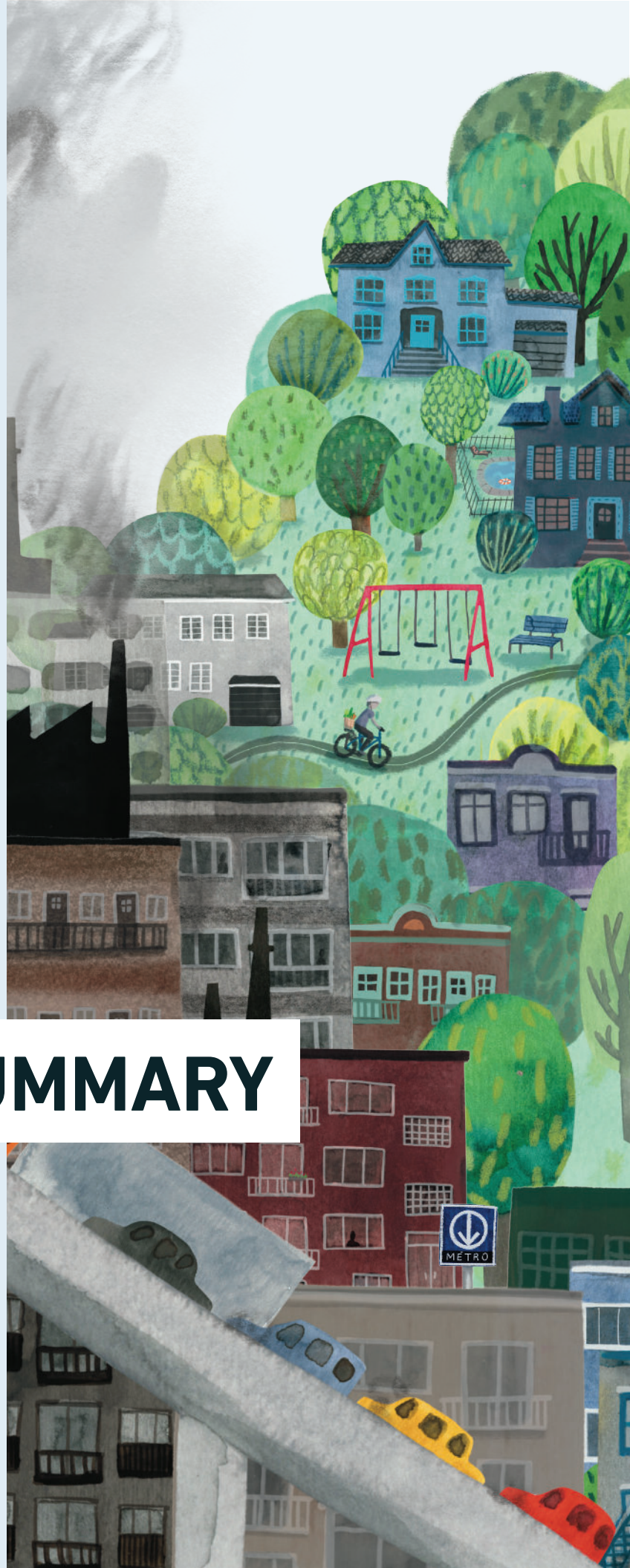


FOR ENVIRONMENTAL
JUSTICE IN QUEBEC:

FACTS, ARGUMENTS, COURSES OF ACTION

September 2022

EXECUTIVE SUMMARY



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About the David Suzuki Foundation:

Founded in 1990, the David Suzuki Foundation is a national, bilingual non-profit organization headquartered in Vancouver, with offices in Toronto and Montréal. The Foundation's mission is to protect the environment and our quality of life, now and in the future. The Foundation's work contributes to solving the climate crisis and the mass extinction of species, by focusing on three key areas: zero carbon emissions, a thriving nature and sustainable communities. Through science, awareness-raising, public policy analysis and public engagement supported by partnerships with businesses, governments and civil society, the Foundation works to identify and implement solutions to live in balance with nature. The David Suzuki Foundation counts on the support of more than 300,000 supporters across Canada, including nearly 100,000 in Quebec.

In 2022, the David Suzuki Foundation created the Climate Conscience Lab to break down silos in climate science. The purpose of the Laboratory is to make climate science more accessible and inspire collective action through research and engagement initiatives rooted in art, culture, ecology and law. With projects initially designed for Quebec, the Lab will connect and support creative communities to contribute to the restoration and regeneration of human habitats, the protection and restoration of the biosphere, and the promotion of environmental justice for all.

The David Suzuki Foundation acknowledges that its offices are located in Tiohtià:ke (Montréal), the traditional and unceded territory of the Kanien'kehá:ka (Mohawk) Nation as the steward of the lands and waters of this location having long served as a gathering and trading site for many First Nations.

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Executive Summary

Taking an interest in the environment from the health perspective helps us to realize that many injustices shape the link between these two elements. Environmental racism highlights such injustices, which are twofold. On the one hand, there are distributional injustices; that is, certain communities bear an unfair and disproportionate burden of environmental damage and risk. Examples of this are the populations of Rouyn-Noranda, Limoilou, in Québec City, the East Island of Montréal and many First Nations and Inuit communities that are overexposed to multiple contaminants or that are more exposed to climate change impacts and whose life expectancy, for instance, is lower than in neighbouring cities or boroughs. On the other hand, procedural injustices refer to the fact that communities affected by such risks often have no access to information, participation in decision-making or shared decision-making power when decisions likely to affect their health and environment are taken. What do these groups have in common? They are also vulnerable to other forms of social and economic inequality. Thus, environmental justice aims to address the underlying mechanisms that explain why certain communities are exposed to multiple forms of injustice, in other words, the processes that lead them to experience marginalization. Some Quebec authorities are starting to recognize the existence of social health inequalities related to the environment, but much remains to be done to tackle them. This recognition must translate into action focused on environmental justice principles.

To take action, profiles of vulnerability to environmental risks must first be better described. There are obvious cases, such as those covered by the media, and there are all the others never heard about. It is known that not all population groups are equally vulnerable to environmental risks. Certain health determinants interact and accumulate risks within certain population groups due to existing inequalities. To identify vulnerability profiles, Quebec should work on an index and indicators of socio-environmental vulnerability, combined with specific climate vulnerability issues. In a changing climate, environmental injustice can be insidious: while the presence of polluting industries, for example, can easily indicate risks to the health of nearby populations, the absence of vegetation or air conditioning also poses a threat to health, particularly during heat waves.

Environmental justice aims to address the underlying mechanisms that explain why certain communities are exposed to multiple forms of injustice.

To take action, profiles of vulnerability to environmental risks must first be better described.

To take further action, it is essential to ensure that marginalized communities are heard and involved in decision-making processes. This involves making efforts to reach out to them or the groups representing them to counter the exclusions that prevent them from participating. For example, respecting the free, prior and informed consent of Indigenous Peoples in all assessment and response processes is imperative to ensuring environmental justice. The environmental injustice experienced by Indigenous Peoples is exacerbated by specific colonializing processes to which they are subjected, the denial of their right to self-determination on a historical basis, pre-existing health conditions and health care access issues. Their knowledge and their relationship to health and nature must guide us, just as we must let them show us the way and recognize their expertise and experience in ecological and environmental issues.

Environmental justice provides an opportunity to take action to reduce the social health inequalities related to the environment, which are shaped by the structural determinants of health, meaning the overall context in which people live: the political, cultural, economic and social structures populated by dynamics of structural racism and exclusion. To take action, these elements must be addressed, but the health determinants must also be improved to, in turn, reduce vulnerabilities. An equal right of access, without any discrimination, to all social and health services must be guaranteed to everyone, health impact assessments must be systematized when projects are planned on a given territory, and intersectoral collaboration in health prevention and promotion must be ensured and improved. Overall, the risk factors that increase people's vulnerability must be addressed, not only the risks themselves. The environment and climate change are not separate from the dynamics that dominate society: they are intertwined.

Now is the time for action. The latest climate knowledge emphasizes the importance of environmental justice to achieve more effective and sustainable outcomes, specifically in terms of adaptation. Conversely, ignoring environmental justice considerations could undermine Quebec's adaptation efforts and prosperity in the medium and long term. Several jurisdictions are taking action and Quebec must follow suit and lead by example. The challenges are significant, but the health and well-being of the entire population is also at stake, if not much more.

The environmental injustice experienced by Indigenous Peoples is exacerbated by specific colonializing processes to which they are subjected,

Several jurisdictions are taking action and Quebec must follow suit and lead by example.

Highlights

Context:

- In public health, different indicators are used to measure the health status of an individual or a population. These indicators are based on conditions that enable individuals to achieve and maintain good health and are called determinants of health. They distinguish between individuals (e.g., age, gender), their various living environments (e.g., workplace), systems (e.g., health and social services system) and the overall context in which they live (e.g., natural environment). The indicators associated with the overall context are also referred to as the structural determinants of health, in that they influence the overall determinants of health. These refer to political, cultural, economic and social structures such as the natural environment, ongoing colonialism and structural or systemic racism. They shape the processes that create social inequalities in money, power and resources. Structural determinants of health generate and reinforce social stratification based on socioeconomic position, which shapes the living conditions that determine health status, such as education, work, income, social security, housing, environment, and access to health systems.
- The determinants of health are associated with a number of health inequalities. **Social health inequalities** (SHI) are differences in health condition related to structural and social disadvantage that are amendable, unfair, avoidable and systemic. SHIs are created by the structural determinants of health because they are rooted in social, economic and environmental conditions and power imbalances. Thus, the link between the environment as a global context, as a living environment, and SHIs becomes very clear. This introduces the concept of environment related SHIs.

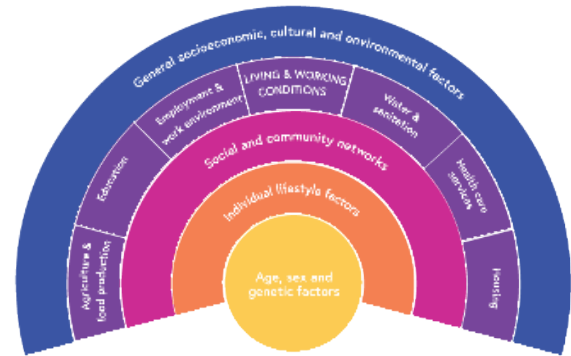


Figure 1 – Representation of health and its determinants

Source: Institute for Future Studies, Stockholm

- The relationship between climate change and health is complex but has been established, and so is the fact that they exacerbate SHIs^{1,2}. Indeed, the impacts of climate change are not evenly distributed. Climate change is seen as a “threat multiplier,” since it exacerbates existing social health inequalities and **generates conditions conducive to the emergence of new inequalities**.
- Many forms of injustice shape humans’ relationship to environmental threats. To identify them, **vulnerability** is assessed, i.e., the predisposition of a person or a group to be negatively affected by the impacts of these disturbances. Three elements shape vulnerability: **Exposure** to environmental hazards, meaning the extent to which individuals or populations experience environmental health issues (e.g., living in a neighbourhood with high levels of air pollution); **Sensitivity** to potential impact, i.e., the extent to which individuals are affected by environmental health risks

¹ Government of Canada (2022). Climate Change and Health Equity. In P. Berry and R. Schnitter (ed.), *Health of Canadians in a Changing Climate: Advancing Our Knowledge for Action*. Available at <https://changingclimate.ca/health-in-a-changing-climate/chapter/19-0/>

² Clark, D. et al. (2021). *The Health Costs of Climate Change. How Canada Can Adapt, Prepare, and Save Lives*. Canadian Institute for Climate Choices. Available at https://climatechoices.ca/wp-content/uploads/2021/06/ClimateChoices_Health-report_Final_June2021.pdf

(e.g., untreated diabetes can increase an individual's sensitivity to heat waves); The **ability to respond** or cope, or adaptability, refers to the ability to avoid, prepare for and deal with exposure and sensitivity (e.g., low-income households in flood-prone areas may not be able to afford to move, thus increasing their risk of exposure to flooding). It also refers to access to appropriate care if need arises.

- Listed below are current situations in Quebec and studies carried out that show the disproportionate exposure of populations to environmental risks:
 - Indigenous communities in Canada face a disproportionate burden of health problems and exposure to environmental contaminants.³
 - In Montreal, low-income individuals and, to a lesser extent, visible minorities often live near major highways and in areas with higher concentrations of pollutants.⁴
 - Low-income individuals and visible minorities in Montreal are often in areas with the most noise pollution due to road traffic.⁵
 - In Toronto, Montreal and Vancouver, areas with a higher proportion of non-English- and non-French-speaking tenants and residents are exposed to disproportionately higher ambient concentration levels of nitrogen dioxide (an air pollutant).⁶
 - There are heat islands in 73% of Montreal's neighbourhoods with the lowest socio-economic status, compared with only

20% in Montréal neighbourhoods with the highest socio-economic status. The majority of Montrealers who died from the overwhelming heat of summer 2018 lived in a heat island.⁷ The temperature difference can be up to 12°C between a heat island (e.g., parking lot) and an island of freshness (e.g., a parc).⁸

- In Montreal, the Trans-Northern pipeline crosses the North and East of Montreal, the most disadvantaged boroughs of the island. It was built more than 65 years ago and has caused several incidents. In 2018, the Bureau d'audiences publiques sur l'environnement (BAPE) had highlighted Trans-Northern Pipelines Inc.'s history of continuous non-compliance over the past several years, particularly with regard to the risks of overpressure and watercourse crossings.⁹
- Open burning of waste materials in landfills in northern Quebec (north of the 55th parallel) is potentially harmful for the health of local human populations due to the large number of potentially toxic contaminants released and the smoke that can reach inhabited areas. This practice is known to likely generate high health risks for exposed populations. Local Inuit and Naskapi communities repeatedly raised this concern during the BAPE Commission of Inquiry's consultations on the assessment and management of final waste. However, **no research** has been conducted to date to document the level of exposure of northern communities living in the vicinity of landfills where open burning of final waste is a mandatory practice. The Commission of

³ Ibid.

⁴ Carrier, M. et al. (2014). *The application of three methods to measure the statistical association between different social groups and the concentration of air pollutants in Montreal: A case of environmental equity*, *Transportation Research Part D*, 30, 38-52. Available at <https://espace.inrs.ca/id/eprint/2324/1/Carrier-2014-The%20application%20of%20three%20methods1.pdf>

⁵ Carrier, M. et al. (2016). *Road traffic noise in Montreal and environmental equity: What is the situation for the most vulnerable population groups?* Available at <https://www.sciencedirect.com/science/article/abs/pii/S0966692315002021?via%3Dihub>

⁶ Canadian Association of Physicians for the Environment (CAPE). 2021. *Mobilizing Evidence: Activating Change on Traffic-Related Air Pollution (TRAP) Health Impacts*. Available at <https://cape.ca/wp-content/uploads/2022/05/CAPE-TRAP-2022-2.pdf>

⁷ INSPQ (2021). *Réduire les vulnérabilités et les inégalités sociales : tous ensemble pour la santé et le bien-être*. Available at <https://www.inspq.qc.ca/sites/default/files/publications/2781-reduire-vulnerabilite-inegalites-sociales.pdf>

⁸ Drapeau, L. et al. (2021). *Mesures de lutte contre les îlots de chaleur urbains : mise à jour 2021*. Institut national de santé publique du Québec. Available at <https://www.inspq.qc.ca/sites/default/files/publications/2839-mesures-lutte-ilots-chaleur-urbains.pdf>

⁹ Bureau d'audiences publiques sur l'environnement (2018). *Projet de construction d'un terminal d'approvisionnement de carburant aéroportuaire à Montréal-Est*. Available at <https://www.bape.gouv.qc.ca/fr/dossiers/projet-construction-termina-approvisionnement-carburant-aeroportuaire-montreal/>

Inquiry believes that the government should make every effort to identify alternatives to open burning with the consent of local and regional communities.¹⁰

- The Lower Town, Limoilou and Vanier boroughs of Québec City is home to a predominantly low-income population, who face persistent problems of noise, dust, odours, trucking and contaminants (nickel, lead, mercury, dioxins and furans) generated by heavy industries and the region's industrial past. This area is also located near busy major roads and many industrial parks, and is threatened by industrial, port and road system expansion projects. Raising the nickel air level standards poses an even greater threat to public health.¹¹
- In Rouyn-Noranda, the population of the Notre-Dame neighborhood (the area closest to the Horne Foundry and one of the most disadvantaged in the city¹²) is overexposed to many air pollutants emitted by the Horne Foundry (arsenic, heavy metals, etc.) in quantities far exceeding the standards set by the Ministère de l'Environnement et de la Lutte contre les changements climatiques (MELCC). The Regional County Municipality (RCM) of Rouyn-Noranda is reporting an increase in cancer rates, intrauterine growth retardation and chronic obstructive pulmonary disease and an overall drop in life expectancy.¹³

All of these examples reveal situations of inequities in exposure to environmental risks. **We note that Indigenous People, low-income people and racialized people are the most affected by these injustices.** Other cases are presented throughout the report, and many are not yet properly documented in Quebec.

- Sensitivity is determined not only by age or genetics, but mainly by social determinants of health. Among disadvantaged groups, the prevalence of underlying health problems increases sensitivity to the impacts of environmental hazards, i.e., it results in greater health risks for equivalent hazards.¹⁴ So, given that Indigenous, low-income and racialized communities already suffer from poorer health than others due to the structural determinants of health (food insecurity, income insecurity and poverty, low education, lower access to health care, discrimination and exclusion, lower social safety net etc.), environmental pollutants and climate-related illness will further compromise their health and well-being.¹⁵ Note that in Quebec, healthy life expectancy (HLE) progresses along a social gradient; the more disadvantaged individuals are materially and socially, the lower the HLE.¹⁶ For example, in the case of the Lowertown, Limoilou and Vanier sectors of Québec City, life expectancy is six years lower in the territory of the Local Community Service Centres (CLSC) Québec - Lowertown and premature mortality is almost twice as frequent in the territories of the CLSC Limoilou-Vanier and Québec - Lowertown.¹⁷

¹⁰ Bureau d'audiences publiques sur l'environnement (2022). *L'état des lieux et la gestion des résidus ultimes. Rapport d'enquête et d'audience publique*. Available at https://www.bape.gouv.qc.ca/fr/dossiers/etat-lieux-et-gestion-residus-ultimes/?start_date=2021-02-21&end_date=2021-02-21

¹¹ Direction de santé publique du CIUSSS de la Capitale-Nationale (2018). *Mon environnement, ma santé : volet de la qualité de l'air extérieur. Cadrage du projet*. Available at https://www.ciussc-capitalenationale.gouv.qc.ca/sites/d8/files/docs/ProfSante/SPU/dsp_mems_cadrage_v.2019-02-25_vf.pdf

¹² Direction de santé publique du CIUSSS de l'Abitibi-Témiscamingue (2022). *Comité consultatif de suivi de l'étude de biosurveillance. Données de surveillance de l'état de santé de la population*. Available at https://www.ciussc-at.gouv.qc.ca/partage/BIOSURVEILLANCE/2022-05-11_CC-PRESENTATION-SANTE.pdf

¹³ Lemieux, M. (2022). *Ce qui est bon pour le Québec est bon aussi pour Rouyn-Noranda*. Le Devoir. Available at <https://www.ledevoir.com/opinion/idees/729543/idees-ce-qui-est-bon-pour-le-quebec-est-bon-aussi-pour-rouyn-noranda>

¹⁴ Clark, D. et al. (2021). *The Health Costs of Climate Change. How Canada Can Adapt, Prepare, and Save Lives*. Canadian Institute for Climate Choices. Available at https://climatechoices.ca/wp-content/uploads/2021/06/ClimateChoices_Health-report_Final_June2021.pdf

¹⁵ Waldron, I.R.G. (2021). *Environmental Racism and Climate Change: Determinants of Health in Mi'kmaw and African Nova Scotian Communities*. Available at <https://climateinstitute.ca/publications/environmental-racism-and-climate-change/>

¹⁶ INSPQ (2019). *Les inégalités sociales de santé au Québec - L'espérance de vie en bonne santé*. Available at <https://www.inspq.qc.ca/santescope/suivre-les-inegalites-sociales-de-sante-au-quebec/esperance-vie-bonne-sante>

¹⁷ Direction de santé publique du CIUSSS de la Capitale-Nationale (2018). *Mon environnement, ma santé : volet de la qualité de l'air extérieur. Cadrage du projet*. Available at https://www.ciussc-capitalenationale.gouv.qc.ca/sites/d8/files/docs/ProfSante/SPU/dsp_mems_cadrage_v.2019-02-25_vf.pdf

- Factors that contribute to adaptability are particularly related to access to economic resources, technology, information, skills, and decision-making power.¹⁸ When it comes to climate change, adaptability can be defined as the process of adjusting to the current or expected climate and to its consequences, in order to lessen the negative impacts and take advantage of the beneficial ones.¹⁹ Once again, existing social and health inequalities contribute to differences in adaptability among individuals and communities in Quebec: the more resources people have, the more adaptable they are. Adaptation measures to climate change are multiple. For example, access to cool islands, to swimming spots, to shelters during forest fires, to evacuation places in case of heavy rains. Because of the exclusion mechanisms present in our society or the rules of access that rely on the acquisition of skills and resources, these measures are not available to certain communities, particularly to the most disadvantaged or to immigrants because of a language barrier. Furthermore, access to health and social services plays a key role in adapting to climate hazards, yet this access is highly inequitable among the population. For example, communities living far from medical centres are more vulnerable in case of emergencies. Also, because of structural racism in healthcare,

Indigenous Peoples are less likely to have their health issues taken seriously or receive culturally sensitive care.²⁰ Numerous studies and four recent major public inquiries provide evidence of the presence of racism in healthcare: the Report of the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Quebec (Viens Commission)²¹ (2019), the Truth and Reconciliation Commission Report²² (2015), the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls²³ (2019) and the Report of the Special Commission on the Rights of the Child and Youth Protection (Laurent Commission)²⁴ (2021) all include recommendations for the healthcare system or governance systems that have a major impact on the health of Indigenous Peoples. The evidence is overwhelming.

- Overall, the Green Economy Plan²⁵, the government's roadmap to 2030, is silent on issues of environmental equity and injustice.

¹⁸ IPCC (2022). Summary for policy makers. In *Climate Change 2022: Impacts, Adaptation, and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*. Available at https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf

¹⁹ IPCC (2018). Annex I: Glossary [Matthews, J.B.R. (ed.)]. In: *Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty*. Available at https://www.ipcc.ch/site/assets/uploads/sites/2/2022/06/SR15_AnnexI.pdf

²⁰ Phillips-Beck, W. et al. (2020). *Confronting Racism within the Canadian Healthcare System: Systemic Exclusion of First Nations from Quality and Consistent Care*. *Environmental Research and Public Health*. Available at <https://www.mdpi.com/1660-4601/17/22/8343>

²¹ Public Inquiry Commission on Relations Between Indigenous Peoples and Certain Public Services (2019). *Public Inquiry Commission on Relations Between Indigenous Peoples and Certain Public Services in Québec: Listening, Reconciliation, and Progress*. Bibliothèque de l'Assemblée nationale du Québec. Available at <https://www.bibliotheque.assnat.qc.ca/guides/fr/les-commissions-d-enquete-au-quebec-depuis-1867/7738-commission-viens>

²² National Centre for Truth and Reconciliation (n.d.). *Truth and Reconciliation Commission Reports*. Available at <https://nctr.ca/records/reports/>

²³ National Inquiry into Missing and Murdered Indigenous Women and Girls (2019). *Final Report*. Available at <https://www.mmiwg-ffada.ca/final-report/>

²⁴ Special Commission on the Rights of the Child and Youth Protection (2021). *Building a Caring Society for our Children and Youth: Report of the Special Commission on the Rights of the Child and Youth Protection*. Bibliothèque de l'Assemblée nationale du Québec. Available at <https://www.bibliotheque.assnat.qc.ca/guides/fr/les-commissions-d-enquete-au-quebec-depuis-1867/7738-commission-viens>

²⁵ Gouvernement du Québec (2020). *Plan pour une économie verte 2030. Politique-cadre d'électrification et de lutte contre les changements climatiques*. Available at <https://cdn-contenu.quebec.ca/cdn-contenu/adm/min/environnement/publications-adm/plan-economie-verte/plan-economie-verte-2030.pdf?1653502403>

A momentum to size

The latest climate knowledge emphasizes the importance of environmental justice to achieve more effective and sustainable outcomes, including adaptation (IPCC 2022 report, Impacts, Adaptation and Vulnerability). The IPCC has warned that planning and implementing adaptation plans that do not consider the negative impact on individual groups can lead to **maladaptation**.²⁶ As a result, the exposure of certain socio-economic groups to risks can be greater, marginalizing them and exacerbating inequalities.

- The Parliament of Canada has been working for several months on Bill C-226, *An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice*.²⁷ Quebec has everything to gain by taking a proactive position on this issue by legislating at its level.
- The climate crisis forces us to rethink our modes of energy production and consumption in order to move towards a decarbonization of the economy. However, energy and industrial exploitation (**renewable or non-renewable**) cause a wide range of local environmental and social impact (e.g., noise, pollution, water contamination, lack of consent). Quebec has the momentum to seize here to ensure the full participation of the communities concerned, to obtain their free, prior and informed consent and to take all possible measures to avoid burdening them with significant environmental damage and risks. Such an approach also commits the authorities to act upstream to inform the populations concerned of the potential risks of certain projects.
- The United States began to take up the issue of environmental justice politically in the early 1990s as a result of the mobilization of the environmental justice movement. EPA established the **Office of Environmental Justice** in 1992 to coordinate its efforts expended to address the needs of vulnerable populations by reducing environmental damage, increasing environmental benefits and working collaboratively to build healthy, sustainable communities. Since 2021, the White House has increased its efforts to address environmental injustices²⁸. The work developed by the United States should inspire us to go further in terms of environmental justice in Quebec.



²⁶ Maladaptation is defined by the IPCC as inadequate adaptation measures that can lead to an increase in the risk of adverse climate-related consequences, an increase or displacement of vulnerability to climate change or a deterioration in living conditions, now or in the future.

²⁷ C-226. *An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice*. Available at <https://www.parl.ca/legisinfo/fr/projet-de-loi/44-1/c-226>

²⁸ EPA (n.d.). *Environmental justice. How Did the Environmental Justice Movement Arise?* Available at <https://www.epa.gov/environmentaljustice>

Courses of action

- Determinants of health and other identity factors individually influence vulnerability to environmental hazards, and together can have a cumulative effect. We talk about cumulative inequities in order to avoid generalizations within certain population groups, among other things. We need to be able to better describe to better identify where vulnerable populations are, and decide accordingly. A lot of data is already produced but is not cross-referenced to identify situations of environmental injustice or at risk of becoming so. Quebec has many tools to build a socio-environmental and climate vulnerability index.
- The most vulnerable communities to environmental disturbances very often live in situations that marginalize them. First, there are many situations where local populations are consulted at the bare minimum, or not even informed, when a project is planned in their living environment. Moreover, when they exist, participation spaces are not accessible to everyone. Access to participation spaces is not the same for everyone. Well-known social phenomena, such as stigmatization, discrimination, self-exclusion and access barriers (financial, organizational, physical, social or literacy) marginalize certain groups, and as a result the spaces for citizen participation are themselves structured by inequalities.²⁹ To combat these phenomena, several examples of **community engagement practices for health equity**, and the principle of culturally relevant **participatory democracy**³⁰ have been shown to be relevant to address the knowledge systems of Indigenous, racialized and immigrant communities in order to engage them in environmental issues. Quebec must review its current consultation procedures, which do not sufficiently take into account the local issues of people in vulnerable situations nor prioritize them in subsequent decision-making mechanisms. In this sense, it must commit to respecting the free, prior and informed consent of Indigenous Peoples.
- The environmental injustices experienced by Indigenous Peoples are amplified by specific social processes associated with colonialism, the denial of their right to self-determination on a historical basis, pre-existing health conditions and issues of access to health care. Indeed, structural racism, which includes past and present colonialism, historical and cultural trauma, systemic discrimination and social exclusion is an important factor in health inequities and environmental injustice. The Quebec government has everything to gain by developing environmental action by and with the communities most affected by environmental injustices, and by making progress on the nation-to-nation relationship with the 11 Indigenous nations whose traditional and unceded territories make up Quebec. Their knowledge, their relationship to health and nature must guide us, just as we must let them show us the way and recognize their expertise and experience in ecological and environmental issues.

²⁹ Godrie, B. et al. (2018). *Participation citoyenne et recherches participatives dans le champ des inégalités sociales. Nouvelles pratiques sociales, 30(1)*. Available at <https://www.erudit.org/fr/revues/nps/2018-v30-n1-nps03972/1051406ar.pdf>

³⁰ Waldron, I.R.G. (2018). *There's something in the water: Environmental racism in Indigenous & Black communities*. Halifax: Fernwood Publishing.

- The costs associated with protecting the environment and combating climate change are often used as an argument to justify the status quo. It is important to put into perspective the costs of action and of inaction to prevent the health impacts of climate change issues. Moreover, the costs of inaction will be increased for people in vulnerable situations, both because of climate change and because of SHI. Social inequalities as well as SHIs have a significant impact on **society as a whole. Overall, unequal societies are less healthy.**³¹ In January 2021, the Biden Administration created the **Justice40 initiative** with the goal of advancing environmental justice by allocating at least 40 percent of the overall benefits of federal investments in areas such as climate, clean energy, public transit, affordable and sustainable housing to disadvantaged communities, which are historically overexposed to environmental problems and underserved by government.³² Quebec could learn from this initiative to advance environmental justice in Quebec.
- It is important to act on the entire causal chain that shapes vulnerability (more exposure, more impacts due to more prevalent pre-existing health conditions, fewer resources to protect against the deleterious effects of exposures). Thus, culturally safe care and services, health impact assessments, and the Politique gouvernementale de prévention en santé (PGPS) are three elements that should be implemented or enhanced to reduce environment-related SHIs.
 - Access to health and social services is an important component of community resilience and, more broadly, is a determinant of health that influences the overall health status of populations. It is essential that the government ensures this access to all populations. In Quebec, Joyce's Principle³³ reinforces and reminds the urgency to act on this determinant of health among Indigenous communities.
 - Like the regional public health directorates, the INSPQ has expertise in health impact assessment³⁴ (HIA). This is an approach aimed at anticipating and documenting the potential impact of a policy or project under development on all the determinants of health. In an HIA, the distribution of such effects among distinct population groups is assessed to avoid the emergence or increase of social inequalities in health. Such a prospective analysis is increasingly used at the municipal level, but it can also be used by all decision makers. **It is an avenue that could hold promise for better preventing environmental injustices, especially if conducted as part of an environmental impact assessment.** However, the need



³¹ INSPQ (2021). *Réduire les vulnérabilités et les inégalités sociales : tous ensemble pour la santé et le bien-être*. Available at <https://www.inspq.qc.ca/sites/default/files/publications/2781-reduire-vulnerabilite-inegalites-sociales.pdf>

³² White House (2021). *The Path to Achieving Justice40*. Available at <https://www.whitehouse.gov/omb/briefing-room/2021/07/20/the-path-to-achieving-justice40/>

³³ Manawan Atikamekw Council and Atikamekw Nation Council (2020). *Joyce Principle*. Available at https://principedejoyce.com/sn_uploads/principe/Joyce_s_Principe_brief___Eng.pdf

³⁴ INSPQ (n.d.). *Offre de service en soutien à la réalisation d'évaluations d'impact sur la santé (EIS) en milieu municipal destinée au réseau de santé publique*. Available at <https://www.inspq.qc.ca/eis/soutien/offre-de-service>

to narrow the gap between the health status of Indigenous Peoples and non-indigenous peoples raises concerns about impact assessment systems for Indigenous contexts, which must take into account aspects that affect Indigenous health, as well as traditional knowledge. The legitimacy of an impact assessment depends on meaningful participation in the process and the decisions that arise from it.

- Addressing the full range of determinants of health to reduce vulnerabilities and SHIs goes hand in hand with intersectoral collaboration. Indeed, all sectors of intervention, including health and social services, are responsible for reducing SHIs. In adopting the PGPS in 2016, Quebec wanted to act on a set of factors,

taking into account cross-cutting issues, in order to improve the health status and quality of life of the population and reduce SHIs. This approach certainly represents a lever for supporting vulnerable groups and reducing SHIs. However, the Plan d'action interministériel 2022-2025 under the PGPS focuses primarily on promoting wellness and healthy living in communities. There is a critical need to enhance this cross-sectoral framework that has the potential to address environmental inequities by working more on the social and structural determinants of health than on individual determinants.



Recommendations for Environmental Justice-Based Governance in Quebec

Provided below are a series of recommendations enabling Quebec to catch up and take on a role of leadership in environmental governance and in the fight against climate change, from a perspective of equity, public health and human rights. The implementation of such measures would be

beneficial for Quebec society and not only for vulnerable communities. They would help to avoid creating ineffective public policies, save huge health costs, promote social cohesion and, ultimately, increase Quebec's resilience to the current and future changing climate.

1 Recommendation No. 1:

- **Adopt legislation to advance environmental justice** likely to:
 - Develop a strategy to overcome environmental injustice in Quebec. This strategy should be developed through the Strategic Environmental Assessment process,³⁵ which would ensure a transparent process and public participation;
 - Enhance environmental injustice research and data collection, starting with the integration of ethnocultural data collection into the operation, accountability and decision-making of public sector organizations (Viens Commission's Call for Action No. 4);
 - Identify key documents that officials in every ministry must take into account to progress in terms of environmental justice and develop a procedure to consider environmental justice in the development of laws and regulations;
 - Analyze the Plan for a Green Economy with an environmental justice viewpoint to examine how its measures can impact vulnerable communities.
- **Establish an advisory committee on environmental justice** comprised of members with knowledge or experience in environmental justice, climate change, disaster preparedness, racism, Indigenous Peoples' rights, public health and other areas of expertise. This committee advises the Ministre de l'Environnement et de la Lutte contre les changements climatiques and the Ministre de la Santé et des Services Sociaux, in order to:
 - Ensure the implementation and monitoring of the law and the intersectoral action required for environmental justice-based governance;
 - Make publicly available recommendations on policies, legislations and regulation that could create or exacerbate environmental injustice within every concerned department.

³⁵ Environment Quality Act, CQLR c Q-2, art. 95.10

2 Recommendation No. 2:

- **Expand the right to a healthy environment** by:
 - Amending the Charter of Human Rights and Freedoms to recognize the right to a healthy environment that respects biodiversity as a fundamental right;
 - Creating a mechanism for Quebecers to request BAPE investigation when a violation of their right to a healthy environment is suspected.

3 Recommendation No. 3:

- To be equipped to better **describe situations of environmental injustice** by:
 - Developing a socio-environmental vulnerability index, coupled with specific climate vulnerability issues;
 - Ensuring that environmental justice is considered in regional climate change vulnerability assessment processes and in the design of regional health adaptation plans;
 - Fully adopting an interministerial approach to “health in every policy” with a special focus on Indigenous Peoples’ health impact, as requested by the Assembly of First Nations,³⁶ by building on Section 54 of the *Public Health Act*,³⁷
 - Funding research to gain more knowledge on the differentiated impacts of climate change in Quebec, particularly from a socio-economic, gender and racial perspective, but also in terms of disability.

4 Recommendation No. 4:

- **Improve public participation in environmental decision-making** by:
 - Providing funding for citizen participation during the public consultations conducted by the BAPE. Such funding could come from the Electrification and Climate Change Fund;³⁸
 - Enhancing the public consultations conducted by the BAPE, so that groups are consulted on an ongoing basis at each stage of the environmental impact assessment and assessment process. The mandate of the BAPE should continue following the tabling of its report, allowing the public to comment on the MELCC’s final conclusions;
 - For the BAPE, approaching the concerned communities in a way that is culturally relevant.

³⁶ Assembly of First Nations (2017). *The First Nations Health Transformation Agenda*. Available at https://www.afn.ca/uploads/files/fnhta_final.pdf

³⁷ Article 54 stipulates that “The Minister is by virtue of his or her office the advisor of the Government on any public health issue. The Minister shall give the other ministers any advice he or she considers advisable for health promotion and the adoption of policies capable of fostering the enhancement of the health and welfare of the population. In the Minister’s capacity as government advisor, the Minister shall be consulted in relation to the development of the measures provided for in an Act or regulation that could have significant impact on the health of the population.”

³⁸ This fund was created under II.1 of the *Act respecting the Ministère du Développement durable, de l’Environnement et des Parcs*, CQLR, c. M-30.001.

5 Recommendation No. 5:

- For the Indigenous Peoples, climate action is a rights- and responsibilities-based process within a legislative, legal and policy context. It stems from their inherent jurisdiction over their lands and territories and their right to self-determination.³⁹ The Government of Quebec must therefore take steps to:
 - Pass legislation to **implement the United Nations Declaration on the Rights of Indigenous Peoples**, as initiated in Canada and British Columbia;
 - Take all necessary legislative measures to **implement Joyce's Principle**;
 - Support the implementation of the Assembly of First Nations Quebec-Labrador **Action Plan on Racism and Discrimination**, including the specific component on health.

6 Recommendation No. 6:

- Ensure equity in our environmental actions by:
 - Allocating at least 40% of our Electrification and Climate Change Fund dollars to projects for vulnerable populations to advance environmental justice;
 - Systematizing the use of Gender-based and Intersectional Analysis in the development and analysis of environmental measures.

7 Recommendation No. 7:

- Amend Section 31.3 of the *Environmental Quality Act* to:
 - **Formalize the consideration of health and climate change impact** of any project subjected to environmental impact study and assessment procedure, so that these become compulsory considerations in impact assessment and project assessment. When conducted on Indigenous lands, health impact assessment must take into account the holistic view of health to ensure the validity of the process. A participatory approach with communities is essential to the success of such consideration;
 - Formalize **respect for the principle of free, prior and informed consent** of Indigenous Peoples in any project subject to the environmental impact study and assessment procedure proposed on Indigenous territory.

³⁹ Assembly of First Nations (2020). *National Climate Gathering Report. Driving Change, Leading Solutions*. Available at https://www.afn.ca/wp-content/uploads/2021/04/Climate_Gathering_Report_ENG.pdf

8 Recommendation No. 8:

- Enhance the legal framework to **ensure that the cumulative impact of projects carried out in Quebec are taken into account**. Greater consideration of cumulative impact is essential, and more so for vulnerable populations that may be more exposed to this impact:
 - Establish a regional environmental assessment procedure. Such a procedure would help gain a better understanding of knowledge about the land and its sensitivities and to be better informed when authorizing projects. When planning the land, one must first know it before authorizing activities that can have an impact on it;
 - Adjust the supervision of projects under the *Environmental Quality Act* by creating a mechanism meant to set the level of risk associated with a project based on cumulative impact in the environment affected. Thus, a project that can be carried out through a statement of compliance should instead be granted ministerial approval if the **cumulative impact of different projects** in the given environment justify it.

