



David
Suzuki
Foundation

ecojustice



environmental
defence



CAPE
Canadian Association
of Physicians
for the Environment

Association Canadienne
des Médecins
pour l'Environnement
ACME



Canadian
Environmental Law
Association
EQUITY. JUSTICE. HEALTH.



March 23, 2017

Sent via email

The Honourable Catherine McKenna
Minister of the Environment
House of Commons
Ottawa, Ontario
K1A 0A6
catherine.mckenna@parl.gc.ca

Elaine MacDonald, Ph.D.
Program Director,
Healthy Communities
Ecojustice
1910 -777 Bay St.
Toronto, ON
M5G 2C8
emacdonald@ecojustice.ca

Re: Conference of the Parties to the Stockholm, Rotterdam, and Basel Conventions

Dear Minister McKenna,

We write to you in advance of the upcoming triple Conference of the Parties (COP) to the Stockholm, Rotterdam, and Basel Conventions. This letter addresses Canada's position on two critical issues: (1) the addition of chrysotile asbestos to Annex III of the *Rotterdam Convention*; and (2) the proposed amendment to Article 22 of the *Rotterdam Convention*, which would allow hazardous substances to be added to Annex III with the support of three-fourths of the Parties. Canada's support for both of these proposals is essential to ensure the continuing relevance and effectiveness of the *Convention*.

Asbestos, including chrysotile, is one of the most important and widespread occupational carcinogens. The World Health Organization has recommended that countries stop using all

types of asbestos in order to eliminate asbestos-related diseases.¹ The *Rotterdam Convention's* independent and expert Chemical Review Committee has recommended the addition of chrysotile asbestos to Annex III for the past 10 years. Our understanding is that Canada intends to support the inclusion of chrysotile asbestos in Annex III. Canada's support for this proposal would represent an important step towards reducing and eliminating the devastating health impacts of asbestos around the world.

We would also urge Canada to support the proposed amendment to Article 22 of the *Convention*. As you know, Article 22(5)(b) currently requires a consensus decision by the Parties in order for a hazardous substance to be added to Annex III. This has significantly reduced the *Convention's* effectiveness by allowing small numbers of countries or even single nations to block recommendations made by the Chemical Review Committee to add hazardous substances to Annex III. For instance, Sudan blocked the listing of fenthion, India blocked the listing of trichlorfon, and Guatemala, India, Indonesia, and Paraguay twice blocked the listing of paraquat. These are all highly dangerous substances with potentially severe or life-threatening health effects.

The text of the *Rotterdam Convention* emphasizes the goal of protecting human health and the environment from the damaging effects of hazardous substances. The *Convention's* preamble states that the Parties are “[d]etermined to protect human health, including the health of consumers and workers, and the environment against potentially harmful impacts from certain hazardous chemicals and pesticides in international trade.” Article 1 confirms that the *Convention's* objective is to “[...] promote shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm [...]” This admirable goal is significantly undermined when individual countries exercise their effective veto power to block the listing of hazardous substances. The existing requirement for the Parties to approve by consensus the addition of a hazardous substance to Annex III risks depriving the *Convention* of its relevance and utility. It also puts countless lives at risk by facilitating the continued exposure of people and the environment to various toxic substances.

Both the *Stockholm Convention* and the *Basel Convention* currently require only a majority vote, when consensus proves impossible, in order to list substances in their respective annexes. These conventions have functioned effectively for years using this model. There is no reason that the *Rotterdam Convention* could not operate with a three-fourths majority vote system, when consensus proves impossible.

¹ Available online: http://www.who.int/ipcs/assessment/public_health/chrysotile_asbestos_summary.pdf.

We therefore respectfully request that Canada support the proposed amendment to Article 22 of the *Rotterdam Convention* at the upcoming COP.

Kind regards,

Elaine MacDonald, Program Director - Healthy Communities
<emacdonald@ecojustice.ca>
Ecojustice

David R. Boyd, Associate Professor Institute for Resources, Environment and Sustainability
<drdavidboyd@gmail.com>
University of British Columbia

Kim Perrotta, Executive Director
<kim@cape.ca>
Canadian Association of Physicians

Ian Bruce, Director, Science and Policy
<ibruce@davidsuzuki.org>
David Suzuki Foundation

Annie Bérubé, Directrice, Relations gouvernementales
<aberube@equiterre.org>
Équiterre

Muhannad Malas, Toxics Program Manager
<mmalas@environmentaldefence.ca>
Environmental Defence

Fe de Leon Researcher
<deleonf@cela.ca>
Canadian Environmental Law Association

Kathleen Ruff, Director
<kruff@bulkley.net>
RightOnCanada.ca

cc The Honourable Justin Trudeau, Prime Minister of Canada
The Honourable Chrystia Freeland, Minister of Foreign Affairs
The Honourable Jane Philpott, Minister of Health
The Honourable Kirsty Duncan, Minister of Science