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The old Gateway Industries site in Point Douglas.

EDITORIAL

First steps towards environmental responsibility

CANADA is often viewed as a country of vast untouched wilderness, pristine waterways and thriving wildlife. Last week, the federal government took a step towards making that idyllic reputation a reality.

On Tuesday, amendments to the Canadian Environmental Protection Act were passed into law, including a guarantee that every Canadian has the right to a healthy environment and that it is the government's duty to protect that right.

The changes follow an historic 2022 United Nations declaration, which urged countries to recognize a clean, healthy and sustainable environment as a basic human right. The non-binding resolution was designed to address the existential threats of the climate crisis by offering individuals a legal avenue to challenge the actions and policies of powerful polluting entities. So far, more than 150 of the UN's 193 member states have affirmed that right through constitutional and legal amendments.

While Canada has finally joined those ranks with the passing of Bill S-5, critics worry the first major changes to CEPA in more than 20 years don't go far enough.

The legal right to a healthy environment may have passed on paper, but its implementation is still a ways off. The federal government has two years to decide how it will go about enforcing the

law, which is subject to as yet undefined "reasonable limits."

The bill also updates how toxic substances are assessed and addressed — a move the Canadian Environmental Law Association and Manitoba Eco Network argue may actually degrade existing environmental oversights.

While Bill S-5 is imperfect at best, it is an important step towards offering citizens the legal means to hold governments and industries accountable for ecological destruction. It is a small, but necessary step towards ensuring the livability of the planet for current and future generations. It is recognition that human and environmental health are inextricably linked.

Global protests have raised public consciousness around the issue of climate change in recent years. Now, legal challenges aimed at exacting environmental justice are becoming more common.

In April, an Ontario judge dismissed a landmark lawsuit brought forward by a group of young people who claimed the provincial government's inactions threatened their future. While the judge agreed that Ontario's climate plan "falls severely short" of what is scientifically required to reduce greenhouse gas emissions, they determined the shortcomings did not violate Section 7 of the Charter of Rights and Freedoms, which guarantees the right to life, liberty and

security.

Instead of amending CEPA, advocates had pushed for the right to a healthy environment to be enshrined in the Canadian constitution, an avenue that has so far proven politically unpopular.

Down south, a group of young Montanans are suing the state for violating their right to "a clean and healthy environment." This is the first constitutional challenge of its kind in the United States. The trial began last week.

Locally, Canada's updated environmental act could give Point Douglas residents the legal recourse needed to address long standing contamination issues in the community. A recent investigation by the *Free Press* and *The Narwhal*, highlighted the mental, emotional and physical toll of living in a neighbourhood surrounded by heavy industries and plagued by high lead concentrations.

Residents have rallied for remediation and information, but their concerns have gone largely unanswered by the provincial government. Unfortunately, it seems they'll have to wait another two years to find out how their right to a healthy environment will be respected.

Bill S-5 is a step towards environmental justice in Canada, but without effective enforcement, it risks becoming governmental greenwashing at the highest level.