

JUSTICE

FOR GIRLS

Justice for Girls

**Written Statement to: UN Committee on the Rights of the Child At its 87th Pre-Session -
Canada**

With Submissions by: Zoe Craig-Sparrow and Severn Cullis-Suzuki

Written Statement on Behalf of Justice for Girls (Part 1)

By: Zoe Craig-Sparrow

I speak to you today as an Indigenous young woman intimately familiar with the effects of climate change on children and Indigenous peoples in Canada. I am also familiar with bringing these concerns to this Committee. In 2012 at the age of 15, I travelled to Geneva to speak on Canada's failures to protect my rights and to protect our planet.

Little has changed in the past 8 years. Shamefully, Canada continues to flout its GHG emissions targets, continuing to invest heavily in fossil fuel development. Canada continues to selectively avoid implementation of the Convention into our Constitution and common law. Canada denies its positive obligations to protect children's rights from climate change, obligations protected under Articles 4 and 6 of the Convention.

15 children are suing the Canadian Government for failing to act on climate change. Two of those children are part of our delegation today. Instead of listening to the children's plea for justice, a right secured under Article 12, Canada recently filed a motion to dismiss the case, arguing it is not justiciable. Canada also argued children's rights to life and equality do not include positive obligations upon the government to protect children against climate change, and that Canada can not be responsible for the harms of an international problem. Canada has an obligation to respect, protect, and fulfill children's rights domestically via the Canadian constitution, and must cooperate internationally to fully realize children's rights.

Just as Canada's GHG emissions have continued to grow, so have the negative impacts felt by Indigenous girls. When I spoke to the Committee in 2012, I explained my fear that many traditional practices were being hindered or halted due to climate change, namely our right to fish. I have grown up fishing the Fraser River with my Grandfather. Even in 2012, we were noticing a drastic change in the fish numbers and timing. Only 8 years ago, I was a child greatly concerned that future generations might not get to appreciate the vibrant reds and greens of sockeye salmon. Now, as an adult, I fear the possibility that I may no longer get to, because climate change is happening faster than expected.

While my family's summer usually revolves around fishing --to not only fill our freezer with food but as a cultural practice to teach my younger siblings --this summer my childhood fears came true. Low salmon runs from commercial overfishing and warmer waters meant my family was only allowed to fish twice this summer. And each time, we only caught one salmon.

My teenage siblings should be learning how to drive the boat, choose the best fishing spots, release the net into the water, bring it back in full of fish, bring the fish home, clean them, freeze or can them, and bring fish to their elders to ensure that they, too, have food for the year. Instead, we barely had enough fish to feed our family for two dinners. Canada's poor environmental management and failure to act on climate change is clearly violating Indigenous children's right to culture, and is also impacting their rights to life, security, language, and freedom from violence.

Indigenous girls are disproportionately harmed by environmental degradation and the violence that come with it. Since 2012, the epidemic of missing and murdered Indigenous women and girls in Canada

continues to worsen, with a National Inquiry officially defining it as a genocide in 2019. Along with this genocide, there is a concurrent ecocide¹ taking place in Canada.

Extractive industries cause profound environmental damage-- ecocide--but often overlooked are their contribution to the genocide of Indigenous women and girls. Canada's extractive industry projects are typically located in close proximity to Indigenous communities and are populated with 'man camps', where mostly male workers live. Man camps bring increased violence against Indigenous women and girls, along with addiction, sexually transmitted infections and sexual assault.

As an Indigenous young woman, born and raised on the Musqueam reserve in Vancouver, a human rights scholar, and co-Director of Justice for Girls, I recognize that two concurrent genocidal situations in Canada aren't a coincidence; ecocide and Indigenous genocide go hand-in-hand. Canada must address the direct link between harm against the environment and harm against Indigenous girls. I submit that Canada cannot meet its obligations under the Convention while it ignores the deep impacts of climate change and expands its oil and gas sector. I urge the Committee to question how Canada can preserve and protect the Children's rights outlined under the Convention if they fail to preserve and protect the environment.

I call on the Committee to urge Canada to undertake the following steps prior to approving any and all environmental policies and natural resource projects in order to meet Canada's international human rights obligations:

- Undertake a Human Rights Impact Assessment, with disaggregated impacts on those most vulnerable (i.e. Children, Women and Girls, and Indigenous Peoples);
- In compliance with the UN Declaration on the Rights of Indigenous Peoples, obtain the Free Prior and Informed Consent of Indigenous Peoples; and
- In compliance with the UN Convention on the Rights of the Child, ensure the preferred and prioritized input of children.

Written Statement on Behalf of Justice for Girls (Part 2)

By: Severn Cullis-Suzuki

It is my honour to be participating in the Justice For Girls delegation to the UN Committee on the Rights of the Child, and supporting the youth delegates speaking today, and their report.

I am speaking today as an empowered Canadian, as a parent of Indigenous children, and as a life-long advocate for *intergenerational justice* – justice between the generations, and for children today and in the future.

There are two key, interconnected priorities facing children that I would like to address. One is unique to humanity's current generations of youth: *Climate justice*, which becomes worse for children and youth with every passing year of inaction of today's adults. The second issue is one that has been ongoing for the past 150 years in Canada: *the systemic abuse of Indigenous children*. Canada is a country that has declared itself to be attempting Reconciliation; as such we must follow the example of Germany after the

¹ Polly Higgins defined **ecocide**, a form of genocide, as “*the extensive damage to, destruction of or loss of ecosystem of a given territory, whether by human agency or by otherwise, to such an extent that peaceful enjoyment by the inhabitants of that territory has been or will be severely diminished.*”

Holocaust, and become a nation fiercely dedicated to understanding and addressing our genocidal past and present.

I am participating from Haida Gwaii, islands of the Haida Nation for the past 14 000 years. I am an immigrant to Haida Gwaii from the mainland of Canada. My mother is from England, and my father is 3rd generation Japanese-Canadian; their families chose to move to Canada for better opportunities for their children. I married into a Haida family - my children are Haida, Japanese & English-Canadian. We are a profoundly Canadian story.

A generation has passed since I was a youth advocate. I started an environmental club with my friends, eventually traveling to the Earth Summit in 1992 when I was 12 years old, and addressing a plenary session of the UN to ask adults to address the looming environmental problems for their children. The statements and declarations that came out of Rio –the Conventions on Biodiversity and on Desertification, and the United Nations Framework Convention on Climate Change, are, by today’s standards, *radical*. What is so troubling, is the failure to *act* on these legally binding agreements made by our governments. This is the challenge that we must issue to our nations, and especially to Canada.

In June 2019, the Canadian Government declared a state of Climate Emergency, but the following day it approved the expansion of the Trans-Mountain Pipeline. These actions keep us from meeting our targets agreed to in the 2016 Paris Agreement, and push our children’s future toward warming far beyond 1.5°C. Today we have seen the swift governmental actions taken in the COVID-19 pandemic - this is in sharp contrast to inaction on the Climate Emergency.

Climate Change is an area of great neglect for our country, as is systemic racism against the first inhabitants of Canada. Both of these are impacting children disproportionately, and impoverish all of our futures. Systemic violence against Indigenous people in Canada was brought into stark relief this past week. Atikamekw woman Joyce Echaquan, a 37 year-old mother of seven, was overmedicated until she died, as hospital workers were recorded issuing racist verbal abuse towards her in Joliette, Quebec. A few days later, across the Nation in Abbotsford, BC, the story surfaced that a missing Indigenous boy in the State’s care was found in his closet in his room, dead for three days. These unacceptable events occurred immediately before two annual days of national awareness - Orange Shirt day, a day to learn about and share experiences from Residential Schools (a system of incarceration and abuse of children), and the National Day of Awareness for Missing and Murdered Indigenous Women. The week was a reminder of an ongoing legacy that must not be accepted which flows from our shared Canadian history.

It is well-documented that marginalized peoples suffer the most from environmental crises. Indigenous peoples in place still know how to live a balanced human life with the natural world. They are the last ones who still understand traditions of “not taking too much,” and who still believe that safeguarding the world for their children is a sacred trust. The greater, colonial societies of the world have forgotten this. As we stand in the face of Climate Change, trying to navigate the coming crises, we need to uphold Indigenous people and children so they can be leaders in finding solutions.

My recommendations are that the Committee ask Canada how their *actions* will reflect their *words*: how will Canada fulfill the promises already made to climate justice for future generations? How will it actively tackle the racial atrocities seen and addressed at home last week? Today’s youth can’t afford to wait a generation. What assurance can we have that this time, it will be different?