

**PRIVATE, PUBLIC AND THE PLANET:
GLOBAL ECONOMIC JUSTICE AND THE ENVIRONMENT
A DISCUSSION PAPER**

PREPARED FOR THE CCIC POLICY ROUNDTABLE

**RECLAIMING THE COMMONS:
PROMOTING A NORTH-SOUTH AGENDA FOR ENVIRONMENTAL JUSTICE**

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PRIVATE, PUBLIC AND THE PLANET: GLOBAL ECONOMIC JUSTICE AND THE ENVIRONMENT

1.0 SUMMARY

This briefing note provides an overview of some key global economic policy issues that must be addressed to realize an agenda for environmental justice. The note identifies entry points for Canadian CSOs, working in partnership with Southern actors, linking concerns for environmental sustainability to issues in international trade, investment, the International Financial Institutions IFIs and corporate accountability. This briefing note is part of a series of three CCIC policy briefs designed to serve as an orientation to the emerging environmental justice agenda for CCIC. They have been written as background papers for the January 2009 *Reclaiming the Commons* event and build upon CCIC's 10 -Point Agenda to End Poverty and Injustice.

2.0 BACKGROUND

For decades, civil society organizations in the South and North have sounded the alarm bell about the damaging environmental consequences of “growth-oriented” development strategies, from export agriculture and the Green Revolution, to big dams, mining, and industrial fishing and logging. The 1987 United Nations (UN) Brundtland Commission Report documented and profiled these trends and provided impetus for international action. The United Nations Conference on Environment and Development (UNCED), held in Rio in 1992, was a milestone achievement. At the conference, the international community formally recognized how current development strategies were rapidly eroding the planet's life systems and, along with them, the development prospects for future generations. The concept of “Sustainable Development” was mainstreamed, recognizing the need to ensure economic growth met the needs of present generations, without compromising the ability of future generations to meet theirs.

UNCED, commonly referred to as the “Earth Summit,” culminated in Agenda 21, a comprehensive UN call to action, built with the strong participation of civil society. UNCED was also characterized by a recognition of North-South inequities, in which those least responsible for pollution and environmental damage (the poorest peoples and countries) bear the greatest costs. Agenda 21 called for differentiated burden sharing, and for the wealthy North to change its patterns of consumption and extraction, while helping to finance a global transition to sustainable development.

But the call for a new approach was ignored. The “free market” philosophy of economic development, which had taken off in the 1980s in the North and was entrenched in parts of the South through structural adjustment, accelerated through the following decades, inexorably defining a neo-liberal path for globalization. The birth of the World Trade Organization in 1995, and a concomitant set of binding international trade rules, has helped codify and lock-in many of these policy reforms at a global level.

The neo-liberal policy agenda, now increasingly discredited by a deep financial crisis, has been characterized over several decades by an ideological commitment to liberalization, privatization and a reduced role for the state in managing markets. It has been pursued vigorously by governments North and South, but has been propelled by corporate leaders the world over. A clear pattern has emerged since UNCED rooted in a shared agenda by large corporate actors with global outlooks and supply chains. The international economic policies sought by these companies are similar whether Brazil's JBS S.A. beef packing conglomerate, India's Tata automotives, Canada's Barrick Gold, or US Microsoft. The focus is on expanding market share and profit, and ensuring other governments' regulations, worker interests, and citizen demands don't get in the way wherever operations are located.

3.0 AN UPSIDE DOWN LEGAL HIERARCHY: HUMAN RIGHTS, THE ENVIRONMENT AND COMMERCE

In 2008, the cumulative effects of globalization and almost 40 years of neo-liberal policies have landed the planet and its inhabitants in the centre of three interrelated crises – of carbon-induced climate change, global food systems, and global finance. At the centre of these crises are violations of human rights on a massive scale. The failure to regulate commerce and investment, in ways that safeguard the environment and meet human development goals, reflects a profound abdication of government obligations to fulfill human rights – political and civil, as well as social economic and cultural.

As climate change advances, it threatens the access of millions of people to the land, water, and food they require to live. The food crisis of 2008 has pushed the already chronically high numbers of food insecure people from 850 million to close to a billion by 2009. And the unraveling financial crisis threatens the employment and savings of millions of working people, and the safety nets and assistance available for the unemployed. From the right to food and water, to employment and cultural integrity, the current social and environmental crises deprive billions of citizens of human dignity, and threaten the rights of future generations.

Yet the global policy regimes to protect and advance human rights and environmental obligations, rooted in the United Nations framework, are weak in the face of this onslaught. CSOs and the UN system have undertaken considerable research on how trade and investment policies have led to violations of the right to food, or right to health, or can threaten the effectiveness of multilateral environmental agreements (MEAs), such as the Kyoto Protocol of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, the Convention to Combat Desertification, the Convention on International Trade in Endangered Species, or the Convention on Persistent Organic Pollutants.¹ The weakness of UN environmental law derives in great part from its marginal position relative to the priority that have been accorded to neo-liberal macroeconomic conditionalities attached to lending by International Financial Institutions, and to the power of trade and investment regimes that have evolved over the last twenty years.

¹ For example many environmental organizations are not content with the longstanding discussions at the WTO that have yet to clarify that measures required under MEAs must be considered consistent with WTO rules or to recognize that trade law obligations must themselves be placed in a wider context of legal commitments. CSOs also insist that disputes over the implementation of MEAs should be resolved by MEAs, not by the WTO. See the Centre for International Environmental Law (CIEL) website for more info. http://www.ciel.org/Tae/Trade_MAEs.htm

The legal regimes for commerce, as represented in the World Trade Organization and some two thousand bilateral investment treaties, have both expanded their reach into policy areas untouched by previous generations of trade agreements, and developed powerful enforcement mechanisms that give them overwhelming priority over other areas of public policy. For example, beyond affecting the flow of trade in “goods,” WTO rules affect public services, intellectual property, investment and a myriad of government regulations from food safety, to environmental protection, to licensing standards for employment. Through threat of trade sanction, these laws are designed to reduce “barriers” to international commercial activity of any kind. In practice even policy measures designed to address environmental, health or human rights have been targeted as “trade barriers.”

Furthermore, under many bilateral investment and trade treaties, corporations have access to an entirely undemocratic investor-state dispute settlement mechanism. The mechanism, pioneered by the architects of NAFTA, has added exponentially to corporate power over government, granting private investors enforcement rights under an inter-governmental treaty to which they are not party, and under which they have no obligations. The mechanism allows investors to bring large financial claims against governments for alleged breaches of broadly worded investment rights and protections laid out in the treaty.² Decisions concerning fundamental public policy trade-offs between commercial interests and international human rights and environmental obligations are now leapfrogging over national democratic process and being resolved by largely non-transparent private international arbitration processes, wholly outside the UN normative framework.³

The trade and investment regime thus undermines the public’s interest in strong environment policies in two ways. In the first instance, trade and investment rules have actually stripped governments of many of the policy tools required to proactively protect and fulfill human rights and environmental obligations – from tariffs on goods, to performance requirements on investment, to government expenditures, to public interest regulations. In the second instance, by strengthening the legal enforcement capacity of corporate actors, they provide powerful disincentives for governments to even try. In contrast, there are virtually no enforceable obligations on corporations to act consistently with human rights or environmental standards, only a myriad of industry-defined voluntary codes.

The result is a commercialized global policy framework that increasingly treats environmental systems (forests, oceans, land) as economic resources, and that commodifies life and its building blocks (cells, plants, food, water, animals) as market-bound goods irrespective of the roles they play in sustaining culture, livelihood, community, and diverse human and ecological systems.

4.0 PRIVATE OR PUBLIC: WHAT FATE FOR THE PLANET?

Like hunger, deprivation in access to water is a silent crisis, experienced by the poor and tolerated by those with the resources technology and the political power to end it.

UNDP Human Development Report 2006

² Sinclair, S. (2008) *NAFTA Chapter 11 Disputes: An Update*. CCPA, January.

³ For a review of recent disputes in the NAFTA context, including how they challenge environmental and health measures, see Sinclair, S. (2008) *op. cit.*

Community struggles over agriculture and water illustrate how environmental justice is stymied by a policy regime that prioritizes and sustains private interests over those of the public and the planet.

4.1 Agriculture

Conflicts between the interests and impacts of small-scale and industrial farming are not new. It is a dynamic that stretches back from colonial times, when agricultural lands and forests in the South were converted to export plantations to serve global markets, to the Green Revolution of the 1960s, which was pursued by Southern governments and elites as a modernizing force for development, to current pressures, North and South, to convert food production to agrofuels. While agriculture is big business in the North, it is the mainstay of the economy in developing countries – often representing 60 to 70 percent of economic activity and employing upwards of 70 percent of the population, that majority of which are small-scale women farmers.

Strengthening the viability of small-scale agriculture is crucial for environmental and social justice. The synthesis report of the International Assessment of Agricultural Science and Technology (IAAST), bringing together the findings of hundreds of scientists in April 2008, has provided a definitive review of the sustainability of current approaches to commercial agriculture. The report highlights the damaging impacts of a narrow focus on productivity at any cost, rather than a more holistic approach that recognizes agriculture's complex multi-functionality, its interaction with natural resource management, nutrition and social equality. The IAAST is critical of the push to rapid liberalization, notes the emergence of chronic infectious disease associated with intensive crop and livestock systems, and the deterioration of the position of rural women in terms of health, income and rural livelihoods. The Panel urged a new approach to agricultural policy and research, one that reduces the environmental footprint of agriculture while meeting the food production needs of growing populations in the context of climate change.

Large parts of global agriculture and local food systems remain outside the realm of industrial farming and international trade. Nonetheless, national and international policy frameworks provide relentless incentive and support for the growth of industrial and high-tech farm practices, while undermining and marginalizing small-scale sustainable agriculture.

Key features of the policy regime include the forced and rapid liberalization of borders, which expose small-scale farmers to unfair competition in local markets with industrially-produced, often subsidized imported produce. A recent study, undertaken by the Ecumenical Advocacy Alliance, together with the FoodFirst Information and Action Network (FIAN), documents how trade liberalization measures have resulted in massive rice imports in Ghana, Indonesia, and Honduras, undercutting small-scale rice farmers and resulting in significant violations of the right to food.⁴

⁴ FIAN and Ecumenical Advocacy Alliance (2008). *Trade policies and hunger: The impact of trade liberalization on the Right to Food of rice farming communities in Ghana, Honduras, and Indonesia.*

Structural adjustment measures that eliminated state programs, and imposed trade rules, have dismantled the capacity for states to play a more active role in facilitating sustainable rural development. Developing countries face restrictions or bans on budget expenditure (due to imposed macro-economic policy conditions for development loans), on holding grain reserves and on operating state trading or marketing boards.⁵

Some of the principle community strategies for safeguarding biodiversity over the centuries have been the saving and sharing of seeds, and the building of communally-held traditional knowledge about the agricultural and medicinal properties of local plant varieties. These strategies, in which indigenous people and women are protagonists as environmental stewards, are threatened by policy regimes for “intellectual property”. The latter allow corporate interests to “commodify” such knowledge (often taken without consent) and patent it as private information to be used to create products for profit. By embedding intellectual property standards in trade agreements, corporations that patent plants, seeds, life forms or industrial bio-engineering processes to manipulate plants and cells, can urge governments to bring or threaten trade sanctions against a developing country that is seen to be allowing encroachments on companies’ property rights. Protections for traditional knowledge and principles, such as benefit sharing and requiring prior informed consent of communities for information, are enshrined in UN environmental conventions such as the Convention on Biological Diversity. But while these commitments are binding in principle, there is no power of enforcement.

With the support of the international policy regime, many corporations in the North and South are thus undermining the basis for ecologically sound small-scale agriculture, along with the livelihoods and ecosystems of the poorest people. At the same time, these corporations are promoting an industrial technology-intensive model of agriculture that has been empirically demonstrated as environmentally unsound.

4.2 Water

Water is central to all life. Management of, and access to, freshwater resources is thus a priority issue for human health, livelihoods and healthy environments. In many areas, such as the Sahel, climate change has led water to become an increasingly scarce resource. But globally, local communities’ access to clean water is threatened less from a lack of rain or groundwater, and more from policies and practices that make water unusable, too remote or too expensive. Access is blocked due to pollution and industrial claims on water, which either drain water tables through direct use (as in large-scale agriculture or mining), or threaten river systems through large hydro-electric dams designed to meet industrial energy demands. In turn, such carbon-intensive industrial activities propel climate change, leading to droughts, desertification, melting glaciers and erratic weather patterns that threaten availability. Those most vulnerable are hit hardest, leading to gross environmental injustice.

⁵ The most recent WTO agricultural text released in December 2008 provides a time frame for developed countries to phase out government supports and monopoly buying powers for state trading enterprises, a direct challenge to the Canadian Wheat Board.

The 2006 UNDP Human Development Report documents that more than 1 billion people are denied the right to clean water and 2.6 billion people lack access to adequate sanitation, noting that “the water crisis claims more deaths, through disease, than any war claims through guns.” Some 1.4 billion people live in river basins in which water use exceeds recharge rates. The crisis of access to water is also gendered. For example, the burden of water collection falls mainly to women and girls taking up precious time and energy, reinforcing unequal power relations in education, employment, and quality of life. As the UNDP reports notes, “...the world is running down one its most precious natural resources and running up an unsustainable ecological debt that will be inherited by future generations.”⁶

The increasing scarcity of water resources, both causes and results from the growing interest in commodifying water as a good, rather than recognizing it as part of the commons and a basic human right. For example, water and water services (treatment and distribution) have been targeted in WTO services negotiations. The privatization of water services through structural adjustment programs in the developing world has also meant many governments have lost public control over pricing and service policies.⁷ Governments that attempt to wrest control back for public purposes may find themselves challenged by the enforcement power of commercial interests.

In a now famous pending case, claims have been made by three water conglomerates against Argentina because of actions taken to contend with the economic crisis in the late 1990s, which included devaluing its currency and freezing allowable rates for certain essential services, including water and sanitation. These measures were opposed by the companies because they would drastically reduce the foreign exchange value of the water and sanitation concessions the companies had in Argentina. When the government proceeded, several of the conglomerates filed substantial damage claims under investment treaties that Argentina had negotiated with various European countries. Environmental and human rights groups have argued that without the government’s intervention, the price of water and sewage services would have increased three fold during a time of extreme economic crisis, and put at risk the access of millions of Argentines to water and sewage services. The case will require the investment tribunal to resolve a number of complex questions including whether human rights law is relevant to the interpretation and application of an investment treaty.⁸

5.0 WHAT POLICY AGENDAS ARE REQUIRED?

A policy agenda for environmental justice is not about closing markets or stopping international trade. Market transactions and trade are basic to human life. An environmental justice agenda for global economic policies must identify strategic international reforms that transform how decisions are made in managing markets and international commerce, such that the public interest and environmental considerations are better protected. Along with these reforms, strengthening citizens’ roles at all levels of policy making will be a key counter-weight to

⁶ UNDP Human Development Report 2006. *Beyond Scarcity: Power Poverty and the Global Water Crisis*. New York.

⁷ Shrybman, S. (2007). In the matter of the United Nations Human Rights Council Decision 2/104: Human Rights and Access to Water. Preliminary Submissions of the Council of Canadians, Blue Planet Project. April.

⁸ This case example drawn directly from Shrybman, S. (2007). *op. cit.*

address vested interests and power imbalances, and to ensure that governments and corporations are held to account for their impacts on the planet and its capacity to sustain future generations. Among citizen inputs, women's equality seeking organizations are vital given the centrality of the struggle for gender equality to ensure health and integrity of ecosystems.

The CCIC's *10 point Agenda to End Poverty and Injustice* identifies a range of important entry points. Three are considered here: trade and investment regimes, international financial institutions, and corporate accountability.

5.1 Trade

International trade can make an important contribution to sustainable development strategies, if directed to the generation of employment and wealth, which can in turn be taxed and directed for important social and environmental ends. But the mercantilist framework of the current trade and investment regime, whose rules privilege the market access needs of the most powerful international traders and investors, is unable to recognize either the limits of ecosystems or the social costs of unfettered extraction and profit making. The fair trade movement is an excellent example of the possible, demonstrating the practicality of re-orienting production, trade and rules in ways that respect goals for social equality, democratic process and sustainability.

Rules for international trade and investment must be embedded in a normative policy framework that is able to reflect evolving and diverse citizen agendas to realize human rights and safeguard ecosystems. This will be no small feat. At a minimum, the regime governing global trade and investment must become much smaller in scope; focused more on preventing harmful and predatory practices in international trade (such as dumping⁹) than on imposing a particular vision of "liberalized" trade policy around the world.

Key elements of a fair and sustainable international policy agenda for trade and investment include:

- ❑ **Elimination of specific provisions** that reflect the egregious empowerment of commercial interests in trade rules. These include the TRIPS (trade related aspects of intellectual property rights) agreement as currently constituted, investor-state dispute settlement mechanisms, threats to non-discriminatory government regulations, minimum market access requirements, and bans on certain performance requirements for investors.
- ❑ **More policy space.** States should have much more leeway to determine an appropriate mix of public and private participation in key sectors, including exemptions, if they wish, for core public service areas from privatization such as water, health, and education. All governments, not just the powerful ones, must retain democratic control over liberalization strategies, including their scope and pace.

⁹ Goods sold below the cost of production, thus presenting unfair price competition. Many agricultural exports from the North, particularly from the EU and the US, are "dumped" in global markets, undercutting the poorest farmers in their own local market.

- ❑ **Human rights and environment first.** States' obligations to UN human rights and environmental law must be the reference point for the development of national trade policy and international rules. Human rights and environmental impact assessments should be essential steps of due diligence. This will require the long term strengthening of CSO and governments' human rights and environmental machinery, and education at national and international levels. Multilateral trade fora should encourage and welcome discussion of such obligations in the context of negotiations, including explicit reference to the gendered dimensions of trade policy.
- ❑ **Affirmative action or non-discrimination?** Current trade rules do not allow governments to treat similar products differently at the border based on differences in how they were produced. This “non-discrimination” rule has long been a core principle to ensure one country's exports are not discriminated against for protectionist or other reasons. But how a product was made, grown or extracted is key to appreciating its true environmental cost. Non-discrimination rules need to be re-thought to enable democratic action to establish environmental standards such as bans on GMOs, preferential treatment for local, organic, or sustainably harvested products. But these rules must also be worked out alongside explicit measures to address the differential capacities for developing and developed countries to establish and enforce standards. Financing and technology transfer should be available to support developing world economies transition, where necessary, to sustainable production methods and boost their participation in rule making concerning certification and monitoring schemes. The Kimberly Initiative to support trade in conflict-free diamonds, and the work of the Forest Stewardship Council, provide a good basis for this approach.
- ❑ **Democratize and transform decision-making and dispute settlement:** Trade negotiations, whether bilateral or multilateral, need to be more open and transparent, with oversight for parliament, meaningful roles for civil society, and more equitable decision making processes that take account of power differences among states. The resolution of trade disputes also needs to be fully open and transparent, not closed to parties with vested interests in profiting from litigation. The process must be transformed to ensure participation of competent organizations and institutions to discern the human rights or environmental implications of all cases, with full access for civil society to submit arguments. Where states explicitly use human rights or environmental defenses to explain non-compliance with a trade measure the determination of merits should be undertaken by a competent UN body.
- ❑ **Explore new international law and enforcement provisions** to ensure environmental and human rights obligations are met. There is a need to address the lack of countervailing enforcement and sanction for failures of states to uphold human rights and environmental law.

5.2 International Financial Institutions

International Financial Institutions (IFIs), including the Bretton Woods Institutions and Regional Development Banks, are key institutions shaping both development and policy priorities in developing countries. Policy conditionalities associated with IFI lending follow the neo-liberal agenda described above, often undermining the potential for sustainable development paths particularly among highly dependent developing countries.

In addition to their influence on borrowers' policy priorities, IFIs have financed and promoted some of the most dirty and environmentally damaging industries and projects – from large dams, to coal, to nuclear energy. For example, in a statement released during the December 2008 UN climate change negotiations in Poznan, CSOs from around the world noted that from 1997 to 2007, the Bank financed carbon dioxide emissions about 45 times the annual emissions of the UK. In the last year, the World Bank Group has increased lending for coal, oil, and gas by 94 percent, totaling over \$US 3 billion dollars. Coal lending alone increased 256 percent in the last year. This, despite the World Bank's own 2004 extractive industries review (EIR), which recommended an immediate end to coal financing and a phase out of investments in oil production by 2008. The Bank also continues to promote industrial logging and agrofuels, while the International Finance Corporation (IFC), the private sector lending arm of the World Bank group, finances soy and oil palm plantations, cattle ranching, and shrimp farming in mangrove forests.¹⁰

The track record of Regional Development Banks has not been much better. The Asian Development Bank for example, has been heavily criticized for its promotion of water privatization, financing of large dams, and non sustainable energy projects including coal.¹¹ Canada plays an important role on the Board of governors of the World Bank and the IMF and is an important contributor to Regional Development Banks as well.

Core areas for policy change at the IFIs include:

- ❑ **Launching a process among donors and recipients to end policy conditionality** in IFI lending, to enable locally appropriate sustainable development strategies to be pursued.
- ❑ **Promoting the unconditional cancellation of the debts** owed by the poorest countries.
- ❑ **Bringing an end to environmentally harmful lending** including of fossil fuels, and projects that involve forced displacement, or over exploitation of natural resources such as forests, mangroves or lands required for food production. Ensure serious commitments from IFIs to finance renewable energy projects, conservation, and sustainable agriculture.
- ❑ **Democratize the IFIs**, ensuring greater voice and decision-making power for developing countries, including the poorest, and greater transparency of operations including meaningful opportunities for input and access for marginalized groups and civil society.

¹⁰ *Poznan Declaration: World Versus Bank*. Statement of 142 CSOs. Available at <http://74.125.95.132/search?q=cache:zPuf56-c1BIJ:www.bicusa.org/en/Article.10977.aspx+142+organizations+joint+statement+poznan&hl=en&ct=clnk&cd=1>; see also Ramesh Jura *Climate Change: Don't Leave it to the World Bank*. December 10, 2008 IPS news <http://www.ipsnews.net/news.asp?idnews+45050>.

¹¹ See for example, *ADB's Business of Development*. Energy Briefing Paper. NGO Forum on the Asian Development Bank. April 2007 <http://www.forum-adb.org/pdf/Briefers/energy%20briefing%20paper.april%202007.pdf>

5.3 Corporate Accountability

In addition to re-working international rules for trade and finance, there is an urgent need to ensure more direct government regulation of corporations. Firms must be held accountable for their activities overseas that negatively affect human rights and the environment. There is also a need to address the trend towards corporate concentration, (in global food production, processing and retail systems, pharmaceuticals, chemicals, etc.), and ensure public oversight of the development of new technologies to ensure they meet the public interest and respect the environment.

The impact of Canadian extractive companies on the environment and local communities has been a particular flashpoint, and has negatively affected Canada's reputation in Latin America Africa and Asia. And while there is controversy over the actual and potential contribution of extractive industry to economic and human development, the environmental challenges of large scale mining are more clearly inherent to the process itself. Even in Canada, where there is a greater capacity to develop and enforce regulations, the negative environmental consequences of mining are an on-going dilemma. Mining Watch Canada illustrates the problem starkly:

Mining is essentially a waste management industry. Whether a mine is underground or open-pit, most of what is mined is discarded, leaving millions of tons of waste rock and sand-like "tailings" loaded with dangerous heavy metals that had previously been ... bound up in the rock. ... Arsenic, cadmium, nickel and so on make their way into ecosystems with deadly results.¹²

In developing countries where the capacity for monitoring and enforcement is weaker (and indeed where regulations themselves have often been weakened through donor influence) the challenges are all the greater.

Since 60% of the world's mining and exploration companies are listed in Canada, it is an issue that requires specific Canadian attention. The Canadian Network on Corporate Accountability has developed a mining map, which demonstrates the breadth and scale of controversial Canadian projects around the world.¹³ Even where overt or violent conflicts are not present, significant impacts on the culture, livelihoods and environments of nearby communities require attention. These include specific impacts on women as mine workers and as key agents in communities and families who cope with the impact of mineral development.

In 2005, a landmark Parliamentary Committee report noted the failure of voluntary measures to ensure acceptable corporate behaviour in the extractive sector, and called for fundamental changes in Canadian policy to ensure greater corporate accountability.

Key elements for a policy agenda to address environmental justice in this area include, though are not limited to:

¹² Kneen, J (2007). *Earth: What is Mining All About? The Up and Down Sides*. Ottawa University Institute of Environment 2006-07 Lecture Series. http://www.miningwatch.ca/updir/Mining_Unsustainable.pdf.

¹³ <http://www.halifaxinitiative.org/index.php/miningmap>.

- ❑ **Pursuing national and international agreements to address corporate concentration** and increase transparency in pricing and trading practices of large firms.
- ❑ **Require Canadian companies operating internationally to meet clearly defined standards for corporate accountability** including for environment, labour and human rights, including the principle of free prior and informed consent. This should be a precondition for receiving financial or political support from the Canadian government.
- ❑ **Develop legislation to hold companies and their directors accountable** in Canada when found responsible for environmental or human rights abuses overseas.

6.0 CONCLUSION

An environmental justice agenda requires major transformation of the policies governing commerce in the global economy. This briefing note has reviewed some of the major changes required relating to rules for international trade, investment and corporate accountability. Democratization of institutions and policy processes at national and international levels is central to this agenda to address the overweighting of decision making towards the interests of corporations. As a structural matter, firms treat the environment as commercial opportunity rather than as a public trust. Commerce and markets, which are vital to human life, must therefore be embedded in regulatory frameworks that prioritize the fulfillment of the human rights of all citizens and the importance of safeguarding the resilience of ecological systems.

The agenda is daunting, but the world over there are indigenous peoples, women's rights organizations, small-scale farmers, fisher folk and a range of civil society groups with immense knowledge of their environments and the threats they are facing. These movements reflect diverse perspectives and approaches but are proposing a range of alternative approaches that better meet the needs of people and the planet. These voices must be actively sought out and supported to inform economic decision making at all levels.