

Time to Debunk Mulroney as an Environmentally Enlightened Canadian Prime Minister

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PEJ News - Joan Russow - Some environmentalists have claimed that the Mulroney Conservative government (in power 1985-1993) demonstrated environmental enlightenment. It is time the myth about Mulroney' s environmental enlightenment was dispelled not perpetuated.

Mulroney demonstrated environmental rhetoric but with questionable consequences and follow-up actions.

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Time to debunk Mulroney as an environmentally enlightened Canadian Prime Minister

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Some environmentalists, including Elizabeth May, have claimed that the Mulroney Conservative government (in power 1985-1993) demonstrated environmental enlightenment. It is about time the myth about Mulroney' s environmental enlightenment was dispelled not perpetuated.

Mulroney demonstrated environmental rhetoric but with questionable consequences and follow-up actions.

-1985 Mulroney entered into the Free Trade Agreement, and facilitated the increased environmental damage from US control of Canada's natural resources, from voluntary compliance, and from relaxing of environmental regulations to attract industry.

- Then in 1987 he was among the first on the bandwagon of "sustainable development" as described in the Brundtland report. With the involvement of GATT (General Agreement on Tariffs and Trade), and the global corporate sector, "Sustainable Development" became a euphemism for business as usual with environmental clean-up and green wash.

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- his government embarked on the first trials for genetically engineered foods and crops in 1988 leading towards serious consequences for the environment and health as well as environmental devastation of Canadian agriculture

- in 1988 he was involved in the "Changing Atmosphere Conference" in Toronto, where government, industry, academic and NGOs exclaimed the following:

?Humanity is conducting an unintended, uncontrolled, globally pervasive experiment whose ultimate consequence could be second only to a global nuclear war. the Earth's atmosphere is being changed at an unprecedented rate by pollutants resulting from depositions of hazardous, toxic and atomic wastes and from wasteful fossil fuel use ... These changes represent a major threat to international security and are already having harmful consequences over many parts of the globe.... it is imperative to act now.

Climate Change in the Conference statement, Changing Atmosphere Conference in 1988

Even after this deep concern was expressed Mulroney did not begin to act.

- 1991: the Conservative government under Mulroney issued an order in Council to bypass the Environment Assessment Review program, in order to allow nuclear powered and nuclear arms capable vessels to enter Canadian waters, and urban ports. The compliant courts supported the government contention of cabinet prerogative.

In 1991 he supported the 1991 US-led invasion of Iraq, and failed to oppose the US use of Depleted Uranium which has contributed to serious long-standing health and environmental problems.

- Mulroney signed in June 1992, the Climate Change convention, and ratified the Convention in December 1992, and then proceeded to ignore the obligations incurred in the Framework Convention on Climate Change, and never enacted the necessary legislation to ensure compliance

- At the UN Conference, Jean Charest as Mulroney's Environment minister held a press conference on the "Green Plan". After some criticism was voiced at the conference about

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Canada's use of nuclear energy, uranium mining, dumping raw sewage into the ocean, clear cutting forests etc, Charest determined to prevent critics from attending future press conferences. His stand was supported by Louise Comeau from the Sierra club.

- 1992, at the UN Conference on Environment and Development (Rio), Canada opposed the "S" being placed on the phrase "indigenous people". This decision served to undermine the representation of a wide range of indigenous perspectives on the environment. --a position that was strongly criticized by the international indigenous community.

- At the UN Conference on Environment and Development, Mulroney held a press conference on the Convention on Biological Diversity. He went to the microphone surrounded by flowers and made lofty pronouncements. When asked if he would ban practices such as clear cut logging that destroy biodiversity; he hesitated and then proclaimed this was not the time to talk about issues. While Mulroney was negotiating the Convention on Biological Diversity, biodiversity was being destroyed in forests and bogs across the country, and continued to be destroyed under his watch.

-AT UNCED, the Federal government consulted with the provincial representatives, and in September 1992, the Council of Environment Ministers met in Aylmer Quebec, where they moved a resolution supporting the Federal government's ratification of the Framework Convention on Climate Change, and the Convention on Biological Diversity. Given that there had been consultation with the Provinces including the endorsement by the province of the ratification of the two Conventions, and that both climate change and biodiversity were matters of National concern, the provinces were bound by the two conventions. Mulroney failed then to proceed at a time when the provinces were on board, and thus contributed to the implementation of the conventions.

-On December 1992 he ratified the Biodiversity Convention. When the government department responsible for implementing the biodiversity convention was contacted, the department said that Canada was more concerned with assisting other countries in discharging their obligations [this was also the position taken by the IDRC] rather than realizing the necessity of implementing the Convention in Canada.

- October 1992, the Canadian Government refused to include a clause for right to a safe environment or for ecological heritage in the Charter of Rights and Freedoms. The purpose of the Charter of Rights and Freedoms is to enable individuals to apply to the courts to seek remedies if they believe that their rights or freedoms, as guaranteed by the Charter, have been infringed or denied. The Charter must protect rights that may not be already protected through common law remedies. Individuals must have "standing" in order to bring a case to court. Standing is usually synonymous with property rights or financial interest, and damages are awarded according to losses of these interests. Although the courts have proceeded to continually address any infringement or denial of property rights, they have failed to address the serious ecological damage that continues to be done by industry and government alike. There is no redress for individuals, and community groups who object to ecological damage on the basis not of economic interest but of community ecological rights. It is only through the Charter that individuals and community groups might be able to have standing and thus be able to launch

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suits against governments on behalf of the community's ecological rights. (submission

-June 1993, at the World Heritage Conference at UNESCO, Canada had the opportunity of naming key sites for declaration as world heritage sites, but they failed to list any key environmental areas.

It was only when the Mulroney government was embarrassed at the World Heritage Committee meeting at UNESCO in Paris that he agreed to nominate the Tatashini.

-October 1993. Environmental Assessment Review of NAFTA. Mulroney misrepresented NAFTA to the Canadian public. In this document, it was claimed that all international agreements would take precedence over NAFTA. Whereas in the NAFTA agreement (Article 104), only three agreements were listed, Basel Convention, CITES, [trade in endangered species], and the Montreal protocol. The convention on Biological Diversity and the Framework Convention on Climate Change were not listed. The Sierra club participated in this environmental Assessment Review, and did not make public the misrepresentation of international law in the Canadian Assessment.

Article 104.1 obligations will prevail in convention on International Trade in endangered Species of Wild Fauna and Flora (1973), the Montreal Protocol (1990), Basel convention on the Control of transboundary Movement of Hazardous Wastes and their disposal (1989)

The Canadian government through its Canadian Environmental Review indicated:

"the prevalence, in the event of inconsistency, of trade obligations set out in international environmental and conservation agreements over the NAFTA trade disciplines (Intro, CER)"

In other words these international environmental or conservation agreements will take precedence over the NAFTA

- post Rio. Mulroney government incurred obligations by signing and ratifying the framework Convention on Climate Change and the Convention on Biological Diversity, and made commitments under Agenda 21, Rio Declaration, and Forest Principles {as well as other long standing government obligations under the Convention for the Protection of Cultural and Natural Heritage (1972); Cross border international Environmental Assessment (1991). The government, however, did not enact the necessary legislation to ensure compliance with obligations and commitments.

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