



What We Heard

Draft Implementation Framework
for the Right to a Healthy Environment
Under the *Canadian Environmental
Protection Act, 1999*



Government
of Canada

Gouvernement
du Canada

Canada 

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Foreword

Environment and Climate Change Canada (ECCC) and Health Canada (HC) would like to thank all individuals and organizations that participated in the development of the Implementation Framework for the Right to a Healthy Environment under the *Canadian Environmental Protection Act, 1999* (CEPA) (“the framework”). A wide range of perspectives and testimonies on the challenges experienced with regard to environmental health were shared. Identifying these challenges has provided valuable insight into improvements that could be made to how CEPA is administered and, together with specific recommendations that were provided through the submissions, ECCC and HC have used this feedback to improve the framework and the guidance it will provide to CEPA decision-makers.

Many comments highlighted that, for the Government of Canada to meaningfully engage on a topic, it is important for participants to know how their input was considered. This What We Heard Report includes a summary of the comments received during engagement with interested stakeholders and Indigenous peoples between October 2024 and January 2025, as well as ECCC and HC’s response to these comments, showcasing the changes made to the sections and annexes of the framework based on these comments. In some cases, the comments did not lead to changes to the framework itself, but informed the content of other supporting products, such as the new CEPA Right to a Healthy Environment Portal (“the portal”) and the CEPA Annual Report. Comments were also received regarding changes that could be made in specific CEPA programs and, while they were not able to be addressed in the framework, these comments have been shared with the appropriate contacts within ECCC and HC. Comments that were outside the scope of CEPA or that would require amendments to the Act are not described in this report or addressed in the framework.

ECCC and HC have made every effort to characterize what was shared in the submissions accurately.

Introduction

In the preamble of CEPA, the Government of Canada recognizes that every individual in Canada has a right to a healthy environment as provided for in CEPA. As required by CEPA, the framework sets out how the Government of Canada, and in particular ECCC and HC, will consider the right in the administration of the Act to fulfill the Government’s duty to protect the right to a healthy environment that is subject to any reasonable limits. Unless otherwise indicated, all mention of the right to a healthy environment discussed in this report is limited to the right as provided for in CEPA (the “right” or “right to a healthy environment”).

On October 4, 2024, the [Draft Implementation Framework for the Right to a Healthy Environment under the Canadian Environmental Protection Act, 1999](#) (“the draft framework”) was published for a 60-day public consultation period. Indigenous and youth organizations who received funding from ECCC were provided a longer period to complete their own engagement activities on the draft framework. The publication was announced through a news release, a notice in the *Canada*

Gazette, Part I, and emails to individuals and organizations that subscribe to the [Latest News about the Chemicals Management Plan](#), or that self-identified as interested parties. The web page on the [Right to a Healthy Environment under CEPA](#), the [CEPA Registry](#), and the [Advancing Environmental Equity engagement platform](#) provided information on the draft framework and contact information to participate in consultations.

Who responded

In total, 56 submissions were received. A number of Indigenous Nations, organizations and governments, as well as youth organizations received funding to lead engagement activities on the draft implementation framework. The breakdown of submissions by respondent type is shown in Table 1.

Table 1. Number of submissions on the Draft Implementation Framework for the Right to a Healthy Environment under CEPA, by respondent type

Respondent type	Total
Industry and industry associations	17
Environmental non-governmental organizations or civil society organizations	17
Indigenous Nations, Organizations, or Governments	11
Youth organizations	4
Private citizens	4
Academia	2
Other governments (Provincial, Territorial)	1
Total count	56

What we heard

Common messages came up in many submissions about how science is used in CEPA decision-making, including the need for decisions to be based on science, without bias and distortion, and using scientifically-sound approaches so decisions can withstand rigorous assessments; how there is a need for better access to information on CEPA remedies, enforcement, research and funding; how existing international approaches on the concept of a right to a healthy environment should be reflected in the framework; how the right to a healthy environment under CEPA should align with a human-rights based approach; and how existing industry-led initiatives, programs and guidelines can be recognized in the framework to better define and measure a healthy environment, and to promote responsible business practices. These are addressed in the framework as follows:

- **Sound science** is, and will continue to be, the foundation for CEPA decision-making. Additional elements for consideration related to science, such as cumulative effects, have been added in the framework, through the scientific factor described in section 5.0. Other examples of strengthened language on sound science include guiding considerations that relate to upholding the CEPA principle of science-based decision-making in section 6.1, as well as section 7.0 and Annex 2 which further highlight the importance of science in CEPA

decision-making from the perspective of research, studies and monitoring that support protection of the right.

- The framework provides guidance for decision-makers including best practices in relation to **access to information**, ensuring information is accessible (section 2.2.1 and section 6.1) where possible. The launch of the new CEPA Right to a Healthy Environment Portal (section 8.1) aims to bring awareness to the right under CEPA by providing access to information on the issues addressed by CEPA, including on existing resources, remedies, enforcement and relevant published data and reports. To foster better communication, contact information is available for questions. In addition, the portal offers a centralized and accessible location for the public to find opportunities to engage and participate in CEPA processes and decision-making.
- In setting out the meaning and application of a right to a healthy environment as provided for in CEPA, ECCC and HC reviewed and considered **international approaches**¹ concerning the concept of a right to a healthy environment (section 2.0). However, the framework clearly sets out the meaning and application of a right to a healthy environment as provided for in CEPA.
- A **human rights-based approach** was described in many submissions as including underlying principles, such as participation and inclusion, accountability, equality and non-discrimination. The framework provides guidance for ECCC and HC decision-makers to consider the procedural elements of access to information and participation in decision-making (section 2.2) and elaborates on how the principle of environmental justice (section 4.1) will be upheld in the administration of CEPA.
- While **industry-led initiatives, programs and guidelines** may include principles and other elements that align with the framework, their content and implementation is dependent on the industry, and their purpose is to guide their members in sustainable practices and ultimately inform decisions made by industry organizations. The duty to protect the right as provided for in CEPA lies with the federal government, since it administers CEPA, and one of the purposes of the framework is to provide guidance for CEPA decision-makers to support this protection.

In addition to these overarching messages, feedback received has been categorized into five themes:

- Purpose and clarity
- Participation in decision-making
- Indigenous rights
- Principles
- Accountability and transparency

¹ Submissions specified the United Nations Human Rights Council resolution 48/13, and the United Nations General Assembly resolution on the Human Right to a Clean, Healthy and Sustainable Environment (A/Res/76/300).

Theme 1: Purpose and clarity

What we heard	Government of Canada response
The draft framework is too theoretical and lacks details on how the right under CEPA will be considered in practice in the administration of the Act, including how it will impact existing programs, policies and tools. <i>Indigenous Perspectives:</i> The framework should include clear mandates for government to take immediate action to address pollution in order to restore and protect the right for impacted communities.	Given that CEPA is broad in its scope and application, how the right will be considered in decision-making will vary among CEPA programs. Flexibility has been built into the framework, and it is purposefully broad to allow for operational differences in CEPA programs. However, the framework has been updated and restructured. The first part of the framework elaborates on the meaning of the right to a healthy environment as provided for in CEPA, Indigenous rights, certain principles and relevant factors as they relate to CEPA (sections 1.0 to 5.0). The second part provides flexible and practical guidance for government decision-makers on considering these elements in the administration of CEPA to support protection of the right (section 6.0 onwards). The framework provides examples of mechanisms, which are tools and policy approaches that support ECCC and HC decision-makers in considering the right (section 6.2). These examples have been streamlined and further elaborated on in Annex 1 to provide more details on how each mechanism will contribute to the protection of the right. As a result of this change in focus, some of the example mechanisms that were featured in the draft framework are no longer presented as mechanisms and are instead highlighted in other areas of the framework (e.g., under section 8.0 on Accountability and Transparency).
The framework should provide further clarity in both the definition and application of the right, as well as key terms used (e.g., vulnerable environments, vulnerable populations, cumulative effects, sustainable	The framework elaborates on the meaning of the right as it is provided for in CEPA by outlining substantive and procedural elements of the right and what these each include within the CEPA context (section 2.0).

climate, biodiversity, clean water, intersectionality and the precautionary principle). <i>Indigenous Perspectives:</i> Biodiversity is frequently mentioned in the framework but is not well-defined. The framework should go beyond listing biodiversity as a priority and outline specific protections, monitoring strategies, and habitat restoration efforts. Key concepts should be defined to include and prioritize the perspectives, interests and knowledge of Indigenous peoples, as well as the impacts to Aboriginal and Treaty rights, recognizing their reliance on a healthy environment and the exercise of their inherent rights. The framework should consider cumulative effects as a binding factor as part of decision-making in CEPA. This may include addressing long-term exposure to pollutants that impact multiple generations.	The framework states that all actions under CEPA to protect the environment from pollution contribute to healthy ecosystems and support biodiversity (section 2.1.5). When administering CEPA, the Government is protecting the environment (including its biological diversity) from the risks of adverse effects of the use and release of substances found to be toxic under CEPA, pollutants and waste, and ensuring the safe and effective use of biotechnology. The framework is explicit that any terms must be understood as they are within CEPA, given that the right is specific to CEPA. A Terminology Guide is included that provides a list of existing definitions or explanations of terms drawing from CEPA or relevant Government of Canada sources (Annex 3). It also indicates where the definitions of some key terms are still in development, such as vulnerable environments, or where there may be multiple approaches within the Government of Canada, such as in relation to cumulative effects. The framework elaborates on certain factors that may be relevant in CEPA decision-making, and consideration of cumulative effects is mentioned as part of considering scientific factors (section 5.0). Guiding considerations also prompt decision-makers to consider cumulative effects (section 6.1).
There should be more detail about how reasonable limits will be applied, criteria for practical use and what they mean in practice for the protection of the right, and how different factors will be balanced when making decisions that impact the right. <i>Indigenous Perspectives:</i> Other relevant factors to consider include Indigenous knowledge, Indigenous knowledge systems, Inherent and Treaty Rights and the	The framework elaborates on scientific, social, health, economic and environmental factors, but notes that other factors may also be relevant in CEPA decision-making. Considering factors, where applicable and on a case-by-case basis, is not new for ECCC and HC decision-makers (section 5.0). The framework does not suggest that decision-makers should prioritize any one factor over others but emphasizes the importance of taking into account the relevant facts and details of each

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).	specific decision. Public participation during CEPA decision-making and contact information made available on the portal will provide opportunities for dialogue on CEPA-related issues and decisions. In the elaboration of the environmental and health relevant factors (section 5.0), consideration of Indigenous knowledge and practices is also included. The framework also provides guiding considerations for ECCC and HC decision-makers related to Indigenous rights and knowledge (section 6.1).
The application of the economic factor should be clarified and be transparent when being considered, with differing views provided in submissions: Some submitters were of the opinion that environmental protection must be balanced with economic realities and technological constraints to provide economic stability, prosperity and competitiveness. Others stated that human and environmental health must be prioritized over economic factors and that considering economic factors must include accounting for the future economic impacts of pollution (e.g., on climate change) and costs that may be disproportionately imposed on certain populations or future generations. <i>Indigenous Perspectives:</i> There should be no limits on Indigenous peoples' right to a healthy environment based on economic factors.	Efforts remain to consider all factors, including economic, as comprehensively and transparently as possible, where appropriate. The framework emphasizes that when taking any relevant factors into account, decision-makers will also consider how the decision upholds the CEPA principles (section 5.0). Guiding considerations related to Indigenous rights and knowledge are also included (section 6.1). The framework has been updated to include further information on the consideration of economic factors in CEPA decision-making, and reiterates that factors are often interrelated, however they may not all be relevant to every decision made in CEPA (section 5.0). Such decision-making, particularly within CEPA risk management, involves situations where many considerations need to be evaluated on a case-by-case basis, and choices made between one or more possible actions.
The framework should contain strong language to ensure its enforceability, for example by using mandatory language instead of discretionary.	The framework sets out how the right will be considered in the administration of CEPA. While it elaborates on the meaning of the right, the framework is necessarily discretionary to account for the broad range of decisions and activities covered by CEPA, and to provide flexibility to ECCC and HC decision-makers as

	they consider the elements elaborated on in the framework.
The framework should recognize and prioritize animals and nature within its scope of the right, and in the definition of vulnerable populations and of vulnerable environments. <i>Indigenous Perspectives:</i> The framework should take a holistic lens to include Land, Water, Air and all living beings as interconnected and inseparable from human health and wellbeing.	In the preamble of CEPA, the Government of Canada recognizes that every individual in Canada has the right to a healthy environment as provided for in CEPA. This right is recognized and will be considered in the administration of CEPA in relation to humans and does not apply to animals and nature. The definition of vulnerable populations is also prescribed by CEPA and limits it to “a group of individuals within the Canadian population who, due to greater susceptibility or greater exposure, may be at an increased risk of experiencing adverse health effects from exposure to substances.” CEPA did not define vulnerable environments, and the Government’s position is currently under development. Protection of ecosystems and biodiversity is central to CEPA. The framework sets out that a healthy environment as provided for in CEPA includes consideration of both human health and the health of the environment, including its biological diversity (section 2.1). The framework also provides guidance on the consideration of environmental factors when making decisions under CEPA, such as by considering the improvement of ecosystems and their biological diversity (including all living organisms) (section 5.0). The Terminology Guide (Annex 3) provides more context on terminology used within the framework, including on biological diversity.
Differing views on the use of the term “populations that may be disproportionately impacted” were received: Some recommended adopting a broad definition to be expansive and inclusive as to	CEPA defines “vulnerable populations” as a group of individuals within the population who, due to greater susceptibility or greater exposure, may be at an increased risk of experiencing adverse health effects from exposure to substances. The framework

not limit or omit certain populations, while others provided a list of vulnerable populations they wanted to be included, such as those with chemical injury, workers, Indigenous peoples or those impacted by colonization, Black and other racialized people, 2SLGBTQI+ people, women, persons with disabilities and other marginalized people. Others suggested the framework use the term “vulnerable populations” from CEPA to avoid confusion and potential inconsistencies.	provides a non-exhaustive list of characteristics and factors that may lead to greater susceptibility or exposure, such as sex, gender, race, culture, geography and occupation (section 4.1.1). The intersectionality of these factors and how they may increase the disproportionate impacts experienced by these populations is also recognized. ECCC and HC will continue to use the term “populations who may be disproportionately impacted” to recognize that many of these populations are not inherently vulnerable but rather that their susceptibility is associated with the circumstances of their lives.
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Theme 2: Participation in decision-making

What we heard	Government of Canada response
The framework should lead to improved opportunities for participation in CEPA decision-making through providing appropriate timelines and flexibility for organizations and communities, specifically Indigenous organizations and Nations, to meaningfully participate. This would entail the Government understanding the capacity and funding needs of these organizations and communities and offering appropriate financial and technical support. <i>Indigenous Perspectives:</i> The Government must respect and learn about cultural practices, protocols, governance structures and capacity while also providing the necessary time and resources, including financial and technical support, to facilitate meaningful inclusion of Indigenous peoples and knowledge throughout the CEPA management cycle.	The framework has been updated to provide additional guidance for ECCC and HC decision-makers in relation to participation in decision-making, including considerations related to providing funding and support for capacity building and allowing sufficient time for engagement where possible (section 2.2.2 and section 6.1). In addition, guidance has been included for engaging with Indigenous peoples, being attentive to cultural practices, protocols, and governance structures (section 2.2.2 and section 6.1).
The framework should more clearly emphasize the need for more opportunities to engage	The framework provides guidance to ECCC and HC decision-makers to consider new opportunities to engage with those

through CEPA decision-making processes for all stakeholders and partners, including youth. <i>Indigenous Perspectives:</i> A commitment to regular engagement with Indigenous community members to address their concerns is needed. This should include participation throughout all the CEPA management cycle steps. Youth engagement must be explicitly integrated into CEPA decision-making to ensure their perspectives shape long-term environmental protection.	disproportionately impacted by pollution, with considerations on how they should be engaged such as providing information in different formats, allowing appropriate timelines for review, and considering financial support. The framework provides examples of improved opportunities to participate, including within the CEPA National Advisory Committee by increasing Indigenous representation, and the Chemicals Management Plan Civil Society Organization bilateral meetings with the addition of youth organizations (Annex 1). The new portal provides information on how interested persons can participate in CEPA decision-making (section 8.1). ECCC and HC continue to be available to engage with interested partners, stakeholders and Indigenous peoples as the framework is implemented to learn about potential improvements, changes and lessons learned.
The framework should be developed and implemented with strong collaboration with Indigenous peoples, including through the creation of collaborative decision-making tables and advisory bodies or by improving Indigenous representation on the CEPA National Advisory Committee. <i>Indigenous Perspectives:</i> Participation should include negotiating agreements with Indigenous peoples with respect to the administration of the Act (Part 1, section 9(1)). The framework should specify Indigenous governments when referencing intergovernmental cooperation.	Interested Indigenous organizations, Nations, governments, and communities were invited to participate in the development of the framework and funding was provided to support with engagement. ECCC and HC will continue to work to identify other opportunities to hear a broader range of perspectives, particularly from First Nations, Inuit and Métis. Efforts to increase Indigenous representation on the CEPA National Advisory Committee has been included as a mechanism in the framework (Annex 1). The framework has been updated with additional guidance on meaningful participation and engagement of Indigenous peoples in decisions affecting Indigenous rights, recognizing and being attentive to their unique rights, kinship networks, histories and cultures (section 2.2.2 and 6.1). It also provides guidance to consider intergovernmental cooperation by pursuing

	opportunities to cooperate, collaborate or harmonize actions with other governments, including Indigenous, provincial, territorial and municipal governments, along with including capacity for participation in decision-making (section 6.1).
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Theme 3: Indigenous rights

What we heard	Government of Canada response
The framework should describe how CEPA decision-making will help advance Indigenous rights. <i>Indigenous Perspectives:</i> To support Indigenous rights, the framework must meaningfully respect and align with the Government's commitments and articles under UNDRIP, specifically Article 18 and 29.2, and apply them as binding principles. In addition, Indigenous Laws, protocols and concepts must be recognized in CEPA decision-making. Recognizing the inherent responsibility of Indigenous peoples in protecting their lands, environment and communities, sustained and flexible funding should be made available to support their capacity to respond to their own environmental health concerns.	The framework aims to better describe how CEPA decision-making will help advance Indigenous rights. In applying the framework, ECCC and HC decision-makers may need to consider how their decisions respect section 35 rights including the inherent right of self-government, and the Government of Canada's legislative and policy commitments to First Nations, Inuit and Métis (section 3.0). In addition, the guiding considerations for Indigenous rights have been expanded so that ECCC and HC decision-makers are encouraged to identify impacts on Indigenous rights and advance the objectives of the <i>United Nations Declaration on the Rights of Indigenous Peoples Act</i> when making decisions impacting Indigenous peoples (section 6.1).
There is a desire for more details on the development of an Indigenous Knowledge Policy Framework, and an assurance that it will be done in partnership with Indigenous peoples. <i>Indigenous Perspectives:</i> The framework must meaningfully include Indigenous knowledge and treat it equally with western science. The Indigenous Knowledge Policy Framework should be flexible for individual communities	In response to what was shared, ECCC and HC will be developing Guidance on Indigenous Knowledge for CEPA (previously titled the Indigenous Knowledge Policy Framework in the draft implementation framework) and additional details are provided in the mechanisms table (Annex 1). A more detailed approach will be developed following publication of the framework, working with Indigenous peoples. Guiding considerations for Indigenous rights now include Indigenous knowledge and respect for cultural protocols,

to work with CEPA under their own laws, policies, and customs. Indigenous people self-determination must be recognized to ensure Indigenous governments control their data and knowledge systems.	ensuring meaningful participation in decision-making (section 6.1). The framework includes a statement on Indigenous data sovereignty and encourages CEPA decision-makers to consider existing protocols/principles alongside obligations and authorities under federal law. Some existing frameworks include the First Nations principles of OCAP (ownership, control, access, and possession), the CARE Principles for Indigenous Data Governance (collective benefit, authority to control, responsibility, and ethics), and the National Inuit Strategy on Research.
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Theme 4: Principles

What we heard	Government of Canada response
The principle of environmental justice should wait to be incorporated in the framework until the <i>National Strategy to assess, prevent and address environmental racism and to advance environmental justice</i> (“the national strategy”), is published to ensure consistent application of the principle in the framework. The principle should include the tenet of restorative justice, as well as consideration of sex and gender as factors. <i>Indigenous Perspectives:</i> To uphold environmental justice, equity must be achieved across communities; urban areas must not be prioritized over rural and remote areas, or wealthier communities over poorer ones. The principle should include references to restoration and respect Indigenous ways of knowing and laws.	CEPA established a legislated deadline for the development of the framework that falls before the national strategy on environmental justice will be published. While the framework elaborates on the principle of environmental justice for the purposes of CEPA, the national strategy would reflect environmental justice priorities across the Government of Canada. Feedback and input received as ECCC and HC engaged on the development of the framework may also be used to inform the development of the national strategy, which could in turn inform future updates to the framework, in addition to lessons learned through implementation. The framework has been updated to include restorative justice as a tenet of environmental justice (section 4.1), where restorative justice relates to redress or remedy of harm caused by pollution through CEPA risk management and enforcement. In addition, consideration of environmental justice in decision-making may include using an intersectional approach to identify populations who may be

	disproportionately impacted, and the framework has been updated to indicate that sex and gender are factors that may influence susceptibility or exposure. The Guiding Considerations have been updated to include an intersectional approach, along with acknowledgement of past and ongoing inequities of Indigenous peoples (section 6.1).
The principle of intergenerational equity should include how climate change and mental health impact the consideration of this principle. The framework should define the meaning of a generation for the purpose of upholding the principle. <i>Indigenous Perspectives:</i> Equity must be applied both intergenerationally and across a generation, acknowledging that even within the current generation, there is a variety of life experiences. In addition, the Seven Generations Principle should be considered when making decisions and elaborate on what this means in practice, to realize the importance of acknowledging and learning from previous generations to move forward in a better way.	The framework has been updated by stating that intergenerational equity is particularly a concern in relation to pollution issues that result in long-term impacts on human health or the environment. The framework makes a specific reference to the mental health impacts that can result from anxiety and grief over the current and future impacts of climate change (section 4.2). The framework does not include a definition of a generation; however, it points to pollution issues that can have long-term effects on human health or the environment and are relevant to this principle such as substances that are persistent, or have endocrine-related, mutagenic, or developmental or reproductive effects. The principle can be upheld by considering and including the voices of youth from diverse populations in CEPA decision-making, as they will live the longest with the negative or positive impacts of actions taken today. The Seven Generations Principle is included in the framework as an example of one approach to considering intergenerational equity (section 4.2). It involves considering the effects of actions for the seven generations coming after us and remembering the knowledge, intentions, and actions of the seven generations who came before.
The principle of non-regression should be defined as avoiding weakening environmental	In the framework, non-regression continues to mean preventing reduced levels of

or human rights standards, while also being open to continuous improvements to increase protection. <i>Indigenous Perspectives:</i> The principle should not only focus on maintaining current pollution levels but also include enforceable mechanisms that mandate continuous improvement in pollution control and environmental protection. The framework should include commitments toward restoration, enrichment, and enhancement, including safeguarding policies and practices that protect the environment.	environmental and human health protection when taking action under CEPA and now includes language on continuous improvement on these levels of protection, where feasible (section 4.3). Examples of how non-regression should be considered throughout the CEPA management cycle are included (section 6.3).
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Theme 5: Accountability and transparency

What we heard	Government of Canada response
The framework should enable the public to hold the government accountable for protecting the right. This should include an obligation to demonstrate how the right has been considered in CEPA decision-making. Additionally, a mechanism should be available for the public to provide input on how the right is being protected and see if and how their comments are being addressed, to improve accountability. <i>Indigenous Perspectives:</i> The framework should include improved accountability and oversight measures throughout the CEPA management cycle, and should educate the public on environmental commitments, timelines and accountability structures.	The Minister of Environment and Climate Change will report publicly on the implementation of the framework annually, starting in the 2025-26 CEPA Annual Report. The framework describes existing tools that are available to provide accountability and transparency for protecting the right including CEPA compliance promotion and enforcement activities, CEPA remedies, and performance measurement, evaluation, and reporting (section 8.0). Given the breadth and diversity of CEPA programs, the framework does not include a single approach to demonstrating consideration of the right. While decision-makers keep records of all relevant considerations, the framework provides guidance for decision-makers to describe their consideration of the right in the appropriate documents (section 6.1). The portal includes program contacts that can be directly engaged for questions or concerns

	about decisions taken as they relate to the consideration of the right (section 8.1). As experience implementing the framework is gained and feedback is received, the portal will be updated accordingly.
The framework should describe an approach for measuring how the right will be protected. It should introduce and publicly report on measurable standards and environmental performance indicators related to the right, to determine the success of the implementation of the framework. <i>Indigenous Perspectives:</i> A working group should be created to establish Indigenous-specific measurements, including a biodiversity metric, to determine effectiveness and success of CEPA decisions. Environmental performance indicators should be reviewed externally, such as by Indigenous Elders, Knowledge Keepers, or other third-party reviewers.	The Government has existing goals, reporting frameworks, and indicators related to its environmental objectives of pollution prevention and sustainable development, such as the Federal Sustainable Development Strategy and the Departmental Sustainable Development Strategies for ECCC and HC (section 8.4). These are also methods of measuring progress on key department- or government-wide environmental and human health objectives and, while they may not be tied directly to CEPA, CEPA activities are reported on through these frameworks, as appropriate. Connections between CEPA and these key objectives are referenced in the portal.
The framework should improve access to justice, including the awareness, accessibility and effectiveness of existing remedies in CEPA. Barriers that prevent effective use of existing remedies should be removed. Funds should be made available to facilitate access to the required technical and legal expertise to navigate the remedies available in CEPA. The framework should expand on how to access environmental remediation and funding for those impacted. Guidelines and criteria on how the public can request an investigation should be clearly communicated. <i>Indigenous Perspectives:</i> The Government should ensure Indigenous peoples have access to justice, based on substantive equality principles that aim to address the impacts of colonization and the	Changes to the remedies available in CEPA that require legislative amendments go beyond the scope of the framework. The framework has been updated to highlight the existing tools in CEPA that are available for the public to use to request the Government to act if they believe that environmental damage has occurred (section 8.3). The portal also contains information to improve public awareness of the remedies (section 8.1). Information will be provided to assist the public with these remedies and will be made available on the portal. This will help make remedies more accessible to the public, and increase the likelihood that requests meet applicable requirements. It is beyond the scope of the framework to provide funding for the use of these remedies. The framework includes a guiding

continuing legacy of environmental racism in Canada.	consideration to encourage decision-makers to provide support, such as funding, to improve participation in decision-making (section 6.1).
The framework should include commitments for the departments to be more transparent about their relationship with external parties. This should also include transparency in how decisions are made and who has been involved in decision-making. <i>Indigenous Perspectives:</i> Any changes to the right and the framework should be communicated to the public, including how those changes directly impact the environment.	The framework highlights the importance for ECCC and HC decision-makers to be transparent about the inputs that have informed decision-making, including making comments shared by interested persons publicly available. A guiding consideration was added to the framework to encourage ECCC and HC decision-makers throughout the CEPA management cycle to consider this approach, where appropriate (section 6.1). Annex 1 of the framework describes a mechanism through which ECCC and HC will publish information about government-stakeholder working groups, including those with industry and civil society, to increase transparency. Engagement will be ongoing and strive to include a range of voices to be represented as the framework is implemented and evolves and to capture the experience of individuals in Canada.

Conclusion

Through amendments to CEPA, the Government is required to develop and publish an Implementation Framework for the Right to a Healthy Environment under CEPA in consultation with interested persons. The feedback received through this process resulted in many positive revisions to the framework, and helped inform the considerations and elaborations included in the framework. It also led to the establishment of a new Right to a Healthy Environment Portal that will improve access to information and accountability. ECCC and HC encourage people in Canada to stay informed through the portal and the CEPA Annual Report.