

The Right to a Healthy Environment under the Canadian Environmental Protection Act, 1999

What does the recognition of the right to a healthy environment mean for the National Pollutant Release Inventory?

Canada's [National Pollutant Release Inventory](#) (NPRI) was established in 1993, with the first NPRI results released in 1994. Under the *Canadian Environmental Protection Act, 1999* (CEPA), mandatory reporting provisions require the owners and operators of applicable facilities to submit a variety of data to be published in the NPRI.

What is the National Pollutant Release Inventory (NPRI)?

The NPRI is Canada's public inventory of releases, disposals and transfers. It tracks over 320 pollutants from over 7,000 facilities across Canada. The NPRI includes a range of information about pollution from facilities, such as:



- releases from facilities to air, water or land,
- disposals at facilities or other locations,
- transfers to other locations for treatment and recycling,
- facilities' activities, location and contacts, and
- pollution prevention plans and activities.

The NPRI is one of data collection processes used under CEPA to help the Government of Canada manage risks to human health and the environment posed by substances that may enter the environment.

The Right to a Healthy Environment under CEPA:

In 2023, CEPA was updated to include recognition of the right to a healthy environment. The term "healthy environment" is defined under section 3 of CEPA as "an environment that is clean, healthy and sustainable". To further explore the meaning and application of this new right to CEPA processes, the Government was required to develop an implementation framework. After extensive public consultation, the [Implementation Framework on the Right to a Healthy Environment](#) was published in July 2025. The Framework explores the meaning and application of the right to a healthy environment through an examination of its "substantive" and "procedural" elements.

Substantive elements: this aspect indicates the scope of legal protection associated with the right to a healthy environment under CEPA. The Implementation Framework indicates that under CEPA, the right to a healthy environment encompasses "the right of every individual in Canada to live in an environment that is protected from harmful substances, pollutants, and waste" and its recognition is meant to ensure that actions taken under CEPA contribute to:

- **clean and healthy air and water;**
- **a sustainable climate; and**
- **healthy ecosystems and biodiversity.**

However, the Implementation Framework is clear that recognition of the right to a healthy environment does not mean that there will be no pollution in the environment, but instead it stresses the importance of preventing, managing and reducing pollution through CEPA processes to protect human health and the environment.



Subject to Reasonable Limits: The Implementation Framework also emphasizes that while the Government of Canada has a duty to protect the right, it is not absolute and is subject to reasonable limits. This means that when applicable, the Government will consider other scientific, social, health, and economic factors when interpreting and applying the right and determining the reasonable limits to which it is subject. Along with these factors, decision-makers also consider how their actions uphold other CEPA principles, including environmental justice and intergenerational equity.

Procedural Elements: this aspect of the right to a healthy environment identifies the tools and processes that will be made available by the Government to support and protect the right under CEPA.



Access to Information: The Implementation Framework indicates that to support access to information, CEPA information will be regularly updated online and made easy to find, access, and use, by a range of different audiences, from those requiring comprehensive, technical details, to those requiring concise, non-technical information.



Participation in Decision-Making: To facilitate the participation of diverse voices and perspectives, the Implementation Framework indicates a range of actions and supports that will ensure any interested person who wants to participate can. This includes providing technical assistance, accessibility, and financial resources where possible.



New CEPA Tool - the [Right to a Healthy Environment Portal](#): This portal provides a single window to information on actions and decisions made under CEPA. The information is organized into tabs based on the substantive elements of the right, so Canadians can more easily track the progress of implementation activities and access useful tools and data.

Protection from harmful substances and pollutants	Protection from harmful waste	Clean and healthy air	Clean and healthy water	Sustainable climate	CEPA accountability
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Protection of the Right to a Healthy Environment: the Implementation Framework (Part 6) also explores mechanisms to help protect the right. This includes the development of guidance materials; tools to support the right throughout the CEPA management cycle; and compliance and enforcement actions, among others. Part 7 also discusses research, studies, and monitoring activities that will support protection of the right.

What does this mean for the NPRI?

The recognition of the right to a healthy environment, among other changes, has contributed to a shift in thinking about the range of public information available through the NPRI and the need to collect a broader scope of data and improve the accessibility of information about the chemicals regulated under CEPA.

For example, the NPRI does not present data in a way that would help the public and impacted communities easily identify information to determine if CEPA actions are contributing to a “sustainable climate” or “healthy ecosystems and biodiversity”. Although the data provided about discharges to air, land, and water through the NPRI provides some indication of contributions to “clean and healthy air” and “clean and healthy water”, it does not provide insight into the environment and health impacts of these releases.

Work is ongoing to determine the appropriate changes needed to the NPRI and to develop clearer linkages between different types of information captured and produced by CEPA processes, particularly the potential health and environmental impacts of discharged substances.

Next Steps:

The Implementation Framework indicates that engagement on the right to a healthy environment and other new elements of CEPA, such as the principle of environmental justice, will be ongoing, transparent, and inclusive to ensure that a full range of voices continue to be represented as the framework is implemented and evolves.

Existing committees that include key CEPA stakeholders and partners such as the CEPA National Advisory Committee (NAC), the NPRI Consultative Work Group, and the CMP Civil Society Organization bilateral meetings will be key to this ongoing engagement. Environment and Climate Change Canada and Health Canada will also work to identify other opportunities to listen to a broader range of perspectives and collaborate with First Nations, Inuit, and Métis.

Progress on implementation of the Framework will be reported in the CEPA Annual Report, starting with the 2025-26 Report.



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