

A Canadian Perspective on the Precautionary Approach/Principle

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< **What is the precautionary approach?**

The precautionary approach/principle is a distinctive approach to managing threats of serious or irreversible harm where there is scientific uncertainty. It is not new—what is new is the increasing complexity of the science and the public debate about the ability of governments to respond to such situations.

The precautionary approach recognizes that the absence of full scientific certainty shall not be used as a reason to postpone decisions where there is a risk of serious or irreversible harm. Even though scientific information may be inconclusive, decisions have to be made to meet society's expectations that risks be addressed and living standards maintained.

< **Why is it important to Canada?**

It is important because...

- Canadians want to know and have confidence in how the government makes important decisions about complex issues. For example, the precautionary principle is found in the *Canadian Environmental Protection Act, 1999*.
- As references to the precautionary approach increase, the possibility for misuse and abuse has been highlighted. For example, there are concerns that it could be applied to perceived risks for which there is no real scientific basis.
- There is a major balancing act between supporting innovation and managing associated risks. For example, government-commissioned polls suggest that while Canadians believe biotechnology is critical to the country's future, they expect the government to be vigilant in ensuring that it is safe.

- The economic stakes are high, especially at the international level. As the use of the precautionary approach has increased worldwide, and the possibility for its misuse has also heightened, Canadian officials need a firm basis to more actively engage in discussions.

< **When does Canada apply it?**

Canada applies the precautionary approach in situations when a decision must be made about a risk of serious or irreversible harm and where there is scientific uncertainty. These factors should not be used as a reason to postpone decisions.

For example, in 2000 and again in 2001, the government applied it when it asked Canadians who had lived in the United Kingdom or in France for more than six months in the late '80s not to donate blood. This was done because of the risk of transmitting the human form of "mad cow" disease. Yet, while there is sound science to support the decision, there is also scientific debate. Recently, based on evolving science, the government has now asked individuals who had lived in the United Kingdom or in France for a shorter period of time to defer blood donations.

< **How does Canada apply it?**

Canada applies the precautionary approach as a distinctive way of making decisions within science-based risk management. It primarily influences how options are developed and decisions are made. As a way of making decisions in difficult situations, it is ultimately guided by judgment, based on values and priorities.

Flexibility and responsiveness to the needs of particular circumstances are key to Canada's approach. However, some applications, such as fisheries management, employ rules to achieve the results required by specific laws or international obligations.

While the application of a precautionary approach is driven by specific circumstances and factors, 11 broad "guiding principles" have been described which could apply to all situations. These principles respond to whether and in what fashion the government should act when faced with a situation where there is a potential for serious or irreversible harm, and where there is not full scientific certainty.

The first six principles describe precautionary decision making. For example, that it is legitimate for Canada to make such decisions and it is legitimate that decisions be based on Canadians' chosen level of protection; while scientific uncertainty may exist, there still has to be some sound scientific basis for a decision; and it is particularly important that there be increased transparency, accountability and public involvement.

Five principles propose specific characteristics for precautionary measures: they should be reconsidered in light of evolving science and society's chosen level of protection; they should be non-discriminatory and consistent as well as proportional to the level of protection being sought; they should be cost-effective with the goal of generating an overall net benefit for society at least cost; and, where more than one option meets these characteristics, they should be least trade-restrictive.

< **Getting Involved**

The government is consulting on the proposed "guiding principles," to inform Canadians and seek their views on the guidance contained in consultation documents. The feedback will serve to inform the government's thinking on whether the guiding principles are appropriate, would improve consistency, provide an appropriate balance of flexibility and predictability, and be adaptable.

If you are interested in having more information, please refer to either the full discussion document, "A Canadian Perspective on the Precautionary Approach/Principle", September 2001, or a briefer exposé on the proposed guiding principles, "A Canadian Perspective on the Precautionary Approach/Principle—Proposed Guiding Principles", September 2001, both of which may be obtained through a department listed below or its Web site. If you wish to provide feedback, the Web sites will provide advice in this regard.

Agriculture and Agri-Food Canada: www.agr.ca
Canadian Food Inspection Agency: www.inspection.gc.ca
Department of Fisheries and Oceans: www.dfo-mpo.gc.ca
Department of Foreign Affairs and International Trade: www.dfait-maeci.gc.ca
Environment Canada: www.ec.gc.ca
Health Canada: www.hc-sc.gc.ca
Industry Canada: www.ic.gc.ca
Natural Resources Canada: www.nrcan.gc.ca