

## Environmental Rights and Access to Environmental Justice for Manitobans

Moved by: The Manitoba Eco-Network (MbEN)

*This is a new policy resolution.*

**Whereas:** We have an individual and collective right to a healthy and ecologically intact environment. The protection of nature is also of special significance to Indigenous peoples. A healthy environment is linked to the health of individuals, families, communities and all living things as well as economic, social and cultural sustainability.

**Whereas:** As community members and citizens, we have an individual and collective responsibility to the Earth and environment. We all share a deep concern for the environment and recognize its inherent value.

**Whereas:** Provincial and Municipal governments in Manitoba are trustees of the environment within their jurisdictions and are responsible for protecting the environment for present and future generations. Enhanced measures to protect the environment will safeguard the environmental rights of Manitobans and ensure that all Manitobans can enjoy clean water, air and land.

**Whereas:** Manitobans do not have legally recognized substantive environmental rights (e.g. the right to a healthy environment) and minimal procedural rights (e.g. access to information, independent investigations, standing to initiate legal proceedings) at the provincial level and in most municipal jurisdictions. As a result, the public has limited access to environmental justice and face many barriers when seeking to hold government decision-makers responsible for problematic environmental actions or inaction. Manitobans lack the legal rights to adequately protect ourselves and future generations from the impacts of climate change and other environmental harms.

**Whereas:** Recognition of substantive and procedural environmental rights needs to be a priority for all levels of government and community-based organizations. Recognition of such rights will enhance and protect the public's ability to participate directly in environmental decision-making, to better access environmental justice and to hold government decision-makers accountable for their environmental protection responsibilities. Manitobans need improved access to courts and tribunals so that individuals, communities, and public interest organizations may take action to protect the environment

**Whereas:** The Government of Manitoba made commitments in the 2021 Throne Speech and The Climate and Green Plan Act, among other laws and policies, to building a stronger, healthier, and more inclusive province, preserving nature, providing Manitobans with more opportunities to participate, and doing our share nationally to address climate change.

**Whereas:** Municipal governments in Manitoba have already passed resolutions recognizing the right to a healthy environment - The Pas, Whitemouth, Dunnottar, Thompson, Stonewall, and Selkirk. The City of Winnipeg has committed to ensuring Winnipeg is a thriving, sustainable, and resilient city, grounded in strong human rights, with an equitable and high quality of life for all in OurWinnipeg 2045 and other policy developments. Other Manitoba municipal governments have made similar commitments in their own by-laws and policies.

**Whereas:** The recognition of environmental human rights aligns with the Community Economic Development (CED) Agenda by helping move society towards a more sustainable future where both people and the environment are respected. Recognition of substantive and procedural environmental rights encourages respect for local knowledge and community-led environmental action. It also supports the transition to a circular economy where environmental rights are protected, ecological health is restored, and local communities have a meaningful role in their own development.

**Whereas:** The resolution relates clearly to four CCEDNet Manitoba Public Policy Road Map themes: Tackling Climate Change, Sustainable Community-Led Development, Directing Our Own Future, and Inclusion, Diversity, Equity, Access. Recognition of environmental rights supports community-based climate action and enables better access to environmental, energy and climate justice. Through the recognition of such rights, the ongoing obligations of all members of society from individual citizens to government to protect the environment for current and future generations will also be enshrined. Citizens will then be better empowered to hold decision-makers accountable, undertake sustainable development initiatives, and direct their own futures.

**Be It Resolved That:**

1. The Government of Manitoba adopt provincial legislation, e.g. an Environmental Bill of Rights, recognizing substantive and procedural environmental rights and amend new and existing environmental and natural resource laws and policies to recognize such rights.
2. The City of Winnipeg and other municipal governments in Manitoba adopt a municipal declaration recognizing the right to a healthy environment and recognize the environmental rights of Manitobans in new and existing municipal policies and by-laws.

**How the Resolution will be Advanced:** CCEDNet Manitoba and all members can:

- A. Advocate for and promote legal recognition of substantive and procedural environmental rights at all levels of governments.
- B. Support the efforts of the Manitoba Eco-Network - who will take the lead in the implementation of the recommendations as long as funding allows - by educating and advocating to their members and governments.