

<http://www.theglobeandmail.com/news/british-columbia/canada-accused-of-ignoring-nafta-obligations-by-environmental-law-association/article13778435/#dashboard/>

Canada has so weakened its environmental laws that it is “in violation” of its obligations under the North American free-trade agreement, the West Coast Environmental Law association says.

In an open letter released Wednesday, the non-profit legal foundation asks the Commission for Environmental Cooperation to take a hard look at Canada’s actions, saying the government has exposed the environment to undue risk to give Canadian industry an edge over the U.S. and Mexico.

“There needs to be economic consequences for intentionally weakening environmental laws in order to give industry a competitive advantage,” staff lawyers Anna Johnston and Andrew Gage state in the letter, which was addressed to an advisory committee of the CEC.

The CEC was established 20 years ago when the North American Agreement on Environmental Cooperation was signed as a side deal to NAFTA.

To celebrate its 20th anniversary, the CEC is reviewing the effectiveness of the environmental side agreement. As part of that process, an advisory panel to the CEC is currently accepting written comments from the public.

Canada accused of ignoring NAFTA obligations by environmental law association

Posted by Joan Russow
Thursday, 15 August 2013 13:58 -

The letter states that under the agreement, Canada committed to providing high levels of environmental protection and to maintaining standards that matched those of the other signatories, the U.S. and Mexico.

However, the letter complains that Canada has recently been “gutting a wide range of environmental laws, apparently at the request of industry.”

It states that although each country may modify its laws and can choose how to provide a high level of environmental protection, “recent changes to Canada’s major environmental statutes, initiated after pressure from the oil and gas industry, do not credibly maintain ... Canada’s previous environmental standards.”

Specifically, the letter complains that the recently passed Canadian Environmental Assessment Act “eliminated thousands of environmental assessments of activities and projects, including projects which can have major environmental impacts.”

It also says that in repealing the Kyoto Protocol Implementation Act, Canada cancelled the only law the country had that set targets for the reduction of greenhouse gases.

“This means that, unlike Mexico or the U.S., Canada has no ‘flagship legislation’ guiding its response to climate change,” the West Coast Environmental Law association letter states.

The group also complains that amendments to the Fisheries Act “severely curtail the protection of all fish” and that changes to the Navigable Waters Protection Act remove oversight on “tens of thousands of streams and lakes” that had been covered by the legislation since it was first adopted in 1882.

“In each case these changes were made with little or no meaningful public consultation,” the letter states. “Laws cannot be based on meetings with industry lobbyists behind closed doors.”

Canada accused of ignoring NAFTA obligations by environmental law association

Posted by Joan Russow
Thursday, 15 August 2013 13:58 -

Mr. Gage said Canada has clearly violated the agreement by stripping down its environmental laws to provide an advantage to Canadian industry and by failing to be open and transparent about the changes.

“You know, this legislation is some of the least transparent we’ve ever seen in terms of how it’s been handled,” he said, referring to how amendments were brought without public consultation, and how the changes were brought in through an omnibus bill that contained hundreds of items.

The West Coast Environmental Law association letter was copied to the federal government, but Environment Canada was unable to provide a spokesman to comment Wednesday.

<http://www.theglobeandmail.com/news/british-columbia/canada-accused-of-ignoring-nafta-obligations-by-environmental-law-association/article13778435/#dashboard/> follows/