

Canadian Institute for the Administration of Justice (CIAJ)
Sustainable Development and the Law — People — Environment — Culture
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Keynote Speaker – Transcribed Speech

Sustainability, Globalization and The Rule of Law

This annual conference is entitled: Sustainable Development and the Law — People, Environment and Culture. The arrangers have obtained the presence here today and tomorrow of distinguished contributors who will deal with a wide range of subjects: conflict resolution, aboriginal issues, local government, the Olympic Games, energy, mining and forestry, international trade and international investment.

You have asked me to speak first and you have assigned to me the subject: Sustainability, Globalization and The Rule of Law. Given the expertise gathered here, and the subjects that will be dealt with, I start with some trepidation because, in an opening address, it is not possible to discuss everything. And I am not sure, in this address, I can begin to analyse and present the various views about globalization. That it is a reality seems to be fairly clear. Whether, however it is defined, it is a good thing or a bad thing, depends on many variables and there is no shortage of public opinions. However, the entire notion of sustainable development is a global imperative, and nowhere is that more obvious than in the Rio declaration and Agenda 21, which I will refer to in some detail. But, what I will try to do is to suggest the context within which we are all deliberating.

In the excellent brochure which describes this conference, there is reference to the “objectives” of the Canadian Institute for the Administration of Justice: since the “organizing and conducting conferences and specialized seminars on ‘forward looking topics’.”

And I emphasize “forward looking topics”. While I agree that sustainability is a “forward looking topic”, we are not at a beginning here today. The notion of sustainability is not new although that word may not have been used as much in the past as it is today.

In a remarkable book written by then-U.S. Secretary of the Interior Stewart Udall entitled *The Quiet Crisis* — written in 1963— he said this:

“It was the intoxicating profusion of the American continent which induced a state of mind that made waste and plunder inevitable. A temperate continent, rich in soils and minerals and forests and wildlife, enticed men to think in terms of infinity rather than in fact, and produced an overriding fallacy that was nearly our undoing — the Myth of Superabundance. According to the Myth, our resources were inexhaustible. It was an assumption that made wise management of the land and provident husbandry superfluous.”

Nearly one hundred years ago, in his Message to Congress, on December 3, 1907, President Theodore Roosevelt said: “To waste, to destroy, our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed.”

And there were warnings in Canada. Elizabeth May, who is political leader of the Green Party, published a book in 1998, *At the Cutting Edge*. She talked about Sir John A. Macdonald and she talked about his concern about what was happening to our forest and I cite her here,

“It was the view from his window. Both his home and his office were perched on the banks of the Ottawa River, which, in those days, was the liquid highway down which tons of lumber were sent. In 1871, he wrote a friend: “The sight of immense masses of timber passing my windows every morning constantly suggests to my mind the absolute necessity there is for looking into the future of this great trade. We are recklessly destroying the timber of Canada, and there is scarcely a possibility of replacing it”.”

It is appropriate to also remind ourselves that at the Canadian Forestry Congress in 1906, Sir Wilfrid Laurier said: "A great deal of harm has already been done, harm, which, I am afraid, in many respects cannot be recalled, but it is not yet too late." And, he emphasized the importance of involving a very wide cross section of Canadians.

May refers to Dr. Bernard Fernow, who was the first Dean of Forestry at the University of Toronto, who said this in 1912, "As yet the forests are viewed solely as a source of current revenue, not as capital, and the rights of people and posterity are sacrificed."

Over the years, more and more people and governments began to pay attention to what became known as environmental degradation. But it is sometimes hard for this present generation to realize that when I began practising law in 1954, there was no section of the Law Library devoted to environmental law.

But there were signals of change. Sometime in the 1960's, working with colleagues at our firm, we developed a booklet in which we collected all legislative law and regulations, and any and all decided cases, which we could call environmental law, or resource and environmental law. This material was pulled together and distributed to clients especially resource based clients. We advised clients that growing public concern was probably going to result in policy changes and even legislative changes which would affect the way they operate. But most of the problems could be handled locally if there was a will. We had not yet become aware of ozone depletion, acid rain and climate change.

David Boyd, who wrote a book *Unnatural Law: Rethinking Canadian Environmental Law and Policy* said:

“As recently as 1970, Canada had no federal environment department, few laws or regulations governed air and water pollution, but the past three decades has seen a tremendous proliferation and strengthening of international, national, provincial and local environmental laws and policies.”

And I emphasize policies. It is not all law.

But the concept of sustainable development goes beyond just specific laws to stop pollution, protect wildlife or establish wilderness parks. Although all of these laws are part of it. And there was, from the beginning of our concern for our natural resources, two different views.

May refers to the early collaboration and then the differences between Gifford Pinchot and John Muir, famous names in the history of American conservation. Muir wrote: ‘The forests must be, and will be, not only preserved, but used; and like perennial fountains, be made to yield a sure harvest of timber, while at the same time all their far reaching (aesthetic and spiritual uses) may be unimpaired.’

‘Ultimately, John Muir and Gifford Pinchot parted company. Pinchot’s utilitarian view was incompatible with Muir’s fierce devotion to wildness. Pinchot wrote: “The object of our forest policy is not to preserve the forests because they are beautiful or because they are a refuge for the wild creatures of the wilderness but the making of prosperous homes. Every other consideration comes as secondary.”

That being said, probably most people today would have a wider appreciation of forests: yes, certainly for wood and homes which we need, but also for water, wildlife, bio-diversity, scientific study, recreation, beauty and deeply felt values not always easily articulated but near spiritual in concept.

For a transition from historical beginnings to the present, Stephan Schmidheiny, a business executive with the Business Council for Sustainable Development, in a book called *Changing Course* published in 1992, said this:

“By the 1980’s, the main concerns had become international: acid rain, depletion of the ozone layer, and global warming. Analysts sought causes, not in pipes and stacks, but in the nature of human activities. One report after another concluded that much of what we do, many of our attempts to make “progress” are simply unsustainable.”

And he goes on with details. Then he adds, and here is the transition:

“Given such widespread evidence of un-sustainability, it is not surprising that the concept of “sustainable development” has come to dominate the environment/development debate. In 1987, he writes the World Commission on Environment and Development, appointed three years earlier by the U.N. General Assembly and headed by Norwegian Prime Minister Gro Harlem Brundtland, made sustainable development the theme of its entire report, which was entitled, *Our Common Future*. It defined the concept simply as a form of development or progress that “meets the needs of the present without compromising the ability of future generations to meet their own needs.”

This statement of sustainable development is, ultimately, all about human survival. Note the words: “meets the needs of the present” without compromising future generations.” It is not just about the environment, or wilderness, or wild life; nor just economics, markets and trade; nor only commercial, agricultural, industrial resource exploitation; nor is it solely directed to rural and urban human habitation. It is a mix of all of these or perhaps better put a conjoining of all of these.

The Rio Declaration on Environment and Development consists of 27 Principles and the first makes clear the priority of people in its consideration:

“Principle 1 — Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.”

The second Principle accepts the “sovereign right (of nations) to exploit their own resources pursuant to their own environmental and developmental policies (in such a way that they) do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction” which seems to be a plea for the international acceptance of the great common law ruling of Rylands and Fletcher.

Now the third Principle states: “The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations” and Principle 4 asserts that “In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.” And there is much more.

The Principles are followed by 700 pages which comprise Agenda 21. I can tell you if you take a look at them and compare them to much that is written today on how to achieve these principles it is all there. That represents a consensus reached by 179 States.

Given all this, it is understandable that the introduction to Agenda 21 assures us that “while (these agreements) lack the force of international law, the adoption of the text carries with it a strong moral obligation to ensure their full implementation”.

But very soon after 1992, questions arose regarding the definition of Sustainability. A year after Rio, an ecumenical church organization observed:

“The definition of this term is illusive. Indeed, its very vagueness has lent it popularity. Some take it to mean that old fashioned economic growth, qualified by a few environmental cautions, can continue. Others understand it to require a radical redirection of the world’s economic processes. Still others, observing the tension between economic growth and ecological sustainability, see it as a contradiction in concepts.”

The definition has sometimes been interpreted as “weak sustainability” versus “strong sustainability”.

“Weak sustainability” remains dominated by what can be called “constrained economic growth” and is merely “the pursuit of growth subject to environmental constraints”.

“Strong Sustainability” is “focused on minimizing our impact on the environment and use of natural resources while simultaneously meeting the material needs of our people.”

Boyd cites three criteria to assist us to define sustainable development:

- “1. The ecological imperative — living within the Earth’s physical limits.
2. The social imperative
3. The economic imperative

So, 14 years since Rio, where are we?

The United Nations Commission on Sustainable Development in its latest Report said:

“Many speakers noted that progress had been achieved in some areas under review, but acknowledged that progress has been slow and uneven. In many areas, natural resources are increasingly being depleted, economic growth is slow and social conditions are worsening.” It went on much longer than that but sort of concluded by saying certain goals may not be achieved by the 2015 target date.”

One of the difficulties when you look at a United Nations document is that you are trying so hard not to offend anybody that it’s pretty hard to find out what’s going on. The Millennium Assessment report prepared for the United Nations in 2005 put it very succinctly:

- Half the world’s wetlands have been lost;
- Half the world’s forest lands have been taken out of forest production with a further one-third by 2020 at current rates of harvesting;
- 70% of marine fisheries have been severely depleted;
- Most of the world’s coral reefs are at risk;

- Half of the world's fresh water systems are polluted;
- 20% of the cultivated acreage is severely damaged;
- 30% of species are faced with extinction.

In 1995, Canadian Parliament established the Commissioner of the Environment and Sustainable Development (C.E.S.D.) which we have been hearing about in the last 4 weeks. This legislation requires some 25 federal departments and agencies to produce Sustainable Development Strategies, to table them in the House of Commons and update them every three years. The C.E.S.D. assesses and reports to Parliament on the tabled strategies." In my view, this legislation is exactly what is needed: a legal responsibility imposed on all departments, and a legally established oversight, monitoring and reporting system.

The Canadian Institute for Environmental Law and Policy (CIELAP) which is well known, states in their 2005 report: "Where government agencies, businesses, N.G.O.'s and municipalities have been able to focus their efforts on a short list of sustainability priorities, it is easy to point to achievements."

But it asks the question: "Who is leading for sustainability in Canada?" It says: "Clearly the Prime Minister and all Cabinet members must show greater leadership on sustainability."

And it adds: "the deputy minister's Environmental and Sustainable Development Coordinating Committee s 'failing short of its potential' for leading and coordinating sustainable development with the federal government."

Now, as I said at the beginning, it is not possible to discuss everything. But I would like to share with you some actual events which, upon reflection, show two things: what can be done and why sometimes we fail.

You have all heard of the decline of the cod. I was Minister of Fisheries in 1984-85. I kept hearing about the fishermen's observations that the size of the cod they were catching seemed to be getting smaller year after year. I asked for advice from the department. What I was told was this: there doesn't seem to be a problem because our harvesting catch of cod remains stable in terms of total tonnage. But I remonstrated: if the tonnage remains the same but the fish are smaller, we must be fishing out the next generation of cod. I was invited to leave Cabinet about then and was unable to pursue the issue. But, I advised my successor that the most important issue was: "the size of the cod". Tom Siddon contracted with Dr. Leslie Harris, then President of Memorial University in Newfoundland, to advise him. Harris reported that DFO's methodology in determining numbers was flawed. Siddon contemplated reducing the catch. This was politically unacceptable. Eventually, in 1992, as the cod disappeared, the then-Minister, John Crosbie, closed the fishery.

A book by Alan Christopher Finlayson, written in 1993, called, *A Sociological Analysis of Northern Cod Stock*, reports: "With the advent of the 200 mile limit, the inshore fishery continued its recovery from the 1974 low. The now largely Canadian offshore fleet also made gains". But, after 1982, offshore catches went up while inshore catches fell. Finlayson records:

"As early as 1982 the inshore fishermen and plant owners were concerned by the unusually high percentage of small fish in their nets and the fact that the Total Allowable Catch (T.A.C.) had been raised from 135,000 MT in 1978 to 260,000 MT for the 1983 fishing year."

But despite all this in 1986, DFO was saying: "The stock was increasing on schedule and the reduction of inshore landings must be due to other factors such as reductions in efforts or environmental changes affecting the annual summer inshore migration of the Northern Cod."

Well, the rest is history. The point is a lot of people knew something was wrong but the “Myth of Superabundance” prevailed. And a lot of people lost, not just revenue, but their way of life.

Years before the 1984 federal election, the stocks of wild Atlantic salmon were in trouble. In those days, licensed commercial fishermen were netting Atlantics for sale to the public. One Minister closed the netting temporarily. It was reopened under political pressure. Another minister imposed partial closures. By the time I came along, a DFO scientist had done a study warning that, if present exploitation continued, the stocks would be devastated. I met with him and asked: If you were sitting opposite a fisheries minister who would implement whatever action you recommend, what would you tell me to do? Incredibly he said: “Well, first of all I can’t say you should end commercial netting. After all, as a DFO scientist, I believe in harvesting available resources.” But you just reported they are on the verge of collapse? Yes, but I don’t think its for me to tell you what to do. I just report, you’re the minister.

Well, we stopped the commercial netting and eventually bought out all the licenses. Returns improved especially large salmon. It is true that, in recent years, ocean survival is down which is serious and not completely understood but it would be a lot worse if the commercial fishery was still taking place.

We can ask the question, how far should we go in insisting on sustainable fish stocks when another country invades our area of responsibility? Sometime in 1985, I met with Dr. Art May, my Deputy Minister, as usual about 8:00 a.m. He had just received news that a Spanish trawler was illegally fishing within our 200 mile limit and, having been sighted, was racing for mid ocean.

We had no DFO vessel that was fast enough to intercept. We got to the Defence Minister and explained the situation. He said, "What do you want me to do?" I said, "Send a destroyer and catch the offender!" He did and, although the trawler was not caught until outside the 200 mile limit, on the international legal principle of hot pursuit, we believed our actions were justified.

Some years later, the Hon. Brian Tobin used the navy to apprehend a Spanish trawler fishing outside our 200 mile limit on turbot stocks that were on both the inside and outside the Canadian 200 mile limit. Tobin and Canada were much criticized, especially since the vessel was outside our limit. Tobin's response: Well, the international organization set limits; but, has no power to enforce them, and this was what we had to do. When Tobin telephoned me, I did remind him of the legal doctrine of hot pursuit and what he said shall ever remain between us.

In case you dismiss the military aspect of achieving sustainable fishing, just consider the Arctic or should I say, what we consider the "Canadian" Arctic. Our sovereignty is not accepted by the U.S. and, as climate change results in more open water, there is no reason to think other countries will be any more accommodating.

Some years later in 1994, we experienced again (also in 1992) the case of missing salmon on the Fraser River. The Fraser River Sockeye Public Review Board was established. We found that errors, over confidence and a shortage of DFO personnel all combined with almost all sockeye going through Johnston Strait instead of through Juan De Fuca Strait. The result was a disorderly, very aggressive and uncontrollable rush of fishing vessels to the area. We reported:

“That message is simple: if something like the 1994 situation happens again, the door to disaster will be wide open. According to what the Board found, one more 12-hour opening could have virtually eliminated the late run of sockeye in the Adams River. Such an occurrence would have devastating consequences for the Pacific fishery, etc.”

Now, what happened was not intentional. Further, the lawful power to manage the fishery is clearly spelled out in The Canadian Fisheries Act. It is a lesson: law itself will not always prevent mistakes. It is people who administer the law and, when they fail, we have to look to training, resources, attitudes and, of course, ultimately, direction and leadership. The Minister accepted all of our 35 recommendations and, while we have had further problems with the Fraser River sockeye runs, we have not since then nearly wiped out a major run under circumstances as described in our report.

On September 30, 2006, the Globe and Mail had two stories which, in a way, illustrate the need for law and penalties and also illustrate the positive action that people can take without any legal mandate.

The first is about a recent spill of chemical effluent at the Eurocan Mill in Kitimat, of which a company called Fraser Mills is a part owner. Fraser Mills entered a guilty plea for violating the federal Fisheries Act and the provincial Waste Management Act. The court “imposed a \$2,000.00 fine but required the company to pay \$49,000.00 into the Conservation Trust Funds of British Columbia for habitat development and another \$49,000.00 to the University of Northern British Columbia to support a program directed at protection of fish and fish habitat.

Here is a case of law being broken and punishment imposed, most of which goes directly to sustainable fisheries and habitat management. I record, only out of interest, that in 1970 I was very much involved, on behalf of the Municipality of Kitimat, in the negotiations leading to

the establishment of the Eurocan operations there. One of the issues much discussed was pollution prevention.

The second case is about a small stream on Vancouver Island's east coast called Nile Creek which, years ago, was nearly finished as a spawning stream but is now, once again, alive with salmon. As the Globe writer, Mark Hume, records:

“Working initially without government sanction and relying largely on their own sense of what was right for the fish (a group of local citizens) began restoring Nile Creek fifteen years ago (and what they accomplished) is now regarded as one of the best examples of salmon enhancement in British Columbia, if not Canada.”

A great success story. But then, just over a year ago, it all seemed threatened when a real estate developer applied to the provincial government to build two golf courses and several thousand residential homes on the Crown land through which the creek flowed and adjacent to it. I was asked to help. I walked the stream and collected much information and we wrote to the appropriate provincial authorities. To make a long story short, we were eventually advised that the developer had withdrawn the application. Whether our intervention alone brought this about, I do not know; but, it is an example of how years of admirable effort to restore a stream could all too easily be lost.

There is no time available to adequately tell the story of thousands of stream-keepers, aboriginal and non-aboriginal, who, on a volunteer basis, have restored and are protecting streams, rivers and wetlands all over British Columbia.

Much has been said about the Great Bear Ram Forest agreement covering 21 million acres of B.C.'s Central and North Coast. It was put together, over at least seven years of negotiations, by a diverse group of non-governmental stakeholders — local communities, resource

businesses, First Nations, environmental non-governmental organizations and philanthropic foundations. It is claimed to be “an innovative new conservation and economic development model”. A “final decision based on land use designations by the Government of British Columbia was announced on February 7, 2006’ with what appeared to be widespread public support.

And yet, two days after the announcement, Lawrence Solomon, in *The National Post*, condemned it as an industry victory over environmentalists who were “unwittingly outmanoeuvred at the negotiating table”. He condemned it as part of “a new enviro-industry concept called ‘Environment Based Management’, E.B.M., intended to base decisions on the social and economic needs of resource dependant communities, as well as on environmental factors”, but is “now employed in and of resource extraction world wide.”

Just a few weeks ago, a group calling itself the Spirit Bear Youth Coalition, which claims six million supporters, attacked the arrangement claiming it does not go far enough and puts at risk the rare white bears found on the Central Coast. How this will all play out, I do not know; but, it illustrates vividly that there are, as I mentioned earlier, very different views on what is sustainable development.

Under the federal Fisheries Act Section 35 (1), “No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.”

But, Subsection 2 reads “No person contravenes Subsection (1) by causing the alteration, disruption or destruction of fish habitat by any means or under any conditions authorized by

the Minister or under regulations made by the Governor General in Council under this Act.”

So that’s an out of sorts.

Section 36 prohibits certain things including “deleterious substances” unless, under Subsection (4) “conditions authorized by the Governor in council under any Act other than this Act.” Further exceptions.

It then goes further to say, anyone who contravenes Section 35 (1) or 36 (1) or (3) is guilty of a summary or indictable offence.”

Section 42 imposes civil liability in certain cases and “liability is absolute and does not depend on proof of fault or negligence.”

It is a very powerful Act and even with the exceptions and authorizations has, for many years, been the strongest piece of federal legislation for the protection of fish and habitat.

You may be interested to note that nowhere is there any mention of sustainable development or even sustainable fisheries. It was drafted a long time ago. However, in the recently pronounced Wild Salmon Policy, there is repeated reference to sustainability and, interestingly enough, the precautionary principle.

But the Fisheries Act has, in the past, and is presently, the subject of complaints from those who feel the Act is not flexible enough, its administration uneven, too slow and lacking in certainty. In August, a joint paper by the Business Council of British Columbia and others calls for in its Executive Summary, for particular attention to:

- “1. Interpretation and administration of the Act’s habitat protection provisions;
2. Amendments and clarification of pollution prevention provisions;
3. Administrative mechanisms for efficient and effective management of the Fishers Act.
4. Enforcement matters.”

I wrote to the Business Council on September 7, 2006:

“There may well be some needed changes. However, what I would appreciate are specific examples of cases that prove/illustrate each problem. Without this, all we have are a series of arguments and recommendations but no facts either to advance the argument or examine its merits.”

I have been assured they will provide case situations (without corporate or personal identification) which I expect to receive shortly. There has already been public reaction, some favourable and some very negative.

On the Oceans Act which was assented to December 18, 1996 under Section 29, this is what the Minister should do:

“The Minister (the Minister of Fisheries & Oceans) in collaboration with other ministers, boards and agencies of the Government of Canada, with provincial and territorial governments and with affected aboriginal organizations, coastal communities and other persons and bodies shall lead and facilitate a national strategy.”

“Section 30: The national strategy will be based on the principles of (a) sustainable development”; and “(b) integrated management of (waters) “(c) the precautionary principle.”

What it means in effect is that the Minister of Fisheries has to collaborate with everyone.

Section 31 speaks of collaboration with nearly everyone and “shall lead and facilitate development. Section 32 talks about “coordination” with everyone and “may” again “in consultation” with everyone “establish marine environmental quality guidelines.”

While all of this is well intentioned, what it doesn't do is put anyone in charge of obtaining these meritorious objectives. It is an anthem to consensus, which is worthy in itself, but it also invites protracted delays and, at times, outright refusal to cooperate. And there does not seem anything the Minister can do about it, unless he/she goes to Cabinet and obtains direction to other ministers.

The 2005 Report of the Commissioner of the Environment and Sustainable Development seems to have been on to this problem. The Report:

“The role of fisheries & Oceans Canada in the implementation of Canada's Ocean Strategy and Canada's Ocean Action Plan has become unclear.”

“The Department's other major legislation, the Fisheries Act, calls for the Minister of Fisheries & Oceans to take an active and direct role in managing this sector. This is quite different from the integrating and collaborative approach of the Oceans Act” and asks rhetorically, “Is the Department, through its Oceans Directorate properly structured to play this leadership role?” That is a good question. But I would ask another one, “is it even adequately legally mandated to do it?”

I have left climate change to the end. We have a Professor who is living here now, Tim Ball, a retired Professor who says the whole climate change thing is a hoax. Either this is the most cunning dishonest conspiracy in history, involving thousands of people, most of whom are respected scientists, administrators, businessmen and industrial leaders, who have perpetrated a gigantic hoax or these many respected people, most of whom are intelligent and highly

educated, are so egregiously wrong that it defies rational explanation. All of you can take your choice.

I was at Kyoto, as Canadian Ambassador for the Environment. When it was over, I congratulated our most senior official, Paul Heinbecker, on the outcome: Canada would reduce our green house gas emissions to 6% below the levels of 1990. And then I asked him: You must know something I don't know: does anyone have any idea how we are going to do it? To which there was no answer.

Under a headline "No need for a Kyoto debate: Its over", Jeffrey Simpson of the Globe and Mail, who all the years I have known him has never suggested global warming is not real, or that human activity has nothing to do with it, wrote: "Environment Minister Rona Ambrose was correct: Canada will not and cannot meet its Kyoto green house gas reduction targets" and then lucidly sets out why. He was very rough on "those who were outraged at her assertions as they often are when truth smacks them in the face."

Personally I wish it were otherwise and, even if we cannot meet our targets, I believe we have to try and make some progress in that direction. But, I leave this issue to the panel on energy later on in this conference.

However, I draw your attention to a recent report by the Australian Government's Commonwealth Scientific and Research organization (C.S.I.R.O.):

"Millions of people in the Asia Pacific region could be forced from their homes and suffer increasing disease, cyclones and floods caused by global warming .."

“Climate change will seriously threaten regional human security and national economies this century ..”

“Rapid growth in large regional economies such as China and India has elevated human prosperity. However, unless ultimately decoupled from fossil fuel use, such growth threatens to exacerbate the climate challenge.”

“Remaining below the generally accepted threshold for “dangerous” climate change of about two degrees Celsius would require green house gas emissions to be reduced by 30-55 percent below 1900 levels.”

And it goes on in much detail.

I am bemused at this Australian Government initiated report. Some years ago, at the UN Commission for Sustainable Development, in a special committee, we were struggling to come up with the wording for a joint statement on emissions. A draft was produced (with, by the way, American support) which encouraged nations to work toward a “significant” reduction. The head of the Australian delegation became very upset. She said her government could not accept the words “significant reduction”. I finally put it to her, diplomatically of course, whether she preferred its opposite: “insignificant”. I should record that despite hours of discussion, we never did arrive at an accepted communiqué. The insistence on consensus does not always guarantee progress.

The observations and concerns of Macdonald, Laurier, and Stewart Udall and many others over the years have not all gone away. Much has been done to respond to their warnings. The

“Quiet Crisis” of which Udall spoke is not so quiet now, and there are new and evolving problems: urbanization, population growth, economic pressures, trade disputes, climate change, war and also the imperative of sustainability.

We have made some progress; attitudes have changed, understanding has grown. But much remains to be done. You are here on an essential, urgent and worthy task and time is of the essence

Thank you.