

# **An Environmental Bill of Rights for New Brunswick? The Time is Right!**

## **Backgrounder**

**September 2019**

### **Why an Environmental Bill of Rights?**

Have you ever wondered what kind of natural environments will we be leaving to our children, grandchildren and future generations? Do New Brunswickers currently have the right to live in a healthy environment? How much do our current laws help us to mitigate and adapt to climate change . . . or to have a say in how forests and wilderness areas are managed?

An Environmental Bill of Rights would address these questions, and more. It would ensure the right of New Brunswickers and future generations to a healthy environment; spell out government's duties to protect our environmental rights; ensure that we would be able to participate fully and meaningfully in environmental decision making; and, provide mechanisms for us to prevent or redress environmental harm.

### **The time is right!**

Never has the timing been better to bring forward an Environmental Bill of Rights for today's children and future generations in New Brunswick.

- *Minority government.* Having a minority government means that there is a greater chance than ever before of having this legislation passed. In a minority situation, it is more likely that the government in power may look for opportunities to collaborate on issues that are not contentious.
- *The reality of climate change.* In the last five years, New Brunswick has been walloped by seven natural disasters requiring disaster relief, including ice storms, flash flooding, severe rain and wind events, tropical storms and two "100-year floods" in a row.
- *NB Youth are mobilizing* on climate change in concert with youth around the world. They are now gaining momentum and visibility in their Friday afternoon climate strikes at the NB Legislature.
- *Costs of inaction, flood damage reparation, infrastructure repairs and natural disaster compensation* are hitting government where it hurts – on the bottom line. Direct costs are running into the hundreds of millions, while untold millions are lost from the hit taken by our business communities, farming operations, tourism losses and the struggling rural economies along the Lower St. John River.

## How did we get here? A short history.

- Many people and organizations have encouraged and contributed to the development of this Bill of Rights since 2011, when the New Brunswick Environmental Network's Children's Environmental Health Collaborative began working on its first Draft. Over time, these groups and individuals offered their expertise and insights:
  - Office of the Child and Youth Advocate of New Brunswick
  - Ecojustice Canada
  - Raffi Foundation for Child Honouring
  - Raffi Cavoukian, who became the NB Ambassador for Children's Environmental Health
  - East Coast Environmental Law Association
  - Conservation Council of New Brunswick
  - Learning Disabilities Association of New Brunswick
  - New Brunswick Lung Association

## Milestones

- **June, 2014.** Public launch of the first Draft Bill titled *Bill of Rights to Protect Children's Health from Environmental Hazards*.  
<https://www.nben.ca/index.php/en/bill-of-rights>
- **March to November, 2016.** A Working Group of New Brunswick ENGOS\* worked with East Coast Environmental Law toward substantive and procedural *human* and *environmental* rights being proposed for enactment in NB, NS, PEI and NL. This resulted in the current Draft, titled the *New Brunswick Environmental Bill of Rights* (Discussion Draft 01 November 2016).
- **January 2018.** The New Brunswick Environmental Network established an Environmental Bill of Rights Caucus.
- **June 2019.** The EBR Caucus updated the 2016 draft New Brunswick Environmental Bill of Rights. The EBR Caucus plans to take this Bill to the Legislature in 2019.

*We need your help to bring this Bill over the finish line!*

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\* East Coast Environmental Law, Citizens for Clean Air Coalition, Team Policy of the Children's Environmental Health Collaborative, New Brunswick Environmental Network, New Brunswick Lung Association, Conservation Council of New Brunswick, Fallsbrook Centre, Peace NB