

**Date Reviewed**

October 2020

**Course**

[Social Justice 12](#)

**Topic**

Environmental Racism in Canada

**Big Idea**

- Social justice issues are interconnected.

**Essential Question**

- How is pollution linked to inequality?

**Learning Standards****Content:**

*Students are expected to know the following:*

- social injustices in Canada and the world affecting individuals, groups, and society
- governmental and non-governmental organizations in issues of social justice and injustice

**Curricular Competencies**

*Students are expected to be able to do the following:*

- determine and assess the long- and short-term causes and consequences, and the intended and unintended consequences, of an event, legislative and judicial decision, development, policy, or movement (cause and consequence)

**Core Competencies**

[Communication](#) - eg. I can communicate ways that the social justice issues of environment, poverty, and race are interconnected.

[Thinking](#) – I can analyse relevant sections of the CCRF, UNDRIP, and CEPA in the context of environmental racism.

[Personal and Social](#) - I can explain the causes and consequences of environmental racism in Canada today.

## First People's Principles of Learning

- Learning involves recognizing the consequences of one's actions.

## Introduction

- Explain that Environmental Racism is defined as the intentional neglect of a community, the alleged need for a receptacle/disposal for pollutants in a certain area, a lack of institutional power, and low land values of people of colour.
- Show the video [Environmental Racism is the new Jim Crow](#) by the Atlantic, 2017 (1min). Alternatively show the TedXHarlem video, [Environmental Justice: Peggy Shepard](#) (7min)
- State that according to a [2009 study by the United Nations](#), First Nations homes are 90 times more likely to be without safe drinking water than other Canadian homes. As of January 2015, drinking water advisories were in effect in [126 First Nation communities](#) across Canada, some of those have been in place for over 20 years.

## Pre-Assessment

- Have students use a [Brainstorm](#) strategy to list possible reasons that drinking water advisories exist in so many First Nations communities in Canada.

## Interactive Learning Activities

- Using a [Jigsaw](#) strategy, divide the class into five expert groups. Each group has a corresponding Case Study to read and comprehension questions to answer.
- When they have completed their case study, form mixed groups with at least one student from each group.
- Give time for these new mixed groups to teach each other their case studies, and to fill in the group chart.
- These mixed groups then must answer the questions at the bottom of the group chart Mixed Group Discussion Questions and decide if each case study should qualify as environmental racism, and which laws have been violated.

## Post-Assessment

Written Reflection: What are the causes and consequences of lack of access to clean water for many First Nations in Canada today? To what extent is this environment racism?

## Extension Activities

- Show the documentary "There's Something in the Water" , 2020 (available on Netflix, 1hr 13min)
  - a. Trailer -- <https://www.youtube.com/watch?v=nKhIYFDnCoY>
  - b. <https://www.tiff.net/events/theres-something-in-the-water>
- Show VICE News documentary [Canada's Toxic Chemical Valley](#), 2013 (33min)

## Additional References

Canada. 2019. "Canadian Environmental Protection Act, 1999 and related documents."  
<https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/related-documents.html>

Canada. 2020. "Constitution Act, 1982, Charter of Rights and Freedoms." Justice Laws Website  
<https://laws-lois.justice.gc.ca/eng/Const/page-15.html>

Canada. 2020. "Constitution Act, 1982, Equalization and Regional Disparities (Part III, section 36(1).c)." Justice Laws Website  
<https://laws-lois.justice.gc.ca/eng/Const/page-16.html#h-53>

Committee on Economic, Social and Cultural Rights, General Comment 15, The Right to Water (Twenty-ninth session, 2003), U.N. Doc. E/C.12/2002/11 (2002), reprinted in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.6 at 105 (2003). 2020. Global Health and Human Rights Database.  
<https://www.globalhealthrights.org/instrument/cescr-general-comment-no-15-the-right-to-water/>

Canada. 2020. "Safe Drinking Water for First Nations Act (S.C. 2013, c. 21)." Justice Laws Website.  
<https://laws-lois.justice.gc.ca/eng/acts/S-1.04/index.html>

United Nations. 2008. United Nations Declaration on the Rights of Indigenous Peoples."  
[https://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

United Nations General Assembly. 2010, "Resolution 64/292 the Human Right to Water and Sanitation."  
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N09/479/35/PDF/N0947935.pdf?OpenElement>

### Group 1: Grassy Narrows, Ontario (Answer Key)

<https://www.cbc.ca/news2/interactives/children-of-the-poisoned-river-mercury-poisoning-grassy-narrows-first-nation/>

<https://www.aptnnews.ca/national-news/grassy-narrows-signs-agreement-for-new-mercury-treatment-facility/>

1. What contaminant is in their river? **Mercury**
2. When did the contamination begin? **1960s**
  - a. What caused this? **Pulp and paper mill dumping contaminants**
3. What health services has the government provided to this community? **One small clinic.**
4. Define “bioaccumulates”. **Mercury passes from mother to child and becomes more concentrated in each generation**
5. What happened to the company that dumped the mercury in court? **They had to promise to clean up the river in 1983. No formal admittance of poisoning the river with mercury however.**
6. In what year did the Ontario government announce plans to clean up the river? **2011**
  - a. Has this happened? **No**
7. Why does Azraya’s family not believe the official police report that cites suicide as cause of her death? **She was found across the road from where the police dropped her off. Many FN have died in police custody.**
8. In what year did the federal government promise to clean up the river and build a mercury treatment facility? **2017**

Has this been followed through on? **No**

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## Group 2: Kitigan Zibi, Quebec (Answer Key)

<https://globalnews.ca/news/202424/when-clean-water-is-a-luxury/>

<https://www.thestar.com/news/canada/2018/08/03/what-if-ottawa-spends-2b-on-water-for-first-nations-and-it-still-isnt-safe-for-everyone-to-drink.html>

1. What is wrong with their drinking water? **Uranium in the wells**
2. How long has their drinking water been unsafe to consume? **1999**
3. How has the government tried to solve this problem? **Bottled water trucked in.**
4. What is the tap water like in the town 10km away from the reserve? **Fine.**
5. How successful was the water purification system built in 2011? **Less than Half of the homes have clean water**
6. Has this problem been resolved? **No**
  - a. Why? **The government fixed “public” water system and says the wells are outside of their jurisdiction**

What does Minister Jane Philpott think is the main problem in getting this resolved? **The funding formula**

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  - a. Why?

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### Group 3: Chemical Valley, Ontario (Answer Key)

[https://www.vice.com/en\\_ca/article/43d7e9/indigenous-woman-suing-ontario-over-chemical-valley-pollution](https://www.vice.com/en_ca/article/43d7e9/indigenous-woman-suing-ontario-over-chemical-valley-pollution)

<https://www.ecojustice.ca/wp-content/uploads/2015/09/2007-Exposing-Canadas-Chemical-Valley.pdf>

1. Describe the location of the Aamjiwnaang Chippewa reserve. **It's in the middle of Ontario's biggest industrial factory centre. There are over 60 factories surrounding them. It is the most polluted place in Canada**
2. Why are the pollution laws in Ontario not protecting the residents? (p.8 "Exposing Canada's Chemical Valley) **The laws have limits on specific pollutants. There is no language about multiple pollutants at the same time.**
3. Why did Ada Lockridge drop the 2011 case where she said that Ontario's Ministry of the Environment allowing Suncor Energy Products to increase production at part of its Sarnia refinery violated their Charter rights, sections 7 and 15? **The government started to fix things and the lawyers thought it was best to drop.**
4. What did Mr. Tuncak write in his 2019 OHCHR report on Chemical Waste and Human Rights, specifically regarding Indigenous people? **Indigenous peoples appear to be disproportionately located in close proximity to actual and potential sources of toxic exposure. Pervasive trend of government inaction. He calls for Bill c-262 to be passed (UNDRIP)**

What has the Ontario government done to help the Chippewa living in Chemical Valley? **They put in an online air quality monitoring system.**



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What has the Ontario government done to help the Chippewa living in Chemical Valley?

## Group 4: Site - C Dam, British Columbia (Answer Key)

<https://www.amnesty.ca/our-work/issues/indigenous-peoples/indigenous-peoples-canada/resource-development-canada/site-c-dam>

<https://www.cbc.ca/news/canada/british-columbia/site-c-prophet-river-lawsuit-deal-1.5675651>

1. Why does Amnesty International, and the OHCHR believe that the Site-C dam is a violation of human rights? **The indigenous people were “consulted” but they did not give their consent.**
2. Why are the West Moberly and Prophet River First Nations against the construction of Site-C dam? **It would flood 80km of their land, submerging cultural and historical sites as well as a burial ground, and would make fishing unsafe for at least a generation. They claim it is a violation of Treaty 8.**
3. What did BC Hydro do in 2015 to the valley, while waiting for the court case to take place? **Clearcutting the area, ruining the landscape.**

Why did the Prophet River First Nations pull out the case in 2020? **The government agreed to transfer parcels of land to the bands, and pay them during the site-C construction.**

## Group 4: Site - C Dam, British Columbia

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## Group 5: Fort Chipewyan, Alberta (Answer Key)

<https://www.cbc.ca/news/canada/north/fort-chipewyan-cancer-study-suggesting-oilsands-link-to-be-released-today-1.2698430>

<https://financialpost.com/news/oil-sands-pollution-linked-to-higher-cancer-rates-in-fort-chipewyan-study-finds>

<https://thenarwhal.ca/nowhere-else-turn-first-nations-inundated-oilsands-face-impossible-choices/>

1. What has been found in wild foods in the Fort Chipewyan area? **Heavy metals, mercury, arsenic**
  - a. Where are the pollutants from? **Kearl Oil sands**
  - b. What is the community being afflicted with? **Cancer**
  - c. How did the Alberta government respond to the study? **They said it was not from the oilsands but the health habits of the community (ex: lung cancer was due to smoking)**
2. What effect do the oil sands projects have on the environment? **Decimation of caribou and bison territory**
3. Why did the Mikisew Cree buy shares in Suncor? **They don't want to be left behind, and want to be able to have a say in what the company does. Also the only jobs in the area are in the oilsands.**

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## Jigsaw Group Chart

<b>Case Study</b>	<b>Dates of environmental crisis</b>	<b>Main ideas</b>	<b>What laws were violated, if any?</b>	<b>To what extent is the situation resolved?</b>
Grassy Narrows, Ontario				
Kitigan Zibi, Quebec				
Chemical Valley, Ontario				
Site-C Dam, BC				
Fort Chipewyan, Alberta				

## Mixed Group Discussion Questions

- To what extent do these situations violate the following international and Canadian laws?
  - Canadian Charter of Rights and Freedoms, section 7
  - UNDRIP, Articles 7, 18, 19, 24, 28, 29, 32? (Canada adopted UNDRIP in 2016)
  - CEPA, Sections 8 and 9
  - Constitution Act, Equalization and Regional Disparities (Part III, section 36(1).c)
  - CESCR General Comment No. 15: The right to water.
    - UN Resolution 64/292
  - Safe Drinking Water for First Nations Act, 2013
- Environmental Racism is defined as intentional neglect of a community, the alleged need for a receptacle/disposal for pollutants in a certain area, a lack of institutional power, and low land values of people of colour.
  - Knowing that, to what extent do these case studies fit the definition?

Canada has no explicit “right to water” law, but can be implied under section 7 of the CCRF