

# Dismantling democracy

Stifling debate and dissent for civil society  
and Indigenous peoples

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## Introduction

VOICES-VOIX, A NATIONAL volunteer-based coalition, was created in 2010 in response to a troubling trend of “defunding” Canadian civil society organizations (CSOs) working in the areas of anti-poverty, international co-operation, immigrant and refugee issues, human rights and women’s equality.<sup>2</sup> More than 200 Canadian organizations and 5,000 individual Canadians have subscribed to its declaration in favour of free expression and transparency in government. Over the last five years, Voices-Voix has documented the suppression of debate and dissent by recording incidents and case studies brought to its attention by affected organizations, the media, and through legal and scholarly communities. No other organization in Canada has been systematically documenting and publishing these cases.<sup>3</sup>

Since 2010, Voices-Voix published more than 110 case studies on the dismantling of democratic rights and institutions and the narrowing space for debate and dissent in this country. All the case studies are available on its website and are classified according to the federal government tactics that are used and their targets. The first main category deals with the undermining of civil society, as well as Indigenous groups and First Nations; the second examines the erosion of the Can-

adian public service and interference with independent officers and agents of Parliament; the third is the use of retaliation and reprisals against whistle-blowers and advocates; the fourth category describes the savaging of federal departments working on environmental protection; and, finally, the last category records the dismantling of basic science and knowledge, including the suppression of statistical tools such as the mandatory long-form census.<sup>4</sup>

This chapter focuses only on the first of these issues, namely the federal government's undermining of Canadian CSOs and advocates, drawing on 70 case studies (Annex 1) involving 108 organizations and advocates (Annex 2).<sup>5</sup> The case studies were developed based on information obtained from the organizations themselves, including personal interviews, as well as from court documents, research reports, and media sources. Voices-Voix has also created a video series, available online, that provides personal testimony about the organizational and personal impacts of the federal government's actions.<sup>6</sup>

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## Civil society organizations

The terms “non-profit,” “civil society organization,” and “charitable organization” (or charity) are used extensively throughout this chapter. They mean different things, and the terms have important implications for how the government has interacted with the organizations in question. The Canadian non-profit sector is the second largest in the world and includes not only non-governmental organizations (NGOs) and grassroots organizations, but also larger non-profit enterprises, such as hospitals. This sector contributes approximately 8% of Canada's gross domestic product (GDP).<sup>7</sup>

Civil society organizations are non-profits, but as referred to in this chapter they include a narrower subsection of organizations that:

Have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations. Civil Society Organizations (CSOs) therefore refer to a wide array of organizations: community groups, non-governmental organizations (NGOs), labour unions, Indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations.<sup>8</sup>

CSOs in Canada provide much of the “social infrastructure” that binds together our communities, our cities, our workplaces, and our country.<sup>9</sup> Whether we are talking about veterans, faith groups, international development bodies, scientific institutions and facilities, environmental protection advocates, unions, cultural institu-

tions, sports associations, or Indigenous organizations, they enhance the quality of our lives, the health of the built and natural environment, and the vitality of our communities and neighbourhoods. They strengthen our cultural heritage, encourage people to connect, and protect our collective interests.

Charities are a specific type of non-profit organization recognized under the federal *Income Tax Act*. Charities must be non-partisan, and are acknowledged by law and the courts as being in the public good because they engage in the small number of activities that qualify as “charitable purposes” or “charitable objects.” Once an institution is legally recognized as charitable, there are considerable financial and reputational benefits flowing from that status.

CSOs, whether they are charitable or not, contribute to a rich and diverse Canadian society that values human rights and encourages participation on a wide range of issues of public concern.

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## Indigenous organizations

Many Indigenous organizations in Canada are set up as non-profit corporations and some have charitable status under the *Income Tax Act*. Indigenous peoples — whether they are organized as First Nations governments or social justice organizations — are treated as a distinct subset for the purposes of this article. They transcend the definitions of “civil society organizations.” Their status and their missions derive from unique political, economic, and social structures, including treaties and modern land claims agreements, and from Indigenous cultures, spiritual traditions, histories, and philosophies, especially with respect to rights to their lands, territories, and resources. The United Nations Declaration on the Rights of Indigenous Peoples states that governments must respect and promote these rights. As the previous chapter explains, many of the tactics used by the federal government have been deployed in spades against Indigenous peoples, despite the UN declaration.

CSOs represent an important vehicle by which we express our views and seek to influence public policy and discourse. And yet the relationship between CSOs and the federal government is at an all-time low as a result of sustained and concerted efforts to undermine science, environmental work, anti-poverty work, international co-operation, environmental protection, Indigenous groups, and the people who work with them. One consequence has been a decline in the capacity of CSOs in Canada to make a difference for vulnerable communities and equality-seeking groups:

The influence of civil society advocates for the economic interests of lower-income Canadians has also weakened in recent decades.... Antipoverty groups, women’s organizations, advisory bodies and think-tanks, the traditional champions of the

interests of the disadvantaged, have lost public funding and literally disappeared from the public forum.... Charitable civil society organizations that advocate egalitarian policies have been harassed by tax officials for their political activities.<sup>10</sup> Those CSOs that have survived government attacks now live and work with the “chilling effect” created by such attacks on individuals and collectives with aims and policies that do not align with Canada’s federal government.<sup>11</sup>

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## **A word about what the research says (and what it does not say)**

This chapter discusses research that synthesizes five years of case documentation involving advocates, CSOs, and their champions. It does not purport to analyze all Canadian non-profits or charities. Nor does it assert that the sector as a whole is under attack or at risk. It does take stock of what Canadian society may be losing and what it has already and definitively lost under the current government. Sadly and worryingly, the research is not comprehensive. Incidents involving ideologically motivated funding cuts, CRA scrutiny, public vilification and intimidation, privacy invasions and surveillance have been brought to our attention at a rate much higher than Voices-Voix is capable of documenting. In addition, several groups have asked us not to publish information about them out of concern for their reputations and future funding from government and private foundations.

The research is consistent with the thesis that has been advanced by both conservative and progressive writers that the Conservative government is actively and consciously seeking to dismantle the pan-Canadian consensus in favour of social progress, tolerance, and human rights. The claim that progressive organizations have been selectively targeted by the federal government for defunding, or that the audits of the Canada Revenue Agency are politically motivated, has been met with either flat denials or with the argument that such decisions fall within the legitimate purview of a duly elected government. These responses deserve closer scrutiny before analyzing the cases in more detail.

The research discussed in this chapter provides 108 examples of progressive organizations and advocates documented in 70 case studies and the cases speak for themselves. For the vast majority of organizations, this treatment at the hands of the federal government is unprecedented. A growing body of research supports the thesis that progressive organizations are being specifically targeted, either because of their focus on environmental protection, equality and human rights, their opposition to key Conservative policy planks such as the development of the oil sands, or because of their support for Indigenous rights.

The Harper government is democratically elected, albeit with a plurality of the popular vote, and it is arguably doing what it set out to do, or at least what it might have been expected to do. As Canadians, we may not all agree with the policy directions of the government of the day, but our constitutionally protected rights and freedoms should provide a platform to express our dissent without fear of reprisal.

It is only fair to point out that the withdrawal of funding (especially core funding) from the non-profit sector began with the Liberal Party of Canada, years before the Conservatives took power, and has also taken place under provincial governments of various political persuasions, including the New Democratic Party (NDP). For those CSOs that find themselves under siege or enhanced scrutiny today, there is something qualitatively different and more troubling about the current environment. The reasons go well beyond the legitimate policy choices of a democratically elected government.

First, while defunding (one of the government's primary tactics) may not be illegal, the courts are looking carefully at decisions that appear to be politically motivated and at whether they are being made with an open mind.<sup>12</sup> The most egregious funding cuts have targeted the very people who most need the protection of the state, including people with HIV/AIDS, immigrants and asylum seekers, children, veterans with disabilities, and members of Indigenous organizations. In one case, the consequences were so serious that the Federal Court of Canada told the government that cuts to health care constituted cruel and unusual treatment, referring to a section of the Canadian Charter generally reserved for torture cases (the *Canadian Doctors for Refugee Care* case is discussed in greater detail below).

Second, there is mounting evidence that defunding is but one of a series of cascading and interdependent strategies designed to strip CSOs, advocates, and Indigenous organizations of their fundraising capacity, charitable status, reputations, and privacy. Charitable organizations enjoy a relatively high degree of trust among Canadians.<sup>13</sup> Despite such confidence — or perhaps because of it — the Harper government has sought to undermine their reputations and credibility, characterizing them as liars, propagandists, radicals, or threats to national security.

Non-profits that receive funding from foundations in other countries have been targeted as well. While the Canadian government actively courts external investment in Canadian business and views international investment in the private sector in a positive light, the same cannot be said for the non-profit sector. CSOs that receive funding from non-Canadian sources have been branded as unpatriotic, seditious, or working against Canadian interests.<sup>14</sup>

Finally, the combined impact of these strategies has been considerably more damaging than any one of them in isolation. As noted earlier, researchers have found that the relationship between the federal government and non-profits has created a “chill” on advocacy.<sup>15</sup> In many instances, organizations have simply dis-

appeared. The consequences can be worse than advocacy chill and other forms of direct or indirect prior restraint. In a small number of cases, groups have been accused of money laundering, or of posing a threat to national security. Several have been placed under surveillance or had their personal and health information disclosed inappropriately. Others have been accused of money laundering and supporting terrorism, leading to serious concerns about the criminalization of dissent.

These attacks have taken place against the backdrop of systemic marginalization of the Charter of Rights and Freedoms by the federal government.<sup>16</sup> The Conservative government has instructed its own lawyers to ignore the Charter in a significant number of cases, allowing manifestly unconstitutional draft legislation to make its way to Parliament.<sup>17</sup> There have been multiple Supreme Court of Canada decisions that have highlighted serial shortfalls in compliance with the Charter. Organizations and advocates that defend human rights and freedoms are considerably more vulnerable in such an environment. IRFAN Canada is the organization that was listed as a terrorist organization on the eve of a hearing challenging the CRA's decision to strip the organization of its charitable status. One immediate consequence of the listing was that the organization is no longer entitled to hire and pay a lawyer to defend it in court.

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## Disabling civil society

Hostile or invasive regulatory environments, including those leading to penalties, create a chilling effect on fundamental freedoms. According to a 2001 Supreme Court of Canada decision:

The concept of chilling effect is premised on the idea that individuals anticipating penalties may hesitate before exercising constitutional rights. In a constitutional democracy, not only must fundamental freedoms be protected from state action, they must also be given “breathing space.”<sup>18</sup>

When CSOs are threatened, their resources cut, or they are placed under enhanced regulatory scrutiny, debate and dissent are stifled. Their “breathing space” is reduced and, as noted by the Supreme Court of Canada, our constitutional democracy is thereby weakened.

The concept of an “enabling” environment goes beyond avoiding restrictions on a group's existence, function, and growth, and extends to establishing conditions that actively facilitate the work of CSOs.<sup>19</sup> In May 2012, Maina Kiai, the UN special rapporteur on the rights to freedom of association and peaceful assembly, noted that the “right to freedom of association obliges states to take positive measures

to establish and maintain an enabling environment.”<sup>20</sup> He further noted: “associations should enjoy, *inter alia*, the rights to express opinion, disseminate information, engage with the public and advocate before governments and international bodies for human rights.”<sup>21</sup> Finally, Kiai underscored that the ability for associations to access funding and resources is integral and vital to freedom of association.<sup>22</sup>

Voices-Voix is not alone in expressing concern about the quality of the enabling environment for civil society actors in Canada and the narrowing “breathing space” for constitutional democracy. Amnesty International, Human Rights Watch, Lawyers Rights Watch Canada, the Council of Canadians, and the Broadbent Institute, to name only a small number, have observed the deteriorating state of democracy in Canada and the ideological leanings of the current government that are supporting incursions into fundamental freedoms.<sup>23</sup> The British Columbia Civil Liberties Association (BCCLA) has filed complaints about alleged illegal surveillance of activists with oversight bodies of the Canadian Security Intelligence Service (CSIS) and the Royal Canadian Mounted Police (RCMP).<sup>24</sup> Additionally, as will be discussed below, the Office of the Privacy Commissioner of Canada and the Canadian Human Rights Tribunal have found that Aboriginal advocate Cindy Blackstock’s privacy rights were violated and that the government of Canada retaliated against her because of a discrimination complaint filed against the government related to the underfunding of First Nations children in care.

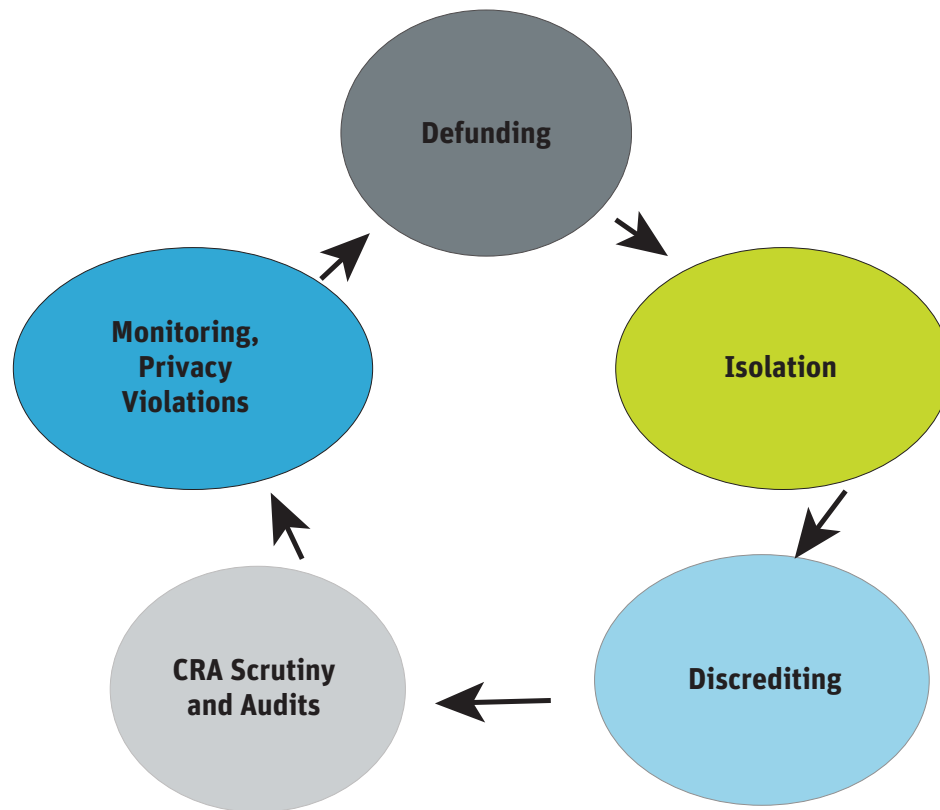
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## Mutually reinforcing tactics

Organizations engaging in “expressive activities” (civic/advocacy groups, labour, human rights, women’s rights, and environmental groups), together with other CSOs working in development and housing issues, account together for 22% of the non-profit sector in Canada.<sup>25</sup> They are also prominently represented on the list of organizations targeted by mutually reinforcing tactics: funding cuts, isolation and disengagement, enhanced scrutiny, and direct rhetorical attacks on their credibility and, in some cases, the lawfulness of their activities.

The first funding cuts to human rights groups and progressive policy think-tanks began in 2006 and defunding continues to this day. Defunding goes hand in hand with disengagement by public servants who distance themselves from the organizations with which they had previously been traditional partners in policy development, research, and service delivery. Once organizations are no longer seen as partners but as threats, the justification for placing them under surveillance or enhanced scrutiny follows. This tactic has come in several forms: the charities directorate of the Canada Revenue Agency has cracked down on Canadian charities,

**FIGURE 1** Undermining CSOs in Canada

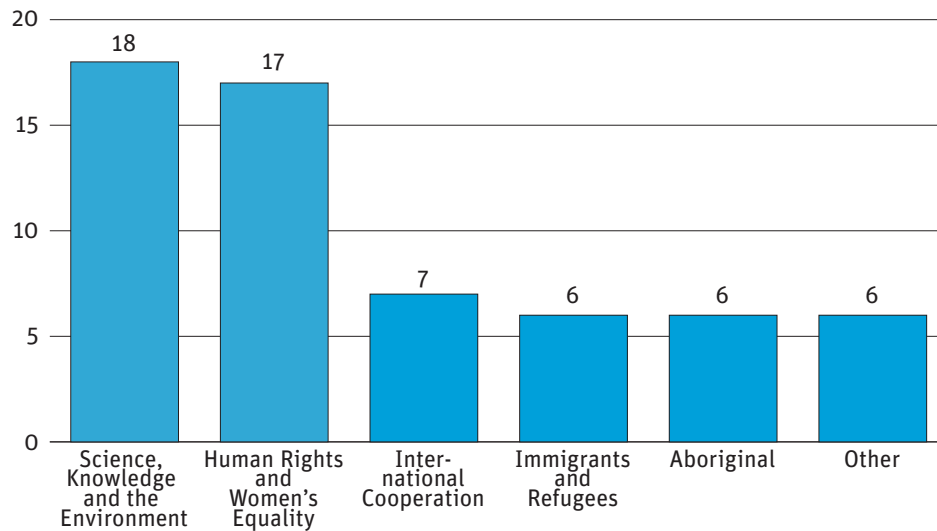


subjecting them to selective audits and, in some cases, revoking or annulling their charitable status, resulting in diminished financial and fundraising capacity, while individual advocates and organizations opposing the government’s agenda have found themselves subject to official monitoring, surveillance, and privacy violations. Finally, and in some cases concurrently, the federal government has used rhetorical attacks to convince the Canadian public that CSOs, advocates, and social justice groups are not working in the best interests of Canadians.

With the possible exception of CRA scrutiny of progressive charities, many of these strategies are not novel when viewed in isolation. However, the emerging pattern of their concerted deployment and combined effects against progressive CSOs is a new and disturbing development in this country.



**FIGURE 2** Federal Funding Cuts: Who is Targeted?



**SCIENCE, KNOWLEDGE AND THE ENVIRONMENT** Atlantic Centre of Excellence for Women's Health • British Columbia Centre of Excellence for Women's Health • Canadian Council on Learning • Canadian Foundation For Climate and Atmospheric Sciences • Canadian Policy Research Networks • Canadian Women's Health Network • Centre for Research and Information on Canada (Canadian Unity Council) • Community Access Program • Ecology Action Centre • Experimental Lakes Area • ForestEthics • Foundation for Canadian Studies UK • Mada al-Carmel • National Network on Environments and Women's Health • Polar Environmental Atmosphere Research Laboratory • Prairie Women's Health Centre of Excellence • Sharryn Aiken (Queen's University) • Sierra Club of British Columbia

**HUMAN RIGHTS AND WOMEN'S EQUALITY** Antidote • Canada without Poverty • Canadian HIV/AIDS Legal Network • Canadian Research Institute for the Advancement of Women • Centre for Equality Rights and Accommodation • Canadian Child Care Federation • Childcare Advocacy Association Canada • Court Challenges Program • Feminist Alliance for International Action (FAFIA) • National Association of Women and the Law • National Network on Environments and Women's Health • New Brunswick Coalition for Pay Equity • Réseau québécois d'action pour la santé des femmes • Rights & Democracy • UNPAC • Victoria Status of Women Action Group • Women's Legal Education and Action Fund (LEAF)

**INTERNATIONAL COOPERATION** Alternatives • Canadian Council of International Cooperation (CCIC) • Development and Peace • KAIROS Canada • Match International • Mennonite Central Committee Canada • North-South Institute

**IMMIGRANTS AND REFUGEES** Afghan Association of Ontario • Canadian Arab Federation • Eritrean Canadian Community Centre of Metropolitan Toronto • Hospitality House Refugee Ministry • Palestine House • South Asian Women's Centre

**ABORIGINAL RIGHTS AND ISSUES** Aboriginal Healing Foundation • First Nations Child and Family Caring Society • First Nations Statistical Institute • National Aboriginal Health Organization • Quebec Native Women's Association • Sisters in Spirit (Native Women's Association of Canada)

**OTHER** Canadian Conference of the Arts • Canadian Broadcasting Corporation (CBC) • Franke James (and Nektarina Non Profit - arts) • Katimavik (youth programs) • LifeLine (reintegration of prisoners) • Dennis Manuge (clawback of federal disability benefits for veterans)

## Defunding CSOs

Government funding matters enormously to the non-profit sector in this country. It accounts for 39% of revenue for Canadian non-profits.<sup>26</sup> For civic and advocacy groups, the CSOs discussed on this chapter, government financial support rises to 47%.<sup>27</sup> Environmental groups, development and housing organizations, and cultural and recreation groups depend on government funding to the tune of 50%, 54%, and 64% respectively.<sup>28</sup> Efforts to undermine CSOs, not surprisingly, often begin with “defunding” them.

Between 2010 and 2015, Voices-Voix documented 60 cases where funding has been lost or threatened, or where promised funding was withheld.

The 2006 cuts to Status of Women Canada and the Court Challenges Program of Canada have had severe repercussions for Canadian groups fighting discrimination. The government also eliminated the universal child care program and cut funding to the Canadian Policy Research Networks and the Centre for Research and Information on Canada (Canadian Unity Council).

A second major wave of cuts took place in 2009 and 2010. Most affected organizations work in environmental and climate science, research, and advocacy. Other groups affected included women's health, Canadian studies, and policy research organizations. The next largest category comprises mainly human rights groups and women's equality organizations, including those focused on anti-poverty work, social justice, and child care.

International co-operation organizations that had partnered with the Canadian government in its overseas development programming for decades, including Oxfam Canada and CCIC, were also targeted. Between 2009 and 2010, more than 20 community-based and immigrant and refugee organizations were defunded. Again, these case studies researched and developed by Voices-Voix include only a fraction of those groups that were targeted.<sup>29</sup>

The impact on Indigenous organizations has been massive, affecting many organizations that have provided community-based services, research, and support for Indigenous communities for decades. These cuts go to the heart of the communities' ability to address the federal government's plans for them.

At the individual level, advocates, academics, and artists have discovered that funding for projects or research has been challenged or withdrawn because the federal government disapproved of their work. Sharryn Aiken, an associate professor at Queen's University's faculty of law, co-organized a conference on peace in the Middle East. The conference had received funding from the Social Sciences and Humanities Research Council (SSHRC), a federal funding organization. The conference became controversial and was accused of having an "anti-Israel tilt." The Harper government tried to intervene by asking SSHRC to rethink its grant to the conference. Aiken herself was then targeted by anonymous and invasive information requests.

Individuals who have been advocates for veterans with disabilities like Dennis Manuge have protested federal claw-backs of benefits and inadequate pensions. Manuge was subject to the unauthorized disclosure of his personal health information by federal officials.

Furthermore, defunding of groups has now damaged a vast swath of Canadians who are served by them: children, veterans, immigrants and refugees, women, min-

orities, and Indigenous peoples. These are the very vulnerable groups that CSOs and individual advocates are likely to defend.

### **Isolating CSOs: Disengagement**

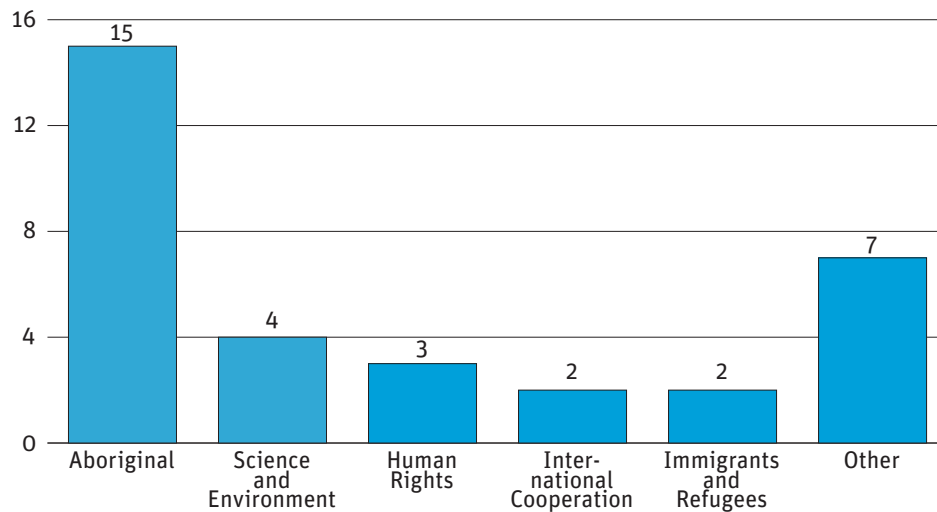
By 2010, during the second Harper Conservative minority government, opportunities for input — much less exchange and policy dialogue — began disappearing from one federal department after another. Long-standing consultations were cancelled. Civil servants were discouraged and, in some cases, barred from communicating with NGOs. According to civil society leaders consulted for this report, civil servants could no longer attend events sponsored by non-profits or, if they did, they were not allowed to speak on the public record. Non-profit leaders would occasionally be invited to share their experiences or comment on programs or policy, but public servants were instructed not to comment or provide feedback on submissions. One CSO leader, who asked not to be named, described the situation this way:

It was a reflection of the arrogance of a government that felt if something was important, they already knew about it and if they didn't know about it, it couldn't be that important. And it echoed the contempt the government increasingly communicated about the advice it received from its own departmental staff — and for evidence, knowledge, research and policy dialogue generally. This dynamic reversed the policy of previous governments and scuttled the consensus that flowed from the recommendations of the blue ribbon panel that honoured engagement with civil society and promoted the value of a plurality and diversity of voices.

These developments exacerbated the “advocacy chill” and fueled self-censorship.<sup>30</sup> Organizations that criticized the government or offered policy alternatives were the first to be isolated or cut off. CSOs that did no policy work or advocacy often enjoyed greater access and funding, although even this could be tentative and circumscribed. Organizations inclined to devote resources to policy and advocacy work found themselves second-guessing their decisions. With the government unwilling to engage, some decided to redirect scarce donor dollars to areas of potentially greater impact, focusing on service delivery or directing efforts at the public or at corporations.

There are some signs that the government may be backtracking on its disengagement, at least as far as international development organizations are concerned. Following extensive consultations in 2014, the minister for international development, Christian Paradis, announced a new International Development and Humanitarian Assistance Civil Society Partnership Policy on February 5, 2015.<sup>31</sup> Much of the non-profit community remains skeptical, however, not least because the strat-

**FIGURE 3** Discrediting CSOs



**ABORIGINAL RIGHTS AND ISSUES** Algonquins of Barriere Lake • Defenders of the Land • Gitxaala First Nation • Grassy Narrows First Nation • Indigenous Peoples Solidarity Movement • Innu of Labrador • Pikangikum First Nation • Six Nations of the Grand River • Stz'uminous First Nation • Tsilhqot'in First Nation • Tobique First Nation • Tsartlip First Nation • Wagmatcook First Nation • Wet'suwet'en First Nation (Likhts'amsiyu Clan) • Yinka Dene Alliance

**SCIENCE, KNOWLEDGE AND THE ENVIRONMENT** ForestEthics • Greenpeace Canada • Sierra Club of British Columbia • Sierra Club of Canada

**HUMAN RIGHTS** Canadian Doctors for Refugee Care • Rémy Beaugard • Rights & Democracy

**INTERNATIONAL COOPERATION** IRFAN Canada • KAIROS Canada

**IMMIGRANTS AND REFUGEES** Canadian Arab Federation • Palestine House

**OTHER** Sean Bruyee • Council of Canadians • Dennis Manuge • National Council of Canadian Muslims • Oxfam Canada • Steven Schnoor • Tides Canada Foundation

egies and tactics that have been documented by Voices-Voix and many others do not appear to have abated.<sup>32</sup>

### Discrediting CSOs: Rhetorical attacks and public vilification

Voices-Voix has documented 33 instances of official statements that label advocates, CSOs and their champions as “radical ideologues,” liars, extremists, security threats, enemies of the state, or supporters of terrorism (see *Figure 3*).

Inflammatory and even libellous statements have served to prime the Canadian public to believe that organizations are getting what they deserve. The strategy, presumably, is that Canadians are more likely to support — or at least not to oppose — measures taken against groups that are perceived as anti-Canadian and will be more likely to support defunding, scrutiny, and surveillance of such groups.<sup>33</sup>

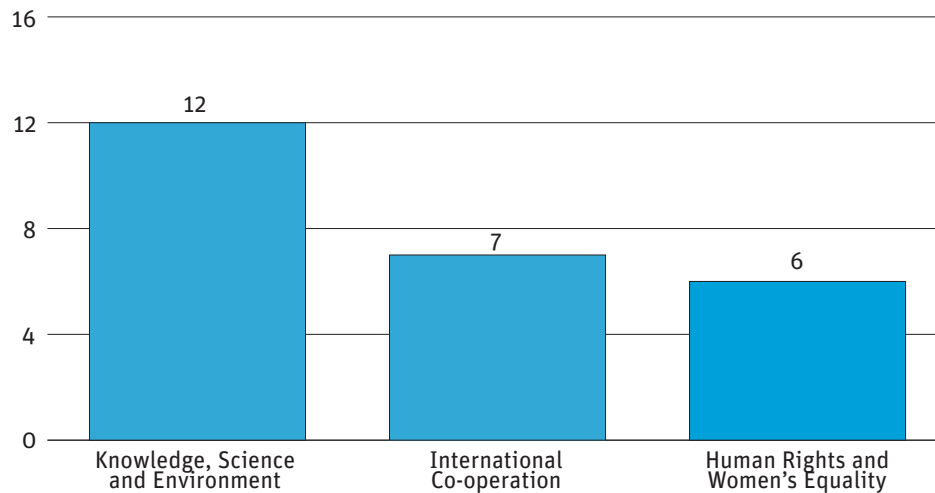
In the environmental arena, an early warning sign came in a 2007 meeting at which environmental groups were accused by government officials of “being in bed” with the Liberals.<sup>34</sup> In 2009, former minister of the environment Jim Prentice initiated a campaign to change the internationally negative image of the oil sands. Significantly, a public strategy was deployed to demean those who were “exposing the environmental disaster unfolding in Northern Alberta. Shoot the messenger and undermine the message.”<sup>35</sup>

The campaign got into full swing in January 2012, when Joe Oliver, then natural resources minister, publicly and infamously accused “environmental and radical groups” of being funded by “foreign special interest groups” seeking to undermine Canada’s economy. The next month, *The Globe and Mail* reported that the Conservative government’s new anti-terrorism strategy regarded “eco-extremists” as a major threat.<sup>36</sup> In 2015, it has become clear that environmental and Indigenous groups have been identified as among the most likely to be targeted by Bill C-51.

Human rights organizations and advocates have also been in the government’s sights. Rights & Democracy was undermined by an attack on the agency’s president, Rémy Beaugard, carried out by a clutch of federally appointed agency board members. According to Ed Broadbent, a former president of Rights & Democracy, the government appointments, “are bringing what can only be described, it seems to me, as Middle East politics, directly into the heart of the centre. Never was there such interference before.”<sup>37</sup> In January 2010, in the midst of ferocious criticism of his management, Beaugard died of a heart attack.<sup>38</sup> He was subsequently vindicated by an independent forensic audit and was awarded a posthumous merit salary increase. It was too little, too late. His widow, Suzanne Trépannier, told *Voices-Voix* that she believed the stress of the public attacks against Beaugard and his professional reputation were instrumental in his death. Rights & Democracy was completely defunded and has since been shut down.

In *Canadian Doctors for Refugee Care v. Canada (Attorney General)*, 2014 FC 651, a group of medical doctors, including leading community and family practitioners in Canada, advocated for the re-establishment of government-funded health care to vulnerable and ill refugees that had been available in Canada since the late 1950s. They were labelled as “activists” who had “purposely altered” the facts.<sup>39</sup> The Federal Court observed that public statements from federal government officials were designed to lead the Canadian public to believe that activists are helping “bogus” claimants seeking “gold plated” health care.<sup>40</sup>

**FIGURE 4** Charitable Organizations Targeted



**KNOWLEDGE, SCIENCE AND THE ENVIRONMENT** Canadian Centre for Policy Alternatives (CCPA) • David Suzuki Foundation • Ecology Action Centre • Environmental Defence • Équiterre • ForestEthics • Foundation for Canadian Studies • Pembina Foundation • Sierra Club Canada Foundation • Tides Canada Foundation • Tides Canada Initiatives Society • West Coast Environmental Law Research Foundation

**INTERNATIONAL COOPERATION** Alternatives • CoDevelopment Canada • IRFAN Canada • Oxfam Canada • Physicians for Global Survival • Steelworkers Humanity Fund Inc. • United Church of Canada

**HUMAN RIGHTS AND WOMEN'S EQUALITY** Amnesty International (Canada) • Canada Without Poverty • Mennonite Central Committee Canada • Dying with Dignity Canada • PEN Canada • UNPAC

### **CRA scrutiny and audits: The charity chill<sup>41</sup>**

While the period between 1985 and 2005 reveals strategies aimed at reducing the impact of CSOs, the more aggressive use of CRA guidelines is a new approach in Canada. Voices-Voix has documented 25 cases of charitable organizations coming under enhanced scrutiny by the CRA (see *Figure 4*).<sup>42</sup> Many of them have also been the targets of rhetorical attacks discussed in the previous section.

About half of Canada's non-profits are registered charities under the *Income Tax Act*. By law, they are subject to scrutiny through the CRA charities directorate. Charitable status is important because it confers the state-sanctioned “seal of approval” connoted by charitable status, as well as exemptions from certain taxes and the ability to issue tax receipts to donors, who can then deduct a percentage of donations from their own taxable income.

Progressive organizations and those whose agendas differ from the federal government's views have suddenly found themselves subject to enhanced scrutiny through political audits by the CRA. As the list of case studies above shows, science, knowledge, and environmental organizations again supply the largest number of political activities audit targets, apparently because of their advocacy for the environmental

protection that Ottawa has so conspicuously ignored. A recent report by the Environmental Law Centre of the University of Victoria points out that the revocation of these organizations' charitable status "has the potential to eliminate a significant portion of civil society that speaks for clean air, clean water and a healthy biosphere."<sup>43</sup>

By law, Canada's charities must devote "substantially all" of their resources to charitable purposes. While partisan activities (activities associated with political parties) are prohibited, other political activities are permitted to a degree.<sup>44</sup> The CRA's charities directorate has issued the following policy guidelines:

We usually consider substantially all to mean 90% or more.... Therefore, as a rule, we consider a charity that devotes no more than 10% of its total resources a year to political activities to be operating within the substantially all provision.<sup>45</sup>

Since at least 2012, the CRA has shown increasing hostility to any activities it could interpret as political. Even as its overall budget shrank, the CRA received an additional \$8 million for 2012–14, later increased to \$13.4 million allocated for use until 2017, dedicated in large part to enhancing investigation of selected charities with a new team of auditors. At the end of 2014, 60 political activities audits were reportedly underway or had been concluded.<sup>46</sup>

Many CRA audit targets appear to have come under scrutiny as a result of their campaigns to protect the environment. In particular, such scrutiny appears to be linked to pro-oil lobbyists. Since 2012, Ethical Oil, a non-profit with links to the Conservative Party of Canada, has filed formal complaints with the CRA against at least six leading environmental charities:

- Environmental Defence (audit began in 2011; complaint filed by Ethical Oil in March 2012)
- The David Suzuki Foundation (audit began in May 2013; complaint filed by Ethical Oil in April 2012)
- Pembina Foundation (audit began in December 2013; complaint filed by Ethical Oil in April 2013)
- Sierra Club Canada Foundation (complaint filed by Ethical Oil in December 2012; audit began in May 2015)
- Tides Canada Initiatives Society (audit began in 2011; complaint filed by Ethical Oil in August 2012)
- Tides Canada Foundation (audit began in 2011; complaint filed by Ethical Oil in August 2012)

While some of the audits began prior to the CRA 2012 special project, Environmental Defence says that complaints by the conservative group Ethical Oil have influenced the direction and tone of investigations.<sup>47</sup> Many of the audited groups have criticized Ottawa's support for oil extraction and pipeline development in Alberta. The case of The David Suzuki Foundation is especially disturbing. The allegations contained in the complaint by Ethical Oil, submitted by a Calgary-based law firm, proved baseless in terms of the political activities audit, which came up empty. The foundation was, in fact, told that it could engage in additional political activities without falling afoul of the CRA guidelines.

Political activities audits have expanded beyond environmental groups. Human rights and anti-poverty groups, including some that are supported by the labour movement, such as CoDevelopment Canada, the Canadian Centre for Policy Alternatives, and the Steelworkers Humanity Fund Inc., are under the gun. By mid-2015, the CRA was spending more money chasing Canadian charities than pursuing international financing of terrorist activities.<sup>48</sup>

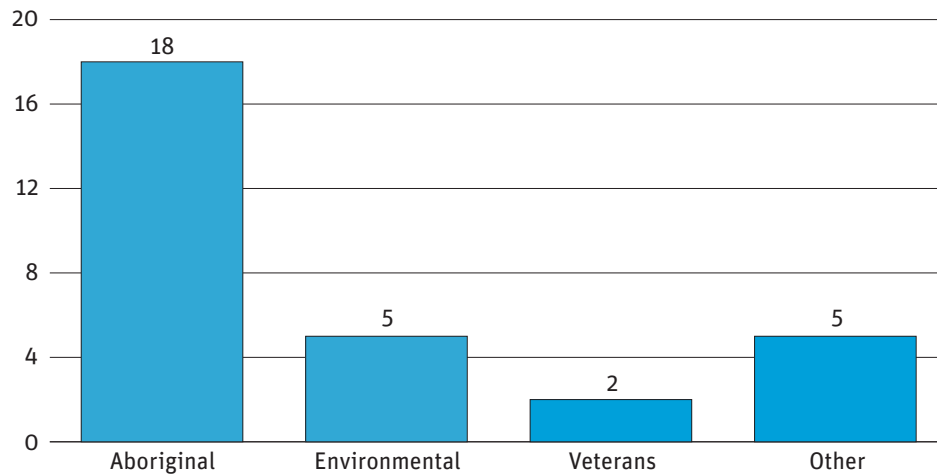
In 2014, more than 400 academics across several disciplines signed an open letter calling for a moratorium on political activities audits.<sup>49</sup> A report from the Broadbent Institute confirmed that conservative groups seemed immune to CRA scrutiny.<sup>50</sup> Although Minister of Revenue Kerry-Lynne Findlay is on record stating that "CRA audits occur at arm's length from the government and are conducted free of any political interference," the CRA admits that it acts on media attention about charities, as well as on complaints.<sup>51</sup>

The case study of the United Nations Platform for Action Committee (UNPAC) is anomalous in that it does not involve a political activities audit, but it does highlight the ideological role of the CRA's charities directorate in scrutinizing non-profit organizations. In 2010, UNPAC sought charitable status for their work on women's human rights and equality rights. According to a board member interviewed by Voices-Voix, the charities directorate wrote to UNPAC in 2012, indicating that the proposed charitable objects (largely focused on gender equality) should be replaced by "economic development" and employment-related training, neither of which is charitable in nature. UNPAC ultimately decided to close its doors. According to two former UNPAC officers, the organization was experiencing financial issues, but a significant factor in the decision to close was the change to the organization's mission that would have resulted from the CRA's proposed changes.

The audit of Dying with Dignity Canada (DWD), the organization that helped to spearhead the successful legal challenge to the ban on physician-assisted death, resulted in the annulment of its charitable status. Physicians for Global Survival (PGS) lost its status in part due to the allegation that it did not devote "all" of its resources to charitable activities.<sup>52</sup> The international development organization



**FIGURE 5** Surveillance and Privacy Violations



**ABORIGINAL**<sup>54</sup> Algonquins of Barriere Lake • Cindy Blackstock (placed under surveillance after her organization filed a discrimination complaint about First Nations children) • Defenders of the Land (listed as “domestic group of concern”) • Gitxaala First Nation • Grassy Narrows (Asubpeeschoseewagong) First Nation • Idle No More • Indigenous Peoples Solidarity Movement (listed as “domestic group of concern”) • Innu of Labrador • Pamela Palmater • Pikangikum First Nation • Six Nations of the Grand River • Stz’uminous First Nation • Tsilhqot’in First Nation • Tobique First Nation • Tsartlip First Nation • Wagmatcook First Nation • Wet’suwet’en First Nation (Likhsts’amsiyu Clan) • Yinka Dene Alliance

**ENVIRONMENTAL** Dogwood Initiative • EcoSociety • ForestEthics • Greenpeace Canada • Sierra Club of British Columbia

**VETERANS** Sean Bruyera (veteran’s advocate, privacy violation) • Dennis Manuge (veterans advocate, privacy violation)

**OTHER**<sup>55</sup> Amir Attaran (privacy violation/intrusive information requests by unknown persons after making statements critical of the government of Canada) • Council of Canadians (listed as “domestic group of concern”) • Errol Mendes (privacy violation/intrusive information requests by unknown persons after making statements critical of the federal government) • LeadNow (listed as “domestic group of concern”) • Oxfam Canada (listed as “domestic group of concern”)

Alternatives has been told that it should never have received charitable status in the first place.<sup>53</sup>

### Surveillance and privacy violations

Since 2015, Voices-Voix has documented 30 cases involving monitoring and privacy violations, mainly carried out by the RCMP and CSIS, along with Aboriginal Affairs and Northern Development Canada in the case of First Nations Aboriginal groups and activists (see *Figure 5*).

Aboriginal organizations are particularly vulnerable. In 2007, the First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations alleged systemic and discriminatory underfunding for social services for children on reserve.<sup>56</sup> Despite various federal procedural manoeuvres to keep the Canadian Human Rights Tribunal (CHRT) from considering the complaint, the Federal Court ordered the CHRT to proceed. The case before the CHRT included an amendment alleging retaliation by government officials against Cindy Blackstock, the head of

the Caring Society. Blackstock claimed surveillance and reprisals by Aboriginal Affairs and Northern Development Canada and Justice Canada as a result of having filed the original complaint.

Blackstock alleged that her privacy had been breached by government officials, who repeatedly accessed and monitored her social media feeds, in particular her personal Facebook page. She claimed that screenshots of these online postings, many of which were of a personal nature, were widely distributed within both departments. She also claimed that her public appearances were monitored. The federal privacy commissioner agreed with Blackstock and recommended that the Department of Aboriginal Affairs and Northern Development, and Justice Canada cease these activities unless a connection to “legitimate government business” could be shown.<sup>57</sup>

An incident of alleged retaliation occurred during a 2009 Chiefs of Ontario meeting at the minister’s office. Blackstock was invited by one of the chiefs to attend due to her expertise in child welfare. However, once at the door, the minister denied her entry to the meeting in front of attendees and Blackstock was forced to wait outside. On June 5, 2015, the CHRT released its decision on the allegations of reprisal against Blackstock.<sup>58</sup> The tribunal found that Blackstock’s complaint of retaliation with regard to her exclusion from the chiefs meeting at the minister’s office was substantiated and awarded \$20,000 in damages — half of which was for pain and suffering and the other half for wilful and reckless conduct by Aboriginal Affairs. The tribunal did not find that the monitoring and cataloguing of her private Facebook page, nor the monitoring of her public appearances, amounted to retaliation under the *Canadian Human Rights Act*.<sup>59</sup>

Like Blackstock, veterans arguing for improved federal benefits have found their private information was disclosed inappropriately. The federal privacy commissioner has condemned the unauthorized disclosures as “alarming” and “seemingly with no controls.”<sup>60</sup>

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## Conclusion

As the Supreme Court of Canada has reminded us, democracy requires “a continuous process of discussion.”<sup>61</sup> The 70 Voices-Voix case studies discussed in this chapter, concerning 108 organizations and advocates, illustrate the human costs of federal government attacks on dissent and debate. The government has used the tactics discussed here to considerable effect, narrowing the “breathing space” that CSOs in Canada need in order to thrive. At the very least, the disabling environment

has undermined and weakened progressive organizations in this country, but also produced the outrage and activism that Voices-Voix represents.

The selective rhetorical attacks, monitoring, surveillance, and privacy violations continue apace. Indeed, when Voices-Voix issued its 2015 report *Dismantling Democracy*, the minister of public safety suggested that Voices-Voix and its supporters were siding with terrorists, stating: “It is not a free and democratic Canada they want... the group in question is defending IRFAN-Canada, a listed terrorist organization in Canada. We will not take lessons from this organization nor from the opposition.”<sup>62</sup>

If there are reasonable grounds to believe that an organization is breaking Canadian law, the law sets out what government action might be appropriate in any given case and, even then, government responses must be subject to the Canadian Charter of Rights and Freedoms. Nowhere in our law or the Constitution is there authorization for wholesale or pre-emptive vilification, regulatory harassment, surveillance, or scrutiny. That the government has sought to arrogate such powers, spanning such a wide range of public interest issues, has set alarm bells ringing for CSOs across Canada. It is time that those alarms were heard by the wider Canadian public.

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## Bibliography

“A Petition of Academics Against the CCPA Audit.” Louis-Phillipe Rochon and Mario Seccareccia to The Honourable Kerry-Lynne D. Findlay, Minister of National Revenue. September 11, 2014. Accessed June 18, 2015. [www.progressive-economics.ca/2014/09/11/a-petition-of-academics-against-the-ccpa-audit/](http://www.progressive-economics.ca/2014/09/11/a-petition-of-academics-against-the-ccpa-audit/).

“Alternatives.” Voices-Voix. March 27 2011. Accessed June 18, 2015. <http://voices-voix.ca/en/facts/profile/alternatives>.

Amnesty International. *Human Rights Agenda for Canada: Time for Consistent Action – Amnesty International’s Human Rights Agenda for Canada*. Report. December 2013, <http://www.amnesty.ca/news/news-releases/time-for-consistent-action-amnesty-international%E2%80%99s-human-rights-agenda-for-canada>.

Amnesty International. *Report 2014/15: State of the World’s Human Rights*. Report. London: Amnesty International, 2015.

“Audits More Charities than Terrorists: Canada Revenue.” *Blacklock’s Reporter: Minding Ottawa’s Business* (blog), May 14, 2015. Accessed June 18, 2015. [www.blacklocks.ca/audits-more-charities-than-terrorists-canada-revenue/](http://www.blacklocks.ca/audits-more-charities-than-terrorists-canada-revenue/).

Banting, Keith, and John Myles. “Framing the New Inequality: The Politics of Income Redistribution in Canada.” In *Income Inequality: The Canadian Story*, edited by David A. Green, W. Craig Riddell, and France St-Hilaire. Montreal: Institute for Research and Public Policy, 2015.

Barlow, Maude. *Broken Covenant: How Stephen Harper Set out to Silent Dissent and Curtail Democratic Participation in Canada*. Report. Ottawa: Council of Canadians, 2015. Accessed June 17, 2015. <http://canadians.org/sites/default/files/publications/report-broken-covenant.pdf>.

- Beeby, Dean. "Academics' open letter calls for moratorium on political tax audits." *The Canadian Press*. September 14, 2014. Accessed June 18, 2015. [www.cbc.ca/news/politics/academics-open-letter-calls-for-moratorium-on-political-tax-audits-1.2765967](http://www.cbc.ca/news/politics/academics-open-letter-calls-for-moratorium-on-political-tax-audits-1.2765967).
- Beeby, Dean. "Revenue Canada targets steelworkers for political activities." *CBC*. April 12, 2015. Accessed June 17, 2015. [www.cbc.ca/news/politics/revenue-canada-targets-steelworkers-charity-for-political-activities-1.3026863](http://www.cbc.ca/news/politics/revenue-canada-targets-steelworkers-charity-for-political-activities-1.3026863).
- Broadbent Institute. *Stephen Harper's CRA: Selective Audits, "Political" Activity, and Right-Leaning Charities*. Report. October 2014. Accessed June 18, 2015. [www.broadbentinstitute.ca/sites/default/files/documents/harpers-cra-final\\_o.pdf](http://www.broadbentinstitute.ca/sites/default/files/documents/harpers-cra-final_o.pdf).
- Bromley, Blake. "Does the Government Have in Hand in Which Charities get Audited?" *Huffington Post*, November 7 2014. Accessed June 17, 2015. [http://www.huffingtonpost.ca/blake-bromley/advocacy-chill-cra\\_b\\_5578547.html](http://www.huffingtonpost.ca/blake-bromley/advocacy-chill-cra_b_5578547.html).
- Canada. Canada Revenue Agency. *Political Activities Policy Statement*. Ref. CPS-022. September 2, 2003. Accessed June 17, 2015. [www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/cps/cps-022-eng.html](http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/cps/cps-022-eng.html).
- Canada. *House of Commons Debates*. 16 June 2015 (Hon. Steven Blaney, Minister of Public Safety and Emergency Preparedness, CPC). <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=8051705&Language=E&Mode=1>.
- Canadian Arab Federation v. Minister of Citizenship and Immigration*, 2013 FC 1283, [2013] FCJ No. 1400.
- "Canadian Charities and the Canada Revenue Agency." Voices-Voix. December 11 2014. Accessed June 17, 2015. <http://voices-voix.ca/en/facts/profile/canadian-charities-and-canada-revenue-agency>.
- Canadian Doctors for Refugee Care v. Canada (Attorney General)*, 2014 FC 651.
- "Defining Civil Society." The World Bank. Last modified July 22, 2013. Accessed June 17, 2015. <http://go.worldbank.org.proxy3.library.mcgill.ca/4CE7Wo46Ko>.
- "Department of Justice." Voices-Voix. September 12, 2014. Accessed June 17, 2015. <http://voices-voix.ca/en/facts/profile/department-justice>.
- Dunmore v. Ontario (Attorney General)* (Supreme Court of Canada December 20, 2011).
- "Edgar Schmidt." Voices-Voix. April 30, 2013. Accessed June 17, 2015. <http://voices-voix.ca/en/facts/profile/edgar-schmidt>.
- Eliadis, Pearl. *Speaking Out on Human Rights: Debating Canada's Human Rights System*. Montreal-Kingston: McGill-Queen's University Press, 2014.
- Eliadis, Pearl, Nikki Skuce, and Fraser Reilly. *Silencing Voices and Dissent in Canada*. Report. 2013. Accessed June 17, 2015. <http://socs.civicus.org/?p=3825>.
- "Findings Under The Privacy Act: Aboriginal Affairs and Northern Development Canada Wrongly Collects Information from First Nations Activist's Personal Facebook Page." Office of the Privacy Commissioner of Canada. November 21, 2013. Accessed June 18, 2015. [https://www.priv.gc.ca/cf-dc/pa/2012-13/pa\\_201213\\_01\\_e.asp](https://www.priv.gc.ca/cf-dc/pa/2012-13/pa_201213_01_e.asp).
- First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2005 CHRT 14.
- Foreign Affairs, Trade and Development Canada. *Minister Paradis Launches Civil Society Partnership Policy*. *Foreign Affairs Canada*. N.p., 5 Feb. 2015. Web. 18 June 2015.
- Friesen, Joe. "Head of democracy group dies suddenly at age 66." *The Globe and Mail*. January 9, 2010. Accessed June 17, 2015. [www.theglobeandmail.com/news/national/head-of-democracy-group-dies-suddenly-at-age-66/article1208794/](http://www.theglobeandmail.com/news/national/head-of-democracy-group-dies-suddenly-at-age-66/article1208794/).

- Granofsky, Thomas, Miles Corak, Sunil Johal, and Noah Zon. "Renewing Canada's Social Architecture." Mowat Centre Ontario's Voice on Public Policy. May 13, 2015. Accessed June 17, 2015. <http://mowatcentre.ca/renewing-canadas-social-architecture/>.
- Grant, Kelly. "Canada Revenue Agency annuls Dying with Dignity's charitable tax status." *The Globe and Mail*. January 20, 2015. Accessed June 17, 2015. [www.theglobeandmail.com/news/politics/cras-political-activity-audit-strips-dying-with-dignity-of-charitable-tax-status/article22534463/](http://www.theglobeandmail.com/news/politics/cras-political-activity-audit-strips-dying-with-dignity-of-charitable-tax-status/article22534463/).
- Gutstein, Donald. "Shooting the messenger: Tracing Canada's anti-enviro movement." *DesmogCanada*, May 14, 2015. Accessed June 17 2015. <http://www.desmog.ca/2015/05/14/shooting-messenger-tracing-canada-s-anti-enviro-movement>.
- Hall, Michael H., Cathy W. Barr, M. Easwaramoorthy, S. Wojciech Sokolowski, and Lester M. Salamon. *The Canadian Nonprofit and Voluntary Sector in Comparative Perspective*. Report. Toronto: Imagine Canada. 2005.
- Hennessy, Trish. "Chill Effect: Stephen Harpers War on Freedom of Speech." In *The Harper Record*, edited by Teresa Healy. Ottawa: Canadian Centre for Policy Alternatives, 2008. accessed June 17, 2015, [http://voices-voix.ca/sites/voices-voix.ca/files/ccpa\\_-\\_harper\\_war\\_on\\_free\\_speech.pdf](http://voices-voix.ca/sites/voices-voix.ca/files/ccpa_-_harper_war_on_free_speech.pdf).
- Human Rights Watch. *World Report 2014: Canada*. Report. Accessed June 17, 2015. <http://www.hrw.org/world-report/2014/country-chapters/canada?page=1>.
- Income Tax Act, RSC §§ 149.1(1)-149.1(6.1)-149.1(6.2) (1985).
- Keung, Nicholas. "Impact of Refugee Health Cuts: Confusion unnecessary costs and compromised care." *Toronto Star*. September 28, 2012. Accessed June 17 2015. [www.thestar.com/news/canada/2012/09/28/impact\\_of\\_refugee\\_health\\_cuts\\_confusion\\_unnecessary\\_costs\\_and\\_compromised\\_care.html](http://www.thestar.com/news/canada/2012/09/28/impact_of_refugee_health_cuts_confusion_unnecessary_costs_and_compromised_care.html).
- Kiai, Maina. *Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association*. Report no. A/HRC/20/27. May 21, 2012. Accessed June 17, 2015. [www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.27\\_En.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.27_En.pdf).PDF.
- Kirby, Gareth. "An Uncharitable Chill: A Critical Exploration of How Changes in Federal Policy and Political Climate are Affecting Advocacy-Oriented Charities." Master's Thesis, Royal Roads University, 2014.
- Laforest, Rachel. "Rerouting political representation: Is Canada's social infrastructure in crisis?" *British Journal of Canadian Studies* 25(2) 181.
- Lasby, David, and Cathy Barr. *Talking About Charities 2013: Canadians' Opinions on Charities and Issues Affecting Charities*. Publication. Edmonton: Muttart Foundation, 2013. Accessed June 17, 2015. <http://www.muttart.org/sites/default/files/survey/3.Talking%20About%20Charities%202013.pdf>.
- Letter from Daniel Huppé-Cranford, Director, Compliance Division, Charities Directorate CRA to Physicians for Global Survival (Canada). July 24, 2014. Copy on file.
- Lawyers Rights Watch Canada. *The Shrinking Space for Dissent in Canada*. Report. May 27, 2014. Accessed June 17, 2015. [www.lrwc.org/canada-the-shrinking-space-for-dissent-in-canada-report/](http://www.lrwc.org/canada-the-shrinking-space-for-dissent-in-canada-report/).
- McCarthy, Shawn. "Ottawa's new anti-terrorism strategy lists eco-extremists as threats." *The Globe and Mail*. February 10, 2012. Accessed June 17 2015. [www.theglobeandmail.com/news/politics/ottawas-new-anti-terrorism-strategy-lists-eco-extremists-as-threats/article533522/](http://www.theglobeandmail.com/news/politics/ottawas-new-anti-terrorism-strategy-lists-eco-extremists-as-threats/article533522/).
- McCarthy, Shawn and Oliver Moore. "David Suzuki laments Tory-imposed chill on green groups." *The Globe and Mail*, April 12, 2012.
- Morrow, Fiona. "Grant cut called 'vengeful' act by Baird." *The Globe and Mail*. September 4, 2008. Accessed June 17 2015. [www.theglobeandmail.com/news/national/grant-cut-called-vengeful-act-by-baird/article659216/](http://www.theglobeandmail.com/news/national/grant-cut-called-vengeful-act-by-baird/article659216/).

Office of the Privacy Commissioner of Canada. "Investigation Finds Veteran's Personal Information Was Mishandled." News release, October 7, 2010. Office of the Privacy Commissioner. Accessed June 18, 2015. [https://www.priv.gc.ca/media/nr-c/2010/nr-c\\_101007\\_e.asp](https://www.priv.gc.ca/media/nr-c/2010/nr-c_101007_e.asp).

"Official Development Assistance." Voices-Voix. April 23, 2015. Accessed June 17, 2015. <http://voices-voix.ca/en/facts/profile/official-development-assistance>.

Phillips, Susan D, and Steven Rathgeb Smith. "Between Governance and Regulation: Evolving Government Third Sector Relationships." In *Governance and Regulation in The Third Sector: International Perspectives.*, edited by Susan D Phillips and Steven Rathgeb Smith. New York: Routledge, 2011.

Phillips, Susan D. "Incrementalism at its best, and worst in Canada: Regulatory reform and relational governance in Canada." In *Governance and Regulation in the Third Sector – International Perspectives*, edited by Susan Phillips and Steven Rathgeb Smith. New York: Routledge, 2011.

Raj, Althia. "CRA Got Few Complaints About Charities' Politics Prior To 2012." *Huffington Post*. December 5, 2014. Accessed June 17, 2015. [www.huffingtonpost.ca/2014/12/05/canada-revenue-agency-charities\\_n\\_6279178.html](http://www.huffingtonpost.ca/2014/12/05/canada-revenue-agency-charities_n_6279178.html).

"Re: Surveillance of Canadian Citizens and Information Sharing with the National Energy Board." British Columbia Civil Liberties Association to Ian MacPhail, Chair, The Commission for Public Complaints against the RCMP. February 6, 2014. Accessed June 17, 2015. <https://bccla.org/wp-content/uploads/2014/02/RCMP-Complaint-.pdf>.

"Re: Surveillance of Canadian Citizens and Information Sharing with the National Energy Board." British Columbia Civil Liberties Association to Shayna Stawicki, Security Intelligence Review Committee. February 6, 2014. Accessed June 17, 2015. <http://bccla.org/dont-spy-on-me/>.

*Reference re Secession of Quebec*, [1998] 2 SCR 217, 161 DLR (4<sup>th</sup>) 385.

Statistics Canada. *Satellite Account of Non-profit Institutions and Volunteering 2007*. Report no. 13-015-X. December 2009. Accessed June 17, 2015. <http://www.statcan.gc.ca/pub/13-015-x/13-015-x2009000-eng.pdf>.

*Truth and Reconciliation Commission of Canada: Calls to Action*. Winnipeg: Truth and Reconciliation Commissions of Canada, 2015. Accessed June 23, 2015. [http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls\\_to\\_Action\\_English2.pdf](http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf).

Tsao, Dora, Zaria Stoffman, Georgia Llyod-Smith, and Koshin Mohomoud. *Tax Audits of Environmental Groups: The Pressing Need for Law Reform*. Report. Victoria: Environmental Law Centre, University of Victoria, 2015. Accessed June 17, 2015. [www.elc.uvic.ca/wordpress/wp-content/uploads/2015/03/Tax-Audits-of-Environmental-Groups\\_2015Mar25.pdf](http://www.elc.uvic.ca/wordpress/wp-content/uploads/2015/03/Tax-Audits-of-Environmental-Groups_2015Mar25.pdf).

Voices-Voix. *Dismantling Democracy: Stifling Debate and Dissent in Canada*. Report. June 2015. Accessed June 17, 2015. [http://voices-voix.ca/sites/voices-voix.ca/files/dismantlingdemocracy\\_voicesvoix.pdf](http://voices-voix.ca/sites/voices-voix.ca/files/dismantlingdemocracy_voicesvoix.pdf).

Voices-Voix Video Series. Accessed June 17, 2015. <http://voices-voix.ca/en/video>.

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## Endnotes

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**2** “Defunding” was a term used by former minister of citizenship and immigration Jason Kenney. In many instances, it involves refusing or reducing grant application funding, rather than cutting off funding mid-stream. However, for organizations that have historically partnered with the government to deliver programs, and have done so for many years, defunding effectively means either an end to their existence or a radical change in orientation in order to survive.

**3** In 2013, Voices-Voix created the Dissent & Democracy research network (the Network) to undertake the ongoing work of researching and writing up cases. Launched at McGill University in October 2013, the network links academics and legal practitioners who are interested in how the federal government has used funding, regulatory measures and public rhetoric to shape and control the public space available for discourse and dissent about public policy. Resulting case studies produced by this group explore the regulatory, constitutional and structural relationships between the Canadian state and civil society. They also examine the role of democratic institutions, knowledge organizations and the public service in maintaining those relationships. Since 2013, these studies have been peer-reviewed by the editorial board of the research network, and in many instances, developed in consultation with the affected organizations or individuals. As a reflection of the shared work and effort, the network operates on a no byline policy.

**4** Voices-Voix, *Dismantling Democracy: Stifling Debate and Dissent in Canada*, Report, June 2015, accessed June 17, 2015, [http://voices-voix.ca/sites/voices-voix.ca/files/dismantlingdemocracy\\_voicesvoix.pdf](http://voices-voix.ca/sites/voices-voix.ca/files/dismantlingdemocracy_voicesvoix.pdf) provides an overview of the broader canvas.

**5** Many of the groups listed may fall into two or more categories but are generally only listed once.

**6** See: Voices-Voix Video Series, Accessed June 17, 2015. <http://voices-voix.ca/en/video>.

**7** Figures from 1999 show that the Canadian non-profit and voluntary sector made a net contribution to the country’s output of \$61.8 billion (Canadian), equivalent to 6.8% of our gross domestic product (GDP) including hospitals, universities and colleges. When one adds the value of volunteer effort, approximately \$14 billion, or 1.4% of GDP, the sector’s total contribution to GDP is 8.5% (Michael H. Hall et al., *The Canadian Nonprofit and Voluntary Sector in Comparative Perspective*, Report (Toronto: Imagine Canada, 2005), 7). In 2007, the contribution without the value of volunteer effort was 7.0% (again, including hospitals, universities and colleges) reaching \$100.7 billion (Statistics Canada, *Satellite Account of Non-profit Institutions and Volunteering 2007*, Report no. 13-015-X, December 2009, Accessed June 17, 2015, <http://www.statcan.gc.ca/pub/13-015-x/13-015-x2009000-eng.pdf>, 9).

**8** “Defining Civil Society,” The World Bank, last modified July 22, 2013, accessed June 17, 2015. <http://go.worldbank.org.proxy3.library.mcgill.ca/4CE7Wo46Ko>.

**9** The term “social infrastructure” is defined by the Mowat Centre as “short-hand for the broad array of social services, programs and benefits that provide insurance against risk and protection for the vulnerable in Canada.” (Thomas Granofsky et al., “Renewing Canada’s Social Architecture,” Mowat Centre Ontario’s Voice on Public Policy, May 13, 2015, accessed June 17, 2015, <http://mowatcentre.ca/renewing-canadas-social-architecture/>). In this chapter, the term is wider and includes the organizational platforms that people and communities use to collectively express themselves, represent their interests, advocate for change, and undertake research.

**10** Keith Banting and John Myles, “Framing the New Inequality: The Politics of Income Redistribution in Canada” in *Income Inequality: The Canadian Story*, eds. David A. Green et al. (Montreal: Institute for Research and Public Policy, 2015, forthcoming), 22.

**11** See, e.g., Trish Hennessy, “Chill Effect: Stephen Harper’s War on Freedom of Speech,” in *The Harper Record*, ed: Teresa Healy (Ottawa: Canadian Centre for Policy Alternatives, 2008), accessed June 17, 2015, [http://voices-voix.ca/sites/voices-voix.ca/files/ccpa\\_-\\_harper\\_war\\_on\\_free\\_speech.pdf](http://voices-voix.ca/sites/voices-voix.ca/files/ccpa_-_harper_war_on_free_speech.pdf); Susan D Phillips and Steven Rathgeb Smith, “Between Governance and Regulation: Evolving Government Third Sector Relationships,” in *Governance and Regulation in The Third Sector: International Perspectives*, ed. Susan D Phillips and Steven Rathgeb (New York: Routledge, 2011) 19–20; Shawn McCarthy and Oliver Moore, “David

Suzuki laments Tory-imposed chill on green groups,” *The Globe and Mail*, April 12, 2012; Blake Bromley, “Does the Government Have in Hand in Which Charities get Audited?” *Huffington Post*, November 7 2014, accessed June 17, 2015, [http://www.huffingtonpost.ca/blake-bromley/advocacy-chill-cra\\_b\\_5578547.html](http://www.huffingtonpost.ca/blake-bromley/advocacy-chill-cra_b_5578547.html); Gareth Kirby, “An Uncharitable Chill: A Critical Exploration of How Changes in Federal Policy and Political Climate are Affecting Advocacy-Oriented Charities” (Master’s Thesis, Royal Roads University, 2014).

**12** See e.g., *Canadian Arab Federation v. Minister of Citizenship and Immigration*, 2013 FC 1283, [2013] FCJ No. 1400 [*Canadian Arab Federation*].

**13** David Lasby, and Cathy Barr, *Talking About Charities 2013: Canadians’ Opinions on Charities and Issues Affecting Charities*, Publication, Edmonton: Muttart Foundation, 2013, accessed June 17, 2015, <http://www.muttart.org/sites/default/files/survey/3.Talking%20About%20Charities%202013.pdf>.

**14** Donald Gutstein, “Shooting the Messenger: Tracing Canada’s Anti-Enviro Movement,” *DesmogCanada*, May 14, 2015, accessed June 17 2015, <http://www.desmog.ca/2015/05/14/shooting-messenger-tracing-canada-s-anti-enviro-movement>.

**15** See note 11. See also Rachel Laforest, “Rerouting political representation: Is Canada’s social infrastructure in crisis?” *British Journal of Canadian Studies* 25(2) 181:190–1; see also Susan D. Phillips, “Incrementalism at its best, and worst in Canada: Regulatory reform and relational governance in Canada,” in *Governance and Regulation in the Third Sector – International Perspectives*, eds. Susan Phillips and Steven Rathgeb Smith, (New York: Routledge, 2011).

**16** Pearl Eliadis, *Speaking Out on Human Rights: Debating Canada’s Human Rights System* (Montreal-Kingston: McGill-Queen’s University Press, 2014).

**17** “Edgar Schmidt,” *Voices-Voix*, April 30, 2013, accessed June 17, 2015, <http://voices-voix.ca/en/facts/profile/edgar-schmidt>; “Department of Justice,” *Voices-Voix*, September 12, 2014, accessed June 17, 2015, <http://voices-voix.ca/en/facts/profile/department-justice>.

**18** *Dunmore v. Ontario (Attorney General)*, 2001 SCC 94 at para 148, [2001] 3 SC R 1016, L’Heureux-Dubé J., concurring [*Dunmore*].

**19** The definition of an enabling environment and the text set out here is drawn mainly from the work of CIVICUS. See Pearl Eliadis, Nikki Skuce, and Fraser Reilly, *Silencing Voices and Dissent in Canada*, Report, 2013, accessed June 17, 2015, <http://socs.civicus.org/?p=3825>.

**20** Maina Kiai, *Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association*, Report no. A/HRC/20/27, May 21, 2012, accessed June 17, 2015, [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.27\\_En.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.27_En.pdf), 15.

**21** *Ibid.*, 16.

**22** *Ibid.*, 17.

**23** See: Maude Barlow, *Broken Covenant: How Stephen Harper Set out to Silent Dissent and Curtail Democratic Participation in Canada*, Report, Ottawa: Council of Canadians, 2015, accessed June 17, 2015, <http://canadians.org/sites/default/files/publications/report-broken-covenant.pdf>; Amnesty International, *Report 2014/15: State of the World’s Human Rights*, Report, London: Amnesty International, 2015, 98; Amnesty International, *Human Rights Agenda for Canada: Time for Consistent Action - Amnesty International’s Human Rights Agenda for Canada*, Report, December 2013, 11–12, <http://www.amnesty.ca/news/news-releases/time-for-consistent-action-amnesty-international%E2%80%99s-human-rights-agenda-for-canada>; Human Rights Watch, *World Report 2014: Canada*, Report, accessed June 17, 2015, <http://www.hrw.org/world-report/2014/country-chapters/canada?page=1>; Lawyers Rights Watch Canada, *The Shrinking Space for Dissent in Canada*, Report, May 27, 2014, accessed June 17, 2015, [www.lrw.org/canada-the-shrinking-space-for-dissent-in-canada-report/](http://www.lrw.org/canada-the-shrinking-space-for-dissent-in-canada-report/).

**24** Allegations about tactics such as monitoring, surveillance and inappropriate information sharing with third parties or other government agencies have been made by the British Columbia Civil Liber-



ties Association. See: “Re: Surveillance of Canadian Citizens and Information Sharing with the National Energy Board,” British Columbia Civil Liberties Association to Ian MacPhail, Chair, Commission for Public Complaints against the RCMP, February 6, 2014, Accessed June 17, 2015, <https://bccla.org/wp-content/uploads/2014/02/RCMP-Complaint-.pdf> “Re: Surveillance of Canadian Citizens and Information Sharing with the National Energy Board,” British Columbia Civil Liberties Association to Shayna Stawicki, Security Intelligence Review Committee, February 6, 2014, accessed June 17, 2015, <https://bccla.org/wp-content/uploads/2014/02/SIRC-Complaint.pdf>.

**25** Hall, *The Canadian Non-Profit*, 12.

**26** *Ibid.* This figure excludes hospitals, universities and colleges.

**27** *Ibid.*, 17.

**28** *Ibid.* This includes both provincial and federal funding.

**29** Afghan Association of Ontario; Alberta Network of Immigrant Women; *Association féminine d'éducation et d'action sociale*; Bloor Information and Life Skills Centre; Brampton Neighbourhood Services; Centre for Spanish Speaking Peoples; Community Action Resource Centre; Davenport-Perth Neighbourhood Centre Toronto; Elspeth Heyworth Centre for Women Toronto; Eritrean Canadian Community Centre of Metropolitan Toronto; Hamilton's Settlement and Integration Services Organization; Inter-Cultural Neighbourhood Social Services Mada Al-Carmel Arab Centre; Northwood Neighbourhood Services; Ontario Association of Interval and Transition Houses; Palestine House; Riverdale Women's Centre (Toronto); South Asian Women's Centre; Tropicana Community Services; Womanspace Resource Centre (Lethbridge, Alberta), York-Weston Community Services Centre Toronto.

**30** See note 11.

**31** Foreign Affairs, Trade and Development Canada, *Minister Paradis Launches Civil Society Partnership Policy*, *Foreign Affairs Canada*, N.p., 5 Feb. 2015, web, 18 June 2015.

**32** This text is drawn in part from the case study “Official Development Assistance,” *Voices-Voix*, April 23, 2015, accessed June 17, 2015, <http://voices-voix.ca/en/facts/profile/official-development-assistance>.

**33** See, e.g., the defamation of Steven Schnoor by a Canadian diplomat for a film on extractive industries in Latin America; see also the case studies on Aboriginal communities and environmental groups (accused of being security threats – see Annex 1); ForestEthics was allegedly referred to as an “enemy of the Government of Canada”; IRFAN-Canada was listed by the government as a terrorist entity in 2014 on the eve of a court hearing. The issue is still before the courts.

**34** Fiona Morrow, “Grant cut called ‘vengeful’ act by Baird,” *The Globe and Mail*, September 4, 2008, accessed June 17 2015, [www.theglobeandmail.com/news/national/grant-cut-called-vengeful-act-by-baird/article659216/](http://www.theglobeandmail.com/news/national/grant-cut-called-vengeful-act-by-baird/article659216/).

**35** Gutstein, “Shooting the Messenger”.

**36** See Shawn McCarthy, “Ottawa’s new anti-terrorism strategy lists eco-extremists as threats,” *The Globe and Mail*, February 10, 2012, accessed June 17 2015, [www.theglobeandmail.com/news/politics/ottawas-new-anti-terrorism-strategy-lists-eco-extremists-as-threats/article533522/](http://www.theglobeandmail.com/news/politics/ottawas-new-anti-terrorism-strategy-lists-eco-extremists-as-threats/article533522/).

**37** *Ibid.*

**38** Joe Friesen, “Head of democracy group dies suddenly at age 66,” *The Globe and Mail*, January 9, 2010, accessed June 17, 2015, [www.theglobeandmail.com/news/national/head-of-democracy-group-dies-suddenly-at-age-66/article1208794/](http://www.theglobeandmail.com/news/national/head-of-democracy-group-dies-suddenly-at-age-66/article1208794/).

**39** Nicholas Keung, “Impact of refugee health cuts: Confusion unnecessary costs and compromised care,” *Toronto Star*, September 28, 2012, accessed June 17 2015, [www.thestar.com/news/canada/2012/09/28/impact\\_of\\_refugee\\_health\\_cuts\\_confusion\\_unnecessary\\_costs\\_and\\_compromised\\_care.html](http://www.thestar.com/news/canada/2012/09/28/impact_of_refugee_health_cuts_confusion_unnecessary_costs_and_compromised_care.html).

**40** *Canadian Doctors for Refugee Care v. Canada (Attorney General)*, 2014 FC 651 [*Canadian Doctors for Refugee Care*].

**41** This section is drawn from “Canadian Charities and the Canada Revenue Agency,” Voices-Voix, December 11 2014, accessed June 17, 2015, <http://voices-voix.ca/en/facts/profile/canadian-charities-and-canada-revenue-agency>.

**42** One conservative organization, the Canadian Constitution Foundation, publicly stated that it too was undergoing an audit. It is unclear, however, whether that audit was routine, part of the CRA special project on political activities, or whether the organization was simply added as a token conservative group. See Kelly Grant, “Canada Revenue Agency annuls Dying with Dignity’s charitable tax status,” *The Globe and Mail*, January 20, 2015, accessed June 17, 2015, [www.theglobeandmail.com/news/politics/cras-political-activity-audit-strips-dying-with-dignity-of-charitable-tax-status/article22534463/](http://www.theglobeandmail.com/news/politics/cras-political-activity-audit-strips-dying-with-dignity-of-charitable-tax-status/article22534463/).

**43** Dora Tsao et al., *Tax Audits of Environmental Groups: The Pressing Need for Law Reform*, Report, (Victoria: Environmental Law Centre, University of Victoria, 2015), accessed June 17, 2015, [www.elc.uvic.ca/wordpress/wp-content/uploads/2015/03/Tax-Audits-of-Environmental-Groups\\_2015Mar25.pdf](http://www.elc.uvic.ca/wordpress/wp-content/uploads/2015/03/Tax-Audits-of-Environmental-Groups_2015Mar25.pdf), 4.

**44** *Income Tax Act*, RSC 1985, c 1 (5th Supp), ss. 149.1(1), 149.1(6.1), 149.1(6.2) [*Income Tax Act*].

**45** Canada, Canada Revenue Agency, *Political Activities Policy Statement*, Ref. CPS-022, September 2, 2003, accessed June 17, 2015, [www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/cps/cps-022-eng.html](http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/cps/cps-022-eng.html), 9. The 10 percent figure applies to large organizations. For small charities with less than \$50,000 annual income, up to 20 percent of total resources may be permitted.

**46** Dean Beeby, “Revenue Canada targets steelworkers for political activities,” *CBC*, April 12, 2015, accessed June 17, 2015, [www.cbc.ca/news/politics/revenue-canada-targets-steelworkers-charity-for-political-activities-1.3026863](http://www.cbc.ca/news/politics/revenue-canada-targets-steelworkers-charity-for-political-activities-1.3026863).

**47** Althia Raj, “CRA Got Few Complaints About Charities’ Politics Prior To 2012,” *Huffington Post*, December 5, 2014, accessed June 17, 2015, [www.huffingtonpost.ca/2014/12/05/canada-revenue-agency-charities\\_n\\_6279178.html](http://www.huffingtonpost.ca/2014/12/05/canada-revenue-agency-charities_n_6279178.html).

**48** “Audits More Charities than Terrorists: Canada Revenue,” *Blacklock’s Reporter: Minding Ottawa’s Business* (blog), May 14, 2015, accessed June 18, 2015, [www.blacklocks.ca/audits-more-charities-than-terrorists-canada-revenue/](http://www.blacklocks.ca/audits-more-charities-than-terrorists-canada-revenue/). According to the article, the CRA is spending \$13.5 million auditing 60 targeted charities, whereas the agency is spending only \$3 million combating terrorist financing.

**49** “A Petition of Academics Against the CCPA Audit,” Louis-Phillipe Rochon and Mario Seccareccia to The Honourable Kerry-Lynne D. Findlay, Minister of National Revenue, September 11, 2014, accessed June 18, 2015, [www.progressive-economics.ca/2014/09/11/a-petition-of-academics-against-the-ccpa-audit/](http://www.progressive-economics.ca/2014/09/11/a-petition-of-academics-against-the-ccpa-audit/).

**50** Broadbent Institute, *Stephen Harper’s CRA: Selective Audits, “Political” Activity, and Right-Leaning Charities*, Report, October 2014, Accessed June 18, 2015, [www.broadbentinstitute.ca/sites/default/files/documents/harpers-cra-final\\_o.pdf](http://www.broadbentinstitute.ca/sites/default/files/documents/harpers-cra-final_o.pdf).

**51** Dean Beeby, “Academics’ open letter calls for moratorium on political tax audits,” *The Canadian Press*, September 14, 2014, accessed June 18, 2015, [www.cbc.ca/news/politics/academics-open-letter-calls-for-moratorium-on-political-tax-audits-1.2765967](http://www.cbc.ca/news/politics/academics-open-letter-calls-for-moratorium-on-political-tax-audits-1.2765967).

**52** Letter from Daniel Huppé-Cranford, Director, Compliance Division, Charities Directorate CRA to Physicians for Global Survival (Canada), July 24, 2014. Copy on file.

**53** See, e.g., “Alternatives,” Voices-Voix, March 27 2011, accessed June 18, 2015, <http://voices-voix.ca/en/facts/profile/alternatives>.

**54** Unless otherwise indicated, the listed groups were allegedly placed under RCMP and/or CSIS surveillance as a result of threat assessments due to opposition to the Northern Gateway or related issues. Com-

plaints have been filed with the RCMP and CSIS oversight bodies by the British Columbia Civil Liberties Association and the allegations have not been proven.

**55** *Ibid.*

**56** The human rights case brought by the Caring Society to the Canadian Human Rights Commission was not based on defunding in the sense of lost project funding, but rather based on systemic discrimination due to chronic underfunding of child welfare and related services for First Nations children on reserve.

**57** “Findings Under The Privacy Act: Aboriginal Affairs and Northern Development Canada Wrongly Collects Information from First Nations Activist’s Personal Facebook Page,” Office of the Privacy Commissioner of Canada, November 21, 2013, accessed June 18, 2015, [https://www.priv.gc.ca/cf-dc/pa/2012-13/pa\\_201213\\_01\\_e.asp](https://www.priv.gc.ca/cf-dc/pa/2012-13/pa_201213_01_e.asp).

**58** *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2005 CHRT 14 [Caring Society].

**59** *Ibid.*, at para 68.

**60** Office of the Privacy Commissioner of Canada, “Investigation Finds Veteran’s Personal Information Was Mishandled,” news release, October 7, 2010, Office of the Privacy Commissioner, accessed June 18, 2015, [https://www.priv.gc.ca/media/nr-c/2010/nr-c\\_101007\\_e.asp](https://www.priv.gc.ca/media/nr-c/2010/nr-c_101007_e.asp).

**61** *Reference re Secession of Quebec*, [1998] 2 SCR 217, at para 68, 161 DLR (4th) 385 [Quebec Secession Reference].

**62** Canada. *House of Commons Debates*, 16 June 2015 (Hon. Steven Blaney, Minister of Public Safety and Emergency Preparedness, CPC). <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=8051705&Language=E&Mode=1>.

## Annex 1

**TABLE A1** Voices-Voix Case Studies

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
Aboriginal Communities and Environmental Groups	Algonquins of Barriere Lake Council of Canadians Defenders of the Land Gitxaala First Nation Grassy Narrows First Nation Greenpeace Indigenous Peoples Solidarity Movement Innu of Labrador Oxfam Canada Pikangikum First Nation Six Nations Stz'uminous First Nation Tsilhqot'in First Nation Tobique First Nation Tsartlip First Nation Wagmatcook First Nation Wet'suwet'en First Nation (Likhts'amsiyu Clan) Yinka Dene Alliance	Surveillance <ul style="list-style-type: none"> <li>Organizations infiltrated and monitored as possible security threats (beginning in 2006).</li> </ul> Vilification and Smearing <ul style="list-style-type: none"> <li>In 2012, environmentalists were equated to radicals and extremists.</li> </ul>
Aboriginal Healing Foundation	120 community organizations directly affected	Defunding <ul style="list-style-type: none"> <li>\$199 million redirected to Health Canada in 2010.</li> <li>Organization closed in 2014.</li> </ul>
Afghan Association of Ontario		Defunding <ul style="list-style-type: none"> <li>\$610,000 cut in 2011</li> </ul>
Aiken, Sharryn		Defunding (attempted) <ul style="list-style-type: none"> <li>In 2009, the federal government sought to influence SSHRC to withdraw a grant for a conference on "paths to peace" in Israel and Palestine.</li> </ul> Surveillance <ul style="list-style-type: none"> <li>Subject to invasive freedom of information requests.</li> </ul>
Alternatives		Defunding <ul style="list-style-type: none"> <li>Approximately \$2.4 million cut (2009)</li> </ul> Charitable Audit <ul style="list-style-type: none"> <li>CRA advises that Alternatives should not have charitable status in the first place (2012).</li> <li>In July 2014, the CRA informs Alternatives that it will recommend the annulment of its charitable status.</li> </ul>
Attaran, Amir		Invasive information requests (2011)
Beauregard, Rémy	Rights and Democracy	Vilification and Smearing <ul style="list-style-type: none"> <li>Rhetorical attacks on reputation by federal appointees (2009) (2010 reports would later exonerate Beauregard of all wrongdoing).</li> </ul>

**TABLE A1** Voices-Voix Case Studies con't

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
Blackstock, Cindy	First Nations Child and Family Caring Society	<p>Defunding</p> <ul style="list-style-type: none"> <li>• Caring Society lost federal funding</li> </ul> <p>Surveillance</p> <ul style="list-style-type: none"> <li>• The Office of the Privacy Commissioner of Canada concluded that Blackstock's had been placed under surveillance and that her privacy rights were violated (2013).</li> </ul> <p>Reprisals</p> <ul style="list-style-type: none"> <li>• Between 2008 and 2009, federal officials barred Blackstock from meetings.</li> <li>• The Canadian Human Rights Tribunal Ruled in 2015 that these activities were a reprisal for filing a human rights complaint.</li> </ul>
Bruyee, Sean	See also: Veterans	<p>Privacy Violation</p> <ul style="list-style-type: none"> <li>• Sensitive medical and personal information shared among departmental officials.</li> </ul> <p>Vilification and Smearing</p> <ul style="list-style-type: none"> <li>• Evidence of a smear campaign against him (2010).</li> </ul>
Canada Without Poverty	See also: Canadian Charities and The Canada Revenue Agency	<p>Defunding</p> <ul style="list-style-type: none"> <li>• Loss of 55% of its funding (2007).</li> </ul> <p>Charitable audits</p> <ul style="list-style-type: none"> <li>• Subject to crippling CRA political activities audit lasting years.</li> </ul>
Canadian Arab Federation		<p>Defunding</p> <ul style="list-style-type: none"> <li>• CIC cancels funding in 2009, upon judicial review the federal court upholds this decision in 2013.</li> </ul>
Canadian Broadcasting Corporation (CBC)		<p>Defunding</p> <ul style="list-style-type: none"> <li>• The 2012 federal budget announced cuts of \$115 million to the CBC/Radio-Canada (2012).</li> <li>• The CRTC eliminates the Local Programming Improvement Fund, representing \$40 million in loss of funding for CBC/Radio-Canada.</li> </ul>
Canadian Charities and the Canada Revenue Agency	<p>Alternatives</p> <p>Amnesty International Canada</p> <p>Canada Without Poverty</p> <p>Canadian Centre for Policy Alternatives</p> <p>CoDevelopment Canada</p> <p>Environmental Defence (audit began in 2011; complaint filed by Ethical Oil in March 2012)</p> <p>Équiterre</p> <p>Pembina Foundation (complaint filed by Ethical Oil in April 2013; audit began in December 2013)</p> <p>PEN Canada</p> <p>Sierra Club Canada (complaint filed by Ethical Oil in December 2012; under audit as of May 2015)</p> <p>The David Suzuki Foundation (complaint by Ethical Oil in April 2012; audit began in May 2013)</p> <p>The Ecology Action Centre</p> <p>Tides Canada Foundation (audit began in 2011; complaint filed by Ethical Oil in Aug. 2012)</p> <p>Tides Canada Initiatives Society (audit began in 2011; complaint filed by Ethical Oil in Aug. 2012)</p> <p>United Church of Canada (KAIROS)</p>	<p>Enhanced scrutiny</p> <p>Political Activities Audits</p> <p>Revocation of Charitable Statuses</p> <ul style="list-style-type: none"> <li>• Some 52 organizations have been chosen for audits under the new program, with at least another 8 on the way (as of 16 October 2014).</li> </ul>

**TABLE A1** Voices-Voix Case Studies con't

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
Canadian Conference of the Arts	Royal Conservatory of Music Writer's Union of Canada National Ballet of Canada National Theatre School	Defunding <ul style="list-style-type: none"> <li>• Budget cuts with short transition (March 2012).</li> <li>• CCA ceases operations on October 30th 2012.</li> </ul>
Canadian Council for International Co-operation	KAIROS	Defunding <ul style="list-style-type: none"> <li>• Restructuring requiring 2/3 of employees to be laid off (July 2010).</li> </ul>
Canadian Council on Learning		Defunding <ul style="list-style-type: none"> <li>• Funding not renewed by Conservative government in 2009 (represented 95% of its overall budget).</li> <li>• CCL dissolves in 2012.</li> </ul>
Canadian Doctors for Refugee Care	Interim Federal Health Care Program	Defunding <ul style="list-style-type: none"> <li>• Ruled contrary to section 12 of the Canadian Charter of Rights and Freedoms (government currently appealing the decision).</li> </ul> Vilification and Smearing <ul style="list-style-type: none"> <li>• Doctors are called “activists” and accused of misleading, or even lying to, the public.</li> </ul>
Canadian Foundation for Climate and Atmospheric Sciences	Approx. 175 research projects and networks cut back or shut down. See also Polar Environment Atmosphere Research Laboratory (PEARL)	Defunding <ul style="list-style-type: none"> <li>• CFCAS' federal mandate and funding were terminated (2012).</li> </ul>
Canadian HIV/AIDS Legal Network		Defunding <ul style="list-style-type: none"> <li>• 16 out of 20 proposed activities were rejected by Health Canada (2010).</li> </ul>
Mennonite Central Committee Canada	PEN Canada	Political Activities Audit <ul style="list-style-type: none"> <li>• Warning letter from CRA about possible charitable status revocation because of alleged partisan political activities (2012).</li> </ul>
Canadian Policy Research Networks (CPRN)		Defunding <ul style="list-style-type: none"> <li>• Funding cuts by the Conservative government (2006).</li> <li>• CPRN closes its doors in 2009.</li> </ul>
Centre for Equality Rights in Accommodation		Defunding <ul style="list-style-type: none"> <li>• Funding cut completely (2010).</li> </ul>
Centre for Research and Information on Canada	Canadian Unity Council See also: Foundation for Canadian Studies UK	Defunding <ul style="list-style-type: none"> <li>• Funding cuts (2006).</li> <li>• Seized operation in 2009.</li> </ul>
Childcare Advocacy Association of Canada (CCAAC)	Feminist Alliance for International Action (FAFIA) Status of Women Canada	Defunding <ul style="list-style-type: none"> <li>• Entire budget was cut in 2009.</li> </ul>
Community Access Program		Defunding <ul style="list-style-type: none"> <li>• \$15 million in funding was not renewed (2009).</li> </ul>
Court Challenges Program	Women's Legal Education and Action Fund (LEAF)	Defunding <ul style="list-style-type: none"> <li>• Entire budget cut and program abolished (2006).</li> <li>• Funding restored for linguistics rights part of CCP (2008).</li> </ul>
Development and Peace		Defunding <ul style="list-style-type: none"> <li>• Was told that there will be \$20.5 million decrease in funding over five years (2012).</li> <li>• The number of countries to be reduced to 7 from 33.</li> </ul>

**TABLE A1** Voices-Voix Case Studies con't

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
Dying with Dignity Canada		Charitable audit <ul style="list-style-type: none"> <li>Charitable status annulled after aggressive CRC audit (2015).</li> </ul>
Eritrean Canadian Community Centre of Metropolitan Toronto	26 other Ontario organizations	Defunding <ul style="list-style-type: none"> <li>70 percent of budget terminated (2011).</li> </ul>
Experimental Lakes Area		Defunding <ul style="list-style-type: none"> <li>Field station is officially closed (2013).</li> <li>Scientists silenced, disparaged as “activists.”</li> </ul>
First Nation Child and Family Caring Society	Cindy Blackstock	Underfunding
First Nations Statistical Institute		Defunding <ul style="list-style-type: none"> <li>Funding reduced by half in 2012 and then completely by 2013–2014.</li> </ul>
ForestEthics	Tides Canada	Defunding (threatened) <p>Vilification and Smearing (2012)</p> <ul style="list-style-type: none"> <li>PMO official alleges ForestEthics is against the government of Canada and the people of Canada (2012).</li> <li>August 2013, ForestEthics files a lawsuit against the federal government and the National Energy Board.</li> </ul>
James, Franke	Nektarina Non Profit	Defunding (2011)
Hospitality House Refugee Ministry	KAIROS Interim Federal Health Care Program	Defunding (2012)
IRFAN-Canada		Charitable status revoked (2011) <p>Smearing and Vilification</p> <ul style="list-style-type: none"> <li>IRFAN listed as terrorist organization.</li> </ul>
KAIROS Canada	Eleven churches and religious organizations committed to environmental justice and human rights	Defunding (2009) <p>Smearing and Vilification</p> <ul style="list-style-type: none"> <li>Accused of being anti-Semitic and having a leadership role in the boycott of Israel.</li> </ul> <p>Political Activities Audit</p> <ul style="list-style-type: none"> <li>One or more member churches subsequently subject to a political activities charities audit (United Church of Canada).</li> </ul>
Katimavik		Defunding (2012–2013)
LifeLine	St-Leonard’s Society of Canada (SLSC)	Defunding (2012)
Mada al-Carmel		Defunding (2010)
Manuge, Dennis	See also: Veterans	Defunding <p>Privacy violation</p> <ul style="list-style-type: none"> <li>Medical records were accessed by public servants (2002–2010).</li> </ul>
Match International		Defunding <ul style="list-style-type: none"> <li>Funding cuts represented 75 percent of their total budget (2010).</li> </ul>
Mendes, Errol	Amir Attaran	Vilification and Smearing <ul style="list-style-type: none"> <li>Conservatives accused Mendes of being a Liberal flack (2008).</li> </ul> <p>Privacy violation/ intrusive freedom of information requests (2011)</p>

**TABLE A1** Voices-Voix Case Studies con't

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
National Aboriginal Health Organization (NAHO)	First Nations Statistical Institute Aboriginal Healing Foundation Sisters in Spirit documentation project	Defunding (2012)
National Council of Welfare	Canada without Poverty Caledon Institute	Defunding • After Bill C-38, funding was completely cut (2012). • Loss of key information on low-income groups in Canada.
National Network on Environments and Women's Health	Atlantic Centre of Excellence for Women's Health British Columbia Centre of Excellence For Women's Health Canadian Women's Health Network Prairie Women's Health Centre of Excellence Réseau québécois d'action pour la santé des femmes	Defunding • 2012 budget cuts result in the elimination of Women's Health Contribution Program.
National Round Table on the Environment and the Economy		Defunding (2012)
New Brunswick Coalition for Pay Equity	Status of Women Canada	Defunding • Informed in April 2010 of the impending funding cuts.
Oxfam Canada	Canadian Mennonite Relief Forest Ethics Physicians for Global Survival Sierra Club Canada Foundation Tides Canada United Nations Platform for Action Committee	Charitable Status Audit • The CRA Charities Directorate tells Oxfam that to keep its charitable status, the group can work to "alleviate" poverty but not "prevent" it (April 2013).
Palestine House	KAIROS Alternatives Rights & Democracy Mustafa Barghouti George Galloway	Defunding • Loss of approx. \$1 million in funding (2012).  Smearing and Vilification • Said to be an extremist, terrorist organization and supporter of terrorist groups (2011).
Pamela Palmater	Cindy Blackstock	Surveillance and Privacy Violations • ATIP requests reveal that she was monitored by CSIS, RCMP and Aboriginal Affairs and Northern Development Canada (2011-2012).
PEN Canada	Canadian Mennonite	Charitable audit & status revocation (2014)
Physicians for Global Survival (PGS)	Tides Canada Canadian Mennonite	Charitable audit & status revocation • PGS received a letter from the CRA informing the organization that its status as a registered charity had been revoked (2012).
Polar Environment Atmosphere Research Laboratory	Canadian Foundation for Climate and Atmospheric Sciences (CFCA)	Defunding • Partially shut down after federal government failed to renew its budget (2012) • Funding renewed in 2013, but 30 percent short of the amount needed to operate full-time.
Québec Native Women		
Réseau québécois d'action pour la santé des femmes (RQASF)	National Network on Environments and Women's Health Environmental Defence David Suzuki Foundation	Defunding • \$175,000 per year from Heritage Canada.



**TABLE A1** Voices-Voix Case Studies con't

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
Rights and Democracy	Rémy Beaugard	Harassment  Defunding • Shutdown (2012).
Sierra Club Canada Foundation	Tides Canada David Suzuki Foundation Environmental Defence	Threat of Charitable Status Revocation  Political activities audit (2015)  Smearing and Vilification • Equated to radicals who are trying to hijack the system for their own radical agenda.
Sierra Club of British Columbia	EcoAction Community Funding Program The Ecology Action Centre	Defunding (2008)  Smearing and Vilification • Environmental groups labelled 'extremists', 'adversaries', and 'enemies' by the Harper government.
Sisters in Spirit	Native Women's Association of Canada	Defunding (2010)
Steelworkers Humanity Fund		Political activities audit.
South Asian Women's Centre	26 other Ontario immigration agencies, including: Bloor Information and Life Skills Centre Eritrean Canadian Community Centre of Metropolitan Toronto Afghan Association of Ontario	Defunding • 67 percent of SAWC's overall budget cut (2011).
Status of Women Canada	Antidote Canadian Research Institute for the Advancement of Women Feminist Alliance for International Action (FAFIA) New Brunswick Coalition for Pay Equity National Association of Women and the Law Victoria Status of Women Action Group Sisters in Spirit	Defunding • \$5 million in cuts (2006). • Some funding reinstated afterwards.
Schnoor, Steven		Vilification and Smearing • The Canadian ambassador to Guatemala allegedly stated that Schnoor's films lacked credibility and were fabricated. • An Ontario judge ruled that the ambassador had in fact slandered Schnoor (2009).
Tides Canada Foundation		Charitable Status Audit (2012)  Smearing and Vilification • Tides Canada was accused of "laundering" funds for "radical" organizations that engage in "non-charitable" activities (2012).
Tides Canada Initiatives Society (forthcoming)		Political Activities Audit
United Nations Platform for Action Committee (UNPAC)		Defunding  Refusal of charitable status • CRC claimed that UNPAC was "too political" (2010). • In June 2014, UNPAC closed its doors.

**TABLE A1** Voices-Voix Case Studies con't

Case Study	Other CSOs, Advocates Affected	Federal Government Tactics
Universal Child Care Program	Canadian Child Care Federation Child Care Advocacy Association of Canada	Cancellation of program (2006)
New Veterans Charter	Sean Bruyea Dennis Manuge	Defunding (2006) • Several offices closed across Canada  Smearing and Vilification  Privacy Violations (October 2010)
Women's Legal Education and Action Fund (LEAF)	Status of Women Canada	Defunding • After Court Challenges Program is cancelled LEAF lost significant source of funding (2006).

## Annex 2

### The Hit List: Civil Society Organizations, Advocates and Human Rights Defenders

Aboriginal Healing Foundation  
 Afghan Association of Ontario  
 Aiken, Sharryn  
 Algonquins of Barriere Lake  
 Alternatives  
 Amnesty International Canada  
 Anglican Diocese, The  
 Antidote  
 Atlantic Centre of Excellence for Women's Health  
 Attaran, Amir  
 Beaugard, Rémy  
 Blackstock, Cindy  
 Bloor Information and Life Skills Centre  
 British Columbia Centre of Excellence For Women's Health  
 Bruyea, Sean  
 Caledon Institute  
 Canada Without Poverty  
 Canadian Arab Federation  
 Canadian Broadcasting Corporation (CBC)  
 Canadian Centre for Policy Alternatives  
 Canadian Conference of the Arts  
 Canadian Council for International Co-operation

Canadian Council on Learning  
Canadian Doctors for Refugee Care  
Canadian Foundation for Climate and Atmospheric Sciences  
Canadian HIV/AIDS Legal Network  
Canadian Mennonite  
Canadian Policy Research Networks  
Canadian Research Institute for the Advancement of Women  
Canadian Unity Council (see Centre for Research and Information on Canada)  
Canadian Women's Health Network  
Centre for Equality Rights in Accommodation  
Centre for Research and Information on Canada  
Childcare Advocacy Association of Canada  
CoDevelopment Canada  
Community Access Program Co-operation  
Council of Canadians  
Court Challenges Program  
David Suzuki Foundation, The  
Defenders of the Land  
Development and Peace  
Dying with Dignity Canada  
Ecology Action Centre, The  
Environmental Defence  
Équiterre  
Eritrean Canadian Community Centre of Metropolitan Toronto  
Experimental Lakes Area  
Feminist Alliance for International Action (FAFIA)  
First Nation Child and Family Caring Society  
First Nations Statistical Institute  
ForestEthics  
Foundation for Canadian Studies UK  
Franke James  
Gitxaala First Nation  
Grassy Narrows First Nation  
Greenpeace  
Hospitality House Refugee Ministry  
Indigenous Peoples Solidarity Movement  
Innu of Labrador  
IRFAN-Canada  
Kairos

Katimavik  
LifeLine  
Mada al-Carmel  
Manuge, Dennis  
Match International  
Mendes, Errol  
National Council of Canadian Muslims  
National Aboriginal Health Organization  
National Association of Women and the Law  
National Council of Welfare  
National Network on Environments and Women's Health  
Native Women's Association of Canada (see Sisters in Spirit)  
Nektarina Non Profit  
New Brunswick Coalition for Pay Equity  
Oxfam Canada  
Palestine House  
Palmater, Pamela  
Pembina Foundation  
PEN Canada  
Physicians for Global Survival  
Pikangikum First Nation  
Polar Environment Atmosphere Research Laboratory  
Prairie Women's Health Centre of Excellence  
Québec Native Women's Association  
Réseau québécois d'action pour la santé des femmes (RQASF)  
Rights and Democracy  
Sierra Club Canada Foundation  
Sierra Club of British Columbia  
Sisters in Spirit  
Six Nations  
South Asian Women's Centre  
Steelworkers Humanity Fund  
Steven Schnoor  
St-Leonard's Society of Canada (see LifeLine)  
Stz'uminous First Nation  
Teztan Biny (Fish Lake) First Nation  
Tides Canada  
Tides Canada Initiatives Society  
Tobique First Nation

Tsartlip First Nation  
United Church of Canada  
United Nations Platform for Action Committee (UNPAC)  
Victoria Status of Women Action Group  
Wagmatcook First Nation  
Wet'suwet'en First Nation (Likhts'amsiyu Clan)  
Women's Legal Education and Action Fund (LEAF)  
Yinka Dene Alliance

