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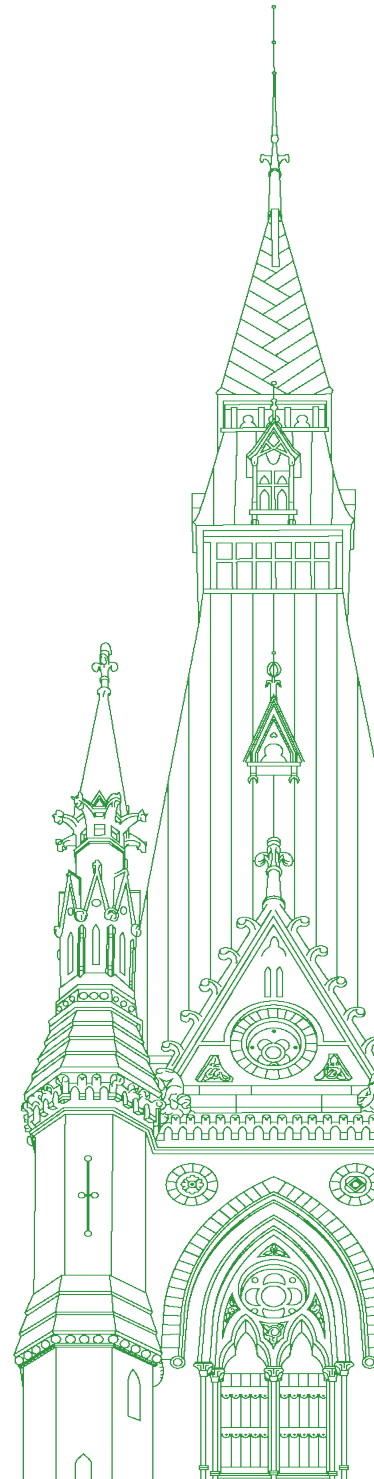
Standing Committee on Environment and Sustainable Development

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Chair: Mr. Francis Scarpaleggia



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• (1530)

[English]

The Chair (Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)): I call this meeting to order.

My understanding is that the technical tests have been done for those witnesses with headsets, of which there is one. It's all good.

Today we have two hours for hearings on Bill C-226. We have two panels. The first one includes Ms. May, the sponsor of the bill and MP for Saanich-Gulf Islands. Appearing along with Ms. May is Dr. Jane McArthur, toxics program director, Canadian Association of Physicians for the Environment.

I think you discussed with the clerk, Ms. May, that both of you combined have 13 minutes, if you would like to take that to the full.

We'll let you get started. Please go ahead. Congratulations on getting your bill to this stage of the legislative process.

[Translation]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Thank you, Mr. Chair.

I'd like to thank my fellow members for being here.

This isn't the first time the committee has studied this bill.

[English]

I want to start by acknowledging that this bill was in the last Parliament, came before this committee, had hearings and had amendments made. I particularly want to thank the former member for Cumberland—Colchester, Lenore Zann, who brought it forward then as Bill C-230. I was honoured, at the time. I have never before had a member of another party ask me to second their bill. I was the official seconder on Lenore's bill, back then. I'm grateful that my bill also has bipartisan support.

I want to split up my time as follows.

[Translation]

As the name suggests, the bill is about the development of a national strategy to deal with environmental racism and to advance environmental justice. I will share our ideas on what an environmental justice program should look like and what such a policy should cover.

I'll be sharing my time with Jane McArthur, who will explain what environmental racism is.

[English]

I may have surprised some of you by saying that I didn't, before this moment, know Dr. Jane McArthur.

The name Dr. Ingrid Waldron is certainly known to everybody who has looked at the question of environmental racism across Canada. Dr. Waldron has done a lot of research. She was unable to be here today. She played a key role with Lenore Zann in bringing the bill forward and providing its academic and evidence-based underpinning. When Dr. Waldron wasn't able to attend, I asked her if she could recommend someone who could give us the same kind of evidence. She referred me to Dr. McArthur.

I would now like to turn it over to Dr. McArthur for three or four minutes of her expertise in terms of what this bill addresses and what evidence we have that there's a problem that requires this bill.

It's over to you, Dr. McArthur. Thank you for being here.

Dr. Jane E. McArthur (Director, Toxics Program, Canadian Association of Physicians for the Environment): Thank you, Ms. May.

Good afternoon, everyone. I want to thank everyone on the standing committee for inviting me to appear as a witness today. Of course, I want to thank Dr. Waldron for all her work and for allowing me to speak when she was unable to today.

As Ms. May said, my name is Jane McArthur. I'm the toxics program director with the Canadian Association of Physicians for the Environment. I am a settler, here today from my home on the traditional territories of the three fires confederacy of first nations comprised of the Ojibwa, the Odawa and the Potawatomi. This region was also a terminal on the underground railroad network. Today we refer to it as Windsor-Essex, Ontario. In part because of its historical roots, it's still home to many racialized people.

Windsor's history is significant in understanding the present and the bill before us today. The region is known as the auto capital of Canada, a manufacturing hub and the site of the busiest international border crossing in North America, where tens of thousands of transport trucks cross each day. The conditions of my home lead to toxic exposures. The environments where these pollutants are emitted are also places where more racialized people live.

The reality of toxic exposures through air pollution and other means is lived by residents, but often the data to illustrate this is incomplete, in part because Canada does not track racialization and health as some other countries do. When passed, Bill C-226 will be one step toward documenting these realities and also policies and laws to prevent future exposures and the health impacts that are disproportionately experienced by racialized people.

Windsor is only one example of the problem of environmental racism in Canada. As a white settler bringing a relatively high amount of privilege to the table today, the reason I know these truths is that racialized and indigenous people share their experiences of colonization, oppression, environmental racism and ill health.

At CAPE we collaborate with many people sounding the alarm on environmental racism, including Dr. Waldron and the members of the Canadian Coalition for Environmental and Climate Justice; our board member Dr. Ojistoh Horn, a Mohawk and Haudenosaunee woman practising medicine in her community of Akwesasne, living the adverse health impacts of toxic exposures, and the people in her community feeling the same; and my toxics program manager colleague Melissa Daniels, a nurse, lawyer and member of the Athabasca Chipewyan First Nation, whose practices, traditions and health are in danger because of tar sands developments.

We know that the groups most impacted by climate change and environmental hazards are indigenous, racialized and otherwise vulnerable people. The toxic burdens faced by racialized communities are linked to high rates of cancer, reproductive diseases, respiratory illnesses and a myriad of other health problems. This alarm was sounded long ago by indigenous and racialized communities who have lived and died from the impacts of environmental racism and toxic exposures, but these people have been structurally excluded from decision-making, with their concerns ignored, downplayed and justified in the name of economic progress.

From the impacts of fracking operations in northern British Columbia to pulp mill effluent in Pictou Landing First Nation's boat harbour, toxic landfills in African Nova Scotian communities, mercury contamination in Grassy Narrows First Nation, and exposures from petrochemical facilities by Aamjiwnaang First Nation people in the chemical valley in Ontario, the legacy of environmental racism can no longer be ignored.

The strategy created with the passage of Bill C-226 will be an important starting point for addressing a phenomenon that should never have occurred and must be ended.

Thank you.

● (1535)

Ms. Elizabeth May: Thank you, Dr. McArthur.

I was delinquent in not recognizing that I'm here on the traditional territory of the Algonquin Anishinabe nation. Parliament is on their land.

I want to pick up where Dr. McArthur left off and then explain the path to environmental justice.

I first started working with and using the term "environmental racism" in approximately 1994, 1995 and 1996, in working to get the cleanup of the toxic Sydney tar ponds. The community of predominantly Black people of Whitney Pier, Nova Scotia, and the indigenous land of the Mi'kmaq people became the most toxic site in Canada, located between the coke ovens and the steel mill.

I came upon a program in environmental justice that quite inspired me, and also the use of the term "environmental racism", which informed my work. It came from no radical organization. It came from the United States Environmental Protection Agency, which, from 1992 until now, has had an office of environmental justice.

It provides specific assistance to communities, such as the communities described by Dr. McArthur: people of colour, indigenous peoples and, also, communities that are marginalized economically, where you know for a fact, you don't even need.... To point it out is to answer the question. You're not going to find a toxic waste site in Rosedale. You're not going to find people living with environmental quality that threatens their health in Shaughnessy, Vancouver. We know the neighbourhoods and we know the peoples who disproportionately are exposed to toxic chemicals and poorly regulated waste sites, whether we're talking about Kanasatake right now, or whether we're talking about the ongoing generational abuse of Grassy Narrows, first drawn to light, by the way, in the 1970s, by a book by the late environmental journalist Warner Troyer, who wrote the book *No Safe Place* about what Reed Paper was doing to the people of Grassy Narrows.

I'm not going to take much time, but I will say that the path ahead with this bill's passage will be to environmental justice. It's not about blaming and shaming people for the conditions we experience. It's for making it better.

● (1540)

[*Translation*]

Under the U.S.'s environmental justice program, the Environmental Protection Agency and a few programs provide funding so that communities threatened by pollution have access to experts.

[English]

It's really important for communities to have their own agency to be able to contact epidemiologists; to have their own studies done; to have evidence-based decisions around what can be done for cleanup and what we are prepared to spend; and to see if we can trace down the original polluter and make them pay for the cleanup. The main essence of this is that no Canadian should live in conditions that other Canadians would never accept.

I remember taking Mike Harcourt on a tour of the Sydney tar ponds. He was at that point the former premier of British Columbia and was with the National Round Table on the Environment and the Economy, which used to exist. I'll never forget Mike Harcourt saying that, if anyone had tried this in Vancouver, they would have all been hoisted up on ropes and executed, point blank. He was so shocked that we had cancer rates through the roof in specific communities.

We managed to get the Sydney tar ponds cleaned up, but there's no systematic program. At the U.S. EPA, not only do they have the program for superfund sites, but they have specific programs in environmental justice.

This year... I just decided to pull this off the U.S. EPA website:

The Budget invests more than \$1.45 billion across the Agency's programs [to] clean up pollution, advance racial equity and secure environmental justice for all communities. To elevate environmental justice as a top Agency priority, EPA has proposed a new national environmental justice program office, to coordinate and maximize the benefits of the Agency's programs and activities for underserved communities.

I'll close on this thought. We need to make sure that, as this bill goes through the House—and I hope the Senate—quickly, we will begin to hear from Environment and Climate Change Canada that they have thoroughly reviewed what the U.S. EPA is doing now and prepare that Canada do at least as much for our citizens.

The last time I checked, Environment Canada had not yet looked into what the U.S. EPA does.

This bill, I hope, will pass with all of your support, but once it's passed it's not about window dressing or bumper stickers. It's about addressing a real problem in real time with solutions. We don't have to reinvent the wheel. We have models.

[Translation]

Thank you.

The Chair: Thank you, Ms. May.

Now we'll start the first round of questions.

Mr. McLean, you have the floor for six minutes.

Mr. Greg McLean (Calgary Centre, CPC): Thank you, Mr. Chair.

[English]

Thank you to our witness and also to our colleague, Madam May. Thank you for being here today presenting your bill to us. Thanks for the bill.

One thing I note in the bill, and in your presentation, are these notions of environmental racism and environmental justice that you

spoke to. In my world, where I grew up, justice is good and racism is bad. I think that's true for most of us. Doing away with racism and getting justice for all is something we all strive for. I'm questioning some of the nature of what we're talking about in the bill here.

Can you talk about a clear definition around what “environmental racism” might be for the legal community, because I know we're going to have to come to it quickly? The legislation we have around racism currently, right now, is around hate speech. Let's discuss how we're actually going to define “environmental racism” in a legal context. Would you speak about that, please, Madam May.

• (1545)

Ms. Elizabeth May: Thanks so much.

I do have a background as a lawyer, so I'm very cognizant of how the law plays out and how we want to make sure terms are clear.

The question of assessing environmental racism also has to do with the collection of information. As Dr. McArthur mentioned... Jane, if you want to jump in anywhere, just flag me. I'll try to watch you on the Zoom screen.

What we're looking at particularly is the content of the strategy included in subclause 3(3). We are looking at a study to examine “the link between race, socio-economic status and environmental risk, and (ii) information and statistics relating to the location of environmental hazards”. Specifically in subparagraph 3(3)(b)(iv), it says, “the collection of information and statistics relating to health outcomes in communities located in proximity to environmental hazards.” It's very specific.

Mr. Greg McLean: I'm sorry, Ms. May, but I have limited time here. Thank you.

We're going to try to get to a definition based on the study that comes out of this at the end of the day. That is what I'm hearing you say.

Ms. Elizabeth May: When there are differential impacts from environmental risks and they affect different communities based on socio-economic status and race, that constitutes a lack of environmental justice, which you can sub for environmental racism.

Mr. Greg McLean: Okay. That's understood. Thank you.

Let's move to something else here.

Dr. Jane E. McArthur: Mr. McLean, perhaps I could offer what the ENRICH Project offers as its definition for “environmental racism”. The ENRICH Project was spearheaded by Dr. Ingrid Waldron. Their definition reads:

...refers to racial discrimination in the disproportionate location and greater exposure of Indigenous, Black, and other racialized communities to contamination and pollution from industry and other environmentally hazardous activities; the lack of political power these communities have to fight back against the placement of these industries in their communities; the implementation of policies that allow these harmful projects to be placed in these communities; the slow rates of cleanup of contaminants and pollutants in these communities; and the lack of representation of Black, Indigenous, and other racialized communities in mainstream environmental groups and on the decision-making boards, commissions, and regulatory bodies.

I think you'll be able to see that, when Ms. May was talking about the strategy itself, what the strategy is doing is really trying to address that definition.

Mr. Greg McLean: Okay, Ms. McArthur, thank you. I appreciate that definition.

Can we move towards what we talked about here and where you are going on this?

There's a little background, of course. The first time you buy a *Lonely Planet* about Canada you find that Trail, British Columbia, is the most toxic site in North America. When the immigrants, at that time it was the Italian immigrants, came to Trail to work in the smelter there, the men all died by the time they were 50. It's a town full of old women with no old men. I know that's not racial, but it's still environmentally disproportionate on a community. That is a marginalized community from an economic perspective, not a racial perspective. There's no racism involved there. This is what I'm dwelling on: whether we're dwelling on this with racism as opposed to marginalization. Yes, there are rural areas. There are places in this country where industrial activity has harmed the local people who work there and live there.

Is this a rural versus urban type of approach? In that case, shouldn't our rural and racialized communities be allowed to develop and find their way out of this and get out from under the yoke of the Indian Act?

I'll put it to Ms. May first.

Ms. Elizabeth May: First of all, I don't think it's a rural-urban divide. I think you'll find that, in urban communities, quite often racialized and lower-income people are quite exposed to risks that don't occur in rural communities. For instance, when you look at the research on contamination with lead and the epidemiological work that was done to ban lead in gas, many of the populations that were experiencing a statistically higher level... I shouldn't say "higher". Those experiencing low IQ rates that correlated to exposure to lead were overwhelmingly in urban environments.

Yes, you're right anecdotally. Certainly the Trail smelter is an international case that created the good-neighbour principle. Also, if you look at Délı̄nę in the Far North, that Inuit community is a village of widows because their husbands carried bags of yellowcake from uranium mines on their shoulders without protections.

The bottom line here is that no Canadian—urban or rural, white, Black or indigenous—should be exposed to unsafe levels of chemicals and toxins just because they're developing a mine.

• (1550)

The Chair: Okay, we'll have to stop there.

We have to go to Ms. Taylor Roy right now. We've exhausted six minutes in a very interesting exchange.

Ms. Leah Taylor Roy (Aurora—Oak Ridges—Richmond Hill, Lib.): Thank you, Mr. Chair.

Thank you to our colleague and witness, Ms. May.

Thank you for the work you've done and all the knowledge you have on this. It's clearly a passion. You've done so much. I really appreciate this legislation coming forward.

I want to just turn it over to you to continue the answer you were giving to Mr. McLean first and then I'll add a question.

Ms. Elizabeth May: That's terribly kind of you, Leah.

I don't want to go on forever about it, but for this bill, I know some people get hung up on the word "racism". There's no question that the research points to a very significant difference in exposure to toxic chemicals for people of colour and indigenous people. Again, it's not exclusively racialized, but predominantly it is.

If you don't mind, Ms. Taylor Roy, can I just throw that to Dr. McArthur, if she has any additional points on the statistics that give us an underpinning that points to racism?

Dr. Jane E. McArthur: I don't have statistics at hand, but I can say that what Mr. McLean is saying about the problem of marginalization of other forms is not wrong. However, we do know and we have evidence—from a tremendous number of mapping projects, including the ENRICH Project, for example—in Canada and in many places around the world that shows us we are locating industry in proximity to racialized and indigenous communities.

We also know that, for example, even in urban settings, we will find what we call grocery store deserts, where there isn't access to good grocery stores for predominantly Black communities. Even Dr. Waldron, in her definition of environmental racism, recognizes this intersectional standpoint. We just don't have racism standing on its own as an independent variable. It often does intersect with low socio-economic status and poverty.

Of course, there are examples where white or European poor people are experiencing these same high levels of toxic exposures, but it is a phenomenon that is recognized around the globe. The UN special rapporteur just released a report a couple of days ago on contemporary forms of racism and the intersection with climate justice and racial justice. It pointed to Canada and the example of Aamjiwnaang First Nation in Sarnia, where there are high levels of a whole host of health problems, from cancers to respiratory illnesses, going back to the early 2000s. A community-led research project there documented a skewed sex ratio due to the exposure to endocrine-disrupting chemicals. Disproportionate numbers of males to females were born.

There are plenty of examples of where this is a problem of racism—

Ms. Elizabeth May: Jane, can I turn it back to Leah?

Ms. Leah Taylor Roy: Thank you so much.

I was remiss not to welcome you and to thank you for being here, too, Dr. McArthur. I appreciate that.

Fighting over whether this is racism.... The basic idea, which the member opposite also mentioned, was that this is about environmental justice. You're asking for research to be done on the links between race, socio-economic status and environmental risk. This will not rule out communities that have been affected because of socio-economic status.

I did want, though, to understand this, Ms. May. You're asking for a strategy to be developed. You referenced the EPA and what they're doing. I'm wondering if there are any specific aspects of what the EPA is doing or anything else that you could see being in this strategy that you've already thought about, given the amount of time you've spent on this.

Ms. Elizabeth May: Thank you.

Certainly this bill is not about getting a study done. This bill is about collecting the information, going forward and having a strategy that actually addresses and prevents environmental racism and promotes environmental justice.

Again, when a community is having adverse health effects, one of the first things that happen—I'm going to be blunt—is that the industry in question hires what I like to call “consultitutes”. You pay the dollars and you get the report you want: Guess what—there may be a lot of toxic waste here, but somehow, theoretically, through mathematical models worked out by the “consultitutes”, none of that hazardous toxic material is ever going to hurt anybody, so we'll just leave it there.

The community needs to have access to its own experts. It needs its own epidemiologists. It needs its own toxicologists. When a government pairs up with a community to increase its sense of agency, to improve on, as Dr. McArthur mentioned, its lack of equal political power in the situation, so that the community that's experiencing adverse health effects and that also is exposed to high levels of an environmental contaminant has access to the experts working at its direction, and the government ultimately makes a decision about the cleanup and how it will be costed and how people's health will be protected, the community itself is empowered to participate with the same degree of resources or at least some degree of resources against a large polluter.

• (1555)

Ms. Leah Taylor Roy: Thank you very much.

I was going to mention that movie—I forget what it's called—*Dark Waters* or *Black Water*.

The Chair: It's *Dark Waters*.

Ms. Leah Taylor Roy: It's such a great film on exactly that point.

A lot of what we're doing now with respect to locating sites is asking for full and free informed consent. What is your perspective on whether that's possible when communities do not have the same economic opportunities or when their basic social needs—I was go-

ing to say amenities—are not met the way they are for the rest of us? Do you think that's possible?

The Chair: It has to be a yes or no.

Ms. Elizabeth May: Yes.

[*Translation*]

The Chair: All right.

Go ahead, Ms. Pauzé.

Ms. Monique Pauzé (Repentigny, BQ): Thank you, Mr. Chair.

I'd like to thank the honourable member, Ms. May, and Ms. McArthur for being here.

Ms. May, I'm glad to have this opportunity to speak with you about the bill at greater length and about how we, in the Bloc Québécois, see it.

You and I have spoken a few times about protecting health and the environment, and we agree on a lot of things.

The first iteration of Bill C-230 had elements that were at odds with Quebec's interests. The Liberals who were on the committee at the time corrected those issues. I'm glad you took into account the concerns stemming from the first version of Bill C-230. I commend you for taking the bill and fixing some of its problems. Nevertheless, we feel that some major problems remain. Since you won't be here Friday, I'll tell you what we plan to address in the amendments we're proposing.

In your opening remarks, you said the bill wasn't about window dressing, but I don't think the bill, as currently written, will make the least bit of difference in the lives of those who experience environmental injustice, whether it be indigenous communities, vulnerable populations, the economically disadvantaged or immigrant communities.

In other words, the intent is there, but the bill's content is not strong enough to bring about social change. The amendments I'll be proposing to the committee are designed to strengthen the bill. I'm eager for you to see them, but I will gladly tell you now how we plan to improve the bill with our amendments.

First, the focus has to be on the idea of environmental justice. The bill fits into the broader context of introducing environmental rights. The purpose is to address injustices associated with the environment, injustices that tend to be experienced by minorities, regardless of their colour, if I can put it that way. Since the purpose is to address injustices, it only makes sense to set out a positive principle, namely, stronger environmental justice. That's what one of our amendments seeks to do.

Second, everyone needs protection, and it has to be provided to all citizens fairly and without discrimination. I realize that the intent of the bill is to protect minority communities mainly, and I completely agree with that. The strategy has to target vulnerable populations, including visible minorities. That is why the ministers' strategy must take into account all the vulnerability factors that can lead to environmental injustices. Another one of our amendments seeks to broaden the scope of application to include the origin, socio-economic situation, heritage and history of affected communities.

Take, for instance, the Horne smelter situation in Rouyn-Noranda. It was under the spotlight all summer long and during the election campaign in Quebec. I'm sure you read the very powerful piece written by one of Quebec's great poets, Richard Desjardins. The piece illustrates how the problem has been going on for decades, for generations, and how successive generations have had to deal with the effects of the pollution caused by the smelter. Those people shouldn't be excluded from the bill's protection, but your bill seems to do just that: exclude them. The government should help them and right the wrongs of the past. That's what yet another one of our amendments seeks to do.

You talked about funding. We will be proposing an amendment to have the government set aside funding, under the strategy, to provide tangible support to communities who face inequalities because of their relationship with the environment. We want to make sure the bill has teeth and doesn't end up on a shelf collecting dust once it is passed. I realize you couldn't include such a provision in your bill because it would have been deemed out of order. The bill requires royal assent. If all of us here can agree to such an amendment, it could very well pass.

Those are the things I am looking for. If the Liberal government is serious about advancing environmental justice, then the government should prove it by supporting these amendments.

• (1600)

The Bloc Québécois is extending its hand in co-operation. I urge you to ask every member of the committee to support our amendments, to make this bill better and advance environmental justice.

The Chair: Can you answer in under 45 seconds?

Ms. Elizabeth May: All right.

I'd like to thank the honourable member.

I haven't read the Bloc Québécois's amendments, and it's not up to me since I'm not a voting member of the committee. I do, however, hope that everyone supports the bill. In the Green Party, we believe the best way to make decisions is through consensus.

This private member's bill does not exclude anyone. The definitions do not leave any community out. For example, the bill refers to "communities located in proximity to environmental hazards", with no other conditions.

The Chair: Thank you, Ms. May.

Next we have Ms. Collins. Go ahead.

[English]

Ms. Laurel Collins (Victoria, NDP): Thank you, Mr. Chair.

I want to thank Ms. May, in particular, for bringing forward this bill—for bringing it back after Lenore Zann brought it forward in our last Parliament.

Thank you so much, Ms. McArthur, for being here and lending your support, expertise and knowledge to this.

I have to say that I'm concerned about some of the comments from my Conservative and Bloc colleagues. The issue of environmental racism is such a serious one in Canada, and the idea that... When the previous version of this bill was before Parliament, the last time, it was amended to add the concept of environmental justice. I support the urgent need to address and advance environmental justice in all its forms, but it's also very clear that Canada has a historic and ongoing problem with environmental racism.

Therefore, I'm hoping that each of you can speak to the importance of addressing environmental racism, specifically, and the need for race-based data.

Ms. Elizabeth May: Thank you.

Jane, you go first, as I want to make sure we all have more time for questions.

Dr. Jane E. McArthur: Thank you, Ms. Collins.

Thank you, Ms. May.

I'd like to point back to something Dr. Waldron said when she was speaking in the debate on Bill C-230. One thing she said around that problem, at that time, was that she felt we needed to do more education about what racism is and what environmental racism is, because she was concerned there is a real lack of understanding about this phenomenon being a reality. She pointed to the fact that, in Canada, we like to think that no racism exists here, which she said is "ridiculous", in her words.

It does exist. Racism often exists in subtle and in very overt ways. We're seeing that in the mapping done and the health impacts being experienced. I think that, when we talk about different intersections and vulnerabilities, we're capable of recognizing oppression and that certain people are vulnerablized. With that lens, it shouldn't be so difficult for us to understand that racism and environmental racism exist in Canada.

We're in a moment where we're reconciling, or supposed to be reconciling, with our past and the ongoing present legacy of colonization of first nations people who live on these lands today. We need to be very concertedly acknowledging this. That's our first step—to acknowledge that this is a reality. Within that reality, we need to take steps to remediate that.

Part of this strategy, as Ms. May pointed out, is the inclusion of the affected people in rolling out the strategy in this bill. Consultation, and free, prior and informed consent, as have already been mentioned.... The communities affected are often not understood through traditional research lenses and methodologies of gathering information. This is, in part, because we're not asking the right questions about what their experiences are. The invisibilization of racism is part of the problem of not being able to gather the right kinds of information to show us the problem.

I think that, really and truly, if we lack some of this understanding and education.... This is an important part of what this bill will do: highlight the fact that this is a reality. We're not necessarily looking in the right places for the right pieces of data, or listening to the right people for the information we need and for evidence that shows this is a problem.

● (1605)

Ms. Laurel Collins: Thank you so much.

I was really struck by some of the research out of the United States, where they were looking at where toxic dumps are placed, and the greatest factor that they found in that data was race. That was far beyond economic status, which was a surprise, I think, to the researchers. We don't have that same kind of data here in Canada. I'm also thinking about other environmental issues like the climate crisis.

To Ms. May—we don't have a ton of time for you to answer this—in the case of the environmental racism national strategy, are there some ways we could ensure that we're really getting at some of these new threats when it comes to the climate crisis?

Ms. Elizabeth May: If we're looking in terms of climate crisis or exposure to environmental pollution that threatens human health, there's no question that there are class issues. We don't like to talk about class in Canada because I think we are kind of a classless society. People can be upwardly mobile and all of that, but the reality of it is that, if you are low on the economic totem pole, you are low on political power.

If you want to look at who died, the over 600—I think 700—people who died in four days from the heat dome in British Columbia, in that lens you'll find primarily people who are low income. You can slice it again. I'm not arguing that, when you look at the data, environmental racism is a clear factor, but so, too, is the intersectionality around being low income. Low income means less political power, which means that the government decided not to open cooling centres or do things to save lives. I can't imagine why not, but I sometimes refer to the heat dome impact as being the neutron bomb of climate change.

Neutron bombs, as you will recall, destroy people but leave the buildings standing. A heat dome kills people but the buildings are still standing. Hurricane Fiona and atmospheric rivers of the climate crisis kill people and destroy infrastructure. Heat domes just kill people.

The Chair: Thank you.

[*Translation*]

Go ahead, Mr. Deltell.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you, Mr. Chair.

Dear committee members, what a pleasure it is to see you again, in particular Ms. May, our colleague from British Columbia.

I must congratulate you, Ms. May. It is always wonderful to see you and discuss things in person.

First nations topics are dear to my heart, and with good reason. I have had the privilege of being an elected official for nearly 14 years now: I was a member of the Legislative Assembly of Quebec for 7 years and have been sitting in the House of Commons for another 7 years. I have always had the great honour of representing the Wendake community. It is indeed a great privilege, and I am very lucky, because my parents moved in 1962 to a site barely a mile from the Wendake community. I grew up with these people. I know them and I love them. They love me back, too, and I most grateful.

I am proud to represent this community, which I think is the best. You can see that I am not impartial here. These people have always been proud and I think that we have succeeded in living in harmony together in the Quebec region. This is inspirational for me, but we must not forget the major concerns that we all have for first nations.

The bill before us brings into focus a human tragedy that, unfortunately, is not only occurring in our country. I am talking about discrimination towards first nations. We will always remember that poignant moment on June 11, 2008, when the Prime Minister apologized on behalf of Canada to first nations for the tragedy that was the residential schools. We should remember that this was the only time in the history of Canada that a first nations grand chief spoke to all parliamentarians. We cannot allow ourselves to forget.

As I stated, I have been lucky to live with hard-working people in Wendake. It is a community of 2,000 souls which has more than 200 private businesses, and therefore many entrepreneurs. Since I was very little, I have noticed that the people of my community have always been partners in prosperity, and I am a proud 58-year-old. They expect nothing from anyone, they are independent and they establish partnerships with people around them.

Ms. May, my question is for you.

We cannot undo history, but we can hope to shape the future differently.

Do you think that first nations must be partners in any of the big projects that are currently underway, whatever they may be, if they have a direct impact on indigenous territories?

I think that first nations should be partners in these projects and partners in prosperity to eliminate as much as possible any sign of racism, whether overt or covert, even though it might be impossible to completely eradicate racist thoughts in some people.

• (1610)

Ms. Elizabeth May: To start with, I would like to congratulate my dear colleague for being appointed Official Opposition critic for Environment and Climate Change.

My colleague has spoken of his wonderful experience and talked about true partners who work for the well-being of all. That is the ideal. However, this is not the experience of the majority of first nations in Canada. As Ms. Taylor Roy asked, does the right to informed consent really exist?

This is not the experience of the vast majority of first nations in Canada, especially in my province, where there are pipelines. First nations such as the Squamish, the Tsleil-Waututh and the Musqueam are still against this big project which is now the property of all Canadian citizens. You speak of an ideal, but it is not the experience of the vast majority.

The bill does not target communities that are not experiencing problems.

Mr. Gérard Deltell: One of those projects was cancelled, much to the ire of many indigenous communities. I'm referring to the Northern Gateway that was stopped in 2016. A strong majority of indigenous peoples favoured the project, but the government pulled the plug on it.

Allow me to quote Mr. Elmer Ghostkeeper of the Buffalo Lake Métis Settlement:

[English]

Their expectations were really raised with the promise of \$2 billion set aside in business and employment opportunities.... Equity was offered to aboriginal communities, and with the change in government that was all taken away. We are very disappointed [with this] government.

[Translation]

He also said this:

[English]

We have to partner with the oil and gas industry and be treated as equals, not as token, because any natural resource project that is going to take place on traditional lands has to be given free, informed, prior consent now. The old ways of doing business doesn't cut it.

[Translation]

The Chair: Thank you, Mr. Deltell.

Your time has run out.

Ms. Thompson, you have the floor.

[English]

Ms. Joanne Thompson (St. John's East, Lib.): Thank you, Mr. Chair.

Thank you, Ms. May and Dr. McArthur.

I really appreciated your comments around the intersectionality of environmental racism and environmental justice and health, particularly for vulnerable persons.

Dr. McArthur, understanding this intersectionality, could you expand on how we can assist in expanding health care professional trainees in their exposure to climate and sustainability topics during their studies?

• (1615)

Dr. Jane E. McArthur: Thank you so much for the question.

This will give me an opportunity to speak a bit about what the organization I work for, which as I said earlier is the Canadian Association of Physicians for the Environment, is doing. CAPE is a physician-led organization with the mission of bettering human health by protecting the planet. Our board is mostly physicians, and we have regional committees across the lands called Canada that are led predominantly by physicians but also other health care professionals.

Much of our work is about educating and empowering physicians and other health professionals to know and understand what the health impacts are, in particular for vulnerable people and racialized and indigenous people. A lot of that knowledge actually comes from the physicians within CAPE, who recognize these problems from working with and treating their patients and want to do something about it.

Building in that empowerment piece, CAPE has been advocating, through medical schools, for training and research that continues to address some of these issues. It's designing research studies and training medical students and other health care providers on these intersectional problems of racism and the social determinants of health, as they're known.

There is an appetite and a very real need on the part of the health care community and health professionals to address these problems. I think we're seeing that happen more and more, particularly as young trainees are living in this world where we're seeing evidence of these problems.

Ms. Joanne Thompson: Thank you.

What are some of the long-term health and environmental outcomes of racial injustice policies that concern you, and how do we start to undo these effects?

That's for Dr. McArthur or Ms. May.

Ms. Elizabeth May: I would like to jump in and say that, when you experience doing the epidemiology in terms of population level of health effects, you see it. You see over and over again that people living next to toxic waste sites are going to have higher cancer rates. People living under highways with diesel trucks going by all of the time are going to have respiratory impacts. You're going to have learning disability issues.

With a lot of these toxic chemicals that people are exposed to disproportionately in communities of people of colour and indigenous people, you're going to have more birth defects. These are toxic chemicals that pass through the placenta. We should not be exposing anyone in Canada. There is another piece of legislation that's on its way to the committee as well, S-5, and I won't trespass into what I want to work on because I have to make it better, but no Canadian should be exposed to levels of environmental contamination, pollution and toxic chemicals that affect their health.

That's a short description of the kinds of things you see more in communities that are exposed to environmental racism.

Ms. Joanne Thompson: Thank you.

Dr. McArthur...?

Dr. Jane E. McArthur: I'll reinforce what Ms. May just said, but I would also like to provide another example. One of the projects that we've been working on as a collaboration of organizations has to do with this intersection of racism and exposure to toxins. One of the things that we know—and this is documented in both epidemiological and medical literature and also in literature in the social sciences—is that products that contain higher levels of toxins are often targeted, advertised, to racialized people.

For example, we see racialized women, particularly Black women, using products to straighten their hair and to bleach their skin in an effort to conform to western beauty ideals, and these are leading to higher rates of breast cancer, cysts, other reproductive harms, respiratory problems and skin sensitization.

There are different ways we see this problem, and it's not just in the external environments we're living in and the pollutants we're exposed to, but also in these more subtle ways that exposures happen by particular populations.

The Chair: Thank you.

[Translation]

Ms. Pauzé, you have the floor.

Ms. Monique Pauzé: Thank you.

I have some questions for you, Ms. McArthur.

You indicated that these communities often don't have any political clout, and I am absolutely in agreement with you, especially when I think of the way that Canada has treated indigenous peoples in the past. We continue to believe that all vulnerability factors must be considered. I don't know if you are aware of what happened with the Horne Smelter, which is in Rouyn, where the population is mostly white. There is also the Charl-Pol factory in La Baie. Would that be considered environmental racism when the toxicity of the air has an impact on employees?

I could also talk to you about the red dust that settles on Limoilou, or the air quality in the eastern part of Montreal, where the population is mostly francophone, white and economically disadvantaged, and they're the ones suffering from all these factors.

We believe that businesses aren't really concerned about race; what they're after is profit. They don't care about their employees or the people living nearby. For some businesses, it is the desire to make a buck that generates all this toxicity.

Ms. Waldron had mentioned certain factors, such as education, weak political representation and precarious socioeconomic conditions, amongst others. I absolutely agree with her. Actually, she gave an excellent critique of neoliberalism.

The Bloc québécois believes that we could have a bill that does the job. The Horne Smelter is a good example, and we hope that all MPs from all parties will support our suggestions to improve the bill, strengthen it and give it teeth, so that the law protects everyone

and ensures equality for all when it comes to health. We would like the enforcement of this bill to take into account the origins and socioeconomic conditions of these communities, as well as their history and development.

Would you support such an amendment to strengthen the bill?

• (1620)

The Chair: Please be brief.

Dr. Jane E. McArthur: Thank you, Ms. Pauzé.

[English]

I do think these factors are included in the way that this bill is laid out. It does not exclude, as Ms. May said earlier.

The Chair: Thank you.

Dr. Jane E. McArthur: It's a recognition that race and socioeconomic status are part of this.

The Chair: Go ahead, Ms. Collins.

Ms. Laurel Collins: Thank you so much, Mr. Chair.

I want to talk a little bit about the impact on indigenous communities. Members of the Aamjiwnaang First Nation, who live near chemical valley, have increased rates of asthma, reproductive effects, learning disabilities and cancer. Beze Gray, an Anishinabe land and water protector from Aamjiwnaang First Nation, said this:

Pollution has impacted food sovereignty. People in the Aamjiwnaang First Nation are losing access to traditional food sources due to the impact of pollution in the area... It is also impacting the traditional language. Because pollution has wiped out so many things in their community, we have lost traditional words. And we don't have traditional words for the pollution that surrounds us.

Ms. McArthur, I'm wondering if you could speak to some of the far-reaching impacts of environmental racism. This includes access to clean drinking water and clean air, and access to green space as well.

Dr. Jane E. McArthur: Thank you for your question, Ms. Collins. It's an important one.

Perhaps I could talk a little bit about the point of view that we're trying to operationalize at CAPE. We're trying to really see these issues through a planetary health lens. A planetary health lens is akin to what we call a socioecological model of health, which is to say that there are various levels of influence on our health. It's not just that we as individuals make certain choices about what we're exposed to or not exposed to, or that we choose where we live or that we are in certain jobs. It is that individual level, community level and occupational level, but governance, policy, history and time all intersect to influence how we experience health or ill health.

For indigenous peoples who live on these lands, that legacy of colonialism, which continues today, and the disproportionate locating of people in those areas where toxic exposures are prevalent does mean that every aspect of their lives is being impacted. The Aamjiwnaang First Nation is one example of many.

I too have spoken with people from Aamjiwnaang First Nation. I recall a time when we hosted Lindsay Beze and her sister to come to Windsor to talk about their experience at Aamjiwnaang. At the time, there were—

The Chair: Unfortunately, we're going to have to stop there and go to Mr. Kurek.

Dr. Jane E. McArthur: Thank you.

Mr. Damien Kurek (Battle River—Crowfoot, CPC): Thank you very much.

Thank you, Madam May, for being here, and thank you to Dr. McArthur.

You know, it's been interesting, because I look at this from the context of a lot of my experience as a member of Parliament from rural Canada, and the people I represent, and also having the chance to connect, over the last three years, with many people across the country. Seeing some of the challenges that have been highlighted, the trouble that certainly my constituents have is a lack of trust that a process like developing a framework like this wouldn't have a very negative impact on their livelihoods and their future. As an example, about 10,000 people in my constituency are directly or indirectly employed by the oil and gas sector, are very proud to be so and have an exemplary record of environmental stewardship.

Madam May, certainly one of the concerns I have with this bill is that there seems to be this intent to transition away from energy sources that provide significant employment to people in my constituency, including indigenous peoples and people of colour, and in communities that in many cases were very marginalized but, because of energy development, were really given an economic hand-up.

I am curious as to some of the concerns I have about that.

• (1625)

Ms. Elizabeth May: First of all, Damien, forgive me, but you are being very formal in calling me Madam May. I'm just going to out the fact that we're friends.

Any examples of exemplary environmental records need fear nothing from a bill that's focused on the very worst of the worst—environmental contamination that threatens human health and affects certain communities more than others. I appreciate the chance to just get on the record a clarification, because we have spent a lot of time talking about it. It's true that the Horne foundry's arsenic levels are off the charts, but what I want to put on the record is that an exception to the rule doesn't mean that there is not a problem. Just because some communities that are settler-culture white Canadians face toxic chemicals doesn't negate the overwhelming evidence that, disproportionately, far more people of colour and far more indigenous people will experience environmental contamina-

tion and other environmental impacts that threaten their health and the health of their communities.

Your constituents should know that you're a very able MP who represents their interests so well, and I don't think they have a single thing to worry about from this bill.

Mr. Damien Kurek: I appreciate that. I represent 53,000 square kilometres and about 110,000 people. That's represented by 12 city blocks. One of the challenges my constituents have... I've heard from some of the indigenous leaders who are dismayed and really don't trust the government's environmental climate policy, because they have seen economic opportunities taken away from them as a result of some of the actions that have been taken.

My concern is that we have a framework that may have an outcome that, instead of empowering people and addressing what its intent is, ends up holding them back. That's certainly the bigger concern I have, whether it's indigenous peoples....

There was a great deal of excitement—and I heard from indigenous leaders—when, I think, 18 first nations signed an agreement to take partial ownership of and significant economic benefit in an energy development project. There was a great deal of excitement, especially for young people being able to put things like environmental degrees to work.

Again, my concern is that we see an outcome that may, in fact, if we're not very careful, have a negative impact from this bill in particular but also the bigger conversations around environmental racism. It may have an opposite effect.

Ms. Elizabeth May: Quickly, this bill is not primarily focused on the climate crisis and shifting away from fossil fuels. Let's park those discussions and have them on another day in this place or another place where we can really talk. The reality of this bill is that it's to protect those communities that are most vulnerable, victimized and experiencing harm, and that's a very different conversation.

The Chair: Thank you.

Mr. Duguid, you have the floor.

Mr. Terry Duguid (Winnipeg South, Lib.): Thank you, Mr. Chair.

I want to thank the honourable Ms. May and Dr. McArthur for presenting today and for all of their good work, which I support.

The Liberal platform had CEPA reform and introduced legislation related to environmental racism and environmental justice side by side. I don't know if you read the platform.

Ms. Elizabeth May: Yes.

Mr. Terry Duguid: That's very good.

As we are debating Bill S-5—

• (1630)

Ms. Elizabeth May: You may regret that I read it carefully.

Mr. Terry Duguid: If you listened in last night as were debating—or trying to debate—Bill S-5, we mostly were talking about the price on pollution.

Please talk about potential synergistic effects between those two bills and how they can work together or how they might be knitted together.

Ms. Elizabeth May: Thank you for a terrific question. I also read the minister's mandate letter, and for those who are interested, the minister's mandate letter also includes bringing in this legislation. I will be very transparent that I drew a low number in the private members' lottery, which is good news.

In conferring with the minister's office, Dr. Waldron, Lenore Zann and Laurel Collins, we're trying to figure out the best way to get this legislation through. It looked like I'd have a better chance getting it forward because the House agenda gets so clogged. I was hoping we might even be able to skip all the steps, because it's so hard getting private member's bills anywhere down the road. Let's, by unanimous consent, say that this one's already been studied and amended. Let's just get it through.

That was my original hope, and I remain grateful for the fact that we have enough support that this bill passed second reading and is here. I'd love the Conservatives and the Bloc to join us, support this bill and get it through unanimously to the Senate. That would be ideal.

The two bills now are much more. Bill S-5, the Canadian Environmental Protection Act, and C-226 now have much more alignment than they had before the Senate amendments. I hope the government will defend the Senate amendments, which also begin to operationalize what environmental justice can look like. Those are very good developments.

I see the two as running on parallel tracks, but definitely not parallel tracks that don't intersect. They are quite intertwined at this point, and I think both bills passing would be great. It will be better if Bill S-5 passes with an enforceable right to a healthy environment and improving the various elements that I've spoken about already on Bill S-5 before the House.

Mr. Terry Duguid: My final question, Mr. Chair, is also to Ms. May, although Dr. McArthur may want to weigh in.

There's an inner-city neighbourhood in Winnipeg that you may know, Point Douglas. It has quite an interesting history going back a century and a half. There's a large first nations community and a large immigrant community, which is mostly African, and it has many refugees. Obviously, it's very much the subject of your bill.

I wonder if, in a practical way, you could talk about how this bill helps a community like that. There's industry nearby. There's evidence of pollution. They don't have the capacity, the tools or the resources to prove their case. How does this bill help them?

Ms. Elizabeth May: It will help them if the government takes the bill seriously once it's passed and puts in place environmental justice programs that are meaningful. Those often involve resources to the communities concerned.

Do you have access to air quality readings? Are you able to make sure that the families in those communities recognize whether it's

the case that they are actually disproportionately affected and that the health of their children could be affected? Then the question is, what protective measures do we take? It's evidence-based at every turn, but it really is about the steps.

I hope this bill will pass. I hope it won't just be a bill that passes because the government can tick a box and say, "Did that." It's going to take work, and it's going to take resourcing.

The Chair: Thank you.

This concludes our first panel. It was a very interesting discussion. I would like to thank Ms. May and Dr. McArthur.

We're going to break for three or four minutes and get started on the second panel.

• (1635) _____ (Pause) _____

• (1635)

The Chair: We will begin our second panel.

We are supposed to have three witnesses. Two have logged on successfully. Each witness will have three minutes. Please stick to three minutes or under.

We have with us Ms. Lenore Zann, who originally sponsored this bill in the 43rd Parliament.

It's nice to see you, Ms. Zann.

We also have Mr. Ross, who is a member of the Legislative Assembly of British Columbia. He's the member for Skeena.

We'll start with you, Ms. Zann, for three minutes, please.

Ms. Lenore Zann (As an Individual): Thank you very much. It's a pleasure to be here with all of you. I hope you can see and hear me.

I am grateful to live in the unceded traditional land of the Mi'kmaq, the people of the dawn, in Nova Scotia.

Thank you for inviting me to speak today on Bill C-226, the national strategy respecting environmental racism and environmental justice.

As you said, I first introduced this bill in the House of Commons in February 2020, just three months after being sworn in as a new member of Parliament. It was an amazing day. I'll never forget it. I'm deeply grateful to the good people of Cumberland—Colchester for electing me to serve them, which made that possible. Many thanks, as well, to all members of the House and this committee who supported the bill, which I was pleased to report back to the House with amendments on June 22, 2021.

Now it's with great gratitude that I thank the member for Saanich—Gulf Islands for reintroducing this bill as Bill C-226, again in February of this year.

The seeds of these federal bills lie in a private member's bill I first introduced in 2015 as a member of the Nova Scotia Legislature, after working with Dr. Ingrid Waldron and a number of indigenous and Black grassroots grandmothers: Bill 111, an act to address environmental racism.

The provincial and federal bills all mandate government to examine the link between race, socio-economic status and environmental and health risks due to the disproportionate number of toxic waste sites, landfills and corporate polluters placed in or beside indigenous, Black or other racialized communities. Environmental racism occurs when environmental policies or practices, intentionally or unintentionally, result in disproportionate negative impacts on certain individuals, groups or communities based on race or colour, lack of political will and unequal economic status or access to environmental benefits.

A broad, diverse coalition of environmental and civil society groups, including the David Suzuki Foundation and Ecojustice, spent close to two years urging Parliament to approve Bill C-230. When the House of Commons environment committee completed its review last year and approved the bill with amendments, it marked a critical first step towards acknowledging the inequities caused by environmental racism.

If passed, Bill C-226 would become a Canadian first. We have no time to lose to ensure that this long-awaited legislation becomes law. Therefore, I strongly urge all parties to approve Bill C-226 and move it through the final stages.

Thank you.

● (1640)

The Chair: Thank you, Ms. Zann.

Mr. Ross, please go ahead for three minutes.

Mr. Ellis Ross (Member of the Legislative Assembly of British Columbia, Skeena, As an Individual): Thank you.

I know this is subjective in terms of where you're situated in Canada. We're situated in B.C. and first nations over here are tired of policies or agendas that are used by third parties, with first nations stuck in the middle. We're talking about this happening all over Canada, but it's happened predominantly in B.C.

We already have paternalistic ideas about funding first nations in Canada through the Indian Act. We don't need any more policies like this, especially when you think about what we're trying to achieve here as first nations leaders. We're trying to dig ourselves

out of poverty and the violence of poverty and it's working. It's been working from 2004 to 2017. It contributed to the standard of life, which had a reversal. It built a future for our people and it actually achieved independence for a band like my own.

When you think about some of the activities we did, like mining, forestry and LNG, it was my band, the Haisla Nation, that pushed that on Canada and B.C. You also talked about some other developments. Some of the biggest polluters in Canada are cities and towns and their landfills. Guess what. First nations utilize that just like everybody else. The other thing you have to consider is that the lifespan of first nations has actually increased due to the development that we've been undergoing.

You're doing something that is redundant. We already have processes here. First nations' interests are already covered in the Constitution of Canada under section 35 and the case law that was decided in the courts of Canada and B.C. at the same time. Underneath that, you also have the interests of first nations' leaders participating in environmental assessments, both federally and provincially, to cover off more than what you're talking about here.

Do you know what we did here in B.C.? We accomplished something Canada didn't. We actually resolved Canada's shame in terms of the exclusion and the racism, and we did it on our own terms.

Because three minutes is not a lot of time, I'll leave you with this: Where does this end in terms of financial costs? Everything I've seen in terms of government policy always ends up on the ratepayer, the taxpayer, or it actually chases investment out of provinces. First nations people are citizens of this country just as much as the non-first nations. They depend on hospitals and schools. They depend on the highways and the shopping just like everybody else.

At a time when Canadians are facing the worst unaffordability in my history, at least, this is not a time to talk about this kind of policy that is big and general. If you really want to support indigenous people, support them through existing mechanisms that are already proven to be highly effective. Don't do what they did in B.C. Don't use first nations as a shield for somebody else's agenda. That's just shameful.

● (1645)

[*Translation*]

The Chair: Thank you, Mr. Ross.

I don't think that Ms. Gabriel has been able to join us. We will now start a round of questions.

I will reduce everyone's speaking time by 20% so that we can finish on time. We will have a first round of five minutes, starting with Mr. Kurek.

Mr. Kurek, you have the floor for five minutes.

[English]

Mr. Damien Kurek: Thank you.

Thank you to the witnesses.

I would just add that witnesses are welcome to send further comments to the committee in writing.

Mr. Ross, I noticed that you talked about existing provisions in the Constitution and whatnot to ensure that first nations are consulted and ultimately empowered, which is a big part of it. Certainly, that seems to be some of the underlying conversation surrounding this bill.

Could you expand on that and on why that is so critical in our country? How is first nations being used as a shield, to use your words, problematic in terms of empowering our first nations across Canada?

Mr. Ellis Ross: I'll give you a direct example.

There's a big argument about old-growth forestry in B.C. right now. The B.C. government took back some of the volume that was being cut, but at the same time they transferred a lot of that volume for old-growth logging over to first nations. That's a shield.

What also happens a lot is what happened here in B.C. with my band, where NGOs and third parties came in under the guise of helping first nations address their interests. As soon as some sort of economic development project was shut down, that NGO left town. Some of these NGOs put in millions of dollars and have hundreds of staff. They're not associated with poverty. That's what we experienced.

In fact, one idea behind LNG was to kick out all those NGOs and third parties and think about the region alone and about first nations people. If you want an example of what this means for a first nations community and the region, come visit Kitimat. Come and visit the \$40-billion LNG Canada. Think about the council being independent, single moms being independent and those people who are getting out of prison being independent.

Guess what. We have no help lines for suicide. In my village, we used to be soaked in alcohol, but house parties are out of the question now. It doesn't exist. This is not because of any council directive or government program. It was the simple matter of including first nations in the economy. It turned our band around a hundred per cent. A lot of first nations in our area did the same thing.

Mr. Damien Kurek: Thank you for that.

Now specifically with LNG and Kitimat, certainly I hear a lot, especially from activists, who suggest that first nations don't have buy-in on that project. What you're saying today is very different from that.

I want to give you an opportunity to expand on how critical it is that first nations are not treated simply as stakeholders, but treated as shareholders in Canada's present and future prosperity. I know

you highlighted that, but feel free...if you have other examples across B.C., or if there are other examples across Canada.

Mr. Ellis Ross: In 2004, it was my band that started exploring LNG exports to the world, and it took seven years for the provincial government to agree with us. We imposed LNG exports on B.C. and Canada. We forced the Canadian government to understand this, in terms of imposing duties on goods coming into Canada for the export industry for LNG. We're the ones who went to government and said that we had to sign the agreement for forestry.

We're the ones who are imposing this now. I'm talking about the processes in terms of environmental assessments, and a bilateral process that could be there within the environmental assessment process or parallel to it.

You're addressing rights and title as dictated by case law, which was decided most notably in the 2004 Haida court case, which my band participated in. This fully explains not only the Crown's duty to address rights and title, including an economic component, which a lot of people forget, but it also includes the duty of first nations to respond. There is a role for a third party to play, especially the proponent.

This is what brought success to my people. This is why in north-west B.C., you don't hear many first nations complaining anymore about the Indian Act. You don't hear them complaining about poverty. I think this is the model that Canada should be looking at, because it's first nations driving the energy sector in B.C. We're the ones driving the forestry sector. We're bumping up mining as much as we can. The problem is the politics and the narrative in Canada. They refuse to listen to the story.

This has to be highlighted, because this includes no government money and no government policy.

• (1650)

Mr. Damien Kurek: Thank you very much.

To finish, Mr. Ross, do you support Bill C-226?

Mr. Ellis Ross: No, I don't. I see that as a wide open, general bill that can be interpreted many different ways. The worst part of it is that first nations will be stuck in poverty and stuck in the middle. They will not have a chance to uplift themselves, which is what independence really means.

The Chair: Thank you.

We now have Mr. Weiler for five minutes.

[Translation]

Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you very much, Mr. Chair.

[English]

I want to welcome the witnesses. It's great to see Mr. Ross again this week. I also want to welcome Lenore Zann.

I want to congratulate you on the work you did on this bill in the past Parliament, and I'm really excited that we're here talking about it again today.

My first question I'd like to ask is for Ms. Zann.

Many of the examples of environmental racism in Canada are the consequences of overlapping jurisdiction between the federal government, provinces and municipalities. Do you believe that the strategy that will come out of this bill will be able to address this issue? If not, what other work needs to be done to ensure that environmental racism is going to be considered in community planning, which, as you know, lies outside of federal jurisdiction?

Ms. Lenore Zann: Thank you very much for the question. It's great to see you as well.

First of all, this is a strategy that will need to gather information, statistics, from across the country. Unfortunately, due to racism, these kinds of statistical data have not been available for governments to take a look at. Part of why I introduced this bill was so that we could gather that data in order to figure out where the problem lies and to address it.

One thing that the strategy will include is an examination of the link between race, socio-economic status and environmental risk. In fact, we know that there are many first nations and Black communities that have been placed in danger because they're close to either toxic waste sites or toxic corporate polluters, and it has affected their health disproportionately. We have to work together with the federal government, the provinces and also with communities, with municipal governments. That's what this bill is trying to do.

Mr. Patrick Weiler: Thank you.

If this bill passes, there's going to be an action plan, of course, that's going to be put together, in addition to the collection of that type of disaggregated data.

I'm curious about what you see as the next step with this action plan and some of the potential programs that could be addressed in this. Just before that, one of the things mentioned earlier by our colleague Ms. May here was capacity funding to participate in things like environmental assessments. Sometimes communities don't have access to the same types of expert opinion. I was hoping that you could elaborate on where you see this action plan going.

Ms. Lenore Zann: For one thing, it's interesting that Dr. Ingrid Waldron and her group are currently developing a map. It's called a "living map", because more and more information can be added to it about the locations of specific instances of environmental racism. Now, this is a group that will obviously also need help to develop this further, but it includes people talking about their own instances in their communities. That will be added to the map. There will be documentaries and interviews with people that they can upload to this map.

Things like this are going to need some government attention and also some funding. For instance, in places such as Nova Scotia,

where there have been terrible water situations because of dumps and waste sites placed beside Black communities, they have had very bad health outcomes because of this. It has been suggested by the local community that they put in new water treatment plants and also that they protect the groundwater, because these dumps and waste sites leak chemicals into the drinking water of all the people living in the community.

• (1655)

Mr. Patrick Weiler: I'll cede my last 30 seconds to Ms. May.

Ms. Elizabeth May: Thank you very much, Patrick.

I'm just struggling, having heard the testimony from our colleagues from British Columbia and first nations. I don't think any one person in British Columbia—I'm sure you'll agree with me—in any indigenous community could represent the views of all indigenous people of British Columbia, but I've been struggling to come up with any plausible scenario within which this bill would play any role at all in decisions relating to the development of natural resources of any kind, so—

What's that, Chair?

[Translation]

The Chair: Unfortunately, your time has run out, Ms. May.

We go over Ms. Pauzé.

Ms. Monique Pauzé: I would like to thank all our witnesses for being here.

I will repeat what I said earlier.

We believe that if we truly want to have a solid bill on environmental justice, we have to take into account all vulnerability factors. We want to strengthen the bill by bringing an amendment to give it some teeth, so that the bill protects everyone and ensures the equality of all when it comes to health and environment.

Ms. Zann, I have some questions for you, because you know the bill inside and out. You were the sponsor of Bill C-230 during a previous parliament, and you have worked in this field in your community. Let me give you some examples of situations in Quebec.

I will start with the Horne Smelter in Rouyn-Noranda. The people living around the smelter are mainly non-immigrants. I checked the sociodemographic data and I found that two thirds of the population, if not more, are not immigrants. However, since 1979, these people have been breathing in arsenic and cadmium, which greatly increases their risk of developing cancer.

Then there is the red dust that settles on Limoilou. In that case, it is the port of Quebec City that freely pollutes the Limoilou neighbourhood. There again, according to sociodemographic data, two thirds of the people living in that neighbourhood are not immigrants.

I could talk to you about air quality in the eastern part of Montreal. Again, the population is mainly non-immigrant. I could mention the Charl-Pol factory in La Baie, where toxic air is poisoning employees.

Given what I have just told you, do you believe that the bill could help improve the lives of people living in Rouyn-Noranda or in La Baie, or even the lives of those living in the Limoilou neighbourhood in Quebec City or in the Hochelaga-Maisonneuve neighbourhood in Montreal?

These are a few examples of what is going on in Quebec.

Ms. Lenore Zann: Thank you for the question.

[English]

It's great to see you as well.

I have to say, to hear these different situations is heartbreaking. It shows us that for so long too many communities across Canada have been treated like second-class citizens. Perhaps some of these communities you've mentioned are lower economic status communities, where they were considered not as important as some of the wealthier populations. This is certainly something that has been going on, not just in Canada but around the world.

It is not the intent of this bill to leave those people out. In fact, I think they should definitely be included when it comes to protections against pollution of all sorts. If you look at a map of any given area, I believe it will show you that the majority of communities that have been profiled are going to be racialized communities because unfortunately they have been treated like the lowest of the low and they need to be given the exact same respect as white Canadians.

Unfortunately, racism does exist and there are many examples.

[Translation]

Ms. Monique Pauzé: I have to stop you there, Ms. Zann.

I agree with you when you say that we have to talk about all the communities and include all of them. I think that businesses will set up in places where second-class citizens live, as you have said. It's mainly because of their economic status that these people have no political clout.

I would now like to ask you a question about the bill.

• (1700)

[English]

Ms. Lenore Zann: I agree.

[Translation]

Ms. Monique Pauzé: You agree.

I would like to know where in this bill it says that no one will be excluded.

I looked at Health Canada's maps, and they show that health problems are concentrated in the southern part of Canada. It's also in the southern part of the country that we find a lot of businesses. For these businesses, it's not about racism, but where you can turn a profit.

We will propose amendments that will aim to include everyone. You are telling us that it is already the case. Could you show me where in the bill it says that everyone is included?

[English]

Ms. Lenore Zann: First of all, I would be very interested to hear your amendments. I know you made some the last time, but I'd like to know what these new amendments are to see whether it would be a good idea to include them.

Again, this bill is specifically about racialized communities and the enormous amount of pollution and disregard they have received. It is specifically looking at that issue.

The Chair: Thanks very much.

Ms. Collins.

Ms. Laurel Collins: Thank you, Mr. Chair.

I want to thank the witnesses for being here. I want to particularly thank Ms. Zann for her incredible work on this. Thank you for bringing it forward provincially, for bringing it forward in the last Parliament and for being here to support the bill today.

Ms. May had asked a question and you didn't get a chance to answer, so maybe I'll give you a quick moment to respond to her question first.

Ms. Lenore Zann: I'm sorry. Who is the question for?

Ms. Laurel Collins: That was for you. Ms. May had asked about the role the bill would play in future resource development.

Ms. May, do you want to jump in quickly and repeat your question?

Ms. Elizabeth May: With the permission of the chair, I was just trying to imagine a scenario within which this bill would become some kind of block to resource development. This is about after-the-fact contamination of communities that are reaching out for help.

Could you think of any scenario, Lenore, where this bill would block resource development?

Ms. Lenore Zann: No, that's not the purpose of the bill. I think perhaps the other witness needs to take a better look at the bill and see what it suggests, because certainly it's not trying to stop development. It's trying to address the fact that there are a number of communities already in existence that unfortunately have had pollution affect their health, especially with women with their reproductive health, with people's lungs and with cancer and other illnesses. There are many cases and we need to take a look at them. We need to redress the problems that have already occurred.

Ms. Laurel Collins: Thank you so much.

Ms. Zann, I was heartened to see compensation for individuals in communities as measures that could be included in the national strategy. Do you think they could be the start of a wider effort to provide reparations to communities impacted by long-lasting systemic racism?

Ms. Lenore Zann: Yes, indeed I do, and I'm sure that's partly what might make some people a bit nervous, because they never like to think about putting a financial amount on trying to help people who have been affected by pollution. In fact, in Nova Scotia, I can think of many cases where people have had much shorter lives because they lived beside corporate polluters and also dumps and waste sites with toxic leakage into their water system.

Yes, we need equality in this country, and it should not matter, the colour of your skin or where you live.

Ms. Laurel Collins: Yes. Thank you.

I had the opportunity to go to Nova Scotia this year and visit the Africville Museum. I met some of your former MLA NDP colleagues as well as—

Ms. Lenore Zann: That's fantastic.

Ms. Laurel Collins: —the incredible board of that museum.

Could you speak a bit about the work that has been done in Nova Scotia to really work towards addressing environmental rights racism?

Ms. Lenore Zann: Yes. Actually, it's been quite heartening to see people working together and communities finally being heard. This has been going on for a long time in Nova Scotia and, of course, we have a very rich culture in our Black community, as well as the indigenous nations.

There now is a new bill that has been introduced in the province and will include addressing environmental racism. Although I introduced my bill several times from 2014 to 2019, none of those bills passed, but we started the conversation and got people talking about it. That's part of the issue.

• (1705)

Ms. Laurel Collins: Thank you so much for your work.

I see that Ms. Gabriel has joined us.

The Chair: Yes, as a matter of fact, I was going to mention that.

Welcome, Ms. Gabriel.

Ms. Gabriel has succeeded in connecting. She is an Onkwehón:we rights activist. I hope I pronounced that correctly.

As soon as we're done with Ms. Collins' questioning, we'll go to you, Ms. Gabriel, and ask you to speak to us for about three minutes. Then you will be included in the second round of questioning.

Ms. Laurel Collins: Mr. Chair, just on a point of clarification, would it be okay for me to ask Ms. Gabriel a question in this round?

The Chair: You have about 30 seconds. I think it would be better to let Ms. Gabriel give her opening remarks, and then you'll get another chance.

Ms. Laurel Collins: Mr. Chair, I've been putting on a timer. I thought I had a little more time than that. Could you stop the clock?

The Chair: You have about 40 seconds. I've stopped the clock and everything, but I mean, we're wasting time now.

Voices: Oh, oh!

Ms. Laurel Collins: For sure, absolutely....

The Chair: Can we go to Ms. Gabriel? I promise that I'll be flexible on the second round, Ms. Collins.

Ms. Laurel Collins: If you can add my 40 seconds to the second round, is that okay...?

The Chair: Absolutely, and more than that.

Ms. Gabriel, the floor is yours for about three minutes, if you could give your opening remarks.

Ms. Ellen Gabriel (Onkwehón:we Rights Activist, As an Individual): *[Witness spoke in Mohawk and provided the following text]:*

Wa'tkwawoweron Katsi'tsakwas ne iontiáts tánon Wakeniáhton, Kanehsatà:ke akenàkere.

[Witness provided the following translation]:

Warm greetings. My name is Katsi'tsakwas. I am turtle clan, and I am from Kanesatake.

[English]

Thank you for inviting me to testify on the subject of environmental racism. It's important to stress that the issue of environmental racism is rooted in the past, tethered to systemic racism, the Indian Act and the genocidal acts of the Indian residential school.

It is incumbent upon me to address the past, my community of Kanesatake's past, which was shaped by racist genocidal acts under colonial powers and created over a century among all Crown actors—federal, provincial and municipal governments—and the colonial creation that became the indigenous band council system.

All of the above situations and actors' apathy have led to Kanesatake's current situation. G&R Recycling facility, on the Kanesatake land reserve, has 160 Olympic swimming pools' worth of toxic waste lying in the small community of Kanesatake's lands, along with the multiple side dumps it has spawned and their effects on our community's health and well-being.

Details of this site's impacts are fully documented in the brief I submitted. A network of over 100 allied organizations, including some of our country's largest unions and civil society institutions, have already expressed their concern on this issue. The dump is a mere system, and we need to get to the root of this problem.

The fact that indigenous communities have become convenient places to dump toxic construction waste, raw sewage and other waste products that would never be accepted in a white community speaks volumes in itself. The fact that this is the norm is a mere symptom of the problem of environmental racism. In order to find solutions, we must address the root causes, and we must dig deep into those causes, among which is colonial genocide.

Environmental racism is a wicked problem. These are problems that became enormous, knotted up in all levels of governments' culture of bureaucracy, placing the burden to act, to stop the continuation and protect the environment, onto vulnerable community members, who are ignored and so must live with the consequences of corruption mingled with apathy, enhanced by fear and coercion.

The federal government, which has known about this problem in our community since at least 2019, has not yet found a way to resolve it. We have a provincial government in Quebec that has also not helped and refuses to acknowledge any form of systemic racism, environmental or not. This issue is complicated, because, like all such issues facing my community, it is rooted in past wrongs that need systemic, ongoing reparations. It requires reparations and restitution for the failure of governments to act and to do the right thing.

The issue of toxic dumping in my community cannot be resolved simply by cleaning up one site. It is the interplay between the past and the present and all of the dysfunctions it has created that need to be addressed. I assure you that, without that, there will be many more toxic dumps popping up in my community for every one that is ordered shut and cleaned.

If I might quickly quote the International Convention on the Elimination of All Forms of Racial Discrimination, article 4(c) states, "Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination."

Bill C-226 must...and its approach to environmental racism is that it addresses the systemic nature of these issues and goes to the root causes.

[Witness spoke in Mohawk]

• (1710)

The Chair: Thank you, Ms. Gabriel.

I will stop you there so that we have more time for questions.

We go to Mr. McLean, for four minutes, please.

Mr. Greg McLean: Thank you, Mr. Chair.

Thank you to the witnesses, and welcome to the new witness as well.

I'm going to focus my comments on Mr. Ellis Ross.

Mr. Ross, it's nice to meet you. Congratulations on all of the economic advancements you brought forward to your community, and also the social and political benefits that you illustrated are an advantage and that we continue to work on here. I much appreciated everything you brought to the table.

The issue around this bill, which I'm glad you touched upon, is the amount of paper that it's going to create and, if you will, the process in holding things up as far as getting things done. I know that a large number of the people around this table are urbanites who don't understand the rural economy that well. You represent the rural economy very well.

Do you see this bill facilitating your advancement, or do you already see it holding you back?

Mr. Ellis Ross: No, it will hold it back.

It talks in generalities. Some of the clauses, especially 3(1) around a national strategy where Canada is expected "to advance environmental justice and to assess, prevent and address environmental racism" leave the door wide open for third party groups and NGO groups to go to court. That's basically it. This makes the courts, the lawyers, the consultants and the NGOs very wealthy, but the first nations in question stay in poverty.

This is what we got rid of in Haisla territory and what contributed largely to our success. In fact, for some of the other stuff you're talking about in terms of the past, in terms of the present, I already told you that we're talking about redundancy here. I mean, we already addressed some of the issues you're talking about through specific claims. That was a federal program, as well as the courts.

Mr. Greg McLean: Thank you.

Mr. Ross, I only have a little bit of time here.

In the previous panel—you weren't here at the time—a woman named Jane McArthur, who is the director of the toxics program with the Canadian Association of Physicians for the Environment talked about a definition of what environmental racism is. We did have some concerns around the whole concept of the definition of environmental racism. Racism is bad; justice is good.

As I mentioned in the last panel, the issue she brought up was a definition that's brought forth by a group called the ENRICH Project. Have you seen that definition?

Mr. Ellis Ross: No, I haven't.

Mr. Greg McLean: Okay, I won't ask you to comment on it. She also raised some issues around the health concerns caused by fracking wells in northern British Columbia.

Are you aware of any negative health outcomes that are associated with fracking gas wells in northern British Columbia?

Mr. Ellis Ross: No, I'm not, but I do know that no water aquifers have been damaged in the northeast of B.C.

Mr. Greg McLean: Thank you.

She was talking more about the health effects of fracking, which I think was news to everybody who works with the industry.

Mr. Ellis Ross: I have experience with industrial development. The problem with this is that you're trying to find the smoking gun.

We tried to go down that road in terms of industrial health and it was hard. We spent millions of dollars in court and we couldn't prove it. There was one industry where we actually proved it, with the local fish. We went after them, but it's really hard to find that smoking gun.

Mr. Greg McLean: By smoking gun, do you mean what's causing the health outcome?

Mr. Ellis Ross: Yes.

Mr. Greg McLean: Are the health outcomes in northern B.C. less than they were 10 years ago?

Mr. Ellis Ross: Yes.

Mr. Greg McLean: We don't know what's causing that, though.

• (1715)

Mr. Ellis Ross: No, the health outcomes are much better than they were 10 or 20 years ago.

Mr. Greg McLean: Thank you.

The Chair: Our time is up.

We'll go to Mr. Nathaniel Erskine-Smith. Nate...?

Okay, we'll go to Madame Pauzé.

[*Translation*]

Ms. Monique Pauzé: Thank you for joining us, Ms. Gabriel.

I have to tell you that when I heard about the situation in Kanesatake, I was floored. It is shameful that right now, the powers that be cannot enforce our laws to protect the health of citizens and the environment because sadly, what is being put into the air is criminal.

I don't know if you know the name of the business that owns the facility, but it is G&R Recycling. The business belongs to Robert and Gary Gabriel, who are brothers and who are both indigenous and non-immigrants. The dump also belongs to Stephen Borbely and Roberto Scoppa, who are investors. They are criminals who were found guilty in 2005 of forcible confinement and rioting after the house of Grand Chief James Gabriel was burned down. Gary Gabriel was arrested in 2009. He has in his possession a military-style truck, weapons and AK-47 cartridges. On July 1, 2021, he was with gang leader Arsène Mompont when Mompont was killed in a cannabis dispensary in Kanesatake.

I'm telling you all this because I am focusing on the problem of the illegal dump and I want the committee to understand who we're dealing with here when we talk about this business.

What is extremely frustrating in all this, it that the powers that be cannot go and enforce the law because both white and indigenous people are scared. Both groups are scared.

What does that tell you, when public servants cannot do their work to protect the health of citizens and the environment because they are the targets of threats and violence?

[*English*]

The Chair: Ms. Gabriel, there's not much time left, but if you'd like to respond to that go ahead.

Ms. Ellen Gabriel: That's a good question. It's a small community. Everybody knows everybody. Everybody's related in some way. There is a letter that I submitted to the committee that explains the situation. The federal and provincial governments apply the law when it's convenient for them. I complained about the first dump I think around 1995. I was told by Environment Canada that environmental laws do not apply on reserves.

We have a very huge void where our community members are protected. Ruling by fear and coercion, condoned by the Government of Canada, Quebec and the authorities...but I'm not here to discuss the criminality of what you're referring to. I live in this community. I have to beware for myself, my safety and my family's safety, so I think you should bring that up in another commission. I think there should be another commission investigating.

The Chair: Thank you. You mentioned, Ms. Gabriel, that you sent some notes to the committee, I believe. Is that what you just said? You sent a letter to the committee or a copy to—

Ms. Ellen Gabriel: I did, because now—

The Chair: Okay, so that will be taken into consideration for sure.

Ms. Ellen Gabriel: Okay, so in respect of the community, there are people who live near the dump who keep their windows closed in the summer because of the smell. This was allowed to go on.

The Chair: I'm going to go to Ms. Collins now and then I'm going to come back to Ms. Taylor Roy and Ms. Thompson.

Ms. Collins.

Ms. Laurel Collins: Thank you, Mr. Chair.

To Ms. Gabriel, the former UN special rapporteur on human rights and hazardous substances and wastes said that the invisible violence inflicted by toxics is an insidious burden disproportionately borne by indigenous peoples in Canada, and that, "There appears a pervasive trend of inaction of the Canadian Government in the face of existing health threats from decades of historical and current environmental injustices and the cumulative impacts of toxic exposures on Indigenous peoples."

Can you tell us a little bit more about the ongoing environmental hazards that are being felt by indigenous communities.

• (1720)

Ms. Ellen Gabriel: I can only speak for my community. I know that there is raw sewage. There are old refrigerators and old air conditioners with the components that have now been declared toxic. These are waste products coming from the city of Montreal and surrounding suburbs.

These people, if you know the Two Row Wampum, have stepped outside indigenous laws. They have become assimilated in colonized people who do not care about the environment and do not care about their language or customs. They only care about the bottom line. They should not be considered indigenous people. They are specifically hurting the community and they rule by fear. That is how most toxic waste dumps get in. There were no consultations by the band council under Serge Simon. The band council is not telling people anything about the negotiations they have with the federal government.

We are powerless to do anything, so it is left up to us to do something. That is really frustrating because I stood up for the land in 1990 and what do we have? We have lawlessness that is condoned by the federal government, knowingly. They know. I told Marc Miller, our community is imploding. Twice I said that to him, including recently in April at the permanent forum in New York. He said, we know, we can't do anything, we cannot tell Quebec what to do, and we cannot tell Oka what to do. However, they sure as hell can tell us what to do, and that is through their silence. This is not acceptable.

Ms. Laurel Collins: Women are often on the forefront of organizing for environmental justice in their communities. Can you speak about the role of indigenous women in decolonization and in environmental protection in the face of this kind of environmental racism?

Ms. Ellen Gabriel: According to the Great Law of Peace, *Gayanashagowa*, women hold title to the land, and we are the land protectors and the men must protect the women who are protecting the land. We don't have anything like that anymore. The women are at the forefront, and a few men, in trying to protect the land.

But people are afraid or they're bought off. I don't know who to go to. I don't know who to turn to. Nobody is capable of helping us. You invited me to this committee and I have less than three minutes to speak. You want to learn about environmental racism, yet there's no cultural safety in my presentation to you.

I don't think that this is a committee that really understands the stress and duress that indigenous peoples face from their own people. We are surrounded, not just by our own people but the racists in Oka, the racists in Montreal and Quebec and in Canada, and we're supposed to be the ones who provide the solutions that tell you what to do. We're telling you that this is under extreme circumstances of no safety whatsoever. We cannot call in the police. We cannot call in anybody because nobody wants to come to help us.

You can interrupt me, sir, if you want, but—

The Chair: No, I'm not trying to interrupt you.

This has been very enlightening. I hope you don't feel that your time here has been wasted—not at all. I think it has opened the eyes of a lot of people.

I'd like to give Ms. Thompson and Ms. Taylor Roy opportunities, as well, to ask questions, if that's okay.

Go ahead, Ms. Thompson.

Ms. Joanne Thompson: Thank you.

If I could speak for Ms. Taylor Roy, as well, we would like you, Ms. Gabriel, to please continue. I think we need to hear your voice now.

Thank you.

Ms. Ellen Gabriel: Thank you.

We have tried, for so long, to get the government to help us. They make the Mohawks look bad. It's a joke to call G&R "Recycling", because it's not recycling. There is toxic waste. We tried to help the young farmers living close by, and they are afraid as well.

It takes a lot of courage to stand up and say, in public to you all, that what we are seeing is environmental racism. It is colonization at its "best". We are meant to see our traditional ways as irrelevant and not current, when our traditional ways are the ones that are guiding the youth and trying to protect the environment and leave a legacy for future generations.

This dump we see in my community... It will take at least 10,000 years to clean up that mess so future generations can use it. This is totally unacceptable. We tried with government. We tried with every single person we could use, and nobody said.... The band council said it's okay. The band council is a creation of the federal government. They never consult the communities. We are left with their decisions and the garbage they leave behind.

We are left, under the Indian Act, to search for different ways of economic development. This is somebody's version of "economic development" that we are stuck with. The only thing stopping seepage is the clay underneath this. None of the precautions of any waste facilities were taken for this. There were numerous fines that were done and they didn't care, because it was a drop in the bucket for these people.

The invisible hands behind the Mohawks are not indigenous. Those are the invisible hands we are all afraid of. I don't know what's going to happen after I present to you today, but I do know that, if I remain silent, the lawlessness that exists in Kanasatake and other indigenous communities will continue further. The excuse, "Well, they're so divided" is the reason why we are at this point in time. We see criminals coming into our community, exploiting the gaps in the Indian Act and human rights, and saying, "We will buy you this and that, if you allow us to dump in your community."

I don't know who to go to anymore. Maybe you can help—maybe this law will help—but it has to go further than that, because tomorrow morning, when I wake up, I'm still in the same community. I'm still dealing with the same crap that has been left here by the city of Montreal—all the sewage. This is prime agricultural land that can no longer be used for many generations.

I do appreciate you listening to me. I appreciate so much that you are allowing me to speak, because I don't want this to turn out to be a violent situation. That's why this has been allowed to go on for so long: People don't want violence. However, what are we supposed to do when we stand up and they come to our homes and threaten our lives? They threaten us. What are we supposed to do? Are we supposed to just stay quiet and let them, again, ride roughshod over our community?

The Pines that we stood up for are being cut down for marijuana shacks. We are the playground of the people—the youth from Montreal and surrounding communities. It is not a safe community. It's not the community I want. It does not represent Mohawk and indigenous values of caring for the environment.

Thank you very much.

• (1725)

The Chair: Thank you.

I will go now to Mr. Deltell, who has four minutes.

Mr. Gérard Deltell: Thank you, Mr. Chair.

Madam Gabriel, what should we do to help you?

Ms. Ellen Gabriel: My first thought is not a good thought, so I won't say it.

What you could do to help me is perhaps have a commission to investigate the corruption in Kanosatake by the federal and provincial governments, the police and the Mohawk Council of Kanosatake, past and present. Help us get rid of the dump, but also help us with our safety, because we don't know who to ask anymore. If this committee has suggestions.... This shouldn't be a few minutes' discussion, which is what you're asking me to do. This demands a long discussion and solutions. That's what our community is going to try to do.

I thank you for your time and help.

Mr. Gérard Deltell: Ms. Gabriel, you're suggesting a commission. Who should lead the commission? Should it be a person from the federal government, from your community or a person from a first nation but not from your community? What would be your proposition on that?

Ms. Ellen Gabriel: I think there needs to be an independent investigation with international observers, because I think that, if we are asking the corrupted to investigate themselves, we won't get anywhere. If there is a commission that investigates the corruption that's happening in the community from outside forces, government apathy and lack of action, then we might get somewhere.

It should have been done a long time ago, because we are dealing with the consequences of that through the risk to our lives, to our health and well-being and to the very things our ancestors taught

us, which is to respect the land for future generations and this generation. They deserve better, and they're not getting it.

Mr. Gérard Deltell: Why, 30 years after the Oka crisis that we remember, each and everyone here, especially people from Quebec, have things not changed? If they have changed, it is worse than ever.

Ms. Ellen Gabriel: The actors who we are talking about today are the same ones who have ridden roughshod over the community for the last 32 years with impunity. They are the untouchables. It's not for lack of trying on our part to do that. The government has made the Longhouse, the Haudenosaunee, illegitimate. They have said that the Mohawk Council is the only legal authority, yet you passed a bill last June on the implementation on the UN Declaration on the Rights of Indigenous Peoples.

Traditional governments that predate European arrival still exist. We survived, but we are not recognized. We are ignored. We are silenced. If you can help us with that, that would be a step in the right direction.

We are always under the band council's thumb. To me, that's been part of the problem. The same players we are talking about today created fear and havoc 32 years ago in our community and flew warrior flags when they're not really warriors. That's what you need to remember. People who fly the warrior flags now, they're not really warriors. They're businessmen. They want to protect their business interests.

• (1730)

Mr. Gérard Deltell: Do you have any support from the provincial association of the first nation people? Do you have any support from them?

Ms. Ellen Gabriel: Do you know what? Nobody wants to touch us with a 10-foot pole.

Mr. Gérard Deltell: I'm sorry. No one...?

Ms. Ellen Gabriel: I'm telling you that nobody wants to touch us with a 10-foot pole. Nobody wants to get involved—nobody.

Mr. Gérard Deltell: Even the Quebec first nations associations...?

[Translation]

Ms. Ellen Gabriel: Are you talking about AFNQL?

Mr. Gérard Deltell: Yes.

Ms. Ellen Gabriel: Not really. It is very difficult to understand the situation in a community if you are not there.

[English]

I have to switch to English.

The Chair: If you could just conclude very briefly, we'll go to Mr. Longfield. He'll have some questions as well.

Mr. Longfield...?

Okay, there's a Liberal slot. Go ahead, Ms. Taylor Roy.

Ms. Leah Taylor Roy: I'd like to give my time to Ms. May.

I'll say one thing beforehand.

I just want to thank you for being here, Ms. Ellen Gabriel, and for your courage in standing up.

I want to thank Lenore Zann, and also Ya'ara Saks, who also wanted to be here today. She has worked on this bill with Ms. May and couldn't be here today.

I would like to give my time to Ms. May.

Ms. Elizabeth May: Thank you.

How much time is that, Mr. Chair?

The Chair: You have two and half minutes.

Ms. Elizabeth May: That's a lot. Thank you.

I also want to thank Ya'ara Saks, who seconded this bill with Lenore Zann at the time.

I want to try to bring it back to how Bill C-226 could be a way of assisting the community of Kanesatake and other communities, but I can't start or open my mouth without saying that, Ellen Gabriel, you are the bravest human being I know. You are grounded in principles, values and integrity that are breathtaking.

Yes, this is probably one of the most complicated jurisdictional and dangerous issues I have ever seen in decades of working on issues of toxic contamination and endangered communities, and it is very difficult to see from where help will come. I am very grateful that this committee has created the opportunity for you to speak directly to MPs, who, regardless of party affiliation, want to help.

I want to bring it back to Bill C-226 and say that, in terms of confronting environmental racism and advancing environmental justice, one of the corner pins of this bill is to give communities that are at risk the protections and the support they need. If the bill were brought forward as law and we had a program for environmental justice, what might you see as the most...? You've mentioned a commission on the issues of Kanesatake, but how would we use environmental justice programming to protect your community and clean it up?

I know you said that without systemic change, if you clean up one waste site, there will just be another one. For members of this committee who don't know, the Minister of Fisheries and Oceans, I don't know how many years ago, made an order that the site had to be cleaned up and that has not been enforced.

How could we ensure a cleaner and safer future for your community?

Ms. Ellen Gabriel: I wish I had a crystal ball to really give you a good answer on that, but I think the first thing we need to do is to remember that human rights are interrelated and interdependent. We need to bring in the UN Declaration on the Rights of Indigenous Peoples along with human rights perspectives to allow indigenous communities to have free, prior and informed consent, not just through their band council but through the traditional governments that understand our customary laws and protocols and how to protect the environment. I think that is paramount if this bill is to succeed in protecting the quality of life that we have in our communities.

We need to have an investigation of why this has been so neglected by government. Think of seven generations from now. How will this affect seven generations from now? I wish I had more answers for you.

I'm not at home with all my notes. I had connectivity problems.

I think if we go by just the connection between environmental and human rights, they are one and the same, and our spiritual rights are connected to this. Our medicines and our health are connected. It's not just a matter of policy implementation. There have to be true consultations with regard to how indigenous communities want to see an environmental racism bill really benefit us rather than just being told, "This is a bill. This is the law," when we know that the law has not been there for us. When we talk about justice with regard to the Canadian court system, it has been lacking for us.

• (1735)

The Chair: Thank you very much, Ms. Gabriel, and to all the witnesses and the committee members for their probing questions.

That brings us to the end of our meeting. On Friday we will be doing clause-by-clause on the bill.

It's been a very interesting discussion. Thank you to all who participated.

On that I'll ask for a motion to adjourn.

An hon. member: I so move.

The Chair: The meeting is adjourned.

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