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.
WHERE IS THE PLAN?
Does the oil and gas industry really need to be subsidized in this day and age, given their extreme profitability? Might these subsidies be better shifted to the development of renewable sources of energy in order to accelerate their development? Should our continuing dependence on fossil fuels not be actively discouraged by making its generation and use more costly by putting a price on it instead of subsidizing it?

In addition to all of the above questions, where is our government’s comprehensive climate change plan? Does it even have one?

The urgency for this is growing, and more and more Canadians are becoming alarmed about what is happening to our planet and therefore to our country. Canada must become a world leader, a country that is prepared to take bold initiatives and set examples for others. We have done so in the past in many areas – and we are fully capable of doing so again.

Joy Silver
Coquitlam, B.C.

MEANINGFUL, NOT MANDATORY
Re. “Time to legislate voting?“ letter to the editor in the Spring 2014 issue of Canadian Perspectives.

Instead of mandatory voting, why not try meaningful voting where a voter’s vote counts in a meaningful way whether or not the voter votes for the winner of their riding? With an effective voting system like Preferential Ridings Proportional (PRP), all votes could count and Canada could become a truly representative democracy. False majority governments would not happen, but real majority governments could.

Dave Brekke
Yukon

WHY CANADIANS WON’T BOTHER VOTING
It is disappointing to know that during the next federal election approximately 10 million of us will not vote. But why is that?

I suggest there are six reasons that might explain this popular inertia.

1. The lack of respect and civility in the House of Commons and provincial legislatures that people witness through television and the media.

2. The lack of fairness. Canadians believe that due to a lack of electoral reform, their votes will result in no representation in Parliament and that their elected officials have no real appetite to change the rules once elected. How can one explain that this last federal government was elected with only 38 per cent of the votes and that the rest of the voters will find themselves with no voice in the House of Commons?

3. Lack of capacity to solve serious problems. While public awareness and concerns have mounted about global problems such as greenhouse gas emissions, the depletion of tropical forests and other species-rich habitats, so has the conviction that governments are failing to solve them.

4. The lack of trust and accountability. People have lost respect for government in general and don’t believe politicians are honest, which leads people to question government’s capacity to manage programs effectively.

5. Lack of team-building to solve problems. The refusal of the political parties to form majority-based coalition government(s), thus strategic alliances, to solve real problems (health, environment, climate change, education, employment) indicates our incapacity to engage in team-building for the benefit of the people.

6. Attack ads. These negative ads might work for the traditional political parties to gain temporary results, but they do not serve democracy well.

Yes, I confess, while waiting for real change, I will vote regardless. I guess I am an optimist after all.

Raymond Cusson
Shoal Brook, Newfoundland and Labrador

THANK YOU
What would the citizens of Canada do if they did not have the Council of Canadians to take care of their rights? Thank you, Council, for everything you do!

Shaheen Junaid
Montreal, Quebec

GREAT ISSUE
I just got my very first copy of Canadian Perspectives Spring 2014. Wow! It’s full of very important (good and bad) news that we otherwise might not know, or not know in full detail. I just read it cover-to-cover in my first sitting.

Helen Hansen
Guelph, Ontario

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,

As summer comes to a close a busy fall and winter season beckons. Much as I have spent time with friends and family this summer, it has also been busy on the work front! I travelled to Haliburton Highlands in Ontario to support Environment Haliburton in its quest to protect the precious waters of this region.

In June, I oversaw the creation of the first Blue Community in South America. The gorgeous town of Cambuquira, Brazil, is trying to protect its precious mineral water heritage from being taken over by Nestlé. Nearby São Lourenço was once a tourist destination famous for its mineral waters and waterpark, but Nestlé has taken up so much of this precious water for bottled water exports the streams and fountains have been badly compromised.

In July, I joined the Council’s Windsor chapter in a convoy that brought 1,000 litres of clean public water to the inner city residents of Detroit whose water has been brutally turned off in anticipation of the privatization of its water services. I had visited the city in May and helped devise a plan with the Detroit Peoples’ Water Board to report these abuses to the United Nations as a violation of the human right to water and sanitation, an act that brought a lot of sudden media interest in the U.S. and other countries.

July also saw a visit to the lovely Denman Island in British Columbia for its annual literary festival and a keynote to the PSAC-affiliated Union of Canadian Transportation Employees Triennial Convention in Vancouver. August in Ottawa provided the perfect backdrop for the highly successful People’s Social Forum, which the Council helped organize. At the end of the month, I attended our alternative forum at the First Ministers’ meeting in Charlottetown, where we took the message to the premiers to fight for public health care in the face of the Harper government’s retreat from medicare.

Our September gathering of international water activists in Toronto was a huge success and helped us plan our water justice work for the next several years. And I went on a four-city tour of Germany to promote the publication of my book *Blue Future* in German.

Coming up are round two of the health care tour with CUPE’s Paul Moist, and the Atlantic arm of our Energy East tour.

And our annual general meeting, which will be held in Hamilton October 3-5, will celebrate our solidarity with unions and the need to collectively work together to defeat the Harper government and replace it with a government not hostile to its own citizens. I hope to see many of you there! So as you see, we are busier than ever. We are fighting bad trade deals like TPP and CETA and promoting public health care for all and a renewed role for the federal government. We are opposing mega pipelines, the expansion of the tar sands and fracking, while promoting an alternative energy future for the country and planet. We are working to protect the Great Lakes as a public trust while fighting for water justice at home and internationally. We are exposing the Harper government’s anti-democratic moves such as election fraud and the new legislation that would make it even harder to expose such fraud in the future.

Sometimes it can get frustrating, as we seem to be fighting on all fronts at once. But then I stop and ask myself, what would this country look like if it were not for the Council of Canadians and the many other activist groups and communities who stand up and say “no!” to this government’s policies?

And that brings me to thanking you, our wonderful supporters. None of this would be possible without your belief in this work and your faith in the Council. For this support, I thank you from the bottom of my (busy) heart!

Maude Barlow is the National Chairperson of the Council of Canadians.

Maude Barlow is the National Chairperson of the Council of Canadians.
Think the Unfair Elections Act Is a Done Deal? Think again.

The federal Conservatives’ so-called “Fair” Elections Act passed a final vote and became law this past June, but the fight to stop it isn’t over. The Council of Canadians and the Canadian Federation of Students (CFS) have joined forces to launch a legal challenge under the Charter of Rights and Freedoms, seeking to have key provisions in the law struck down before the next federal election.

Why a Charter challenge?
The Council of Canadians, along with many organizations and individuals, campaigned against the “Fair” Elections Act in the House of Commons, in the Senate, and in the streets.

As a result of the political pressure, the government amended the bill to remove some of the worst elements. This was a major achievement. However, there are still problems with the legislation. If they are not overturned, the next federal election will be significantly less democratic.

The legal challenge will target central provisions of the act: the prohibition of the use of a Voter Information Card to prove residency (which would disenfranchise thousands of voters), and the muzzling of the Chief Electoral Officer (including restrictions on educating and engaging voters about the electoral process, and the ability to notify the public about suspected election fraud).
We will argue both of these “reforms” infringe on the constitutional right to vote guaranteed under Section 3 of the Charter and would be impossible for the government to justify as a reasonable limit on that fundamental democratic right.

Legalizing voter suppression
By banning the use of Voter Information Cards, the “Fair” Elections Act has the potential to disenfranchise thousands of voters who may not have identification that proves their residency, including post-secondary students, Indigenous people, seniors and others.

The Chief Electoral Officer’s ability to educate the public about democracy and voting is restricted by the law and Elections Canada will be prevented from providing civic education programs for young people between the ages of 18 and 35. In an era of dwindling voter turnout, engaging citizens in the electoral process is vitally important.

These contentious elements of the act not only undermine people’s democratic rights, they stack the deck in favour of the Conservative government. Students, Indigenous people and others who will be disenfranchised are also far less likely to vote for the Conservative Party.

Nothing to prevent election fraud
The act also fails to address the widespread election fraud that occurred in the last federal election, which was the original reason Parliament called for changes that would make elections fairer.

The Federal Court ruling from the 2011 election fraud legal challenge concluded that there was a widespread campaign of calls misdirecting voters – not just in the riding of Guelph but in many others – that it was targeted at non-Conservative voters, and that the most likely source of the data used to make the fraudulent calls was the Conservatives’ CIMS database. Reports from Elections Canada in 2011-12 were a major reason the campaign of voter fraud came to light.

The new law also makes it easier to get away with election fraud in the future. The “Fair” Elections Act muzzles the Chief Electoral Officer, preventing that officer from notifying voters about instances of fraud in future elections.

While of the Commissioner of Elections’ investigation report into the 2011 election fraud has been used by the Harper government to claim there was no campaign of voter suppression, the report is fatally flawed, according to an analysis prepared by lawyer and Council of Canadians Board member Steven Shrybman.

What’s at stake?
The right to vote in free and fair elections is arguably our most fundamental democratic right. The new election law severely diminishes that right.

If we succeed in the Charter challenge, we will protect the right to vote of thousands and undermine Prime Minister Stephen Harper’s attempt to rig the result of the next federal election in his party’s favour.

Both the Liberals and the NDP have committed to repealing the law if they form government after the next election. But if the “Fair” Elections Act goes unchallenged, there is a real possibility that the next federal election could be marred by decreased voter turnout and clandestine election fraud.

We can’t let that happen.

Everyone has the right to vote. And we have a responsibility to defend that right. That’s why we need your support to ensure we can make the strongest case possible to defeat this affront to democracy.

To learn more visit our website at www.canadians.org/election.

Dylan Penner is the Democracy Campaigner for the Council of Canadians.

“Every citizen of Canada has the right to vote...”

Nine simple words in the Charter of Rights and Freedoms lay the foundation of Canada’s democracy. And this constitutional right that we’re all guaranteed must be upheld with laws and institutions that vigorously protect it.

That’s why on the very day the “Fair” Elections Act became law, the Council of Canadians and the Canadian Federation of Students announced we are filing a Charter challenge to strike down key sections in court.

We’re preparing potent evidence that the Harper Conservatives’ electoral reforms undermine the Charter and our right to vote.

We need to act quickly to ensure these anti-democratic rules won’t be in effect for the 2015 federal election and stack the deck in favour of the Harper Conservatives.

Thousands of people have added their voice and their support to this important legal challenge. Add your voice too, by making a donation online today at www.canadians.org/election or by mailing it to:

The Council of Canadians
700-170 Laurier Ave. West
Ottawa, Ontario
K1P 5V5

Together, we can sustain effective people-powered action to protect Canada’s democracy and demand truly fair elections.
Forging Solidarity: Communities and unions come together

by Elizabeth Berman

“Solidarity Forever” will celebrate its 100th birthday next year. The traditional labour union anthem never seems to go out of fashion, sung loudly and proudly on picket lines and at political protests.

But actual solidarity – “unity or agreement of feeling or action, especially among individuals with a common interest,” according to the Canadian Oxford Dictionary – doesn’t just happen. Like anything worth having, it requires hard work to achieve and sustain.

One group of hard workers that are essential to forge solidarity with are labour unions. Unions have long been leaders when it comes to effecting positive social change. But in recent years they’ve been criticized both for being self-interested and for getting involved in issues beyond collective bargaining.

“There’s this notion that unions are just out for themselves and not for society,” Ken Georgetti, former president of the Canadian Labour Congress, told the Globe and Mail. “You get that label hung

Above: Council of Canadians National Chairperson Maude Barlow joined union and First Nation representatives in September 2011 to cross a police line and face arrest. Hundreds of people joined the action to show their opposition to the environmentally destructive tar sands and pipeline projects.
on you, and you have to work to get rid of it.”

Meanwhile unions are under attack for exceeding their mandates to represent their members. Bill C-377, a federal private member’s bill backed by the Conservative government, would require even the smallest union locals to disclose extremely detailed financial information. While the purported reason is to increase transparency, in actuality union opponents are looking for ammunition with which to accuse unions of misspending their members’ dues.

As John Walkom wrote in the Toronto Star about testimony before a parliamentary committee studying C-377: “The organization REAL Women, for instance, told MPs that unions use their money improperly to support ‘left-wing causes’ such as abortion, feminism, homosexuality, Quebec separatism and Palestinians.”

So unions have to maintain a delicate balance: focus on the needs of their members while also working towards broader societal change. For many, that means working closely with civil society organizations.

“The key is to push back together,” said Larry Hubich, President of the Saskatchewan Federation of Labour, in his keynote address at the Council of Canadians’ 2013 annual conference. “If we’re only pushing back in our own individual silos, then we become marginalized.”

But how does a union representing tar sands workers collaborate with environmental organizations? How does a building trades union work with community groups opposing a megaproject that would create hundreds of construction jobs?

“Principled people and organizations can sometimes differ on certain issues – I call them sticky issues,” says Maude Barlow. “We need to respect those differences while focusing on what we have in common.”

“Forging solidarity” is the theme of this year’s Council of Canadians’ annual conference. It will bring together activists of all kinds, including labour activists, to focus on the importance of working together and on how we can all learn from successful collaborative campaigns.

One example of a successful collaboration is the ongoing campaign to save public health care. As the federal government abdicates its role as a partner in medicare, reducing its share of funding and refusing to meet with the provinces to review and improve national standards, a movement is underway to build awareness and public support for a much stronger federal role. Activists are going door-to-door in key ridings to talk to their neighbours about the need for federal involvement and to ensure that health care is a ballot box issue in the next federal election.

“The Council of Canadians, the Canadian Union of Public Employees (CUPE), provincial health coalitions, and national and provincial allies have been working together on a campaign that educates health care advocates on the federal government’s move away from public health care,” wrote Adrienne Silnicki, the Council’s then health care campaigner, in her blog. “It trains those advocates on how to canvass and coordinates canvassing across the ridings.”

A partnership between CUPE, a union representing public health care workers, and the Council, a social justice organization committed to protecting, expanding and strengthening public health care, might seem like a natural alliance. We’ve also worked with CUPE on many other issues over the years, including the Blue Communities Project to ensure that municipal water services stay in public hands and to expose the Canada–European Union Comprehensive Economic and Trade Agreement’s threat to public services.

But what about trickier issues, like the endless jobs-versus-the-environment debate?

Enter the Green Economy Network. It counts among its members almost all of the leading labour and environmental organizations in the country, including the Council of Canadians. The network’s vision statement articulates: “We believe the time has come to chart a new model and direction for Canada’s economy. This country can no longer afford an economic model that treats the natural environment and human beings as disposable goods.”

These groups have found common cause in that both the environment and workers are being treated as disposable goods under our current economic model. The debate about jobs versus the environment is a false dichotomy, and the groups have committed to working together to advocate for sustainable solutions that create good jobs while protecting our natural heritage.

Groups and union members came together in September 2011 in a strong showing of solidarity against the Keystone pipeline project, which would have led to further expansion of the environmentally destructive tar sands. Greenpeace, the Indigenous Environmental Network, the Polaris Institute, the former Communications, Energy and Paperworkers Union (now Unifor) which represented tar sands workers, and the Council of Canadians organized a massive demonstration where group and union leaders and hundreds of others joined hands, crossed a police line, and were arrested while showing their opposition to this project.

Solidarity, though difficult to achieve, is well worth the effort. Through our collective power, we can take on those who would prefer our society to be unequal and unjust, and create the kind of future we want for our children.

“I truly believe that we will only defeat the Harper agenda if we work together and support one another’s issues and campaigns,” says Maude Barlow.

May “Solidarity Forever” be sung for hundreds more years to come.

Elizabeth Berman is the Director of Communications for the Council of Canadians.

The Council of Canadians | www.canadians.org
Imagine not being able to turn on your tap for water to drink, to wash dishes, do laundry, take a shower or brush your teeth in your own home. You turn the handle on the faucet, but nothing comes out – your taps are dry and empty.

Thousands of people in Detroit, Michigan, living next to the largest group of freshwater lakes in the world, have been without water for months as the city’s Water and Sewerage Department implements its crackdown on residential account holders with unpaid water bills.

Most of these families simply can’t afford the rising costs.

The Council’s Blue Planet Project joined with the Detroit People’s Water Board to send a submission to the United Nation’s Special Rapporteur on the Human Right to Water and Sanitation outlining the water crisis in Detroit and pointing out the fact that thousands of people are being denied access to water because they are unable to pay their water bills.

“This situation highlights the deep social injustice in Detroit,” says Maude Barlow, Blue Planet Project founder and National Chairperson of the Council of Canadians. “Water is a human right, and it is unacceptable in a country of plenty, surrounded by the Great Lakes, the largest source of fresh water in the world, that people should go without.”

A crumbling city

In Detroit, decades of policies have put corporate business and profit ahead of the public good and human rights. Social programs and investments in essential infrastructure have been slashed. According to the Detroit News, the City of Detroit’s water department...
runs a chronic deficit, like many other public water infrastructure systems, and needs more than $5 billion for urgently needed upgrades.

With globalization and the hollowing out of the once mighty auto industry, wealthy individuals and businesses fled to the suburbs in Detroit, draining the city’s core of its tax base and the water department of its revenues. There are now 1 million fewer people living in Detroit than there were in the 1950s.

Until recently, every winter hundreds of aging pipes spewed water from leaks where the water had not been turned off in thousands of abandoned houses and boarded-up businesses. While there have been efforts to address this recently, it continues to be an ongoing problem.

**Nothing off the chopping block**
The City of Detroit declared bankruptcy in the summer of 2013. A high-priced bankruptcy lawyer was named its Emergency Manager with a mandate to get the city back on its feet financially by imposing a savage austerity regime. Nothing is off the chopping block, not even water utilities, which are being considered for regionalization, sale, lease, and/or a public-private partnership, and are currently subject to mediation by a federal district judge.

In March 2014, the water and sewer department announced it would begin shutting off water service for 1,500 to 3,000 customers, with bills owing more than $150, each week.

According to a document obtained by the Sierra Club, there are more than 179,000 residential water accounts in Detroit. By April 30, 2014, more than 83,000 of them were past due. The average amount owed per household was just over $540. Media reports over the summer said water had been shut off in more than 17,000 homes.

**Deep racial divides**
The case of water cut-offs in the City of Detroit speaks to the deep racial divides and intractable economic and social inequality in access to services within the United States. The burden of paying for city services has fallen to the residents who have stayed within the economically depressed city, most of whom are African-American. These residents have seen water rates rise by 119 per cent within the last decade. With unemployment rates at a record high and the poverty rate at about 40 per cent, Detroit water bills are unaffordable to a significant portion of the population. And costs keep rising. This summer the city agreed to an almost nine per cent increase in water rates.

The Michigan Welfare Rights Organization (MWRO) argues that the water cut-offs to Detroit households need to be understood within a broader context of Detroit’s appeal in the real estate market. With its proximity to the Great Lakes and the Canadian border, the city is considered prime real estate, and is available at fire sale prices. People’s overdue water bills are being transferred to their property taxes and people are losing their homes as a result. Given the water department’s lack of interest in cutting costs or generating revenues by collecting on the arrears of business users, fixing leaking pipes, and cutting off services to abandoned homes, the organization sees the crackdown as a ploy to drive poor people of colour out of the city to facilitate gentrification — what the organization refers to as a “land-grab.”

**High water costs**
The MWRO has heard from people who are being charged as much as $500 per month for water. The estimated average water bill for a family of four is $150 to $200 per month. One MWRO volunteer said, “For thousands of people in this city – and in the surrounding suburbs as well – this represents as much as 20 per cent of their monthly income.”

Another MWRO volunteer explains: “Many poor people are forced to accept payment plans that they know they can’t afford just to keep their water on (or lights, gas, telephone) until the next shut-off notice. They end up defaulting on these agreements, try to set up new ones and the next one is worse. The utility companies ask for a higher deposit and higher payment plan.”

The Blue Planet Project, Food & Water Watch, the Detroit People’s Water Board and the Michigan Welfare Rights Organization have called on state and U.S. government officials to take immediate action to restore water services and stop further cut-offs.

In a joint statement the groups said: “This is a major crisis. When 45 per cent of water customers struggle to pay their water bills, it is clear that this is not just a problem with delinquent payment. It’s indicative of broader, systemic issues resulting from decades of policies that put profits before people.”

In July, the Windsor chapter of the Council of Canadians raised awareness about the issue by delivering 1,000 litres of water across the Canada-U.S. border. “We are doing this because as good neighbours we need to show our solidarity,” said Doug Hayes from the Windsor chapter. “But while these jugs of water will help, it is not the solution. We need President Obama to get involved and ensure human rights are restored.”

As international awareness and pressure continued to grow, in July the City of Detroit announced it was stepping back from its aggressive plan to shut water off in the homes of tens of thousands of families for a three-week period. Soon after, an announcement was made that the water department was being put back under Detroit City Council’s control.

What is key now is for the city and other levels of government to commit to a just long-term solution for the people of Detroit. This will include affordable water rates, a plan to support lower-income citizens, and strong public funding for a democratically operated utility.

Water is a human right and must be available to all. The struggle to keep the taps flowing in Detroit continues.
If you believe Prime Minister Stephen Harper the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) is a done deal. That’s the message the Conservative government has been repeating ad nauseam since Prime Minister Harper travelled to Brussels last October to announce that a “deal in principle” on CETA had been reached. Then came the announcement in August that negotiations had concluded. But this doesn’t mean the fight against CETA is over. In fact, it’s just getting started.

With negotiations finished, the ratification process for CETA begins in both Canada and the EU. And while Prime Minister Harper may ultimately be able to use his majority to ram through ratification in Canada, the reality on the other side of the Atlantic makes a quick and smooth implementation of the deal in Europe much less certain.

European opposition
While some opposition to CETA has been simmering in Europe for years, it was the June 2013 launch of negotiations between the EU and the U.S. on the Transatlantic Trade and Investment Partnership (TTIP) that raised the stakes in Europe.

Widespread public concerns about TTIP, and especially the inclusion of the controversial investor-state dispute settlement (ISDS) process that
would allow U.S. corporations to challenge European policies and laws if they interfere with corporate profits, as well as chapters on regulatory harmonization, have fuelled opposition to similar elements in CETA. Many Europeans now see CETA as a dangerous Trojan horse for TTIP and a backdoor way for Canadian subsidiaries of U.S.-based corporations to challenge EU regulations or policies even if TTIP is defeated.

Suddenly, opposition to both TTIP and CETA is growing across Europe. Hundreds of thousands of European citizens have signed petitions opposing the inclusion of ISDS provisions in EU agreements. The European Commission, the executive body of the European Union that is responsible for negotiating CETA and other international agreements, was faced with such a public outcry that it was forced to pause negotiations on the ISDS in TTIP while it conducted a three-month public consultation. The consultation concluded in mid-July and received over 150,000 submissions from individuals and organizations, the most ever for an EU consultation process.

On July 15, close to 150 European organizations from 18 EU member states announced the launch of a European Citizens’ Initiative (ECI) – a participatory element of the European Union that allows citizens to propose actions or legislation to the European Commission – to repeal the negotiating mandate for TTIP and to not conclude CETA. In order for it to succeed, more than one million signatures must be collected and country-specific quorums must be reached in at least seven EU member states. More information about the initiative can be found at www.stop-ttip.org.

**The EU ratification process**

With the text of CETA finalized the “legal scrubbing” process – which can take six or more months – is underway. The initial agreement then needs to be translated into all 24 official languages of the EU. It then requires the approval of the European Council, which represents the EU member states. After that, it needs to be approved by a majority of the 751-member European Parliament.

To make matters even more complicated, CETA is considered a “mixed agreement,” meaning that it will also require the ratification by the 28 national parliaments that make up the EU. European Trade Commissioner Karel De Gucht has indicated that he may ask the European Court of Justice for clarification about whether or not CETA and TTIP require ratification of all 28 member states, a process that may further delay CETA approval.

Even if the whole process goes smoothly, the CETA ratification process will likely take years, and some in Europe don’t expect a final ratification vote on CETA in the European Parliament before 2016.

**Changing European politics**

There are, however, strong indications that ratification won’t go smoothly.

The May 2014 European Parliament elections saw significant gains for European parties – from both the left and the right – that are opposed to some of the most controversial elements of both CETA and TTIP. Representatives of a number of European political parties that are concerned about the trans-Atlantic trade deals now sit on the EU’s Committee on International Trade (INTA), which was expanded by 10 seats to a total of 41 members after the election due to increased interest in the new trade deals. The new INTA Chair Bernd Lange has stated he will not vote in favour of TTIP if it includes ISDS, and Vice-Chair Yannick Jadot has gone so far as to call the negotiations “illegal” because members of the European Parliament have not been sufficiently informed during negotiations.

Jean-Claude Juncker, the newly elected President of the European Commission, has also expressed concerns about the inclusion of ISDS in European deals, stating that he will not “accept that the jurisdiction of courts in the EU Member States is limited by special regimes for investor disputes. The rule of law and the principle of equality before the law must also apply in this context.” Juncker’s comments stand in stark contrast to the pro-ISDS stance of the outgoing Commission president José Manuel Barroso.

At the national level, there is also increasing opposition to ISDS in a number of European countries, including France and, perhaps most notably, Germany. There, a controversial multi-billion-dollar investor challenge by Swedish energy company Vattenfall over Germany’s accelerated phase-out of nuclear power following the Fukushima disaster has shifted public and political opinion against ISDS. Once a strong proponent of investor protection, the German Bundestag is now far less likely to support any deal that includes ISDS. Media reports in late July quoted officials stating that Germany may even refuse to sign CETA if it contains an ISDS clause.

**Building a trans-Atlantic strategy**

At the time **Canadian Perspectives** went to print, Canadians were still waiting to see the full agreement that the Harper government has kept under wraps for years. When we know the details, we’ll be better able to push municipalities, the provinces and other impacted sectors in Canada to insist on a national public debate on CETA, and to oppose ratification of the deal.

But we’ll also be continuing the fight in Europe. With European resistance to ISDS growing by the day, we’ll continue to work with our European allies to ensure that European citizens and parliamentarians understand that the only way to truly stop destructive investor-state provisions in TTIP is to also keep them out of CETA. In the end, it may be enough to stop CETA in its tracks.

Scott Harris is the Trade Campaigner for the Council of Canadians.

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Scott Harris is the Trade Campaigner for the Council of Canadians.
A court case scheduled to start in September in British Columbia could have severe consequences for public health care in Canada, warn those speaking on behalf of two interveners in the case.

“It’s hard to overstate the importance of this court case,” said Vanessa Brcic, a family doctor in Vancouver who is on the board of Canadian Doctors for Medicare, speaking at a public forum last spring at the University of Victoria.

The case between Dr. Brian Day’s Cambie Surgery clinic and the B.C. government will test whether Canada’s running a public health care system that restricts extra billing is constitutional, Brcic said. A win for the clinics would spell the end of a system where services are based on need rather than ability to pay, she said.

With a few exceptions, the province’s Medicare Protection Act prohibits doctors and other care providers from charging patients directly for services that are insured through the public system. The law says people should have “reasonable access” to care that is universal and unimpeded by user fees or extra billing.

In 2012, a B.C. Medical Services Commission (MSC) audit found Cambie Surgeries Corporation and the closely related Specialist Referral Clinic (Vancouver) Inc. were guilty of extra billing on a “recurring basis.”

Day responded to the audit and the MSC’s steps to stop extra billing at his clinic by launching the constitutional challenge. Initially several clinics were involved, but Day’s clinic is the only one that remains in the challenge; the others, he said, have dropped out voluntarily to make preparations for the case less onerous. The other plaintiffs are five patients.

The Cambie clinic offers a variety of surgical procedures, including orthopaedic, eye and dental, with fees ranging in the neighbourhood of $15,000. The audit found nearly $500,000 in extra billing, and $66,000 in double billing within a 30-day period.

Day responded to the audit and the MSC’s steps to stop extra billing at his clinic by launching the constitutional challenge.

Raising public awareness
In the months before the hearings began in B.C. Supreme Court, the interveners were raising public awareness...
about what’s at stake, said Adam Lynes-Ford, the Medicare Campaigner for the B.C. Health Coalition.

Whatever the provincial court decides, lawyers for the interveners are expecting an appeal to the Supreme Court of Canada, he said. The coalition is trying to raise $550,000 to cover legal bills.

There’s strong support in Canada for protecting the public health care system, said Lynes-Ford. “We have public opinion on our side.”

They will, however, be up against “emotional” stories from patients involved in the case, he acknowledged.

Vancouver Sun health writer Pamela Fayerman summarized some of those stories in a 2012 article, which quoted a health ministry official who argued that in the public system, anyone who needs urgent care should not have to wait.

The article included stories about two young people who would have had to wait a year or more for knee surgery in the public system. Another was about a 79-year-old woman with terminal lung cancer given two years to live who didn’t want to wait a year for knee surgery. The fourth was about a 36-year-old who got a quicker diagnosis of her colon cancer by avoiding a nine-month wait in the public system for a colonoscopy.

Teen waited 27 months for surgery

Walid Khalfallah was also added to the case in January 2013, Day said. A teenager from the Okanagan, Khalfallah became paralyzed from the waist down after waiting 27 months for surgery, which he eventually received in Washington State after his family gave up on the B.C. system.

In 2012, the B.C. Patient Care Quality Review Board found that the Provincial Health Services Authority had failed Khalfallah, and an assistant deputy minister acknowledged he’d been inadequately served.

“Nobody knows when they’re going to suddenly deteriorate,” said Day. “Twenty-seven months for a child is too long . . . . Our opponents are going to have to justify the system is worth saving despite this kind of incident.”

The court case, he said, is about whether patients who are suffering on a wait list for a medical service should be restricted from spending their own money to get treatment sooner.

While the stories are emotional, they have to be separated out from the broader story of how growth in for-profit care would erode the public system, said Lynes-Ford. “We’ll have to work at extracting those things,” he said, noting that it’s an opportunity for public education on the implications of for-profit care.

The interveners also include two patients with chronic conditions, Glyn Townson and Thomas McGregor, who argue they’ll be hurt by a shift to two-tiered care.

“If access to necessary medical or hospital services may increasingly depend on ability to pay and not medical need, then I am concerned that physicians and other health care providers and resources now available to me in the public system will be shifted to a for-profit private system, to which only wealthier and healthier individuals may have access,” Townson said in his 2009 affidavit. “This in turn would reduce the physician and other health care resources available in the public system.”

For-profit clinics tend to “cherry-pick” people who are healthy, wealthy and easily treated, said Brcic. They draw professionals out of the public system and leave that system to deal with the most difficult situations, she said.

Brcic was also candid in her criticism of the current system, saying there is a need for innovation. The province will make its defence in the case by blaming doctors for not shepherding patients through the public system better; however, B.C. is in a position where it could and should do much to improve that system, she said.

“We’re just funding the continuing juggernaut, and it’s really not an intelligent way to proceed at all,” she said.

Other fixes needed, says doctor

Increasing for-profit care is not the way to fix the public system, Brcic added. For-profit clinics will only provide care that they can profit from, and won’t deal with anything requiring more complex care, she said.

Lynes-Ford raised concerns that a proliferation of for-profit care could lead to doctors making referrals to themselves that would benefit them financially. Brcic said paying for care puts people in the position of having to make major financial decisions at times when they are under duress.

Provincial defence?

Several audience members at the University of Victoria event raised concerns about the provincial government’s role in the case. They said the B.C. government has, in recent years, appeared keen to encourage for-profit health care while choking the public system, and questioned whether it would take its role defending against Dr. Day’s legal challenge seriously.

Health ministry spokesperson Ryan Jabs emailed a statement on the government’s position. “Private clinics in B.C. must operate within the Medicare Protection Act,” he wrote. “The Medicare Protection Act is designed to preserve a publicly managed and fiscally sustainable health care system for British Columbia and ensures access to medical care is based on need and not on an individual’s ability to pay.”

The hearings were scheduled to start in September and last 18 weeks.

Andrew MacLeod is The Tyee’s Legislative Bureau Chief in Victoria.

This article is condensed from one that originally appeared on TheTyee.ca and is reprinted with the author’s permission.
2014 Supporter Survey

Supporters like you are the heart and soul of the Council of Canadians. Your feedback is critical to guiding important decisions on our upcoming work, and to helping us understand how we can serve you better. Tell us about yourself, the issues that matter most to you, and how you prefer to engage in the Council of Canadians’ work. Your answers will help us be even more effective in building the better Canada we know is possible.

Please take a few minutes to tear out this page and give us your feedback. Fill out your survey and mail it back to us in the postage-paid envelope provided in this issue of Canadian Perspectives, or visit www.canadians.org/survey to complete your survey online.

Tell us about yourself

First name: ________________________________
Last name: ________________________________
Address: ________________________________
Postal code: ______________________________
How do you prefer to be addressed? Dear ______________
Birthday: day _______ month _______ year _______
Profession (note if retired):

How do you prefer to get involved?
☐ Write letters / sign petitions to elected leaders
☐ Participate in demonstrations
☐ Inform and engage others around me
☐ Donate to the Council’s work
Other: ________________________________

Where do you prefer to get your news?
☐ Online
☐ Community newspapers
☐ National newspapers
☐ Radio
☐ Television

How often do you use the following?
☐ Email – daily / weekly / monthly / never
☐ Facebook – daily / weekly / monthly / never
☐ Twitter – daily / weekly / monthly / never
☐ YouTube – daily / weekly / monthly / never
Other: ________________________________

How did you first get involved with the Council?
☐ My local Council chapter
☐ Media report
☐ Attended an event
☐ Received a mailing
☐ Supported an online action
☐ Family member or friend

What’s your preferred way to stay informed about the Council’s work?
☐ My local Council chapter
☐ Canadian Perspectives magazine
☐ Online: email updates, Facebook, Twitter, www.canadians.org
☐ Campaign mailings

How can we improve our communication with you?

________________________________________

________________________________________
Tell us why you choose to support the Council.

Which of the Council’s campaign areas are you most interested in?
- Democracy and fair elections
- Energy, pipelines and climate action
- Health care
- Trade
- Water

The 2015 federal election is rapidly approaching. What action do you most want to see the Council take over the coming months?
- Develop a guide to inform voters on where the parties stand on your key issues.
- Launch local and national voter engagement programs.
- Run a series of pre-election ads to bolster voter turnout.
- Host all candidates debates in key ridings.
- Set up community watchers to monitor for voter fraud and suppression tactics.

What outreach strategy do you most want the Council to pursue?
- Newspaper ads
- Television ads
- Radio ads
- Online videos
- Other: __________________________

What would you like to see the Council do MORE?

What would you most like to see the Council do LESS?

Stay connected!
To receive email updates, event invitations, opportunities to help fund initiatives, and other communications from the Council of Canadians, please indicate your consent below. You can withdraw your consent at any time.
- Yes, I consent.
- Email address: __________________________

Other comments and feedback?

*Please note that all responses will be kept private and confidential.

Thank you for taking the time to complete this survey. The Council of Canadians values your input and support.
Elma Parker has a strong connection to the Council of Canadians. She is a long-time supporter and one of our longest-serving chapter activists. She helped start the Northumberland chapter 25 years ago and today, with Elma’s help, the chapter is still going strong. The chapter covers an area along the north coast of Lake Ontario and is centred in the picturesque town of Cobourg, Ontario.

When did you join the Council?
I joined the Council of Canadians in 1989 after I was inspired by a letter from Maude Barlow. I’d never heard of the organization or its author before. The letter was probably about water and the importance of our rights and needs. I thought it was important enough to send a contribution to the cause. The cheque was acknowledged with a card showing I had joined the organization, which I have renewed every year since.

How and when did the Northumberland chapter get started?
Not knowing about chapters in the area or across Canada, I sort of forgot about the Council of Canadians until months later. I read a letter in the local paper about the Council, written by Leigh Thomson, in which she mentioned starting a chapter. I phoned her and awhile later the Northumberland chapter was born. Several well-known activists committed their time and energy to the chapter, and a great youth movement joined. Everyone had a job. The meetings were informative and enjoyable. Great and lasting acquaintances were made.

What are the most important local issues the chapter is working on?
Our chapter is presently supporting the Port Hope Residents for Managing Waste Responsibly about their health and environmental concerns over a proposed incinerator to be built on the outskirts of Port Hope. The company has no other facility of this size anywhere in the world, so this would be an experiment in Northumberland. It would mean importing garbage from near and far. Our fear is that their emissions will pollute the food chain and increase the likelihood of cancer cases.

Another issue that has drawn our attention is the aging Line 9 oil pipeline, which runs the full length of Northumberland, extending across southern Ontario and Quebec to carry huge amounts of crude oil from the tar sands of Alberta.

What challenges does the chapter face?
Apathy is a common complaint of chapter members. It takes everyone’s shoulder to the wheel to make it work. As activists become stronger and more informed about problems, they take on more issues like GMO food, trade agreements, factory farming and corporate control, which is an education in survival.

What has been your favourite moment with the Council?
My favourite moment was receiving a call from Maude Barlow on my 89th birthday.

What advice would you give to people interested in starting a new chapter?
When starting a new chapter, select local issues that grab attention, being careful to avoid burn-out. You win some and you lose some, but you must never be discouraged.
The Powell River chapter of the Council of Canadians joined with other chapters across Canada for the “Defend Our Climate Day of Action” in May.

Council of Canadians chapters have been active in communities across Canada protecting water and public health care, defending our climate, challenging unfair trade deals and standing up for democracy. Here are a few highlights:

**Defend Our Climate, Defend Our Communities**
On Saturday, May 10, Council of Canadians chapter activists joined rallies across Canada to speak out about climate justice. The “Defend Our Climate, Defend Our Communities” rallies were part of a second national day of action following a successful first showing last November.

People across Canada stepped up to defend their communities from pipelines, dirty energy projects and runaway climate change at more than 60 local rallies.

**Husky withdraws its fracking application in the Northwest Territories**
At the end of May, Husky Energy withdrew its application to horizontally drill and fracture up to four wells in the Sahtu region of the Northwest Territories. The company has decided to postpone drilling for two years.

This was welcome news to the Council’s Northwest Territories chapter, which had joined a coalition of social justice and environmental organizations and people in the Sahtu Region and across the territory, calling for an environmental assessment of the fracking application.

**New Brunswick chapters defend the forest**
A “Rally for Our Forest” took place on Tuesday, May 13, at the New Brunswick Legislature in Fredericton. It was endorsed by numerous groups including the Council’s Fredericton, Moncton and Saint John chapters.

The rally called on the province to keep intact the rules that protect the forest from J.D. Irving and other forestry companies, saying the province needs a forest strategy that respects ecological limits, builds resilient communities, and creates meaningful employment. Groups also asked that woodlot owners and workers be given a viable shot at making a living without having to pack up for Alberta, and that Aboriginal treaties and rights be respected.

**Comox Valley protests Raven Coal Mine**
In May, the Comox Valley chapter held a rally in downtown Courtenay to protest fossil fuel projects, including the Raven Coal Mine. Many organizations, First Nations and concerned citizens have shown their opposition to Compliance Coal Corporation’s proposed mine project.

The proposed coal mine would be approximately 3,100 hectares in size with a surface footprint of 200 hectares. Located about five kilometres from Baynes Sound in the Cowie Creek and Tsable River drainages, the project has prompted concerns about water safety. Baynes Sound is the narrow western off-shoot of the Strait of Georgia that separates Vancouver Island from the mainland of British Columbia.

The mine would produce 650,000 to 1.1 million tonnes of highly volatile bituminous coal. The life of the mine is estimated to be about 16 or 17 years.

**London chapter opposes dump near Ingersoll**
In late June, the London chapter protested against the Walker Environmental Group’s proposed Zorra landfill site near Ingersoll, which is located about 160 kilometres south-west of Toronto in Ontario. The 200-acre landfill would receive garbage from all over the province. The proposed site is located in a mined-out portion of a quarry owned by Carmeuse Lime in Zorra Township on the boundary with Ingersoll and near the Thames River. The landfill could contaminate drinking and groundwater.

If approved, the dump would operate for 20 years, but it could be expanded to continue to take garbage after that time. Every day an estimated 100 trucks would take a total of 3,500 tons of garbage to the dump. The company is also reportedly examining whether moving the garbage by rail to the site is a viable option. The community has raised concerns about the pollution of local drinking water, the odour from the garbage, toxins and dust in the air, and the number of garbage trucks this would put on the road.

Philippe-A Charbonneau is the Political Team Administrative Assistant for the Council of Canadians.
Bills C-38 and C-45: they sound innocuous, but in reality these bills marked the onslaught of changes the Harper government made to environmental legislation in 2012. These omni-budget bills – each more than 400 pages long – implemented sweeping changes to environmental laws and removed critical safeguards for water protection.

With the bills, the Harper government gutted the Fisheries Act, abdicated responsibility for 99 per cent of lakes and rivers by overhauling the Navigable Waters Protection Act, and threatened the safety of workers handling noxious chemicals by eliminating the Hazardous Materials Information Review Commission. The Canadian Environmental Assessment Act was also replaced with a new act that eliminated 3,000 federal environmental assessments.

At a time when threats to water are intensifying and broadening, the Harper government is greasing the wheels for industry projects by clawing back needed safeguards for water sources. Fracking, the expansion of tar sands oil development, and other extreme energy projects threaten to pollute our water like never before. Pipelines are expanding at an unprecedented rate.

At the same time, our water resources are dwindling. A 2010 Statistics Canada report shows that renewable water sources in southern Canada have dwindled by 8.5 per cent between 1971 and 2004, revealing a troubling trend in the availability of water.

We need environmental legislation that protects water as a commons, a human right and a public trust. These budget bills represented not only a troubling move to stifle democratic debate on environmental policy, but
also cast doubt on the government’s ability to protect communities’ lakes and rivers.

The crumbling of Canada’s environmental legislation

An Access to Information request made by the Globe and Mail revealed that the 2012 budget bill changes made to the Fisheries Act were guided by the advice of industry associations.

On April 11, 2014, the Harper government dealt the final blow to the Fisheries Act, once one of Canada’s strongest pieces of environmental legislation.

The old Fisheries Act clearly stated that no one could deposit a deleterious (poisonous or toxic) substance into waters inhabited by fish. Drafted behind closed doors and implemented without public consultation, the new rules strip the act of its teeth by allowing exemptions to this rule. The exemptions include the following broad categories of activities: pesticide use for fish farming, undefined “aquatic research,” and activities supervised by other provincial or federal bodies.

The new rules allow the Minister of Fisheries and Oceans to authorize deposits of deleterious substances if the “whole of the deposit is not acutely lethal to fish.” The regulation defines “acutely lethal” as a deposit that kills more than 50 per cent of fish at 100 per cent concentration over a 96-hour period. This threshold does not take into account that sometimes the most damaging pollution is slow and chronic.

Energy projects move forward without federal oversight

Since the 2012 omni-budget bills, energy projects are being given the green light without any federal scrutiny — some are not even flagged for review. One project review cancelled by Bill C-38 was for energy company Encana’s request to withdraw 10,000,000 litres of water per day for fracking — roughly the same amount of water used by 30,000 people in a day — from Fort Nelson River in northeastern British Columbia. In 2012, the community protested Encana’s water-takings by gathering more than 32,000 signatures calling on B.C. Premier Christy Clark to stop giving away the province’s fresh water for fracking.

At the Munk School’s 2014 Water and Hydraulic Fracturing in Canada conference, Rob Visser, Chief Negotiator for Fort Nelson First Nation, revealed that deals were being struck with oil and gas giant Apache Corporation and that all lakes, rivers, the Debolt aquifer, shallow aquifers and deep aquifers were “on the table.”

The Council of Canadian Academies, which released its report Environmental Impacts of Shale Gas Extraction in Canada in May 2014, pointed out, “In Canada, shale gas development is occurring largely in the traditional territories of Aboriginal peoples who depend on the local environment for food and water and whose culture may be particularly affected.” Because of Harper’s 2012 budget bills, we now won’t know the impacts of water-takings by Apache or other energy companies operating on Indigenous lands.

The environmental assessment for TransCanada’s Keystone XL project to construct and operate a crude oil terminal and pipeline infrastructure near Hardisty, Alberta, was cancelled. There were two assessments in the queue related to Enbridge’s plans to reverse the flow of Line 9 — one in Sarnia and one in Hamilton — that now have been approved by the National Energy Board without a proper environmental assessment.

Despite the Energy East pipeline being the largest proposed pipeline project in North America, it too will evade federal scrutiny. Energy East is expected to carry 1.1 million barrels of oil per day from Alberta to New Brunswick. However, changes made to the former Navigable Waters Protection Act exempted pipelines from the act. The responsibility for protecting navigable waters was transferred to the National Energy Board (NEB).

The NEB rarely rejects pipeline proposals, and a wide range of groups have criticized it for favouring industry interests over community and environmental concerns.

Fuel for our fire

While the budget bills decimated environmental protections, they also became rallying points. They were the spark that ignited the Idle No More movement’s demand for free, prior and informed consent of communities. They also galvanized the scientific community — which was being muzzled by the Harper government — to highlight the important link between research and democracy. We can take inspiration in these movements to fuel our own fire to build a future that recognizes the sacredness of water, respects human rights, and puts communities before profit.

On World Water Day, the Council of Canadians sent a letter to federal party leaders Justin Trudeau and Thomas Mulcair asking if they would roll back the changes the Harper government has made to environmental legislation and re-commit funds needed for water research. Both parties made some commitments to roll back at least some of the changes.

We cannot allow the Harper government’s budget bills to be the law that governs our watersheds, undoing years of hard work by environmental groups, communities and committed individuals to protect them.

Leading up to the 2015 federal election, we must urge political leaders and local candidates to commit not only to rolling back Harper’s budget bills, but also to creating new legislation that recognizes the importance of our water — and protects it.

The future of our fresh water depends on it.

Emma Lui is the Water Campaigner for the Council of Canadians.
Energy East Pipeline Will Spill – It’s just a matter of when, where and how much

When it comes to pipelines, it is not a matter of whether a pipeline will spill, it is a matter of when, where and how much it will spill.

TransCanada’s Energy East pipeline project would convert an aging natural gas pipeline to carry crude oil from Saskatchewan to Ontario, connecting it with new pipeline through Quebec and on to Saint John, New Brunswick. It would be the largest oil pipeline in North America, transporting 1.1 million barrels of oil every day.

Canadian pipelines have a 99.99 per cent safety record, right?
TransCanada claims a 99.99 per cent pipeline safety record in Canada. The federal government also likes to promote this figure. This is a simple play on numbers. Of all the oil shipped in Canada by pipeline, 99.99 per cent of it reaches its destination while only 0.01 per cent spills.

But here are some other figures you should know:
■ Pipeline incidents have doubled in the last decade.
■ Cracking, equipment or component failure, and material, manufacturing or construction flaws have been the most frequent reasons for pipeline spills of more than 1,500 litres.
■ Safety-related incidents – from fires to spills – rose from one for every 1,000 km of pipeline to two. Energy East would be 4,400 kilometres long and could have as many as nine incidents every year based on this average.
■ 0.01 per cent of Energy East’s capacity is 6.4 million litres of oil spilled every year.

What would a spill from Energy East look like?
Based on information provided at TransCanada’s Energy East open houses, TransCanada is aiming for a 10-minute pipeline spill response time. With the pipeline’s total capacity at 1.1 million barrels of crude per day, Energy East would transport 1,893 litres of oil per second. This means more than 1 million litres could spill in 10 minutes. A huge amount of oil remaining in the pipeline between valves could also leak. For example, at the Nipigon River crossing of the current natural gas pipeline, there is a distance of 11.8 km between valve stations. This means up to 11 million litres of additional oil could leak.

A pipeline system with an explosive history
On January 25, 2014, a TransCanada-owned natural gas pipeline ruptured in Otterburne, Manitoba, sending balls of flame 300 metres high. The rupture created a crater 10 feet deep, and left 4,000 natural gas customers in the cold for several days. The cause of the rupture is under investigation. In February, TransCanada made headlines again when one of its natural gas pipelines ruptured near Rocky Mountain House, Alberta.

The explosion near Otterburne happened in a pipeline that is part of the TransCanada’s Mainline System. This system of pipeline includes pipe TransCanada is seeking to convert to carry crude oil for Energy East.

The Otterburne and Rocky Mountain House ruptures were two of 10 incidents that occurred on the Mainline System between 1991 and 2013. These incidents were found to be largely the result of stress corrosion cracking, external corrosion, and coating and welding failures, suggesting the pipeline was poorly designed, poorly built and poorly maintained.

Faulty leak detection systems
Days before the now infamous Enbridge pipeline spill of more than 3.8 million litres of diluted bitumen in Kalamazoo, Michigan, the pipeline’s operator said it would remotely detect a spill in eight minutes.

It was 17 hours before Enbridge confirmed the massive Kalamazoo spill, which has now cost more than $1 billion dollars to clean up.

In fact, the general public is far more likely to discover a pipeline rupture than a company’s leak detection system. Looking at 10 years of federal data in the U.S., an investigative journalist found that remote sensors detected only 5 per cent of spills. Only one of the eight ruptures on TransCanada’s mainline system, which includes the pipeline slated for conversion, was discovered by a detection system. The others were discovered by staff, an OPP officer and the general public.

The Energy East pipeline will cross or run near some of Canada’s most precious waters, including at least 90 watersheds and 961 waterways. From drinking water sources to valued fishing, tourist and recreational waters, to a beluga habitat in the Bay of Fundy, an enormous amount of Canada’s water would be at risk of a pipeline spill.

Energy East is our risk and TransCanada’s reward.

Find out more about the campaign to stop Energy East on our website at www.canadians.org/energyeast.
LNG Pipedreams: Fractured futures and community resistance by Leila Darwish

The fight against fracking, fracked gas pipelines and liquefied natural gas (LNG) terminals is heating up in B.C. Resistance is on the rise as communities across B.C. are coming together to take a stand against a fractured future and oppose Premier Clark’s dangerous and dirty LNG pipedreams.

LNG is anything but natural. It is fracked gas that has been liquefied by super cooling the gas to -163°C so it can be exported in some of the largest tankers in the world. There are six northern and six southern corridor pipelines proposed to connect the fracked gas fields in the northeast of the province to the proposed LNG export terminals and tankers on the West Coast.

The combined impacts from fracking, fracked gas pipeline construction, gas liquefaction and exports make LNG a major contributor to global climate change. The gas boom in British Columbia could result in an additional 73 million tonnes of greenhouse gas emissions per year, which would amount to about the same as Alberta’s tar sands as early as 2020. Considering that 14 LNG projects have been proposed, five of those terminals alone would more than double B.C.’s current climate footprint.

Fracking has devastating impacts on local watersheds and ecosystems. More than 600 chemicals have been used in fracking, and many of these chemicals have been linked to cancer or muta-
tions, and result in impacts to people’s nervous, immune and cardiovascular systems. Assuming that 9 of 10 proposed wells were fracked, about 582 billion litres of water would be contaminated during the fracking process. The Fort Nelson First Nation has stated that fracking on their territories represents “the largest and most destructive industrial force that our waters have ever known.” The boom in proposed LNG developments could result in a 600 per cent increase in fracking on their already heavily impacted territory.

Lelu Island and Ridley Island near Prince Rupert are both being considered as locations for LNG terminals. According to a recent study by scientists at Simon Fraser University, the areas around the Pacific Northwest LNG and Prince Rupert LNG are home to some of the most important salmon species within the Skeena watershed and are among the last places on Earth with healthy populations of wild salmon. If granted environmental licences, the two LNG projects would dredge hundreds of thousands of cubic metres of underwater sediment to construct berths for 500 LNG carrier tankers to travel each year. The scientists cautioned that the destruction from this construction and ongoing transportation could have serious impacts on Skeena salmon – impacts the species may never recover from.

Recent changes by the B.C. government are paving the way for pipeline and LNG development. The government recently passed Bill 4, the Park Amendment Act, which will open protected park areas to pipelines and drilling. The government is also trying to pass Bill 24, which would decimate the Agricultural Land Reserve (ALR) and put much of it at risk from industrial development such as fracking, pipelines and the diversion of water for oil and gas.

**Opposition to fracking and LNG is growing**

At an LNG industry summit hosted by the Fort Nelson First Nation in April, Fort Nelson Chief Sharleen Gale ordered B.C. government officials and industry to exit the conference after the government’s surprise move to gut environmental reviews for gas plants without consulting First Nations. The government quickly reversed the decision. “The Fort Nelson First Nation, on behalf of our ancestors, our elders, our youth and those yet to come are putting the government and the oil and gas industry on notice that B.C.’s LNG Strategy is on hold,” said Chief Gale at the summit.

In northwestern B.C., the fracked gas pipelines would have to pass through the unceded territories of the Wet’suwet’en and Gitxsan First Nations. The Unist’ot’en Clan of the Wet’suwet’en have a longstanding blockade against the Pacific Trails fracked gas pipeline and other major pipelines that would cross their territory. Freda Huson, spokeswoman for the Unist’ot’en Clan, states: “The Pacific Trails Pipeline does not have permission to be on our territory. This is unceded land. [The] Pacific Trails pipeline’s proposed route is through two main salmon spawning channels that provide our staple food supply. We have made the message clear to Pacific Trails, Enbridge, and all of industry: We will not permit any pipelines through our territory.” The Unist’ot’en have built a cabin, traditional pithouses, permaculture gardens and a bunkhouse for blockaders in the path of these pipelines.

In Hazelton and the Kispiox Valley, concerned residents are organizing. A significant portion of the Kispiox Valley’s population signed the Kispiox Declaration, expressing their opposition to the LNG projects.

“It’s boom and bust on steroids, like we’ve never seen here before,” said Todd Stockner, a fishing guide in the Kispiox. “There will be some local jobs, but it’s only for two to five years at most and then they’re gone. And then what do we have after that? We have all the risk. We have all the lingering damages done to our rivers and streams. We have whatever nightmare of social problems that come with three 1,000-person work camps dropped into a valley of 240 people.” He adds, “What we have here now is an economy that is enduring and resilient. A wild salmon economy in the Skeena Watershed creates $110 million a year and that could be happening every year as long as we take care of it, which these projects are not going to do.”

Closer to Vancouver, the proposed LNG terminal in Howe Sound near Squamish is being contested by local residents.

“At a local level, we’re looking at potential air pollution, light and noise pollution, and impacts to marine species due to underwater noise pollution. The community is very concerned about the safety of this proposed LNG facility, and the possibility of explosions and spills,” said Tracey Saxby, one of the founders of My Sea to Sky, a community group in Squamish.

Several nearby municipal councils, including Gibsons, West Vancouver, Lions Bay and the Sunshine Coast Regional District recently passed resolutions or wrote letters opposing the Woodfibre LNG or LNG tankers in Howe Sound. LNG terminals are also proposed for Campbell River and the west coast of Vancouver Island.

At the recent LNG counter-summit in Vancouver, Grand Chief Stewart Phillip from the Union of BC Indian Chiefs said, “The economy of this province is being built on the destruction of the natural environment. And the pipelines that are being contemplated by LNG will further destroy the north. We have a social responsibility as human beings, as grandparents and parents, to lend our support to Treaty 8, to all the people in the north who are fighting so valiantly to push back this agenda.”

From the northeast corner to the northwest coast, to Vancouver and Vancouver Island, let’s send a clear message to Premier Clark and industry representatives: No Fracking, No Pipelines, No LNG!

Leila Darwish is the B.C.-Yukon Regional Organizer for the Council of Canadians.
Standing in Solidarity with Indigenous Peoples

by Brent Patterson

There are fundamental principles that guide the political work of the Council of Canadians with respect to Indigenous peoples and our shared opposition to destructive projects such as fracking, pipelines, clear-cut logging and trade deals.

We respect the right to free, prior and informed consent, which is affirmed in the United Nations Declaration on the Rights of Indigenous Peoples. It says that Indigenous peoples have the right to say yes or no to endeavours that would affect them.

We acknowledge the duty to consult, which the Supreme Court of Canada has defined as a mandatory constitutional obligation. It does not mean simply informing Indigenous peoples, but rather it requires appropriate accommodation, and, on “very serious issues,” their full consent.

We see Section 35. (1) of the Constitution Act as vital. That section states, “The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.” Aboriginal rights have been interpreted to include a broad range of economic, political, social and cultural rights.

And we support Aboriginal title as interpreted by the Supreme Court of Canada. The Court has ruled that Aboriginal title extends to the entire traditional territory of an Indigenous group, and that consent from First Nations that hold Aboriginal title is required in order to approve projects on that land. This is particularly significant because Aboriginal title to most of the land within British Columbia and in many other parts of Canada has never been extinguished.

These rights are central in the formulation of our campaign work with our Indigenous allies.

We have worked with the Elsipogtog First Nation to oppose fracking on their territory in New Brunswick. Houston-based SWN Resources wants to frack on the unceded Mi’kmaq territory covering most of New Brunswick south of the Miramichi River, and a portion of Nova Scotia where it borders New Brunswick. We have provided ongoing political support and materials, including a generator, sleeping bags and tarp, to assist the protest camp in Elsipogtog. We have supported training for non-violent civil disobedience, among many other actions.

We were also interveners at the Supreme Court in support of the Tsilhqot’in Nation in British Columbia and their claim to Aboriginal title. Our submission argued for the recognition of title more broadly and liberally, rather than just for isolated pockets of land. Our lawyers noted that it was not appropriate to argue that a broad recognition of title would burden existing non-Indigenous interests. This past June, the Supreme Court ruled in favour of Tsilhqot’in title in what is widely seen as a historic and precedent-setting case.

We have also supported the Hupacasath First Nation on Vancouver Island and their court challenge against the Canada-China Foreign Investment Pro-motion and Protection Agreement. We were able to fundraise more than $17,000 to help with their legal costs. The Hupacasath argued that this agreement was an infringement on inherent Aboriginal Title and Rights, notably its investor-state provision, which could be used to override Indigenous rights and give the balance of power to resource management to corporations rather than affected communities.

And we are now beginning to work with the Gitaala Nation, which has Aboriginal title in the area on the north coast of British Columbia where the supertankers filled with tar sands bitumen via the Northern Gateway pipeline would travel. The Gitaala are seeking a judicial review to challenge the legitimacy of the National Energy Board’s joint review panel decision to conditionally approve this Enbridge pipeline, and are preparing broader lawsuits as well.

Beyond this, we have also been working with First Nations – notably the Athabasca Chipewyan First Nation in Alberta who are opposing the Energy East pipeline (which would traverse the territory of 155 First Nation communities), the Unist’ot’en Action Camp that is on the pathway of the Pacific Trail fracked gas pipeline to Kitimat, the Grassy Narrows First Nation, which was not properly consulted and does not agree to continued clear-cutting on their traditional lands in Ontario, and numerous other First Nations and Indigenous groups defending their rights and our collective future.

Brent Patterson is the Political Director of the Council of Canadians.
The first high-level round of negotiations for the Trans-Pacific Partnership (TPP) ever held in Canada wrapped up on July 12 in Ottawa, with negotiators sneaking out the back door to avoid notice, just as they had quietly slunked into the city 10 days earlier.

Even by the standards of the TPP’s closed-door, reveal-nothing approach to negotiations, the Ottawa round of talks was extreme in its secrecy. University of Auckland Professor Jane Kelsey, who has attended more than a dozen TPP meetings as a registered stakeholder or observer, and who travelled to Ottawa for the round, called the July 3-12 meetings “the most opaque round of talks on the Trans-Pacific Partnership Agreement to date.”

Given the wide-ranging impacts the TPP would have on Canada if the deal is ever successfully concluded, you’d think the Canadian government might let citizens know what happened in Ottawa. Unfortunately, you’d be wrong. There was no stakeholder engagement process at all during the round. No access or briefings offered to media (except for the Japanese government, which offered updates to Japanese media). No briefing before, during or after the negotiations by lead negotiators. No press release at the end of the talks.

All that was offered was a terse 138-word statement posted on the Department of Foreign Affairs, Trade and Development (DFATD) website, which offered an incomplete laundry list of who met and when, but offered nothing about what was discussed, what progress was made, or where the talks go from here.

The dearth of information about where the negotiations stand is troubling given how advanced negotiations are. With U.S. President Barack Obama publicly suggesting that he envisions some significant progress by the time he travels to Asia in November for the Asia-Pacific Economic Cooperation (APEC) and G20 leaders’ meetings (conveniently scheduled for after the U.S. mid-term elections), TPP negotiations are clearly at a critical stage.

While there have been rumours that chief negotiators will follow up on the Ottawa round with another meeting sometime in September, followed by a ministerial meeting in October, in order to have something in November to show progress after five years of negotiations, all the information DFATD offered at the conclusion of the round was this: “At this time, dates and location for the next officials’ meeting have not been confirmed. A Ministerial meeting has not been scheduled at this time.”

But despite the Harper government’s secrecy, despite the 11th hour, 4500-kilometre venue shift from Vancouver to Ottawa, despite Harper not even officially acknowledging the meetings were in Ottawa until a week before they started, Canadian civil society groups and their allies from a number of other TPP countries were able to shine some light on the Ottawa negotiations.

The Council of Canadians kicked things off by revealing the Delta Hotel as the location of the secret talks with a 40-foot-long banner. Experts on a range of negotiating areas travelled to Ottawa to hold briefings with interested negotiators and to deliver messages from concerned citizens. A number of groups protested outside the hotel during the negotiations, and the NDP opposition added its voice to the growing number of critiques about TPP secrecy.

In the end, those collective efforts shifted the Harper Conservatives from pretending the negotiations weren’t happening at all to lashing out with the same tired rhetoric at critics of its latest corporate rights agreement.

Between rounds and during rounds, the TPP continues to face stiff and growing opposition in all 12 TPP countries. With serious disagreements on some of the TPP’s most contentious elements still standing in the way of a final deal, resistance in the U.S. to granting President Obama the fast-track trade authority he needs, and little chance of anything more than a face-saving announcement in November, the fight against the TPP is far from over.

Scott Harris is the Trade Campaigner for the Council of Canadians.
The Harper government engaged in a systematic assault on democratic rights and institutions on an unprecedented scale since winning power. Just a few examples from a very long list include undermining the right to vote with the “Unfair” Elections Act, muzzling organizations and individuals critical of government policies, eroding collective bargaining rights, cutting public services, and trampling Indigenous rights to self-determination.

With just one year left until the next fixed election date – October 19, 2015 – the question is, what can we do to prevent Harper’s Conservatives from winning the next election?

**Uniting our Common Causes**

The Council’s Democracy campaign is rekindling the Common Causes network – a common front of environmental, social justice, Indigenous, student, human rights, faith, and labour groups among others – to derail the Harper agenda. We are organizing on many fronts and building alliances while fostering the spread of grassroots democracy by supporting local organizing.

**Defying the silencing of dissent**

The Harper government has targeted a long list of groups and individuals who have spoken out against its agenda. The latest in the cross hairs are charitable organizations. Common Causes is organizing in defence of civil and political rights impacted by this shrinking democratic space.

Common Causes is working to support groups under attack, including groups that are being muzzled by onerous audits and funding cuts; unions that are challenging attempts to change labour laws, back-to-work legislation, and cuts to public services; and Indigenous peoples whose rights have been infringed by the gutting of environmental legislation, to name a few.

**Resisting austerity**

Austerity – the government practice of “balancing the budget” by cutting social programs – is also undermining democratic rights. Austerity erodes democracy by attacking the collective bargaining rights of trade unions (among the largest democratic institutions) and cutting public services.

**Building a Peoples’ Platform**

A concrete way of pressuring all of the federal parties to adopt more progressive positions is to produce a Peoples’ Platform. The platform would articulate a positive vision that reflects the aspirations of social movements and communities. This would be a strong part of our on-the-ground organizing before, during and after the next election.

The Hamilton Civic League, with the support of the Hamilton chapter of the Council of Canadians, has already begun a Peoples’ Platform initiative for their municipal election in October 2014. As they describe it, “We’ll present that plan to the candidates in the municipal election and ask them to support it. This way, we all get to say what we want before we decide who we want.”

The work to create a federal Peoples’ Platform began at the recent Peoples’ Social Forum, which was held in Ottawa in August. We will be working with groups and communities across the country to further develop it.

**Out-organizing Harper**

The Conservatives won the 2011 election by a margin of 6,200 votes in just 14 ridings. These ridings were won by mere hundreds, or in some cases dozens, of votes.

Studies have found that making personal contact with people who don’t plan to vote, either through phone calls or door-to-door outreach, can increase voter turnout by 5 to 10 per cent. Given how many ridings the Conservatives won by less than 5 per cent of the vote, we are planning a “Get Out the Vote” campaign large enough to influence the outcome of the next election, while also building grassroots power to keep in check whoever wins the next election.

Door-by-door, we can defend democracy from the Harper agenda. The question is: Are you in?

Dylan Penner is the Democracy Campaigner with the Council of Canadians. For more information about the campaign, visit canadians.org/democracy and commoncauses.ca.
Chapter Contacts

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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