

Canada's RCMP and Secret Service (CSIS) Spy on Enbridge Pipeline Opponents, Native Groups, Environmentalists

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The British Columbia Civil Liberties Association (BCCLA) filed two complaints today against the Canadian Security Intelligence Service (CSIS) and the Royal Canadian Mounted Police (RCMP). The complaints allege that the two agencies illegally monitored and spied on the peaceful and democratic activities of community groups and First Nations opposed to the Enbridge Northern Gateway Pipeline project. These groups include ForestEthics Advocacy, Dogwood Initiative, LeadNow.ca, the Idle No More movement, and others.

The BCCLA alleges that the RCMP and CSIS interfered with the freedoms of expression, assembly and association protected by the Charter of Rights and Freedoms by gathering intelligence about citizens opposed to the Enbridge project through a range of sources. The complaints also claim that the spying activities potentially included illegal searches of private information. The complaint against CSIS further alleges that the spy agency broke the law by gathering information on the peaceful and democratic activities of Canadians, which it is banned by law from doing. The documents released made clear that none of the groups under surveillance posed any threat to the National Energy Board hearings or public safety.

“It’s against the law and the constitution for police and spy agencies to spy on the lawful activities of people who are just speaking out and getting involved in their communities. That’s why we have filed these complaints,” said Josh Paterson, Executive Director of the BCCLA. “This is bigger than an environmental debate – it’s a question of fundamental human rights. There are plenty of undemocratic countries where governments spy on people that they don’t agree with. That’s not supposed to happen in Canada, and when it does, it can frighten people away from expressing themselves and participating in democratic debate.”

“It’s intimidating for people to learn that they’re being spied on by their own government,” said Ben West, Tar Sands Campaign Director for ForestEthics Advocacy, one of the groups that was spied upon. “Regular people are being made to feel like they are on a list of enemies of the state, just because they are speaking out to protect their community from a threat to their health and safety or trying to do what’s right in the era of climate change.”

One incident recorded in the intelligence-gathering was a Kelowna, B.C. volunteer meeting co-hosted by the advocacy organization LeadNow.ca and the Dogwood Initiative, a community action group based in Victoria. Jamie Biggar, the Executive Director of LeadNow,

said, "Government spies should not be compiling reports about volunteers literally gathered in church basements to hand-paint signs - and then sharing that information with oil companies. That puts the interests of a handful of corporations ahead of the privacy rights of Canadians. It's just wrong - period."

Will Horter, the Executive Director of the Dogwood Initiative, added: "We are helping Canadians engage in their communities and in public decision-making processes for Enbridge and other projects. There is something deeply wrong when holding a story-telling workshop attracts heat from spies and police forces. It's democracy, not a national security threat."

Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs, who attended one of the meetings that was spied upon, stated: "I was shocked and disgusted to learn that the police and the National Energy Board colluded to keep track of First Nations people who are simply speaking out, including those who participate in Idle No More. This is the kind of thing we'd expect to see in a police state, and it's a violation of our freedom of speech and freedom of assembly."

Some of the intelligence gathered appears to have been shared with the National Energy Board, including information about ForestEthics Advocacy which was an intervening party in the Board's hearings, as well as with Enbridge and other oil and energy companies. The complaint against the RCMP alleges that this could compromise the fairness of the Enbridge hearings. West added: "You can't have a fair hearing when the police secretly gather information about our activities and then provide secret evidence to the National Energy Board and Enbridge, one of the other parties."

The activities of CSIS and the RCMP outlined in the complaints originally came to light through an access to information request filed by Matthew Millar of the Vancouver Observer. It is unclear whether covert surveillance, wiretaps or other means were used in gathering the intelligence.

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