



**SUBMISSION IN RESPONSE TO FORTIS BC's AMENDMENT APPLICATION TO
AMEND CERTIFICATE #E16-01**

SUBMITTED TO THE ENVIRONMENTAL ASSESSMENT OFFICE

August 5, 2022
Updated: September 9, 2022

JUSTICE FOR GIRLS

Justice for Girls is a Canadian non-profit that advocates alongside teenage girls to promote and advance their rights to live free from poverty, discrimination and violence. We were founded in 1999 with the objective of standing beside teenage girls who live in poverty, who are racialized or Indigenous or face other barriers that contribute to marginalization and discrimination on the basis of their age, gender, disability, race, class or Indigeneity to promote their equality. We believe that teenage girls are the experts of their own experiences, providing support and training to help amplify their voices in conversations about their rights and contribute to policy discussions on issues that impact them directly.

Justice for Girls is an NGO with Special Consultative Status with the Economic and Social Council of the United Nations. Justice for Girls acknowledges the ancestral, unceded territories of the x^wməθk^wəy'əm (Musqueam), Skwxwú7mesh (Squamish), and sə 'lílwətaʔ/ Selilwitulh (Tseil-Waututh) Nations.

Sexual violence is disproportionately targeted towards teenage girls, particularly racialized and Indigenous girls. Sixty percent of sexual assault survivors are under the age of 17. 57% of sexual assault victims are Indigenous. 96% of those who are commercially sexually exploited are women, and 25% are under the age of 18. 50% are Indigenous.⁴ Indigenous women and girls are 12 times more likely to be murdered than their non-Indigenous counterparts. The *National Inquiry into Missing and Murdered Indigenous Women and Girls* found that Indigenous girls, and women, experienced violence as a result of resource extraction industries active near their communities.⁵

One 2019 report found a significant increase in girls and young women trafficked through western Ontario in connection with mining and forestry camps. There were also disappearances. The report highlighted the fact that some young women working in camps were groomed and lured into trafficking through promises of more money for socializing with the men in the camps, while others were kidnapped and raped or coerced through drugs.⁶ This same report underscored the endemic racist and sexist violence in the camps, noting that the men always found ways to circumvent the security measures put in place by the corporations running the camps.

These incidents are not isolated to those communities, and have been reported as associated to transient workforces connected with resource extraction throughout North America, and indeed the rest of the world.⁷ Approximately 80% of the employees in the camps are male. The camp culture breeds a hyper-masculinity that is fuelled by isolation, drug and alcohol abuse, violence,

⁴ Conroy, S. and Sutton, D. (9 June 2020). *Trafficking in persons in Canada*. Statistics Canada. Available here: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2022001/article/00010-eng.htm>; Roudometkina, A. (15 June 2018). *Trafficking of Indigenous Women and Girls in Canada: Submission to the Standing Committee on Justice and Human Rights*. Native Women's Association of Canada. Available here: <https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR10002955/br-external/NativeWomensAssociationOfCanada-e.pdf>

⁵ *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, Volume 1a, pp. 584-586.

⁶ Ontario Native Women's Association (2019) *Journey to Safe Spaces: Indigenous Anti-Trafficking Engagement Report 2017-2018*, p. 7.

⁷ Ahtone, T. (18 July 2015) *Bringing up the Bodies: One woman's search for remains in the Bakken Oil Fields*. AlJazeera America. Available here, Firelight group (2017) ; Pember, MA.(21 February 2021) *Sex trafficking sting nets Enbridge pipeline workers*. Indian Country Today, available here: <https://indiancountrytoday.com/news/sex-trafficking-sting-nets-enbridge-pipeline-workers>; Morin, B. (5 May 2020) *Pipelines, man camps and murdered Indigenous women in Canada*. Aljazeera Online, available here: <https://www.aljazeera.com/features/2020/5/5/pipelines-man-camps-and-murdered-indigenous-women-in-canada>

misogyny and racism.⁸ Women employees in the camps are subjected to sexual harassment, discrimination, abuse of authority and threats of violence, as well as sexual and physical violence. Additionally, women have reported being subject to retaliation for making complaints, and or attempting to involve the police.⁹

In our own work with teenage girls in BC's northern communities, they have reported experiencing men approaching them and luring or soliciting sex in exchange for alcohol, drugs or money. They state that men from nearby camps come to town to 'party', and often do so in the homes of locals. Where children are present, they are put at risk with strange intoxicated men in their homes. The parties frequently turn violent. The violence associated with men from the camps, including missing and murdered girls, is normalized and treated as an open secret among girls in these communities. High rates of addiction and poverty, exacerbated by the boom economy, create conditions that increase risks of sexual exploitation. Organized crime is also known to be associated with large resource extraction projects.¹⁰

The longer-term socio-economic impacts of transient worker camps (also known as "man camps") also have a negative impact upon the safety of women, girls and future generations. Their communities become rapidly unaffordable as transient workers put pressure on the local economy with high disposable incomes. Poverty, unaffordability, social dysfunction all impact upon women and girls' safety as they tend to make less money, have fewer opportunities for employment and are more likely to be impacted by violence as a result.¹¹

This growing body of reporting and evidence suggests that transient worker camps increase the risk of violence and exploitation against teenage girls in surrounding communities. On this basis, the Environmental Assessment Office (EAO) is obligated to consider the impact that a large

⁸ Zoledzwioski, A. (2020) *Wet'suwet'en isn't just about a pipeline, but keeping Indigenous women safe*. VICE News. Available here: <https://www.vice.com/en/article/m7qp8a/wetsuweten-isnt-just-about-a-pipeline-but-keeping-indigenous-women-safe>

⁹ Moodie, S., Mason, A. & Moorcroft, L. (2021) *Never until now: Indigenous and Racialized Women's Experiences Working in Yukon & Northern British Columbia Mine Camps*. Available Here: <http://www.liardaboriginalwomen.ca/index.php/never-until-now-laws-mining-report/file>

¹⁰ US State Department (3 June 2015) North Dakota and Montana US Attorney Announce Creation of Bakken Organized Crime Strike Force. Available here: <https://www.justice.gov/opa/pr/north-dakota-and-montana-us-attorneys-announce-creation-bakken-organized-crime-strike-force>

¹¹ Amnesty International (2016).

transient worker camp will have on teenage girls – including Indigenous girls – as a distinct population.

LEGAL FRAMEWORK

The *Environmental Assessment Act*, 2018 S.B.C., C. 51 (“*EAA*”) section 25 outlines the factors that the Environmental Assessment Office is required to consider in any assessment, including an assessment of a proposed amendment. This section reads:

25 (1) The effects of a project on Indigenous nations and rights recognized and affirmed by section 35 of the *Constitution Act, 1982* must be assessed in every assessment.

(2) The following matters must be considered in every assessment:

(a) positive and negative direct and indirect effects of the reviewable project, including environmental, economic, social, cultural and health effects and adverse cumulative effects;

(b) risks and uncertainties associated with those effects, including the results of any interaction between effects;

[...]

(d) disproportionate effects on distinct human populations, including populations identified by gender;

[...]

(f) effects on current and future generations;

[...]

(k) other prescribed matters.

In 2019, the B.C. Provincial Government enacted the *Declaration on the Rights of Indigenous People’s Act*, SBC 2019, C. 44 (“*DRIPA*”). This Act requires that the BC Government bring all laws in line with the *United Nations Declaration on the Rights of Indigenous Peoples* (“*UNDRIP*”):

3 In consultation and cooperation with the Indigenous peoples in British Columbia, the government must take all measures necessary to ensure the laws of British Columbia are consistent with the Declaration.

Articles 10, 19 and 38 of *UNDRIP* require that governments obtain free, prior and informed consent prior to engaging in any activities that may affect Indigenous peoples and communities, including their territories.

Article 22 of *UNDRIP* requires states to take measures to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.¹²

The right to live free from violence is also a fundamental human right, encoded in the *UN Convention on the Rights of the Child* (Article 19, CRC) and the *Convention on the Elimination of Discrimination Against Women* (CEDAW) and the *Declaration on the Elimination of Violence Against Women*.¹³ The *CRC*, ratified by Canada, codifies girls' rights to be protected from sexual abuse (Art. 34), protected from all forms of exploitation (Art. 36) and the right to be protected from kidnapping (Art. 11).¹⁴

Recently, under Canada's review under the *Convention on the Rights of the Child*, the Committee highlighted the following concluding observation and recommendation [*emphasis added*]:

16. While welcoming the establishment of the post of the Ombudsperson for Responsible Enterprise in 2018 and recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, the Committee recommends that the State party establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment and other standards, particularly with regard to children's rights. In particular, it recommends that the State party:

¹² *UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples: resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295, available at <https://www.refworld.org/docid/471355a82.html>*

¹³ *UN General Assembly, Declaration on the Elimination of Violence against Women, 20 December 1993, A/RES/48/104, available at: <https://www.refworld.org/docid/3b00f25d2c.html>*

¹⁴ *UN Convention on the Rights of the Child, resolution/ adopted by the General Assembly, 20 November 1989, A/RES/44/25. See also, additional relevant Articles: 3 (Best interests of the Child); 6 (right to survival and maximum development); and 37 (protection from cruel and degrading treatment).*

(a) Establish a clear regulatory framework for the industries operating in the State party and abroad to identify, prevent, mitigate and account for activities that negatively affect human rights or endanger children’s rights, particularly risks posed by fossil fuel production;

[...]

(c) Require companies to undertake assessments, consultations, and full public disclosure of the environmental, health-related and other children’s rights impacts of their business activities and their plans to address such impacts.¹⁵

SUBMISSIONS

The EAA mandates that the factors in s.25 be considered in all assessments under the Act, including amendments. FortisBC’s amendment proposal to increase the size of the transient worker camp is subject to these assessment criteria. In JFG's submission, FortisBC has failed to meaningfully address the risks posed by the 600-man camp to teenage girls -- particularly Indigenous girls, as a distinct population defined at the intersection of age, gender and, in many cases, Indigeneity. This safety risk ought to be given paramount attention in the EAO’s assessment given the growing body of evidence that links racist and sexual violence, rape, disappearances and murder against teenage girls to industrial camps associated with large infrastructure and resource extraction projects. Rural communities are devastated by violence, organized crime and socio-economic upheaval when large transient workforces, mostly male, transform their communities.

Camp living is not comparable to regular work-life living conditions for people who reside in their own homes and in communities to which they feel accountable. It is not comparable to temporary workers relocating their families for years at a time to work on a project. The culture in the camps exacerbates the harmful impacts of transient workforces on local communities, concentrating workers in isolated quarters while they grind through 12-hour shifts over a three-week period away from their families, their lives and any form of accountability. The working and living conditions breed aggression, frustration, exhaustion and emotional outlets become alcohol, drugs and violence.

¹⁵ UN Committee on the Rights of the Child *Concluding Observations on the combined fifth and sixth reports of Canada* (CRC/c/Can/Co/5-6) (9 June 2022), available at https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/CAN/CRC_C_CAN_CO_5-6_48911_E.pdf

Violence and substance abuse is culturally normalized in these environments, and this is difficult to undermine even in camps that are dry or “damp”.

FortisBC’s proposed increase in the camp size from 150 to 600 is significant for a small city the size of Squamish. Notably, this 600-men will be adding to the 600 men who will be employed by the Woodfibre LNG project in their camp. Therefore 1200 men will be in Squamish at any given time. With shift transitions every few weeks, the actual number of men who will move through Squamish every 2-3 weeks is closer to 2400. This will have a severe impact upon road safety on one of the busiest and most dangerous highways in the country. It will also undoubtedly create safety concerns for girls in the community of Squamish, and make it difficult for the local RCMP or the corporations running the camps to properly investigate and hold people accountable for any violence or criminal activity associated with the transient workers. The current proposed site for the camp is within 100 meters of Quest University. The proposed camp location is also adjacent to residential neighbourhoods where families reside with their children. Girls’ and young women’s safety - and perceptions of safety - in proximity to the camp will be threatened.

In the EAO’s letter of June 22, 2022, the office states that a public consultation is unnecessary in part because FortisBC has not specified a location for the camp, thus implying that the location of the camp falls outside the scope of the assessment. Respectfully, whether or not the specific location of the camp is within the scope of activities presented by FortisBC as part of this amendment application, the location that they have settled on is entirely relevant to the criteria the EAO is to consider under s.25 of the Act with respect to the size of the camp. While the location of the camp is not the only factor to consider, it must be one consideration in your assessment, given that the proximity of the camp to the local community, combined with its size, will impact the risk of violence against girls. We maintain, however, that regardless where FortisBC places a 600-person camp, it will have a negative impact upon women and girls in the community – particularly girls as a distinct population.

FortisBC has failed to adequately assess, inform or consult the community about these risks to this distinct population, and has failed to demonstrate that they are taking these risks seriously.

We reviewed the proposal and directly asked FortisBC for their plans to ensure safety in the camps for women, as well as the safety of girls and women in the nearby community of Squamish. FortisBC states that they are considering the following measures to prevent violence associated with the camps:

1. Private security
2. Code of conduct and training.
3. An anonymous tip-line

In our submission, these measures, individually or together, will not effectively prevent the risks of a large transient worker camp to teenage girls and young women in Squamish. We also do not believe they will be effective at preventing sexual violence and harassment to women working in the camp. Transient worker camps are simply unsafe for girls and women, particularly Indigenous and racialized girls.

Private Security

The private security industry lacks adequate accountability mechanisms and oversight. As a largely unregulated field, hiring and licensing requirements lack consistency and are not transparent. There is no national legislative framework of public oversight mechanism to protect against abuses of power, corruption or incompetence by private security firms in Canada.¹⁶ Consequently, private security forces are not safe or reliable for the purposes of preventing sexual, gender-based or racist violence.

We also know that private security guards have been largely ineffective at keeping drugs, alcohol and trafficked girls out of camps in many cases. There is also some evidence to suggest that the lacuna in accountability and oversight opens up opportunities for criminality among those employed by private security firms. A study in Australia found criminality among private security guards related to fraud, exploitation, corruption, bribery, violence, false arrest, discrimination and harassment.¹⁷ Another UK study underscored the risks for private security companies to be co-opted or influenced by organized crime.¹⁸

There have been multiple reports of rape and assaults committed on girls and women by private security guards.¹⁹ This is a particularly serious concern given the coercive power that security

¹⁶ Montgomery, R. and Griffiths, C.T. (2016) *The use of private security for policing*. Public Safety Canada Research Division. Available here: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/archive-2015-r041/2015-r041-en.pdf>

¹⁷ Prenzler, T. and R. Sarre (2012) *The Evolution of Security Industry Regulations in Australia: A Critique*. International Journal for Crime and Justice, 1(1), 38-51.

¹⁸ Transparency International (2011) *Organized Crime, Corruption, and the Vulnerability of Defence and Security Forces*. London, UK. Available here: https://ti-defence.org/wp-content/uploads/2016/03/1112_OrganizedCrime_Report.pdf

¹⁹ See: Hobson, B. (24 March 2022) Civilian guard accused of sexually assaulting woman in Manitoba RCMP cell. CTV Winnipeg, available here: <https://winnipeg.ctvnews.ca/civilian-guard-accused-of-sexually-assaulting-woman-in-manitoba-rcmp-cell-1.5833311>; Canadian Press (24 February 2021) Quarantine officer charged with extortion, sexual assault after demanding cash fine from Ont. Resident. CBC, available here:

<https://www.cbc.ca/news/canada/toronto/quarantine-officer-sex-assault-extortion-1.5926118>; Bolton, M. (20 Mar 2022) Security guard charged with rape, torture faces more charges as 15 more women come forward. ABC News Australia. Available here: <https://www.abc.net.au/news/2022-03-21/new-rape-charges-maroochydore-security->

guards have over girls, combined with a lack of regulation, oversight and accountability. Private security companies are unsafe for girls and women.

Given the culture and specific risks posed by the camps, including increases in organized crime, trafficking for sexual exploitation and violence, private security firms are not a reasonable nor safe measure for protecting girls and women in proximity to the camps. Furthermore, they will do little to protect girls in the community of Squamish from men who come into town to blow off steam at local bars and restaurants.

The RCMP in Squamish are already overstretched with their resources. Local residents know that calling 911 sometimes results in being put on hold for a period of time, as there are not enough dispatchers or police to respond to calls. Squamish does not have the resources to absorb the increases in violence, trafficking and organized crime that follow transient worker camps associated with resource extraction. Nor should the community be required to invest scarce resources into managing a problem created by resource extraction companies for profit.

Code of conduct & training for employees

At a recent community event, FortisBC stated that they have been working with local service providers to develop a code of conduct and training for employees at the camp to prevent violence, discrimination and harassment. However, FortisBC has been unable to offer any specifics with respect to the content of the code of conduct and training. They have also been unable to provide any meaningful information about the implementation and enforcement of the code of conduct. A good first step, but we submit that a code of conduct is ineffective as a measure to address or prevent violence and discrimination.

Firstly, a code of conduct is only as strong as the enforcement that accompanies it. Just as we cannot trust other institutions and corporations to police themselves or to be accountable and transparent about internal problems, resource extraction companies are no exception. Where women have attempted to use internal complaints processes within the camps to report violence and rape, they have been the target of retaliation, as was alleged in a recent lawsuit by two women in Northern BC.²⁰ Fear of retaliation and not being believed are two of the strongest deterrents for

[guard/100926980](#); Ting Koh, W. (11 Mar 2022) *Security officer raped unconscious female colleague thrice, sent photo to friend*. Yahoo news, available here: <https://ca.news.yahoo.com/security-officer-raped-unconscious-female-colleague-thrice-sent-photo-friend-081653376.html>; Bailey, E.Jr. (11 January 2019). *Former security guard accused in Hillsboro rape now suspected of abusing more people*. Oregon Live, available here: <https://www.oregonlive.com/pacific-northwest-news/2019/01/former-security-guard-accused-in-hillsboro-rape-now-suspected-of-abusing-more-people.html>

²⁰ Follett-Hosgood, A. (3 June 2022). *Lawsuits Allege Sexual Harassment, Assaults at Northern Work Camps: Two women have filed statements of claim saying managers failed to curb a culture of drinking and sexual misconduct in*

victims of rape and sexual assault. This is one of many reasons that sexual assault is one of the least reported crimes, with underreporting estimates suggesting only 5-6% of sexual assaults are ever reported.²¹

A code of conduct is a nice gesture, however it does little to prevent violence in the camps and does absolutely nothing to prevent violence in surrounding communities. While it is good that FortisBC has sought input from local service providers about a code of conduct, they have failed to adequately inform or consult the broader community - particularly the distinct population of teenage girls - about whether the risks of violence, sexual exploitation and overall crime increases are something they are willing to accept in Squamish. Consultations with select participants to develop performative measures to combat violence do not go far enough to constitute meaningful consultation with the community, particularly where the voices of those most directly impacted are absent.

The proximity of this camp to the town of Squamish makes it much more dangerous to girls and young women as it is near a university campus with dorms, and close enough to town that it is easy for workers to commute to bars and restaurants. They must then either navigate a forest service road or a residential neighbourhood to return to camp. Despite FortisBC's efforts to provide a damp camp, a shuttle and amenities in the camp, it is highly unlikely that workers will not take opportunities to go into town. A code of conduct, and the other measures presented by FortisBC will not prevent or mitigate violence outside of the camp, and will do little to address violence within it.

Anonymous tip-line

An anonymous tip-line is not an effective means of holding perpetrators of violence accountable, nor is it a safe option for survivors. An anonymous tip-line does little to instill confidence or a sense of safety in those who have experienced rape or sexual assault or harassment. Girls and women do not report for many reasons, but much of it is related to a sense of vulnerability and lack of safety. Overcoming those barriers requires trust in the person to whom they are reporting: trust that they will keep them safe, that they will respect boundaries, that they will take action in response to the complaint. Trust that they will be believed. An anonymous tip-line may be effective for property and non-personal crime, but it is devoid of this key ingredient required to

camps. The Tyee, available here: <https://thetyee.ca/News/2022/06/03/Lawsuits-Allege-Sexual-Harassment-Assaults-Work-Camps/>

²¹ Department of Justice (April 2019). Just Facts: Sexual Assault. Government of Canada. Available here: <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2019/apr01.html>; Prochuk, A. (2018) We are Here: Women's Experiences of the barriers to reporting sexual assault. West Coast Leaf. Available here: <http://www.westcoastleaf.org/wp-content/uploads/2018/10/West-Coast-Leaf-dismantling-web-final.pdf>

encourage reports of sexual violence: trust. In a culture where women are confronted with suspicion and victim-blaming, where violence and sexist attitudes are normalized and where there is a code of silence among workers, women are unlikely to risk reporting to a stranger that they were brutalized by a co-worker. With women making up less than 5% of the population in these camps, the promise of anonymity is empty.

A tip-line, in our submission, is more dangerous than a transparent and accountable process. Yet, neither of these will work unless the culture of misogyny, coupled with a normalization of drugs, alcohol and violence is appropriately undermined; something that a code of conduct and training will not sufficiently accomplish.

EAA Ought to Deny Amendment Application

Environmental Assessment Act, section 25

Based upon the factors outlined in s.25, particularly the impact upon Indigenous communities, distinct populations and the risks of this project to current and future generations, the EAO ought to deny FortisBC's application to increase the size of the temporary worker camp in Squamish.

The imperative provided by FortisBC to support their application is insufficient to justify the risks that this camp presents to the safety of girls and young women in the community, particularly Indigenous girls. The dearth of affordable housing and housing vacancies in Squamish does not merit a solution that contributes nothing in the long-term to the community and carries with it only risks.

The impact of a man camp in Squamish will have a devastating impact upon the safety and perceptions of safety of girls and young women in this community. The Province of British Columbia has an obligation, pursuant to the *Convention on the Rights of the Child*, the *Convention on the Elimination of Discrimination against Women* and the *UN Declaration on the Rights of Indigenous Peoples* to take measures to protect girls and women from violence and ensure that they can enjoy a peaceful and safe environment. The harms associated with man camps are increasingly well-documented and indisputable, and have a specific impact upon girls as a distinct population. On this basis alone, we submit that this amendment application ought to be denied.

UN Declaration on the Rights of Indigenous Peoples

We also point to your obligations to ensure that your application of the law aligns with *UNDRIP* per the obligations outlined in s. 3 of BC's *DRIPA*. This includes the protection and prevention of violence against Indigenous girls and women. It also codifies an obligation on the state to obtain free, prior and informed consent prior to taking any actions that may impact upon the enjoyment

of Indigenous peoples' rights. Free, prior and informed consent includes the ability to say no to violence or threats of violence. We submit that the threat of increased violence impacting Indigenous girls and women has received inadequate attention in FortisBC's proposal, despite the fact that the size of the camp will contribute to a higher risk of violence against this population. While FortisBC refers to the *Missing and Murdered Indigenous Women's Inquiry* in their proposal, they fail to present any strategies that will effectively or meaningfully protect Indigenous girls from violence associated with a temporary worker camp in this community. To the contrary, some of the measures they propose invite greater risks for Indigenous women and girls working in the camps. Therefore, a decision to approve this increase in size to the transient worker camp would not be aligned with the EAO's obligations under *DRIPA*.

Further, we direct your attention to a 2019 Decision from the *United Nations Committee on the Elimination of Racial Discrimination (UNCERD)* regarding Canada's continued contraventions of their obligations under domestic and international laws with respect to Indigenous sovereignty.²² In that decision the Committee urged Canada to "freeze present and future approval of large-scale development projects affecting Indigenous peoples that do not enjoy free, prior and informed consent from all Indigenous peoples affected". Given that free, prior and informed consent includes the right for Indigenous women and girls to be informed and consulted about the risks of violence associated with these projects, we urge the EAO to ensure that their decision-making aligns with this obligation, and if it does not, to freeze FortisBC's permit until such time as all affected Indigenous peoples have provided free, prior and informed consent.

Convention on the Rights of the Child ["CRC"]

The UN CRC's most recent recommendations call on Canada to "ensure that the views of the child are a requirement for all official decision-making processes that relate to children, including [...] the environment." Further recommending that regulatory bodies take steps to establish processes that "prevent, mitigate and account for activities that negatively affect human rights or endanger children's rights, particularly risks posed by fossil fuel production". This recommendation directly implicates the EAO; in your role as gatekeepers it is your job to ensure that children's views are included in your assessments and that all safety concerns associated with resource extraction projects are prevented and accounted for. These include violence and sexual violence against girls. The Committee also suggested that companies must be required to conduct assessments and to fully disclose risks to public safety associated with their projects. Again, in our submission, FortisBC has not informed or consulted with the broader population, or the distinct population of girls, with respect to the safety concerns associated with the man camp amendment proposal. Their reliance on

²² UN CERD (13 December 2019) Prevention of Racial Discrimination, Including Early Warning and Urgent Action Procedure Decision 1(100). Hundredth Session.

potentially dangerous and ineffective mitigation strategies is evidence of their lack of understanding of this issue and the severity of the risks to girls and women in this community.

Right to a Clean and Healthy Environment is a Universal Human Right

Finally, we point to the United Nations General Assembly’s recent vote to declare the right to a healthy, clean environment a universal human right as another legal consideration that impacts a s.25 assessment of this amendment, and indeed the entire Eagle Mountain pipeline permit.²³ We ask that the EAO reconsider the approval of FortisBC’s permit in light of this new fundamental shift in the state of human rights law. The Eagle Mountain Pipeline and Woodfibre LNG projects present significant risks to the viability the environment in Howe Sound and will significantly contribute to the advancement of an impending climate disaster. The ability of current and future generations to exercise and enjoy the right to a clean and healthy environment must be part of your consideration under s.25.

CONCLUSION

The EAO possesses the jurisdiction to cancel a permit, and we implore you do so on the basis that the Eagle Mountain Pipeline threatens children's rights, particularly girls who experience intersecting barriers to their survival, let alone enjoy their right to a clean environment. There is a relationship between climate change and human rights that cannot be ignored. Violence against girls is intricately connected to climate change, as environmental degradation and climate disasters exacerbate existing social and economic inequalities, increasing the likelihood of girls being raped, sexually exploited, forced to leave school and subjected to extreme poverty and disease.²⁴ Transient worker camps are but one manifestation of this connection.

On the basis of these submissions, we respectfully submit that the EAO ought to deny FortisBC’s application to increase the size of the temporary worker camp in Squamish. Increasing the risk of violence to our community’s most vulnerable population is not an option. We further ask that the EAO consider freezing or revoking the existing pipeline permits on the basis of the numerous

²³ UN News (28 July 2022) United Nations General Assembly declares access to a clean and healthy environment a universal human right. Available here: <https://news.un.org/en/story/2022/07/1123482>

²⁴ Plan International (2011) *Weathering the Storm: Adolescent girls and climate change*. Available here at <http://plan-international.org/about-plan/resources/publications/emergencies/weathering-the-storm-adolescent-girls-and-climate-change/>

human rights concerns outlined in this submission.

It is our sincere hope that the EAO will take this opportunity to listen to the voices of teenage girls and stand on the right side of history.

Sincerely,



JUSTICE FOR GIRLS

Sue Brown, J.D. M.A.
Director of Advocacy and Policy
Of the Bars of British Columbia, the Yukon and Ontario