

of the ozone layer in the upper atmosphere.⁴ From this expanded perception emerged the concept of sustainable development, the focus of the report of the World Commission on Environment and Development (the Brundtland Commission).⁵

Conclusion 1:

The Committee endorses the definition of sustainable development contained in the report of the World Commission on Environment and Development (the Brundtland Report): Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

1.10 In the last two decades, therefore, the concept of “environment” that is widely shared in Canada and throughout the world has expanded to include three vital elements:

- Environmental problems seldom or never exist in isolation. Water pollution, deforestation and similar issues are usually extremely complex in terms of both their cause and their solution. In the ecosystem of which humanity is an essential and major element, “everything is connected to everything else.”
- Human ability to affect the environment in major ways, combined with the transfer and exchange mechanisms within the ecosystem, has led, especially during the second half of the 20th century, to a situation in which environmental problems exist at all scales from the local to the global. Action to avoid or solve such problems can normally be effective only if it takes place on comparable scales.
- The need for coordinated action on a continental or global scale has been heightened by the growing evidence of changes to the atmosphere and biosphere that are imminent and potentially irreversible.

The Committee is convinced that these characteristics of ecosystem interconnections, global scale, and potential irreversibility are fundamental to any review of environmental issues in relation to the division of powers among different levels of government in Canada.

B. The Present Division of Environmental Powers

1.11 Environmental powers exercised today by federal, provincial and territorial governments, and also by municipalities, are derived from the various related powers assigned to the federal government and the provinces under the Constitution Act, 1867, as amended in 1982. For the environment, the two most important federal heads of power, under section 91 of the Act, are the criminal law power and the “residual” power to make laws for the peace, order and good government of Canada. The federal government is also thought

⁴ See the Committee’s reports on *Deadly Releases CFCs* (June 1990) and *Out of Balance: The Risks of Irreversible Climate Change* (March 1991).

⁵ World Commission on Environment and Development, *Our Common Future*, New York, Oxford University Press, 1987, p. 43.