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# Integrating the right to a healthy environment (R2HE) into Canadian research under CEPA: Developing tools and guidance for researchers and reviewers

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# What is CEPA?

The *Canadian Environmental Protection Act, 1999* (CEPA) is the primary federal environmental legislation for preventing pollution and protecting the environment and human health.

The Minister of Health and the Minister of Environment, Climate Change and Nature jointly administer parts of CEPA that apply to the assessment and management of toxic substances to protect human health and the environment. Substances under CEPA include chemicals, nanomaterials, products of biotechnology, air pollutants, and greenhouse gases.

CEPA is guided by principles, including sustainable development, an ecosystem-based approach, and the polluter-pays approach. CEPA also applies the precautionary principle, which states that action to prevent environmental harm should not be delayed, even in the absence of full scientific certainty.

## Recent amendments to CEPA that relate to right to a healthy environment

In June 2023, CEPA was amended through the Strengthening Environmental Protection for a Healthier Canada Act to strengthen chemicals management in Canada. CEPA now recognizes that every person in Canada has a right to a healthy environment (R2HE) within the context of the Act, and subject to reasonable limits. The following amendments were made:

- Defining a healthy environment as one that is clean, healthy, and sustainable.
- Adding a duty on the Government of Canada, in the administration of the Act to protect the right of every individual in Canada to a healthy environment as provided under the Act, subject to reasonable limits
- Requiring the Government, in making decisions about substances, to consider their cumulative effects and how environmental harms affect disproportionately impacted groups, when data are available
- Adding a statement to confirm the government's commitment to the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), including respecting free, prior, and informed consent
- Requiring the development of an implementation framework that outlines how the R2HE will be considered in the administration of the Act; and explicitly requiring the Ministers of Health and of the Environment to elaborate on research, studies, or monitoring activities to support the Government of Canada in protecting the R2HE

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# How is the R2HE being implemented?

Health Canada and Environment and Climate Change Canada (ECCC) were tasked with developing an [Implementation Framework for the Right to a Healthy Environment](#) (R2HE Framework), which was published in July 2025. The R2HE Framework describes how the Government of Canada, particularly Health Canada and ECCC, will integrate consideration of the R2HE in the administration of CEPA to fulfil the Government's duty to protect the right to a healthy environment, subject to reasonable limits.

The R2HE Framework clarifies that the R2HE means everyone in Canada has the right to live in an environment that is protected from toxic pollution and harmful waste. It explains that the government will make decisions or take actions under CEPA to contribute to clean and healthy air and water, a sustainable climate, and healthy ecosystems and biodiversity. The R2HE Framework also clarifies that the right to a healthy environment under CEPA means that everyone in Canada should have access to information and the opportunity to participate in decision-making. It outlines clear steps for how the public can receive information and get involved and provides examples of tools and policy approaches that will be used to support protection of the R2HE.

The R2HE Framework also outlines three principles of CEPA and how they will be considered in the administration of CEPA to fulfill the duty to uphold these principles:

- **Environmental justice:** Everyone should be equally and fairly protected from environmental or health risks and have an equal chance to take part in decisions that affect them.
- **Intergenerational equity:** Meeting the needs of people today should not make it harder for future generations to meet their own needs.
- **Non-regression:** Protections for environmental and human health should not get worse and should be improved when possible.

CEPA recognizes the role of Indigenous knowledge in informing decisions to protect the environment and human health, reflecting long-standing Indigenous stewardship of their lands and territories. CEPA decision-making should be informed by bridging, braiding, and weaving Indigenous knowledge with Western science.

Finally, the R2HE Framework explains the other factors that should be considered when addressing the R2HE in CEPA decisions. The goal is to ensure decisions protect the environment and public health while considering economic, social, and scientific realities and availability of evidence.

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# How will R2HE be incorporated into research proposals?

To protect the R2HE in administering CEPA, the government needs scientific data to assess and manage the current and future human health impacts of environmental chemicals, through scientific-evidence based policy making. Such data could include lifetime exposures to help understand the risks posed by chemical exposures, how these relate to disease occurrence, and how the risks can be reduced.

Health Canada and ECCC lead and collaborate on research, studies and monitoring activities to support the protection of the R2HE as provided for in CEPA. These activities provide essential data and information about:

- The state of the environment and exposure to chemicals and pollution
- The presence of chemicals in humans, air, water, biota, and other environmental media including their sources, levels, and trends
- The effect of chemicals on human health and the environment, including their mechanisms of action

Knowledge and data generated can help the Government protect the right and uphold the principles. An overview of the relevant monitoring and research activities at Health Canada and ECCC is provided in [Annex 2 of the R2HE Framework](#).

As internal Health Canada and ECCC researchers submit research proposals through programs such as the Chemicals Management Program and the Air Quality Program, they need to describe how their work helps support the implementation of the R2HE. For example, research that identifies populations disproportionately impacted by chemical exposures to help inform decision making supports upholding the principle of environmental justice. Research that studies the long-term or generational impacts of current or replacement chemicals supports upholding the principles of intergenerational equity and non-regression. Proposals should explain strategies for sharing information with the public, how the research involves affected communities through participation, and any relevant considerations related to Indigenous rights and Indigenous knowledge. Internal and external experts reviewing proposals need to consider these aspects in their recommendations for funding.

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# How is the NCCEH involved in this work?

The NCCEH is working with partners at Health Canada and ECCC to better understand how researchers and reviewers can consider the R2HE in research projects under CEPA. Together, the NCCEH and partners will develop tools and guidance to help ensure R2HE considerations are included and assessed in proposals for research. This is intended to improve how R2HE is applied and evaluated in CEPA programs research agendas. These resources will support researchers and reviewers at multiple stages throughout the research cycle and facilitate consistent and practical implementation of R2HE considerations in research proposals, funded studies, and knowledge translation and exchange.

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