



CANADIAN INSTITUTE FOR ENVIRONMENTAL LAW AND POLICY

Advancing the Environmental Agenda



Since/depuis 1970

CANADIAN INSTITUTE FOR
ENVIRONMENTAL LAW AND POLICY

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

ANNUAL REPORT 2004-2005

ABOUT CIELAP

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

CIELAP's primary goals are: (1) To promote an effective and accountable environmental legal and policy framework; and, (2) To enhance and promote environmental action on the public and political agenda. CIELAP publishes reports and discussion papers, organizes workshops and completes projects that contribute to the realization of these goals.

Unsound environmental policies and practices have devastating effects, leading to serious social and economic problems. Our research identifies environmental concerns long before they appear on the public radar. CIELAP then strives to work with all stakeholders to develop comprehensive policy solutions.

CIELAP envisions a world where basic human rights include a safe and healthy environment. CIELAP has remained dedicated to this vision for 35-years. Today, our vision and dedication is more relevant than ever.

MESSAGE FROM OUR CHAIR & EXECUTIVE DIRECTOR

Dear Friends of CIELAP

In this our 35th year, CIELAP's focus is on partnerships for sustainability. How can we work together for the sake of our communities, the earth and ourselves? Our Partnering for Sustainability Conference (October 27th & 28th 2005) will examine sustainable urban communities – real people, real issues, real solutions – and the power of partnerships. For CIELAP, the term partnership means that communities and non-government organizations have to be at the table as equal players from the beginning. Bringing in communities and NGOs after government and industry have decided on the rules and the objectives does not, will not, and never has worked.

We have a long history of advancing the environmental agenda in Canada. We at CIELAP invite you to partner with us as we look into the future and to our vision of a safe and healthy environment as a basic human right. There can be no sustainable community or society unless it is a society that is based on human rights and values of peace and justice, where all can enjoy adequate food, shelter, education and healthcare. Along with these rights, of course, are responsibilities. Individuals, communities, governments and industry all have a responsibility not to further degrade our air, water and land, and to strive to live more sustainably for the sake of the future generations of all species.

During the past year we have been busy on a number of fronts: sustainability, pollution prevention and the National Pollutant Release Inventory; water; biotechnology; mining; and hazardous waste. We have also been working with communities in the townships of South Africa to help establish an environmental law centre. Among other things, the centre would help communities understand their environmental rights.

We thank you, our friends, for your support in the past, and look forward to you continuing that support into the future.

David Powell
President, Board of Directors

Anne Mitchell
Executive Director

SELECTED PUBLICATIONS 2004–2005

- The Citizens' Guide to Pollution Prevention (also available in French)
- Sustainable Development in Canada: A 2005 Update (also available in French)
- Spotlight on Sustainability: Managing Sources of Municipal Wastewater
- Public Participation in Water Management in the Great Lakes
- GMO Statutory Liability Regimes: An International Review
- Developing Canada's Federal Partnerships: Policy Considerations in the Resource and Environmental Fields
- Getting the Most out of Partnerships
- How to Make a Partnership Work
- A Guide to Policy for Partnerships in Canada
- Teachers' Guide to the National Pollutant Release Inventory

CIELAP'S 34TH ANNUAL GENERAL MEETING & AWARDS RECEPTION

OCTOBER 28TH 2004, CIELAP celebrated its 34th Anniversary at the York Events Theatre in Toronto. The Annual General Meeting was followed by the Awards Reception. CIELAP presented its second annual Award for Advancing the Environmental Agenda to David Schindler, for his lifetime achievement in raising awareness about Great Lakes issues; Zenon Environmental Inc., for developing sustainable technologies for water treatment, and to The Waterkeepers, for their concept of protecting water bodies. Over 150 guests attended.

SUSTAINABILITY

SUMMER OF 2004 – A new CIELAP report, *Spotlight on Sustainability: Managing Sources of Municipal Wastewater*, was released, calling for a national minimum standard to be applied to all Canadian jurisdictions to limit, restrict and forbid certain pollutants from being discharged into municipal sewers.

NOVEMBER 2004 – CIELAP's Executive Director, Anne Mitchell, participated in a consultation on the *Sector Roundtables on Sustainability* led by Sammy Watson, Deputy Minister of the Environment. CIELAP suggested increasing the significance of the sector-based roundtables by including regionally-based roundtables, such as a Great Lakes Sustainability Roundtable and by ensuring communities and non-government organizations are involved as equal partners from the beginning.

NOVEMBER 2004 – CIELAP Associate Researcher, Jolanta Rasteniene, participated in the National Energy Board strategy development meeting in Calgary.

JANUARY 18TH – 20TH 2005 – CIELAP met with federal government departments in Ottawa, presenting new CIELAP analysis of the state of sustainability in Canada since the World Summit on Sustainable Development (WSSD). The CIELAP delegation – Anne Mitchell and Senior Policy Researcher, Susan Holtz – met with representatives from 14 federal departments.

MARCH 2005 – CIELAP published *Sustainable Development in Canada: 2005 Update*, examining progress in Canada towards sustainable development. The report addresses the importance of sustainability, what sustainability means in practical terms, and how Canada can approach sustainability more efficiently and effectively.

MARCH 2005 – CIELAP released four publications in the series *Partnerships for Sustainability*. They include: *Developing Canada's Federal Partnerships: Policy Considerations in the Resource and Environmental Fields*; *Getting the Most out of Partnerships*; *How to Make a Partnership Work*; and *A Guide to Policy for Partnerships in Canada*. These publications, prepared by Ravenna Barker, present a framework for the formation of partnerships, checklists for evaluation of new and existing partnerships, and a review of existing policy for partnership formation in Canada.

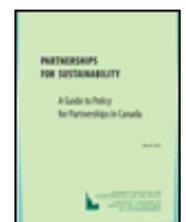
APRIL 2005 – CIELAP released the fifth and final paper of its *Partnerships for Sustainability* series. *Evaluating Two Partnerships* presents two case-studies – one that works well, one that ran into difficulties – and uses the partnership evaluation framework developed in this series to investigate how differences in the structural components of the two partnerships led to differences in performance.

MAY 26TH 2005 – CIELAP Communication and Fund Development Officer, Iana Nikolova, joined over 30 Environmental Non-Government Organization (ENGO) representatives in Toronto for a one-day workshop exploring the vision of Corporate Environmental Responsibility (CER) among Canadian environmental organizations. Organized by Pembina Institute for Appropriate Development, and Pollution Probe, the workshop looked at topics such as measuring and reporting, transparency, regulatory compliance, beyond compliance, environmental commitment, stakeholder engagement, and commitment to continuous improvement.

YEAR IN

REVIEW

2004-2005



YEAR IN

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2004-2005

SOUTH AFRICA PROJECT

OCTOBER 2004 – CIELAP began an exploratory partnership with the Wildlife and Environment Society of South Africa (WESSA). South Africa is one of a few countries with the right to a safe and healthy environment built into its constitution. Enforcing these laws is difficult and extreme poverty among the majority of the population offers additional challenges.

Funded by the International Development Research Centre (IDRC), the partnership aims to establish an environmental law centre in South Africa. The partnership commenced with a visit by Andy Gubb from WESSA's Western Cape Region office. Andy and his group want to see how we can work with them to develop their capacity to work with community groups to strengthen environmental protection.

JANUARY 27TH – 12TH FEBRUARY 12TH 2005 – Anne Mitchell visited South Africa, contributing expertise toward setting up the environmental legal aid centre in South Africa. She was accompanied by Susan Waters, an environmental lawyer with the Federal Department of Justice. Anne and Susan attended over 21 meetings with more than 40 different organizations, and met with over 100 people. The initiative proposes to strengthen the capacity of civil society to engage in effective environmental law and policy.

CIELAP is continuing to work towards these goals. With funding from the International Development Research Centre, CIELAP will build on exploratory work carried out in 2004-2005, and study organizational models of environmental law centres from around the world.

WATER

JUNE 16TH 2004 – CIELAP, the Canadian Environmental Law Association (CELA), and Great Lakes United (GLU) hosted a Great Lakes Reception at Queen's Park in Toronto. Guests included Members of the Provincial Parliament, members of their staff, and representatives of the environmental non-government community. CIELAP, CELA and GLU distributed five new fact sheets, in English and in French: *Emerging Issues in the Great Lakes Ecosystem*; *Controlling Water Withdrawals in the Great Lakes Basin*; *The Canada-Ontario Agreement*; *The Great Lakes Water Quality Agreement*; and, *The Restoration Plans in the United States*.



FALL 2004 - CIELAP released *Public Participation in Water Management in the Great Lakes*, a paper by CIELAP Research Associate Jolanta Rasteniene, examining the ways different Canadian jurisdictions involved in Great Lakes water management practice public participation. The paper includes case studies and examples of successful public participation in water management in Canada, the United States and the United Kingdom.

FALL 2004 - CIELAP released *Spotlight on Sustainability: Managing Sources of Municipal Wastewater*. calling for a national standard to be applied to all Canadian jurisdictions to limit, restrict and forbid certain pollutants from being discharged into municipal sewers.

OCTOBER 2004 – CIELAP's Senior Researcher, Susan Holtz, attended the *4th International Conference on Pharmaceuticals and Endocrine Disrupting Chemicals in Water* in Minneapolis, Minnesota, sponsored by the National Ground Water Association. Many of the scientists doing work on this emerging issue presented their most recent findings. Susan is currently preparing a CIELAP report on the topic.

NOVEMBER 2004 – CIELAP, CELA and GLU held a meeting on Parliament Hill in Ottawa to identify political champions for Great Lakes environmental issues. Nearly 40 MPs and staff from all political parties attended. Guests included Geoff Regan, Minister of Fisheries; Tony Ianno, Minister of State (Families and Caregivers); Senator Jerry Grafstein; and Herb Gray, Commissioner of the International Joint Commission.

NOVEMBER 2004 – Anne Mitchell participated in meetings with The Blue Group in Madison, Wisconsin. The meeting brought together environmental groups involved with Great Lakes issues on both sides of the border to discuss opportunities to engage Great Lakes stakeholders.

YEAR IN
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SPRING 2005 – CIELAP received a grant from the Gordon Foundation to work with Tim Morris, a PhD student at the University of British Columbia, to conduct research on managing water demand in the Great Lakes.

BIOLOGICAL DIVERSITY

SUMMER 2004 - CIELAP had two interns working on biotechnology issues: Michael Migus, a student at the Osgoode Hall Law School of York University, researched liability regimes in other countries; and, Anina Wissner, a law student from Switzerland on an internship in Canada, examined discussion on labeling in other countries.

SUMMER 2004 – CIELAP and other NGOs participated in consultations regarding the federal External Advisory Committee on Smart Regulations. CIELAP signed on to a letter prepared by CELA and sent to the Committee. CIELAP also wrote the Committee concerning smart regulations as they relate to the biotechnology industry, stating that the thrust of the consultation appears to be to reduce the burden of regulation for the purposes of being more competitive.

SUMMER 2004 – CIELAP participated in the Ministry of Natural Resources' Biodiversity Strategy multi-stakeholder workshops. CIELAP elected to contribute to the Genetic Resources Protection team after identifying the need for an NGO representation on the team.

FALL 2004 – Senior Researcher Susan Holtz represented CIELAP in a preliminary consultation process to develop multi-stakeholder discussion reviewing new regulations concerning genetically engineered living organisms under the Canadian Environmental Protection Act, 1999.

EARLY IN 2005 – CIELAP issued *GMO Statutory Liability Regimes: An International Review*, containing eight recommendations that would allow Canadian policy to meet new and complex legal challenges related to Genetically Modified Organisms (GMO). Written by Osgoode Law student Michael Migus, the report examines various legal approaches countries are taking to meet the challenge of GMOs, and the potential inability of traditional civil liability regimes to deal with this unique technology.



APRIL 2005 – Anne Mitchell participated in the New Directions meeting in Ottawa. The New Directions group is a consortium of NGOs and industry aiming to seek ways forward on controversial issues related to sustainability. The current initiative is on the biotechnology debate in Canada, and the need for a policy framework for such technologies.

MAY 26TH 2005 – Anne Mitchell participated in a meeting hosted by the Office of the Prime Minister's Science Advisor. The meeting focused on the bio-economy as the economy of the future.

POLLUTION PREVENTION AND HAZARDOUS WASTE

SUMMER 2004 – CIELAP continued its work on Pollutant Release and Transfer Inventories (PRI) at the international level. CIELAP Research Associate Jolanta Rasteniene presented Canadian NGO experience in creating and developing Canadian NPRI at a workshop for Asian countries in Penang, Malaysia. The three-day workshop raised awareness of the need for reliable and systematic data on emissions and transfers of toxic chemicals, and helped identify primary needs and challenges.

YEAR IN

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EARLY IN 2005 – CIELAP published *Teacher's Guide to the National Pollutant Release Inventory (NPRI)*. It helps children learn about the toxics they might be drinking and breathing. The guide includes activities that allow school children to use NPRI data to visualize what chemicals are being released into the air and water of their communities. The *Guide*, of course, is for all of us. It serves as a manual to help navigate the NPRI and PollutionWatch websites to get the pollutant release data you need, interpret the results and take action. CIELAP has also been working with Geographical Information Systems (GIS) students from Niagara College to develop a series of maps illustrating the release, transfer and incineration of hazardous waste in Ontario. Based on data from the Ministry of Environment, the maps will be of interest to people concerned with the quality of air and water in their communities. We are also working on a fact sheet on the current status of hazardous waste management.

MARCH 2005 – CIELAP and the Canadian Centre for Pollution Prevention released an updated edition of their popular *Citizens' Guide to Pollution Prevention*. The new edition, in English and French, features updated information, case studies, a pollution prevention glossary of terms, and a resources section to help readers find further information. The guide also outlines what industry and governments are doing to reduce and eliminate pollution.

MINING

SUMMER 2004 – *Improving Citizen Participation in the Environmental Impact Assessment Process for Mining*, a summary of the work of environmental law centres in Canada, Chile, Mexico, Peru and the United States, was released by our partners in Peru. The study examines ways to improve public participation in the environmental impact assessment of mining, while incorporating social and economic elements and criteria for sustainability.

THE ONE TONNE CHALLENGE

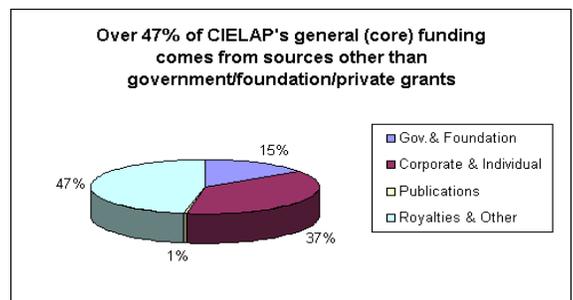
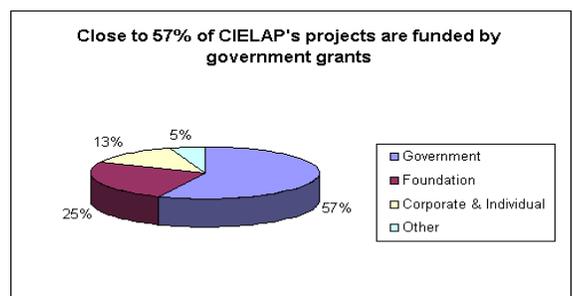
BEGINNING MAY 2005 – CIELAP is working toward taking the One Tonne Challenge one step further. The ads featuring Rick Mercer and Pierre Lebeau challenge Canadians to reduce their CO2 emissions by one tonne. CIELAP wants to show what Canadians are doing to meet the challenge. Over the following months, CIELAP will work with prominent Canadians to showcase what they have done and are planning to do to meet the challenge. Their stories will motivate the rest of us to embrace the One Tonne Challenge. At the CIELAP Third Partnering for Sustainability and our 35th Anniversary (October 27th & 28th 2005), guests will have the chance to pledge what they will do to meet the One Tonne Challenge over the following six months.

FINANCIALS

During fiscal 2004, CIELAP revenue was \$306,863. Nearly \$230,000 of this revenue was for research projects.

During this year in review, CIELAP projects were funded primarily by grants from governments and foundations; an increase of over 14-percent over last year.

CIELAP does not receive core funding from any organization. Unlike our project funding, only 15-percent of our core funding comes from government and foundations grants. Nearly 40-percent of core funding comes from corporate and private donations. Publications (that can be downloaded free online) account for one-percent of our core funding. The majority of CIELAP funding for core operations comes from miscellaneous sources, such as royalties.



** Audited Financial Statements are available

GOVERNMENT DEPARTMENTS & AGENCIES

Environment Canada
Department of Foreign Affairs
Export Development Canada
Human Resources Development Canada
Industry Canada
International Development Research Centre
Legislative Assembly of Ontario
Ministry of Environment
National Round Table on the Environment and
the Economy

FOUNDATIONS

Great Lakes Aquatic Habitat
J.W. McConnell Family Foundation
The Joyce Foundation
Max Bell Foundation
The Henry and Bernice Kaufmann
Foundation
Toronto Community Foundation
Walter and Duncan Gordon Foundation

CORPORATIONS

Canadian Petroleum Products Institute
Canadian Plastics Industry Association
Carswell
DOW Chemical Canada
El Du Pont Canada Company
Emond Montgomery
Falconbridge Limited
Gowlings
INCO Limited
James Heller Consulting Inc.
Niagara Waste Systems Ltd
Senes Consulting Ltd
Willms & Shier

ORGANIZATIONS

ACCESS
Canada Helps
Canadian Environmental Network
Foodshare Toronto
IPAC Toronto Region
Pembina Institute for Appropriate Development
Pollution Probe
Public Policy Forum
Ricketts, Harris LLP
The United Church of Canada
United Way of Greater Toronto

INDIVIDUALS

James Adamson
Douglas Anglin
Josephine Archbold
Marion Axmith
Mike Azulay
Bob Bach
Elizabeth Braden
James Bradley
Timothy Bradley
Michele Chaban
Marilyn Churley
Elizabeth Crichton
Jack Davidchuk
Dorothy Davidson
Laura Denison
Albert Engle
David Estrin
Wendy Francis
Jonathan Gee
Robert B. Gibson
Angelica Guillarte
Rose Mae Harkness
Mark Hathaway
Ole Q. Hendrickson
Prof. Keith W. Hipel
Frederick Holtz
Susan Holtz
Jennifer Hooper
Lawson Hunter
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Rob Kerr
Lisa King
Paul Koster
Stephen Kotze
Gregoire Labbe
Marjorie Lamb
Brian Latham
Clifford Lax
Alan Levy
Dr. J. Lipton
Larry Lowenstein
Brenda Lucas
Carol A. MacLeod
Andrew McClure
Gordon McClure

THANK YOU

TO OUR

SUPPORTERS

INDIVIDUALS (CONT'D)

Susan McMaster
Mark Madras
Garfield Mahood
John G. W. Manzig
R. Meier
Kevin Mercer
Anne Mitchell
Parker R. Morton
David Odell
Patricia Patton
Ellie Perkins
Peter Pickfield
John Roberts
Kathleen Schmitz-
Hertzberg
Miller Schwartzel
Robert Silver
Inez Somerville
George Tillman
Andrea Tomasak
Estelle Leigh Turina
Dr. Peter Victor
John Vincett
John Warren
Carolyn Webb
Eve Wyatt
Gregory Zimmer
& Anonymous Donors

CIELAP PEOPLE

BOARD OF DIRECTORS & STAFF

We are striving to focus our research and clarify our niche as an organization within the research and NGO community in Canada. We hired Maureen Carter-Whitney as our Research Director in September 2005, and, working with the staff and Research Committee, we are looking forward to a productive year where CIELAP can focus its research and take on two or three key, strategic initiatives.

Through the hard work of staff and volunteers we have kept projects coming in during the year as we address the question of our own sustainability. Iana Nikolova, who has been with us for just over a year and helped the organization in many areas, including developing our business plan, has left CIELAP to take up other opportunities. Carolyn Webb has joined us and is helping us with communication, fund development and events organizing. CIELAP continues to enjoy the hard work and commitment from many research associates, interns and volunteers.

BOARD OF DIRECTORS

Sophia Chan-Combrink, Secretary
Michael Cochrane
Nicole Geneau, Treasurer and Chair,
Fund Development
Michelle Kassel
Claude-Andre Lachance
John Mills
Anne Mitchell, Executive Director
Tania Monteiro
Sandra Odendahl
Ellie Perkins, Chair, Research
David Powell, President
Pamela Robinson

STAFF

Anne Mitchell, Executive Director
Iana Nikolova, Communication and Fund
Development (to August 2005)
Maureen Carter-Whitney, Research
Director (from September 2005)
Carolyn Webb, Communication and Fund
Development (from September 2005)
Lawson Hunter, Public Relations
Steve Kotze, Finance
Eva Mintcheva, Accounts Officer

VOLUNTEERS

Using the Volunteer Value Calculator, the Estimate of the Value of Volunteer Activity (EVVA) at CIELAP in the year under review was \$83,631.46. The true value added to personnel (TVAR) was calculated at \$90,321.98. The organization volunteer investment ratio (OVIR) is 83.63:1, that is, for every dollar CIELAP invests in its volunteer program, it receives a return valued at \$83.63 in unpaid volunteer activity

RESEARCH ASSOCIATES

Susan Holtz, Senior Policy Analyst
Dr. Satya Mohapatra, Researcher
Vimla Panday, Researcher
Lazaro S. Elizondo, Researcher
Ravenna Barker, Researcher and Conference
Organizer
Jolante Rasteniene (to June 2005)

INTERNS & VOLUNTEERS

Jeanne Castellanos
Alison Chafe
Olivia Chan
Jenny Greenop
Lillian Hopkins
Jonathan Mee
Michael Migus
David Newel
Lyndsay Vidito
Carolyn Webb
Yuriko Yagi

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