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Environmental Bill of Rights

By David Suzuki

I KNOW WHAT it's like to be deprived of rights. During the Second World War, the Canadian government stripped my family's property and rights and sent us to an internment camp in the British Columbia Interior, even though we were all Canadian-born citizens. I'm also old enough to have witnessed Canada's progress on human rights. Just seven years before I was born, a legal decision concluded that women in Canada were "persons" and could be appointed to the Senate. People of African and Asian descent, like my family, were finally allowed to vote in 1948, and Indigenous Peoples got full voting rights in 1960. In 1969, homosexuality was decriminalized.

Despite the fact that Canada is known for its spectacular natural wonders and passed the Bill of Rights in 1960 and the Charter of Rights and Freedoms in 1982, many Canadians would be surprised to learn that the right to live in a healthy environment was never included in these laws.

In an effort to remedy this omission, I set out with David Suzuki Foundation and Ecojustice staff and allies in 2014 for a cross-country tour. Our mission was to eventually have environmental rights enshrined in Canada's Constitution, albeit with several interim steps along the way, including municipal and provincial declarations of environmental rights and a federal environmental bill of rights. After all, the right to clean air, water and soil shouldn't be left to the whim of day-to-day politics, to be continually fought for. The response exceeded our wildest dreams. First Nations leaders and communities came out in support of our effort, and by the fall of 2016 more than 100,000 people had signed on, and 140 municipalities representing a third of Canada's population had passed resolutions supporting the right to a healthy environment.

This has been an incredibly unifying movement for Canada, with support pouring in from coast to coast to coast. There's

A federal environmental bill of rights would support the right to a healthy environment for all Canadians.

something profoundly Canadian about guaranteeing everyone basic rights, and not letting anyone slip through the cracks. This is reflected in the way we've crafted our social safety net. But that net is incomplete without environmental rights. It's shocking that some communities still face perpetual boil-water advisories or must fight against companies that would pollute their food sources. Having the constitutional right to a healthy environment would make Canada a better place for all, and could be a source of great pride as we celebrate the country's 150th birthday.

If it's such a great idea, what are we waiting for? More than 110 countries — from Argentina to Zambia — have already embedded the right to a healthy environment in their constitutions, but we're behind the game. Canada was once a leader in this field, and the idea of fundamental human rights has deep roots in our history.

When it was enacted, the Bill of Rights was a good first step, but it left a great deal of discretionary power with the provinces, and it was difficult to enforce. In 1982, Pierre Trudeau's government brought in the charter to enshrine these ideals in the Constitution, thus giving them greater strength. Today the charter is so firmly embedded in the norms of Canadian culture that it's hard to imagine a time when Canadians didn't enjoy basic guarantees in areas such as religious and press freedoms and protection against racial discrimination. Prime Minister Justin Trudeau has an opportunity to carry on his family's legacy of being at the vanguard of supporting human rights in Canada and internationally by strengthening the charter to include the right to a healthy environment.

Now that we have a critical mass of popular support, we're setting our sights on the next step: a federal environmental bill of rights. We have a narrow window of opportunity to get this passed, and are seeking the support of MPs across the country from all political parties. Although getting the added protection and stability of constitutional change is a long-term and formidable goal, this crucial next step is within reach and could be achieved before the next election.

What do you get the country that has it all for its 150th birthday? A bill of rights that will ensure protection of its natural assets for generations to come is a great start. ●