

Will Canada Strengthen the Great Lakes Water Quality Agreement? Fact Sheet

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The *Great Lakes Water Quality Agreement* is an agreement between Canada and the United States that focuses on pollution matters within the Great Lakes. The Agreement was originally concluded in 1972 in response to a series of studies by the International Joint Commission concerning pollution problems in the Great Lakes. In particular, pollution problems in Lake Erie raised grave concerns especially when the Cuyahoga River in Ohio was caught on fire.

In 1978, the Agreement was re-negotiated and broadened to include toxic chemicals. In 1987, a protocol was added to deal with a number of issues in areas of concern or 'toxic hotspots'. Oversight to the Agreement is provided by the International Joint Commission (IJC), a binational body comprised of three Canadian and three U.S. commissioners. With the help of its advisory boards and staff, the IJC reports biennially to the government on progress made in implementing the Great Lakes Agreement.



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Significance of the Agreement

Historically, the Agreement is of immense significance for a number of reasons. First, the Agreement includes a number of key provisions and mechanisms that has led to real improvements in the Great Lakes. Some of these include:

Virtual Elimination and Zero Discharge for Persistent Toxic Substances

The Agreement calls for the 'virtual elimination' of persistent toxic substances, and says that regulatory programs should be designed with the philosophy of 'zero discharge'. The virtual elimination goal has been instrumental in forcing regulatory programs to focus on the phase-out of the most dangerous substances. The elimination goal can now be found in the *Canadian Environmental Protection Act* and the *Stockholm Convention on Persistent Organic Pollutants*.

The Ecosystem Approach

The *Great Lakes Water Quality Agreement* was the first international agreement to recognize the interdependence and interrelationship between land-based, water and air sources of pollution when it called for an '*ecosystem approach*'. This approach is now a global model found in many international instruments.

Remedial Action Plans and Lakewide Management Plans

Annex 2 of the Agreement developed a very unique mechanism to include different levels of governments and other stakeholders in attempting to address 'areas of concerns' or, better put, toxic hotspots. The Annex outlines sequential steps for remedial action plans, such as problem identification, options to address the problems and measures to implement them. Although not all remedial action plans have resulted in obvious improvements, other have to varying degrees. Lakewide management plans intend to undertake planning at a lakewide level. Although these plans have been slow to develop in practice, the approach is still applauded.

Public Education and Advocacy

One of the real benefits of the Agreement has been the fostering of a community of interests, including environmental groups, scientists, communities, and labour groups, among many others. Owing to this community-building, the Great Lakes have enjoyed a high profile and have benefited from the interaction among these communities.

The Challenge Ahead

Article 10 of the Agreement triggers a review of the Agreement after every third biennial report of the IJC. It is expected that this review will begin in mid-2004. This review is extremely important for this reason.

Most would agree that the Great Lakes Agreement has been a success. However, over recent years, there have been real challenges that threaten its record of success. For this reason many interests are supporting a review of the Agreement to determine how to revitalize interest in the Great Lakes by both policy-makers and the public at large. Environmental groups are supporting a review of the agreement but not necessarily a renegotiation. That determination depends on the outcome of the review.

What needs to be done to strengthen the *Great Lakes Water Quality Agreement*?

- ✓ The provisions of the existing Agreement need to be more fully implemented.
- ✓ The goal of virtual elimination needs to be furthered.
- ✓ Existing and emerging threats to the Great Lakes need to be addressed such as climate change, loss of biodiversity, toxic chemicals, and water quantity issues, among others.
- ✓ The public needs to be better involved in the processes under the Agreement and community of interests fostered.

The review of the Agreement provides a fundamentally important opportunity to revitalize the Great Lakes Agreement and have governments renew their commitments. The road to resolving some of these issues will need the support of all concerned communities and their elected representatives.

Great Lakes for the Future



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