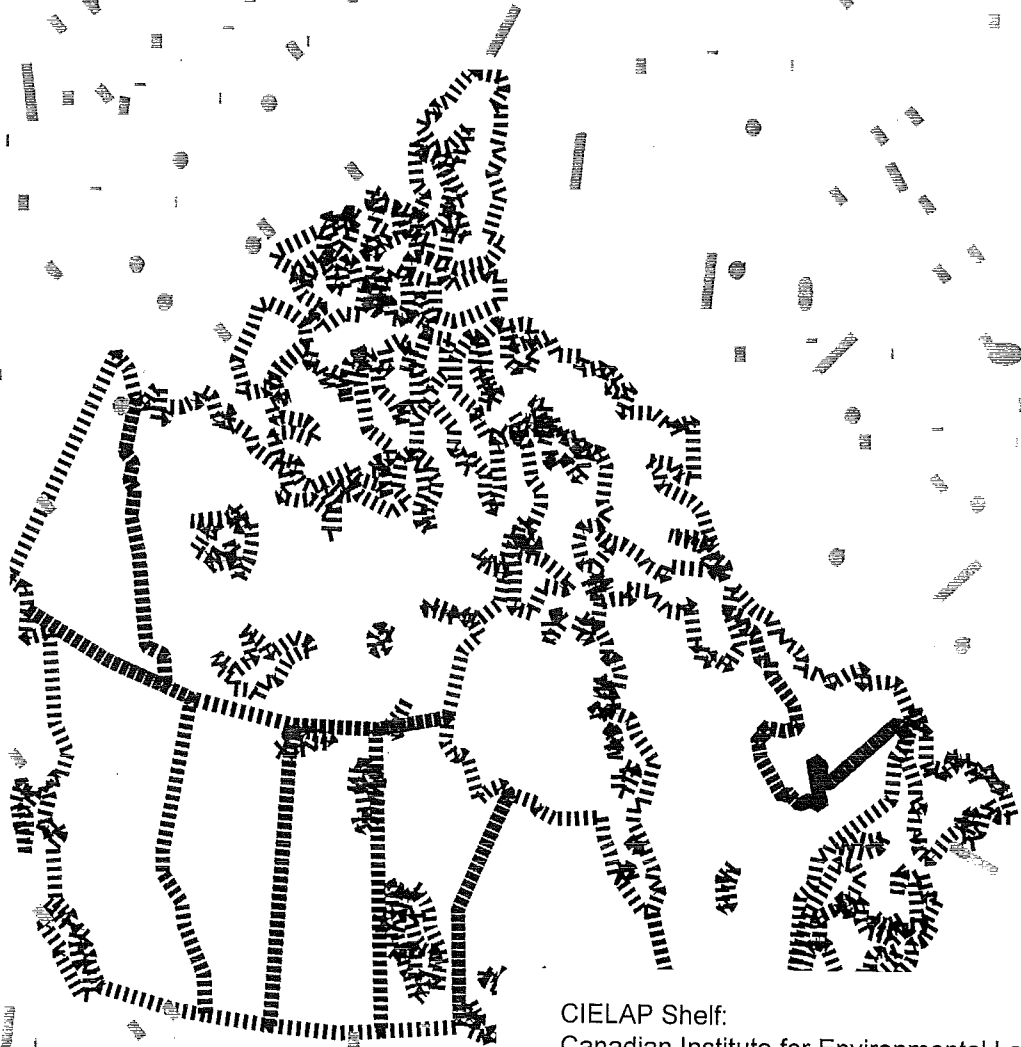


Canadian Environmental Strategy Workshop



CIELAP Shelf:
Canadian Institute for Environmental Law and Policy
Canadian Environmental Strategy Workshop
Proceedings Friends Meeting House, Toronto - 6 June
RN 27342

proceedings

Friends Meeting House, Toronto - 6 June 1998

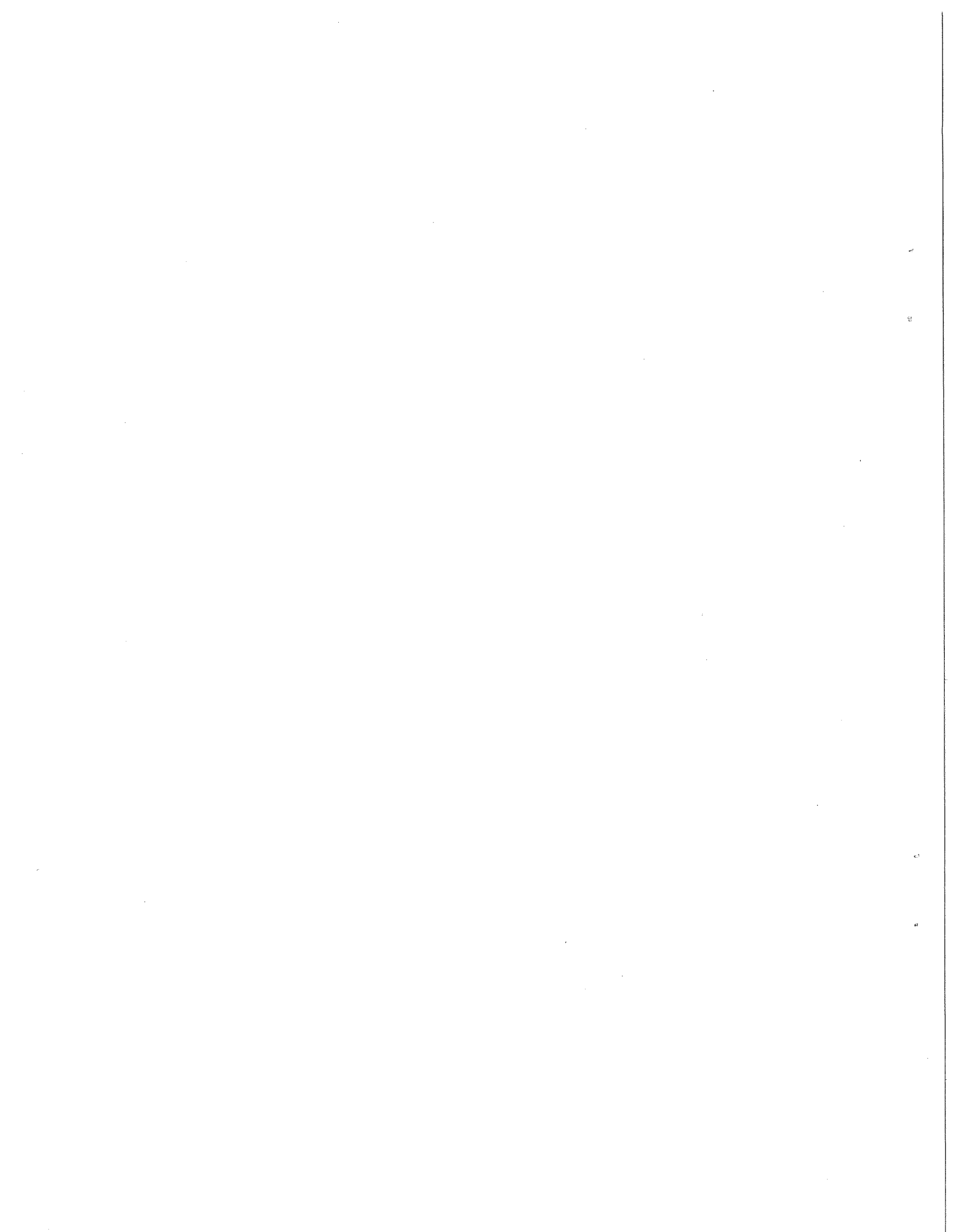
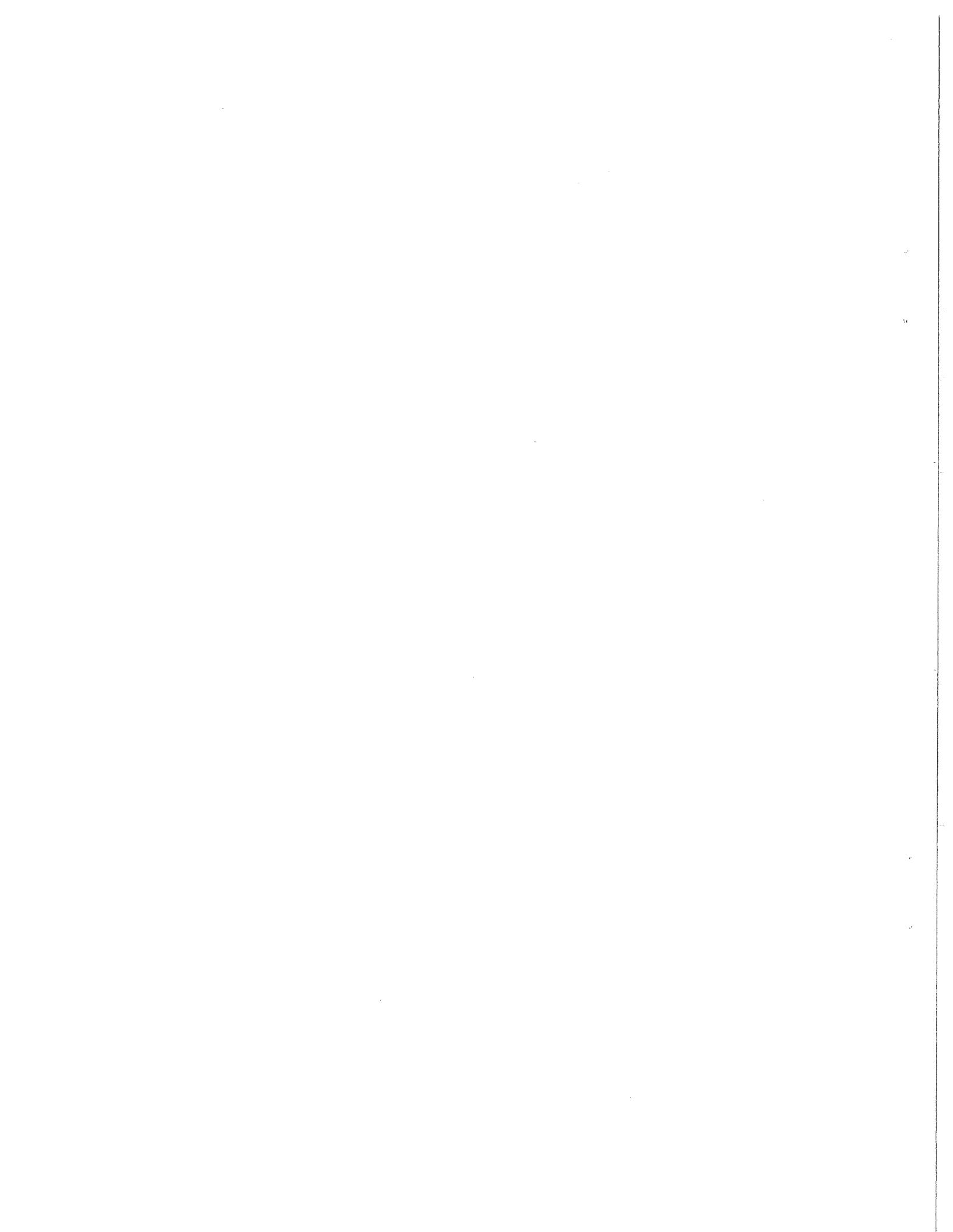


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Foreward

In early 1998, the Canadian Institute for Environmental Law and Policy (CIELAP) began discussions about organizing a workshop with other national environmental organizations to assess whether issues that each group was engaged in had commonalities and whether we could work cooperatively to address these issues. With the help of the J.W. McConnell Family Foundation and the International Development Research Centre, CIELAP was able to organize a workshop, prepare a background discussion paper and invite representatives from leading environmental organizations from across the country. The workshop was held on Saturday, June 6 in Toronto. (See Appendix A for list of participants.)

We prepared a worksheet which was sent out to each participant, along with the discussion paper, prior to the workshop. Each participant was asked to identify key issues they were working on and common themes related to these issues. The issues and themes that we received ahead of the workshop were prepared on sheets and put up on the wall so that participants could see the variety and similarity of concerns across the country. (See Appendix B for list of Issues and Appendix C for list of Common Themes which were submitted ahead of the workshop.)

The workshop began with a discussion on challenges we face regarding the protection of the environment from a national perspective. These issues were numerous and included: the Environmental Management Framework Agreement (harmonization accord) and its impact on existing and future environmental legislation; the trends of devolution and downloading particularly in light of the lack of provincial capacity and will to protect public goods; the lack of will and capacity to enforce federal standards; the failure to legislate enforceable standards/requirements and reliance on voluntary measures; intrajurisdictional devolution within federal government; environmental protection seen as barrier to 'jobs and growth'; trade liberalization and globalization seen as only ways forward; and the shift to 'negative' leadership in international environmental negotiations.

These proceedings summarize the discussion that took place at the workshop, present an analysis of cross-cutting factors, a summation of common themes and identify short and longterm goals for the



environmental community. The proceedings also suggest work items which would help bring about the articulation, adoption and implementation of a positive federal environmental agenda through the establishment and enforcement of meaningful national standards; taxation, budget and the use of economic instruments; and through international environmental relations.

Anne Mitchell
Executive Director

August 7, 1998



1.0 Workshop Discussion

The following issues and themes were offered during the initial discussion.

Issue: The 4Ds - downloading, deregulation, downsizing, devolution.
direction : federal to provincial to municipal to private sector.

Theme: National Unity: is it really the driver?

Issue: Endangered species legislation has been mediocre.

Theme: Nice language but empty words. Lack of meaningful national standards. Equivalency undefined.

Issue: Many different issues with federal legislation / process.

Theme: Agreements lack process / participation.

Issue: Engaging the public and getting them involved in these issues.

Theme: Mobilization.

Issue: If devolution is to occur resources are needed to fund the equivalent program at the provincial level.

Theme: Economic case for environmental protection needs to be made over and over again.

Issue: Traditional ecological knowledge and contamination of Inuit foods.

Theme: Movement of expertise out of Environment Canada and into other departments such as DFAIT and DIAND.

Issue: Endless list: Endangered species and *Fisheries Act* failures.

Theme: Deficit drives decentralization, devolution, de-emphasis of environment.

Issue: Climate change, toxics, forests.

Theme: No talk of ecological deficit. No engagement of responsible government agencies.

Issue: National unity driving the agenda. Globalization is an excuse for doing nothing.

Theme: Denial of impact, denial of leadership, denial of US domination.



- Issue:* Inadequacy to CEPA for pollution prevention.
Theme: Environmental movement is not strong enough and guided in the right direction to be able to do the job.
- Issue:* Urban air quality.
Theme: The more cutbacks are made, the less you expect of the government and then the more they can make cutbacks.
- Issue:* Harmonization (the EMFA).
Theme: Problematic construction and content of agreements.
- Issue:* Whaleback and endangered species.
Theme: Lowest common denominator approaches from the federation.
- Issue:* MOUs, deregulation, privatization.
Theme: Environmental and public interest matters are increasingly becoming placed out of reach.
- Issue:* Many.
Theme: Other departments in Ottawa intensely dislike the Environment Department. Environment is in a defensive position.
- Issue:* Endangered species.
Theme: The provinces and industry are the 'real' constituents of the federal government.
- Issue:* Environment is a casualty of government and constitution.
Theme: Trade and multi-nationals; global forces are very powerful.
- Issue:* Detroit, Windsor, pollution prevention, CEPA.
Theme: Existing (conventional) governance approach is not working. More radical approach required.
- Issue:* Many: forests, land claims.
Theme: Environment being treated as a subsidy for economic development.



Specific Issues Identification

The open forum discussion identified the following items and processes as relevant to the issues and themes identified.

International

- Persistent Organic Pollutants Protocol - Montreal, June 1998
- Multi-lateral Agreement on Investment - BC Hearing, fall input
- Free Trade Agreement
- Kyoto Protocol has forced Canada to respond
- World Trade Organization - Agriculture,
- Canadian Labour Congress Nov 6/7
- International Priority given to Environment Canada resources with a corresponding neglect of domestic needs
- need understanding of the nature of these processes in the environmental community
- international environmental governance is beginning to emerge

Biological Diversity

- be part of it - in negotiations
- opportunity through Commission on Environmental Cooperation
- national accord on species at risk is largely an agreement listing promises

New Name of Game

- Economic instruments are the focus more so than regulations
- Emission trading is moving ahead
- Joint implementation (Kyoto) is also going forward
- federal power to tax may be one of the few areas remaining in which a nation can influence environmental behaviour

Financial Incentives / Disincentives

- Environment Canada Budget could be a starting point
- change tax system to a more ecological basis
- two types of subsidies : direct and indirect
- Sustainable industries hampered: Solar / public transit penalized instead of promoted under current fiscal regime.
- Environmental regulations do not cost jobs, environmental protection creates jobs.



- industry examples: Acid rain, Inco and the financial benefits derived from installation pollution control equipment after resisting for so many years.
- differentiate between industries: environmental industries are often job-intensive while unsustainable industries are often low job-producers (ie. highly mechanized resource extraction industries).

Enforcement

- Standing Committee report (political will)
- link to harmonization
- link to budget (ability, accountability)
- Citizens to enforce the Environmental Bill of Rights - Yukon, Quebec, Ontario.
- CELA letter could be an action to engage
- after harmonization environment will be difficult
- Question of putting too much emphasis on fighting this (harmonization). Need strategy to have a way to deal with it in place
- institutional redesign

What Do We Do?

- *short term gaps* : budget, CEPA, CEAA, Fisheries Act
- How? public awareness; link to health; re-education expected from the federal government.
- *long term gaps* : who are the actors? recognize who the clients of the federal government really are (industrial and financial interests); bring government to turn around

2.0 Common Themes Summation

- 1) Harmonization/Devolution/Downloading
 - lack of provincial capacity and will
 - provinces downloading to municipalities and private sector
 - de facto transfer of control over public resources to private sector. Power without accountability.
- 2) Lack of will and capacity to enforce federal standards; failure to legislate enforceable standards/requirements; reliance on voluntary



measures.

- 3) Denial/lack of leadership/negative leadership at the centre (PMO/PCO).
 - intrajurisdictional devolution in Ottawa. Environment Canada losing control over environmental files to NRCan, Industry Canada, DFAIT.
 - Canada falling well behind other countries in its efforts to protect the environment.
- 4) Economic mindset.
 - deficit/debt obsession.
 - environment seen as subsidy for economic development
 - environmental protection seen as barrier to 'Jobs and Growth'
 - trade liberalization and globalization seen as only ways forward.
- 5) Canada's changing international role
 - shift to 'negative' leadership in international environmental negotiations
 - leadership in pushing globalization/trade liberalization agenda forward.
- 6) Lack of recognition of environmental justice issues.
- 7) The abuse of science to justify bad public policy.

Discussion and Consensus on Common Themes

Cross-cutting Considerations/Factors (*Drawn from Morning Discussion*)

- weakness on the ground in Ottawa. Groups not active enough, no profile, not a political threat.
- environment groups not seen as client/constituency of Environment Canada. Industry and the provinces are.
- need to engage public opinion. How to turn growing but still latent concern for environment into a meaningful political factor?
- need to build alliances with other sectors, especially health related



- groups.
- need to highlight environment/health linkages.
 - need to make use of community knowledge of impacts/effects.
 - need to develop economic arguments to resist the 4Ds
 - two key empirical hammers available to build case for federal activism.
 - evidence of impacts on environment and human health
 - evidence of provincial failure/incapacity/lack of will.
 - need to make consequences of current path real and tangible to public at large.
 - N.B. discontent within the Liberal Party.
 - much of the problem of environmental inaction is being driven from the Centre (PCO/PMO). Need to impact centre.
 - might PM become concerned about his legacy? (eg. Trudeau and nuclear disarmament crusade).
 - environmental community still thinking in 1970's box about environmental protection
 - need to move forward on things like pollution prevention/economic instruments/use of tax system.

3.0 Define Goals, Objectives and Work Plan

The remainder of the workshop defined goals, objectives and a potential workplan arising from the discussion as outlined in these proceedings. The workshop background paper was presented for discussion.

4.0 Strategy Development

The following is drawn from the afternoon discussion with some additional suggestions.

4.1 Goals

i) Short-Term

- Prevent incorporation of harmonization agenda into federal framework environmental legislation



- otherwise will make forward movement very difficult, if not impossible, even where political will may exist.
- A "plug the leak, then fix the wall" approach, but need to start working on the wall at the same time.

ii) Long-Term

- bring about the articulation, adoption and implementation of a positive federal environmental agenda in terms of: domestic law and policy (establishment and enforcement of meaningful national standards); taxation, budget and use of economic instruments; and international environmental relations. Note that short term objective may be seen as precondition to this longer-term goal.

4.2 Objectives and Work Items *(organizations with existing work or expressed interest in brackets)*

i) Short Term

Objectives (with some expansion from workshop discussion)

- prevent incorporation of harmonization agenda into CEPA, CEAA, Fisheries Act and CESPAA.
- delete relevant clauses from Bills, prevent passage if this is not possible.
 - if neither can be achieved seek amendments to place time bombs and accountability mechanisms in Bills (e.g: detailed reporting and access to information requirements, mandatory sunset clauses for administrative or equivalency agreements, citizen suit/private prosecution provisions).
- make progress where possible on issues like citizen suits, national standards.

Work Items (suggested, not discussed in detail at workshop)

General

- prepare and table briefs on Bills in Process (CELA / CIELAP / CEDF / SLDF / ??)



- brief/strengthen relations with members of Standing Committees on Environment and Fisheries.
- raise public profile of Bills
- short term work on harmonization might also be helpful (e.g. interim report on Harmonization year 1 for January 1999) in demonstrating failure of devolution, absence of will and capacity at the provincial level, evidence of significance of gaps requiring federal attention.

Specific Legislation

- CESPAs
 - endangered species coalition has lead. May wish to strengthen coordination with those working on CEPA re: harmonization and citizen suit issues.
- CEAA
 - review strategy under development (CEDF / ??)
- CEPA (CIELAP / CELA)
 - may be most immediate priority as is in the House, and if harmonization amendments can be defeated it may set a precedent for the other Bills expected to come forward. The reverse is also a possibility (i.e. a defeat on CEPA will open door for harmonization amendments to other Bills).
 - no resources available on CEPA file at this point beyond some CELA / WCELA staff time.
 - need (desperately) to raise profile of the Bill.
 - a "Taste of Canada" - like event in Ottawa when the House reconvenes in the fall would be ideal.
 - note also linkages to POPs negotiations.
- Fisheries Act*
 - no one has lead, not covered at this point (There is a FA working group at CEN, but has no resources).
 - CEC complaints may help to raise profile of habitat and freshwater issues
 - obvious potential for CEC complaint on habitat protection in Ontario.



ii) Medium Term

Three areas identified for focus:

a) Harmonization/Devolution/Domestic role

Objectives

- reestablish positive federal role in establishment and enforcement of meaningful national environmental standards in areas of toxics, biodiversity, etc.
- challenge economic claims re: costs of de-regulation/devolution
- challenge intellectual veneer of harmonization.
- build case for need for federal role.
- turn public concern for the environment into meaningful political factor.

Work Items

- harmonization agreement 2-year review (CIELAP / CELA).
- regional case studies of impact of devolution (Maritimes, Alberta, Quebec, Ontario are possible foci (PIAD / CQDE / CIELAP / CCNB / CELA).
 - emphasize 'real world' consequences of federal absence.
 - could be incorporated into an interim report for January 1999, and a final report for Spring 2000 (CIELAP).
- reports/studies of provincial developments - demonstrate lack of will/capacity at provincial level
 - Ontario, Quebec, Alberta, New Brunswick as potential foci. Some work of this nature has already been done in Alberta, Quebec, and Ontario. However, regular annual reports are only being done in Ontario at this point.

b) Federal Budget/Finance/Taxation/Subsidy Issues

Objectives

- use of federal taxation and spending powers to promote environmentally sustainable development. Remove subsidies /



incentives for unsustainable development.

- rebuild federal capacity in key areas (Environmental Canada: enforcement, monitoring and science, standard setting; DFO: habitat protection, freshwater science)
- challenge current deficit/jobs and growth (jobs vs environment, environmental de-regulation = Jobs) mentality. Build credibility/viability of alternative views, advance progressive ideas like Pollution Prevention model. Emphasize choices can be made.

Work Items

- environment Canada budget/estimates - push for increased resources (also a short-term item)
 - also helps to build alliance/relationship with department (SLDF/??).
- stronger ENGO engagement in Alternative Budget process.
 - possible foci: climate and fossil fuels (PIAD/Greenpeace); biotechnology (CIELAP); mining (CEMC); pollution prevention (CLC)
- follow-up on Mintz report (Report on Business Taxation) with Standing Committee on Finance (SLDF/??).
- meeting with Minister of Finance?

c) International Issues

Objectives

- re-establish positive leadership role in development of new Multilateral Environmental Agreements (MEA's).
- contain/limit Canadian role in trade negotiations in seeking to limit scope of domestic environmental standards and future MEA's.
- implementation of existing commitments (especially around Biodiversity and Climate Change).

Work Items

- generally need inside/outside strategy (people on delegation and



people on outside who can make it clear to other delegations and the Canadian media when Canadian ENGOs disagree with Canadian government positions).

MEAs

- UNEP/WHO POPs Convention (ICC / Greenpeace / WWF / CEN Toxics Caucus)
 - good opportunity for coalition building among ENGOs, aboriginal, labour and health groups.
 - Canada expected to play a 'leadership' role in negotiations.
- CBD Biosafety Protocol (CIELAP / CELA / CEN Biotech)
 - 1st direct confrontation between WTO SPS agreement and a new MEA.
 - also first Protocol under CBD.
- Kyoto Protocol (Greenpeace / PIAD / WCELA)
 - implementation
 - containment of Canadian efforts to undermine/escape Protocol.

Trade Agreements

- MAI (WCELA / CELA / ??)
 - not dead yet.
- FTAA (CELA /CIELAP??)
 - how do we deal with this one?

iii) Long-Term

Objective

- articulation of new federal environmental agenda
 - include visionary elements such as pollution prevention,
 - include discussion of the scale of change required by challenge in areas like climate change.



Work Item

- An Environmental Agenda For Canada (CIELAP / SLDF / ??)
 - complete in Millennium Year.

4.3 Hedges

- need a plan B if efforts on harmonization/devolution fail.
 - fiscal/budgetary elements are most likely focus for this and can be pursued partially as a hedge.
 - international stuff will be in big trouble as Canada will have a real problem ratifying and implementing things like the POPs protocol.
 - this problem is already apparent around Kyoto Protocol.
 - put time bombs and accountability mechanisms into statutes that get harmonization amendments (detailed reporting and access to information requirements, sunset clauses, citizen suit/private prosecution provisions).

5.0 Mechanisms to Move Forward

Next Steps

- ☞ CIELAP will produce and circulate proceedings.
- ☞ CIELAP will update paper to reflect discussion and emerging strategy.
- ☞ CIELAP will initiate discussions (in cooperation with others) with potential funders of a long-term federal strategy and will take lead in development of proposal.
- ☞ The letter to PM drafted by CELA was reviewed by the delegation and taken away for their consideration
- ☞ A meeting will be organized by the CLC in the autumn to which some of the delegation may be invited at which discussions may continue.



6.0 Initial Expressions of Interest

Short Term Sign-up

1. Harmonization/Enforcement

- Pembina: critique/report/case study /Alberta - immediate
- Quebec Environmental Law Centre
- Canadian Nature Federation (interest: we have to work on capacity)
- Conservation Council of New Brunswick (can provide case study)
- T. "Buck" Suzuki Environmental Foundation - case study
- Canadian Environmental Law Association

2. Budget/Financial

- Stewart Elgie (SLDF) : Green Taxes
- CLC - Alternative budget
- CCPA
- Pembina - specific tax measures
- Quebec Environmental Law Centre
- Greenpeace
- Citizens Environmental Alliance
- SJ Ecology Network
- T. "Buck" Environmental Foundation

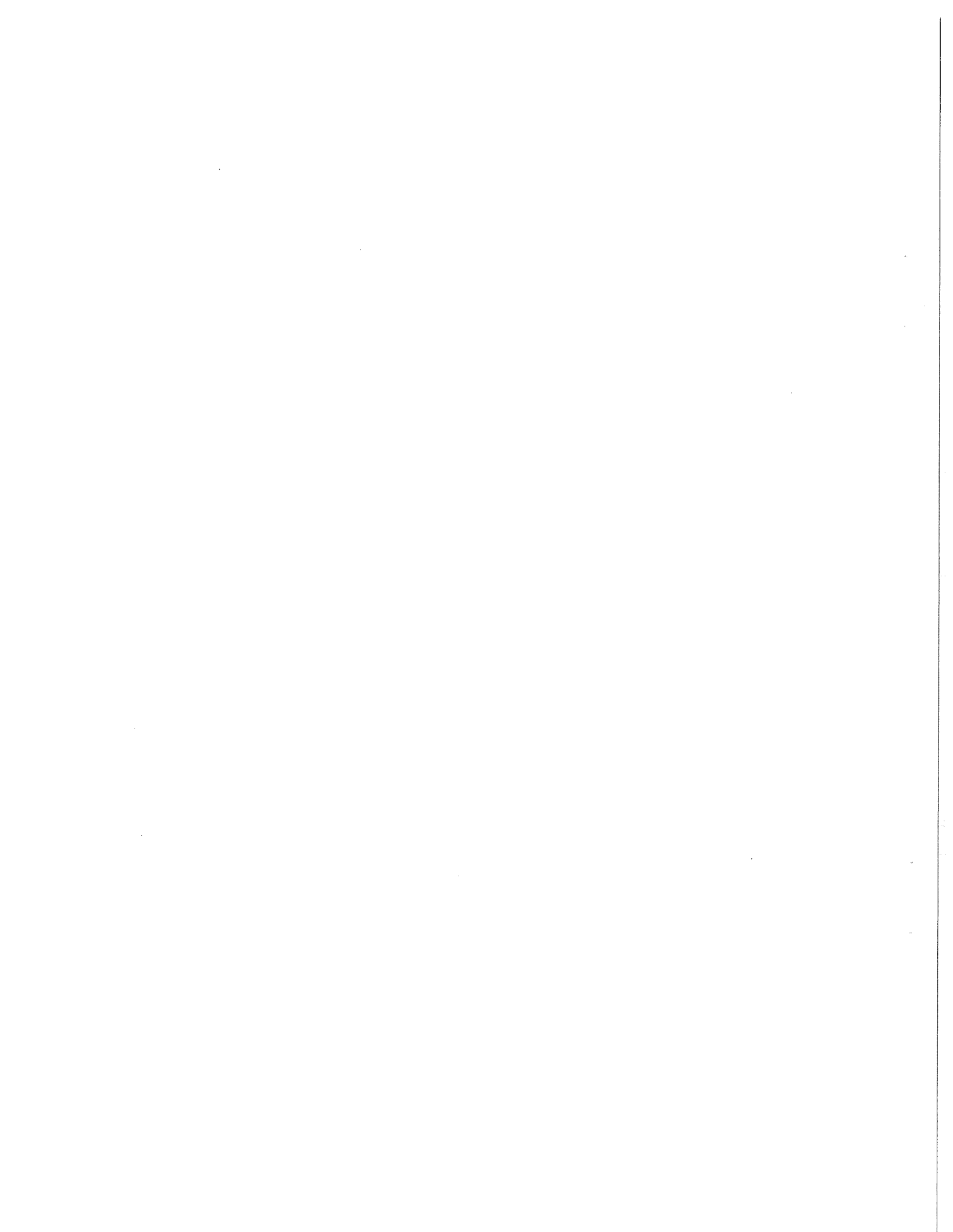
3. International

- T. "Buck" Environmental Foundation
- West Coast
- MAI - NOT Coalition
- Greenpeace
- Citizens Environmental Alliance (POPs)
- SJ Ecology Network
- Common Frontier

Long Term Sign up

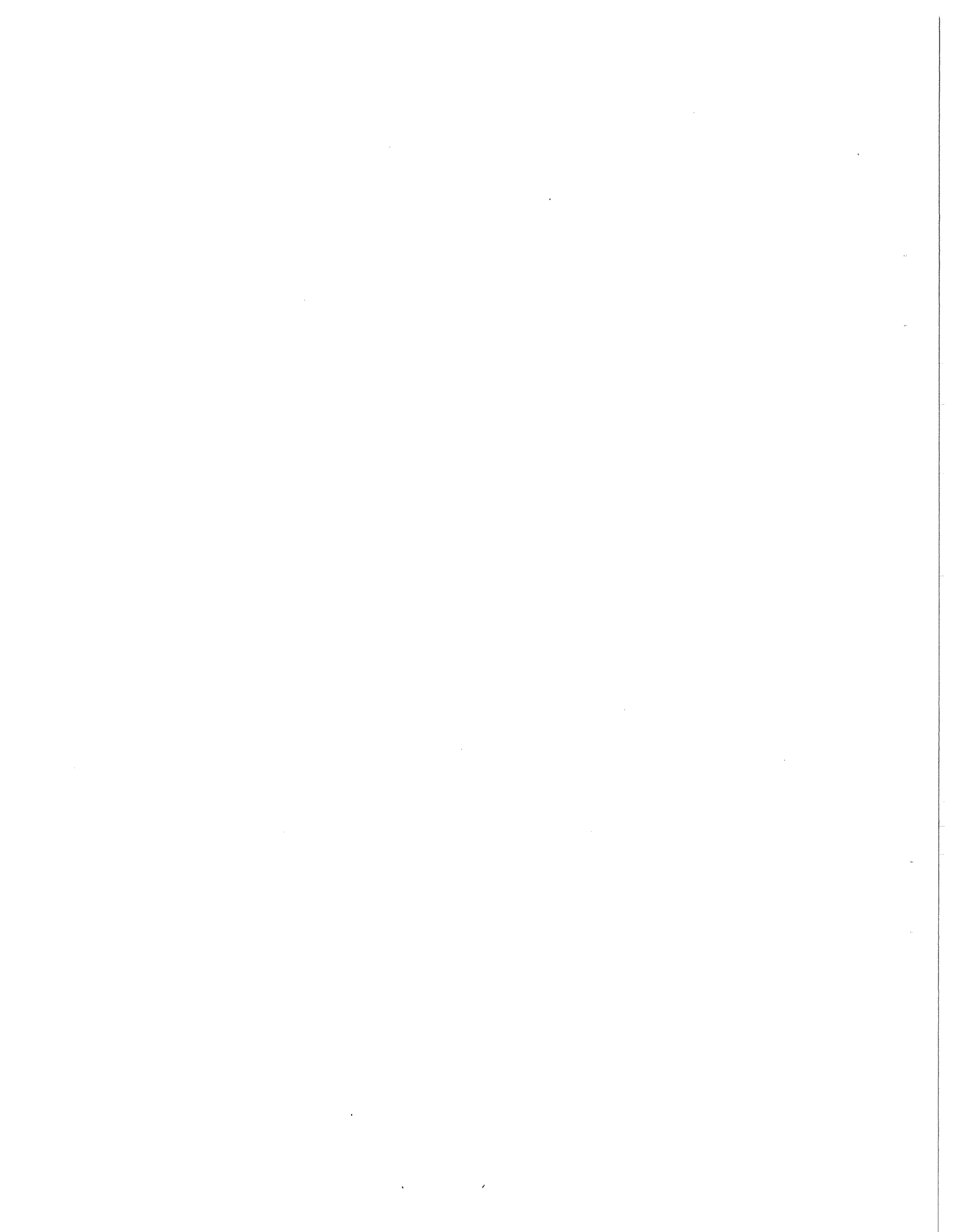
- Gord Perks (Toronto Environmental Alliance)





Glossary of Acronyms

CBD	-	Convention of Biological Diversity
CCNB	-	Conservation Council of New Brunswick
CCPA	-	Canadian Centre for Policy Alternatives
CEAA	-	Canadian Environmental Assessment Act
CEC	-	Commission on Environmental Cooperation
CEDF	-	Canadian Environmental Defense Fund
CELA	-	Canadian Environmental Law Association
CEMC	-	Canadian Environmental Mining Council
CEPA	-	Canadian Environmental Protection Act
CESPA	-	Canadian Endangered Species Protection Act
CIELAP	-	Canadian Institute for Environmental Law and Policy
CLC	-	Canadian Labour Congress
CO ₂	-	Carbon Dioxide
CQDE	-	Centre Quebecois de la droit de l'environnement
DFAIT	-	Department of Foreign Affairs and Trade
DFO	-	Department of Fisheries and Oceans
DIAND	-	Department of Indian Affairs and Northern Development
EMFA	-	Environmental Management Framework Agreement
ENGO	-	Environmental Non-Governmental Organization
FA	-	Fisheries Act
FTAA	-	Free Trade Agreement of the Americas
Hg	-	Mercury
ICC	-	Inuit Circumpolar Conference
MAI	-	Multilateral Agreement on Investment
MEAs	-	Multilateral Environmental Agreements
NO _x	-	Nitrogen Oxides
NRCan	-	Natural Resources Canada
PCO	-	Privy Council Office
PIAD	-	Pembina Institute for Appropriate Development
PMO	-	Prime Minister's Office
POPs	-	Persistent Organic Pollutants
SJEN	-	Social Justice Ecology Network
SLDF	-	Sierra Legal Defence Fund
SO ₂	-	Sulphur Dioxide
UNEP	-	United Nations Environmental Program
WCELA	-	West Coast Environmental Law Association
WHO	-	World Health Organization
WWF	-	World Wildlife Fund



APPENDIX A

Persons in Attendance and Agenda Modifications

Persons in attendance:

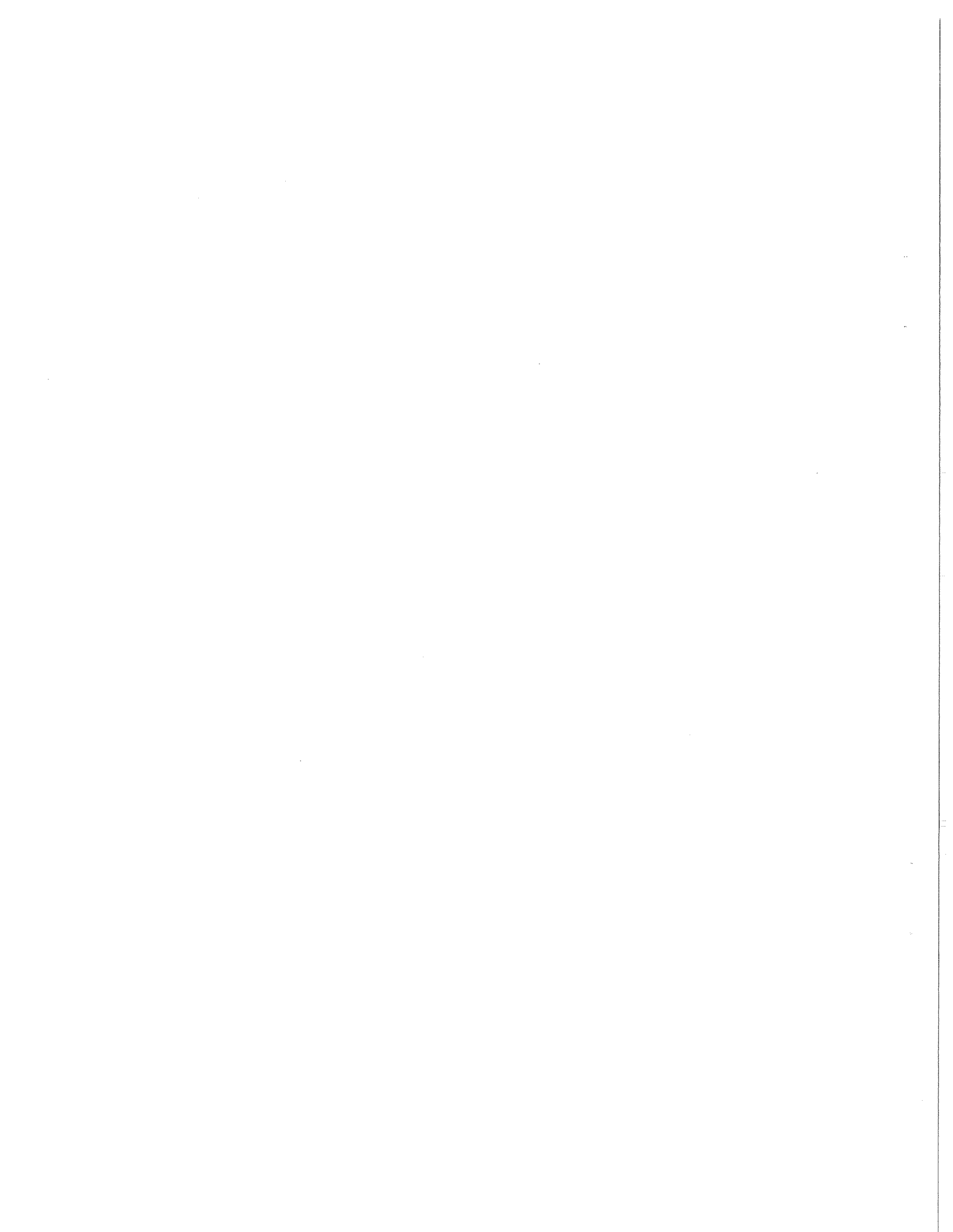
<i>NAME</i>	<i>ORGANIZATION</i>
Ms. Catherine Austen	Canadian Nature Federation
Mr. Marc Beauchemin	Quebec Environmental Law Centre
Mr. Dave Bennett	Canadian Labour Congress
Ms. Mae Burrows	T. "Buck" Suzuki Environmental Foundation
Ms. Cindy Chiasson	Environmental Law Centre
Mr. Rick Coronado	Citizen's Environmental Alliance
Mr. Stewart Elgie	Sierra Legal Defence Fund
Mr. Terry Fenge	Inuit Circumpolar Conference
Mr. Josh Laughren	World Wildlife Fund
Mr. Tom Marr-Lawg	Pembina Institute
Mr. Paul McCulloch	Canadian Environmental Law Association
Ms. Inka Milewski	Conservation Council of New Brunswick
Ms. Jeanne Moffat	Greenpeace Canada
Mr. Gord Perks	Toronto Environmental Alliance
Mr. Steven Shrybman	West Coast Environmental Law
Mr. Dana Silk	Canadian Environmental Network
Ms. Sara Dover	Canadian Endangered Species Coalition
Mr. Stewart Forbes	Canadian Centre For Pollution Prevention

Regrets

Mr. Burkhard Mausberg Canadian Environmental Defence Fund

Additions to / recommendations for the agenda:

- ☞ Perhaps subdivide common themes into resource questions and goals.
- ☞ A letter to the Prime Minister is available from the Canadian Environmental Law Association for sign-on (perhaps it could be discussed under "next steps").
- ☞ Could CIELAP provide a clear sense of next steps during the workshop?



APPENDIX B

Issues received prior to workshop

Issue : represents an example of specific area of environmental protection where federal government actions have been having an impact.

- Waste reduction through producer responsibility initiatives
- Smog
- Lack of enforcement of fisheries act leading to lack of protection of fish habitat
- Lack of adequate staffing to enforce leading to 'administrative directives' selecting which regulations will be "targeted" for enforcement
- National unity
- Privatization globalization
- International trade and investment
- Climate change
- Contamination of country food by long-range transport of persistent organic pollutants
- Incorporation of traditional ecological knowledge in climate change, POPs and UVB decisions
- Climate change - impacts, specifically in Arctic; solar power/alternative energy work
- Forests - end clearcutting in temperate rain forests; push companies to change to ecologically
- Certified harvesting practices; no cutting in pristine valleys;
- Pressure on markets
- Pollution prevention: national goal
- Devolution - harmonization - abdication of responsibility
- Confusion regarding federal and provincial roles in environmental protection and regulation deregulation Modifications to existing environmental legislation have lead to restriction/ elimination of public participation opportunities and public access to information
- Restricted/ limited enforcement ability due to budget cuts and lack of political will
- Aquaculture development in the Bay of Fundy has resulted in nitrification and release of unregulated pesticides into the ecosystem

- as well as extensive disease in fish and biota
- Transboundary air pollution movement of acidifying emissions (NO_x and SO₂) and mercury - a position in Maritimes. High levels of Hg in loons and fish; mercury contamination exacerbated by acidified lakes. Also CO₂ emissions and climate change
 - Transboundary air quality
 - Detroit remedial action
 - Provincial government downloading deregulation downsizing and regionalizing environmental protection responsibilities
 - Maintaining a balanced role/responsibilities between federal and provincial governments
 - Endangered species conservation (increased legislation) completion of national parks system
 - Devolution (transfer) of federal powers to provincial jurisdictions (without proper funding And controls)
 - Non-enforcement of fisheries act (pulp and paper issues) creation of a represent-active system of protected areas by the year 2000 (terrestrial) and 2010 (Marine)
 - Endangered species protection and recovery
 - Federal -provincial responsibilities; downloading
 - Failure to protect endangered species
 - Destruction of fish habitat and riparian zones

APPENDIX C

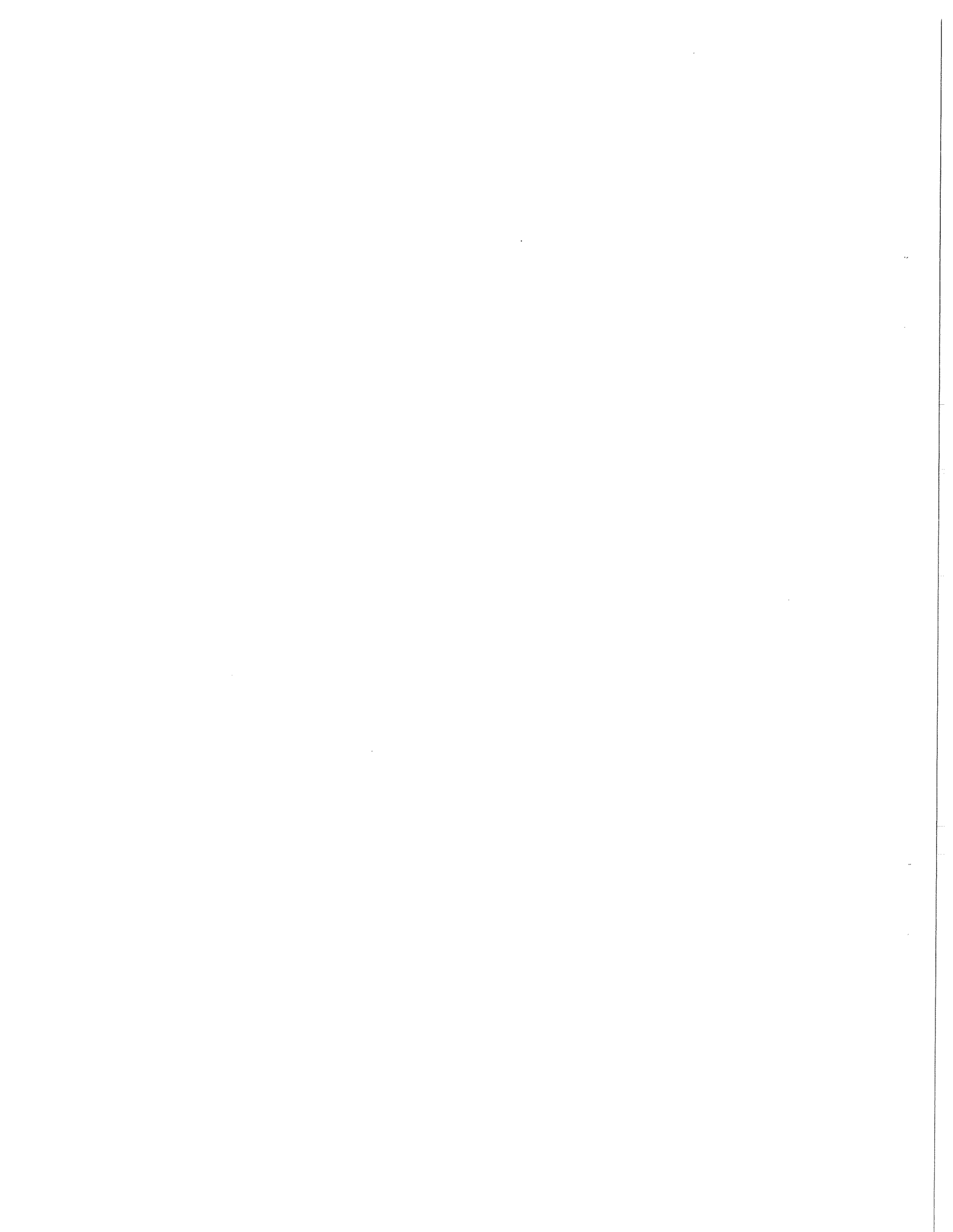
Common Themes Identified Before Workshop

Theme : the common theme which appears to be driving, underlying or uniting federal government actions.

- Environmental policies and legislation are given low priority, resources and funding
- Government is heavily influenced by industry lobby against any restriction on access to resources
- Lack of enforcement of federal fisheries act; provincial regulations override general
- Prohibitions of Free Trade Agreement; provincial legislation denies citizens rights listed in federal act
- Lack of adequate staffing leads to targeting some and ignoring other polluters through administrative directives
- Regulations written so as to be non-enforceable
- Feds sloughing off responsibility for federal fisheries act to provinces by saying
- Fish habitat protection is the sole responsibility of the province
- Lack of leadership
- Abuse of consensus process
- Denial of impact on children
- Denial of impact on health
- All talk, no action
- Refusal to use economic instruments
- Denial of USA domination
- A commitment to enforceable international obligations to accomplish economic policy
- Goals without any regard for their environmental impacts
- A refusal to commit to enforceable
- International environmental agreements to accomplish climate, biodiversity and other environmental policy objectives
- Issues identified are poorly handled by the department of the environment.
- Expertise and responsibility lies in department of Indian affairs and northern development
- The department of foreign affairs and international trade has a

- strong mandate to deal with both issues, but is ill informed and ill-prepared to do so
- Considerable technical expertise is available but is poorly reflected in policy
 - Government failure to follow up international commitments
 - Governments subsidies and support of business communities/trade over environment
 - Governments lack of leadership or challenge to provinces
 - Low level priority and resources for anything environmental
 - Lack of federal action
 - Slow cumbersome processes
 - Timidity
 - Abdication of responsibility
 - Failure to implement national goals and standards
 - Poor enforcement of laws
 - Failure to ensure compliance standards in federal-provincial agreements
 - Lack/restriction of resources for environmental regulation and enforcement
 - Closed processes lead to lack of transparency and lack of legislative process
 - Research & monitoring cuts
 - Enforcement weak
 - Bilateral agreements give up federal role
 - Environment Canada's only role in the region is the ACAPs - voluntary groups - multi-stakeholder
 - Fostering stewardship through community groups instead of regulating
 - DFO - public/private partnerships to devolve responsibilities to industry
 - Withdrawing from inland fish habitat
 - Staff cuts throughout the region
 - Lack of clear jurisdictional responsibility and commitment in protecting the Canadian environment and the lives of citizens living along the international trans boundary Region
 - Who is in charge - Ontario or federal government regarding international Transboundary issues?
 - What are the best pressure points available at the federal/provincial levels for ENGOS to engage in creative change/unravel damage
 - Need to demonstrate flaws in 'revised' system

- Quebec separation impact on environmental protection politics and how to respond
- Need for 2 or more pronged approaches federal and provincial
- Ensuring legal levers (eg federal *Fisheries Act*) are available for private citizen enforcement
- NAFTA/international implications/opportunities levers
- Language of 'partnerships, cooperation' etc
- Promise of national standards w/o any government having authority to enforce them
- Moving backwards on federal leadership promises
- Sense that even if they passed strong law; wouldn't enforce it
- No proposal (on this issue) as to what constitutes "equivalency"
- Harmonization
- Fisheries act
- Access to information
- Budget cut backs
- Devolution, decentralization
- Lack of access to "centre" of government (where decisions are made)
- Environmental movement not seen as having much power
- Inability of environmental groups to coordinate around common issue
- Our lack of lobbying strength in Ottawa
- Implementation gap ie: biodiversity convention,
- Lack of commitment to the environment at every level



APPENDIX D

Strategic Organization Table

Theme Areas	Objectives	Tactics
Overriding Theme: Lack of Federal Leadership/ Progress on Environmental Issues	-Strong Federal Legislation (CEPA, CEAA, Fisheries, Endangered Species, Others?) -implement and enforce own legislation/ provide resources for programs -Lead role in negotiating and implementing international agreements	-mobilize latent public -capitalize on year 2000/ Chretien's legacy -make links to other social justice issues (health/labour/aboriginal) -take proactive approach/set the agenda -promote new approaches (eg: pollution prevention) -need for leadership/ cohesiveness among environmental groups -need to get at the "Core" (PMO/PCO/Finance/Industry)
Sub Themes:		
1) Devolution/ Downloading i) harmonization ii) national unity	Short Term: -keep harmonization/ equivalency provisions out of current bills Long Term: -constitutional change?	-lawsuit against the federal government -participate in standing committee review of current bills -2 year review of the Harmonization Accord -further sub-agreements
2) Deregulation/ Lack of Enforcement i) move from regulatory model to voluntary measures and economic instruments ii) lack of enforcement iii) lack of capacity in gov't agencies	Short Term: -effective provisions in new bills (penalties, citizen suits) -restore funding to Environment Canada, Fisheries etc. Long Term:	-participate in development of new bills -expose use/abuse of science in standard setting

<p>3) Globalization i) Trade ii) Balanced Budgets iii) Economics</p>	<p>Short Term: -maintain domestic sovereignty -fiscal dividend</p> <p>-take strong pro environment positions on future international agreements (MAI, POPs, etc)</p> <p>Long Term: -full cost accounting economics</p>	<p>-participate in development of budget in fall; present alternatives -study of tax structure and subsidies that support industry</p> <p>-environment/economic "success stories" (environmentally friendly can be profitable)</p> <p>-presence at international agreements (POPs eg)</p>
<p>4) Connection Between Environmental Justice/Social Justice</p>	<p>-present uniform platform among different movements?</p>	<p>-make links with other movements</p> <p>-use of community based knowledge</p>

Table prepared by the Canadian Environmental Law Association

APPENDIX E

Worksheet sent to Participants in Advance

Canadian Environmental Strategy Workshop: Priority Issues

EXAMPLE #1

Description of Issue:

Federal Government Action Affecting Issue:

EXAMPLE #2

Description of Issue:

Federal Government Action Affecting Issue:

Organization:

COMMON THEMES:

APPENDIX F

Communication Information for Participants
of the Federal Strategy Workshop
JUNE 06 1998 - Toronto

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