



**Secretariat**

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The report arises from meetings of the Committee to Advise on Matters of Social Responsibility (CAMSR) held on March 12 and April 10, 2013, and is presented to the Board by the Committee Chair, Mrs. Brenda Norris.

## **I. THE SUBMISSIONS TO CAMSR**

On February 1, 2013, Divest McGill, an informal group of students, staff and alumni formed in October 2012, filed two submissions expressing concern about the University's investments in companies engaged in the oil sands and fossil fuels, and in the Plan Nord (attached). The petitions were presented in accordance with the terms of reference of the Committee to Advise on Matters of Social Responsibility (CAMSR) (attached).

The submission regarding oil sands and fossil fuels asked for:

- the immediate disposal of University's investment holdings in corporations involved in the development of the Canadian 'tar sands', and in refining, producing transporting or selling of goods from the "tar sands";
- the disposal within 3 years of University's investment holdings in corporations involved with the production, refining, transport and sale of fossil fuels;
- the disposal within 3 years of University's investment holdings in financial institutions which have not adopted a policy of making no further loans to corporations that produce, refine, transport or sell fossil fuels.

The submission regarding Plan Nord asked for:

- the gradual disposal of the University's holdings in corporations that profit from, lobby for or are members of organizations that lobby for, Quebec's Plan Nord project;
- the disposal within 3 years of the University's investment holdings in corporations that do business on native land against the wishes of the native peoples of that land;

- the disposal within 3 years of the University's investment holdings in financial institutions which have not adopted a policy of making no further loans to corporations that do business on native Land against the wishes of the native peoples of that land.

## II. CAMSR PROCESS AND PROCEDURES

The CAMSR met on March 12 and April 10, 2013 to consider the two submissions.

### Meeting of March 12, 2013

The CAMSR reviewed its mandate as described in the terms of reference approved by the Board. It clarified that its review of the expressions of concern would focus on whether social injury has occurred. Social injury is defined as follows:

Social injury means the injurious impact which the activities of a company is found to have on consumers, employees, or other persons, particularly including activities which violate, or frustrate the enforcement of, rules of domestic or international law intended to protect individuals against deprivation of health, safety, or basic freedoms. However, a company shall not be deemed to cause "social injury" simply because it does business with other companies which are themselves engaged in socially injurious activities. *Terms of Reference Jan 25, 2010.*

The Committee took note of the Investment Committee's mandate to achieve optimal returns from investing the University endowment funds in order to ensure a dependable source of income for certain University activities, funding of annual operating costs of the Endowment and preservation of the capital value of the Endowment.

As part of the preparatory process, the Committee established a Calendar of Business and agreed to hear from representatives of Divest McGill concerning the submissions at a Committee meeting on April 10.

### Meeting of April 10, 2013

Those participating on behalf of the CAMSR included:

**Chair**, Brenda Norris

**Vice-Chair**, Gerald Butts

**Committee Members:**

Heather Munroe-Blum, Principal & Vice  
Chancellor

Kip Cobbett, Chair, Board of Governors

David Kalant

Jonathan Mooney

Gerald Sheff

**Invited Observer:**

Joel Raby, Chair, Investment Committee

**Administrative Staff:**

Michael Di Grappa, Senior Steward

John Limeburner, Exec Dir, Investments

Edyta Rogowska, Governance Officer

Strople Stephen, Secretary-General

Committee members first heard from Divest McGill representatives Emily Boytinck, Amina Moustaqim-Barrette and Kristen Perry in support of the submission to divest from companies engaged in the oil sands and fossil fuels. Using a series of 23 Power Point slides (attached) the representatives gave a twenty minute presentation arguing for disposal of holdings in corporations involved with the oil sands and fossil fuels. Following the presentation, Committee members had an opportunity to ask questions of clarification and elaboration concerning the Divest McGill submission and presentation.

After the departure of the first presenters, Committee members next heard from Divest McGill representatives Christopher Bangs, Claire Stewart-Kanigan and Bronwen Tucker in support of the submission to divest from companies engaged in the Plan Nord. Using a series of 18 Power Point slides (attached) the representatives gave a twenty minute presentation arguing for disposal of holdings in corporations involved in the Plan Nord project. Following the presentation, members had an opportunity to ask questions of clarification and elaboration concerning the Divest McGill submission and presentation.

### **III. CAMSR DELIBERATIONS and DECISION**

#### **A) Submission on Oil Sands and Fossil Fuels**

In coming to its decision, the Committee considered the written submission and presentation from Divest McGill, letters in support of the submission provided by Campus Crops, the McGill Environmental Students' Society, Ms. Elise Moser, Alumna, and an article published by the Economics Students Association entitled: *McGill Professors Battle over Divestment in Annual Debate*, and took account of the information and arguments contained therein. The highlights of the Divest McGill presentation may be summarized as follows:

- Social injury occurs because extraction and use of fossil fuels, in particular from the oil sands, have harmful health and environmental impacts including climate change. Climate change is estimated to contribute to deaths around the world. Fossil fuel extraction contributes to environmental degradation. Coal, oil and gas companies exert strong influence on governments and financial markets, and fund biased science.

Disposal of investment holdings is a way to help ensure that 80% of fossil fuel reserves stay in the ground thereby preventing further global warming. McGill should be a global leader in sustainability initiatives, and one way to do this is through divestment of fossil-fuel-related investments.

In discussion with the Committee, the representatives of Divest McGill acknowledged they were unaware of examples of corporations involved in oil sands and fossil fuels which had been found to have violated or frustrated the enforcement of rules of domestic or international law intended to protect individuals against deprivation of health, safety or basic freedoms. During the discussion, it was noted that a number of energy companies are actively engaged in research into and the production of alternate forms of energy, which suggests that investment in these companies may help to promote and encourage the use of alternate sources of energy.

The Committee commended the informative Divest McGill presentation, and noted that the supporting documentation was well organized and articulated, and raised a number of important points.

During its deliberations after the Divest McGill representatives had concluded the presentation and discussion and left the meeting, the Committee members considered whether the test of social injury was met with respect to both the oil sands and fossil fuels components of the submission. While some members noted environmental and health effects related to the oil sands, the Committee found that Divest McGill had presented no evidence of a court finding of injury on the part of oil sands or fossil fuels companies, and otherwise had provided insufficient data and evidence to establish that social injury had occurred. Committee members also took note that the energy sector, including oil and gas extraction, production and distribution, is highly regulated by government at all levels.

In conclusion, the Committee determined that Divest McGill had failed to demonstrate that social injury (as defined in the terms of reference) had occurred due to the actions of a company involved in either oil sands or fossil fuels. The Committee also found that the request to dispose of investment holdings in financial institutions which have not adopted a policy of making no further loans to corporations that produce, refine, transport or sell fossil fuels, is beyond the scope of 'social injury' as defined in the terms of reference.

Since the Committee is not satisfied that 'social injury' has occurred, no action was considered or is recommended.

## **B) Submission on the Plan Nord**

In coming to its decision, the Committee considered the written submission and presentation from Divest McGill, and a letter in support of the submission provided by Campus Crops. In summary, Divest McGill highlighted the following points.

- Social injury occurs because the Plan Nord and non-consensual extraction violate the rights of Indigenous Peoples of Quebec to control their own territory. Violation of land claims disregards the ethical framework of the U.N. Declaration on the Right of Indigenous Peoples and the Canadian Charter of Rights and Freedoms, which recognize Indigenous Peoples' right to develop and control lands, territories and resources which they have traditionally occupied. The Plan Nord provides for the opening of the Northern Territories to mining industries without properly consulting the communities, or recognizing their land rights. It involves opening up the North to mining and forest, resource extractions and hydroelectric dams. Such initiatives have been rejected by many First Nations of Northern Quebec and will cause societal and environmental harm to Indigenous Peoples. The Pacific Trails Pipeline in western Canada provides an example of the harm that can occur.

In discussion with the Committee, the representatives of Divest McGill acknowledged that a number of the proposals related to the Plan Nord have not yet been implemented or executed as many of the initiatives connected to the Plan are still being planned and developed. When asked whether the developments of the Plan Nord are being developed outside legal and regulatory frameworks, representatives of Divest McGill stated that actions have been taken by Indigenous peoples against the government, but the denial of consent by the Indigenous Peoples has not been established by the courts.

The Committee commented that the Divest McGill submission was well researched and presented, but that Divest McGill focused narrowly on certain aspects of the Plan Nord.

During its deliberations after the Divest McGill representatives had concluded the presentation and discussion and left the meeting, the Committee considered whether the test of social injury had been met with respect to Plan Nord. Committee members observed that in its attention to mining projects, Divest McGill did not address the Plan's full range of economic and social initiatives that are yet to be developed, and for which outcomes are unknown. The Committee also noted that there was no connection between the Pacific Trails Pipeline and the Plan Nord. Committee members found that Divest McGill had provided little direct data and evidence with respect to social injury as a result of the Plan Nord.

In conclusion, the Committee determined that Divest McGill had failed to demonstrate the occurrence of social injury (as defined in the Committee terms of reference) due to the actions of a company involved in the Plan Nord. The Committee also found, relative to Divest McGill's explicit request for disposal of "the University's holdings in corporations that lobby for or are members of organizations that lobby for Quebec's Plan Nord", or for disposal of "holdings in financial institutions which have not adopted a policy of making no further loans to corporations that do business on native land", that such consideration is beyond the scope of 'social injury' as defined in the terms of reference.

Since the Committee is not satisfied that 'social injury' has occurred, no action was considered or is recommended.

## APPENDIX A

### SCHEDULE OF DOCUMENTS

1. Terms of reference of the Committee to Advise on Matters of Social Responsibility
2. Terms of reference of the Investment Committee
3. Submissions from Divest McGill
  - 3.1 *Petition to Divest from the Tar Sands and Fossil Fuels*
  - 3.2 *Petition to Divest from the Plan Nord and Non-Consensual Resource Extraction*
4. Two PowerPoint Presentations From Divest McGill
5. Letters Received from the McGill Community

Documents of the record are available for perusal at:

<http://www.mcgill.ca/boardofgovernors/board-governors-2012-2013>





**McGill University**  
**Board of Governors – Committee to Advise on Matters of Social Responsibility (CAMSR)**

**Terms of Reference**

**1. Authority**

- a. The Committee to Advise on Matters of Social Responsibility (the “Committee”) is created by and responsible to the Board of Governors (the “Board”) of McGill University (the “University”).
- b. The Vice-Principal (Administration and Finance) shall serve as the Senior Steward to the Committee.
- c. The Treasurer shall serve as the resource person to the Committee.
- d. The Secretary-General shall serve as resource person on governance matters to the Committee.
- e. The Committee shall function in accordance with the Regulations of the Committees of the Board of Governors of McGill University (the “Regulations”). In accordance with the Regulations, meetings of Board committees shall be held in confidential session unless the committee resolves to carry out a meeting or part of a meeting in open session. Additional provisions relating to the presence or exclusion of individuals from meetings are described by sections 36-38 of the Regulations.

**2. Composition**

- a. The Committee shall consist of six members, excluding the *ex officio* members, comprised as follows:
  - i. one member of the Board’s Investment Committee;
  - ii. one Board member from among the Academic Staff Members or the Senate Members;
  - iii. one Board member from among the Administrative and Support Staff Members;
  - iv. one Student Member ;
  - v. up to two members selected from among the following: At-Large members or Alumni Association Members of the Board, Governors *Emeriti* or Honorary Governors;
  - vi. One member of the Committee may be from the general public.
- b. The Chair of the Board and the Principal shall serve as *ex officio* members of the Committee.
- c. The Chair of the Committee shall be selected from among the At-Large Members, Alumni Association Members, Governors *Emeriti* or Honorary Governors serving on the Committee.
- d. The Secretary-General or her/his delegate shall serve as Secretary to the Committee.

### **3. Mandate of the Committee**

The Committee shall:

- a. Subject to section 4, receive and review expressions of concern from the University community on matters of social responsibility with respect to University investments;
- b. Report to the Board of Governors on the nature of the social issue or issues raised and the extent of the concern about the issue among members of the University community based on the documents presented and representations made to the Committee;
- c. Adopt procedures to be followed by the Committee in receiving representations related to the University's investment policies that define and use the concept of "social injury," as defined in section 5, as an important criterion for taking further action;
- d. Where the Committee is satisfied that "social injury" (as defined in Section 5) has occurred, recommend to the Board of Governors whether action is warranted and the nature of the action that should be taken which may include:
  - i. private questioning of corporate management on the accuracy, extent and implications of the conduct complained of;
  - ii. private urging of changes in corporate practice;
  - iii. supporting stockholders' resolutions critical of management practice by voting proxies;
  - iv. preparing and presenting stockholders' resolutions recommending changes in management practice;
  - v. divestment of holdings;
  - vi. any other action deemed appropriate by the Board.

### **4. Limits on Authority**

- a. The Committee shall only entertain expressions of concern from the University community which are:
  - i. initiated by one or more members of that community;
  - ii. supported by a fully documented brief identifying the "social injury" that should influence investment decisions or the exercise of shareholders' responsibilities;
  - iii. supported by a petition of at least 300 signatures of which:
    - up to 200 of the signatures shall be from a single constituency of the University community: and
    - at least 100 signatures shall be from at least two other University constituencies with a minimum of 25 signatures from any one constituency;
    - for the purposes of petitions to the Committee, there are four University constituencies: academic staff, administrative and support staff, students and alumni members;
    - the petition will allow for the authentication of signatures against their respective constituency;
  - iv. deposited with the Secretary-General. All signatures must be collected during the same academic year as the petition is deposited.

- b. The Committee shall only make recommendations with respect to financial matters that fall within the jurisdiction of the Investment and Finance Committees of the Board.

## **5. Social Injury**

“Social injury” means the injurious impact which the activities of a company is found to have on consumers, employees, or other persons, particularly including activities which violate, or frustrate the enforcement of, rules of domestic or international law intended to protect individuals against deprivation of health, safety, or basic freedoms. However, a company shall not be deemed to cause “social injury” simply because it does business with other companies which are themselves engaged in socially injurious activities.

## **6. Frequency of Meetings and Calendar of Business**

The Committee shall meet as soon as is practicable after the date of a submission of a petition that meets the Committee’s requirements specified in Section 4. The Committee shall have a calendar of business, maintained by the Secretary-General or her/his delegate, for the purpose of ensuring that the meeting agenda address responsibilities as outlined in these terms of reference.

## **7. Reporting to the Board**

The Committee shall report to the Board at least once each year with respect to its activities and decisions. The Committee shall review its Terms of Reference every three years and recommend changes to the Board’s Nominating and Governance Committee.

Final - Approved by the Executive Committee on September 24, 2007  
Revised - Approved by the Executive Committee on January 25, 2010

**McGill University**  
**Board of Governors – Investment Committee**

**Terms of Reference**

**Enacting provisions**

The Investment Committee (“Committee”) is established under the authority of and is accountable to the Board of Governors (the “Board”) of McGill University (the “University”), and shall function as stipulated in these terms of reference and in the *Regulations of the Committees of the Board of Governors of McGill University* (the “Regulations”). In accordance with the Regulations, meetings of Board Committees shall be held in closed session unless the Committee resolves to carry out a meeting or part of a meeting in open session.

**1. Composition**

- a. Appointments to the Committee are approved by the Board, normally on the recommendation of the Nominating, Governance and Ethics Committee.
- b.
  - i. The Committee shall consist of three to eight members, exclusive of *ex officio* members, selected from among the following:
    - Members of the general public;
    - At-Large members of the Board;
    - Alumni Association members of the Board;
    - Governors *Emeriti*.
  - ii. The Committee members are appointed on the basis of their expertise and interest in investment, business and economics.
  - iii. A majority of members of the Committee must have a significant degree of investment expertise.
- c. The Chair of the Board and the Principal shall serve as *ex officio* members of the Committee.
- d. The Chair of the Committee shall be appointed by the Board, normally on the recommendation of the Nominating, Governance and Ethics Committee.
- e. The Vice-Principal (Administration and Finance) shall serve as the Senior Steward to the Committee.
- f. The Vice-Principal (Development and Alumni Relations) shall serve as special advisor to the Committee.
- g. The Secretary-General or her/his delegate shall serve as Secretary and governance advisor to the Committee.
- h. Where necessary or appropriate to facilitate and support the business of the Committee, the Senior Steward may invite University staff to serve as resource persons for particular items of business before the Committee at a meeting.

## **2. Mandate of the Committee**

The Committee, subject to the *Regulations Relating to the Approval of Contracts and Signing Authority*, assists the Board in fulfilling its governance responsibilities with respect to the University's investments.

Investments include all funds (whether endowed or non-endowed, externally or internally restricted) invested in accordance with University policy or as may be designated for Investment Committee oversight from time to time, exclusive of University pension plan funds.

Endowed funds are primarily invested through the McGill Investment Pool ("MIP") and are composed of: (i) bequests and donations received by the University, for the most part externally restricted, and generally to be held in perpetuity (ii) those assets of entities affiliated to McGill which have been invested in the MIP as an investment vehicle (iii) such other assets as may be designated by the Board to be endowed.

The Committee may consider other matters delegated to it by the Board, the Principal or the Vice-Principal (Administration and Finance).

Without limiting the generality of the foregoing, the Committee shall:

### **2.1 Functions delegated by the Board of Governors**

- a. approve the appointment and termination of investment managers and advisors;
- b. review and approve investment manager mandates;
- c. approve the appointment and termination of the University's investment custodians and other providers of investment related services, or delegate such approval as appropriate;
- d. review, on a quarterly basis, all matters related to the investment of the MIP and other investments;
- e. approve the Statement of Investment Beliefs and any modifications thereto, and review it at least annually.
- f. review, at least annually, the Statement of Investment Policy, and monitor compliance with this policy;
- g. review, at least annually, the performance of each fund manager and providers of investment-related services;

- h. monitor, as required, staff's compliance with guidelines and processes for the selection of investment managers, including compliance with the University's conflict of interest policies;
- i. approve the management fee on the MIP and any modifications thereto;

## **2.2 Functions subject to the authority of the Board of Governors**

- a. recommend to the Board the approval of all investment policies, including the Statement of Investment Policy, and any modifications thereto;
- b. recommend the approval of the annual distribution rate for the income from the University's endowment;
- c. recommend to the Board the establishment of additional policies related to investments and modifications thereto;

## **3. General provisions**

- a. The Committee shall meet at least four times during the year. The Committee shall have a calendar of business, maintained by the Secretary-General or her/his delegate, for the purpose of ensuring that each meeting agenda addresses responsibilities as outlined in these terms of reference.
- b. The Committee shall report to the Board on a regular basis, and within a reasonable time following each Committee meeting.
- c. The Committee shall review its terms of reference at least once every three years and recommend any changes to the Board's Nominating, Governance and Ethics Committee.

Last revised:

Executive Committee: November 27, 2012

Previous amendments:

Executive Committee: September 24, 2007

Executive Committee: January 25, 2010

Board of Governors: September 27, 2012

Submission to the Committee to Advise on Matters of Social Responsibility  
Divest McGill: Petition to Divest from the Tar Sands and Fossil Fuels  
February 1 2013



# Divest McGill

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Divest McGill  
DivestMcGill.com  
divestmcgill@gmail.com

February 1 2013

TO: The Members of the Committee to Advise on Matters of Social Responsibility

CC: The Secretary-General  
James Administration Building, Room 313  
845 Sherbrooke Street West  
Montreal, QC H3A 0G4

Divest McGill is proud to present the Committee with the following submission. Enclosed is the petition, the signatures of approximately 760 members of the community, a letter discussing conflicts of interest, and a brief detailing the social injury caused by fossil fuels and tar sands. Approximately 360 signatures were received online, and 400 were submitted in person.

Divest McGill has also made available the records in the McGill Archives concerning the Committee, with a focus on South African divestment. The Committee's submissions to the Board, its public reports, and the Board's discussion of those affairs can be found at McGilliLeaked<sup>1</sup>. Interested Committee and community members are welcome to peruse that history.

Please accept our sincerest thanks in advance for conducting a thorough and efficient review of the situation. We would be very appreciative if we could be provided with an expected timeline for the process when one becomes available. Our submission today is largely confined to the damages caused by fossil fuels, and we welcome the opportunity to make further representations specifically in favor of divestment.

Sincerely,  
The Members of Divest McGill

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<sup>1</sup> <http://mcgillileaked.wordpress.com/category/committee-to-advise-on-matters-of-social-responsibility/>





# Divest McGill

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Divest McGill  
DivestMcGill.com  
divestmcgill@gmail.com

TO: The Members of the Committee to Advise on Matters of Social Responsibility

CC: The Secretary-General  
James Administration Building, Room 313  
845 Sherbrooke Street West  
Montreal, QC H3A 0G4

The hundreds of members of McGill University who signed the petition, along with the students' associations and campus groups who endorsed it, request that the Board of Governors divest from financial institutions that invest in or give loans to companies with objectionable practices.

The involvement of those financial institutions is an integral element of the continued exploitation of the land and its residents, as most of the resource extraction and public-private partnerships require levels of capital that individual companies would be unable to front.

That said, to the best knowledge of Divest McGill, there exist few if any financial institutions whose practices fully correspond with the values of the McGill community, as expressed through this petition. As such, we request that the University participate in active shareholder action to encourage responsible lending and investment practices in financial institutions, and when responsible financial institutions and products, like pooled investment funds, become available, that the University divest its other holdings.

We look forward to entering into a full discussion with the CAMSR to evaluate the best path forward to fulfill the spirit of the petition.

Sincerely Yours,  
The Members of Divest McGill

# Divest McGill

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Divest McGill  
DivestMcGill.com  
divestmcgill@gmail.com

TO: The Members of the Committee to Advise on Matters of Social Responsibility  
TO: The Members of the Board of Governors

CC: The Secretary-General  
James Administration Building, Room 313  
845 Sherbrooke Street West  
Montreal, QC H3A 0G4

The McGill community expressed broad support for the two requests submitted by Divest McGill to the Committee to Advise on Matters of Social Responsibility.

The Code of Conduct of the Board of Governors (excerpts reproduced opposite) requires members and members at large to withdraw from deliberations and abstain from voting in the case when the member has a real or perceived conflict of interest, or when the member is uncertain if there is a real or perceived conflict of interest.

Where these conflicts of interest or perceived conflicts of interest exist, we sincerely hope that members will recuse themselves from the proceedings surrounding those requests. Those conflicts could include principal employment at a financial institution or energy company, or at a law firm with a significant number of clients considered in this motion; they could also include holding positions on governing bodies of companies considered in this motion or employment by investment firms that engage in the practices considered in this motion.

Thank you for your time, and for your consideration for the Code of Conduct.

Sincerely Yours,  
The Members of Divest McGill

From the Code of Conduct of the Board of Governors of McGill University

#### **4. Rules Governing Conflicts of Interest**

The following shall apply when considering situations of real or perceived conflict of interest

- 4.1 A Member shall be considered to have a real conflict of interest when he/she holds a personal interest, whether direct or indirect, that he/she is or should be aware of and that would, in the opinion of a reasonably informed and well-advised person be sufficient to put into question the independence, impartiality, and objectiveness that the said Member is obliged to exercise in the performance of his/her duties.
- 4.2 A Member shall be considered to have a perceived conflict of interest when he/she would appear to have, in the opinion of a reasonably informed and well-advised person, a personal interest, whether direct or indirect, that would be sufficient to put into question the independence, impartiality, and objectiveness that the said Member is obliged to exercise in the performance of his/her duties.

#### **5. Management of Conflicts of Interest**

- 5.1 Members are expected to have primary responsibility in the identification and management of their own conflicts of interest.
- 5.2 In order to manage one's conflict, a Member must endeavor to identify what is, or could be, a real or perceived conflict of interest. The Secretary-General shall serve as a resource person to all Members in helping to identify conflicts of interest.

#### **6. Examples of Conflicts of Interest**

The following, without limitation, are examples of conflict of interest:

- 6.1 when a Member, whether directly or indirectly, has a personal interest in the outcome of deliberations of the Board; in a contract or a proposed contract to be entered into by the University or a University-related body; or is likely to obtain a personal advantage as a result of a discretionary decision made by the University or a University-related body;
- 6.2 when a Member is a member of the senior management personnel of a corporation, institution, or body, whether public or private in nature, whose interests may be in competition with those of the University;
- 6.3 when a Member accepts gifts, gratuities, or favours from a firm or corporation engaged in or wishing to engage in transactions with the University, except in the case of customary gifts of a purely nominal value.

# Divest McGill

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## THE SOCIAL INJURY CAUSED BY THE EXPLOITATION OF THE TAR SANDS AND FOSSIL FUELS

By Divest McGill<sup>1</sup>

### Summary

The students, alumni, faculty, and staff of McGill University have made clear their strong desire to see responsible investment practices. We call on the University to divest its holdings in companies involved in the tar sands and other fossil fuel production, and financial institutions that give loans to those companies.

The tar sands of Northern Alberta pollute the air and rivers, causing irreparable damage to the land and to its First Nations communities.

*Companies which extract natural resources without adequate environmental consideration are undermining the stability of the very systems which we, and all life on Earth, depend upon for survival.*

-Kristen Perry

Global climate change threatens Canadians and peoples the world over. Entire neighbourhoods of cities like Vancouver, New York, and New Orleans could be underwater due to sea level rise, and polar communities already face extraordinary levels of warming that threatens their infrastructure. Cities like Montreal and Toronto will face more extreme weather events, including

snow storms and heat waves, and the continued burning of fossil fuels—in particular oil from the tar sands—will make runaway warming unavoidable.

The fossil fuel companies considered in this brief actively engage in misinformation campaigns to discredit the rigorous scientific consensus that threatens their continued profits.

Financial institutions provide the capital to make large-scale projects like the tar sands feasible.

It is clear that urgent action is needed to counter the threat of global climate change. The McGill community has spoken, and we call on the Board of Governors to make the right choice for

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<sup>1</sup> All box quotes come from community members who signed the petitions.

the planet, and the right choice for McGill. We call on McGill University to divest from the fossil fuels industry.

### **The Tar Sands: A Local and Global Concern**

**T**he tar sands are huge deposits of bitumen—a mix of clay, water, sand and oil—that is turned into oil through complex and energy-intensive processes that cause widespread environmental damage. Small particles of sand are coated with heavy oil, with a thin layer of water separating the two. The sand and water must be separated from the oil, producing four tons of sand for every barrel of oil extracted. Another three barrels of water must be removed from the river for each barrel of oil. The *2010 Survey of Energy Resources* describes the reserves: <sup>2</sup>

Natural bitumen and extra-heavy oil are characterised by high viscosity, high density (low API gravity), and high concentrations of nitrogen, oxygen, sulphur, and heavy metals. These characteristics result in higher costs for extraction, transportation, and refining than are incurred with conventional oil.

The largest deposits of tar sands in the world are in Canada. Unlike drilling for oil deposits and pumping oil from the ground, the tar sands typically require huge mining projects to access the bitumen and refine it into oil.

In Alberta, the excavation of the tar sands pollutes the Athabasca River and fills the air with toxins. The tar sands are found mainly under Canada's Boreal forest,<sup>3</sup> requiring the forest to be clear-cut to allow the excavation of the bitumen. The ecosystems of the North face irreversible damage, and the companies' promises of rehabilitation and reclamation remain unfulfilled. In 2008, only 0.2% of the land disturbed by tar sands mining was designated reclaimed, and even there the "complex of forests and low-lying wetlands has been transformed into a dry, hilly upland with new trails for human use."<sup>3</sup> The spokesperson of Syncrude, the company that owns the reclaimed land, proudly said, "If people aren't looking closely, it blends into the natural landscape."<sup>4</sup> Over 65,000 hectares of forest have been lost already, with little hope of recovery. <sup>5</sup>

*Fossil fuel production itself, including in Canada, is associated with negative social impacts in the communities nearby, such as higher than average rates of homelessness, substance abuse, and divorce in Fort McMurray, close to the Alberta tar sands. Not to mention that nearby indigenous communities are no longer able to use their traditional territory as it has been taken over by development, and are seeing increased rates of illnesses such as cancer, which may be due to their downstream location from the project.*

-Robin Reid-Fraser

<sup>2</sup> World Energy Council. "2010 Survey of Energy Resources" (London: World Energy Council, 2010) 123. <<[http://www.worldenergy.org/documents/ser\\_2010\\_report\\_1.pdf](http://www.worldenergy.org/documents/ser_2010_report_1.pdf)>>.

<sup>3</sup> Sierra Club Canada. "Tar sands and the Boreal Forest". <<<http://www.sierraclub.ca/en/tar-sands/publications/tar-sands-boreal-forest>>>.

The environmental, social and health costs of the tar sands in Canada are tremendous and multilayered.

In any discussion of climate change, the tar sands are of the utmost importance. Every barrel of bitumen produced from the tar sands emits three times as much greenhouse gas as conventional oil.<sup>6</sup> In total, the tar sands are expected to emit 108 million tons of GHGs annually by 2020, about one fifth of Canada's entire carbon footprint.<sup>7</sup> Already, this project emits more carbon

*As a leading educational and research institution in Canada, McGill has a particular responsibility to promote the development and use of environmentally sound energy alternatives, and to respect the land rights of indigenous peoples in Quebec.*

-Elise Juzda Smith

than all of Canada's cars, at a rate of 40 million tons per year.<sup>8</sup> Because of the tar sands, Canada's emissions have grown more since 1990 than those of any other G8 nation—a total increase of 24.1% between 1990 and 2008—and Canada has one of the world's highest per capita carbon footprints.<sup>9</sup> Former climate scientist James Hansen wrote in the New York Times that, "If Canada proceeds [with this development], and we do nothing, it

will be game over for the climate."<sup>10</sup> The tar sands are a project with extraordinary global impacts that threaten runaway climate change.

The tar sands also have dangerous localized impacts near where they are mined. First Nations communities in the tar sands area report unusually high levels of rare cancers and autoimmune diseases, and fish that live downstream of the development are often malformed and inedible.<sup>11</sup> The high concentration of development in one watershed results in correspondingly

<sup>4</sup> Hildebrand, Joyce. "Reclamation Illusions in Oil Sands Country: Lack of Legislation, Financial Preparedness, Undermine reclamation Efforts." The Parkland Institute. Spring / Summer 2008. <<[http://parklandinstitute.ca/post/story/reclamation\\_illusions\\_in\\_oil\\_sands\\_country/](http://parklandinstitute.ca/post/story/reclamation_illusions_in_oil_sands_country/)>>.

<sup>5</sup> Timoney, Kevin P. and Peter Lee. "Does the Alberta Tar Sands Industry Pollute? The Scientific Evidence" (The Open Conservation Biology Journal, 2009, 3) 65-81. <<<http://cahr.uvic.ca/nearbc/documents/2009/Alberta-Tar-Sands-Industry-Pollute.pdf>>>.

<sup>6</sup> Nikiforuk, Andrew. Tar sands: Dirty Oil and the Future of a Continent. (Vancouver: Greystone, 2010) 3.

<sup>7</sup> Schindler, David. "Tar sands Need Solid Science" (Nature 468, 25 Nov 2010) 499-501. <<<http://www.nature.com/nature/journal/v468/n7323/full/468499a.html>>>.

<sup>8</sup> Greenpeace. "Tar sands: Learn About". <<<http://www.greenpeace.org/canada/en/campaigns/Energy/tarsands/Learn-about/>>>.

<sup>9</sup> United Nations Framework Convention on Climate Change. "Report of the individual review of the annual submission of Canada submitted in 2010" 21 April 2011. <<<http://unfccc.int/resource/docs/2011/arr/can.pdf>>>.

<sup>10</sup> Hansen, James. "Game Over for the Climate" (New York Times, 9 May 2012). <<[http://www.nytimes.com/2012/05/10/opinion/game-over-for-the-climate.html?\\_r=2&emc=eta1](http://www.nytimes.com/2012/05/10/opinion/game-over-for-the-climate.html?_r=2&emc=eta1)>>.

<sup>11</sup> Schindler, David. "Tar sands Need Solid Science" (Nature 468, 25 Nov 2010) 499-501. <<<http://www.nature.com/nature/journal/v468/n7323/full/468499a.html>>>.

high levels of contaminants and heavy metals, and the ecosystem is less able to flush them out of the region. Indeed, a 2009 study found a two to threefold increase in summer mercury levels in the river below the tar sands, along with large increases in polycyclic aromatic hydrocarbons, potent atmospheric pollutants and carcinogens. Similar contaminants were present in snow and ice.<sup>12</sup>

Much of the excess water from the production process ends up in huge tailing ponds, which kill birds that land in them and “are suspected of seeping chemicals into groundwater.”<sup>13</sup> These tailing ponds contain over 720 million cubic meters of water, covering over 130 million square kilometers of land. In the forty years of development, not a single tailing pond has been cleaned enough to be designated as reclaimed.<sup>14</sup> Environmental groups have presented strong evidence of tailing pond leakage, and oil companies have recognized the existence of the problem.<sup>15</sup> In total as many as 166 million birds could be lost over the next 30 to 50 years due to habitat loss and tailing ponds.<sup>16</sup> Furthermore, the economic benefits promised to native communities up north have not necessarily materialized, and the development comes at a tremendous human cost. The Pembina Institute highlights the serious health concerns,<sup>17</sup> including,

- A 30% increase in cancers in Fort Chipewyan compared with expected rates over the last 12 years.
- A three-fold increase in leukemias and lymphomas.
- A seven-fold increase in bile duct cancers.
- Other cancers, such as soft tissue sarcomas and lung cancers in women, were also elevated.

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<sup>12</sup> Liberal Report from the Study of the Standing Committee on Environment and Sustainable Development on the Impact of Oil Sands Development on Canada’s Freshwater. “The Hidden Dimension: Water and the Oil Sands” 15-17. <<[http://francisscarpaleggia.liberal.ca/files/2010/08/The-Hidden-Dimension\\_Water-and-the-Oil-Sands.pdf](http://francisscarpaleggia.liberal.ca/files/2010/08/The-Hidden-Dimension_Water-and-the-Oil-Sands.pdf)>>.

<sup>13</sup> Schindler, David. “Tar sands Need Solid Science” (Nature 468, 25 Nov 2010) 499-501. <<<http://www.nature.com/nature/journal/v468/n7323/full/468499a.html>>>.

<sup>14</sup> New Democratic Report on the Standing Committee Review of the Impacts of Oil Sands Developments on Water Resources. “Missing in Action: The Federal Government and the Protection of Water in the Oil Sands” 13. <<[http://www.billsiksay.ca/images/issues/NDP%20Report\\_Missing%20in%20Action\\_The%20Federal%20Government%20and%20protection%20of%20water%20in%20the%20oil%20sands.pdf](http://www.billsiksay.ca/images/issues/NDP%20Report_Missing%20in%20Action_The%20Federal%20Government%20and%20protection%20of%20water%20in%20the%20oil%20sands.pdf)>>.

<sup>15</sup> Liberal Report from the Study of the Standing Committee on Environment and Sustainable Development on the Impact of Oil Sands Development on Canada’s Freshwater. “The Hidden Dimension: Water and the Oil Sands” 15. <<[http://francisscarpaleggia.liberal.ca/files/2010/08/The-Hidden-Dimension\\_Water-and-the-Oil-Sands.pdf](http://francisscarpaleggia.liberal.ca/files/2010/08/The-Hidden-Dimension_Water-and-the-Oil-Sands.pdf)>>.

<sup>16</sup> Wells, Jeff Ph.D. “Danger in the Nursery: Impact on Birds of Tar sands Oil Development in Canada’s Boreal Forest” (National Resources Defense Council Report, Dec 2008) iv. <<<http://www.nrdc.org/wildlife/borealbirds.pdf>>>.

<sup>17</sup> Droitsch, Danielle and Terra Simieritsch. “Canadian Aboriginal Issues with Oil Sands: A Compilation of Key Issues, Resolutions and Legal Issues” (The Pembina Institute: Sept 2010) 2.

The development of the tar sands threatens communities across Alberta, pollutes the local environment, and contributes to global climate change.

## Climate Change: A Global Threat

According to the Board of Atmospheric Sciences and Climate, the arm within the American National Academies for atmospheric and climate sciences, “The preponderance of the scientific evidence points to human activities—especially the release of CO<sub>2</sub> and other heat-trapping greenhouse gases (GHGs) into the atmosphere—as the most likely cause for most of the global warming that has occurred over the last 50 years or so.”<sup>18</sup>

*I do not want my tuition money to be responsible for the destruction of communities and also the creation of the biggest environmental disaster that we have seen.*

-Zoe Pepper-Cunningham

Scientists agree that the highest safe level of CO<sub>2</sub> at 350 parts per million; human emissions have now pushed the level of CO<sub>2</sub> in the atmosphere to 392 ppm.<sup>19</sup> The rate of increase is at 1.8 ppm annually.<sup>20</sup>

The BASC further advises that, “The faster emissions are reduced, the lower the risks posed by climate change. Delays in reducing emissions could commit the planet to a wide range of adverse impacts . . . [and] the risks associated with doing business as usual are a much greater concern than the risks associated with engaging in strong response efforts”.<sup>21</sup>

Canada, through its international agreements, has made strong commitments to a green future. In the 2010 Cancun agreements of the United Nations Framework Convention on Climate Change, Canada affirmed:<sup>22</sup>

that climate change is one of the greatest challenges of our time . . . [and] that deep cuts in global greenhouse gas emissions are required according to science, and as

<sup>18</sup> Committee on America's Climate Choices, National Resource Council. America's Climate Choices. Washington, D.C.: National Academies Press, 2011. 15.

<sup>19</sup> 350.org. “Science”. 2012. <<<http://www.350.org/en/about/science>>>.

<sup>20</sup> The World Bank. “4° Turn Down the Heat: Why a 4° World Must Be Avoided.” Nov 2012. Potsdam Institute for Climate Impact Research and Climate Analytics. <<[http://climatechange.worldbank.org/sites/default/files/Turn\\_Down\\_the\\_heat\\_Why\\_a\\_4\\_degree\\_centrigrade\\_warmer\\_world\\_must\\_be\\_avoided.pdf](http://climatechange.worldbank.org/sites/default/files/Turn_Down_the_heat_Why_a_4_degree_centrigrade_warmer_world_must_be_avoided.pdf)>>.

<sup>21</sup> Committee on America's Climate Choices, National Resource Council. America's Climate Choices. Washington, D.C.: National Academies Press, 2011. 2.

<sup>22</sup> United Nations. Framework Convention on Climate Change. (United Nations, 1992) 2-3. <<[http://unfccc.int/essential\\_background/convention/background/items/1362.php](http://unfccc.int/essential_background/convention/background/items/1362.php)>>.



documented in the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, with a view to reducing global greenhouse gas emissions so as to hold the increase in global average temperature below 2 °C above preindustrial levels, and that Parties should take urgent action to meet this long-term goal, consistent with science and on the basis of equity.

The scientific consensus “has been endorsed by every National Academy of science of every major country on the planet, every major professional scientific society related to the study of global warming and 98 percent of climate scientists throughout the world,” writes Al Gore.<sup>23</sup> Yet despite Canada’s strong public commitments, the country is pushing forward with developing the tar sands, has barely even slowed the rate of greenhouse gas emissions growth let alone reduced its emissions, and under the current government has pulled out of the Kyoto Protocol.

Climate change raises global average temperatures. Every summer, new temperature records are set across the globe. Much of the South West United States saw unprecedented wildfires and droughts, while regions across the world face extraordinary flooding and storms.

Climate scientists used to say that global warming stacks the dice in favour of more extreme weather: what might have used to be a storm so large that it occurred only once every 1,000 years now might happen every 500, or a 100-year flood might instead happen every 60 years. Now they say that we are adding more dots on the dice: whereas before we might have rolled a 12, now we are rolling 13s and 14s.<sup>23</sup> Many attribute Hurricane Sandy’s strength and destructive power to global warming,<sup>24</sup> and it has raised an understanding across North America that the effects of climate change are already being felt.

Entire neighborhoods of many major cities are threatened by global warming. Vancouver, New York, New Orleans and many other North American cities are so close to sea level that projected sea level increases could put huge swaths underwater.<sup>21</sup> The World Bank projects that even 2° degrees Celsius warming will result in between 0.3 and 0.8 meters by 2100 and 1.5 and 4 meters of sea level rise by 2300, and 4° degrees Celsius would result in an up to 1 meter increase by 2100 and up to 4 meters by 2300, placing huge swaths of the world’s coast underwater.<sup>25</sup>

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<sup>23</sup> Gore, Al. "Climate of Denial: Can the Science and the Truth Withstand the Merchants of Poison?" Rolling Stone Jun 2011 26. <<<http://www.rollingstone.com/politics/news/climate-of-denial-20110622>>>.

<sup>24</sup> Steer, Andrew. "Listening to Hurricane Sandy: Climate Change is Here." The Huffington Post. 3 Nov 2012. <<[http://www.huffingtonpost.com/dr-andrew-steer/climate-change-hurricane-sandy-\\_b\\_2068961.html](http://www.huffingtonpost.com/dr-andrew-steer/climate-change-hurricane-sandy-_b_2068961.html)>>.

<sup>25</sup> The World Bank. "4° Turn Down the Heat: Why a 4° World Must Be Avoided." Nov 2012. Potsdam Institute for Climate Impact Research and Climate Analytics. <<[http://climatechange.worldbank.org/sites/default/files/Turn\\_Down\\_the\\_heat\\_Why\\_a\\_4\\_degree\\_centrigrade\\_warmer\\_world\\_must\\_be\\_avoided.pdf](http://climatechange.worldbank.org/sites/default/files/Turn_Down_the_heat_Why_a_4_degree_centrigrade_warmer_world_must_be_avoided.pdf)>>.

As the temperature rises, we can expect more and more severe impacts. The Intergovernmental Panel of Climate Change, in its 2007 report, discussed some examples of impacts associated with global average temperature change. Appendix 1 reproduces a figure demonstrating some of the impacts of climate change.<sup>26</sup>

In North America, the report continues,<sup>27</sup>

- Warming in western mountains is projected to cause decreased snowpack, more winter flooding and reduced summer flows, exacerbating competition for over-allocated water resources.
- In the early decades of the century, moderate climate change is projected to increase aggregate yields of rain-fed agriculture by 5 to 20%, but with important variability among regions. Major challenges are projected for crops that are near the warm end of their suitable range or which depend on highly utilised water resources.
- Cities that currently experience heat waves are expected to be further challenged by an increased number, intensity and duration of heat waves during the course of the century, with potential for adverse health impacts.
- Coastal communities and habitats will be increasingly stressed by climate change impacts interacting with development and pollution.

*If McGill truly ... has a vision of a sustainable future, they should stop lending capital to businesses whose model is in direct conflict with this vision. There is no such thing as "ethical oil", fossil fuels are in direct moral conflict with humanity and McGill should stop funding its operations by spending away our future.*

-Raphael Dumas

And for Canadians living in polar regions, the report discusses some projected regional impacts,<sup>28</sup> including

- The main projected biophysical effects are reductions in thickness and extent of glaciers, ice sheets and sea ice, and changes in natural ecosystems with detrimental effects on many organisms including migratory birds, mammals and higher predators.
- For human communities in the Arctic, impacts, particularly those resulting from changing snow and ice conditions, are projected to be mixed.

<sup>21</sup> Gore, Al. "Climate of Denial: Can the Science and the Truth Withstand the Merchants of Poison?" Rolling Stone Jun 2011 26. <<<http://www.rollingstone.com/politics/news/climate-of-denial-20110622>>>.

<sup>26</sup> Intergovernmental Panel on Climate Change. Synthesis Report. New York: 2007. <<[http://www.ipcc.ch/publications\\_and\\_data/ar4/syr/en/spms3.html](http://www.ipcc.ch/publications_and_data/ar4/syr/en/spms3.html)>>.

<sup>27</sup> M.L. Parry, O.F. Canziani, J.P. Palutikof, P.J. van der Linden and C.E. Hanson (eds). Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. 2007. Cambridge: Cambridge University Press, 2007.

<sup>28</sup> M.L. Parry, O.F. Canziani, J.P. Palutikof, P.J. van der Linden and C.E. Hanson (eds). Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. 2007. Cambridge: Cambridge University Press, 2007.

- Detrimental impacts would include those on infrastructure and traditional indigenous ways of life.
- In both polar regions, specific ecosystems and habitats are projected to be vulnerable, as climatic barriers to species invasions are lowered.

It is clear that Canada faces clear and pressing challenges from climate change.

Global warming is also a threat beyond Canada's borders, and many communities across the world have less capacity to adapt and mitigate the impacts.

The World Bank warns that "the distribution of impacts is likely to be inherently unequal and tilted against many of the world's poorest regions," highlighting additional sea-level rise, greater tropic cyclone intensity, and increased aridity and drought pressures. River basins that rely on monsoons, like the Ganges and Nile, and those that rely on seasonal ice melt are particularly vulnerable to widespread drought risk.<sup>29</sup>

*As an institution invested in improving the future through education, McGill has no business helping Canada's energy solutions and environmental policies stay stagnant or regress in areas that hurt the environment.*

-Emily Martin

Similarly, island communities—*islands make up one tenth of the world's population—face the most extreme threat from rising sea levels. Entire islands could be submerged as the oceans rise, and entire peoples may have to migrate to new lands. Many communities themselves emphasize that while "[c]limate change related migration is likely to be a reality, it need not be a refugee crisis," but the massive relocation of people combined with the destruction of entire homelands is a serious challenge.*<sup>30</sup>

Global instability, on many axes, is predicted. 55,736 people were killed by extreme weather in Russia in 2010, in particular from the wildfires that swept the country. Russia then temporarily banned the export of grain, which caused food price shocks around the world. Natural disasters destabilize the lives of people across the world. The American Security Project describes this trend: "Secure states do not automatically mean secure peoples and climate change is proving that." Climate change and food insecurity, the Project concludes, are international security issues. They "may precipitate large-scale disruption that local public health, law enforcement and

<sup>29</sup> The World Bank. "4° Turn Down the Heat: Why a 4° World Must Be Avoided." Nov 2012. Potsdam Institute for Climate Impact Research and Climate Analytics. <<[http://climatechange.worldbank.org/sites/default/files/Turn\\_Down\\_the\\_heat\\_Why\\_a\\_4\\_degree\\_centrigrade\\_warm\\_er\\_world\\_must\\_be\\_avoided.pdf](http://climatechange.worldbank.org/sites/default/files/Turn_Down_the_heat_Why_a_4_degree_centrigrade_warm_er_world_must_be_avoided.pdf)>>.

<sup>30</sup> Lazrus, Heather. "Sea Change: Island Communities and Climate Change." Annual Review of Anthropology. 28 Jun 2012. <<<http://www.annualreviews.org/doi/pdf/10.1146/annurev-anthro-092611-145730>>>.

emergency response teams cannot contain.”<sup>31</sup> Weak states, the report warns, “may risk failure or increased regional tensions from the inability to cope” with these new stressors and challenges.<sup>32</sup> Regional conflict, disaster relief, and state collapse could be far more likely as warming increases, threatening us all.

Localized environmental destruction also takes place everywhere fossil fuels are extracted from the ground. From mountaintop removal in Appalachia, where entire communities live below tailing ponds that could wash their homes away, to pipeline and oil tanker spills and leaks across the planet, to natural gas extraction techniques that contaminate the groundwater that people drink, the production and extraction of fossil fuels leaves the land scarred and poisoned.

Some of this destruction is legal and some is not. When BP spilled an estimated 172 million barrels of oil into the Gulf after a drilling rig exploded, the company pled guilty to over 12 felony counts.<sup>33</sup> They have so far agreed to \$4.5 billion settlement, which would not cover any civil penalties the United States government might seek under the Clean Water Act and other laws.<sup>34</sup> In contrast, Royal Dutch Shell was able to avoid responsibility through legal settlement. In 1995 a prominent critic of Shell’s activities in the Niger Delta was hanged by the country’s military regime, and the company was then accused of funding paramilitary operations and bribing witnesses in Nigeria. Shell, vigorously denying all guilt, recently paid a \$15.5 million settlement, what the New York Times article calls “a striking sum given that the company has denied any wrongdoing.”<sup>35</sup>

The consequences of fossil fuel use are tremendous, and they impact every person on the planet.

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<sup>31</sup> American Security Project. “Climate Security Report—Part One: Climate Change and Security.” 7-8. American Security Project. 2012. <<<http://americansecurityproject.org/reports/2012/csr-part-one-climate-change-security/>>>.

<sup>32</sup> American Security Project. “Climate Security Report—Part Two: Climate Change and Global Security.” 15. American Security Project. 2012. <<<http://americansecurityproject.org/wp-content/uploads/2012/11/CSR-Part-Two-Climate-Change-and-Global-Security-email.pdf>>>.

<sup>33</sup> CBS/AP. “BP to Pay Record Fine in Gulf Oil Spill; 2 to Face Manslaughter Charges.” CBS: 15 Nov 2012. <<[http://www.cbsnews.com/8301-201\\_162-57550185/bp-to-pay-record-fine-in-gulf-oil-spill-2-to-face-manslaughter-charges/](http://www.cbsnews.com/8301-201_162-57550185/bp-to-pay-record-fine-in-gulf-oil-spill-2-to-face-manslaughter-charges/)>>.

<sup>34</sup> Reuters. “Obama Oil Spill Commission’s Final Report Blames Disaster on Cost-Cutting by BP and Partners.” Telegraph: 5 Jan 2011. <<<http://www.telegraph.co.uk/finance/newsbysector/energy/oilandgas/8242557/Obama-oil-spill-commissions-final-report-blames-disaster-on-cost-cutting-by-BP-and-partners.html>>>.

<sup>35</sup> Mouawad, Jad. “Shell to Pay \$15.5 Million to Settle Nigerian Case.” New York Times: 8 Jun 2009. <<<https://www.nytimes.com/2009/06/09/business/global/09shell.html>>>.

## Financial Institutions

The tar sands are the world's largest capital project, and that investment comes directly from financial institutions, endowments, and pension funds. Similarly, deepwater oil rigs, new hydraulic fracturing installations, and mountaintop removal projects require tremendous amounts of startup money, with the necessary funding coming from investors. These financial institutions enable everyday production and consumption of fossil fuels. The participation of financial institutions in the localized and global destruction caused by fossil fuels companies is willful and irresponsible, and they are equally culpable for the damage caused by these practices.

## Undermining Science: The Fossil-Fuel Industry's Anti-Scientific Propaganda

For the past two decades the fossil fuel industry has spent millions of dollars to confuse the public, influence media coverage, and bully scientists.<sup>36</sup> Their money keeps the crisis of climate change out of the political sphere and undermines the influence of science in public discourse.

The strategy of large fossil fuel companies mirrors the strategy of the tobacco industry. In denying an airtight scientific consensus outlining the harms of their industry, fossil fuel companies skillfully created the impression of uncertainty and debate for many decades in the by funding phony science and by using their immense resources to exaggerate doubt and ensure these distortions were in the hands of journalists, politicians, and educators. Their plans are well-documented thanks to a series of leaks and evidence provided from lawsuits.<sup>37</sup>

Many of the fossil fuel companies that McGill invests in were part of the Global Climate Coalition, a group formed to fight greater regulatory involvement, and especially the Kyoto Protocols. GCC internal documents conceded that the science documenting climate change is undeniable, yet the organization externally continued to promote doubt.<sup>38</sup>

When it started to become public that fossil fuel companies were funding phony science, most companies pulled out of the GCC in 2002. Since then, only ExxonMobil has continued to fund

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<sup>36</sup> Drum, Kevin. "Climate Gate." Mother Jones. 30 Nov 2009. <<<http://www.motherjones.com/kevin-drum/2009/11/climategate>>>.

<sup>37</sup> New York Times. "Advisers to Industry Group Weigh In on Warning." 2007. <<<http://documents.nytimes.com/global-climate-coalition-aiam-climate-change-primer#p=1>>>.

<sup>38</sup> Revkin, Andrew C. "Industry Ignored Its Scientists on Climate." 23 Apr. 2009. New York Times. <<<http://www.nytimes.com/2009/04/24/science/earth/24deny.html?pagewanted=1&r=0>>>.

climate denial. The company has spent \$23 million dollars over the past decade funding academics and journalists to publish their opinions on the matter.<sup>39</sup> They also offered thousands of dollars to any scientist willing to write briefs contradicting the findings of the Intergovernmental Panel on Climate Change, the international authority on climate change.<sup>40</sup>

Shareholder action against them in 2006 and 2007 along with a large public outcry<sup>41</sup> caused Exxon-Mobil to stop funding the most egregious deniers, yet they continue funding another few dozen such groups.<sup>42 43</sup>

Because the other fossil fuel companies feared public backlash, their continued involvement in undermining public understanding of the scientific consensus around climate change and its causes is more subtle. They continue to be members and funders of unabashed denial groups such as the American Petroleum Institute and the United States Chamber of Commerce.<sup>44 45</sup>

These activities have successfully stymied collective action to solve this problem. Politicians have made little headway in passing policy to curb emissions, and large tax breaks and subsidies for fossil fuel extraction remain.

*Let's be better than we are today. Please divest from the Tar sands and from Plan Nord; these are not ways to the future we want to see.*

-Emily Coffey

## Identifying the Investments

**M**cGill University's investments in fossil fuels make up a relatively small portion of the endowment fund, but the global impact of those companies the University invests in is

<sup>39</sup> Union of Concerned Scientists. "Smoke, Mirrors and Hot Air: How ExxonMobil Uses Big Tobacco to Manufacture Uncertainty on Climate Science." Jan 2007. Cambridge: Union of Concerned Scientists. <<[http://www.ucsusa.org/assets/documents/global\\_warming/exxon\\_report.pdf](http://www.ucsusa.org/assets/documents/global_warming/exxon_report.pdf)>>.

<sup>40</sup> Sample, Ian. "Scientists Offered Cash to Dispute Climate Study." 2 Feb 2007. The Guardian. <<<http://www.guardian.co.uk/environment/2007/feb/02/frontpagenews.climatechange>>>.

<sup>41</sup> Expose Exxon. "Change ExxonMobil from the Inside." <<<http://www.exxposeexxon.com/action/shareholder-activism.html>>>.

<sup>42</sup> Sheppard, Kate. "Exxon Still Sponsoring Deniers." 10 Feb 2010. Mother Jones. <<<http://www.motherjones.com/blue-marble/2010/02/climate-denial-still-brought-you-exxonmobil>>>.

<sup>43</sup> Owen, Jonathan and Paul Bignell. "Think-tanks Take Oil Money and Use It to Fund Climate Deniers: ExxonMobil Cash Supporting Concerted Campaign to Undermine Case for Man-Made Warming." 7 Feb 2010. The Independent. <<<http://www.independent.co.uk/environment/climate-change/thinktanks-take-oil-money-and-use-it-to-fund-climate-deniers-1891747.html>>>.

<sup>44</sup> American Petroleum Institute. "API Member Companies." <<<http://www.api.org/globalitems/globalheaderpages/membership/api-member-companies.aspx>>>.

<sup>45</sup> ExxonSecrets. "Maps." Greenpeace. <<<http://www.exxonsecrets.org/maps.php>>>.

extraordinary. The December 2011 report on the Publicly Traded Equity Holdings of the University<sup>46</sup> is the most recent data available, and all discussion of the composition of McGill's investments comes from that list.

To identify specific corporations two lists were used. The first, from the Rainforest Action Network,<sup>47</sup> lists companies involved in the Canadian tar sands; the second, from the Carbon Tracker Initiative,<sup>48</sup> has a list of the top 100 companies with the largest estimated carbon reserves in coal, and a list of the top 100 companies with reserves in oil and gas.

McGill invests in 645 publicly traded corporations. 14 are involved in the tar sands, while 35 number among the worlds largest fossil fuel corporations. In total, these two lists identify 37 unique companies that McGill profits from, 5.7% of the University's unique holdings. The number of shares in each is not publicly available at this time, and McGill has refused to release further information despite Access to Information requests filed under the *Act respecting access to documents held by public bodies AND the protection of personal information*.

The full list of companies identified, along with their carbon reserves if available, can be found in Appendix 2.

*By participating in the exploitation of the Canadian environment and its peoples, McGill is making decisions for all of us.*

-Vanessa Deverell

It should be made clear that this is an incomplete list of the fossil fuel companies that McGill invests in. Only the largest and dirtiest fossil fuel companies are represented on these lists, and the school's endowment fund includes other smaller corporations. All 200 publicly traded fossil fuel companies are included in the scope of our request for divestment.

Of the 35 companies identified by the CTI, many are cross-listed on all three lists, meaning they have some of the largest reserves of carbon in coal, and in oil and gas, and they invest in the dirtiest form of oil production on the planet. The CTI also expressed its concern that Canadian accounting practices artificially lower the size of unconventional oil reserve size estimation, since

<sup>46</sup> McGillLeaked. "2011/12 Publicly Traded Equity Holdings." <<<http://mcgillileaked.wordpress.com/2012/10/16/201112-publicly-traded-equity-holdings/>>>.

<sup>47</sup> Rainforest Action Network. "List of Tar sands Companies". <<<http://ran.org/list-tar-sands-companies>>>.

<sup>48</sup> The Carbon Tracker Initiative. "Unburnable Carbon: Are the World's Financial Markets Carrying a Carbon Bubble" Aug 2012. <<<http://www.carbontracker.org/wp-content/uploads/downloads/2012/08/Unburnable-Carbon-Full1.pdf>>>.

“they are only reported under Canadian rules once production is believed to be ‘imminent.’”<sup>49</sup> Thus it is likely that the size of the actual reserves of carbon owned by the 12 firms involved in the tar sands for which an estimation of reserve size is available is significantly larger than expressed.

All told these 35 companies have at least 205.455 gigatonnes of CO<sub>2</sub> locked away beneath the earth. Those known reserves comprise about 7% of the globe’s known carbon reserves but comprise over 36% of our remaining carbon budget for the next 38 years. The Carbon Tracker Initiative estimates that only 886 gigatonnes of CO<sub>2</sub> can be emitted from 2000-2050 if humanity hopes to keep warming below 2 degrees Celsius. With 321 gigatonnes already burned, only 565 gigatonnes remain in our global carbon budget. Thus 80% of the world’s 2795 gigatonne fossil fuel reserves must remain underground.

None of these fossil fuel companies has pledged to keep 80% of their reserves unburned, nor will they as long as it is profitable to continue extracting.

The question then is what to do about this problem. The responsible answer is divestment.

### **Conclusion: Moving Forward**

**T**ime is of the essence for humankind. We need immediate action to keep this planet livable, and McGill University is in a position to act. Climate change threatens our University, our country, and our planet. Given the urgency of climate change, the students, faculty, staff, and alumni of McGill University demand:

- That the Investment Committee be instructed to immediately dispose, in an orderly and responsible fashion, of the University’s holdings in corporations which develop the Canadian tar sands, transport or refine hydrocarbon from the Canadian tar sands, sell products of the Canadian tar sands, or are otherwise involved in the production, distribution or sale of goods from the Canadian tar sands, as determined by the Committee to Advise on Matters of Social Responsibility.
- That the Investment Committee be instructed to dispose, in an orderly and responsible fashion in no longer than three years, of the University’s holdings in corporations which produce, refine, transport, or sell fossil fuels, as determined by the Committee to Advise on Matters of Social Responsibility.

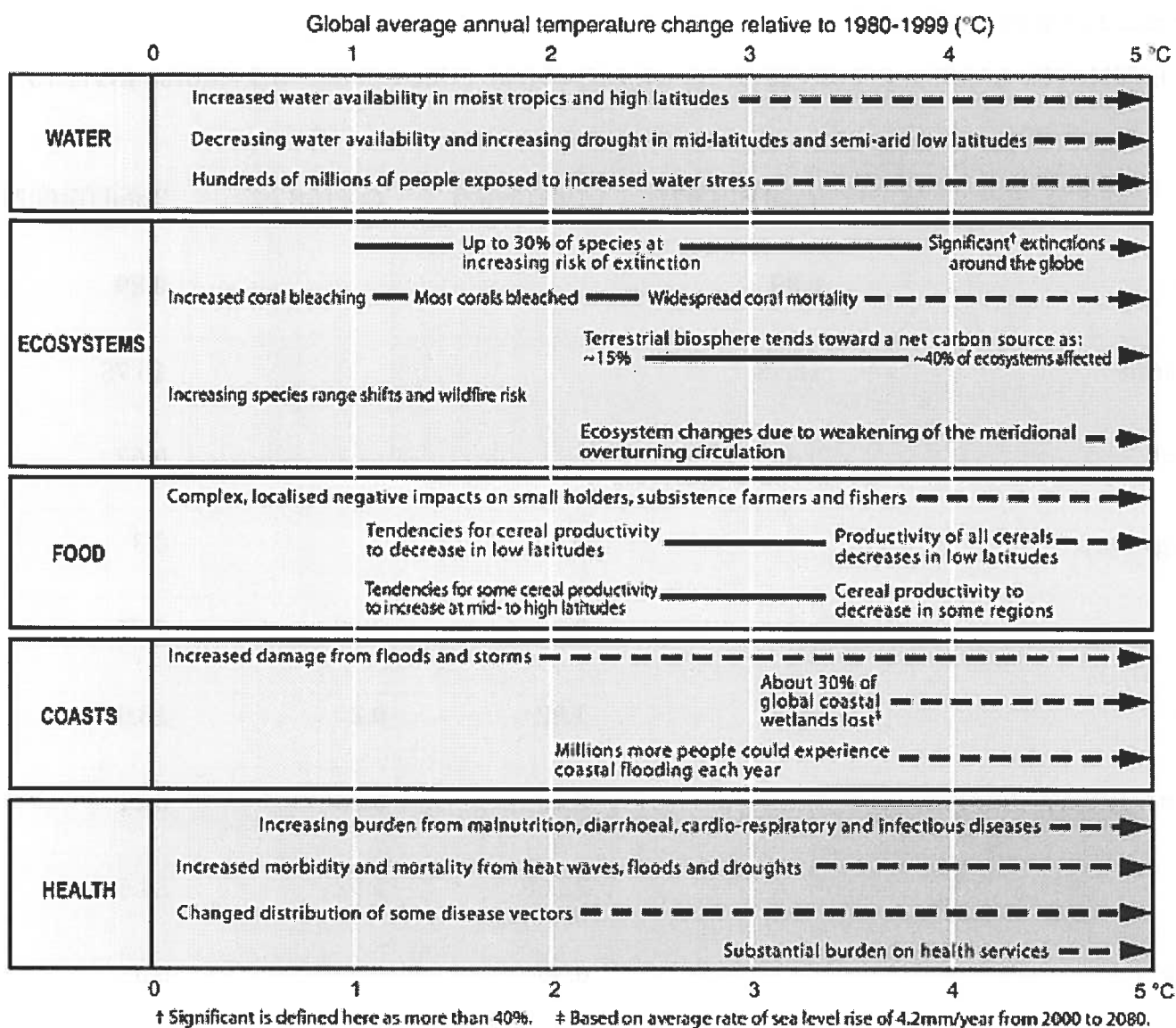
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<sup>49</sup> The Carbon Tracker Initiative. “Unburnable Carbon: Are the World’s Financial Markets Carrying a Carbon Bubble” (Aug 2012) 12. <<<http://www.carbontracker.org/wp-content/uploads/downloads/2012/08/Unburnable-Carbon-Full1.pdf>>>.

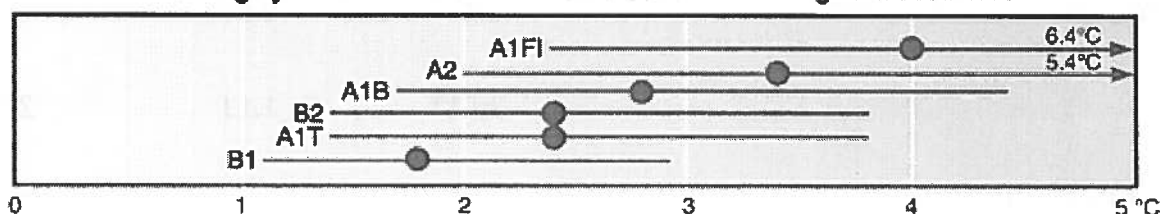


- That the Investment Committee be instructed to dispose, in an orderly and responsible fashion in no longer than three years, of the University's holdings in financial institutions which have not adopted, as determined by the Committee to Advise on Matters of Social Responsibility, a policy of making no further loans to corporations that produce, refine, transport, or sell fossil fuels.

### Appendix 1: Examples of impacts associated with global average temperature change (Intergovernmental Panel on Climate Change) <sup>50</sup>



Warming by 2090-2099 relative to 1980-1999 for non-mitigation scenarios



<sup>50</sup> Intergovernmental Panel on Climate Change. *Synthesis Report*. New York: <<[http://www.ipcc.ch/publications\\_and\\_data/ar4/syr/en/spms3.html](http://www.ipcc.ch/publications_and_data/ar4/syr/en/spms3.html), 2007>>.

**Appendix 2: McGill University's investments in fossil fuel companies, and the size of their estimated carbon reserves**

THE ESTIMATED CARBON RESERVES OF 35 OF THE FOSSIL FUEL COMPANIES MCGILL INVESTS IN.

Companies	Coal (GtCO <sub>2</sub> )	Oil (GtCO <sub>2</sub> )	Gas (GtCO <sub>2</sub> )	Total (GtCO <sub>2</sub> )
AGL Energy	0.89			0.89
Anglo American	16.75			16.75
ArcelorMittal	0.62			0.62
Baytex Energy Corp *		0.3		0.3
BG Group		2.29	0.48	2.77
BHP Billiton	16.07	1.82	0.2	18.09
Bonavista Energy Corp		0.18	0.03	0.21
BP *		32.68	1.92	34.6
Cairn Energy		0.35		0.35
Canadian Natural Resources *		4.23	0.14	4.37
Cenovus Energy Inc *		1.4	0.006	1.406
Chevron *		20.11	1.11	21.22
Crescent Point Energy Corp.		0.47	0	0.47
EnCana Corp. *		0.24	0.47	0.71

EOG Resources		0.97	0.38	1.35
Exxon Mobil *		38.14	2.89	41.03
GDF Suez S.A.		0.17	0.05	0.22
Inpex Corp		2.44	0.1	2.54
Itochu Corp	0.34			0.34
Mitsubishi Corp	4.31			4.31
Mitsui	1.03			1.03
Nexen *		1.4	0.002	1.402
Oil Search LTD		0.91		0.91
OMV		1.02	0.06	1.08
Repsol YPF S.A.		2.75	0.29	3.04
Rio Tinto	5.23			5.23
Royal Dutch Shell *		14.11	2.09	16.2
RWE AG	1.94			1.94
Santos Limited		0.19	0.17	0.36
Statoil ASA *		2.23	0.25	2.48
Suncor Energy *		3.74	0.007	3.747
Talisman Energy Inc.		1.47	0.19	1.66

Tullow Oil		0.36	0.01	0.37
Wesfarmers	1.86			1.86
Xstrata	11.6			11.6
	Coal	Oil	Gas	Total
Total	60.64	133.97	10.845	205.455

\* Also invests in the tar sands; due to Canadian accounting practices, the estimated carbon reserves for companies that exploit the tar sands are likely higher than the publicly available data.

#### COMPANIES INVOLVED IN THE TAR SANDS\*\*

**Baytex**

**BP**

**Canadian Natural Resources**

**Cenovus Energy**

**Chevron**

**Enbridge**

**Encana**

**Exxon**

**Imperial Oil**

**Nexen**

**Royal Dutch Shell Company**

**Statoil ASA**

**Suncor Energy**

**Transcanada Corps**

\*\*An estimate of the size of carbon reserves is available for each company in bold.

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**Submission to the Committee to Advise on Matters of Social Responsibility  
Divest McGill: Petition to Divest from the Plan Nord and Non-Consensual Resource Extraction  
February 1 2013**

# Divest McGill

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Divest McGill  
DivestMcGill.com  
divestmcgill@gmail.com

February 1 2013

TO: The Members of the Committee to Advise on Matters of Social Responsibility

CC: The Secretary-General  
James Administration Building, Room 313  
845 Sherbrooke Street West  
Montreal, QC H3A 0G4

Divest McGill is proud to present the Committee with the following submission. Enclosed is the petition, the signatures of approximately 730 members of the community, a letter discussing conflicts of interest, and a brief detailing the social injury caused by the Plan Nord and non-consensual resource extraction. Approximately 360 signatures were received online, and 370 were submitted in person.

Divest McGill has also made available the records in the McGill Archives concerning the Committee, with a focus on South African divestment. The Committee's submissions to the Board, its public reports, and the Board's discussion of those affairs can be found at McGilliLeaked<sup>1</sup>. Interested Committee and community members are welcome to peruse that history.

Please accept our sincerest thanks in advance for conducting a thorough and efficient review of the situation. We would be very appreciative if we could be provided with an expected timeline for the process when one becomes available. Our submission today is largely confined to the damages caused by the Plan Nord, and we welcome the opportunity to make further representations specifically in favor of divestment.

Sincerely,  
The Members of Divest McGill

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<sup>1</sup> <http://mcgillileaked.wordpress.com/category/committee-to-advise-on-matters-of-social-responsibility/>



# Divest McGill

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CC: The Secretary-General  
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The hundreds of members of McGill University who signed the petition, along with the students' associations and campus groups who endorsed it, request that the Board of Governors divest from financial institutions that invest in or give loans to companies with objectionable practices.

The involvement of those financial institutions is an integral element of the continued exploitation of the land and its residents, as most of the resource extraction and public-private partnerships require levels of capital that individual companies would be unable to front.

That said, to the best knowledge of Divest McGill, there exist few if any financial institutions whose practices fully correspond with the values of the McGill community, as expressed through this petition. As such, we request that the University participate in active shareholder action to encourage responsible lending and investment practices in financial institutions, and when responsible financial institutions and products, like pooled investment funds, become available, that the University divest its other holdings.

We look forward to entering into a full discussion with the CAMSR to evaluate the best path forward to fulfill the spirit of the petition.

Sincerely Yours,  
The Members of Divest McGill



# Divest McGill

---

Divest McGill  
DivestMcGill.com  
divestmcgill@gmail.com

TO: The Members of the Committee to Advise on Matters of Social Responsibility  
TO: The Members of the Board of Governors

CC: The Secretary-General  
James Administration Building, Room 313  
845 Sherbrooke Street West  
Montreal, QC H3A 0G4

The McGill community expressed broad support for the two requests submitted by Divest McGill to the Committee to Advise on Matters of Social Responsibility.

The Code of Conduct of the Board of Governors (excerpts reproduced opposite) requires members and members at large to withdraw from deliberations and abstain from voting in the case when the member has a real or perceived conflict of interest, or when the member is uncertain if there is a real or perceived conflict of interest.

Where these conflicts of interest or perceived conflicts of interest exist, we sincerely hope that members will recuse themselves from the proceedings surrounding those requests. Those conflicts could include principal employment at a financial institution or energy company, or at a law firm with a significant number of clients considered in this motion; they could also include holding positions on governing bodies of companies considered in this motion or employment by investment firms that engage in the practices considered in this motion.

Thank you for your time, and for your consideration for the Code of Conduct.

Sincerely Yours,  
The Members of Divest McGill

## From the Code of Conduct of the Board of Governors of McGill University

### **4. Rules Governing Conflicts of Interest**

The following shall apply when considering situations of real or perceived conflict of interest

- 4.1 A Member shall be considered to have a real conflict of interest when he/she holds a personal interest, whether direct or indirect, that he/she is or should be aware of and that would, in the opinion of a reasonably informed and well-advised person be sufficient to put into question the independence, impartiality, and objectiveness that the said Member is obliged to exercise in the performance of his/her duties.
- 4.2 A Member shall be considered to have a perceived conflict of interest when he/she would appear to have, in the opinion of a reasonably informed and well-advised person, a personal interest, whether direct or indirect, that would be sufficient to put into question the independence, impartiality, and objectiveness that the said Member is obliged to exercise in the performance of his/her duties.

### **5. Management of Conflicts of Interest**

- 5.1 Members are expected to have primary responsibility in the identification and management of their own conflicts of interest.
- 5.2 In order to manage one's conflict, a Member must endeavor to identify what is, or could be, a real or perceived conflict of interest. The Secretary-General shall serve as a resource person to all Members in helping to identify conflicts of interest.

### **6. Examples of Conflicts of Interest**

The following, without limitation, are examples of conflict of interest:

- 6.1 when a Member, whether directly or indirectly, has a personal interest in the outcome of deliberations of the Board; in a contract or a proposed contract to be entered into by the University or a University-related body; or is likely to obtain a personal advantage as a result of a discretionary decision made by the University or a University-related body;
- 6.2 when a Member is a member of the senior management personnel of a corporation, institution, or body, whether public or private in nature, whose interests may be in competition with those of the University;
- 6.3 when a Member accepts gifts, gratuities, or favours from a firm or corporation engaged in or wishing to engage in transactions with the University, except in the case of customary gifts of a purely nominal value.

# Divest McGill

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## THE SOCIAL INJURY FROM THE PLAN NORD AND NON-CONSENSUAL RESOURCE EXTRACTION

By Divest McGill<sup>1</sup>

### Summary

The students, alumni, faculty, and staff of McGill University have made clear their strong desire to see responsible investment practices be adopted by this University. McGill must divest its holdings in companies lobbying for the Plan Nord and in companies doing business on native land without the permission of the native communities who own the land.

*The university is in a privileged position to lead on such issues, and therefore has a responsibility to preserve that position whenever possible by ensuring that the university is not tied to destructive industries or initiatives.*

-Joseph Sannicandro

The Plan Nord is a massive project that will occur on the land of the First Nations and Inuit peoples of Northern Quebec without their permission. McGill maintains investments in companies lobbying for the Plan.

Similar projects exist across Canada, including in Alberta and British Columbia. Across the world, many corporations do business on the traditional, protected land of native communities without their free and prior consent.

The significant legal protections afforded aboriginal peoples and communities are often violated and willfully ignored.

We require significant action from the Board of Governors to redress this situation. It is clear that action is needed to ensure that this University's investments are in line with this community's values.

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<sup>1</sup> All box quotes come from community members who signed the petitions.

## Legal Backing

Indigenous communities are protected by the United Nations Declaration on the Rights of Indigenous Peoples,<sup>2</sup> which provides for the collective and individual rights needed to safeguard native peoples' cultures and religions, lands and territory, and self-determination and consensual governance. Canada is a signatory to the Declaration.

In particular, the Declaration protects the rights of indigenous peoples to their land, which may not be taken or put to uses without free, prior, and informed consent of the communities, and more specifically the rights of aboriginal peoples to maintain their cultural, spiritual, economic, and conservation practices on their traditional land.<sup>3</sup>

*I will never donate money to McGill if my money will end up in these places.*

-Sarah Fiorito

First Nations and Inuit peoples in Canada are afforded additional enumerated protections by the Charter of Rights and Freedoms,<sup>4</sup> through sections 35 and 35.1 of the Charter,<sup>5</sup> which reaffirms the government's commitment to existing aboriginal and treaty rights, including the Declaration on the Rights of Indigenous Peoples.

Despite the significant legal protections of aboriginal peoples, those protections are often ignored and willfully violated by states and corporations. In particular, the traditional territories of First Nations communities in North America often lie over mineral or fossil fuel reserves and huge infrastructure projects often pass over their land; in Alberta, native peoples live overtop of and around tar sands reserves,<sup>6</sup> while in Quebec native peoples live overtop of and around significant mineral deposits, rivers with hydroelectric potential, and areas with high wind energy potential. In British Columbia, native peoples live in the path of planned pipelines transporting oil from the Tar Sands,<sup>7</sup> and similarly in Quebec

<sup>2</sup> United Nations. "United Nations Declaration on the Rights of Indigenous Peoples" (New York: 107<sup>th</sup> Plenary Meeting, 13 Sept 2007). <<[http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)>>.

<sup>3</sup> Appendix 1 fully enumerates the relevant articles of the Declaration.

<sup>4</sup> Government of Canada. *Constitution Acts, 1867 to 1982: The Canadian Charter of Rights and Freedoms* Government of Canada: 1982. <<<http://laws-lois.justice.gc.ca/eng/Const/>>>.

<sup>5</sup> Appendix 2 fully enumerates the relevant articles of the Charter.

<sup>6</sup> See Divest McGill's brief, "The Social Injury of Tar Sands and Fossil Fuels."

<sup>7</sup> Mickleburgh, Rod. "B.C. Natives Willing to 'Go to the Wall' Against Enbridge Pipeline" (Vancouver: The Globe and Mail, 30 July 2012). <<<http://www.theglobeandmail.com/news/british-columbia/bc-natives-willing-to-go-to-the-wall-against-enbridge-pipeline/article4449911/>>>.

proposed highways and high-capacity electric lines traverse the lands of Northern aboriginal communities.<sup>8</sup>

## Plan Nord

Quebec's Plan Nord involves some of the largest, dirtiest companies on the planet and provides for extraordinary environmental destruction across huge swaths of Northern Quebec. Much of this will occur on native land, as the voices of indigenous peoples fall on the deaf ears of politicians.

*Plan Nord represents further environmental damage to our country. Surely any good and beneficial development in the north can be made with the consent of those that live and own the land?*

-Emily Martin

The Plan Nord is a plan proposed by the government of Quebec to exploit Northern Quebec. Called "the project of a generation," this 25-year project will incorporate \$80 billion in public and private funding.<sup>9</sup> It covers over 72% of Quebec, most of the land north of 49<sup>th</sup> Parallel.<sup>10</sup> Almost 1 in 4 of the 120,000 people in the region are of aboriginal descent; this includes 16,000 members of the Cree Nation, 16,000 members of the Innu Nation, 1,000 members of the Naskapi Nation, and 10,000 Inuit people living mainly in 14 northern villages.<sup>11</sup> <sup>12</sup> If the Plan is imposed on the North, corporations, including Hydro-Quebec, and the Province will build hydroelectric dams, log the forests, construct poisonous mines, and construct a tremendous network of roads, ports, and airports to support the colonial project.

Despite intense opposition by many of the native peoples of Northern Quebec, environmentalists, and students, the new Parti Quebec government seems unwilling to

<sup>8</sup> Gouvernement du Québec. Ministère des Ressources naturelles et de la Faune. "Plan Nord: Building Northern Quebec Together: The Project of a Generation" (Quebec, 2011). <<<http://plannord.gouv.qc.ca/english/documents/action-plan.pdf>>>.

<sup>9</sup> Brandon, Jaqueline. "Still We Colonize" (McGill Daily, 25 Oct 2012). <<<http://www.mcgilldaily.com/2012/10/still-we-colonize/>>>.

<sup>10</sup> Gouvernement du Québec. Ministère des Ressources naturelles et de la Faune. "Plan Nord: Building Northern Quebec Together: The Project of a Generation" (Quebec, 2011). 8. <<<http://plannord.gouv.qc.ca/english/documents/action-plan.pdf>>>.

<sup>11</sup> Gouvernement du Québec. Ministère des Ressources naturelles et de la Faune. "Plan Nord: Building Northern Quebec Together: The Project of a Generation" (Quebec, 2011). 10. <<<http://plannord.gouv.qc.ca/english/documents/action-plan.pdf>>>.

<sup>12</sup> Consult Appendix 3 to see the location of First Nation and Inuit Communities in Northern Quebec.



change course. The sovereign nations of Quebec have been largely shut out of the discussion. According to a representative of the Innu Nation,<sup>13</sup>

Malheureusement, pour l'instant, nous ne sentons pas que nous ne sommes partie prenante de façon pleine et entière avec le gouvernement du Québec

## Dispossession and Destruction

Plan Nord has been described as the “Tar Sands of the East: dispossession of indigenous communities and destruction of the environment in one”.<sup>14</sup> Indeed, Denise

*Investment in Plan Nord and the tar sands does not follow McGill's stated intentions. Your integrity is only as strong and as truthful as your word.*

-Justin Chisholm

Jourdain, an Innu language teacher, explained her opposition to the Plan, saying, “I am fighting for the recognition of our rights and to protect our land, the Nitassinan. We say no to Plan Nord because it would mean our destruction.”<sup>15</sup> Jourdain walked 900 kilometres from Sept-Iles to Montreal to draw attention to the environmental destruction caused by the infrastructure projects and was one of twelve women jailed by the state for blockading Highway 138 to stop Hydro-Quebec from installing a high-power transmission line across their land.

The Plan involves opening up the North to some of the dirtiest industries on the planet, to tremendous localized destruction. The North produces all of Quebec’s platinum, nickel, and zinc, and most of its gold; mining could be expanded to exploit reserves of uranium, lithium, diamonds, and rare-earth metals.<sup>16</sup> While the government nominally designated select regions for environmental protection, the Environmental Minister of the ousted Charest government suggested that the protection offered would not preclude

<sup>13</sup> Meteopolitique. “Plan Nord du Quebec: Contre, Pour, entre les deux ou sans opinion”. <<[http://meteopolitique.com/plan/fiches/finance/plan\\_nord/opinions/Plan\\_Nord\\_pour\\_ou\\_contre\\_sans\\_nuances.htm#Com](http://meteopolitique.com/plan/fiches/finance/plan_nord/opinions/Plan_Nord_pour_ou_contre_sans_nuances.htm#Com)>>.

<sup>14</sup> Brandon, Jaqueline. “Still We Colonize” (McGill Daily, 25 Oct 2012). <<<http://www.mcgilldaily.com/2012/10/still-we-colonize/>>>.

<sup>15</sup> Indigenous Solidarity Montreal. “Press Release: Leading Indigenous Opponents of Plan Nord to Hold Press Conference to Challenge Business Convention” (Forum Anti-Colonial Contre le Plan Nord: 28 Sept 2012). <<<http://www.indigenoussolidaritymontreal.net/press-release-leading-indigenous-opponents-of-plan-nord-to-hold-press-conference-to-challenge-business-convention>>>.

<sup>16</sup> Gouvernement du Québec. Ministère des Ressources naturelles et de la Faune. “Plan Nord: Building Northern Quebec Together: The Project of a Generation” (Quebec, 2011). 58. <<<http://plannord.gouv.qc.ca/english/documents/action-plan.pdf>>>.

mining.<sup>17</sup> The process to extract many of these minerals creates extraordinary environmental damage that can persist for years, including the leaching of heavy metals into the soil and groundwater, deforestation, destruction of animal habitats, and the release of mercury into the air and water.<sup>18</sup>

Many of the traditional hunting and fishing practices of native communities are threatened by the Plan. A confidential report from the Ministère des Ressources naturelles et de la Faune obtained by *Le Devoir*<sup>19</sup> warns that all development on forested Cree land must stop for the threatened population of caribou to reestablish itself, and many indigenous peoples have expressed concern that Hydro-Quebec's proposed dams will do irreparable harm to river ecosystems.

Elyse Vollant, an Innushku woman from Maliotenam, decried the Plan Nord,<sup>20</sup> saying, "Plan Nord it will destroy the Nitassinan land and Hydro Quebec will damage the rivers."

### **McGill University's Investments in the Plan Nord**

Identifying the companies that lobby for or will participate in the Plan Nord is difficult, as the Plan is not yet implemented and most corporations are not public with their interest.

The December 2011 report on the Publicly Traded Equity Holdings of the University is the most recent data available on McGill's current investments, and all information on the composition of McGill's investments comes from that list.

McGill invests in 645 publicly traded corporations. 15 are involved in the Plan Nord, 2.3% of the University's unique holdings. The number of shares in each is not publicly available at this time, although Access to Information requests filed under the *Act*

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<sup>17</sup> Squires, Jessica. "Jean Charest's Destructive Plan Nord" (Rabble, 2 Apr 2012). <<<http://rabble.ca/news/2012/04/jean-charests-destructive-plan-nord>>>.

<sup>18</sup> Larmer, Brook. "The Real Price of Gold" (National Geographic, Jan 2009). <<<http://ngm.nationalgeographic.com/2009/01/gold/larmer-text/1>>>.

<sup>19</sup> Nadeau, Jessica. "Plan Nord — Nouvelle menace pour le caribou forestier: Les coupes forestières et le prolongement de la route 167 accentuent le déclin de la harde » (*Le Devoir*, 30 Aug 2012). <<<http://www.ledevoir.com/environnement/actualites-sur-l-environnement/358063/nouvelle-menace-pour-le-caribou-forestier>>>.

<sup>20</sup> Dangl, Benjamin. "Connecting the Struggles: Regional Activists Greet New England Governors' Conference with Protests" (*Toward Freedom*, 30 July 2012). <<<http://www.towardfreedom.com/americas/2916-connecting-the-struggles-regional-activists-greet-new-england-governors-conference-with-protests>>>.

*respecting access to documents held by public bodies AND the protection of personal information* will hopefully provide further insight to members of the McGill community.

The companies identified are members of Quebec professional associations that are lobbying for the plan, including the AEMQ, the ACRGTQ, the Association des Ingenieurs-conseils du Quebec, the AQME, and the AQPER, which have publicly participated in conferences promoting the Plan.

The complete list of companies identified is available in Appendix 4.

## **Stolen Native Land**

**D**evelopment without consent happens across the world. In Canada, native communities from the West Coast to the East Coast are resisting projects of tremendous scale and destructive potential.

British Columbia faces its own challenges, as Enbridge builds a pipeline from Alberta's Tar Sands to the coast. Grand Chief Phillip, President of the Union of B.C. Indian Chiefs, urged federal and provincial ministers to reject the project, saying,<sup>21</sup>

Our people are prepared to go to the wall against this. There is no doubt about that. There is absolutely no way we will tolerate a project that would violate the environmental integrity of our traditional territories along the pipeline route and along the B.C. coast.

*Let us dare to be wise  
and respectful, I no  
longer wish to stand for  
anything otherwise.*

-Marilyne Tovar

The environmental integrity of the land of native communities is a right guaranteed by the Declaration and therefore by the Charter, but Chief Jackie Thomas, of the Saik'uz First Nation, decried the federal "bully tactics" being used to push through the pipeline.<sup>22</sup>

Development that occurs without the consent of the communities involved is theft. The right to self-determination over the use of traditional land is protected in Canada and across the world, and violations of those basic collective rights cannot be endorsed.

<sup>21</sup> Mickleburgh, Rod. "B.C. Natives Willing to 'Go to the Wall' Against Enbridge Pipeline" (Vancouver: The Globe and Mail, 30 July 2012). <<<http://www.theglobeandmail.com/news/british-columbia/bc-natives-willing-to-go-to-the-wall-against-enbridge-pipeline/article4449911/>>>.

<sup>22</sup> McCarthy, Shawn. "Decrying Federal 'Bully Tactics,' B.C. Natives Vow to Block Pipeline" (Ottawa: The Globe and Mail, 13 Mar 2012). <<<http://www.theglobeandmail.com/news/politics/decriing-federal-bully-tactics-bc-natives-vow-to-block-pipeline/article534873/>>>.

## Financial Institutions

Quebec's Plan Nord would marshal tens of billions in public and private capital investments, the tar sands are the world's largest capital project, and development on native land the world over is often capital intensive. Those investments come directly from financial institutions, endowments, and pension funds. These financial institutions enable everyday exploitation of native communities, facilitating the extraction of resources, pollution of the air and water, and destruction of cultural and spiritual spaces. The participation of financial institutions in the localized destruction caused by these companies is willful and irresponsible, and they are equally culpable for the damage caused by these practices.

## Our Responsibility

McGill University invests in companies that violate international treaties and the basic rights of indigenous peoples across the world. We, the students, alumni, faculty, and staff of McGill University, demand:

- That the Investment Committee immediately begin to dispose, in an orderly and responsible fashion, of the University's holdings in corporations that profit from, lobby for, or are members of professional organizations or interest groups that lobby for Quebec's Plan Nord project, as determined by the Committee to Advise on Matters of Social Responsibility.
- That the Investment Committee dispose, in an orderly and responsible fashion in no longer than three years, of the University's holdings in corporations that do business on native land against the wishes of the native peoples of that land as determined by the Committee to Advise on Matters of Social Responsibility.
- That the Investment Committee dispose, in an orderly and responsible fashion in no longer than three years, of the University's holdings in financial institutions which have not adopted, as determined by the Committee to Advise on Matters of Social Responsibility, a policy of making no further loans to corporations that do business on native land against the wishes of the native peoples of that land.

*I call on McGill University, as a responsible and leading organization in education, to divest its holdings in fossil fuels companies and companies that lobby for the Plan Nord.*

-Hossai Majid

## APPENDIX 1: RELEVANT ARTICLES OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES<sup>23</sup>

### *Article 8*

2. States shall provide for effective mechanisms for prevention of, and redress for:

- (b) Any action which has the aim or effect of dispossessing them of their lands, territories, or resources.

### *Article 11*

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

### *Article 18*

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision making institutions.

### *Article 20*

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

### *Article 25*

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

### *Article 26*

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

### *Article 29*

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources.

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<sup>23</sup> United Nations. "United Nations Declaration on the Rights of Indigenous Peoples" (New York: 107<sup>th</sup> plenary meeting, 13 Sept 2007). <<[http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)>>.

States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

## APPENDIX 2: RELEVANT ARTICLES OF THE CANADIAN CHARTER OF RIGHTS AND FREEDOMS<sup>24</sup>

### **Recognition of existing aboriginal and treaty rights**

35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

Definition of "*aboriginal peoples of Canada*"

(2) In this Act, "*aboriginal peoples of Canada*" includes the Indian, Inuit and Métis peoples of Canada.

(3) For greater certainty, in subsection (1) "*treaty rights*" includes rights that now exist by way of land claims agreements or may be so acquired.

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons.

### **Commitment to participation in constitutional conference**

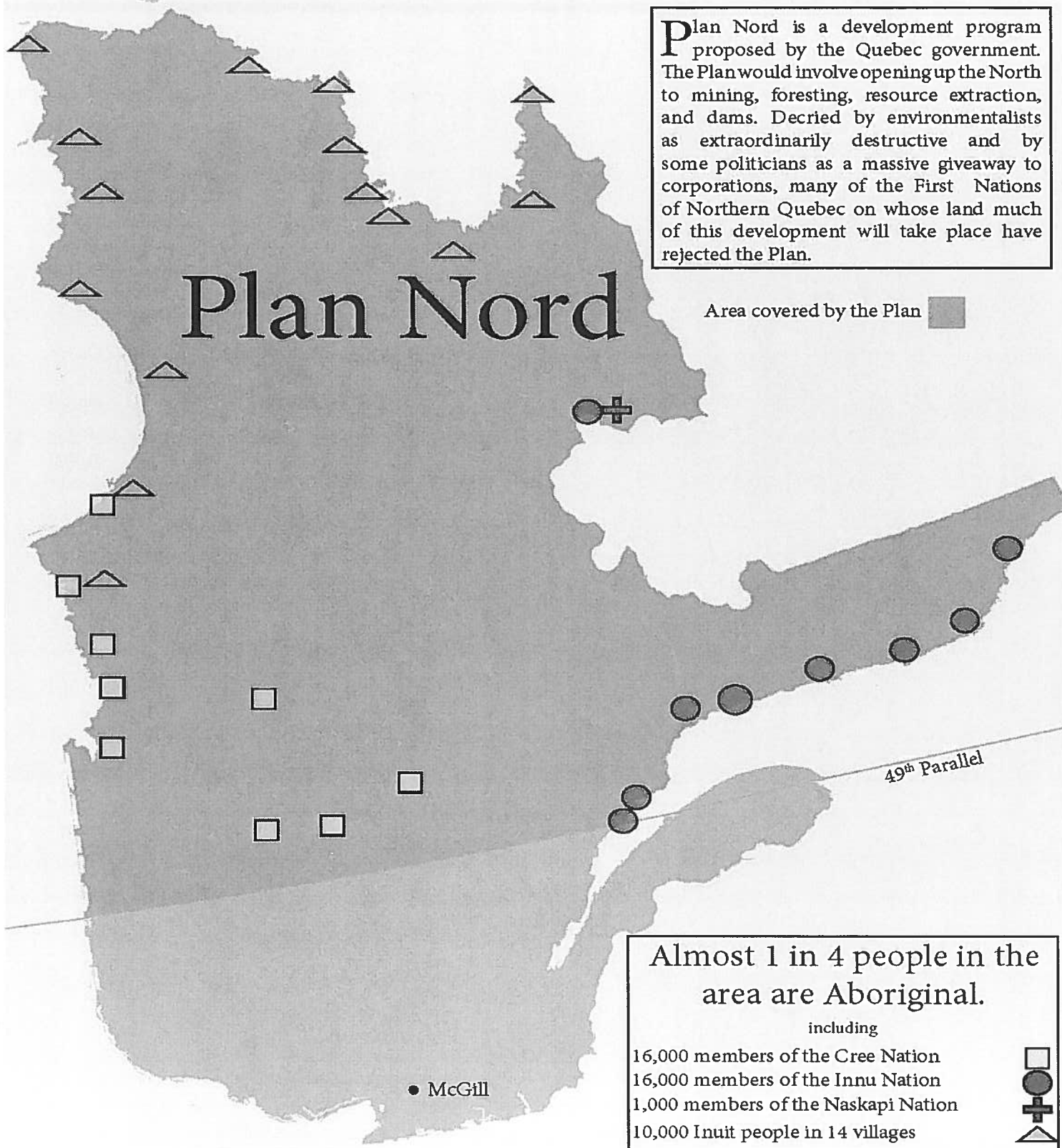
35.1 The government of Canada and the provincial governments are committed to the principle that, before any amendment is made to Class 24 of section 91 of the "*Constitution Act, 1867*", to section 25 of this Act or to this Part,

- (a) a constitutional conference that includes in its agenda an item relating to the proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces, will be convened by the Prime Minister of Canada; and
- (b) the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item.

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<sup>24</sup> Government of Canada. *Canadian Charter of Rights and Freedoms: Part II Rights of the Aboriginal Peoples of Canada* (Government of Canada: 1982). << <http://laws-lois.justice.gc.ca/eng/Const/page-16.html#h-52>>>.

APPENDIX 3: LOCATION OF NATIVE COMMUNITIES IN NORTHERN QUEBEC





The first part of the book is devoted to a study of the  
 history of the English language, and the second part  
 to a study of the English language in the United States.  
 The first part is divided into two sections: the first  
 section is devoted to a study of the history of the  
 English language from its origin to the present time,  
 and the second section is devoted to a study of the  
 English language in the United States from its origin  
 to the present time.

THE HISTORY OF THE ENGLISH LANGUAGE

The history of the English language is a subject of  
 great interest and importance. It is a subject which  
 has attracted the attention of many of the most  
 distinguished scholars of the world. The history of the  
 English language is a subject which has been the  
 subject of many of the most important works of  
 the world. The history of the English language is a  
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 world.

The second part of the book is devoted to a study of  
 the English language in the United States. It is a  
 subject of great interest and importance. It is a  
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 subject which has been the subject of many of the  
 most important works of the world.

#### APPENDIX 4: COMPANIES INVOLVED IN THE PLAN NORD

The following companies are members of professional organizations actively lobbying for the Plan Nord.

- Anglo American
- Arcelor-Mittal
- Atlas COPCO
- AVIVA
- CAMECO
- GE\*
- Goldcorp Inc
- Holcim
- Iamgold
- Sandvik
- SGS
- SNC-Lavalin
- Suncor Energy
- Xstrata
- Zurich Financial Services\*

\*Its Canadian subsidiary is involved in the Plan Nord.

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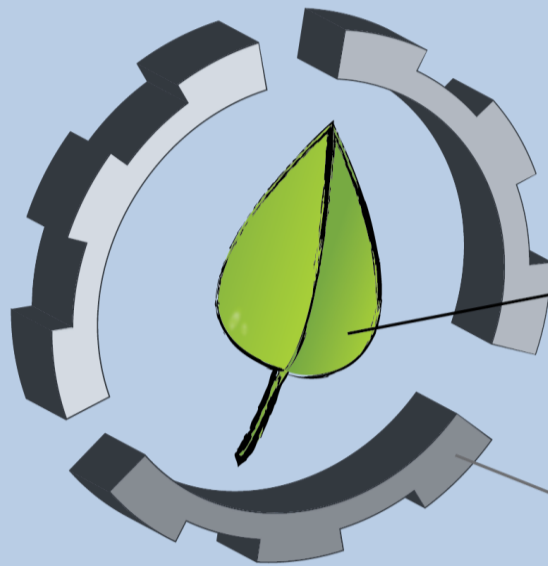
Meteopolitique. "Plan Nord du Quebec: Contre, Pour, entre les deux ou sans opinion". <<[http://meteopolitique.com/plan/fiches/finance/plan\\_nord/opinions/Plan\\_Nord\\_pour\\_ou\\_contre\\_sans\\_nuances.htm#Com](http://meteopolitique.com/plan/fiches/finance/plan_nord/opinions/Plan_Nord_pour_ou_contre_sans_nuances.htm#Com)>>.

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# Divest

# McGill








**Amina Moustaqim-Barrette:**  
U2 B.A. & Sc. Cognitive Science

**Emily Boytink:**  
U1 B.Sc. Psychology  
SSMU Councillor  
SUS VP External Elect

**Kristen Perry:**  
U1 B.Sc.(Ag.Env.Sc.) Environmental Science  
SSMU Environment Commissioner

# Outline

-  **Social injury** resulting from fossil fuels
-  Why divestment is a **necessary strategy**
-  **McGill's investments** in fossil fuels
-  The larger **divestment movement**
-  **McGill's role** in the movement

# Climate Change

- 🌿 Climate change is affecting people worldwide
- 🌿 WHO estimates **150,000 deaths/year**<sup>1</sup>
- 🌿 Scientists and the **UNFCCC** agree that we must keep global temperature increase below **2°C**<sup>2</sup>
- 🌿 Scientists have grossly underestimated the effect of global warming<sup>3</sup>



- 🌿 **80% of *current* fossil fuel reserves** must stay in the ground to prevent warming greater than **2°C**<sup>2</sup>

“One of the most irresponsible things we can do as individuals or organizations is participate unnecessarily in climate change.”

# Environmental Damage

- 🌿 Fossil fuel extraction contributes to **environmental degradation** & is putting communities at risk
- 🌿 Excavation of tar sands in Alberta is **polluting** the Athabasca River and filling the air with toxins<sup>5</sup>
- 🌿 A study by Chen, 2009 concluded that Fort Chipewyan, located downstream of the Athabasca River, has seen increased incidence of cancers and other diseases<sup>6</sup>

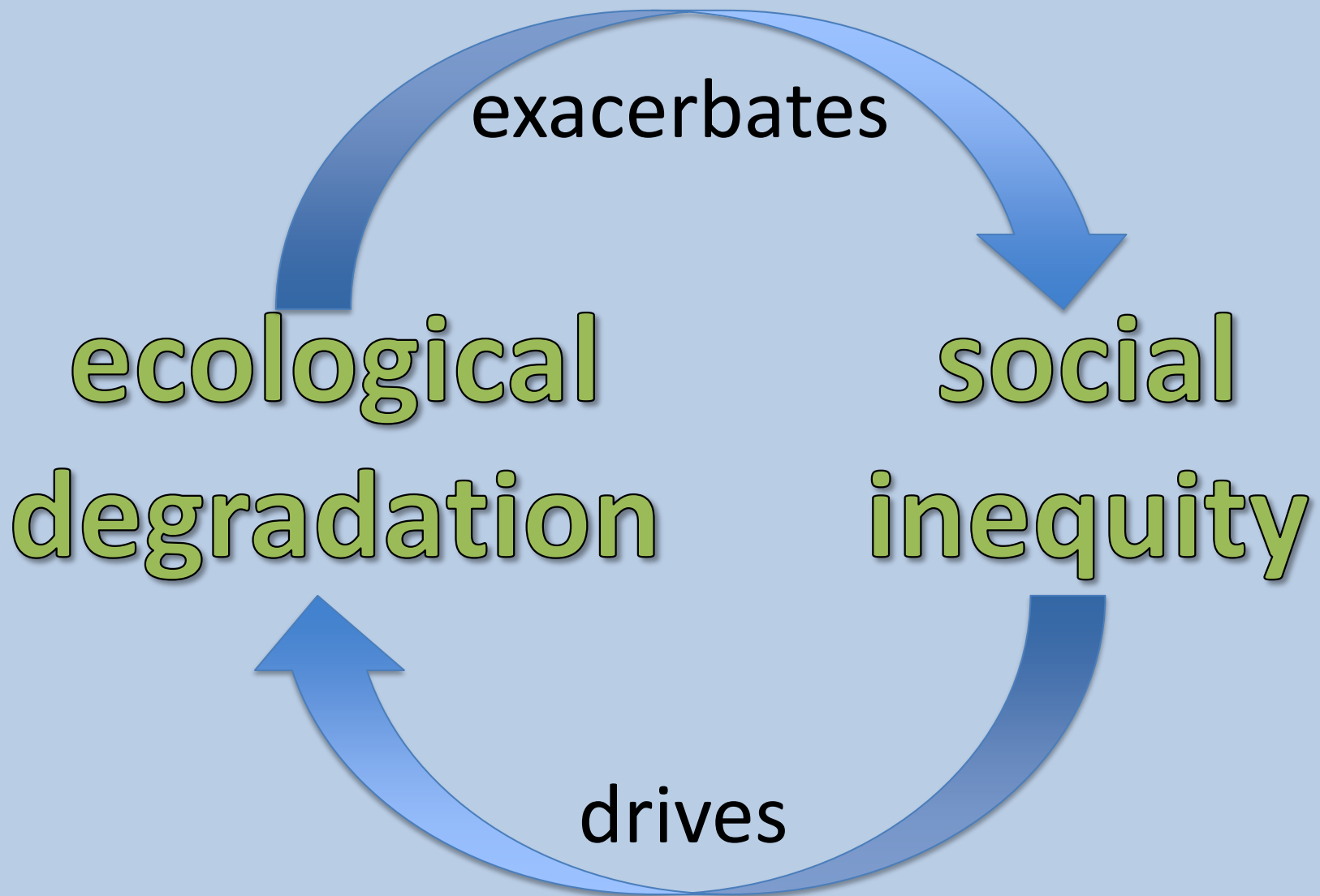


“McGill... should be investing in sustainable, long-term energy projects, not projects that are poisoning water systems, destroying indigenous territories and contributing to global warming.”








**ExxonMobil Oil spill in Mayflower,  
Arkansas  
March 31, 2013**





“As a leading educational and research institution in Canada, McGill has a particular responsibility to promote the development and use of environmentally sound energy alternatives, and to respect the land rights of indigenous peoples in Quebec.”

# Influencing Democracy

-  Coal, oil and gas companies **exert strong influence** on governments & financial markets
-  ExxonMobil spent \$1.5 million in the 2012 US election
-  In Canada, fossil fuel companies go to great lengths to ensure political influence
-  **Omnibus bills C-38 and C-45** are examples of the control they have over policy<sup>7</sup>
-  “It’s only the fossil fuel industry that **lobbies round the clock** to [prevent] changes.” - Bill McKibben

“Our grandchildren or even our children will look back and say "what were they thinking?" But they will also recognize leaders in the fight against climate change. That is what I want to be remembered for and so should McGill.”

# Biased Science

- ❶ Fossil fuel companies fund disinformation campaigns
- ❷ Exxon-Mobil, in which we invest, funneled \$16 million between 1998 and 2005 into **manufacturing uncertainty** on the issue of global warming<sup>8</sup>
- ❸ Companies who actively fund the **regression of learning** and who work to **nullify McGill's service** to society are inappropriate investments



“I do not wish to be put in a hypocritical position regarding my obligations to my students and my own values.”





# Why Divestment?

- 🌱 If it is wrong to **wreck the climate**, then it is wrong to profit off this wreckage
- 🌱 Divestment is **one tool among many** that gradually shifts us away from **fossil fuel dependency**







“Divesting...is an opportunity to demonstrate principled, evidence-based decision-making.”

# Individual and Systemic Actions for Change

-  There are many wonderful sustainability programs that exist within the McGill and Montreal community
-  Even if we all rode bicycles, recycled, and ate vegetarian, we would still be facing a carbon crisis
-  Fossil fuels are **deeply embedded** within our society
-  Bottom line: **Systemic change** must accompany individual change in order to truly tackle the issue of climate change

“Please seriously consider the idea of divesting from fossil fuel companies as a public and principled stand by the university on the most important issue of our times”

# Inherently Unethical

-  As long as fossil fuel companies are not agreeing to **keep 80% of the current reserves underground**, then what they are doing is **fundamentally wrong**
-  Shareholder action is ineffective because we are asking companies to stop what they are doing rather than reform what they are doing
-  We are **targeting producers** rather than consumers
-  A consumer has the potential to change given viable alternatives

“Fossil fuels are in direct moral conflict with humanity and McGill should stop funding its operations by spending away our future”

# A Moral Beacon

- 🌱 Divestment cannot be thought of in entirely monetary terms
- 🌱 University endowments cannot seek to maximize profits while disregarding ethics
- 🌱 Universities exist to **further the public good**
- 🌱 “The corporations **understood the logic of money** even when they weren’t swayed by the dictates of morality.”  
- Desmond Tutu



“As a student of an internationally prestigious research and education institution, I feel that McGill's social conscience should resonate with its stated intentions.”

# McGill's Investments

- McGill invests in **645 companies** in total
- 34** companies involved in **fossil fuels**
- 14** of these are involved in the **tar sands**
- A combined total of 205 GT of CO<sub>2</sub> in reserve

As at December 31, 2012 (in Cdn \$)

TORONTO-DOMINION BANK	5,776,154
ROYAL BANK OF CANADA	3,293,400
SUNCOR ENERGY INC	3,257,916
ENBRIDGE INC	2,978,705
BANK OF MONTREAL	2,909,108
POTASH CORP OF SASKATCHEWAN	2,821,456
CENOVUS ENERGY INC	2,756,412
CANADIAN NATIONAL RAILWAY CO	2,258,250
TRANSCANADA CORP	2,130,006

“If McGill truly inspires to be a sustainable institution, it must examine its full impact on the world, including the kinds of activities its financial portfolio supports.”

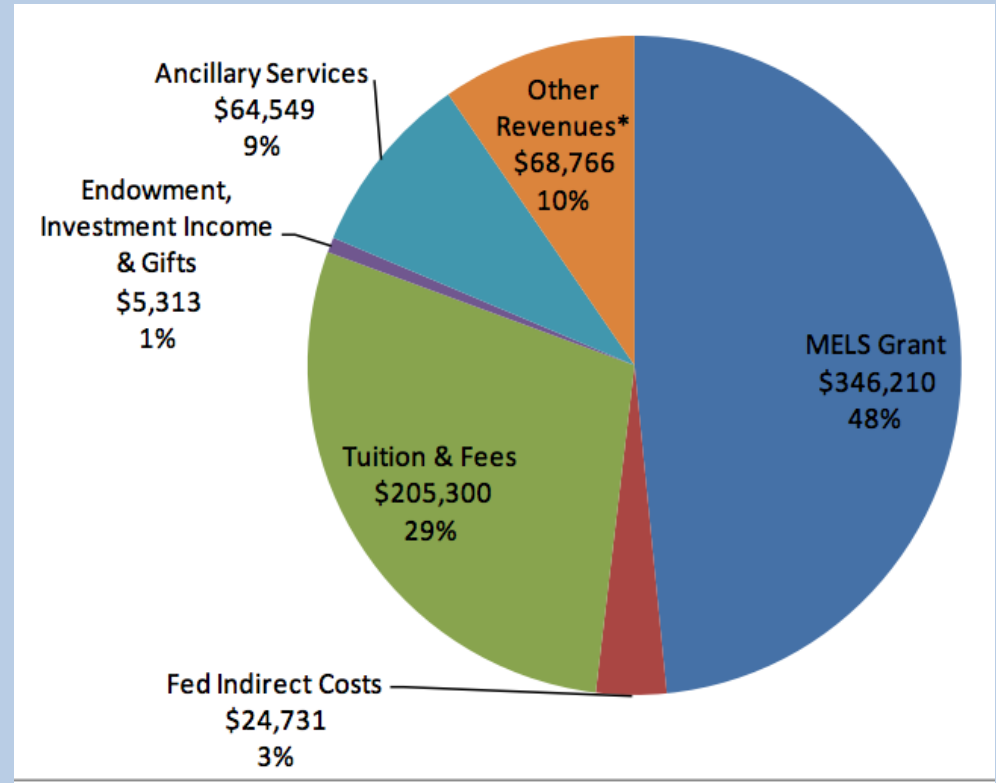


# Financial Viability

🌱 McGill has an endowment of over \$1 billion



🌱 Stock and bonds in fossil fuels make up 2.5% of this

🌱 The profit these investments generate could be generated from other sources



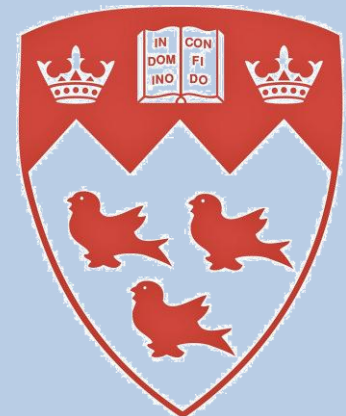
“Our market investment minds must seek value in emerging markets, not blindly take advantage of the dying days of fossil fuels.”

# Across the Continent

-  **300+** campuses with active divestment campaigns across all of North America (13 so far in Canada)
-  Movement is expanding to include cities, states, religious institutions & individuals



McGill



# Impact of Divestment

- 🌱 >**\$400 billion** worth of endowments in North American universities & colleges alone
- 🌱 This is relatively small, but our **financial clout** is making companies and investors pay attention
- 🌱 The primary goal is **social impact**
- 🌱 Pressure a shift away from carbon-based energy to **low-carbon energy sources** that can sustain us in the future



“Universities can exert financial and moral pressure on fossil fuel industries - and moral and intellectual pressure on government - by taking a stand on global warming”

# Climate Action Leaders

- 🌱 On a global level, some countries and cities have taken **leadership** in climate action
- 🌱 These efforts are inspiring, and encourage others to also take **meaningful actions** for **positive change**



“We must as a global community find ways to reduce our dependence on fossil fuels and transition to a clean energy economy.”

# Sustainability at McGill

-  McGill aspires to be a **global leader** among educational institutions
-  Our community has made it clear that a strong **commitment to sustainability** is a priority
-  Sustainability is a process, and we strive to evolve and continuously improve
-  McGill has made a commitment to **servicing students, the entire McGill community and society as a whole**



“I would be proud to be part of a university which is actively working towards solutions to current environmental and social issues.”

# Endorsements



## Major Student Societies:



Students' Society of McGill University



Post-Graduate Students' Society



Macdonald Campus Students' Society



## Faculty/Departmental Student Societies:



Arts Undergraduate Society



McGill Environment Students' Society



Philosophy Students' Association



## Campus Unions:



Association of McGill University Support Employees



Association of Graduate Students Employed at McGill



## Other:



SSMU Environment Commissioners



McGill Daily Editorial Board







Campus Crops



“McGill as an institution... has a responsibility to reflect the needs and values of its members.”

# Sustainability Values

-  McGill has always been a **leader in sustainability**
-  To continue this trend, we must ensure that our operations **uphold the values** we extoll
-  We can do this by constantly **assessing our practices** and finding ways to improve them
-  McGill's financial portfolio should be accountable to the **social, economic & environmental principles of sustainability** that McGill advocates

The overall objective of the endowment is to obtain a total return (yield plus capital appreciation) necessary to provide a dependable and optimal source of income for endowment beneficiaries, to cover the annual operating costs of the endowment and to preserve (in real dollar terms) the capital of the endowment within the social and ethical norms of the University.

“It's time for McGill to take the immediate action that should be a natural next step toward the goals it so often espouses. McGill: Divest from the tar sands and divest from the Plan Nord!”

Divest McGill was the first fossil fuel divestment campaign to start in Canada



What if we were the first Canadian university to take a **strong stance for climate action** by divesting from harmful fossil fuel companies?

“Let's be the change, let's be the hope, let's be the future we want for our grandchildren.”



*“By divesting, McGill makes itself a force for democracy, sustainability, and a better future, which is what McGill believes in.”*

- Professor Dror Etzion

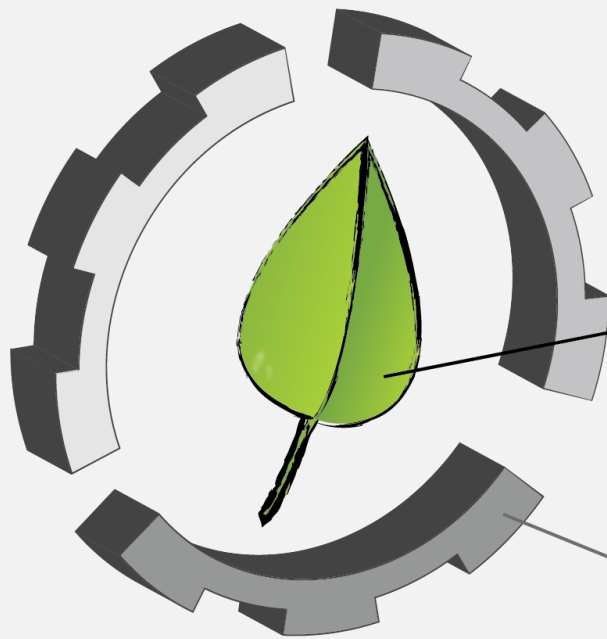
*“In our era, a fossil fuel based-economy is inherently immoral...  
**Divestment is morally mandatory.”***

- Professor Peter Brown

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# Divestment from Plan Nord and Non-Consensual Resource Extraction



**Divest**

McGill

# Social Injury

- Plan Nord violates the rights of Indigenous peoples of Quebec to control their own territory
- Across Canada and globally, non -consensual extraction and development occurs on indigenous land
- There are serious societal and environmental implications of this development
- And for this reason, we recommend divestment from the companies lobbying for Plan Nord

# Violation of Land Claims

- 5 separate indigenous groups concerned about the use of their land<sup>5,2</sup>
- **It is fundamentally wrong to develop these lands without full consent**

## **FREE**

Consent is given without coercion, intimidation, or manipulation.

## **PRIOR**

Consent is sought before every significant stage of project development.

## **INFORMED**

All parties share information, have access to information in a form that is understandable, and have enough information and capacity to make informed decisions.

## **CONSENT**

The option of supporting or rejecting development that has significant impacts on Aboriginal lands or culture.

# U.N. Declaration on the Right of Indigenous Peoples

## *Article 26*

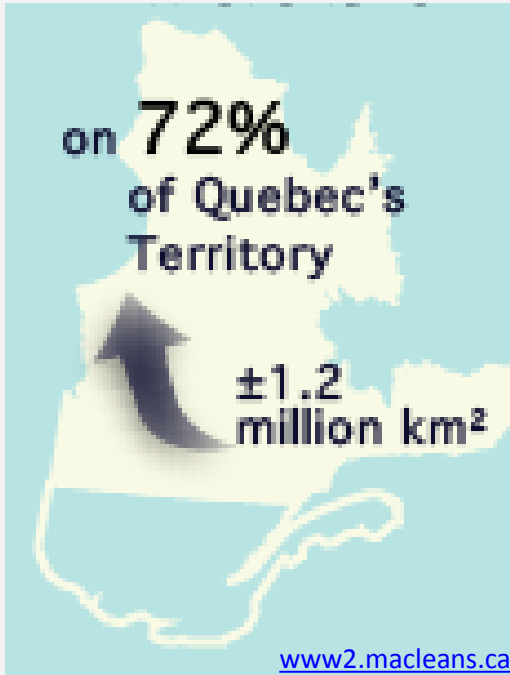
1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

# Canadian Charter of Rights and Freedoms

## **Recognition of existing aboriginal and treaty rights**

35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

# Plan Nord Summary



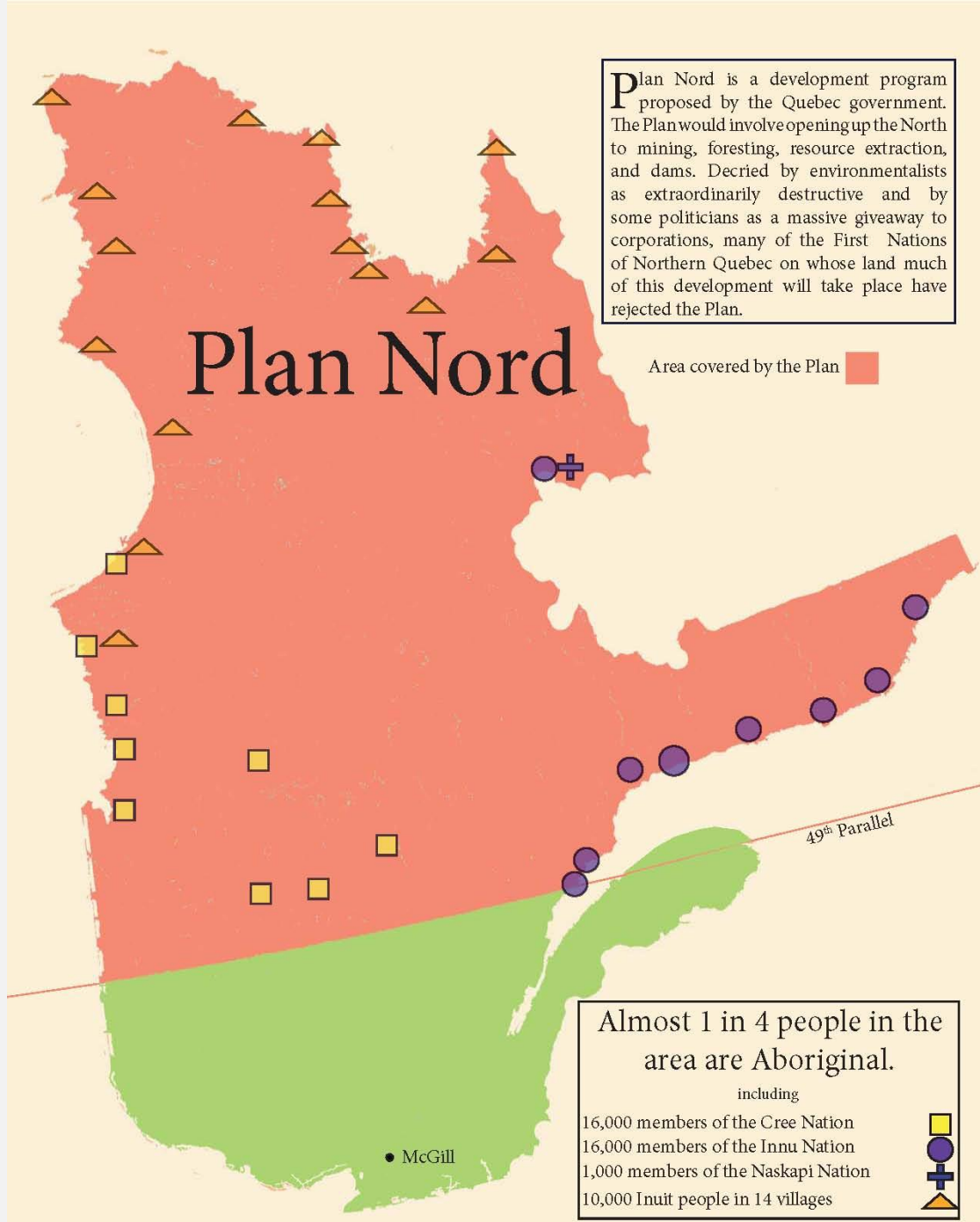
- 25 years, \$80 billion
  - \$2.1 billion by 2016
  - 11 new mining projects
  - Renewable energy projects
  - Forestry and Agricultural Development
  - Infrastructure development
- 
- Promises to protect the environment, use a consultative process and have sustainable outcomes<sup>1</sup>



Plan Nord is a development program proposed by the Quebec government. The Plan would involve opening up the North to mining, foresting, resource extraction, and dams. Decried by environmentalists as extraordinarily destructive and by some politicians as a massive giveaway to corporations, many of the First Nations of Northern Quebec on whose land much of this development will take place have rejected the Plan.

# Plan Nord

Area covered by the Plan ■



Almost 1 in 4 people in the area are Aboriginal.

including

- 16,000 members of the Cree Nation ■
- 16,000 members of the Innu Nation ●
- 1,000 members of the Naskapi Nation +
- 10,000 Inuit people in 14 villages ▲

*“Plan Nord’s discourse is careful not to raise aboriginal consent as a precondition for development”*

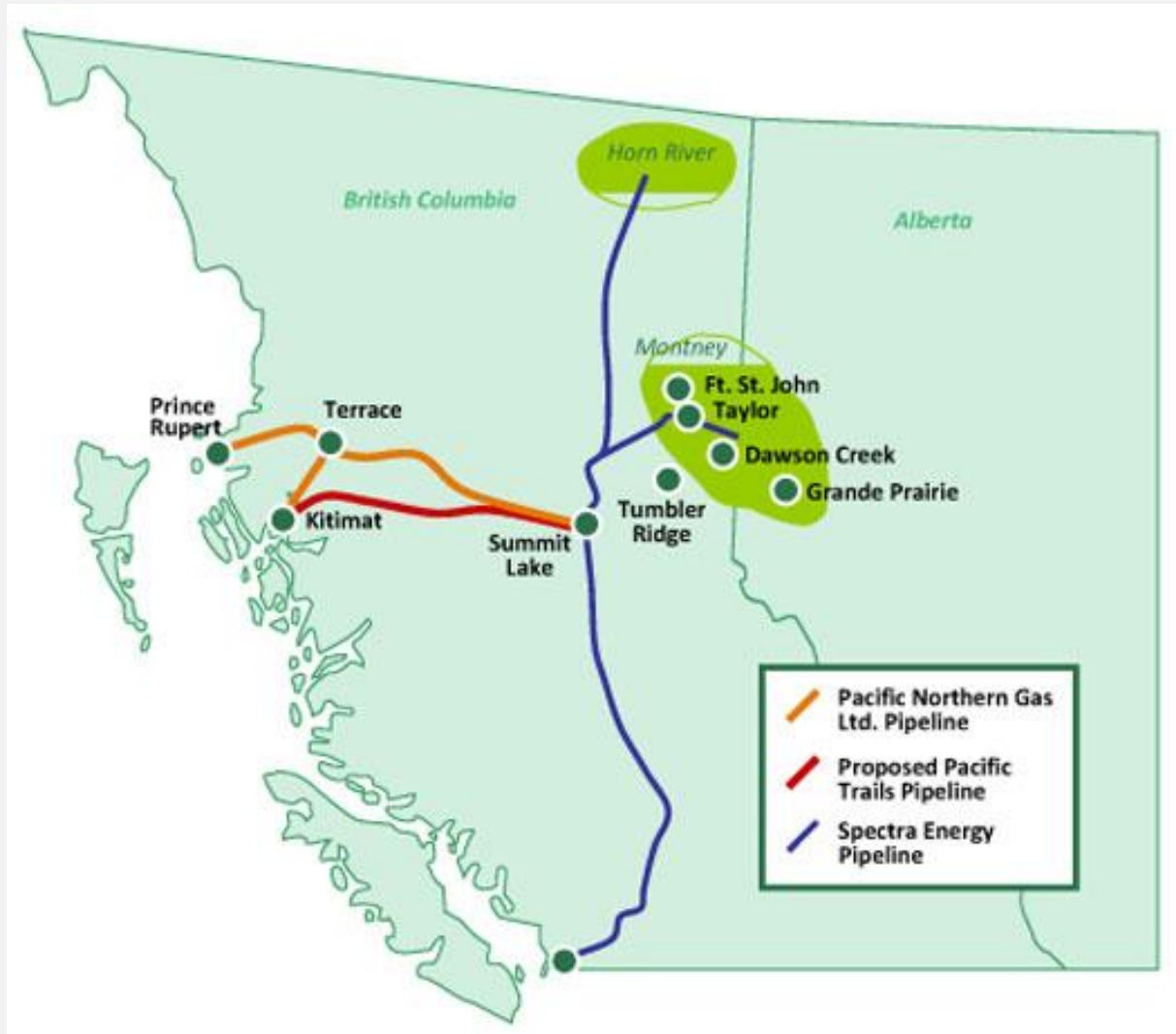
-Colin Scott, McGill Anthropology Professor  
McGill Law and Q-PIRG Conference on Plan Nord: “Perspectives, Challenges, and Promises for Northern Indigenous Communities”

# The **Romaine** Complex



Hydro-Québec plans to build a hydroelectric complex with an installed capacity of approximately 1,500 megawatts (MW) on the Romaine River in the Lower North Shore region, north of the municipality of Havre-Saint-Pierre. The complex would comprise four developments located between kilometre points 52 and 192 of the river.

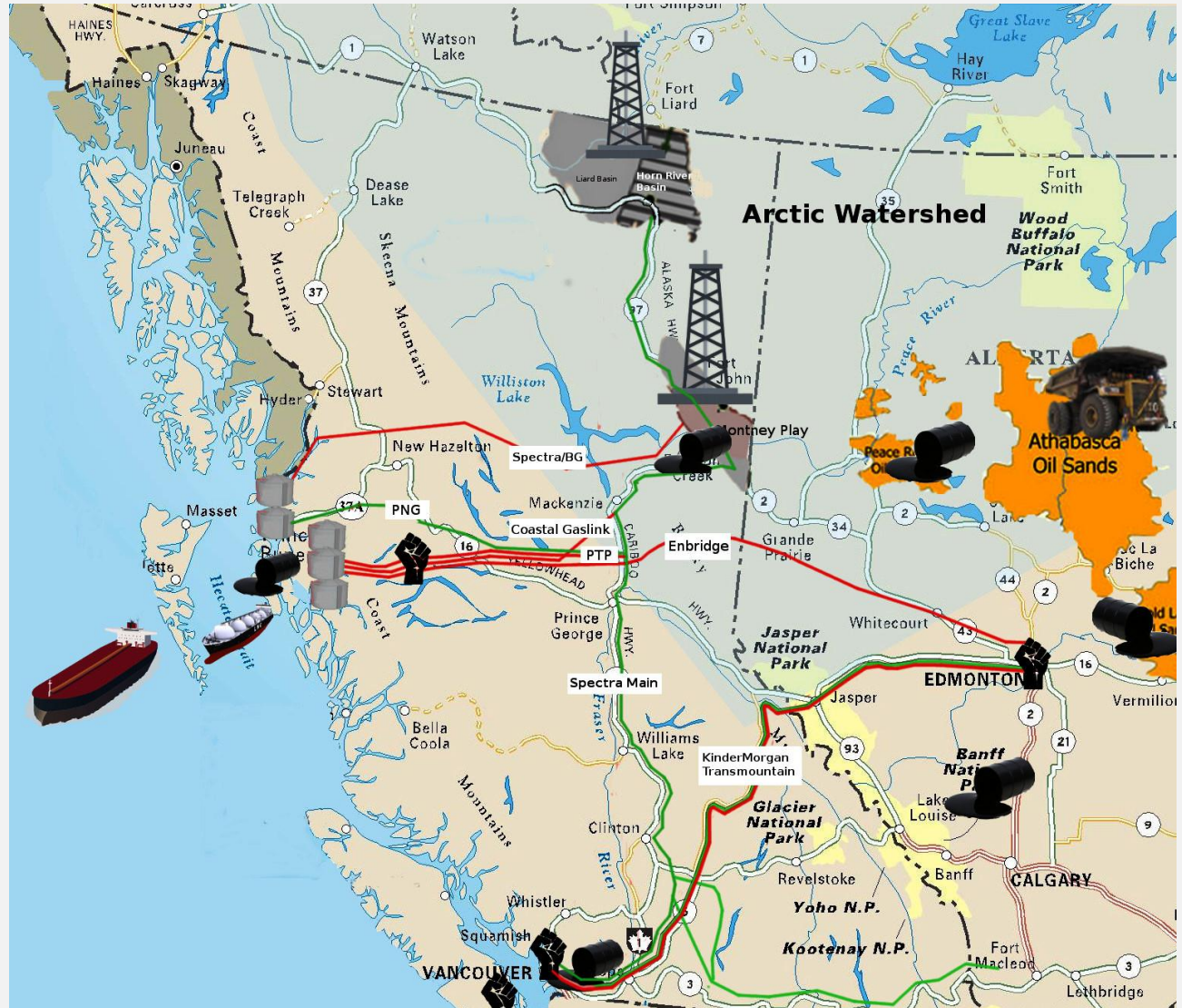
# Pacific Trails Pipeline



# Pacific Trails Pipeline

- “Pacific Trails Pipeline **does not have permission** to be on our territory. This is unceded land. Through emails and in meetings, we have repeatedly said NO. Pacific Trail Pipeline’s proposed route is through two main salmon spawning channels which 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.”
- - Freda Huson,
- spokeswoman for the Unist’ot’en Clan

- [Pacific Trail Pipeline](#)
- [Enbridge Pipeline](#)
- [David Black/Kitimat Clean Pipeline](#)
- [Pembina Pipeline Expansion](#)
- [Kinder Morgan Transmountain North](#)
- [Coastal Gaslink](#)
- [Prince Rupert Gas Transmission Project](#)
- [Spectra/BG Group Pipeline](#)
- [Imperial Oil/Exxon Pipeline](#)
- [Nexen/Impex Pipeline](#)





# Community Impact

- A majority of the remaining reserves of resources are found on Indigenous land<sup>8</sup>
- Canada ranks 6<sup>th</sup> on the UN Human Development Index while the First Nations of Canada would rank 68<sup>th</sup> <sup>2</sup>
- Negative effects of “Fly-in Fly-out” pattern of mining development<sup>5</sup>
- Inability to collect royalties <sup>3</sup>
- Contamination and destruction of traditional food sources<sup>2,3,4,5</sup>

*“What is the Plan Nord? If we can say it’s a social economic tool, then... there’s a gaping hole in it, because the local people cannot own land. I want to see my people prosper and not be mired in a welfare state mentality, which is where we are now.”* –Harry Tulugak, former negotiator to the Nunavik Regional Government



# Environmental Impact

- Quebec has not risen above the recently gutted federal standard for environmental impact assessments
- threats to biodiversity: at least nine species of whales , seabird colonies, seals, dolphins, fish, shellfish, plankton, krill, capelin , birds of prey, wolverines, black bear, caribou at risk<sup>4,5</sup>
- leaching of heavy metals<sup>4</sup>
- mercury contamination<sup>4</sup>
- greenhouse gas emissions from land-use changes<sup>4,9</sup>
- Some renewable energy projects merit re-evaluation<sup>4,9</sup>

**“Setting aside land for conservation should be fully done before any industrial activity is undertaken, not the other way around” -Institut de Reserche et d'Informations Socio-economiques.**

# Our Proposal

Divest until companies embrace FPIC in their activities.

1. Divestment from the companies that profit from, lobby for, or belong to Quebec professional associations lobbying for the plan.
2. Work towards divestment from other non-consensual extraction on land with indigenous land claims.

**Identified companies: Anglo American, ArcelorMittal, Atlas COPCO, AVIVA, CAMECO, GE, Goldcorp Inc., Holcim, Iamgold, Sandvik, SGS, SNC-Lavalin, Suncor Energy, Xstrata, Zurich Financial Services**

# A Provincial Alliance...

Between McGill,  
provincial student  
unions, and  
indigenous groups



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**FEB 28 2013**

McGill Environment Student's Society

mcgill.environment@gmail.com

**RECEIVED**

TO: The Board of Governors of McGill University

CC: The Committee to Advise on Matters of Social Responsibility of McGill University

Montreal, February 27th 2013

Dear Members of the Board of Governors,

The McGill Environment Students' Society (MESS) represents Environment students at the undergraduate level. Roughly, we comprise of 380 environment majors and diploma students, and 220 minors at McGill University. MESS promotes the interests of students in the School of Environment through cultural, educational, recreational and social events and activities. Additionally, our mandate involves the promotion of environmental awareness and the exhibition of environmental responsibility.

As students of the McGill School of Environment, MESS members carry an important role in aiding society in making environmentally conscious choices, amid diverse environmental worldviews, that will sustain healthy societies within a flourishing biosphere.

McGill University is teaching MESS' members to become stewards of the earth. Therefore, MESS agrees that as a learning institution, McGill should show concern for the environmentally and socially devastating effects of the projects conducted by fossil fuel companies.. Thus, MESS officially endorses Divest McGill's goal to encourage McGill University's divestment from the fossil fuel industry. Our endorsement passed by a vote supported by 89% out of the 85 MESS members who voted .


As a worldwide leading institution invested in improving the future through education, McGill has an important role to play in how the transition towards sustainable, healthier societies less dependent on fossil fuels is made. Over 250 Universities across North America are encouraging their administrators to divest from fossil fuels. Although McGill stands to reap a profit from said holdings in the fossil fuel industry, it is not a sustainable profit and it is not one that will instill welfare for future generations both at McGill and within the broader Canadian and global community. MESS therefore believes that our University must find alternative investments of a more sustainable nature. These investments should reflect the values, mission, and vision of the McGill community. For some to follow, some must lead and we feel that as reputable as McGill is, it should take advantage of this opportunity to set the example for a new future.

McGill has the choice to be an exemplary institution, transitioning away from the unhealthy, harmful, and unsustainable dependence on fossil fuels. We urge our University to divest its holdings from fossil fuel companies in the near future. By doing so, McGill will be choosing and building the path towards a shared vision for a better future that integrates social, economic, and environmental dimensions.


Sincerely,

MESS council on behalf of the undergraduate students at the McGill School of Environment.

  
Harnet Kim

  
ANNA ZISA

  
Aaron Egor

  
Zachary Goldberg

  
Markus Spangler

  
Emily Pickering Pedersen

  
Flaam Hardy

Elise Moser  
290 Av. Régina, #203, Montreal, QC Canada H4G 2G5  
(514) 843-9371\*\*fax (514) 843-9094  
elise.m@videotron.ca

McGill Board of Governors  
James Administration Building, Suite 313  
845 Sherbrooke Street West  
Montréal (Québec) H3A 0G4

27 February 2013

To the Board,

As a McGill alumna (BA Honours, 1984) I express the strongest possible support for the divestment of fossil fuel holdings from McGill's portfolio. The urgency of the environmental crisis caused by the extraction and burning of fossil fuels and the use of petroleum-derived products (e.g., the Texas-size island of plastic waste in the Pacific Ocean) is stunning. But we cannot afford to be stunned. We owe the world a duty of care: to prevent the worsening of a deadly global catastrophe that has already begun. By the time this generation is ready to retire, the rise in sea levels may be competing with the acidification of the oceans and the contamination of our water supply as threats to our economies, our way of life, and maybe even our lives.

You are intelligent people. You know we are endangered by the scope and pace of environmental degradation. Is divesting from fossil-fuel holdings is a good response? My opinion, as a former member of the campaign to divest McGill of its economic ties to South Africa, is that divestment is a powerful tool. It would be reckless in the extreme for us not to use every tool at our disposal to stave off environmental ruin. There are alternatives to fossil fuels to power our vehicles, our homes and offices, our economy. But if the water is poisoned, the ocean ecology collapses, our coasts wracked by storms or flooded by rising seas, there will be no alternatives when we need water to drink, plants and animals to eat, and safe places to live.

I cannot see any other reasonable choice. As a member of the McGill community, I urge you: divest from fossil fuels now.



MAR 13 2013

# Campus Crops RECEIVED

Campus Crops

<http://campuscropsmcgill.blogspot.ca/>  
[campuscrops@gmail.com](mailto:campuscrops@gmail.com)

February 28, 2013

TO: The Board of Governors of McGill University

CC: The Committee to Advise on Matters of Social Responsibility of McGill University

Dear Members of the Board of Governors,

Campus Crops is a student-run urban agriculture collective at McGill University's downtown campus. We offer opportunities for the McGill and larger Montreal communities to learn about organic gardening possibilities in the city, as well as the environmental, social and political aspects of food production and consumption. Since its creation in 2005, Campus Crops has used its gardening space on campus to empower individuals by teaching gardening skills, emphasizing the importance of gardening in the city, and engaging in alternative food systems. The collective also stimulates discussion at McGill around various food-related issues through workshops, film screenings and other social events.

Campus Crops believes that McGill University should divest from companies and financial institutions engaged in tar sands extraction and Plan Nord. Support for this petition among our members was unanimous. Campus Crops is against these projects on the basis that the decisions to implement them are made without the consent of area residents, including First Nations and Inuit communities. In our mandate, we emphasize the importance of our non-hierarchical and inclusive structural organization, as well as our consensus-based method of decision-making. The exclusion of these communities from government decision-making, project-planning and implementation is additionally troubling due to the colonial history of mistreatment - including territorial appropriation - that Indigenous peoples in Canada have endured.

Resource extraction industries in general have serious environmental impacts such as cutting large patches of forest, using large amounts of freshwater for the processing of crude resources, and disturbing waterways and surrounding areas. Those activities are also linked to high levels of pollution in waterways and high emissions of greenhouse gases, which negatively affect local and global ecosystems and climates necessary for the biological and cultural survival of animal and human communities. These and other environmental impacts have detrimental effects on local and global communities, human or not, that do not benefit, and even suffer, from these activities, without guaranteeing that the damage done to those communities will be repaired or compensated for in the future.

The environmental issues raised by the Tar Sands and the Plan Nord cannot be addressed without mentioning the impacts they have on local communities that do not consent to the use of their traditional lands. Highly polluting activities such as the tar sands, mining ore processing, and massive deforestation drive away and poison traditional food resources. This further challenges First Nation peoples' right to self-determination and food sovereignty; they should instead be able to choose and shape the ways of life they want to embrace, including the management of their territories and their food systems.

McGill, as an institution for higher education which prides itself on its sustainability initiatives, should find alternatives to investing in corporations which generate pollution and social damage. One university's actions to divest from these projects will not solve the ailments of today's society; however, it can send a strong message to the community and to corporations about what is no longer acceptable. These actions can encourage other associations and institutions to follow suit and ultimately change the status quo. As a matter of fact, there are movements like Divest McGill in more than 210 universities and colleges across North America. We encourage McGill to take responsibility as an internationally recognized university and divest.

Signed,  
Campus Crops





Executive Committee  
Students Society of McGill University

May 21, 2013

To:  
Stephen Strople, Secretary-General  
Members of the McGill Board of Governors

Dear Members of the McGill Board of Governors,

The SSMU Executive Committee is writing to you in regards to a matter that we believe will be coming to your meeting on May 23 for discussion, which is the petition and campaign that has come to the Committee to Advise on Matters of Social Responsibility (CAMSR) and asks that McGill divest its holdings in fossil fuel companies.

The SSMU has taken positions supporting the work of the Divest McGill campaign since the campaign began in Fall 2012. In fact, the campaign is very much in line with our own Ethical Investment Plan which has negative screens for companies engaged in activities which lead to direct deterioration of the environment, have core activities directly linked to the extraction of oil from the Alberta tar sands, or pipeline companies which provides services to companies involved in the production of oil from the tar sands<sup>i</sup>. Indeed, we recently began the process of putting that in to practice by voting to divest from a number of companies which are involved in the production of fossil fuels<sup>ii</sup>.

The SSMU has done this because we believe that climate change is an extremely serious issue and that immediate action is needed in order to mitigate its most severe impacts. As young people who will have to live through the long-term effects of climate change, and as students of a world-class educational institution, we are important stakeholders in the conversation about our current and future sources of energy and we recognize that reducing the global use of fossil fuels is an essential first step.

As such, we strongly encourage the McGill Board of Directors to begin to take steps to divest McGill's holdings from fossil fuel companies. McGill, as a well-reputed university known throughout the world, could serve as a moral beacon to other institutions considering the same question. This would reinforce McGill's commitment to sustainability and action on climate change, and make McGill a leader by prioritizing investments that will benefit society for the long term.

Serious, immediate action is needed when it comes to the complex problem of climate change. McGill as a well-known university and research institution can contribute to the questions surrounding the issue in a number of ways. However, we believe that the ways that McGill can be influential reach beyond the spheres of teaching and research. We



believe that financial engagement is a crucial element, and that divestment from fossil fuels is an important first step.

Thus, we urge you to take your time in considering this issue, and the positive impact that a decision to move forward with divestment would have in terms of highlighting McGill as having a firm commitment to reducing the harmful impact of fossil fuels and climate change. True leadership is needed in taking action to address these problems, and in this way we believe McGill could be an important leader.

Sincerely,

Josh Redel  
SSMU President 2012-13

Robin Reid-Fraser  
Vice-President External 2012-13

Haley Dinel  
Vice-President University Affairs 2012-13

Michael Szpejda  
Vice-President Internal 2012-13

Allison Cooper  
Vice-President Clubs & Services 2012-13

JP Briggs  
Vice-President Finance & Operations 2012-13

Katherine Larson  
SSMU President 2013-14

Samuel Harris  
Vice-President External 2013-14

Joey Shea  
Vice-President University Affairs 2013-14

Brian Farnan  
Vice-President Internal 2013-14

Stefan Fong  
Vice-President Clubs & Services 2013-14

Tyler Hofmeister  
Vice-President Finance & Operations 2013-14

<sup>i</sup> <http://ssmu.mcgill.ca/wp-content/uploads/2013/05/SSMU-Policy-Book-2013.05.07.pdf>, pp 14-15

<sup>ii</sup> <http://ssmu.mcgill.ca/wp-content/uploads/2013/04/FERC-Summary-of-Investments-for-Council.pdf>