

## **CAMPAIGN FOR LEGISLATED TANKER BAN GATHERS STEAM IN OTTAWA<sup>1</sup>**

**Josh Paterson**<sup>©</sup>

Over the past few weeks, the campaign for a legislated tanker ban seems to have taken on a life of its own. Today (December 14, 2010), Vancouver Quadra MP Joyce Murray (Liberal) introduced legislation that, if passed, would ban crude oil tankers from the waters of Hecate Strait, Dixon Entrance, and Queen Charlotte Sound. These are the dangerous and sensitive waters between Haida Gwaii and the mainland, and between the northern tip of Vancouver Island and the marine border with Alaska.

While other private members' bills have been proposed over the past few years, Ms. Murray's bill is the most complete proposal because it ensures that shipments of diesel fuel to coastal communities will not be prohibited by the ban (the previous NDP bills were very well-meaning but could be interpreted to have the unintended consequence of prohibiting such shipments). Just last week, when asked about a legislated crude oil tanker ban in the House of Commons, the Prime Minister retorted that such a ban made no sense as it would restrict the transportation of diesel fuel that coastal communities still depend on (until communities can be switched to cleaner forms of energy). We have heard other government officials make the same comment.

Ms. Murray's new legislation avoids that problem by creating a specific exception from the ban for fuel shipments in small vessels to BC communities along the coast – which have been taking place for decades. These are very much different, in terms of risk, than the bulk, crude oil supertanker traffic currently being proposed on a massive scale into and out of Kitimat. The private member's bill furthers the commitment that the Liberal Party of Canada made in June to support a legislative ban on crude oil tankers on the north coast, and the party's long-standing commitment to a tanker ban that reaches back to the 1970s.

While it may be difficult for the bill to pass through Parliament due to potential opposition from a Conservative majority in the Senate (Conservative MPs in the Commons recently voted against the recent motion supporting a ban on oil tankers en masse, see below), the bill stands a chance of being passed by the House of Commons if parties work together to make sure it advances quickly through the procedural stages required to pass a bill. Of course, to become law, a bill must pass through both houses of Parliament and then receive the assent of the Governor-General. As it moves through Parliament it will keep the protection of the north coast from oil spills front and centre on the national agenda.

On December 7th, as many of our readers will know, the House of Commons passed a motion calling on the government to enact a legislated tanker ban. That motion was proposed by the federal New Democrats, hot on the heels of a delegation of tanker ban supporters to Parliament Hill on November 30th, organized by West Coast Environmental Law and our allies Living Oceans Society, Dogwood Initiative, and ForestEthics. The delegation was led by Art Sterritt, Executive Director of the Coastal First Nations, and included Arnie Nagy representing the United Fishermen and Allied Workers' Union, Evan Loveless of the Wilderness Tourism Association, and Riki Ott, a marine toxicologist and expert on oil spills who survived the Exxon Valdez disaster and still lives on the coast of Prince William Sound, where 20 years later the devastation is still evident.

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<sup>1</sup> West Coast Environmental Law, December 14, 2010

Our delegation had a press conference to start off our day on Parliament Hill, where staff lawyer Josh Paterson spoke to represent conservation groups, and had meetings with MPs and Senators of all parties (government and opposition) as well as officials at Fisheries and Oceans Canada, Environment Canada, and Transport Canada. To ensure our message reached as widely as possible across Canada, we ensured that all of our materials and advocacy were bilingual.

The day was a great success, ending with a packed reception where we served sustainable seafood, showed off an exhibition of spectacular photos of the coast, and talked with many MPs that we hadn't already spoken with during the day about the need for a tanker ban (since I speak French, most of my time was taken missing out on the seafood and cornering MPs from all over Québec who had come to join in the festivities – I heard nothing but strong solidarity from Québécois MPs for people on the coast in BC; people in Québec have some deep concerns with possible oil and gas activities off of their own shores so they identified with the concerns of British Columbians).

By the time our plane landed back in Vancouver the next morning, we heard from the NDP that they would use their limited “opposition days” when the House of Commons met the following day (in which an opposition party can set the agenda) to debate a motion calling for a tanker ban. This was the vote that passed with the support of a majority of MPs on December 7th - with the NDP, the Liberals, and the Bloc Québécois voting for a tanker ban while only the Conservatives opposed.

While not legally binding, the NDP motion, proposed by BC's Skeena-Bulkley Valley MP Nathan Cullen, was a crucial step that resulted in a majority of Canada's elected representatives confirming their commitment to a legislated tanker ban on the Pacific North Coast. It expresses the will of the House of Commons and puts a democratic obligation on the government and Parliament to act to protect BC's coast. With this strong, nation-wide support, we see no reason why Joyce Murray's bill should not be given priority for passage through the House.

### **Our Work Towards a Tanker Ban**

For several years, West Coast and our allies have pushed for legislation to prohibit oil tankers on the Pacific North Coast, advocating with federal politicians both here in BC and across Canada. Sometimes it has been a tough slog, as there are so many different policy priorities competing for attention in Ottawa. We have attended meetings, made presentations, spoken to groups of MPs from all parties and in both official languages. Our ongoing efforts have paid off, as the idea of a legislated tanker ban has steadily progressed to the top of Canada's agenda. This is likely due, in part, to the tragic BP spill in the Gulf of Mexico which reminded people, and legislators, across the country of the devastation that Canada could face if an oil spill were to happen here. But it is also the result of the vast majority of British Columbians supporting a legislated tanker ban (80% in polling earlier this year), the leadership of Coastal First Nations who have declared a ban on oil tankers in their waters based in their own Indigenous legal authority and the support of other First Nations in the Interior, and the commitment of BC MPs who recognize that this is the right policy to pursue and who have pushed it forward because they want to do the right thing for BC, with little regard for partisanship.

We're excited that there is a real appetite in Ottawa for legislative change that will provide the best protection and we intend to keep at this until a north coast tanker ban is enshrined in legislation.