



Advancing the Environmental Agenda

CANADIAN INSTITUTE FOR
ENVIRONMENTAL LAW AND POLICY

L'INSTITUT CANADIEN DU
DROIT ET DE LA POLITIQUE
DE L'ENVIRONNEMENT

Since/depuis 1970

Annual Report 2001 - 2002

- *Sustainable Policy Solutions*
- *Governance for Sustainability*
- *Public and Community Engagement*
- *Youth Leadership*

**A MESSAGE
FROM THE
CHAIR AND
EXECUTIVE
DIRECTOR**

DEAR FRIENDS OF CIELAP,

The Canadian Institute for Environmental Law and Policy (CIELAP) has completed another successful year. We have some new faces, new partners and a strategy for the future. CIELAP continues to provide the leadership, research, and policy recommendations necessary to help foster the development of progressive environmental law and policy.

Many of you are now aware that CIELAP has a new location in the heart of downtown Toronto at the corner of Richmond and Spadina. Our publications and archives are finally unpacked. These collections enable us to access the body of research generated by CIELAP staffers over the past 32 years. We take great pride in preserving 32 years of hard work and good research.

The Board of Directors of CIELAP at its January 2002 meeting approved CIELAP's new three-year strategic plan. The plan identifies four program areas for the next three years: Sustainable Policy Solutions; Governance for Sustainability; Public and Community Engagement; and Youth Leadership. With this new plan, CIELAP seeks to move away from a project specific focus toward one centered around program planning and development. The plan also identifies the need for CIELAP to expand its capacity. We hope to complement our tradition of comprehensive research with other important functions such as community outreach, the development of sustainability models, and the mentoring of future environmentalists.

You will read about our many successes during the year in this annual report. Our sincere thanks go to staff, volunteers, interns, board members, funders and all of you for your help to CIELAP in the past year. We look forward to another year of successes as we move forward together to support the process of developing more stable and sustainable communities.

We look forward to your support.

David Powell
President

Anne Mitchell
Executive Director

**CIELAP'S MISSION
AND VISION**

Founded in 1970, CIELAP is an independent, not-for-profit research and education organization whose mission is to provide leadership in the research and development of environmental law and policy that promotes the public interest and sustainability.

Our vision is a world in which basic human rights include a safe and healthy environment, achieved through respect for, and preservation of, nature's integrity and diversity.

Goals:

- i) To promote an effective and accountable environmental legal and policy framework
- ii) To enhance and promote environmental action on the public and political agenda

During the past year we have published a number of discussion papers and reports, organized a number of workshops and completed a number of projects which help us meet our goals.

ANNUAL REPORT 2001-2002

RESEARCH PROJECTS AND PUBLICATIONS

A YEAR
IN REVIEW

In December 2001, CIELAP, along with Faculty of Environmental Studies at York University, as part of Sustainable Toronto, released *Liquid Assets – Monitoring Water Quality in Ontario*.

In January 2002, CIELAP published its 6th *Annual Report on Ontario's Environment* which examines government policies and actions in five major areas: water quality and quantity, air quality and monitoring, hazardous wastes and brownfields, and compliance and enforcement of environmental rules and regulations.

In February, CIELAP, the David Suzuki Foundation and the Toronto Renewable Energy Co-Operative (TREC) released a report entitled *Green Power Opportunities for Ontario*. The report revealed that Ontario has enough capacity to close coal-fired electricity plants and increasingly rely on a combination of energy efficiency and renewable energy options.

At the end of May 2002, Honourable Justice Dennis O'Connor released the final Walkerton Report detailing ways to ensure that the drinking water in Ontario is not contaminated. CIELAP responded to "Walkerton II" by compiling the main recommendations in order to evaluate the government's response to the report and to protect Ontario's drinking water. The report recommends that the government develop a comprehensive drinking water policy and enact a Safe Water Drinking Act to implement that policy.

In May, CIELAP released an updated edition of one of our most successful publications, the *Citizens Guide to Biotechnology*. The publication informs citizens about the development of biotechnology in Canada. It includes information on the current trends in the application of biotechnology, the concerns surrounding its side effects and an overview of the type of policy framework Canada needs in order to regulate biotechnology.

In August 2002, CIELAP released a discussion paper entitled *Sustainability Impact Assessment of the Earth Summit + 10*. We were able to release this paper on the eve of the World Summit on Sustainable Development, held in Johannesburg.

In October 2002, we released a report entitled *Ensuring Green Power Supplies in Ontario: Responding to Perverse Subsidies and Other Market Inequities*. This report formed the basis for CIELAP to file a complaint under the Competitions Act.

In collaboration with University of Toronto cartographers, we developed the 3rd NPRI (National Pollutant Release Inventory) map, which details the types and impacts of pollution in Canada. This year CIELAP created two maps: one for high school students, and one for a younger audience.

The PollutionWatch website, a joint project with the Canadian Environmental Law Association and the Environmental Defence Canada is being 'repatriated' to Canada so that we can manage its financing and keep it going. Look for the launch of the new PollutionWatch website early in 2003.

During the year we also worked on a project on mining with our partner in Peru. The research paper, a case study on public participation in the environmental assessment of mining initiatives, will be published as part of a collection of case studies by the International Development Research Centre (IDRC).

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A YEAR IN REVIEW

During the year we revised and updated *Open for Toxics* about the management of hazardous waste in Ontario. This publication will be released before the end of 2002.

Our reports and discussion papers are available on our website at www.cielap.org.

CONFERENCE AND WORKSHOPS

On October 2001, CIELAP, collaborating with the Sierra Club and the Toronto Environmental Alliance, sponsored the 2nd Annual Green Power Trade Show. The show provided a forum for Green Power producers, facilitated a number of workshops on Green Power markets and informed consumers on how to demand green power. The 3rd Show was held on October 28 and 29, 2002 at the Westin Harbour Castle Hotel in downtown Toronto.

In April 2002, CIELAP held a conference entitled “**Partnering for Sustainability**”, in conjunction with the Strategy Institute. This successful conference, attended by over 200 delegates from government, academia, non-government organizations and the private sector, was based on a report published by CIELAP in November 2001 entitled “Sustainable Development in Canada: A New Federal Plan”. The document outlined a four-step sustainable development strategy for Canada. The steps include: the identification of sustainable development objectives, the establishment of specific goals and targets, and the measurement of and testing for sustainability.

For more information on the proceedings visit <http://www.cielap.org/partnering>.

On April 26th, 2002, CIELAP and York University’s Faculty of Environmental Studies (as part of the Sustainable Toronto project) co-hosted a successful workshop for Ontario’s Conservation Authorities. The workshop allowed watershed managers from across Ontario to share their experiences, challenges and issues regarding water quality management in Ontario.

In June 2002, CIELAP attended a workshop in Mexico City where NGOs from the US, Canada and Mexico discussed how they can use Pollutant Release Inventory data to alert communities to environmental problems. CIELAP was able to showcase some of its work using the National Pollutant Release Inventory (NPRI) data.

Summer Sail: On the sunny, but cool and breezy evening of June 27th, CIELAP held its fourth annual Summer Sail aboard The Challenge on Lake Ontario. In recent years, this has been one of our main events that raise money to support our research projects. This year, the event included a special ceremony that highlighted the achievements of our much valued volunteers.

Our Open House: which was held on July 18th, gave the public a chance to see our new office, meet our new staff members and review our recently released publications. We unveiled our new information package which contains a CIELAP chronology, a brief history and a glimpse of future projects. We entertained a full house and everyone enjoyed seeing both old and new faces. We would like to thank our volunteers for helping us to make this event a success.

Planning for Sustainable Development:

In October of 2001, CIELAP staff traveled to Ottawa to meet with senior bureaucrats in the departments of Environment, Natural Resources, Health, and Finance, to discuss sustainable development strategies. They circulated there the paper, *Sustainable Development in Canada: A New Federal Plan* which critically evaluates the rhetoric surrounding sustainability. It discusses the struggle to define the term, the use of indicators, and the role of innovation in moving towards a more sustainable society and specifically examines Canada's approach towards sustainable development.

Our Partnership with Fundacion Ambio in Costa Rica:

In February of 2002, Anne Mitchell, CIELAP's Executive Director, traveled to Costa Rica to complete a three-year program on sustainable agriculture and the agricultural products of biotechnology. With the help of CIDA, CIELAP and Fundacion Ambio worked together to successfully develop a policy framework to regulate the agricultural products of biotechnology in Costa Rica.

CIELAP is looking forward to repeating the success in Costa Rica by forming a partnership with the Advocates Coalition for Development and Environment (ACODE), a Ugandan NGO. The goal is to apply the knowledge gained from the Costa Rican experience and to assist ACODE with the development of biotechnology legislation.

Biotechnology and Patenting:

In March 2002, Anne Mitchell was reappointed to the Canadian Biotechnology Advisory Committee (CBAC). The Committee, established by the Federal Government, advises on issues related to biotechnology. Anne registered a minority view on both biotechnology and patenting.

In May, the Canadian Environmental Law Association representing CIELAP and other environmental non-government organizations and lawyers representing the Canadian Council of Churches argued before the Supreme Court that higher life forms (that is, plants and animals) should not be patented. The lawyers argued that it was never envisioned in 1869 when the Patent Act was passed, that the Act would be interpreted to include plants and animals. A decision on this case will be made this fall.

Participation in the World Summit on Sustainable Development:

In September Anne headed south to Johannesburg, South Africa for the first time in roughly 10 years (she previously traveled there as an anti-apartheid advocate). She served as a delegate to the World Summit on Sustainable Development (WSSD), representing several organizations including CIELAP and the Canadian Environmental Network (CEN). She posted comments on the summit proceedings on our website and you may have received her emails from South Africa. CIELAP hopes to host a seminar later this year to discuss and evaluate the summit proceedings and help identify program priorities for CIELAP in the coming year.

A YEAR IN REVIEW

STAFFING

Jennifer McKay left CIELAP in December 2001 to take up a position in the legislative library at Queens Park. We see her from time to time at various Ontario Government consultations.

Corey Diamond worked with the CIELAP team from February to November 2002, as a Project Officer. Corey worked on our NPRI projects including the website Pollutionwatch which is a joint internet project with CIELAP, Environmental Defence and the Canadian Environmental Law Association. We wish Corey well in his new position at Greenest City.

Christine Elwell joined CIELAP in September of 2001 as our Senior Legal and Policy Analyst. She is an international environmental lawyer with a wealth of knowledge in the environmental law and policy area.

They joined Anicia Bonilla and Anne Mitchell to make up the core CIELAP team during 2001/2002. But we could not have carried out our work without the help and assistance of many interns, volunteers, contractors and Research Associates.

We thank them all for their hard work during the year.

CIELAP'S FINANCES

The firm, PricewaterhouseCoopers (PWC) has audited the statement of financial position of the Canadian Institute for Environmental Law and Policy (CIELAP) as at June 30 2002 and the statement of financial activities and surplus and cash flows for the year then ended. In PWC's opinion, "these financial statements present fairly, in all material respects, the financial position of the Institute as at June 30 2002 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles". (Extract from PWC letter to the Directors of the Canadian Institute for Environmental Law and Policy, September 13 2002).

CIELAP's total revenue for the year under review was \$479,788. Expenditures were \$483,600. The audited financial statements are available from CIELAP and are posted on our website, www.cielap.org.

We thank all of our funders and donors for their financial support over the past year.

Rob Kerr
Treasurer

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AND AGENCIES:**

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Canadian Council for Human
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And anonymous donors

THANK YOU

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SUPPORTERS

ANNUAL REPORT 2001-2002

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MEMBERS,
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VOLUNTEERS

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CIELAP welcomed new board members in the fall of 2002 and said farewell to others. Jennifer Hooper, Carol Lynn Wallace and Ralph Torrie have joined the CIELAP board. We look forward to working with them in the year ahead. Murray Klippenstein, Eva Ligeti, Don Kerr and Jack Johnson resigned from the Board of Directors in the fall of 2002. We thank them all for their time and commitment to CIELAP.

RESEARCH ASSOCIATES:

Rod MacRae
Joe Castrilli
Malcolm Rogge
Charlotte Young
John Jackson

INTERNS:

Daniella Molnar, York University
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TO CONTACT
CIELAP

Suite 305, 130 Spadina Avenue, Toronto, Ontario, M5V 2L4
cielap@cielap.org
Phone (416) 923-3529
Fax (416) 923-5949



Or you can visit CIELAP's website at www.cielap.org