

349 Non-Compliance with International Obligations and Commitments: The Precautionary Principle

Posted by Joan Russow

Thursday, 31 January 2019 09:35 - Last Updated Wednesday, 06 February 2019 08:22

Petition 349 Non-Compliance with International Obligations and Commitments: The Precautionary Principle

Petition to the Canadian Environment Commissioner

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At the United Nations Conference on Environment and Development the precautionary principle was established as an international peremptory norm; and as a principle of International common law it has appeared in different versions;

Citizens have a legitimate expectation that Canada will live up to its international obligations

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and Commitments, and that scientists will be free to carry out and report on research without being impeded. This petition is submitted under the “outline how international environmental commitments are being met”.

A. Failure to implement Precaution principle in Convention on Biological Diversity and the Rio Declaration

B. Failure to implement the precautionary principle in the UN Framework Convention on Climate Change

C. Failure to abide by the precautionary principle in the Convention on the Law of the Seas and in the Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and anadromous Species

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A. Failure to implement Precaution principle in Convention on Biological Diversity and the Rio Declaration and in WHO documents

In the legally binding Convention on Biological Diversity, the precautionary principle reads;

Where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat

In the universally adopted Rio Declaration, the precautionary principle reads;

Where there are threats of serious or irreversible damage, [to the environment and human health] * lack of full scientific certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation." (Rio Declaration, UNCED1992).

*interpretation of the precautionary principle in the Rio Declaration

Precautionary principle extended to be applied to health article by World Health organization www.euro.who.int/__data/assets/pdf_file/0003/91173/E83079.pdf PDF file IN this file the precautionary principle has been extended to cover health.

QUESTIONS

1. There is sufficient scientific evidence that neonicotinoid and similar pesticides have been decimating the bee population: Why has the precautionary principle not been invoked and these pesticides, banned in Canada? (Department of Agriculture, Department of Environment or other relevant departments or agencies)

(ii) There is sufficient scientific evidence that genetically engineered crops have destroyed milkweed, and thus have contributed to the diminishing of Monarch butterflies: Why has the precautionary principle not been invoked and these crops not prohibited in Canada? (Department of Agriculture, and Department of Environment or other relevant departments or agencies)

(iii) There is sufficient scientific evidence that glyphosate pesticide has been harmful to human health and the environment: Why has the precautionary principle not been invoked and these pesticides banned in Canada?

<http://www.i-sis.org.uk/SS-glyphosate.php>

Posted by Joan Russow

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Department of Agriculture, and Department of Environment or other relevant departments or agencies)

□ (iv) There is sufficient scientific evidence that genetically engineered food and crops could be harmful to human health: Why has the precautionary principle not been invoked and these crops now prohibited in Canada?

□ Leading Geneticist Exposes Hazards of Gene-Altered Foods & Crops<http://www.organicconsumers.org/ge/hazards111504.cfm>

Department of Agriculture, Department of Environment) or other relevant departments or agencies)

(v) There is sufficient scientific evidence that Bovine growth Hormone could be harmful to health of humans and cows, and that BGH was banned in Canada: Why is it still possible that BGH milk from the US is allowed into Canada and processed in certain firms that are permitted to sell back to the US and to Other States? And why are BGH milk solids being permitted for sale in Canada?

Department of Agriculture, Department of Environment) or other relevant departments or agencies)

1. Failure to implement Precautionary principle in the UN Framework Convention on Climate Change.

In the legally binding UN Framework Convention on climate change there was the obligation:

to take precautionary measures to anticipate, prevent or minimize the causes of climate change and mitigate its adverse effects. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing such measures. (UNFCCC, 1992)

Under the Framework Convention on Climate Change is the following obligation;

Under Article 2 of the legally binding UN Framework Convention on Climate change, states are to stabilize greenhouse gases below a level of dangerous anthropogenic emission. (UNFCCC)

QUESTIONS

1. There is sufficient scientific evidence that the continued exploitation of the tar sands will cause Canada to fail to discharge its obligations under the UNFCCC: Why has

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the precautionary principle not been invoked to prevent exploitation of the tar sands.

2. Department of natural Resources. Department of Environment or other relevant departments or agencies

(ii) There is sufficient scientific evidence that accidents on pipelines have occurred and that pipelines are proposed through sensitive environmental areas in BC and through First Nations' land: Why will the precautionary principle not be invoked to prevent the pipelines and Tanker traffic from the Enbridge and from Kinder Morgan proposals?

Department of Environment and Department of Natural Resources, or other relevant departments or agencies

C. Convention on the Law of the Seas and Precautionary Principle in the Convention on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and A nadromous Species such as salmon

Under under article 6 of the 1995 agreement "relating to the Conservation and management of straddling fish stocks and highly migratory fish stocks ... is the obligation to invoke the precautionary principle.

And

1. To apply the precautionary approach widely to conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks in order to protect the living marine resources and preserve the marine environment.

2. To be more cautious when information is uncertain, unreliable or inadequate. The absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures.

Under article 6 are obligations for implementing precautionary measures

6 3(d) develop data collection and research programmes to assess the impact of fishing on non-target and associated or dependent species and their environment, and adopt plans which are necessary to ensure the conservation of such species and to protect habitats of special concern.

QUESTIONS:

1. **There is sufficient scientific evidence that *ISA and other viruses are in farmed salmon, and have even spread to wild salmon, that these viruses have arisen because of**

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salmon aquaculture and that these viruses are harmful to salmon and to human health: Why has the precautionary principle in the agreement on straddling fish, not been invoked and salmon aquaculture prohibited in Canada?

Department of Health, Department of Fisheries and other relevant Departments and agencies

▯ See film on <http://dissidentvoice.org/2013/03/salmon-confidential/>

***Infectious salmon anemia or anaemia (ISA)** is a viral disease of Atlantic salmon (salmon salara) that affects fish farms in Canada, Norway, Scotland and Chile

1. **There is sufficient scientific evidence that transgenic salmon could be harmful to the environment and human health▯ that they could▯ develop disease in land based pens, and that here could be accidents resulting▯ in their escaping into the nearby water system and into the food chain: why was the precautionary principle not applied in PEI where the eggs are produced and in Panama where they are growing in pens, and▯ transgenic salmon▯ test sites have been prohibited▯ and why will the precautionary principle not be invoked to prevent▯ transgenic salmon from being permitted to be produced in Canada and sold for human consumption.**

***A tree fell on the land-based pen in panama and the fish escaped into the local river. Also, the transfer from PEI to Panama violated the precautionary principle in the Biosafety protocol.**

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**the Bureau of microbial Hazards in the department of Health, Department of Health
CFIA Department of Fisheries, “
New Substance Notification Regulation (organisms) under the Canadian Environment
Protection Agency (CEPA),
Department of Environment or other relevant departments or agencies**

1. **There is sufficient scientific evidence that mechanically harvesting seaweed has caused a depletion of seaweed in areas where herring spawn and this practice has impacted on food sources for salmon: Why has the precautionary principle not been invoked to ban mechanically harvesting and to place a moratorium of non-mechanical harvesting?**

[Environmental concerns raised as seaweed harvesters scour beaches](https://pejnews.com/index.php?option=com_content&view=article&id=8761:environmental-concerns-raised-as-seaweed-harvesters-scour-beaches&catid=89:bc-earth-news&Itemid=213) https://pejnews.com/index.php?option=com_content&view=article&id=8761:environmental-concerns-raised-as-seaweed-harvesters-scour-beaches&catid=89:bc-earth-news&Itemid=213

relevant departments or agencies

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1. There is sufficient scientific evidence that the IUCN red listed threatened Nechako White Surgeon species could be impacted by the Enbridge pipeline which is designed to cross over the Nechako River: Why has the precautionary principle not been invoked to prevent the possibility of a red listed species being killed or harmed.

<http://www.iucnredlist.org/details/234/0>

: Department of Fisheries, Department of Environment **or other relevant departments or agencies**)

1. There is sufficient scientific evidence that sonar from tankers could harm whales and that under article 65 of the Law of the seas, there is an obligation to protect whale habitat: Why has the precautionary principle not been invoked to prevent the increase in tanker traffic along the BC coast;

□ **International study by Christine Erbe, director of the Centre for Marine Science and Technology at Curtin University in Perth, Australia**

www.orcarelief.org/docs/erbe_boatnoise.pdf

, predicts total underwater shipping noise could increase 10-fold in B.C.'s northern fiords if Northern Gateway proceeds. And that

“With the cumulative effect, the levels would be way above anything these animals would ever have experienced naturally,” *Erbe, a former research scientist with Canada’s federal Fisheries department,* and that

“There is a worry they will go away and not come back to these fiords. This is critical habitat, important to them”

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relevant departments or agencies