



CANADIANS FOR RESPONSIBLE ADVOCACY

In Focus

September, 2014

IN THIS ISSUE

Greenpeace Canada
3

Ethical Oil Institute
7

**David Suzuki
Foundation**
11

**Canadian Association
of Petroleum Producers**
16

**Accountable Advocacy
Certification**
19



At Canadians For Responsible Advocacy (CFRA), we are working hard to inform Canadians about which organizations are lobbying the government or the public on some of the country's most important issues.

At the same time, we're also trying to make it easier for Canadians to learn more about those organizations, how they are funded and how they operate, and whether they provide enough information about themselves for the public to truly understand their motivations.

In this In Focus report, CFRA looks at four high-profile organizations that are shaping public opinion about one of the country's most contentious debates: the debate around oil and gas pipelines.

Few issues have inspired as heated discussion in Canada in recent years as the long running controversy over proposed new pipelines to transport Canada's petroleum products. Even fewer debates, if any, have resulted in the same level of sustained advocacy and public lobbying activity.

On one side of the debate are self-identified environmentalists who argue that extracting Canadian oil is harmful to the environment, and that some of the proposed pipelines run through – and risk endangering – some of the country's most fragile ecosystems. On the other side of the debate, oil companies and others argue that petroleum extraction is an important part of Canada's national economy, and that pipelines are a safer and more reliable way of transporting oil and gas products.

Over the past few years, dozens of groups have attempted to sway the public on the pipeline issue, including numerous organizations that appear to have been created for just this purpose (on both sides of the debate).



These campaigns have used a variety of advocacy tools to spread their messages, such as rallies, online videos and TV commercials, newspaper editorials, social media ads, and wide-scale petitions. Some have also lobbied government decision-makers directly. All of these activities cost time and money. And it's not always clear how they are funded.

At CFRA we believe the public has a right to know who is backing well-financed advocacy campaigns and why they are motivated to do so. This becomes even more important when considering public lobbying campaigns that relate to national policies that can have far-reaching effects on our economy and environment, like the pipeline debate.

In this In Focus report, CFRA looks at some of the most vocal organizations engaged in the pipeline debate in an effort to determine how they are funded and whose interests they represent. As an independent and non-partisan group, we have chosen to look at organizations on both sides of this debate, including those that want to see more pipelines built, and those that oppose their construction. We have also relied on recent news events and on feedback from the public to help identify which groups to examine in this report.

Importantly, we are not passing judgement on these groups or their advocacy messages and we are not trying to imply that any of them are deliberately trying to conceal information from the public. Rather, we are saying that all groups that lobby the government or the public should strive to improve their transparency practices.

We believe Canadians have a right to know who is trying to change their world and why. Please join us in making sure that organizations that want to have an impact on important public policies are committed to being fully transparent.

PIPELINE DEBATE BACKGROUNDER

The current Canadian debate about oil and gas pipelines began in earnest over the last decade as energy and energy delivery companies proposed a series of new pipeline projects that were largely designed to accommodate increased production at Alberta's oil sands fields. Among the proposed pipelines are:

- TransCanada Corp.'s proposed \$5.8 billion (USD) "Keystone XL" extension would serve as the fourth and final phase of a multi-pipeline project to carry Alberta oil to U.S. refineries. Though approved in Canada, the project has been stalled in the U.S. over concerns about its proximity to the Ogallala Aquifer in Nebraska.
- Enbridge Inc.'s \$5.5 billion "Northern Gateway" pipeline project proposes to build twin pipelines between Burdett, AB and Kitimat, B.C. to carry natural gas condensate to the east and diluted bitumen to marine terminals in the west for pick-up by Asia-bound tanker ships. The project has received conditional approval by the joint National Energy Board (NEB) and federal government but must still meet more than 200 conditions the board imposed.
- Kinder Morgan's proposed \$12 billion Energy East Pipeline project would use a combination of new and currently underused pipelines to carry crude oil sands to Eastern Canadian refineries, from which tankers could then transport it to foreign destinations. Kinder Morgan is expected to submit an application for the project to the NEB this month. Kinder Morgan has also applied to the NEB for approval of a proposed \$5.4-billion expansion to its Trans Mountain Pipeline that runs from Alberta to the Port of Vancouver.

As part of the ongoing debate, environmentalists and aboriginal groups, among others, have argued that Alberta's oil sands industry produces large amounts of carbon emissions and that off-shore oil tankers could crash and leak large amounts of oil across pristine natural habitats. Pro-pipeline advocates argue that oil sands revenues are vital to growing the Canadian economy, and that pipelines represent a safer transportation method than rail or other options currently available.

In recent years, the pipeline debate has seen environmental and pro-pipeline groups attacking each other directly more frequently. In 2012, for example, pro-pipeline group the Ethical Oil Institute lashed out at Greenpeace Canada for accepting donations from foreign funders. In April of this year, Greenpeace asked Elections Canada to investigate whether Ethical Oil was colluding with the federal Conservative Party in violation of elections laws.



Greenpeace Canada



[Greenpeace Canada](#) is a federally incorporated advocacy organization that says it “acts to change attitudes and behavior to protect and conserve the environment and to promote peace.” The organization received about \$11.5 million in revenues in 2012, according to its [annual report](#).

Greenpeace Canada does not identify who its major donors are or how much they contribute to the organization. It does not post its bylaws, though CFRA was able to obtain them from Industry Canada. According to the most recent version of those bylaws, Greenpeace Canada can only have a maximum of 26 members at any point in time, including up to 12 members “from the public in general.”

As one of the largest and most vocal groups speaking out against Canadian pipeline proposals, Greenpeace has coordinated protests, rallies and petitions, has spoken out in the national media and has produced videos and other ads that urge citizens to speak out against proposed pipelines, among other activities.

In this report, we attempt to shed light on some steps Greenpeace Canada should take to improve its public transparency. Most importantly, we recommend that Greenpeace Canada disclose who its largest donors are and how much they contribute to its cause. Greenpeace Canada has also already indicated to CFRA that it will update its website to more clearly identify the difference between its “voting members” and “financial supporters.”

What is Greenpeace?

Greenpeace was founded in British Columbia in 1971 in an effort to protest and disrupt U.S. nuclear testing near Alaska. Since then, the organization has grown into an international advocacy group dedicated to changing “attitudes and behavior, to protect and conserve the environment and to promote peace.”

Today, [Greenpeace International](#) (legally called Stichting Greenpeace Council) is located in Amsterdam. The group operates 28 “National Organizations” and has regional offices around the world. The organization says it uses “non-violent, creative confrontation” advocacy techniques. Greenpeace Canada has been the international organization’s primary Canadian wing since 1989. Among other things, the Canadian group has advocated against deforestation, nuclear power, large-scale fishing and the expansion of Canada’s oil and gas industries.

Greenpeace Canada, like its international counterpart, is particularly known for coordinating or taking part in high-profile “direct action” campaigns such as [protests](#) and [rallies](#). The Canadian group also has 17 employees who are [registered](#) to lobby the federal government, according to the lobbying commissioner’s website. The group’s lobbyists have met with parliamentarians on three occasions since 2012, including a March 2012 meeting with then-natural resources minister Joe Oliver.

TRANSPARENCY SPOTLIGHT



Greenpeace Canada

FOUNDED: 1971

HEADOFFICE: Toronto

ANNUAL REVENUES: \$11.5 million (2012)

- Does not identify major contributors
- Does not list its bylaws
- Membership policy not publicly available



Greenpeace Canada is also associated with two other Canadian foundations: Greenpeace Environmental Foundation and Greenpeace Canada Charitable Foundation. Neither of those groups discloses how they are financed or how much their largest donors contribute to their causes and Greenpeace Canada does not clearly disclose on its website the nature of its relationship with those organizations.

In email comments sent to CFRA on Sept. 5, Greenpeace Canada spokesperson Peter Louwe said the Greenpeace Environmental Foundation and Greenpeace Canada Charitable Foundation “are no longer in operation.” The two organizations “will be de-registered” with Industry Canada “after this year,” Louwe added.

How is Greenpeace funded?

Greenpeace Canada provides some basic information about its funding in its annual reports, which contain excerpts of its annual financial audits. According to its 2012 report, the organization received nearly \$11.5 million in 2012 revenues, including \$9.8 million in “donor contributions,” \$411,000 in “bequests” and \$635,000 in “campaign grants.” The group also received \$591,000 in contributions from Greenpeace International, the annual report said. Greenpeace added that it had \$3.2 million in assets at the end of 2012, including \$2.2 million in “cash and marketable securities.” Greenpeace Canada says it does not accept any funding from “corporations, governments or political parties.”

Advocacy group the Ethical Oil Institute (which is also reviewed in this report) has [complained](#) in the past that Greenpeace, among other environmental groups, is funded by “foreign backers.” Ezra Levant, a Canadian media pundit and an Ethical Oil board member, has said that the U.S.-based Tides Foundation has spent hundreds of thousands of dollars to fund Canadian organizations’ “anti-oil sands activities.” Canadian investigative blogger Vivian Krause has also [highlighted](#) connections between Greenpeace Canada and [The Tides Foundation](#), noting that the U.S.-based Tides organization gave Greenpeace Canada \$200,000 in 2010 for the group’s participation in a wider “Tar Sands Campaign.” According to [documents](#) published on Krause’s website, the Tar Sands Campaign is a \$7 million-per-year project of the U.S.-based charities the [Rockefeller Brothers Fund](#) and the [Hewlett Foundations](#), and involves a coordinated operation involving numerous environmental and Aboriginal groups that are opposed to oil sands development.

Krause has questioned the U.S. foundations’ motives for funding the campaign and has [argued](#) the campaign is designed to prevent the development of pipelines that would allow Canada to export oil outside North America. This, she argues, will maintain low international demand for Canadian oil and will allow U.S. purchasers to secure better prices. Others have also questioned Krause’s motivations for researching environmental groups’ funding, and have noted that she was previously employed in the farmed fishing industry. In September 2011, the Canadian Association of Petroleum Producers (which is also profiled later in this report) paid Krause a \$5,000 honorarium to speak at a luncheon event for its members.

Greenpeace Canada does not disclose the names of its largest donors or how much they have contributed to the organization or its causes. In email comments earlier this month, Peter Louwe said the organization does not disclose the identities of its “individual donors in order to respect their privacy.”



Who runs Greenpeace Canada?

According to the organization's website, Greenpeace Canada is run by an eight-person board of directors and a team of nine senior staff. The organization provides brief bios of each board member and senior staff that typically highlight their connections to similar organizations or companies, though there are some omissions.

Sue Birge has been the chair of Greenpeace Canada's board of directors since 2012 after first joining the board in 2007. Her Greenpeace Canada bio discloses her previous experience as a political advisor for NDP governments in Ontario and British Columbia, as well as her previous employment with unrelated non-profit groups such as the National Action Committee on the Status of Women and the Canadian Centre for Victims of Torture. Her bio does not mention that she is currently the director of standards and accreditation at [Responsible Gambling Council](#), a non-profit group dedicated to preventing problem gambling.

Some other Greenpeace Canada board members with connections to other environmental organizations include:

- Brigid Rowan, the organization's treasurer, is described on Greenpeace Canada's website as an energy economist. Her Greenpeace bio also notes that Rowan is the co-author of a "widely publicized" [report](#) called "Pipe Dreams? Jobs Gained, Jobs Lost by the Construction of Keystone XL." Rowan co-authored the report as part of her work at [the Goodman Group Ltd.](#), a firm that has alternative energy companies among its [clients](#) as well as Greenpeace International and other environmental groups.
- James Sullivan, Greenpeace Canada's board secretary, is a consultant to "organizations that create standards and certify products that are environmentally and socially responsible," according to his bio on the organization's website. According to his LinkedIn [profile](#), Sullivan's clients include Canadian Department of Fisheries and Oceans and several international environmental organizations, such as the [Ecology Action Centre](#), [Forest Stewardship Council](#) (FSC) and [World Wildlife Fund International](#). Not mentioned in his Greenpeace bio, Sullivan was also a founding chair of FSC Canada and was a board member and deputy executive director of FSC International. He has also served as executive director of [Two Countries, One Forest](#).

In addition to its board of directors, Greenpeace Canada lists nine senior staff who serve as the organization's "directors council" and "strategic leadership team."

Joanna Kerr, Greenpeace Canada's executive director, is the organization's most senior officer and is the former chief executive of [ActionAid International](#), an international organization dedicated to fighting poverty. Her Greenpeace Canada bio also notes her previous positions at [Oxfam Canada](#), the [Association of Women's Rights in Development](#) and the Ottawa-based think tank The [North-South Institute](#). As of late August, the North-South Institute said on its website that it is funded in part by [The William and Flora Hewlett Foundation](#), which Vivian Krause has [called](#) one of the "world's biggest financial supporters of efforts to mitigate climate change." On Sept. 10, the North-South Institute said it was shuttering its operations due to a lack of sustainable funding.

Who are Greenpeace Canada's members and what influence do they have?

Greenpeace Canada [says](#) on its website that Greenpeace has 2.9 million members worldwide, as well as "more than 90,000 supporters in Canada." The website previously referred to the Canadian supporters as members and said that Greenpeace members included "anyone who has made a financial contribution to Greenpeace in the past 18 months."

According to Greenpeace Canada's bylaws – a copy of which CFRA obtained from Industry Canada – the Canadian organization is only permitted to have a total of 26 members at any point in time, including "up to twelve" members "from the public in general" that are "selected at large" by the organization's board of directors.



Greenpeace Canada spokesperson Peter Louwe told CFRA in emailed comments that the organization is “changing the wording on our website to be clear that members are ‘voting members’ while the [90,000] number will clearly refer to ‘financial supporters.’”

It is unclear as to whether Greenpeace Canada donors can request a copy of the organization’s full financial statements or other organizational documents. According to an Industry Canada profile of the organization, Greenpeace Canada has not filed with the federal department any information about its annual general meetings since 2000 and has not provided the department with its annual report since 2010.

Why does all this matter?

From the information provided, it is not possible to know whether Greenpeace Canada has received large donations from any individuals or organizations that could have a role in shaping its advocacy message as a result of their contributions.

CFRA believes Canadians have a right to know who is financing Greenpeace Canada and other high profile groups that are making their voices heard on Canada’s national stage. Among others, some steps Greenpeace Canada must take to achieve greater transparency include:

- identifying its largest donors and how much they have contributed to the group;
- more clearly explaining its membership criteria and the difference between voting members and financial supporters.

Greenpeace Canada has already begun to address some of the issues CFRA identified in early drafts of this report, including that it not refer to its financial supporters as Canadian members on its website. Please join us in calling for further increased transparency and accountability at Greenpeace Canada.

HOW TO CONTACT

Greenpeace Canada

Help improve transparency at Greenpeace Canada by calling or writing to the group to ask questions about its funding, leadership and membership policy.

EMAIL supporter.ca@greenpeace.org

TELEPHONE (416)-597-8408

MAILING ADDRESS
33 Cecil Street
Toronto, Ontario
M5T 1N1



Ethical Oil Institute



EthicalOil

From Canada's oil sands.

50 members (not including its past and current employees).

In this report, we attempt to shed light on some of the steps Ethical Oil can take to improve its public transparency. Most importantly, we recommend Ethical Oil disclose the identities of its largest donors and how much they contribute to the organization, and that it provide more readily accessible information about its board members and senior staff.

Ethical Oil did not respond to CFRA's requests to provide comments or an interview for this report.

What is Ethical Oil Institute?

Lawyer and Conservative Party staffer Alykhan Velshi has said that he founded Ethical Oil's online blog in June 2011 to advocate on behalf of the ideas political activist and pundit Ezra Levant championed in his 2010 book, *Ethical Oil: The Case for Canada's Oil Sands*. According to the organization's memorandum of association, which CFRA obtained from the province of Alberta, the Ethical Oil Institute itself was formally founded in March 2011 by Levant and Calgary-based labour lawyer Thomas Ross. Ross, a partner at McLennan Ross LLP, is on the firm's team of lawyers that specialize in representing oil sands companies. Since its inception, Ethical Oil has advocated the position that it is more ethical to use oil that comes from liberal democratic countries, such as Canada, regardless of environmental or other concerns about how that oil is produced.

Among other advocacy activities, Ethical Oil is known for campaigns that target opponents of Alberta's oil sands production industry. This includes concerns the group [voiced](#) in 2012 that some Canadian organizations that worked to oppose oil sands development were heavily funded by foreign backers.

[The Ethical Oil Institute](#) is a non-profit advocacy group incorporated in Alberta that says it encourages "people, businesses, and governments to choose Ethical Oil from Canada, its oil sands, and from other liberal democracies." It is not known how much the group collects in annual revenues.

Ethical Oil does not identify who its major donors are or how much they contribute to the organization. It does not post its bylaws, though CFRA was able to obtain them from the province of Alberta. According to its memorandum of association, also obtained from the province, Ethical Oil is not permitted to have more than

TRANSPARENCY SPOTLIGHT



Ethical Oil Institute

FOUNDED: 2011

HEADOFFICE: No office

ANNUAL REVENUES: Unknown

- Does not disclose financial statements
- Does not identify major contributors
- Does not list its bylaws
- Membership policy not publicly available
- Does not identify board members



How is Ethical Oil Institute funded?

Though Ethical Oil does not provide public reports outlining where its revenues come from, it says on its website that it accepts “donations from Canadian individuals and companies, including those working to produce Ethical Oil.” The organization adds that it has received PayPal donations from “hundreds of Canadians” though it does not identify its largest donors or say how much they contribute to the group. Ethical Oil’s claim that its “median” donation is \$38 does not provide any indication of the size of its largest or average donation figures and seems unreliable due to the fact that median figures typically change frequently.

Ethical Oil [says](#) it “does not accept any money from foreign donors.” It does not say what it considers a foreign donor or what controls it uses to ensure that it only receives funds from Canadian individuals and organizations.

Some of Ethical Oil’s critics have [argued](#) that most of Canada’s oil sands producing companies are primarily owned by foreign interests, and may be included among Ethical Oil’s donors. According to Statistics Canada data [cited](#) by then-natural resource minister Joe Oliver in 2012, approximately 35 per cent of Canada’s oil industry was under the “control” of foreign ownership.

In a January 2012 [debate](#) on CBC’s Power & Politics, then-Ethical Oil spokeswoman Kathryn Marshall repeatedly refused to answer host Evan Solomon’s questions about whether Ethical Oil received funding from oil and gas distributor [Enbridge Inc.](#), the publicly traded company that proposed the Northern Gateway pipeline. “We’re a small, grassroots organization. Our average donor is a regular hard-working Canadian who gives us \$23 through our website,” Marshall said when asked if Ethical Oil received funds from Enbridge. “I’m not going to respond to conspiracy theories. We’re a small grassroots organization,” she added later in the interview when asked again.

Ezra Levant, a media pundit and Ethical Oil board member, said on his show on the Sun News Network this January that the group does not disclose its donor list in part to protect its donors from harassing emails and letters from environmental groups. “Can you imagine the harassment that Joe Canadian would receive if we published his name?” Levant [asked](#) rhetorically in the Jan. 21 program.

Who runs Ethical Oil Institute?

Ethical Oil’s website does not provide a list of its staff or board of directors. According to a 2012 annual return filed with the Alberta government, the group’s board members are Ezra Levant and Thomas Ross. Levant and Ross are also listed as the organization’s two founders in the group’s 2011 memorandum of association.

Ezra Levant is a trained lawyer and a media pundit with the [Sun News Network](#) and the Sun Media newspaper chain and also previously worked as a senior staffer in the federal Canadian Alliance and Reform parties. He also won nomination to serve as the Canadian Alliance party candidate in the Calgary Southwest riding in 2002, though he later stepped aside to allow new Canadian Alliance leader, Stephen Harper, to run in the riding in a by-election. According to information available on the federal lobbying commissioner’s website, Levant also worked as a lobbyist in 2009 and 2010, and lobbied on behalf of Achieve Energy Services L.P., [Rothman’s Inc.](#), and the [Ontario Korean Businessmen’s Association](#).

Levant is also the author of several books, including the 2010 non-fiction best seller *Ethical Oil: The Case for Canada’s Oil Sands*, which provides the intellectual framework for the Ethical Oil Institute’s advocacy work. In the book, Levant argues that it is more ethical to use oil that comes from liberal democratic countries—regardless of environmental or other concerns over how that oil is produced—than it is to purchase oil from companies with poor human rights records.



Thomas Ross is a labour lawyer and partner with the Alberta-based law firm [McLennan Ross LLP](#). The firm, which includes “Oilsands law” as one of its areas of expertise, [lists](#) Ross as one of its “key contact lawyers” in what it calls its “oil sands core team.” McLennan Ross’ Edmonton office is also listed as the “registered office” of the Ethical Oil Institute in the group’s 2012 annual return with the province.

Ethical Oil’s website does not appear to acknowledge that Levant and Ross are the organization’s founders and directors, and it does not provide detailed bios of either Levant or Ross or of any of its past or current staff. Neither Ross’ name nor his connection to the oil sands industry are mentioned anywhere on the Ethical Oil site except when posted by critical public commenters.

In a [complaint](#) filed with Elections Canada on April 7, Greenpeace Canada said that “crossover” between Ethical Oil and Conservative Party ministerial staff was evidence of a “direct relationship” between Ethical Oil and the Conservative Party of Canada. The complaint asked for an investigation of any relationship between the group and the governing federal party, arguing that any relationship could be in contravention of Canada Elections Act laws relating to elections campaign financing.

The Ethical Oil employees mentioned in the Greenpeace complaint are:

- Alykhan Velshi served as the director of communications and parliamentary affairs to then-citizenship minister Jason Kenney in May 2011 when he [left](#) his position to launch Ethical Oil. He left Ethical Oil in December 2011 to [become](#) the director of planning in the Prime Minister’s Office (PMO) and currently [serves](#) as the PMO’s director of issues management.
- Kathryn Marshall became Ethical Oil’s spokesperson in September 2011 after [previously working](#) as a development assistant for the [Fraser Institute](#) think tank. According to the Greenpeace complaint, Marshall’s husband, Hamish Marshall, was a former manager of strategic planning in the PMO under Prime Minister Stephen Harper and has since run a website-design and hosting company that has built websites for Conservative Party cabinet ministers Jason Kenney, Joe Oliver and Pierre Poilievre.
- Jamie Ellerton, who served as Ethical Oil’s spokesperson and executive director from January 2012 to April 2013, was then-immigration minister Jason Kenney’s executive assistant until September 2010, according to the Greenpeace complaint. Ellerton was the Progressive Conservative Party of Ontario [candidate](#) in the 2014 election in the Toronto riding of Parkdale-High Park.

Who are Ethical Oil Institute’s members and what influence do they have?

While Ethical Oil does not post its bylaws and does not make its membership policy or criteria available on its website, according to its 2011 memorandum of association, membership in the organization is limited to no more than 50 people (or groups of people) who own “shares” in the group. This number can be expanded to include any current or previous employees who also joined the group as members while employed by the organization, the memorandum says. According to the memorandum, Ezra Levant and Thomas Ross each own 50 shares of the organization, which can issue a maximum of 1,000 shares. It is unknown whether any other individuals or groups of people own shares in the organization or whether companies are permitted to join the group as shareholder members.

Ethical Oil’s memorandum of association also prohibits “any invitation to the public to subscribe for any shares or debentures” of the organization, and said shares in the company can only be transferred with the approval of a majority of its board of directors.



Why does all this matter?

From the information provided, it is not possible to know how the Ethical Oil Institute is funded or whether it accepts large donations from any individuals or organizations that could have a role in shaping its advocacy message as a result of their contributions. Because the group does not readily disclose the identities of its board members, it also more difficult for the public to hold the organization's decision makers to account.

CFRA believes Canadians have a right to know who is financing Ethical Oil and other high profile groups that are making their voices heard on Canada's national stage. Among others, some steps Ethical Oil must take to achieve greater transparency include:

- identifying its largest donors and how much they have contributed to the group;
- clearly identifying its board members and senior staff on its website and providing a brief overview of their relations to the oil and gas industry;
- posting its bylaws online.

Please join us in calling for further increased transparency and accountability at the Ethical Oil Institute.

HOW TO CONTACT

Ethical Oil Institute

Help improve transparency at Ethical Oil Institute by calling or writing to the group to ask questions about its funding, leadership and membership policy.

EMAIL	ethicaloil@ethicaloil.org
TELEPHONE	-
MAILING ADDRESS	P.O. Box 1047, 31 Adelaide Street East, Toronto, ON M5C 2K4



David Suzuki Foundation



David Suzuki Foundation

The David Suzuki Foundation is a non-profit charitable group incorporated in British Columbia that says it works “to conserve our environment and find solutions that will create a sustainable Canada through science-based research, education and policy work.” The charity collected approximately \$9 million in revenues in 2013, according to [information](#) available on its website.

In previous years, the David Suzuki Foundation has [identified](#) many of its largest donors, including those who contributed \$10,000 or more in a given year, though it is not clear if the group has identified all of its largest donors.

The David Suzuki Foundation does not post its bylaws on its website, though CFRA was able to obtain a copy from a provincial registrar. According to those bylaws all applications for new members of the group must be “unanimously accepted by the existing members.”

In this report, we attempt to shed light on some steps the David Suzuki Foundation should take to improve its public transparency. Most importantly, we recommend that the organization make its bylaws and membership policy available on its website. We also recommend that the group clarify whether all of its largest donors are listed in its annual reports.

What is the David Suzuki Foundation?

The David Suzuki Foundation was founded in British Columbia in 1990 by David Suzuki – a genetics professor and CBC broadcast personality – and his wife, environmental activist Tara Cullis, among others. According to the organization’s [website](#), the group was founded after Suzuki “sounded an alarm” about climate change on his CBC radio program *It’s a Matter of Survival* in 1989, prompting “a group of people” to urge him and Cullis “to create a new, solutions-based organization.”

Since the early 1990s, the David Suzuki Foundation has advocated for greater environmental protections in Canada and around the world. Among other advocacy work, the charity has run campaigns against what it views as excessive carbon emissions and what it calls unsustainable fishing practices, as well as campaigns that focus on environment-related health issues or preserving wildlife and freshwater ecosystems.

TRANSPARENCY SPOTLIGHT



David Suzuki Foundation

FOUNDED: 1990

HEADOFFICE: Vancouver

ANNUAL REVENUES: \$9 million (2013)

- May not identify all major contributors
- Does not list its bylaws
- Membership policy not publicly available



The David Suzuki Foundation is also associated with [The David Suzuki Institute](#), which is a federally incorporated non-profit group that says it “promotes and accelerates public awareness, engagement and political action in Canada on critical issues of nature, social justice, and democracy.” The David Suzuki Institute does not disclose how it is financed or how much its largest donors contribute to the organization. According to an Industry Canada report obtained by CFRA, the institute is currently active but has not filed annual filings with the federal department since its 2011 incorporation.

How is the David Suzuki Foundation funded?

The David Suzuki Foundation discloses its audited financial statements each year in its annual report and posts them to its website, providing the public with a basic breakdown of how it receives its revenues. According to the most recent [annual report](#) available on its website, the group earned \$8.9 million in its 2012 fiscal year, including \$3.2 million in “restricted contributions” that were dedicated for specific purposes and \$4.7 million in “unrestricted contributions.” The rest of the group’s 2012 revenues came from fundraising events, income on investments, and the amortization of “deferred capital contributions.”

In an annual report available on its website, the David Suzuki Foundation listed 45 individuals and organizations that each contributed \$10,000 or more to the group in 2012. The list includes seven donors that contributed \$100,000 or more between Sept. 1, 2011 and Aug. 31, 2012, and another 38 donors that contributed between \$10,000 and \$99,999. The annual report also lists 432 members of the “Suzuki Society” who have pledged “legacy gifts” to the foundation, as well as five employers who take part in an “employee charity giving” program.

The organization does not specify how much each of its largest donors contributed to its cause in the year and does not say whether the list is inclusive of all of its largest donors. In comments sent to CFRA via email on Sept. 8, David Suzuki Foundation spokesman Alvin Singh said the organization complies with all disclosure rules set out by the Canada Revenue Agency. “This governs the information we disclose, although in some case we go beyond what is required by law,” he said. “We must also comply with privacy laws when it comes to sharing personal information on members, donors or anyone who interacts with us,” Singh added.

According to [new data](#) also available on its website, the David Suzuki Foundation received \$9 million in revenues in 2013, including \$3 million in restricted contributions and \$5.3 million in unrestricted contributions. Unlike the David Suzuki Foundation, the David Suzuki Institute does not provide the public with enough information to determine where its revenues come from or how much its largest donors contribute to its cause.

In recent years, Vancouver-based researcher Vivian Krause has voiced [concerns](#) about some of the David Suzuki Foundation’s donors, such as U.S.-based foundations that she says have contributed at least \$9 million (USD) to the group combined. According to Krause, the David Suzuki Foundation and other environmental groups have received restricted donations from several U.S. foundations to engage in specific campaigns, including those that oppose proposed oil pipelines and the fish-farming industry. She has [speculated](#) that one reason U.S. groups may be interested in funding Canadian environmental advocacy groups is to disrupt any planned pipeline that might make it easier for Canada to export oil to Asia. Such pipelines, she argues, would increase competition for Canadian oil products and drive up the cost Americans pay for Canadian oil.

Krause, who has [said](#) that she receives no funding for her research, uses U.S. and Canadian tax records to show that the David Suzuki Foundation has [received](#) at least \$181,000 from each of seven different U.S. foundations since the late 1990s. Much of that funding was dedicated to projects within British Columbia, including those that oppose the farmed fish industry, she said. Krause – a former employee of farmed fish provider [Nutreco Aquaculture](#) – has said that she



worked as a consultant in the fisheries industry as recently as 2007, though she denies that her research is supported by either the fish farming or oil industries. She has not reported on any U.S. organizations that provided direct funding to the David Suzuki Foundation to oppose Canadian oil pipelines.

Krause noted in a 2012 article in the [Financial Post](#) that the David Suzuki Foundation received approximately 5 per cent of its budget funding from U.S. sources in 2010, down from 52 per cent in 2000. Two of the U.S. foundations she cited were listed as David Suzuki Foundation donors in the group's most recent annual report, including the [Gordon & Betty Moore Foundation](#) (which contributed more than \$100,000 to the group in 2012) and the [David & Lucile Packard Foundation](#) (which contributed between \$10,000 and \$99,999 to the group in 2012).

Who runs the David Suzuki Foundation?

The David Suzuki Foundation's website [lists](#) 13 members of its board of directors and approximately 80 staff including nine executives and directors. Nine of the group's staff members are currently [registered](#) to lobby the federal government on a wide range of subject matters. Online bios on the organization's website provide some basic background information about each of the directors and some of the senior staff.

Though incorporation documents obtained from the province of British Columbia list five individuals as the organization's applicants for incorporation, the David Suzuki Foundation's website lists Suzuki and Cullis as its only founders.

David Suzuki, likely Canada's most high-profile environmentalist, gained prominence in the 1970s as the host of several CBC radio and television shows about nature and science that drew on his work as a professor in the University of British Columbia's genetics department. Since then he has become an outspoken activist who has partnered with countless other environmental organizations across Canada and around the world. His work has earned him numerous awards and honours, including an Order of Canada appointment.

Suzuki has advocated on behalf of environmental causes in his books, radio and television programs and in countless speaking engagements. He has also conducted countless media interviews on environmental topics and is frequently quoted as an expert.

In recent years, Suzuki's public comments have sometimes taken on a more political tone. In 2008, for example, he [told](#) a conference of McGill University students that they should "put a lot of effort" into figuring out a legal way to imprison political leaders that don't take comprehensive steps to combat climate change. In April 2012, Suzuki [said](#) he had stepped down from the David Suzuki Foundation's board of directors so he could "speak freely without fear that my words will be deemed too political," which could cause the foundation to run afoul of Canadian tax laws that restrict charities' political work. Since then, he has become more critical of the federal Conservative government and its policies.

A former Harvard professor who taught non-fiction writing, Tara Cullis left her academic career to become a full-time advocate for rainforest protections and indigenous rights. According to an online bio, Cullis – who has a Ph.D. in comparative literature – had founded or co-founded nine other organizations before the David Suzuki Foundation's launch. The bio does not identify any of those organizations. Cullis is also listed on the David Suzuki Foundation's website as its president and a member of its board of directors.



Both Suzuki and Cullis are also listed with Industry Canada as board members of the federally incorporated non-profit group, the David Suzuki Institute, which does not provide the public with enough information to determine how it is funded. The third member of the organization's board is listed as John Lefebvre, a Canadian musician and entrepreneur whose wealth can be traced, in part, to his role as the co-founder of online money transfer company NETeller. According to several online reports, Lefebvre is also the chief financier of the environmental advocacy blog [DeSmogBlog](#), which says it "exists to clear the PR pollution that is clouding the science on climate change." DeSmogBlog is known to question the motives and scientific qualifications of people who question humankind's role in climate change, and it works to explore what it calls "global warming misinformation campaigns."

James (Jim) Hoggan is the chair of the David Suzuki Foundation's board of directors and is also listed as a co-founder of DeSmogBlog. Hoggan, a former chair of the [Climate Project Canada](#) organization, is also the president and owner of Vancouver-based PR firm [Hoggan & Associates](#). National Post columnist Terence Corcoran [wrote](#) in 2006 that Hoggan & Associates has done work for several clients that would benefit from policies based on climate change concerns, such as the National Hydrogen Association, Fuel Cells Canada and [Naikun Wind Energy](#), among others.

Hoggan is also a co-founder and chair of the board of the [Stonehouse Institute](#), a Vancouver-based think tank that runs occasional meetings "for people who are interested in developing sophisticated models for the advancement of society." The think tank's website says that "John Lefebvre and Jim Hoggan convene open and ongoing discussions hosted by David Suzuki that invite participants to reflect and collaborate on an inclusive narrative that will help us get on the right track to better living."

The Stonehouse Institute, which does not provide public information about its funding, also offers sessions to train groups or individuals on "a variety of strategic change communications and engagement tools and frameworks," according to its website. It says it offers training for a fee or on a pro bono basis.

Some other notable members of the David Suzuki Foundation's board of directors include:

- Pauline D'Amboise, secretary general and vice-president of cooperative support for the [Desjardins Group](#), has extensive involvement with a number of other environmental groups, including the [Climate Project](#);
- Stephen Bronfman, a member of Montreal's famed Bronfman family, is the executive chairman of the private investment firm [Claridge Inc.](#) and a co-founder of the Claudine and Stephen Bronfman Family Foundation, which contributed between \$10,000 and \$99,999 to the David Suzuki Foundation in 2012;
- Stephanie Green is a chartered accountant who has "extensive experience serving on the boards of not-for-profit enterprises, governmental organizations, and commercial entities," according to her bio on the David Suzuki Foundation's website. The bio does not identify any of the other boards she has served on;
- Peter Ladner is a former city councillor in Vancouver who ran for mayor in 2010 as the [Non-Partisan Association](#)'s mayoral candidate;
- John Ruffolo is the chief executive officer of [OMERSVentures](#) and a corporate advisor who has been "recognized as one of the country's leading clean-tech advisors," according to his online bio. Ruffolo is also the chair of the [Canadian Venture Capital and Private Equity Association](#)'s government relations committee.

The David Suzuki Foundation's website also lists 16 "honorary board members," including author Margaret Atwood, who is a co-founder of the [Council of Canadians](#) advocacy group along with David Suzuki.

Peter Robinson, the David Suzuki Foundation's chief executive officer, also serves on the board of directors at [Imagine Canada](#), a federally incorporated non-profit organization that provides different types of support for various Canadian charities.



Who are the David Suzuki Foundation's members and what influence do they have?

As per the group's bylaws, membership in the David Suzuki Foundation is "restricted to the applicants for incorporation and to those persons whose application for admission as a member of the Foundation has been unanimously accepted by the existing members." Prior to a February 2012 amendment to the bylaws authorized by the group's board of directors, all applicants for membership also had to be "confirmed" by David Suzuki or his representative.

The David Suzuki Foundation's website does not promote potential membership opportunities in the organization and it is not immediately clear who its members are or how many members the group has.

The group's website does ask visitors to sign up to receive the foundation's newsletters, and at least one page mentions that the foundation will send annual notifications about membership renewals.

According to the group's bylaws, the David Suzuki Foundation's members are permitted to attend the group's annual general meeting and to elect members of the organization's board of directors.

Why does all this matter?

From the information provided, it is not possible to know who the David Suzuki Foundation's members are and whether they are provided all membership privileges cited in the group's bylaws. It is also not possible to determine whether the group lists all of its largest donors in its annual report, or whether the same groups and individuals who fund the David Suzuki Foundation are also the primary funders of other groups connected to the foundation.

CFRA believes Canadians have a right to know whether the David Suzuki Foundation and other groups that attempt to make their voices heard on Canada's national stage are fully transparent about who their largest donors are. Among others, some steps the David Suzuki Foundation must take to achieve greater transparency include:

- posting its bylaws and clarifying whether its members are entitled to all of the privileges outlined in its bylaws;
- clarifying whether its list of large donors is inclusive;
- clarifying its relationship to related organizations, including whether those organizations share any large donors with the David Suzuki Foundation.

Please join us in calling for increased transparency and accountability at the David Suzuki Foundation.

HOW TO CONTACT

David Suzuki Foundation

Help improve transparency at David Suzuki Foundation by calling or writing to the group to ask questions about its funding, leadership and membership policy.

EMAIL communitygiving@davidsuzuki.org

TELEPHONE (604)-732-4228

MAILING ADDRESS 219 – 2211 West 4th Avenue
Vancouver, BC
V6K 4S2



Canadian Association of Petroleum Producers



CANADIAN ASSOCIATION OF PETROLEUM PRODUCERS

The Canadian Association of Petroleum Producers (CAPP) is a federally incorporated, non-profit, industry association that says it serves as “the voice of Canada’s upstream oil, oil sands and natural gas industry.” It is not known how much the organization receives in annual revenues though an online application form suggests its budget includes \$24 million a year in membership dues from gas- and oil-producing companies alone.

CAPP does not provide information to the public about who its major donors are or how much they contribute to the organization each year, though it does provide a public list of its members and a description of how it [calculates](#) its member fees. It does not post its bylaws, though CFRA was able to obtain them from Industry Canada.

In this report, we attempt to shed light on some steps CAPP should take to improve its public transparency. Most importantly, we recommend that CAPP release its annual financial statements and disclose the identities of its largest donors and how much they contribute to the organization annually.

CAPP did not provide comments for this report by publication deadline.

What is CAPP?

CAPP’s roots can be traced to the 1927 founding of the Foundation of Alberta Oil Operators’ Association (later called the Oil and Gas Association) and a successor group’s merger with the Saskatchewan Operator’s Association in 1952. The new group, called the Canadian Petroleum Association (CPA), later merged with another organization called the Independent Petroleum Association of Canada to create CAPP in 1992.

CAPP now advocates at the federal and provincial levels for companies involved in Canada’s oil and gas industry, and counts more than 230 companies among its membership. The group currently has offices in Calgary, Ottawa and St. John’s.

One of the more active industry groups in Ottawa, CAPP has filed more than 400 communications reports with the federal lobbying commissioner since the start of 2012 and held lobbyist meetings with public office holders from 11 different government institutions in the first half of 2014. The group also coordinates and carries out large advocacy campaigns to lobby the public’s favour for the oil and gas industry, including through multi-platform advertising campaigns, opinion-editorials, and through other projects and initiatives such as its [Canada’s Energy Citizens](#) campaign. The Energy Citizens campaign, which shares its name with a similar [U.S. organization](#), describes itself on its website as a “movement of Canadians who support Canada’s energy.”



TRANSPARENCY SPOTLIGHT

Canadian Association of Petroleum Producers

FOUNDED: 1992

HEADOFFICE: Calgary

ANNUAL REVENUES: Believed to be at least \$24 million

- Does not disclose financial statements
- May not identify all major contributors
- Does not list its bylaws
- Membership policy not publicly available



CAPP's public advocacy campaigns have focused on promoting the interests of companies involved in Canada's oil and gas industries and on securing policies and physical infrastructure that benefit the industry. Among other issues, CAPP has spoken out on debates relating to pipelines, climate change, skilled labour shortages and the environmental impact of the oil sands industry.

How is CAPP funded?

Though CAPP does not provide public reports outlining where its revenues come from, its bylaws provide for at least two forms of funding: through membership dues and through "special levies" paid out by some of the group's members.

Based on information contained in the group's bylaws, it appears that the majority of the organization's revenues come from companies that produce petroleum products.

According to a footnote on the group's publicly [available](#) 2014 "Producer Membership Application Form," CAPP receives a minimum annual membership due of \$5,000 from each of its [roughly 90](#) "producer members," which are companies that produce petroleum products such as oil and gas. The form notes that most of those members are charged on a sliding rate based on their production levels. It adds that the maximum membership charge to any producer member is \$2.4 million, or "10% of [CAPP's] \$24.0 million Producer Membership Dues budget."

In addition to its producer member fees, CAPP also earns membership dues from "associate members" that provide services "that support the upstream crude oil and natural gas industry." According to its publicly [available](#) 2014 "Associate Member Application Form," membership fees range from \$1,000 to \$7,500 per associate member, based on the type of work each member company does in the industry.

According to CAPP's bylaws, the organization's board of directors can also apply "special levies" to its producer members "in such amounts ... as the Board sees fit." The bylaws add that any such special levies will be proportional to each producer member's annual membership dues.

It is not known whether CAPP accepts any additional donations or has any other sources of revenue.

Who runs CAPP?

CAPP says on its website that it is directed by its volunteer board of governors, which sets the organization's priorities. The organization's board consists of executives from 31 of its producer member companies as well as the CAPP president, who serves as a "non-voting member of the Board," the group's bylaws say. According to those bylaws, positions on the CAPP board are shared nearly equally by the group's large, medium and small producer members.

CAPP does not provide detailed bios of its staff or board members, though it does say which company each of its board members represent. This ensures observers are aware that its board members have a financial interest in debates about the oil and gas industries.

CAPP's current president, Dave Collyer, joined the organization in September 2008 after more than 30 years in the oil industry. Prior to joining CAPP as president, Collyer was president and country chair of [Shell Canada](#). According to his Businessweek [bio](#), Collyer was appointed to chemical manufacturer [Canexus Corp.](#)'s board of directors in May, and has also "held a number of not-for-profit Board positions." According to his Canexus [bio](#), Collyer is a member of the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGA) and the Society of Petroleum Engineers (SPE).



Who are CAPP's members and what influence do they have?

According to CAPP's bylaws, the organization has two different "classes" of membership: producer members, which are individuals and companies that work "in the exploration, development and production of hydrocarbons and other related by-products;" and associate members, which are individuals and companies that market or transport those same products or provide "other services to the petroleum industry."

Under the CAPP bylaws, the group's producer members are divided into three "tiers" based on how much oil and gas they produce. Those bylaws state that the group will have between 15 and 30 "tier one" producer members – who have the "highest ranked production" – and between 25 and 50 "tier two" producer members – who are comprised of the "next ranked producers." All other producer members are classified as "tier three" members, the bylaws add.

The CAPP bylaws also identify eight different associate member classifications, which divide the group's associate members based on the type of services their companies provide. According to the bylaws, associate members "shall be entitled to all membership privileges of the Association except the right to vote and such other privileges as are reserved to the Producer Members."

According to the bylaws, CAPP's 32-person board of governors must have at least 10 producer members from each of the three producer member tiers at any point in time. Associate members are not permitted to sit on the group's board.

Why does all this matter?

From the information provided, it is not possible to know how much CAPP collects in annual revenues or whether the group receives large donations beyond its membership fees.

CFRA believes Canadians have a right to know who is financing CAPP and other high profile groups that are making their voices heard on Canada's national stage. Among others, some steps CAPP must take to achieve greater transparency include:

- releasing its annual audited financial statements;
- confirming whether or not it receives large donations from non-members or beyond its annual membership fees;
- posting its bylaws on its website.

Please join us in calling for increased transparency and accountability at CAPP.

HOW TO CONTACT

Canadian Association of Petroleum Producers

Help improve transparency at Canadian Association of Petroleum Producers by calling or writing to the group to ask questions about its funding, leadership and membership policy.

EMAIL

communication@capp.ca

TELEPHONE

(403)-267-1100

MAILING ADDRESS

2100, 350 - 7 Avenue SW
Calgary, Alberta, Canada
T2P 3N9



ACCOUNTABLE ADVOCACY CERTIFICATION

Canadians For Responsible Advocacy's newly launched Accountable Advocacy certification process is designed to give Canadians a quick and easy way to identify groups that are open and accountable about who they are and whose interests they represent. As the only organization designed specifically to keep watch of other groups that want to sway public opinion, CFRA is working to separate the transparent organizations from those that remain opaque and may not want Canadians to know who they represent and funds them.

Our Accountable Advocacy certification process has been crafted in consultation with industry professionals and other stakeholders in an effort to be both simple and effective. By obtaining certification, an organization can improve its voice in Ottawa while benefiting the industry as a whole.

Benefits to organizations

Organizations that receive Accountable Advocacy certification can post a copy of CFRA's Accountable Advocacy certification seal on their website and in other materials, allowing government decision makers, media and the general public to easily identify them as trustworthy and transparent.

This stamp of approval demonstrates that you and your organization:

- are entrusted to represent the voice of your claimed membership;
- are transparent about how you generate revenues and who your major donors are;
- have a duly elected board of directors that are accountable to the public;
- adhere to applicable laws, stated guiding principles and other ethical codes.

Additionally, CFRA will also publish a detailed report on each certified organization's efforts to adhere to the Accountable Advocacy principles, highlighting the steps organizations take to be open and transparent about their financing and public lobbying activities.

Importantly, by obtaining certification, organizations will also help support CFRA's efforts to uncover opaque advocacy groups and to pressure them to make more information about themselves publicly available. In this way, certified organizations help create a better environment in which transparent advocacy groups can make their opinions heard without being attacked or drowned out by opaque groups that are not publicly accountable.

Certification process

The Accountable Advocacy certification process is designed to be quick and easy to undertake and can require as little as 15 minutes of your organization's time. The process can be as simple as filling out the application form in some cases, and in others as easy as directing us to easily accessible reports. CFRA may also ask to view organizational documents that are not available online or in the public domain, but will maintain the confidentiality of these documents when requested.





The following is a list of organizational documents and information CFRA will review as part of its Accountable Advocacy certification program:

- Annual financial report (most recent);
- List of major donors (over \$5,000 in donations in 12-month period);
- Confirmation of regular financial audits;
- Bylaws or other founding documents;
- List of current board members;
- List of current senior officers;
- Membership policy/other documents outlining membership qualifications;
- Membership numbers/list of member organizations.

There is no charge for organizations to apply to CFRA's Accountable Advocacy certification process and no charge to receive certification. Accountable Advocacy certificates are typically good for two years after they are issued, though CFRA reserves the right to withdraw certification from organizations that are found to have failed to maintain required transparency practices.

Getting started

To apply for Accountable Advocacy certification, please complete the attached application form and return it to CFRA at info@responsibleadvocacy.org. For more information about our Accountable Advocacy certification program, please consult our website at www.responsibleadvocacy.org or contact us directly at info@responsibleadvocacy.org.

PUTTING ADVOCACY GROUPS IN FOCUS

Launched in 2014, Canadians For Responsible Advocacy is an Ottawa-based non-profit that aims to shine light on organizations that lobby the public and which are not fully transparent about who they are or how they are funded. This includes advocacy groups that are not transparent about how they are funded, or which falsely claim to represent a broad coalition of interests. As a non-partisan group, CFRA relies on tips from the public to help identify groups that could improve their transparency practices. If you know of a group that you think we should investigate, we want to hear from you. We'll even give you a free one-year membership if the group you flag ends up in one of our future In Focus reports.*

*Note: Some conditions apply. Free membership is subject to approval by CFRA's board of directors. See CFRA's Membership Policy for more information on becoming a member.

CONTACT CFRA

Canadians For Responsible Advocacy
(CFRA)
1 Rideau Street
Suite 700
Ottawa,
ON K1N 8S7
(613) 656-3587

info@responsibleadvocacy.org
responsibleadvocacy.org

 @CFRAAdvocacy

 /responsibleadvocacy