

January 30, 2024

## Briefing Note: Federal Circular Economy Framework

### 1. INTRODUCTION

Ecojustice is Canada's largest environmental law charity, using the law to defend nature, combat the climate crisis, and fight for a healthy environment.

Équiterre has been a reliable, credible and unifying voice on environmental issues since our creation in 1993. We encourage Canadians to rethink the systems in which we live.

Environmental Defence is a leading Canadian environmental advocacy organization that works with government, industry and individuals to defend clean water, a safe climate and healthy communities.

Together, we have been developing a vision for a circular economy in Canada/Turtle Island. Below we set out the explanation of why a circular economy is needed, a vision and key principles to guide a truly circular economy, and federal actions to support that vision.

### 2. CONTEXT

Our current economy operates as if there is infinite resources and energy that can be extracted and used in a linear and exponential manner. This means ever-increasing production of energy and materials is required to fuel unending growth.

This dynamic is causing climate change, biodiversity loss, pollution and causing various human health and ecological thresholds to be reached and exceeded. It is also creating and exacerbating social injustice and inequity, as well as the violation of human and Indigenous Rights.

The circular economy has been proposed as a tool to re-envision, re-orient and redesign material and energy use away from the linear "take-make-waste" model. This model envisions a closed-loop approach that reduces extraction, optimizes resources already in circulation, and minimizes pollution and waste.

However, most circular economy efforts to-date focus on improved design, increasing efficiencies, and technological solutions related to waste management. These efforts are not targeting upstream solutions that address induced demand for material/energy and overconsumption. This is a missed opportunity to stop wasting resources by reducing the amount that is produced and consumed in the first place. There is also little consideration



given to the social implications of a circular economy and the need to ensure it creates good jobs and a healthy environment for those most impacted by the current economy.

As such, there is a need for a more transformative approach, which is reflected in the potential vision and guiding principles set out next. We recommend that such a vision and principles be enshrined as part of a federal circular economy framework, as described summarily below.

### 3. OVERARCHING VISION<sup>1</sup>

A circular economy that focuses on reducing extraction, manufacturing, and consumption of material and energy to minimize our ecological footprint and restore what we take from the Earth in a relationship of reciprocity.

This economic transformation requires more than just modifying the lifecycle of material and energy. It requires a transition to regenerative, well-being and decolonial economies that ensure the health and well-being of all – including current and future generations of human and non-human life– in an inclusive, equitable and just manner and within the limits of what Earth can provide. This requires acknowledging that there are many sovereign Indigenous Nations on these lands, necessitating a pluralistic approach that makes space for multiple “economies” (e.g. Indigenous economies).

### 4. GUIDING PRINCIPLES

The following guiding principles could inform a shared vision for a circular economy:

1. Systems change: systemic reforms that address the colonial, extractive and consumption-based underpinnings of our economy, not just technological solutions.
2. Ecological Limits: live within our earth’s limits by producing and consuming less and using material, resources and energy in a cyclical manner. This requires prioritizing source reduction, reduced consumption, reuse, and repair, with resource recovery/recycling as a last resort.
3. Reciprocity: live in relationships where we give back and restore what has been taken.
4. Holistic: full cost accounting and life cycle assessment of all associated impacts from the use of materials and energy (e.g. climate, biodiversity, and health).

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<sup>1</sup> \*\* Final vision needs to be developed collaboratively with input from diverse perspectives, especially Indigenous Nations, and other racialized and socially and economically marginalized communities.



5. Intersectional: advance interrelated climate, biodiversity, reconciliation, decolonization, social justice, equity and just transition objectives (see principles 6–9 as examples).
6. Centering Indigenous Rights, Knowledge and Sovereignty: Indigenous voices and knowledge are prioritized in developing a circular economy vision and strategy, Indigenous economies are supported (economic reconciliation), and Indigenous communities' benefit.
7. Social justice and equity: Address historical and ongoing disproportionate impacts and inequities caused by the current linear economy on Indigenous peoples, racialized and marginalized communities.
8. Just Transition: create and sustain good jobs in new economies and ensure workers, Indigenous peoples, racialized and marginalized communities benefit from a just transition (e.g. invest in solutions that benefit their communities)
9. Intergenerational justice and equity: between current and future generations.
10. International obligations: compliance with international obligations to ensure environmental protection and justice across jurisdictional borders.
11. Inclusive and participatory: promote a plurality of perspectives and solutions; centre Indigenous leaderships and other marginalized perspectives; and create processes that consider needs of future generations and non-humans.
12. Non-regression: only strengthen and do not weaken the protections provided.

## 5. PROPOSED FEDERAL LEGISLATIVE FRAMEWORK

The federal government can play a critical role in ensuring circular economy efforts across the country are coordinated and consistent. As noted by ECCC, the existing patchwork of policies, standards, and frameworks across Canada, as well as the siloed approaches across jurisdictions and sectors, are barriers to investment and action.<sup>2</sup> There is also a recognition of the need for a common vision, standards, indicators and data.<sup>3</sup>

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<sup>2</sup> [Environment and Climate Change Canada, "Circular North America: Accelerating the Transition to a Thriving and Resilient Low-carbon Economy" \(May 2021\) at page 41.](#)

<sup>3</sup> ["Government-to-Government Roundtable: Advancing Collaboration on the Circular Economy in Canada" \(June 2023\) at page 3.](#)



This proposal is intended to address the noted gaps and support ECCC's recommendation for a collaborative approach that involves "multi-stakeholder, multi-government and cross sectoral partnerships and cooperation" to "ensure alignment and harmonization" across the country.<sup>4</sup>

Enshrining a vision and guiding principles for a circular economy is a key step in ensuring efforts are coordinated and aligned, but they should be paired with other elements, such as:

- a national strategy that includes binding objectives and targets for circularity;
- tracking and reporting obligations to ensure objectives and targets are being met; and,
- oversight and accountability mechanisms to ensure compliance.

As such, we recommend the enactment of a federal *Circular Economy Framework* that:

- Establishes a unified vision and principles to guide circular efforts in Canada/Turtle Island and bring existing efforts under a cohesive and coordinated umbrella.
- Draws from elements of the *Canadian Net Zero Emissions Accountability Act* and the Emission Reduction Plans created thereunder in establishing binding objectives and targets, as well as reporting obligations.
- Enables legal arrangements and agreements with other levels of government – including Indigenous governments – and relevant sectors to collaboratively develop regional strategies and sector-specific action plans.
- Work collaboratively with Indigenous Nations to develop circular economies that respect their Rights and meet their needs.

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<sup>4</sup> *Supra* note 2 at pages [18](#) and [ii](#).



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