SPOILING THE BALLOT ON CANADA’S (UN)FAIR ELECTIONS ACT

Does not give Elections Canada officials the power to compel testimony when investigating election fraud.

Does nothing to get to the bottom of the 2011 election fraud or to prevent similarly deceptive activities in the future.

Strips key Elections Canada officials of their independence.

Stops Elections Canada from running ad campaigns encouraging people to vote.

Does not improve democracy in Canada.

ALSO INSIDE: ACTING FOR SOCIAL JUSTICE: 2013 ANNUAL REPORT | FEDERAL P3 WATER FUND FORCES PRIVATIZATION | JOSH FOX: FRACKING IS BEING MET WITH A CITIZENS’ UPRISING | WANT INFO? TIME TO EMAIL "FRED"
The Council of Canadians believes that political literacy is crucial to regaining control of our communities and our country. We encourage you to copy articles from Canadian Perspectives – most conveniently fit on one or two pages. If you would like to reprint articles, or if you would like to distribute Canadian Perspectives in your community, please contact us at 1-800-387-7177.

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Letters to the Editor

NO MORE LANDFILLS
Thank you to the Council of Canadians for standing with us to protect water, land and rural livelihoods against corporate plans to build privately owned mega-landfills for commercial and industrial waste in Ontario. We appreciate the Council’s position to defend communities against landfills (an outdated and ignorant method of disposal that began in the mid-1900s).

We are battling a mega-dump proposal in our communities and are working with many community activists elsewhere in Ontario, all of whom are fighting similar schemes.

Proponents claim landfills are safe, but a landfill is built by clear-cutting hundreds of acres of trees and shrubs, filling lakes, wetlands and streams, digging a huge hole below the water table and lining it with clay and thin plastic, and then dumping in millions of tonnes of garbage where it brews a poisonous mix of chemical compounds. It is then covered up and the company “monitors” the resulting toxic leachate’s escape. All landfills leak eventually, mostly within a couple of decades. Then the landfill owners buy the contaminated land, which increases the buffer zone, and the landfill is expanded!

Despite thousands of complaints from dozens of communities, provincial governments keep allowing these monstrosities to be built, run by private interests, owner-monitored, and reported on voluntarily. Regulators like the Ontario Ministry of the Environment approve vague, inaccurate and misleading applications from these companies and then exercise little authority over them.

Landfills are environmental disasters when built, and as they age they become liabilities that are likely to end in catastrophe. If government agencies spent as much time seeking real waste reduction solutions as they do with waste industry lobbyists this needless problem could be solved.

Harry Baker
President, Citizens’ Environmental Stewardship Association – East of Ottawa
Russell, Ontario

Sue Langlois
President, Capital Region Citizens Coalition for the Protection of the Environment
Ottawa, Ontario

TIME TO LEGISLATE VOTING?
The “Get out and vote” letter by Judy Sumner in the autumn issue of Canadian Perspectives calls for a debate on an issue whose time has come. In fact, the issue has been around for a long, long time. Historically, politicians, pundits and newscasters have bemoaned the low turnout for elections – and matters are worsening. Fewer people are interested in the daily politics for a variety of reasons, and less interested in elections because they cannot be bothered to understand the complex issues at hand, and they are voluntarily joining the ranks of the disenfranchised.

It may be time to cross a philosophical threshold – from staunchly supporting the right of every Canadian citizen to vote to enacting legislation that will make voting a legal obligation. While this may raise the spectre of Big Brother and a limitation to civil liberties, one could easily argue otherwise. We may have to accept that that the times of tolerance for non-participation in the exercise of our democracy are over; that such non-participation is no more acceptable than the non-payment of taxes, driving without a licence, or not attending school.

Simply put, we cannot have a functioning democracy without the participation of the electorate, and 52 per cent participation is not representation by the people.

Andre Clement
Sudbury, Ontario

FEED CHILDREN OR FLOG PIPELINES?
“Is it my job to feed my neighbour’s child? I don’t think so.” That was the quote from Federal Minister of Industry James Moore, resident of B.C., the province with the worst child poverty level across Canada where thousands of kids go to school hungry every day. Despite a unanimous motion passed in the House of Commons back in 1989 to end poverty – a motion that was renewed in 2009 – Moore states that it is not federal responsibility to make sure children get a proper breakfast.

In the Bible, Cain says to God: “Am I my brother’s keeper?” James Moore has given us the definitive response from the Conservative government. Hungry children can fend for themselves; the government is too busy flogging pipelines.

Larry Kazdan,
Vancouver, British Columbia

SEND US YOUR LETTERS!
If you have something to say about an article you have read in Canadian Perspectives, or an issue you think would interest our readers, please write to us. We reserve the right to edit your letter for clarity and length. Letters must include your full name, address and phone number.

SEND YOUR LETTER TO:
Canadian Perspectives
The Council of Canadians
170 Laurier Avenue West, Suite 700
Ottawa, Ontario K1P 5V5
Email: inquiries@canadians.org
Attention: Editor, Canadian Perspectives
Dear friends,

What a winter and spring so far! In all my activist life I have never experienced so many assaults on so many fronts to everything I hold dear. I am angry! Stephen Harper is determined to leave this country profoundly changed.

He has gutted environmental and freshwater protections, closed down research stations, and fired the scientists who might be able to prove what folly that is.

He has set the stage to seriously erode the federal role in health care while giving his corporate friends and big oil companies unprecedented tax breaks.

He has fundamentally destroyed the purpose of foreign aid, which is now tied to the bottom-line profits of Canada’s notorious mining industry.

He has taken the gloves off in his attack on those with a different point of view, aggressively auditing respected environmental groups and targeting the collective rights of working people.

He is shameful in his attacks on democracy, using so-called electoral reform to cover the tracks of the Conservative Party of Canada after the Federal Court said the party’s database was the likely source of the electoral fraud that took place in the last election.

But at the same time, I am thankful: thankful for a movement not only alive and well, but working together to stop these assaults on our democratic rights. I am thankful for our wonderful hardworking staff, tireless chapter activists and dedicated board. I am thankful for strong unions and civil society organizations that have come together to protect one another and advance a progressive, forward-thinking agenda for this country.

Working together on common causes, we are mounting cross-sectoral campaigns that are making a difference. I have toured with CUPE President Paul Moist to fight for public health care and stood side-by-side with Unifor’s Jerry Dias and PSAC’s Robyn Benson to stand up for collective bargaining.

I have travelled the route of the proposed Energy East Pipeline, holding public meetings with Eriel Deranger of the Athabasca Chipewyan First Nation, and joined the protest line with Elsipogtog’s Chief Aaron Sock as his people stood up against fracking exploration on their territory.

I have worked with communities around the Great Lakes to assert our vision of the watershed as a lived Commons and public trust and sounded the alarm about the dangers of extreme energy to these magnificent waters in a new report called Liquid Pipeline.

Recent travels have also taken me to San Francisco to speak to visionary architects and landscapers creating “zero net water” and “zero net energy” buildings and communities. I travelled to Milan, Italy, to speak to an economic justice conference for Italian officials; Istanbul, Turkey, to be part of a global strategy meeting on dealing with corporate investor-state rights; Washington to address allies at the Institute for Policy Studies; Montreal to serve on the jury of the Permanent Peoples’ Tribunal on the Canadian Mining Industry; and Porto Alegre, Brazil, to speak to a government conference about the need to keep water in public hands.

In all these places and in communities across this great country, I speak of the values of our movement and of the Council of Canadians: equality, justice, sustainability, democracy and inclusion. I am proud to be part of this great movement here in Canada and around the world and proud to represent you in my travels.

Recently my 11-year-old granddaughters, Maddie and Ellie, gave me a painting. It showed a foul-looking smokestack in the background and a beautiful green tree in the foreground. It said: “Without you, the world would be different.”

Is that enough to keep me going?

You bet!

With hope and resolve,
Editor’s note: At the time Canadian Perspectives went to press, Bill C-23 was still under consideration despite Conservative government efforts to pass it quickly through Parliament.

On February 4, 2013, the Harper government tabled Bill C-23, the “Fair Elections Act,” to amend the Canada Elections Act. Unfortunately, the amendments, if passed, will do little to curtail the type of electoral fraud that took place during the May 2011 federal election. They will however, make it much less likely that those involved will be prosecuted.

To understand the bill, one must remember that in May 2013, and contrary to Conservative government denials, the Federal Court found that a “deliberate attempt at voter suppression” took place “across the country” during the 2011 general election which targeted non-Conservative Party supporters, and identified the Conservative Party’s CIMS database as the likely source of information for those efforts.

The court also found that “the respondent MPs engaged in trench warfare in an effort to prevent this case from coming to a hearing on the merits.”

The judicial proceedings that gave rise to those findings were brought by 8 electors who, supported by the Council of Canadians, sought to annul the election results in six ridings across the country. During the 2011 election, those electors received calls falsely claiming to be made by, or on behalf of Elections Canada, misrepresenting the location of their polling stations. At the time, the electors assumed the calls were innocent mistakes. But 10 months later, when Marc Mayrand, Canada’s Chief Electoral Officer, informed a parliamentary committee that he had received more than 1,000 complaints of similar calls, it became apparent the calls were part of an organized effort to deprive Canadians of their democratic right to vote.

Under current election law, there are two remedies for addressing voter fraud. The first is to prosecute anyone engaged in such activity. That is the job of the Commissioner of Canada Elections. The potentially more significant remedy is the right of individual electors to seek a court order annulling the result of an election when fraud occurs. But the risk an election could be annulled depends upon electors discovering the fraud in time to do something about it, and Bill C-23 would make that far less likely to occur.

As for the risk that perpetrators of voter fraud would be prosecuted by the Commissioner of Elections, the increased penalties in Bill C-23 have to be weighed against the risk of getting caught. To be sure, the Commissioner’s current record on that score is far from exemplary. Of the 200 ridings in which voter fraud is reported to have occurred during the May 2011 election, charges have been laid in only one riding. But the likelihood of prosecution is further reduced under Bill C-23, because the Commissioner of Elections would no longer be appointed...
while a huge legal victory was achieved by the 8 Canadians who bravely stepped forward to challenge the robocall scandal in court, sadly, they are still facing more than $100,000 in outstanding legal costs.

In his ruling, Federal Court Judge Richard Mosley declared: “The applicants [supported by the Council of Canadians] sought to achieve and hold the high ground of promoting the integrity of the electoral process while the respondent MPs engaged in trench warfare in an effort to prevent this case from coming to a hearing on the merits.”

The Conservatives’ trench warfare tactics needlessly drove up legal costs and have saddled the applicants with this unfair burden.

Will you chip in $50, $100 or even $500 to help to wipe out their bill? One hundred per cent of all donations will go to paying down the applicants’ legal costs. You can donate online at www.canadians.org, by phone at 1-800-387-7177, or by mail to: The Council of Canadians 700-170 Laurier Avenue West, Ottawa ON K1P 5V5

Help wipe out their legal bill!

Election fundraising loophole is closed. In what essentially meant the end of campaign spending limits, closing the loophole prevents the deep pockets of Conservative party donors from influencing elections.

While these are significant improvements, serious flaws in the act remain. The most serious omission is the failure to grant the Commissioner of Elections the power to compel evidence when investigating fraud.

This lack of power severely hampered investigations into the 2011 robocall scandal. In the landmark legal case – which was funded by Council of Canadians supporters – Federal Court Justice Richard Mosley ruled, “Despite the obvious public interest in getting to the bottom of the allegations, the [Conservative Party of Canada] made little effort to assist with the investigation at the outset despite early requests.”

The Council of Canadians will continue to fight for a truly “Fair” Elections Act.

Steven Shrybman is a public interest lawyer and a member of the Council of Canadians’ Board of Directors.
Prime Minister Stephen Harper has announced the rules for the $14-billion, 10-year Building Canada Fund that will take effect on April 1. And if the Harper government has its way, corporations will play an even bigger role in the building and operation of our public infrastructure.

The Globe and Mail reported, “[Municipalities] learned that any project worth more than $100 million must be approved by a Crown corporation called P3 Canada, which will make binding decisions on whether the infrastructure must be a public-private partnership.” Other news reports suggest that the $100-million trigger refers to the overall cost of the project, not to the funding portion – one-third to one-half – of what the federal government could contribute to the project. In other words, even if the federal government contributed $60 million to a $180-million project, it is still mandating that a public project be a “partnership” with a for-profit interest.

What public infrastructure projects will be subject to P3-ization under Harper?

His priority list for this fund includes drinking water and wastewater management, green energy, public transit, and post-secondary infrastructure. Specific projects will likely include a $660-million subway expansion in Toronto, a $5-billion LRT line in Calgary and a $355-million project to reduce raw sewage dumped in the Ottawa River. Council of Canadians Water Campaigner Emma Lui adds these plans from the federal budget released in February: “On page 164, Budget 2014 highlights the $58.5 million allocated for a new wastewater plant in Regina, Saskatchewan; the $22.9 million for a biosolids treatment facility in Hamilton, Ontario; and the $57.3 million for a new water treatment plant in Saint John, New Brunswick.”

Prime Minister Harper has stated that P3s are “an excellent additional tool to allow taxpayers to share risk and thus help get projects completed on time and on budget. We need to see more private sector innovation and we need to see it better utilized in developing modern infrastructure.”

But study after study and experience after experience shows that this is false. Lui has highlighted, “A study of 28 P3 projects in Ontario worth more than $7 billion found that public-private partnerships cost an average of 16 per cent more than conventional tendered contracts. Allocating funding for water services under P3s entrenches water governance within a market framework that favours profit over human rights, environmental protection, social justice and public health.”

Council of Canadians National Chairperson Maude Barlow has warned of the implications that could arise under the Canada–European Union trade deal. “Cash-strapped municipalities can only access federal funds if they adopt a public-private partnership model, and several cities have recently put their water or wastewater services contracts up for private bids. If Suez or Veolia are successful in bidding for these contracts (and under the new deal, local governments cannot favour local bidders) and a future city council decides it wants to move back to a public system, as municipalities are doing all over the world, these corporations will be able to sue for huge compensation.”

In 2011, the Council of Canadians participated in a successful campaign with the Canadian Union of Public Employees to defeat the P3 Stave Lake Water Project proposal in Abbotsford, British Columbia. Local voters rejected the P3 even though the Harper government promised to put more than $65 million into the project. In 2013, we campaigned with Water Watch, CUPE and local allies to try to stop a P3 wastewater plant in Regina, Saskatchewan, and a P3 water treatment plant in Saint John, New Brunswick.

We also continue to work with CUPE to promote the Blue Communities Project in municipalities across the country, and now around the world. That initiative asks municipalities to pass a resolution promoting publicly financed, owned and operated water and wastewater services, among other things.

As Maude Barlow says, “If the right to water is to be honoured, it is crucial to keep municipal water services in public hands and to maintain their status as a public service.”

Brent Patterson is the Political Director for the Council of Canadians.
When TransCanada announced its Energy East pipeline last July, the Council of Canadians responded swiftly with plans to build a national campaign against this pipeline proposal.

**We now know a number of things about the Energy East pipeline:**

- It would be the biggest oil pipeline in North America, dwarfing the controversial Keystone XL and Northern Gateway pipelines.

- It would contribute 30 to 32 million tonnes of climate pollution every year. This is the equivalent of doubling the annual emissions of all the cars in Ontario, and is more pollution than any single Atlantic province generates.

- It would represent a 40 per cent increase in tar sands production. Downstream First Nation communities have demanded that federal and provincial governments honour treaty rights and stop the expansion of the tar sands.

- Almost 1 million of the pipeline’s 1.1 million barrels expected to be shipped daily would likely be destined for export to the U.S., Europe, India and China.

- It would put water at risk. The pipeline would cross a number of significant waterways that supply drinking water to millions of people. The waterways include Shoal Lake, Trout Lake watershed, the Oxford Aquifer, the Rideau River, the Saint John River Basin and the St. Lawrence River. It would jeopardize a beluga whale habitat near Rivière-du-Loup in Quebec and would double – or even triple – supertanker traffic in the Bay of Fundy, home of the world’s highest tides. The pipeline could be extended through Nova Scotia to the shores of Cape Breton.

The Council of Canadians has been part of the growing movement against Energy East.

TransCanada has filed its application with the National Energy Board outlining the details of the pipeline route. This spring TransCanada will host a second round of open houses. The Council will release some new and exciting social media tools for the campaign and we will continue to fill windows with “Energy East: Our Risk – Their Reward” window signs. We are also gearing up for another National Day of Action on May 10.

Ontario is emerging as a key battleground for the campaign. Provincial Energy Minister Bob Chiarelli asked the Ontario Energy Board (OEB) to review the provincial implications of the pipeline. While the OEB will not make the final decision on the pipeline, the results will influence Ontario’s position before the National Energy Board. The consultations provide an important opportunity to convince the Ontario government to oppose Energy East.

And there is good reason for the Ontario government to reject the project given the heightened risks to Ontarians. The pipeline conversion would effectively cut off Ontario’s access to western natural gas. This will force the province to increasingly rely on fracked gas imports from the United States. Fracked gas is an extreme form of energy which is causing serious environmental impacts and has a carbon footprint as large as coal. Given the strong likelihood that the Marcellus shale will come under increasingly strict environmental regulations, there are big concerns about rising costs of heating homes in Ontario.

**Pipeline plans**

For the 2,000 km route through Saskatchewan, Manitoba and Ontario, including up and over the Great Lakes, TransCanada plans to repurpose a 40-year-old natural gas pipeline to ship oil.

The Energy East pipeline would transport diluted bitumen, or “dilbit,” a highly toxic substance created by mixing thick tar sands bitumen with toxic chemicals that make it thin enough to pump through a pipeline. A federal government report recently confirmed that dilbit sinks when mixed with sediment, which would make waterway cleanup efforts extremely difficult. This is consistent with the experience of the massive dilbit spill in Kalamazoo, Michigan, where more than $1 billion has been spent on cleanup efforts but the river is still polluted.

The Council of Canadians is participating as a stakeholder in the OEB review. We are submitting reports on both the water impacts of the Energy East pipeline and the natural gas supply implications. In April, we coordinated a six-city speaking and lobbying tour in Ontario featuring Council of Canadians National Chairperson Maude Barlow and Eriel Deranger of the Athabasca Chipewyan First Nation to mobilize local campaigns and encourage participation at the OEB.

For more campaign updates, visit www.noenergyeast.ca.

Andrea Harden-Donahue is the Energy and Climate Justice Campaigner for the Council of Canadians.
Chapter
Activist Profile

Margo Sheppard
Fredericton, New Brunswick

Fredericton, a large urban area in the west-central part of New Brunswick, is the province’s capital city. The Saint John River runs through the city’s centre, giving the community a strong water focus. The city has an active arts and culture scene and a bustling student population. Margo Sheppard is a member of the Fredericton chapter of the Council of Canadians.

How did you get involved with the Council of Canadians?
There was an attempt to start a Fredericton chapter a couple of years ago but it never got off the ground. I was just too busy at that time, and there was no issue that galvanized us. More recently we came together in response to the shale gas (fracking) issue in New Brunswick. Along with wanting to work on this issue, it seemed like a good fit since I’ve long admired Maude Barlow and her work on water and justice for the less fortunate among us.

The Fredericton chapter seems to be involved in many campaigns. Can you tell me a little about them, and how you sustain your energies and stay focused?
There are a lot of pressing social and environmental issues in New Brunswick. Working with other like-minded people is a good outlet for frustration and anger at misguided government actions and policies. And there’s a sense of momentum—like we’re making headway.

The chapter is awesome. Our chairperson, J.L. Deveau, is really great at asking all the right questions and taking the decisions we make at the chapter to the next level.

The chapter’s main focus since its inception has been shale gas (fracking). We started a campaign to encourage people to send complaints to the Ombudsman. We’ve been submitting articles and organizing successful rallies. We’ve also done some work on an environmental bill of rights for New Brunswick, and more broadly on the need to move to a clean economy, which is eclipsing the work on the Environmental Bill of Rights. And now we are working on the [Energy East] pipeline.

What campaigns do you feel particularly passionate about?
Much of my professional and volunteer career involved protecting natural areas. Climate change is also a direct threat that will negatively impact diversity and coastal communities. Shale gas is part of a campaign to address climate change. It’s the thin edge of a wedge, so to speak. I’m hoping we’ll defeat the Energy East pipeline.

The chapter works with several allies; tell me about this.
Some allies for shale gas marches to the legislature have included CUPE—New Brunswick, the New Brunswick Nurses’ Union and the Conservation Council of New Brunswick. Although [organizing with allies] can be challenging, it’s worth it as you have a stronger event and much more unanimity as a result. The chapter has also worked closely with St. Mary’s First Nation on shale gas and Elsipogtog this past summer. We’re also planning town hall meetings in collaboration with unions and the broader anti-shale gas movement in the lead-up to the provincial election this fall.

Give me a couple of examples of the actions you’ve been involved in organizing and why you enjoyed them, or how they were effective.
Two weeks ago I hosted a “right to information” and sign-making meeting in my house, which was very casual and social, but we also got nine right to information requests done to get information on wire-tapping and other things related to the day the RCMP raided the Rexton solidarity camp. We also made about 14 beautiful signs for our next rally. So now we’re all set for the next action, be it at the Energy Minister’s office or at a public appearance of the Premier.

For more information about how to join a chapter in your area, visit our website at www.canadians.org or call us toll-free at 1-800-387-7177.
Chapter Action Updates

Council of Canadians chapters have been active in communities across Canada challenging the Harper government’s so-called “Fair” Elections Act, speaking out against global corporate trade, fighting fracking and more. Here are some recent highlights.

WINNIPEG CHAPTER JOINS “STOP CETA WALK”
Members of the Winnipeg chapter joined University of Winnipeg students for a “Stop CETA walk” that was led by their very own Trojan Horse. The 10-foot-tall horse was a symbol of the federal government’s secrecy as it negotiates the Comprehensive and Economic Trade Agreement (CETA) with the European Union.

STOP THE DRILL IN LETHBRIDGE
The Lethbridge chapter is fighting an oil drilling project in the west part of the city by Calgary-based Goldenkey Oil Inc. The proposed drilling site is close to the city’s water treatment plant and upwind of several west-side neighbourhoods. According to the No Drilling Lethbridge website, Goldenkey Oil Inc. has licensed the mineral rights for 23 square kilometres within Lethbridge city limits under about 4,000 homes where more than 10,000 people live. In mid-October, the Council of Canadians and Kainai Lethbridge Earth Watch organized a rally opposing oil drilling and fracking within city limits. The drilling proposal comes despite city council’s support for a 2012 resolution against any new oil and gas development within municipal boundaries. In Alberta, drilling licences – even within cities – are granted by the Alberta Energy Regulator, which is funded by the oil and gas industry.

KELOWNA, NELSON CHAPTERS PROTEST NORTHERN GATEWAY PIPELINE
As the National Energy Board’s Joint Review Panel held a one-day closed-door hearing on the Enbridge Northern Gateway Project, the Kelowna chapter hosted close to 400 people in a packed meeting to share community opposition. Event speakers included both Green Party Leader Elizabeth May and President of the Union of B.C. Indian Chiefs Grand Chief Stewart Philip. Despite massive community opposition, the Joint Review Panel recommended approval of the pipeline. Local resistance to the project continues.

NO MORE CORPORATE TRADE DEALS
In late January, Council chapters joined communities in Mexico, Canada and the United States for an Intercontinental Day of Action to say “no” to NAFTA, the Trans-Pacific Partnership, and other corporate trade deals. Council of Canadians chapters in Hamilton, Nanaimo, Vancouver, Comox Valley, London, Toronto and Brant took part in the day, which included rallies outside the offices of politicians, marches, public events, banner drops and more.

THUNDER BAY CHAPTER JOINS TREK AGAINST ENERGY EAST
Members of the Council’s Thunder Bay chapter joined First Nations, Citizens United for a Sustainable Planet, Lakehead University students and others for a two-day, 20 km trek to “walk the line.” The route followed the Energy East pipeline, which TransCanada wants to convert to ship tar sands crude and other oil from Alberta to the east coast. Opposition to the pipeline is building. In April several Ontario chapters hosted public forums featuring Maude Barlow and Eriel Deranger of the Athabasca Chipewyan First Nation to talk about how the Energy East pipeline is “Our risk. Their reward.”

THE “UNFAIR” ELECTIONS ACT
Members of the Council’s Ottawa chapter were on Parliament Hill in February to help deliver close to 30,000 petitions objecting to the Harper government’s proposed sweeping changes to Canada’s Elections Act. The Council of Canadians and the Canadian Federation of Students joined forces to speak out against the proposed legislation as the Conservatives tried to rush the bill through Parliament with little debate.

HAMILTON CHAPTER PUSHES RESOLUTION
In February, the Council’s Hamilton chapter celebrated their city council’s decision to pass a municipal resolution against fracking. The resolution is an important first step in defending communities from fracking, and lays the groundwork for bylaws and zoning protection from this invasive extraction process. For more information about how to pass a resolution in your community, visit www.canadians.org/fracking-resolution.

TOXIC SOIL AND WATER DON’T MIX
The Council of Canadians Victoria chapter protested outside an Environmental Appeal Board hearing, demanding that British Columbia’s Ministry of the Environment reverse its decision to grant South Island Aggregates Ltd. a permit to dump toxic soil near the Shawnigan Lake watershed. South Island Aggregates wants to dispose of 100,000 tonnes of contaminated soil per year at its quarry located south of Shawnigan Lake.

Want to get involved? Visit our website at www.canadians.org/chapters to find a chapter near you.
Educating. Informing. Inspiring. Since 1985 the Council of Canadians has been bringing people together to effect meaningful change in communities across Canada.

Our many campaign efforts are almost entirely supported by generous donations from people like you. And our independence as an organization is maintained by not accepting any money from corporations or governments. This independence allows us to speak out clearly and freely in a powerful, collective voice.

Our organization unites people – across generations, across political stripes and across the country – for a better Canada and a fairer world. With a network of 60 volunteer chapters across Canada, we organize hard-hitting campaigns to protect water, strengthen public health care, and demand trade and climate justice.

There are many people who help in these efforts, including our tireless Chairperson Maude Barlow, our national Board of Directors, our staff in Ottawa and regional offices across Canada, our chapter activists who put these campaigns and progressive issues into action, and of course, our committed supporters who make it all possible.

Please join us in reflecting on the positive change you helped make possible in 2013.
The year 2013 was filled with many campaign highlights and victories. Here are just some of the ways you helped make a difference.

Federal Court rules there was election fraud
In 2012 a scandal rocked our country when it was revealed that politically motivated phone calls had been used to trick Canadian voters into going to bogus polling stations during the 2011 federal election. Your generous donations supported eight brave Canadians who launched legal applications under the Canada Elections Act, citing “irregularities, fraud or corrupt or illegal practices that affected the result of the election.” In May 2013, a Federal Court judge ruled that election fraud had occurred, and that the most likely source of the fraud was someone (or people) who had access to the federal Conservative Party database. Even though Conservative Party lawyers made every effort to have the case dismissed, the applicants held strong and, thanks to the generous support of people who have donated – and continue to donate – to the Democracy 24/7 Legal Fund, we have raised awareness about rampant election fraud and dirty tricks. We brought new evidence to light and to this day fight for accountability for the election fraud perpetrated on Canadian voters.

Common Causes and sinking the Harper agenda
Prime Minister Stephen Harper and his Conservative government are systematically eroding, dismantling and endangering key programs and values in this country.

But under the banner of “Common Causes,” we continue to build broad support amongst civil society organizations so that we can work together to find ways to collaborate, and to challenge and oppose the Harper agenda.

In early 2013, this broad coalition came out strongly in support of Idle No More, an Indigenous movement focused on grassroots voices, treaty rights and Indigenous sovereignty, joining in rallies and events that drew massive crowds. Maude Barlow added her personal support by returning her Diamond Jubilee Medal to Rideau Hall in a show of solidarity with the Idle No More movement, and to protest the omnibus budget bills that have gutted environmental and water protections.

In November, as the Conservative Party of Canada descended on downtown Calgary for the party’s national policy convention, Common Causes came together for a large forum to share a different vision – one that focuses on progressive policies for people and the planet.

Protecting water
The Council has always been a leader in fights to protect Canada’s freshwater resources. In 2013 we turned more communities “blue” with our Blue Communities Project. Through this project, we give people the tools they need to encourage their local governments to recognize water as a human right, promote publicly financed water and wastewater facilities, and ban the purchase and sale of bottled water in public facilities. In 2013 we celebrated our first international blue community in Bern, Switzerland.
We continued to push the federal government to drop “Schedule 2,” a legal loophole in the Fisheries Act that allows mining companies to permanently destroy freshwater lakes and rivers with their toxic waste. We stood with the Tsilhqot’in First Nation in their fight to stop the New Prosperity Mine near Williams Lake. (Update: Thanks to your tireless efforts, in February 2014 the federal government rejected the mining company’s proposal. Teztan Biny, also known as Fish Lake, and other nearby water sources are now safe from contamination by toxic mining waste.)

The second leg of our “Great Lakes Need Great Friends” tour to educate, raise awareness and encourage action for these vital waters visited seven more cities in Canada and the U.S. in early 2013. With a patchwork of limited government protection that is hampered by inadequate funding and differing political priorities, the Great Lakes urgently need people to join together to forge a new future for them to ensure the lakes will thrive for generations to come.

We also took on multinational water giant Nestlé – and thanks to your generous support, we won! When Nestlé applied to continue bulk water withdrawals for their water-bottling plant in Wellington County, Ontario, even in times of drought, we joined with Wellington Water Watchers, and with legal representation from Ecojustice, we put a stop to Nestlé’s plans.

Saving the ELA
When federal funding for the Experimental Lakes Area (ELA), Canada’s world-renowned freshwater research facility, ended in March 2013 despite the pleas of scientists, academics, politicians and tens of thousands of people across the country calling on governments to keep it open, the Council of Canadians jumped into action. The ELA is a scientific treasure that includes a unique “whole lake” laboratory where groundbreaking experiments are conducted to examine the long-term effects of industrial activities on our freshwater sources.

Our Thunder Bay chapter activists rallied outside the federal Ministry of Environment office, calling for a reversal of the decision, while thousands of Council supporters wrote letters to the Ontario and Manitoba governments, asking for provinces to step in and cover the estimated $2 million needed to keep the ELA open. We even posted a $50 million invoice on then-Environment Minister Peter Kent’s door!

Protecting water around the world
The Council’s Blue Planet Project plays a key role in the global water justice movement. Through it, we fight for water justice internationally and work with allies from around the world to inform, motivate and inspire people and governments to implement the United Nations’ declaration of water as a human right. In 2013 we put a spotlight on the Canadian government’s shameful record on the right to water, particularly as it relates to mining and the commodification of water abroad. We lobbied for action here in Canada, where many communities, including First Nations, do not have access to the clean water resources they need to live. We worked with water activists abroad to highlight the social and economic toll of massive hydro-electric dams. And Maude Barlow visited communities across Canada to launch Blue Future: Protecting Water for People and the Planet Forever, her third hard-hitting book in a trilogy focused on the global water crisis.

Working for energy and climate justice
With growing concern about the grim realities of climate change and diminishing energy resources globally, we are supporting communities fighting energy projects that will destroy their land, water and air, and are pushing the Canadian government for strong policies that protect our environment and focus on renewable and sustainable energy solutions.

In 2013, we helped raise awareness about the Enbridge Northern Gateway Pipeline, the Kinder Morgan pipeline expansion and the Pacific Trail pipeline – massive projects that will have devastating social and environmental impacts. In October we held “Energy for Everyone: A summit beyond pipelines and shale gas” in Saint John, New Brunswick, to bring people together to learn and organize for the sustainable energy future in the Atlantic region.

We focused increased attention on the Energy East pipeline, which, if approved, will be the largest pipeline in North America. TransCanada would convert its 40-year-old natural gas pipeline from Saskatchewan to Ontario, connecting it with new pipeline through Quebec and on to Saint John, New Brunswick,
to carry 1.1 million barrels of crude per day, including crude from the tar sands. (Read more about recent campaign developments on page 8.)

**No fracking way!**
The fight against fracking intensified in 2013 as pressure mounts on the federal government to ban the extraction process that uses massive amounts of water, chemicals and sand to get at trapped underground gas reserves. Across the country, awareness is growing about the negative impacts of fracking, which include contaminated water, health concerns, pollution and more.

Supporters like you sent hundreds of letters to Lone Pine, demanding that the company drop its $250-million NAFTA suit over the Quebec government’s decision to ban fracking under the St. Lawrence River. Lone Pine says Quebec’s decision infringes on the company’s “right to frack.”

We work with communities that are fighting fracking, putting resources, information and people power into the efforts. Nowhere was the fight to protect water from fracking more polarized than in Rexton, New Brunswick, last October where members of the Elsipogtog First Nation and others were violently confronted by the RCMP after community members stopped fracking trucks from testing for shale gas on their land. The Council of Canadians supported the blockade by First Nations and others opposed to shale gas development, and members from both the Fredericton and Moncton chapters participated in the blockade.

**Pushing for fair trade**
The Council of Canadians has a strong history of speaking out against trade deals that hurt people, the environment and social policies.

In 2013, we raised awareness about the Canada–European Union Comprehensive Economic and Trade Agreement (CETA) here in Canada and overseas. Thousands of our supporters wrote letters to members of European Parliament urging them to reject the deal. Here in Canada, we continue to pressure the federal government to make the details of the deal public. We also released poll results that show that 77 per cent of Canadians oppose CETA’s ban on “buy local” policies.

We supported the Hupacasath First Nation legal challenge for a new corporate rights pact with China and criticized the government for failing to consult with First Nations. We also began to raise awareness about the looming Trans-Pacific Partnership deal.

**Strengthening public health care**
We lobbied for a strengthened and expanded public health care system in Canada in the 2014 Health Care Accord, a deal between the federal government and provincial and territorial governments that will set the course for medicare for the next 10 years. We are pushing for a deal that strengthens and expands medicare to include a national pharmacare program and better long-term care, home care and mental health care so people have access to the services they need. But more importantly, we are sounding the alarm about the Harper government’s systematic dismantling of our public health care system.

In 2013 we joined other public health care advocates in Niagara-on-the-Lake, Ontario, calling on premiers to negotiate a new accord with the federal government. We met with decision makers directly, taking part in lobby days on Parliament Hill. And we began a new effort with CUPE, going into communities to teach people how they can be advocates for a strengthened public health care system.
Thank you to our donors
Our work is made possible by the generosity of like-minded people who believe social, economic and environmental justice is something we must all strive for. With your support, we made great strides in our campaigns in 2013. We garnered hundreds of media hits, organized major events in communities across Canada and around the world, held conferences and speaking tours, produced educational factsheets and hard-hitting reports, provided daily-updated news on our website at www.canadians.org and on social media, and delivered informative articles in Canadian Perspectives.
These remarkable achievements are made possible by our members’ financial contributions. More than $4.7 million was received from memberships and contributions this fiscal year, which represents 93 per cent of total revenue. Please see the Summary Statement of Revenue and Expenditure that shows our sources of revenue and how we spent this funding.

Your donations make a difference
We extend a most heartfelt thank you to all of our donors for supporting our work!

The Council of Canadians would like to extend a special thank you to everyone who donated to our Citizens’ Agenda Fund (CAF). These leadership-level contributions helped us achieve many campaign victories in 2013. Please visit our website at www.canadians.org/CAF to see a list of our CAF contributors.

The Council of Canadians: Statement of Revenue and Expenditure for the fiscal year ended June 30, 2013

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<thead>
<tr>
<th>Revenue</th>
<th>June 30, 2013</th>
<th>June 30, 2012</th>
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<tbody>
<tr>
<td>Memberships and contributions - 93%</td>
<td>93% $4,762,871</td>
<td>93% $4,495,125</td>
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<tr>
<td>Program funding contributions - 6%</td>
<td>6% 299,151</td>
<td>6% 242,531</td>
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<tr>
<td>Interest and other - 1%</td>
<td>1% 73,885</td>
<td>1% 124,013</td>
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<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>100%</strong> $5,135,907</td>
<td><strong>100%</strong> $4,861,669</td>
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<tr>
<th>Expenditures</th>
<th>Regional office and Chapter funding - 12%</th>
<th>Communications - 8%</th>
<th>Campaigns - 29%</th>
<th>Fundraising - 14%</th>
<th>Member services - 14%</th>
<th>Meetings, conferences, newsletters - 4%</th>
<th>Admin and program support - 20%</th>
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<tr>
<td>Regional offices and Chapter funding – 12%</td>
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<td>12% 645,919</td>
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<tr>
<td>Communications – 8%</td>
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<td>Campaigns – 29%</td>
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<td>29% 1,447,234</td>
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<tr>
<td>Fundraising – 14%</td>
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<td>14% 737,915</td>
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<td>Member services – 14%</td>
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<td>14% 869,273</td>
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<td>4% 196,878</td>
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<td>Admin and program support – 20%</td>
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<tr>
<td><strong>Total Expenditure</strong></td>
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<th>REVENUE SOURCES 2012-2013</th>
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<th>EXPENDITURES 2012-2013</th>
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<tr>
<td>Fundraising – 14%</td>
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<tr>
<td>Meeting, conferences, newsletters – 4%</td>
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Groundswell: Grassroots power in the age of extreme energy in Saskatoon, Saskatchewan

The Council of Canadians held its annual conference in Saskatoon last October. Keynote speakers (pictured second from top) included Saskatoon Tribal Chief Felix Thomas, Larry Hubich, Maude Barlow, Josh Fox and Erica Lee. The weekend included panels, workshops and award presentations to Nettie Wiebe, The Committee for Future Generations (pictured bottom right) and Idle No More.
This year, our Annual General Meeting moves to Hamilton, Ontario. We will bring together many people for a dynamic weekend event that includes a public forum, workshops, panels and more. Be sure to mark your calendars!

The Council of Canadians’ Annual Conference and Business Meeting
October 3-5
Sheraton Hamilton Hotel
116 King Street West
Hamilton ON L8P 4V3

Conference hotel reservations
To obtain the negotiated group rate of $149 per night + taxes you must book by September 2, 2014, by calling toll-free 1-888-627-8161 and asking for the “Council of Canadians’ group” or quoting the group code COCCON.

Advance registration: July 24 – September 26
Registration information will be posted at www.canadians.org starting July 24. Advance registration closes at 5:00 p.m. EDT September 26.

Resolutions: August 7
Proposed resolutions must be received by August 7. After this date, only emergency resolutions on issues that could not have been foreseen by the deadline date will be considered.

Nominations: September 3
Advance nominations for the Board of Directors must be received by September 3. This allows time for the nominating committee to make recommendations to ensure a diverse Board. Nominations will be accepted at the AGM until 2:00 p.m. EST on Saturday, October 4.

In addition to the regular slate of candidates, two regional chapter representatives to the Board from the British Columbia-Yukon and Ontario-Quebec-Nunavut regions will be nominated and elected in a process exclusive to chapters. These board members will be confirmed by the membership at the annual business meeting (ABM).

Ensure you are a supporter in good standing
Being a Council of Canadians supporter in good standing allows you to vote on policy resolutions at the ABM. To be a supporter in good standing you need to have donated $10 or more at least 30 days before the ABM (by September 5, 2014), and no more than 12 months before October 5, 2014.

Many times a week Council of Canadians staff get together to show our supporters some love! Pictured (from left to right) Meena Agarwal, Elizabeth Berman, Karen Jordon, Jeannette Muhongayire, Brant Thompson, Jamian Logue, Hélène Bertrand and Dave Bergeron prepare notices for supporters about upcoming events and campaign activities.
As a Council of Canadians supporter you have helped fight to protect many of the important things we value in this country: our social programs, environment, culture and democracy.

By being a part of this organization, along with tens of thousands of other concerned citizens across the country, you continue to exercise your democratic right – indeed duty – to be a powerful voice for Canada’s public interest. We take on stronger opponents in government and multinational corporations without hesitation to ensure that our rights and interests are not compromised or threatened.

Every day the Council of Canadians offers principled advocacy, tireless campaigning, and the deep conviction of beliefs which are expressed on issues that promote the common good. By working together we turn on the power of grassroots organizing and galvanize communities into action.

From our very first day almost 30 years ago, when we dropped a Canadian flag on the deck of the American icebreaker Polar Sea after it defied international law by sailing into Canadian Arctic waters without permission while the then-Mulroney government remained silent, we have showed that the Council of Canadians is a powerful collective voice of the people.

In the ensuing years we have waged many campaigns. We opposed the sale of instrumental Canadian companies to U.S. interests, fought to protect medicare, alerted Canadians to the looming danger of genetically modified food, defeated the initiative to introduce the Multilateral Agreement on Investment, and put a stop to the proposed merger of four major Canadian banks. We have worked in communities across the country to protect water from mining waste, fracking and government neglect.

More recently we supported the efforts of eight brave Canadians as they shone a spotlight on the election fraud that occurred in the 2011 federal election, exposing an orchestrated effort of voter suppression.

These campaigns show there is a constant need for vigilance and action. Much work lies ahead given the challenges that persist today. It is therefore important to think about what issues future generations will be facing and what they will be struggling to protect.

A gift in your will is an opportunity to continue the support you have provided to the Council of Canadians during your lifetime and help ensure that our citizens’ movement remains strong for generations to come.

By including a legacy gift to the Council of Canadians in your estate plans, you can show extraordinary generosity, foresight and leadership while making a lasting difference to issues that matter to you.

People who leave legacy gifts come from all walks of life – with different income levels, professions and passions. Because of their enduring love for their country and concern for others, their memories live on, and their gifts remind us all that we, too, can make a difference in the lives that follow.

Your bequest can be a specific sum of money or a percentage of your estate once other family, legal and tax considerations have been met. You may also choose to set up a gift annuity or give a piece of property or investments such as stocks, bonds and RRSPs.

Giving a legacy gift is an important decision that requires thoughtful planning. For more information please contact Hélène Bertrand, Major and Legacy Gifts Officer, at hbertrand@canadians.org, or by calling toll free 1-800-387-7177, ext. 244.
Liquid Pipeline: Extreme energy’s threat to the Great Lakes and the St. Lawrence River by Maude Barlow

The Great Lakes of North America form the largest group of freshwater lakes in the world, holding more than 20 per cent of the world’s surface fresh water and 95 per cent of North America’s. Add to this the groundwater underlying and feeding the Great Lakes or its tributary streams and lakes, and the percentage is closer to 25 and 97 per cent respectively. Two Canadian provinces – Ontario and Quebec – and eight U.S. states – Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania and New York – border the Lakes and the St. Lawrence River, which is their primary flow outlet to the Atlantic Ocean. As well, there are many Indigenous territories with governance and treaty rights. The Great Lakes have a unique biodiversity and are home to more than 3,500 species of plants and animals.

The Great Lakes were formed more than 20,000 years ago when the last continental ice sheet retreated. The Great Lakes provide life and livelihood to more than 40 million people and are the economic centre at the heart of the continent.

The Great Lakes are in serious trouble. Multi-point pollution, climate change, over-extraction, eutrophication, invasive species and wetland loss are all taking a terrible toll on the watershed that provides life to so many people and species. Once thought to be immune to the water crisis that threatens other parts of the world, the Great Lakes are a source of growing concern as residents watch their shorelines recede, their beaches
close and their fisheries decline. There are many environmental and community groups as well as elected officials in all the various political jurisdictions sounding the alarm about these threats. The International Joint Commission (IJC), established to regulate shared water and uses of the watershed, and to investigate and solve transboundary disputes, oversees the Great Lakes Water Quality Agreement which establishes management plans for each lake. The IJC closely monitors water quality, water level fluctuations and invasive species.

While the IJC and the Canadian and American governments have all been criticized for not taking strong enough action on these well-known and very serious threats to the Great Lakes and the St. Lawrence River, the threats are on their radars and are well established in the public consciousness. However, there is a newer threat to the Great Lakes that has not received anywhere near the attention or concern it deserves: the increased production and transport of unconventional or “extreme” energy sources on, under or around the Great Lakes.

My 2011 report, Our Great Lakes Commons: A Peoples’ Plan to Protect the Great Lakes Forever, called for an exciting new proposal to designate the Great Lakes and its tributary waters as a lived Commons to be shared, protected, carefully managed and enjoyed by all who live around them. Since then, an increasing number of people and communities have taken up the call to become stewards of the Great Lakes and the St. Lawrence River. Plans to use this watershed as a carbon corridor for the dirtiest forms of energy on Earth threaten this Commons as never before.

Production of unconventional energy in North America is exploding and so are the transport routes to carry it. The tar sands of Alberta are producing far more bitumen than can be sold in Canada. If current expansion plans are realized, the tar sands could one day be producing 5 million barrels (800 million litres) of heavy crude – the dirtiest oil on Earth – a day. This would eventually require an additional 14,000 kilometres of pipelines to carry the oil to export markets. Refining of tar sands crude in American refineries has also exploded; there are now 66 U.S. refineries processing Alberta bitumen, the majority of which are located in states within the Great Lakes Basin.

Equally expansive is the practice of fracking. Since 2005, more than 82,000 fracking wells have been drilled or permitted in the United States. If the shale gas reserves in the land areas of just four Great Lakes states are developed, total water withdrawals to service these operations could exceed 37 billion gallons (148 billion litres) a year. The chemicals used in these fracking operations pose a direct threat to the water of the Great Lakes as well as to the health of millions of people who depend on them for drinking water.

The energy industry has huge plans to move these energy supplies. Canadian rail shipments of crude oil grew from 6,000 carloads a day in 2009 to more than 14,000 in 2013. In 2012 alone, there was a 300 per cent increase of oil transport by rail in the United States. The American Petroleum Institute says that there are over 18,000 miles (29,000 kilometres) of new crude pipelines planned in the U.S. by 2018, much of it in the Great Lakes region. And planned expansions of existing pipelines are such that even if the Keystone XL pipeline is not approved, Alberta bitumen will still flow south in unprecedented amounts. Line 67, the Alberta Clipper, will carry more crude than Keystone if its plans for expansion are approved. Even the aging Line 5 – twin underwater pipelines that run under the Straits of Mackinac – are to carry Alberta crude in growing amounts.

The newest way to transport bitumen, fracked oil, fracking wastewater and nuclear waste is by water. Plans are in the works to transport these forms of extreme energy on barges and tankers across the Great Lakes to refineries in the south or down the St. Lawrence River to refineries there, for export. The American Petroleum Institute predicts that capital investment in marine transport of crude oil will jump 73 per cent by 2025. The U.S. Coast Guard has recently come out in favour of marine transport of fracking wastewater.

Events are moving rapidly to establish the Great Lakes and the St. Lawrence River as a carbon corridor for a newly aggressive North American energy industry. This poses the greatest threat yet to these waters.

Read more of Maude Barlow’s new report Liquid Pipeline: Extreme energy’s threat to the Great Lakes and the St. Lawrence River on our website at www.canadians.org/greatlakes.
Josh Fox: Fracking Is Being Met with a Citizens’ Uprising

Josh Fox, an Academy Award–nominated director and environmental activist, has toured the world to sound the alarm about hydraulic fracturing – or “fracking” as it’s more commonly known. He was a keynote speaker at the Council of Canadians’ annual conference held last October in Saskatoon, Saskatchewan. He made these remarks at a press conference before the event. Fox has been touring the world, screening his latest fracking documentary Gasland II

“I want to talk about the grassroots movement against fracking that exists all over the world. It is this incredible, amazing uprising of hundreds of thousands, if not millions, of people.

“There is fracking going on in 34 states in the United States and either proposed or happening in 30 countries worldwide.

“In all of those places there has been a citizens’ uprising. With Gasland I and now with Gasland II, I have toured personally to about 300 cities to talk to people. I’ve witnessed firsthand how in tiny, little towns we would have 800 people out to an event. We had 1,700 people come to see Gasland II on one night and at the time it was the largest environmental protest in Pittsburgh’s history.

“Fracking is simply changing the game across the world. We’ve got a ban in France, a ban in the Netherlands, a ban movement in nine countries in Europe. We have a ban in Vermont and we have five ballot initiatives in Colorado to ban fracking. California is against fracking. People are really moving.

“It was at the end of this tour last week in Detroit that I started to see these
unbelievable pictures coming in from [Rexton] New Brunswick – from the First Nations’ action and blockade there.

“When I saw these pictures of rubber bullets, tear gas and high pressure hoses being fired upon First Nations women, it struck me that this is an institutionalized, racist reaction on the part of the Harper government and the RCMP. I do not believe that if we had a bunch of white grandmothers – like my mom who is always out there somewhere doing this – that you would have seen that kind of reaction. It is absolutely outrageous that [the RCMP] would show up with 700 police and snipers to a town of 800 people.

“Those pictures and what actually happened there is getting all around the world and inspiring people – it is the frontline, and it is creating a remarkably passionate reaction in people.

“So what is extreme energy and why is this causing such a reaction?

“We know that conventional fossil fuels are on their way out. There are not as many conventional sources. So there must be a paradigm shift in energy development. What the oil and gas industry has done has shifted it into this category of what I call ‘extreme energy.’ It’s like extreme sports – instead of just skiing down a slope, it’s like skiing straight down the Empire State building. It’s much, much more dangerous, it’s inherently toxic, and it’s much more destructive.

“Fracking is an extreme energy. [It is] fracturing rocks thousands of feet below the surface, using hundreds of carcinogenic chemicals in that process that have been shown over and over again to contaminate water, pollute air, and cause a health crisis, as well as regional air pollution and smog, the fragmentation of communities, and what my new film is about – the contamination of our democratic governments with an influx of influence and corporate cash to the people who should be representing us.

“This is an experiment and it’s taking over huge areas. The oil and gas industry in America alone has leased more land than the entire landmass of California and Florida combined.

“I was in an oil and gas conference sponsored by The Financial Times and I was the only non–oil and gas person speaking. I was in a room of a hundred oil and gas executives and their question was: ‘Why is fracking causing such a big movement?’ They are clueless. They think only about their bottom line, they think only about their balance sheets and their profits. And when I got up and said, ‘Because you are causing human rights violations all across the world and you are invading people in their backyards all across the world – from England to France to Australia to South Africa to Canada to the United States.’ And they just looked at me blankly. There was a total disconnect.”

[A reporter asks a question about fracking being safe because drilling occurs below the water table.]

“So we are magically teleporting from the surface to below the water table? No. You drill through the water table when you do all of this activity.

“We know that the highest probability of failure of these water wells is the cement casings around the wells. Basically, we are talking about steel pipes that are surrounded by cement. The cement is supposed to stop the oil and gas from coming up around the sides of the steel pipe and not getting into the groundwater aquifers. We know from the industry’s own science on this that 5 per cent of those cement barriers fail immediately upon drilling, and that 50-60 per cent of them fail over a 30-year period.

“What we are seeing in Pennsylvania right now is gas migration and chemical migration in approximately 8-11 per cent of the wells that have been drilled. That’s in line with industry projections. So the wells don’t fail down at the bottom, they fail near the water table, and you are creating a highway of hydrocarbons going right through the aquifer.

“The Society of Petroleum Engineers put out a Powerpoint – it’s featured in Gasland II – that stated that right now out of the 1.8 million oil and gas wells in the world 35 per cent of them are leaking. They also say in that same Powerpoint that they plan to drill more wells in the next 10 years than they have in the last 100 years. Oh, and by the way, the public is becoming increasingly aware of ‘zonal isolation problems’ – which means that these wells are leaking. And then the next bullet point is: fixing these leakage problems will require a ‘push’ in technology, meaning [the industry] does not know how to solve this.

“Until there are a series of tests that last 10 to 20 years to examine these methods, what’s going on is an experiment on human subjects all around the world, by the oil and gas industry, for profit.”

Learn more about fracking, and how to take action in your community, in the Council of Canadians’ groundbreaking Fractivist’s Toolkit. The toolkit gives an overview of fracking in Canada, provides case studies of communities fighting fracking, and offers tips and tools for taking action. Download a copy at www.canadians.org/fractivists-toolkit.
Free Trade Fatigue Haunts Transatlantic Corporate “Rights” Negotiations

How a European public consultation on investor-state dispute settlement could turn the tide against CETA

A February 2014 German television news story about free trade negotiations between the European Union (EU) and the United States challenges the myth that an eventual Trans-Atlantic Trade and Investment Partnership (TTIP) will create noticeable growth and tens of thousands of high-paying jobs. In the clip, Director General of European trade policy Karel De Gucht is confronted by a European Commission report showing possible annual GDP gains from the TTIP of about 0.05 per cent.

“That is not the big effect you are always talking about,” says the interviewer in the clip, which is available on the Council of Canadians website. De Gucht is speechless for a moment and asks to stop the interview before sheepishly enquiring, “Is that the study that we have commissioned?”

The scene is shocking when you consider how much time, energy and money is being put into finishing this underwhelming deal when its true purpose is to hamstring governments and communities that want to make trade, investment and economic development more equitable and sustainable.

Sound familiar?

Like De Gucht, Prime Minister Harper and his Cabinet ministers have only hollow promises when talking about Canada’s still unfinished Comprehensive Economic and Trade Agreement (CETA) with the EU. Their main message is the deal would be worth only $12 billion to the Canadian economy – and that’s if you take the government’s numbers seriously, which we shouldn’t. Subsequent assessments suggest a one-time boost of between $3 billion and $6 billion.

Put another way, Canada and the EU estimate tariff savings from CETA of about $225 million annually for Canadian exporters. Compare that to the estimated $1 billion more per year that public and private health plans, not to mention patients, are expected to pay for prescription drugs because of patent extensions in the deal. Those are huge public losses for small private gains.
Then there is the unknown price tag on banning municipal and most provincial “buy local” policies, reduced rights for farmers to save seed from year to year, and a national freeze on the expansion or introduction of new public services. Another unseen cost is from the wave of investor-state litigation Canada can expect from EU-based companies, just as we’ve experienced under NAFTA.

It is no wonder that in Canada and the EU free trade fatigue is setting in that could, with luck and some hard work on our part, jeopardize the bigger deals like CETA and the TTIP.

CETA “most investor-friendly set of corporate rights” ever drafted by Canada

Resistance to both transatlantic deals is possibly strongest related to their investment protection chapters and the investor-state dispute settlement (ISDS) process. Canada has experienced the constraints of an investment protection chapter in NAFTA since 1994. U.S. investors have successfully challenged several environmental policies, such as a ban on export of toxic waste, scoring about $170 million in awards or settlements from the federal government. EU member states are now facing investor lawsuits against plans to phase out nuclear power, financial stability measures following the 2008 crisis, and the nationalization of failed private services.

Transatlantic opposition to reproducing the investor-state mistake in CETA got a boost recently by two events. The first came in December when the Trade Justice Network leaked a November 2013 draft of the CETA investment chapters. The second event was the announcement by the European Commission in January that it would be consulting EU member states and the public on whether the EU-U.S. deal should include an ISDS process.

The two events are putting considerable pressure on the Commission to widen the consultation so that it considers the investment chapters in CETA as well. They also put pressure on the federal government in Ottawa to reciprocate by reviewing Canada’s investor “rights” deals as well.

“In my opinion, the Investment Chapter, if it continues on what appears to be its present course, will provide foreign investors into Canada with the most investor-friendly set of corporate rights ever drafted by the Canadian government,” said Howard Mann of the International Institute for Sustainable Development in a presentation to a parliamentary trade committee in December. Mann suggests Canada is doing this “quite knowingly and deliberately,” though government statements misleadingly imply it will narrow the scope of these investment protections.

“The consequences of this increase in investor rights, coupled with a robust investor-to-state dispute settlement mechanism under the agreement, will be a growing substantive scope for many more investors to challenge more government measures based on higher levels of corporate rights, including future human health and environmental measures at the federal and provincial levels.”

Investor “rights” treaties under a European microscope

On February 10, the EurActiv news site reported on the CETA investment leak, claiming that “multinationals will have wide-ranging powers to sue EU states that enact health or environmental laws breaching their ‘legitimate expectations’ of profit.” The article quotes the European Commission, saying that CETA “reaffirms the right of the EU and Canada to regulate to pursue legitimate public policy objectives.” But it adds that “no such right is affirmed over the whole text, merely a sub-chapter of it that deals with expropriation.”

The reality is that, just as in NAFTA, the “right to regulate” is constrained by the excessive investment “rights” chapter in CETA, as well as all other chapters in the agreement. Communities have a right to set the environmental policies they want, but not if they breach an investor’s so-called minimum standards of treatment. It’s not up to the government to decide which policies are legitimate – a three-person tribunal of paid arbitrators will decide. Their ruling is final, even when they are wrong.

An open-ended definition of “fair and equitable treatment” will offer corporations many more opportunities to sue Canada, the EU or EU member states for profit losses from any number of legitimate government decisions. The possible inclusion of a so-called “umbrella clause” that would let investors take any breach of contract with government to private arbitration instead of the courts is another way corporations can overturn government decisions.

These questions continue to dog investment negotiations between Canada and the EU. Meanwhile, European politicians’ labour, consumer and environmental groups’ opposition to these investment rules in CETA and the TTIP has forced the Commission to hold a public consultation, which is expected to wrap up by June.

Two transatlantic civil society statements, one regarding CETA and the other the TTIP, signed by hundreds of organizations, ask that legislators on both sides of the Atlantic refuse to endorse the treaties until the extreme ISDS process has been removed. The French government has proclaimed its preference for a state-to-state dispute process only. German politicians of all stripes are going cold on investment arbitration as well. The debate will almost certainly play out in upcoming European parliamentary and Commission elections. And it will only get louder as EU and U.S. fair trade groups collaborate to defeat the TTIP.

The Conservative government in Ottawa will continue to promote its new deal with the EU at every opportunity. But we can take courage in the reality that the deal does not exist yet, and that the public debate about investor rights in Europe could have profound effects on CETA negotiations.
When Council of Canadians National Chairperson Maude Barlow visited the Marlin Mine operated by Vancouver-based Goldcorp in 2011, she described how a breathtaking landscape in the department of San Marcos in Guatemala had been reduced to “a razed mountain top surrounded by huge lagoons of poisoned water.”

Complaints by members of the community about the poisoning of water sources and resulting health impacts have been confirmed by a number of independent studies, including a report by the University of Michigan for Physicians without Borders in 2010 and a study by the Comision Pastoral Paz y Ecologia (COPAE).

Based on the growing evidence of environmental damage and human rights violations, the Inter-American Commission on Human Rights demanded in 2010 that the Guatemalan government suspend the Marlin Mine’s operations, but to no avail. The mine continues to operate and the company is expanding in the area with the support of a government that has failed to pay heed to the affected communities. Goldcorp also owns the claims for the Cerro Blanco operation near the Salvadoran border and the Los Chocoyos Mine – both projects are strongly opposed by the community.

In addition, Goldcorp holds 40 per cent of the shares in Tahoe Resources, which owns the Escobal Mine. In March 2013, masked men kidnapped four Xinca leaders who were on their way home from observing a public referendum on the Escobal Mine. One of the leaders was killed – adding to the growing list of Latin American anti-mining activists who have lost their lives in the struggle to protect their communities from big Canadian mining projects.

Canadian mining companies and the mining-friendly Guatemalan government have resorted to extreme and oppressive measures in order to impose these extractive projects onto a primarily Indigenous population that has overwhelmingly rejected them. Given the Guatemalan government’s repeated violations of the rights of Indigenous peoples to Free Prior and Informed Consent, communities have taken public consultation into their own hands. Since 2005, more than 74 public referenda have been held through community consultation processes, enabling more than one million Guatemalans to voice their opinions. The Guatemalan government continues to ignore these decisions.

Show your solidarity for mining-impacted communities in Guatemala

While the Canadian and Guatemalan governments continue to promote the expansion of mining practices that are at the centre of human rights and environmental justice struggles, we are asking people living in Canada to show their solidarity through concrete actions. A new project called “The Money Thread” by the Council of Canadians and the Projet d’Accompagnement Québec Guatemala (PAQG) calls on Canadians to cut financial ties to destructive mining projects in Guatemala.

Nearly 90 per cent of the gold consumed in the world is used to manufacture jewellery and collectible coins. In Guatemala, as in other places, mining activities are extremely prosperous. The value of gold and silver on the world market has increased by more than 450 per cent since 2014. The profit margin, which sits at billions of dollars, is nearly four times as high as the production costs. Unfortunately, this industry is often extraordinarily profitable simply because the vital costs of the mining are assumed by the populations who feel the environmental impacts and the harmful effects on human health at first hand.

The Money Thread urges Canadians to acknowledge their financial ties to the serious harm and brutal repression related to Tahoe Resources and Goldcorp’s mining projects. While these ties make us the unwitting accomplices to the human rights violations taking place in Guatemala, they also provide us with a means to act in order to make a difference by divesting our money from their companies.

Find out more at themoneythread.org.
Welcome to Stephen Harper’s Canada, where hiding books from the government just became an act of civil disobedience.

The federal Conservative government recently shut down health science libraries so abruptly that some Health Canada workers have resorted to hiding books and journals at unsanctioned libraries off-site, including one that was set up in an employee’s basement to save irreplaceable health research. The research library can now be accessed by emailing “Fred.”

The road to steamrolling Health Canada’s libraries was paved with strategic potholes. The government created the conditions that made the information inaccessible, unaffordable, and extremely slow to arrive. Health Canada Library Services cut its staff from 36 in 2008-09 to just six in 2013-14. However, operating costs rose to $2.67 million from $1.75 million, thanks to outsourcing, privatization and ridiculous processing fees. On top of this, there is now a retrieval fee of $25.65, a $9 fee for scanning, and a copyright fee of between $4 and $8 per document, which Health Canada has to pay.

The government can now say that the status quo – which it created – isn’t working. But instead of returning it to the way it was before privatization, the entire program was axed.

Sound familiar? It should.

From killing the long-form census to muzzling government scientists, there’s no denying the fact that the Harper government has declared war on evidence.

In addition to Health Canada cuts, we’ve also witnessed the loss of the Health Council of Canada (HCC). The HCC reported on the implementation of the objectives coming out of the 2004 Health Accord. Since the Harper government has no intention of signing a 2014 Health Accord, why would it need the HCC?

However, without evidence to show the successes and failures of the provinces in implementing the accord, how do we know what is working in our health care system and what requires improvement? How do we have an informed debate on health care?

The government is killing the evidence now so that we cannot ask questions later. The purpose of these recent cuts to Health Canada libraries boils down to one word: control.

The reason for this need for control of information should be clear to everyone by now. From the tar sands to fracking to water pollution to abandoning the health accord and slashing the increase to the Canada health transfer by nearly 50 per cent, this government knows that its policies are detrimental to the well-being of people and the environment. But it doesn’t want us to know how the policies are damaging our lives.

Prime Minister Harper is doing everything he can to surgically remove these facts from the realm of debate.

The gutting of Health Canada, health research, and the HCC is all part of the Conservatives’ systematic abandonment of health care. The federal government wants to abdicate its responsibilities and has already jettisoned health care for refugees and RCMP officers and veterans’ long-term care onto the provinces and territories.

Then the government slashed the Canada Health Transfer by nearly 50 per cent – a loss of $36 billion for the provinces and territories – and ended equalization payments. It’s no wonder provincial and territorial premiers have had enough.

Canadians, too, have had enough. We were promised in 2004 that a national pharmacare program was in the works, and that we would have better access to health care services and shorter wait times. During the first few years of the health accord this happened. But since 2006 we’ve been moving further from our goals of a stronger universal health care system and closer to an uneven patchwork of public coverage and privatization.

Until we defeat Harper’s agenda, we’re going to need many more “Freds.”

Adrienne Silnicki is the Health Care Campaigner for the Council of Canadians.
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The Council of Canadians appreciates the energy and dedication of our chapter activists. If you are interested in joining a chapter please see the contacts list below, or get in touch with the regional office closest to you. For more information on the Council’s chapters, visit www.canadians.org or call us at 1-800-387-7177.

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