japan	[PRESS RELEASE] CSOs Condemn Japan's Decision to Finance LNG Canada Project - Japan Digs Deeper into Fossil Fuels Even as the Rest of The World Moves to Phase Them Out
2021/11/24	FoE Japan	Japan Needs to Withdraw From LNG Canada - Serious Human Rights Violations In Coastal GasLink Pipeline

6.2 Others

- Environmental Monitoring Report dated April, 2022
- Environmental Monitoring Report dated April, 2023
- Environmental Monitoring Report dated April, 2024
- *Wet'suwet'en Treaty Office Society v. British Columbia (Environmental Assessment Office)*, (British Columbia Supreme Court, Interim Injunction, April 2021)
- *Coastal GasLink Pipeline Ltd. v. Huson* (British Columbia Supreme Court, Interim Injunction, December 2018)
- *Coastal GasLink Pipeline Ltd. v. Huson* (British Columbia Supreme Court, Interlocutory Injunction, December 2019)
- LNG CANADA EXPORT TERMINAL PROJECT SUMMARY ASSESSMENT REPORT May 6, 2015
- LNG CANADA EXPORT TERMINAL PROJECT ASSESSMENT REPORT October, 2014
- ABORIGINAL CONSULTATION PLAN LNG CANADA PROJECT August, 2013
- GENERAL PERMISSIONS, AUTHORIZATIONS AND CONDITIONS July 3, 2020
- ENVIRONMENTAL ASSESSMENT CERTIFICATE # E15-01 June 17, 2015
- ENVIRONMENTAL ASSESSMENT CERTIFICATE # E14-03 October 23, 2014
- Memorandum of Understanding Between Canada, British Columbia and Wet'suwet'en as agreed on February 29, 2020
- Statement from Wet'suwet'en Elected Leadership Regarding Wet'suwet'en Memorandum of Understanding
- House of Commons of Canada, Standing Committee on Indigenous and Northern Affairs, Evidence (official script of proceedings) (43rd Parliament, 1st Session, March 2020)
- Performance Standard 7, Indigenous Peoples, International Finance Corporation,

January 1, 2012

- Guidance Note 7, Indigenous Peoples, International Finance Corporation ' s
Guidance Notes: Performance Standards on Environmental and Social Sustainability,
January 1,2012

Attachment 1: Results of Preliminary Investigation

Results of Examination

1. Formality requirements of the request

All items are written in Japanese, English or the official language of the country in which the Requester resides.	✓
There are items the descriptions of which are insufficient.	

(Items the descriptions of which are insufficient:)

2. Requirements to commence the procedures

(1) Requirements regarding the Requester

The request has been submitted by two or more residents in the country in which the project is implemented.	✓
The request does not satisfy the above requirement.	
The fact that the request has been submitted by the Requester cannot be confirmed.	

(2) Project with respect to which the objections are submitted

As a result of identifying the project based on the request, it has been confirmed that it is a project for which JBIC provides funding.	✓
As a result of identifying the project based on the request, it has been confirmed that it is not a project for which JBIC provides funding.	
The project cannot be identified based on the request.	

JBIC's financing is provided for the LNG Canada Project and not for the CGL pipeline itself. However, the pipeline is essential for the operation of the Project. Therefore, this requirement is considered to be satisfied.

(3) Period

The request was submitted during the period between the time when a loan agreement was executed and the time when drawdown was completed.	
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The request was submitted on or before the time when a loan agreement was executed and, therefore, it is appropriate to transfer the request to the Operational Department for examination.	
The request was submitted after the completion of disbursement and JBIC's non-compliance with the Guidelines concerning JBIC's monitoring was pointed out.	✓
The request was submitted after the completion of disbursement but JBIC's non-compliance with the Guidelines concerning JBIC's monitoring was not pointed out.	

- (4) Damage actually incurred by the Requester or damage likely to be incurred by the Requester in the future as a result of JBIC's non-compliance with the Guidelines with regard to the project to which JBIC provides funding

Damage actually incurred or damage likely to be incurred in the future is described.	✓
Damage actually incurred or damage likely to be incurred in the future is not described.	

- (5) Causal nexus between the project and the damage

Description of causal nexus is fairly reasonable.	✓
Description of causal nexus is not considered to be fairly reasonable.	

- (6) Facts concerning the Requester's consultation with the Project Proponent

The Requester has endeavored to have dialogues with the Project Proponent.	✓
There is an unavoidable reason for the Requester that prevents the Requester from endeavoring to have dialogues with the Project Proponent.	
As the Requester has not fully endeavored to have dialogues with the Project Proponent, the Requester should first propose to have dialogues.	

(7) Facts concerning the Requester's consultation with JBIC

The Requester has had communication with JBIC's Operational Department.	✓
As the Requester has not fully endeavored to have communication with JBIC's Operational Department, the Requester should first propose to have dialogues.	

(8) Prevention of abuse

There is no concern that the request was submitted for abusive purposes.	✓
There is a concern that the request was submitted for abusive purposes and, therefore, it is inappropriate to commence the procedures.	
There is a serious false description in the request.	

(Describe the reasons why the request is considered to have been submitted for abusive purposes or the matters that are considered to be false:)

3. Additional information (Optional)

(1) Relevant provisions of the Guidelines considered by the Requester to have been violated by JBIC and the facts constituting JBIC's non-compliance alleged by the Requester

Provisions not complied with and the facts of non-compliance are fairly and reasonably described.	✓
Provisions not complied with and the facts of non-compliance are not fairly and reasonably described.	

As JBIC's financing has already been completed, the scope of the procedure is limited to matters related to monitoring, specifically as follows:

1. JBIC's inadequate response to the allegations concerning the lack of FPIC.
2. JBIC's inadequate response to the allegations concerning environmental issues.
3. JBIC's failure to conduct effective monitoring and to ensure compliance by the CGL Pipeline Project with respect to erosion, sediment control, wetland destruction, and water quality contamination.

(2) Causal nexus between JBIC's non-compliance with the Guidelines and the damage

Description of causal nexus is fairly reasonable.	✓
Description of causal nexus is not considered to be fairly reasonable.	

[End]

Attachment2: JBIC interviews with the investees, NGO and others, on-site inspections, etc.

1. JBIC's Meetings with investees, etc.

Date	Outline
2022/3/31	Meeting with borrower
2022/10/17-18	Meeting with subsidiary of borrower
2023/3/15	Meeting with borrower
2024/1/25	Meeting with borrower
2025/1/30	Meeting with borrower
2025/10/7	Meeting with borrower

2. JBIC's Meetings with NGO

Date	Outline
2021/4/19	Meeting with NGO
2021/5/11	Meeting with Hereditary Chiefs of Wet'suwet'en and NGO
2021/7/20	Meeting with NGO
2021/8/27	Meeting with NGO
2021/10/7	Meeting with NGO
2021/12/23	Meeting with NGO
2025/2/7	Meeting with Hereditary Chiefs and others (the Requester) of Wet'suwet'en as well as NGO

[End]