



CANADIAN INSTITUTE FOR
ENVIRONMENTAL LAW AND POLICY

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Winter 2003 Newsletter

What's New?

The World Summit on Sustainable Development (WSSD) and the CIELAP's AGM – November 12, 2002

As part of our Annual General Meeting, CIELAP convened a workshop on the World Summit on Sustainable Development, held in Johannesburg from August 24 – September 4 2002. The global summit brought together tens of thousands of participants who will be key to the success of sustainable development in the future. In addition to governments, there was active participation by representatives from business and industry, children and youth, farmers, local authorities, non-governmental organizations, scientific and technological communities, women, workers and trade unions.

At the AGM all attendees, in total about 70 people, helped us identify priorities for 2003. The top priority was Governance for Sustainability issues. Among the projects proposed are:

- governance of corporations at a global level
- NGO organizational templates
- model business template for corporate use
- encouraging governments to promote pollution reduction and green energy targets by emphasizing markets and increased consumer responsibility

The second priority for those attending was *energy issues* with biotechnology, water issues, youth leadership public engagement and capacity building more or less equally important.

Municipal Waste Water Effluents

CIELAP and the Canadian Environmental Network (CEN) member groups participated in a number of consultations conducted by Environment Canada on a proposed Risk Management Strategy related to municipal wastewater effluent. These consultations are leading up to a decision of the federal Ministers of Health and Environment as to which of the 25 substances added to the second Priority Substances List (PSL) in 1995 will be added to Schedule 1 of CEPA (*Canadian Environmental Protection Act*). Our participation in these consultations helped to address these substances and helped to ensure our collective capacity to pursue wider pollution prevention and control strategy for all Municipal Wastewater Treatment Plans in the future.

In the preparatory document for the ENGO's prepared by CIELAP, major regulatory and scientific developments relevant in formulating environmental strategies for these consultations were outlined. As the consultations made clear, the instrument of choice proposed by Environment Canada is to require P2 planning, over a seven to nine year period,

as a first step. The final ENGO report compiled by CIELAP set out the main issues raised in the consultations and summarize regional impacts regarding municipal wastewater and the proposed P2 instrument. Generally speaking environmental groups were pleased that some progress under CEPA is being made but the weakness of the instrument and the long time horizon for its implementation proved to be particularly frustrating for most participants in most regions. For a copy of this report, please visit www.cen-rce.org

The Minister of the Environment David Anderson congratulates CIELAP on the 3rd Annual Green Power Trade Show – Getting to Kyoto with Green Power.

Hundreds of participants benefited from the Trade Show's presentations and exhibitors took advantage of this year's increase in attendance. During the trade show, Mr. Julian Reed, M.P., announced a major Climate Change initiative - the \$25-million Market Incentive Program - on behalf of the Ministers of Natural Resources and the Environment.

The Minister of the Environment David Anderson congratulated Christine Elwell on the Green Power Trade Show and appreciated CIELAP's leadership in making it happen. This year's Show will be held in November, downtown Toronto.

New Releases

Ensuring GreenPower Supplies in Ontario:

Responding to Perverse Subsidies and Other Market Inequities

This report released by CIELAP at the 3rd Annual Green Power Trade Show (written by Christine Elwell, Sr. Legal & Policy Analyst) explores the major government policy and legal strategies necessary to advance sustainable energy development, create jobs and protect the public interest in the newly opened electricity market in Ontario. Our research found that a variety of regulatory and other institutional factors impede the adoption of low-environmental impact renewable energy in the Ontario market. Based on this paper a complaint was filed by a number of green power interests with the Federal Competition Bureau, the outcome of which is still pending.

Water Grab #1:

City of Toronto's Plans for a Water Board Pose Significant Trade Risks

The first in a series of three Case Studies by Christine Elwell, examined the current NAFTA and the expected GATS obligations should the City of Toronto Council vote to change the governance structure of the present Department of Water and Wastewater Services into the Toronto Water Board, a Municipal Service Board. City Council subsequently voted against the governance change.

Water Grab #2

Province of Ontario's Plans to Transfer Local Water Systems and Services to the Private Sector: A Breach of the Public Trust? A Review of Bills 175 and 195 (2002)

The second report in the series built upon the first and considered whether provincial legislative jurisdiction over water, water works and related services are subject to a public trust, either under the Canadian constitution and/or by virtue of the Environmental Bill of

Rights. The urgency of the matter stemmed from proposed language in the Safe Drinking Water Act and the Sustainable Water and Sewage Act that would have allowed the Minister of the Environment to transfer the ownership of local water systems to the private sector. Bill 175 was amended at third reading to address concerns about privatization so that local water systems can only be owned by municipalities.

A proposed third and final paper in the series will examine what multilateral and Great Lakes regional water resource and quality standards ought to be incorporated by regulation into the Safe Drinking Water Act.

Capacity Building: Virtual Resources Management

Rapid changes in Information Technologies allows for the management of documents although nonprofit organizations often lack the human resources and funding necessary to set up systems properly and develop protocols. With the generous support of the Sustainability Network CIELAP is going to implement a project on *Capacity Building through Virtual Resources Management* over the next two months. CIELAP's research associate Jolanta Rasteniene is heading up this most challenging project.

Workshop in Guelph

On January 22 and 23 another CIELAP research associate Ravenna Barker attended the Canadian Environmental Network International Program's International Organic Agriculture Workshop held at the University of Guelph. The first day of the conference focused on building the capacity of Canadian NGOs to work internationally through the Canadian International Development Agency (CIDA) with presentations by representatives of the Environment and Sustainable Development Programme. The second day of the workshop focused on learning about other projects and initiatives around organic agriculture internationally. Ms. Barker presented a case study of CIELAP's biotechnology and organic agriculture project with Fundacion Ambio of Costa Rica. In addition to the formal presentations made at the conference there were many discussions about the place of organic agriculture and food sovereignty in international politics and the place of Canadian NGOs in the international organic movement.

Biotech

CIELAP's intern from the Innis College Christina Wong is helping the organization to promote *The Citizens' Guide to Biotechnology*. She has attended various environmental conferences including an open forum on genetically modified foods at the St. Lawrence Centre, a conference sponsored by the Ontario Healthy Communities Coalition, and a conference sponsored by Toronto Environmental Alliance (TEA) and Ontario Environment Network (OEN). She will be organizing a small workshop in March to help CIELAP think through its next steps in the biotechnology debate.

The Harvard Onco Mouse case

On December 5, the Supreme Court of Canada ruled that, under Canadian law, the genetically engineered "*onco-mouse*" developed by Harvard University for cancer research cannot be patented. The Supreme Court held that the mouse does not fit the definition of an invention under the Patent Act. CIELAP was one of the intervenors in this case, represented by the Canadian Environmental Law Association. The Supreme Court

ruling was a significant legal achievement in the midst of great pressure on Canada by various sectors to permit the patenting of higher life forms. For CIELAP the long term implications on biodiversity, the commodification of life and issues related to equity and access to the research are the principal concerns.

Coming soon.....

Open for Toxics II coming in February

The report will outline concerns about the province's management of hazardous waste, specifically gaps in available information and the underlying regulatory framework for the generation, handling and fate of hazardous wastes in Ontario. The report will also present recommendations for the overhaul and modernization of the Ontario's reporting and regulatory regime for the management of hazardous wastes.

NPRI maps coming in February

The Junior Map for grades 6-9 and The Senior Map for high schools will show releases and transfers of pollutants based on the 2000 data provided by the Environment Canada's National Pollutant Release Inventory (NPRI) and will be available free (minimum charge for shipping & handling). We have also produced Guides to the maps to help teachers use the maps in their classrooms.

Partnership for Sustainability II

CIELAP is planning, along with the Strategy Institute, a second Partnering for Sustainability Conference on June 5 & 6 2003 in Toronto. Watch for more details.

New look to our website

Our website has long been in need of a new look.
Watch for CIELAP's new site www.cielap.org coming in March.

Interns and Volunteers

Our sincere appreciation goes to our dedicated and hardworking interns and volunteers.

Ravenna Barker – Fundraising and biotechnology

Ingrid Harris - Hazardous Waste

Victor Gao - Municipal Waste Water consultation

Carmelina Macario - Hazardous Waste

Stephanie Drake-Water Grab #2

Tristan Lees-Water Grab #2, Green Power Trade Show

Rebecca Crump-Green Power Trade Show

Siobhan Baker-Ensuring Green Power

Laura Zisso- research on Water Grab #1 & #2

Atila Fust- I.T. support

Eileen Basso- Admin support and fundraising

Christina Wong-Biotechnology

INTRODUCING our new interns.....

Ross Lashanbrook, holds a Bachelor of Science Degree in Environmental Science from Trent University and currently completing the post graduate in Environmental Management & Assessment Program at Niagara College of Applied Arts and Technology. He will be co-ordinating the *Conservation Authority project*.

Satya Mohapatra, a Ph.D. in Chemistry from Utkal University (India) and is accredited from York University Equivalency Program. Satya has had professional experience in Environmental Research and project management and . He is currently on a job training from Seneca College of Applied Arts and Technology under Re-Employment Centre for International Professionals. Satya will be assisting CIELAP research on water issues.

CIELAP Needs You in 2003!

We need your expertise, time and money.

Expertise: We need expertise in the following areas: sustainable development; biotechnology; hazardous waste; water; energy; media and communications. We need your help to develop research ideas and proposals and to help us communicate the results of our research.

Time: To develop proposals, research and writing.

Money: Join a constituency of committed people who care about the environment and future generations.

As a non-profit environmental research organization, our work depends upon the funds we raise through our individual, corporate, foundation and government supporters. Every dollar you give to CIELAP goes directly to advancing the environmental agenda in Canada and helping us to continue the vital work we've been doing for more than 30 years.

We acknowledge support from Environment Canada for our Public Awareness Program.

If you'd like to make a donation to CIELAP or to talk about other ways you can contribute to our work, please call Anicia at (416) 923-3529 x 28. You can send a cheque or VISA to:

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Thank you!!

