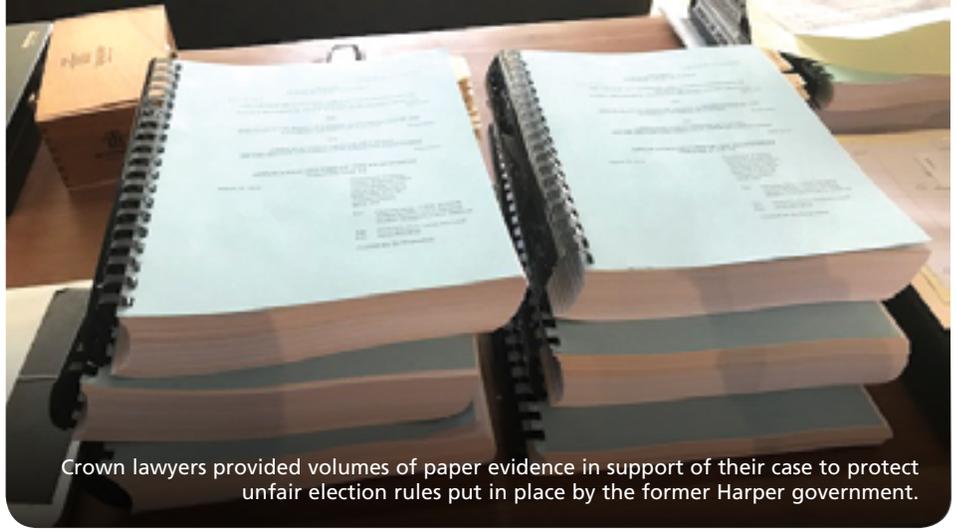


Defending Democracy: We are heading back to court

By Andrea Furlong



The Council of Canadians and the Canadian Federation of Students are preparing to go to court to defend Canadians' ability to access their right to vote.

The Council of Canadians defends the most fundamental right in a democratic society – the right to vote. We launched the Charter challenge to the former Harper government's so-called "Fair" Elections Act because it would make it harder for students, Indigenous peoples, seniors and others who have difficulty proving their identity and residence to cast a ballot.

Repealing elements of the *Fair Elections Act* will be critical for restoring the democratic rights of Canadians the Harper government took away.

With the generous support of people like you, in November 2014, the Council of Canadians and the Canadian Federation of Students filed an application in Ontario Superior Court challenging the Harper government's Fair Elections Act because:

- It makes it more difficult for the Chief Electoral Officer to communicate with Canadians about the electoral process and their right to vote.
- It strips the Chief Electoral Officer of their ability to authorize the Voter Information Card as a means for proving an elector's residence or identity.

- It diminishes the independence and accountability of the Commissioner of Canada Elections.
- It effectively eliminates vouching as a means for people without the necessary identification to obtain a ballot.

In November 2016, the Liberal government tabled Bill C-33. If it had been passed, this Bill would have addressed the democratic deficits in the Act. Discouragingly, there had been little progress until this April when the Liberal government introduced Bill C-76, which amends the Canada Elections Act and rolls Bill C-33 into this expanded piece of legislation. The problem is that Elections Canada has already said that even if Bill 76 proceeds smoothly – and that's a big "if" – there won't be time to fully implement its reforms. This is why our legal case is so important.

Charter challenge

We are committed to undoing the undemocratic parts of the Fair Elections Act and, with your continued generous support, we will move forward with the Charter challenge, which will be heard this October so it can be acted on before the October 2019 federal election.

In March, the federal government served the Council of Canadians and the Canadian Federation of Students with six volumes (more than 2,000 pages) of evidence. That evidence clearly shows the Trudeau government's intent to

defend the Harper government's voter suppression measures, notwithstanding Bill 76. We filed our evidence in response in May, including a report from a leading U.S. expert explaining the origins of the voter suppression measures enacted by Republican-controlled U.S. states, which served as the prototype for the Fair Elections Act.

During the last election campaign, the Liberals promised to stand up for every Canadian's right to vote. The Liberals said they would be taking measures to maintain the openness, transparency and accountability of our democracy. To that end, we are calling on the Trudeau government to stand by its commitment to enhance the integrity of our electoral system. The Liberals need to address the most egregious elements of the so-called Fair Elections Act by:

- Expanding the Chief Electoral Officer's mandate to include public education.
- Reversing changes that disallowed the use of a voter information card as a piece of eligible identification at.
- Undoing the changes that disallowed one voter to vouch for another.
- Granting more independence to the Commissioner of Canada Elections.

It's time for the Trudeau government to act and end voter suppression.

Andrea Furlong is the interim Executive Director of the Council of Canadians.

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