



CANADIAN ENVIRONMENTAL LAW ASSOCIATION  
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

May 27, 2010

The Honourable Jim Prentice  
Minister  
Environment Canada  
Minister's Office (TLC)  
10 Wellington Street  
Gatineau QC K1A 0H3 CANADA

*Transmission by email: [Jim.Prentice@ec.gc.ca](mailto:Jim.Prentice@ec.gc.ca)*

Dear Minister Prentice:

***RE: Seek Canada's ratification of Stockholm Convention on POPs to confirm its support for global elimination of 9 new POPs by June 2010***

The Canadian Environmental Law Association (CELA) ([www.cela.ca](http://www.cela.ca)) is writing this correspondence on Canada's efforts to ratify amendments made to the Stockholm Convention on Persistent Organic Pollutants which aims to eliminate 9 new POPs globally. This letter is a follow-up to our initial letter dated November 5, 2009 which was supported by 25 Canadian public interest organizations and your letter dated December 17, 2009 in response. To date, the Government of Canada has made no public announcement indicating an intention to confirm the completion of its ratification process with the submission of legal papers to the depository as required under the Stockholm Convention on POPs. The completion of the ratification process is essential for Canada to demonstrate its full support for and leadership on the elimination of nine new POPs under the Stockholm Convention (i.e., Pentabromodiphenyl ether (Penta BDE); Octabromodiphenyl ether (OctaBDE); Hexabromobiphenyl (HBB); Lindane; Alpha hexachlorocyclohexane (Alpha HCH); Beta hexachlorocyclohexane (Beta HCH); Perfluorooctane sulfonate (PFOS); Chlordecone; and Pentachlorobenzene (PeCB)).

***We urge the Government of Canada to take the necessary steps during the current Parliamentary session to ratify the amendments to the Stockholm Convention to confirm Canada's continued commitment towards global POPs elimination.***

In your December 2009 letter responding to the Canadian public interest groups, we were pleased to read that "Environment Canada and Health Canada are actively engaged in preparing the necessary documentation and processes to meet the requirements of the Conventions as a result of the amendment." However, currently there is a lack of public notice to indicate Canada's progress and when the government expects to complete the ratification process. The lack of public notice has added to our growing concern about Canada's progress on ratification. In past meetings with your department, we proposed the need to establish a formal public engagement process to facilitate dialogue between government and stakeholders

on this file. We ask you to consider a public engagement process to promote transparency and accountability on the government's efforts to meet its international commitments.

The Canadian delegation's tireless effort during the Fourth Conference of the Parties of the Stockholm Convention to ensure the successful addition of these POPs for elimination under the Stockholm Convention should receive the necessary priority attention by the Government through the successful ratification of the Convention in the coming weeks. At this time, we are unaware of any legal barriers or other challenges for Canada that may need to be addressed before ratification can be completed. Canada is well placed to meet its obligations on the 9 new POPs. A number of important regulatory actions on selected new POPs (e.g. PFOs and polybrominated compounds) have been enforced in the past few years that will set Canada on its way to achieve its obligations under the Stockholm Convention. We are also aware that Canada is active in the inter-sessional work to gather information on POPs recycling practices in Canada for future meetings of the POPs Review Committee. There may be matters related to the export activities and recycling practices related to the new POPs that are not explicitly addressed in the Canada management regime. These matters could be addressed more explicitly in the development of action plans for each POP but should not cause a delay in the ratification process for Canada.

Since the Canadian process requires all ratification packages to be introduced into the House of Commons before receiving final approval, we are concerned that the timelines in this current Parliamentary session are tight but we nevertheless urge you to take the steps necessary to introduce the ratification package this session. No progress in this area may result in a delay in the Canadian process for ratification and may have implications on its implementation efforts.

As a public interest organization, CELA is concerned about the on-going impacts of POPs on the Canadian environment and its people, particularly in the Canadian Arctic where POPs tend to accumulate. We urge the government to take the necessary steps in the coming weeks to complete its ratification process before this Parliamentary session concludes for summer recess.

As the first country to ratify the Stockholm Convention at the conclusion of the Conference of Plenipotentiaries in May 2001, Canada set a strong signal to the global community of its commitment to eliminate POPs for the protection of the global environment and human health. Many Parties soon followed Canada's lead through ratification of the Convention. We do not expect Canada to regress from the global commitment it made under the Stockholm Convention on POPs in 2001. On the contrary, with the addition of new POPs, we expect Canada's commitment to POPs elimination at the global stage to be heightened. This should be achieved through successful ratification before conclusion of the current Parliamentary session in June 2010.

Canada is one of about 15 Parties to the Stockholm Convention that included an opt-in provision to address future amendments in its ratification package. Other Parties to the Stockholm Convention will be required to meet their obligation under the Stockholm Convention without additional ratification requirements. It is important that Canada not lose ground with other Parties at this important juncture. The delay in completing ratification may have significant implications for Canada's ability to effectively implement the obligations, including delays in the development of action plans on the new POPs.

We seek the Government's response to confirm the successful ratification of the Stockholm Convention by June 2010. If you have any questions on this matter, please do not hesitate to contact us (see below for information). Thank you for your attention to this matter.

Sincerely yours,

**THE CANADIAN ENVIRONMENTAL LAW ASSOCIATION**

A handwritten signature in black ink, appearing to read 'Theresa McClenaghan', written in a cursive style.

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c.c. Canadian Environmental Network Toxics Caucus

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