

*Canadian Environmental Protection Act*

Reform Commission Report on pesticides regulation, and the legal political controversy surrounding the federal Government's decision to cancel the registration in Canada of pesticides. Several hundred public interest and environmental groups in Canada are involved in research and advocacy issues related to pesticide use, particularly on how it affects the environment and our health.

The free trade agreement provides for the harmonization of standards and regulations regarding pesticides. Not only does this Bill exclude pesticides, further legislation will be introduced requiring us to harmonize these regulations with the United States.

The trade deal raises great uncertainty about the future of environmental protection standards. It remains to be seen how legitimate domestic objectives will be applied. At a minimum, the Canadian Government and public policy groups will be required to lobby in the United States for standards that are affecting our environment. Surely this is unacceptable to Canadians. The deal provides for no public participation in the harmonization process, so Canadians will find out after the fact rather than be part of that process. This undermines the movement toward wider public interest in participation and debate over setting the standards for product safety and environmental protection.

We know that the environment is one of the greatest concerns of Canadians. Yet, the Government is entering into an agreement with the United States that reduces our ability to participate in a discussion of those environmental standards.

Canadians have tended to ignore the importance of the service sector in our country. Services account for about 70 per cent of our jobs, and the service sector is the only major sector in the United States which manages to generate a trade surplus. Therefore, American business seeks to expand its trade services world-wide and most countries in the world, including the poor and undeveloped ones, recognize the importance of this sector for employment and have resisted American penetration. However, the Conservative Government has tried to sell this to Canadians as a good deal. Thankfully they are resisting such promotion.

It entails treatment no less favourable than that accorded in like circumstances to Canadian companies with respect to measures that are covered by Chapter 14. This Chapter specifically obliges states and provinces to follow the same policy with respect to service investments from another country.

In other words, if the legislation itself cannot be strengthened, how will we have any legislative clout when these regulations must be harmonized with the provinces and the states?

Another problem arises as a result of Article 2010 regarding monopolies. A monopoly is any entity, including any consortium that in any relevant market in the territory of a party that is the sole provider of a good or a covered service. The

agreement prevents anti-competitive practices by monopolies and compensates any enterprise which could be deprived of business opportunities through the establishment of a monopoly in any sector of the market.

If we establish a national program, it could be identified as a monopoly. This would reduce public policy options including those that are meant to protect our environment. I believe the only way to proceed is through public policy. The Government rejects this option when it refuses to strengthen the legislation.

The free trade agreement raises further questions when we consider the Ontario reforestation practices. Under forest management agreements, the licensing system which covers 70 per cent of our forested lands in the Province of Ontario subsidizes the holder of a license to replant logged forest lands. This practice could be attacked by the American forestry service as an anti-competitive practice.

Surely, when we are dealing with the protection of our environment and our resources, we are also talking about our ability to practice reforestation. That cannot take place if we are giving any of that decision-making power to the United States.

The analysis of the trade agreement indicates that there will be significant impacts on the environment, as there are with most economic development proposals. It is only in the last 10 to 15 years that we have seriously considered the impact of economic development proposals on our environment.

It was clearly pointed out in the Brundtland report that we must have regard for the protection of the environment when we are considering sustained development.

This deal is the Government's blueprint for Canadian economic development of the future. It entrenches a market oriented approach to economic decision making which will accelerate resource development in Canada and put added stress on the environment. However, there is absolutely no involvement in the negotiations by Canadian federal or provincial environmental Ministers. There is no government assessment of the environmental impact of the deal and absolutely no opportunity for examination of these impacts or for any form of public participation in the negotiations.

With the surrender of both the federal and provincial powers to enact environmental protection through various policy alternatives, the actions of the federal Government in negotiating the agreement are in direct contradiction with its claim to adopt the approach and recommendations of the report of the National Task Force on the Environment and the Economy.

When we look at Bill C-74 we firmly believe there was absolutely no sense of that goodwill. Bill C-74 represents a good public relations exercise to make Canadians believe that the Government cares about the environment and will introduce legislation so that people will think it cares about the environment. However, it certainly does not give us the legislative ability to deal with the importance of Canada's environment. It does not give us the ability to say that we are