

## CONFERENCE

### *Environmental Justice and Human Rights: Investigating the Tensions, Exploring the Possibilities*

#### **Held by:**

Human Rights Research and Education Centre / Centre for Environmental Law and Global Sustainability

University of Ottawa

In partnership with Ecojustice Environmental Law Clinic

**Where:** University of Ottawa, 12102 Desmarais Hall, 50 Laurier East

**When:** November 8-10, 2012

**Web Link:** <http://www.cdp-hrc.uottawa.ca>

## CALL FOR PAPERS

This conference aims to build understanding about the relationship between human rights and environmental justice. The concept of environmental justice became popularized at the beginning of the 1980s in the United States from a socio-political movement initially triggered by the concern that toxic waste facilities are disproportionately located in poor and racialized neighborhoods, especially Afro-American, Latino-American and Indigenous communities. The movement, primarily fueled by community activists, churches, and academics, has since considerably expanded. Environmental justice has migrated outside the United States, first through the international mobilization against toxic waste dumping in Third World countries, and has now reached activists and scholars in many countries. Moreover, the framework now offers conceptual tools to consider questions about the distribution of environmental harms, from air and water pollution, natural resources depletion, and biodiversity reduction to climate change and environmental norms relating to implementation and enforcement. The framework has also expanded to consider not only race and class, but a larger range of disadvantage, notably gender, age, nationality, and geographic location. In addition to preoccupation with the distributional outcomes of the dominant modes of production and consumption, environmental justice also addresses procedural justice and power relationships, such as those resulting from colonialism, which characterise the structure of the political economy of environmental degradation.

In the last decade, the discourse of the environmental justice movement has increasingly incorporated the language of legal practitioners and scholars, notably in the fields of environmental law and human rights. The injustices and harms denounced by the environmental justice movement have been

translated by many scholars, activists and legal practitioners into the language of human rights, such as the rights to life, equality, integrity, privacy, dignity and security of the person. However, while many environmental justice activists and scholars integrate the human rights discourse, either for its symbolic force or, more pragmatically, for the potential remedies it may offer, others may be wary of such a strategy. For instance, the institutionalisation of the environmental justice movement by the apparatus of the justice system may raise fears that marginalised communities could lose control of their own struggles. Moreover, from an environmental justice perspective, human rights, because of their liberal and individualistic nature, have been criticized by some scholars and activists as an inadequate tool to challenge the structural injustices permeating the market economy and the politics of environmental pollution.

This conference will examine both the possibilities and the tensions underlying the twin projects of mobilizing human rights to achieve greater environmental justice, and in return using the tools of the environmental justice movement to frame human rights-based arguments in the struggle against environmental injustices. More precisely, it will raise and debate the following questions:

What are the possibilities and limits of human rights as a tool to foster environmental justice? What do human rights gain or lose by the insights provided by the environmental justice discourse, and vice-versa? What are the convergences/divergences between the foundational values and principles, tools and objectives of human rights and of the environmental justice movement? To what extent does human rights discourse empower marginalized groups in their struggle against environmental degradation? Could human rights be usefully mobilized by Indigenous peoples, ethnic minorities, women, and the poor, to address their environmental struggles? How does the human rights system increase the agency of marginalized groups in decision-making processes that compromise their environmental interests?

**These questions will be addressed in the context of the following themes:**

### **1) Environmental Justice: a Multifaceted Concept**

The increasing popularity of the concept of 'environmental justice' and its mobilization in a plurality of contexts has resulted in a multiplication of understandings with regard to its meaning. What, if any, are the main characteristics or basic requirements of 'environmental justice'? Is there a difference between 'environmental justice' and 'environmental equity'? How does 'environmental justice' relate to 'environmental racism', or to 'climate justice'? What about 'intra- and inter-generational' justice? Does environmental justice encompass the relationships between human and non-human beings? More generally, is 'environmental justice' a new concept, or is it simply a specific facet of the more encompassing concept of 'social justice'?

### **2) Human Rights and the Struggles against Environmental Degradation**

Human rights, especially the right to life, security and integrity, and the right to privacy, have been increasingly mobilized in the context of environmental litigation. Moreover, environmental rights and/or responsibilities are today explicitly recognized in most of the world's constitutions. What do human

rights add to existing legal tools in the field of environmental litigation? Has the growing recognition of the relationships between human rights and environmental degradation resulted in an improvement of environmental protection/conditions in the concerned jurisdictions? Are there success stories? What are the main obstacles to environmental rights litigation?

### **3) Strategizing Environmental Justice: What Role for Human Rights?**

While many lawyers, activists and scholars have incorporated the human rights discourse in their environmental justice toolbox, others are more sceptical regarding such a strategy. What do we gain or lose when mobilizing human rights for the political, moral and social struggles of environmental justice or, in return, when using the environmental justice discourse to frame human rights arguments? What are the synergies and tensions between the two projects?

### **4) Environmental Justice in Action: Case Studies**

Case studies are widely used as a methodological avenue to problematize environmental in/justice in context. In order to reflect on environmental justice in action, we are seeking contributions that could enhance the understanding of the tensions and possibilities underlying the relationships between environmental justice and human rights through case studies related to, **among other relevant themes**:

- The distribution of environmental harms and benefits according to gender, race and/or class;
- Indigenous peoples and environmental in/justice;
- Climate justice;
- Water justice;
- Biodiversity and environmental in/justice;
- Environmental in/justice and extractive industries;
- Environmental in/justice and toxics;
- Environmental in/justice and wastes;
- Production of knowledge and environmental 'risks'

**Languages of the conference:** French and English with simultaneous translation available.

**Please send abstracts** (400-600 words) with your name, affiliation, 5 keywords, and email address by

**April 30th 2012** to: david.robaille@uottawa.ca

**For inquiries:** david.robaille@uottawa.ca or adavi101@uottawa.ca

**Scientific Committee:** Prof. Sophie Thériault (Centre for Environmental Law and Global sustainability); Prof. Lucie Lamarche (Research Director – Human Rights Research and Education Centre); Prof. David Robaille (Faculty of Law); Prof. Sylvie Paquerot (Dept. of Political Science).