

From: "David Vanderzwaag" <david_vanderzwaag@hotmail.com>
To: <ephipps@cceintl.org>
Date: 3/22/02 10:29AM
Subject: Comment on Draft Cooperative Agenda

Dear Erica:

Thank you again for sending along the proposed Cooperative Agenda for Children's Health and related information. Apologies for not attending the recent meeting in Mexico to discuss the Agenda. Unfortunately, there was a scheduling conflict.

However, I did want to forward a few comments on the proposed Agenda in case it is not too late to influence future directions.

While the document proposes many useful initiatives which should assist in increasing scientific and public understanding of children's health risks, unfortunately, the Draft Agenda appears to do little in addressing the adequacy of existing regulatory approaches to managing toxic substances and pesticides. In fact, the document may be read to support a business as usual approach to health risk management through the emphasis on strengthening scientific risk assessment. The Agenda gives considerable emphasis to sharing experiences and increasing education on risk assessment relating to children's health.

While the proposed risk assessment initiatives may be useful, it is critical that studies and workshops in the law and policy field be initiated as well, if children's health protection is to be appropriately addressed. For example, common understandings and implementation approaches need to be facilitated for key principles of sustainable development, such as the precautionary approach, pollution prevention, intergenerational equity and ecosystem-based management. The implications of emerging and existing human rights norms, such as the right of the child to the highest attainable standard of health, need to be raised and debated. The document as it stands appears slanted towards risk assessment which carries the risk of paralysis by analysis.

The need for law and policy initiatives is especially important in light of the fast pace of regulatory changes in North America and around the globe. For example, the Government of Canada is presently considering a Discussion Document on the Precautionary Approach/ Principle and has just introduced new pesticides legislation in Parliament.

I would hope that the Cooperative Agenda as it evolves will begin to tackle some of the important law and policy issues and challenges facing our countries today. Hopefully, the discussions already held have highlighted similar concerns. Please feel free to contact me if you wish to discuss ideas further. All the best.

Professor David VanderZwaag
Dalhousie Law School
Co-chair, Environmental Law Working Group,
North American Consortium on Legal Education

Ph: 902-494-1045
Fax: 902-494-1316