

ecojustice



The Honourable Julie Dabrusin, P.C., M.P.
Minister of Environment and Climate Change
House of Commons
Ottawa, ON K1A 0A6

July 23, 2025

Dear Minister Dabrusin,

Congratulations on publication of the *Implementation framework for the right to a healthy environment under the Canadian Environmental Protection Act, 1999*. This milestone now enables full implementation of the landmark 2023 CEPA amendments recognizing – for the first time in Canadian law – the right to a healthy environment.¹ We thank you for championing those important updates to CEPA over many years and hope that robust application of the new framework will be one of your defining legacies as Canada’s environment and climate change minister.

When the UN General Assembly adopted the historic resolution recognizing the right to a healthy environment, in 2021, UN Secretary General António Guterres said, “The resolution will help reduce environmental injustices, close protection gaps and empower people, especially those that are in vulnerable situations, including environmental human rights defenders, children, youth, women and indigenous peoples”.² We share this vision. But it is not enough to merely recognize the right - Canada must put the right into practice.

¹ Amendments to the CEPA preamble, section 2(1)(a.2) and section 5.1 were enacted as part of Bill S-5 by the 44th Parliament.

² <https://news.un.org/en/story/2022/07/1123482>

For more than a decade our groups have called for the integration of a rights-based approach to environmental protection. This has never been more important, as your government is confronted with complex geopolitical and economic challenges and interrelated ecological crises.³ Protection of the right under CEPA based on the new framework and Canada's international legal obligations gives you and your government a strong foundation for defending and advancing Canada's national interest in a healthy environment.

We will continue to advocate for stronger legislation protecting the right and improvements to the implementation framework as tools to strengthen action under CEPA to achieve a healthy environment for all, and so that Canada can use the right to a healthy environment as a shield against lawsuits that challenge environmental and climate actions, as many other countries are increasingly doing.⁴

At the same time, we are deeply concerned that your department's ability to implement the new right and other critical work will be undermined by a lack of resources. ECCC's most recent departmental plan foresees an alarming 50 per cent drop in spending over the next two years if key programmatic budgets are not renewed.⁵

We offer our support as you and your department champion necessary investments and put the new framework to work. Near term opportunities include:

- Renewal of the Chemicals Management Plan, with a new emphasis on implementing the right to a healthy environment (as recommended by the Green Budget Coalition), sustaining funding for the Plastics Initiative, and enhancing ECCC's overall budget.
- Actively working with the High Ambition Coalition to secure recognition of Indigenous rights and the human right to a healthy environment in a new international treaty on plastic pollution when the fifth meeting of the Intergovernmental Negotiating Committee resumes next month, and operationalizing this through inclusive compliance and implementation mechanisms, global limits on plastic production and consumption, eliminating problematic single-use items, and ending use of harmful chemicals in plastics, among other measures.

³ Nathalie Mayer and Futura Team, "[A real ticking time bomb: this new planetary boundary breach could change everything.](#)" *Futura*, June 25, 2025.

⁴ Former UN Special Rapporteur David Boyd notes: "Courts have embraced this argument in cases involving industry challenges against plastic bag regulations (e.g., Kenya, Mexico and Uganda) , regulations governing the cement industry (Nepal) , a law protecting glaciers (Argentina) and restrictions on the import of heavily polluting used vehicles (Peru)." [The right to a healthy environment: a user's guide](#). 2024.

⁵ [Environment and Climate Change Canada's 2025-26 Departmental plan](#)

- Listing PFAS as a class of toxic substances under CEPA by Fall 2025, and implementing a high-ambition risk management approach that upholds the principles of environmental justice, intergenerational equity and non-regression.
- Establishment of an Office of Environmental Justice, in conjunction with the forthcoming National Strategy Respecting Environmental Racism and Environmental Justice.
- Launching the Supply Chain Transparency Strategy to give consumers and your department access to the information they need to make better decisions, and incentivize a shift to safer chemicals and products.
- Defending CEPA regulations, preventing regression, and expediting actions to address environmental harms.⁶

Finally, we urge you to ensure that all CEPA consultation and decision documents clearly set out how the right to a healthy environment has been considered and upheld. This will support the commitments to transparency and public participation emphasized in the new implementation framework.

We look forward to working with you to ensure that every person in Canada enjoys an environment that is clean, healthy and sustainable. Full implementation of the right to a healthy environment here in Canada and around the globe offers a hopeful path forward.

Sincerely,

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⁶ For example, expediting the risk assessment and risk management of oil sands-affected water including naphthenic acids to prevent the release into the Athabasca River and 6PPD, its transformation products, and related PPDs that cause fish kills from urban runoff mortality syndrome.

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