

Japan Needs to Withdraw From LNG Canada Serious Human Rights Violations In Coastal GasLink Pipeline

Friends of the Earth Japan

Indigenous People and their supporters voicing their opposition and journalists covering their peaceful protests have been arrested one after another in connection with a gas development project in British Columbia (BC). The Japanese public and private sectors are also involved in this project. It has been confirmed that police forces armed with assault weapons have been dispatched to the site by the authorities. Friends of the Earth Japan condemns these actions. We urge the Japanese public authority and companies involved in the Coastal GasLink pipeline project and the LNG Canada project to withdraw from the projects and not to be part of further violations of the rights of Indigenous Peoples.

The Coastal Gaslink Pipeline is being constructed to transport shale gas fracked in Montney, BC, to an LNG Canada terminal on the coast. The planned route of the 670 kilometer-long pipeline runs through the lands of Indigenous Peoples. The gas would be liquefied at the LNG Canada terminal and exported mainly to Asian markets. Private financial institutions in Japan, such as Mizuho Bank, MUFG Bank, Sumitomo Mitsui Banking Corporation, and Sumitomo Mitsui Trust Bank, are providing financing for the Coastal GasLink pipeline project, and Mitsubishi Corporation is investing in the LNG Canada project. On October 29 this year, the Japan Bank for International Cooperation (JBIC), a government-owned financial institution, also decided to provide financing for the LNG Canada project¹.

Hereditary chiefs of the Wet'suwet'en First Nation have been voicing their opposition to the project and want to protect the land and water resources they traditionally use. Hereditary chiefs of the Wet'suwet'en are recognized as the title holders, having rights to their lands, by the Supreme Court of Canada (Delgamuukw case)². Despite this, CGL has not obtained their "Free, prior and informed consent (FPIC)" and continues to build the pipeline.

On September 25, 2021, preparations began for drilling beneath the Morice River (Wedzin Kwa) and laying pipelines. The river is an important source of water for Indigenous Peoples and for flora and fauna in the region. The Wet'suwet'en have set up a camp and

¹ "CSOs Condemn Japan's Decision to Finance LNG Canada Project - Japan Digs Deeper into Fossil Fuels Even as the Rest of The World Moves to Phase Them Out", November 10, 2021, <https://www.foejapan.org/en/aid/jbic02/lngcanada/211110.html>

² Supreme Court of Canada "Delgamuukw v. British Columbia" <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1569/index.do>

been trying to protect the water source³, but several Indigenous People and their supporters have been arrested for peacefully protesting⁴.

In January 2020, the Wet'suwet'en hereditary chiefs issued an eviction order to Coastal GasLink Limited (CGL) and demanded their employees leave the territory and not return. On November 14 this year, the order was issued again⁵, but CGL disregarded the order and did not inform their employees about it⁶. The heavily armed Royal Canadian Mounted Police (RCMP) has been arresting peaceful protesters one after another over a BC court injunction issued in 2019. It is reported that the number of arrests has reached nearly 30 persons, with 17 on November 18 and 11 on 19th⁷. Two journalists were among those arrested⁸.

On December 13, 2019, the UN Committee on the Elimination of Racial Discrimination adopted a resolution calling on the federal government to 1) immediately halt the Coastal Gaslink pipeline project until the Wet'suwet'en grants their FPIC; 2) guarantee that the RCMP and other security and policing services leave Wet'suwet'en's traditional lands; 3) prohibit the use of lethal weapons; and 4) cease forced eviction of Wet'suwet'en people⁹.

In light of the recent situation on the ground, Amnesty International, an international human rights organization, expressed grave concern and issued an open letter on November 18, calling on the Federal and Provincial governments and the RCMP to protect the human rights of Wet'suwet'en protesters, comply with the recommendations of the UN Committee on the Elimination of Racial Discrimination, and not to prevent the delivery of food and medicine to communities that have been cut off¹⁰.

³ "Wet'suwet'en Hereditary Chiefs Support Widzin Kwe", November 19, 2021, http://www.wetsuweten.com/files/Nov_19_2021_Support_for_Widzin_Kwe_Nov_2021.pdf

⁴ "Wet'suwet'en Blockades Erected To Stop Coastal Gaslink Drilling Under Sacred Headwaters" September 27, 2021, <https://www.ienearth.org/wetsuweten-blockades-erected-to-stop-coastal-gaslink-drilling-under-sacred-headwaters/>

⁵ "Gidimt'en Evict Coastal GasLink from Wet'suwet'en Territory". November 14, 2021, <https://static1.squarespace.com/static/5c51ebf73e2d0957ca117eb5/t/619168973821566fa355db65/1636919447456/PressReleaseDay50.pdf>

⁶ The Tyee, "Coastal GasLink Failed to Warn Camp Employees about Blockade, Worker Says", November 18, 2021, https://thetyee.ca/News/2021/11/18/Coastal-GasLink-Failed-Warn-Camp-Employees-About-Blockade-Worker/?fbclid=IwAR2tCsIDiz8WexHfR2bEESTVy4w_vsE6T5qzLJpGMiBKWYm-PRiKS1INeSE

⁷ "Militarized RCMP Enforcement, Violent Arrests Continue on Gidimt'en Land Defenders", November 20, 2021, <https://static1.squarespace.com/static/5c51ebf73e2d0957ca117eb5/t/61998d7941cd455c8f2bdec5/1637453178121/Gidimt%27en-Release-Nov-20.pdf>

⁸ The Canadian Press "Two journalists among 15 people arrested by RCMP near B.C. pipeline worksite" November 20, 2021, <https://www.msn.com/en-ca/news/canada/two-journalists-among-15-people-arrested-by-rcmp-near-bc-pipeline-worksite/ar-AAQWyKz?ocid=st>

⁹ Committee on the Elimination of Racial Discrimination, "Prevention of racial discrimination, including early warning and urgent action procedure" December 13, 2019, https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CAN/INT_CERD_EWU_CAN_9026_E.pdf?_ga=2.171294304.1158930249.1618324061-1016472279.1618324061

¹⁰ Amnesty International, "Open letter: Amnesty International urges federal government, BC and RCMP to protect the rights of Wet'suwet'en land defenders", November 18, 2021, <https://www.amnesty.ca/news/open-letter-amnesty-international-urges-federal-government-bc-and-rcmp-to-protect-the-rights-of-wetsuweten-land-defenders/>

After the arrests of two journalists, the Canadian Association of Journalists showed their concerns in an open letter about possible violation of press freedoms, by pointing out that media workers had been arrested and that the RCMP had denied journalists access to protest sites on the Morice River¹¹. The U.S.-based Committee to Protect Journalists (CPJ) in Washington DC also issued a statement expressing deep concern about the arrests of two journalists¹².

JBIC decided to finance the LNG Canada project, claiming that there has been dialogue and consultation between Indigenous Peoples and the operator. Especially as a public institution, JBIC must be accountable for the fact that fundamental human rights such as freedom of expression and freedom of the press are being threatened in connection with an associated project, less than 3 weeks after JBIC's decision.

In its environmental review of the project, JBIC stated that "JBIC will monitor items such as compliance with the conditions of ESIA, status of obtaining and compliance of other permits and conditions, and status of discussion process with indigenous peoples¹³." Given the significant deterioration in the discussion process, we are calling on JBIC to suspend loan disbursements and consider withdrawing the financing decision.

Meanwhile, each of the private banks involved in the pipeline project (MUFG Bank, Mizuho Bank, SMBC Group) has a policy on Indigenous Peoples and climate change. Continuing to finance a problematic pipeline project while it violates the rights of Indigenous Peoples also goes against bank, national, and international policies and commitments to fight climate change¹⁴.

The gas development project should be stopped not only because of human rights violations but also because of the climate crisis. Just last week, the BC provincial government declared a state of emergency due to record heavy rains, landslides, and flooding. The province's minister of public safety has also said it is a climate-related disaster, and measures to deal with the damage are urgently needed¹⁵. The effects of the climate crisis are spreading around the world, including Canada, and many people's lives and lives are being threatened.

The 26th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 26) held in Glasgow, the UK, in the beginning of

¹¹ Canadian Association of Journalists, "Open letter to the RCMP about press freedom concerns in Wet'suwet'en territory", November 19, 2021, https://caj.ca/blog/Open_letter_to_the_RCMP_about_press_freedom_concerns_in_Wet_suwet_en_territory

¹² Committee to Protect Journalists, "CPJ calls on Canadian police to release detained journalists", November 21, 2021, <https://cpj.org/2021/11/cpj-calls-on-canadian-police-to-release-detained-journalists/>

¹³ Japan Bank for International Cooperation "Environmental Examination Report" October 29, 2021, https://www.jbic.go.jp/ja/business-areas/environment/projects/pdf/62412_52.pdf

¹⁴ "CSOs Submitted Letter Demanding Japanese Mega Banks Not Finance LNG Canada Project and Withdraw from Coastal Gaslink Pipeline Project- Take Action to Avoid Serious Violations of Indigenous Peoples' Rights and Climate Crisis!", September 22, 2021, <https://www.foejapan.org/en/aid/jbic02/Ingcanda/210922.html>

¹⁵ Japan Today, "Canada sends military to flood-ravaged Pacific coast", November 18, 2021 <https://japantoday.com/category/world/canada-sends-military-to-flood-ravaged-pacific-coast>

November, discussed the necessity of accelerating a fossil fuel phase out, and parties are requested to strengthen their climate change targets in order to keep global warming within the 1.5 °C target under the Paris Agreement.

It has also been pointed out by the International Energy Agency (IEA) that, in order to achieve the 1.5 °C target, support for new fossil fuel projects should no longer be provided¹⁶. The UK, the COP Presidency, announced a declaration to suspend public support for overseas fossil fuel projects by 2022, and this was also signed by the Government of Canada¹⁷. While the Canadian government recognizes the need to scale back its fossil fuel operations, it is continuing to develop fossil fuels within Canada.

From 2012 to 2020, the Japanese government provided the largest amount of public financial support for fossil fuel projects among the G20 countries¹⁸, accelerating the climate crisis rather than fulfilling its responsibilities as a Global North country that has historically emitted large amounts of greenhouse gases.

The Japanese government and companies involved in the Coastal GasLink pipeline project and the LNG Canada project should realize that continuing to act or remain silent about the serious human rights violations occurring on the ground is nothing but complicit in human rights violations. Friends of the Earth Japan calls on the Japanese government and companies to immediately cease their involvement in these projects and withdraw, to avoid being part of any further violations of human rights and actions that accelerate the climate crisis.

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¹⁶ International Energy Agency, "Net Zero by 2050: a Roadmap for the Global Energy Sector", May 18, 2021, <https://www.iea.org/reports/net-zero-by-2050>

¹⁷ CBC, "Canada to stop financing fossil fuel projects abroad by end of 2022", November 4, 2021, <https://www.cbc.ca/news/business/bakx-cop26-fossil-fuel-subsidies-1.6236636>

¹⁸ Oil Change International "Past Last Call: G20 public finance institutions are still bankrolling fossil fuels" October 28, 2021, <https://priceofoil.org/2021/10/28/past-last-call-g20-public-finance-institutions-are-still-bankrolling-fossil-fuels/>