

ecojustice

# VICTORIES REPORT 2024

Finding hope in community



# We are Ecojustice

**Our Vision: A thriving environment, safe climate, and healthy communities protected by effective, well-enforced laws throughout Canada**

**Our Mission: Ecojustice uses the law to defend nature, combat climate change, and fight for a healthy environment for all**



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Dear Ecojustice supporters and friends,

In last year's Victories Report letter, we promised that we would accelerate our work. We only have a short window ahead for us to stop the many causes of ecological collapse. This year's Victories Report shows how we are fulfilling our promise to you in wielding the power of the law.

Inside our report, we highlight Dr. Elaine McDonald's work to modernize the *Canadian Environmental Protection Act* (CEPA). We have been fighting in the courts and in the halls of government for almost twenty years in allyship with the Aamjiwnaang First Nation and affected communities to stop the ongoing health crisis from the toxins spewed by the oil refineries and the petrochemical industry in Sarnia, Ontario. We knew that modernizing CEPA was critical to this fight.

We also knew that we needed urgent action so that the new law has an actual impact on people's lives. We took our legal advocacy to the United Nations Plastics Treaty negotiations in Ottawa this past May and mobilized public pressure and media attention on this injustice in partnership with Aamjiwnaang.

This May, the federal Minister of Environment and Climate Change issued an interim order to the petrochemical industry in Sarnia, Ontario under CEPA that requires immediate action to reduce emissions of benzene, a cancer-causing chemical.

You made this possible by being part of the Ecojustice community. The federal government recognized, perhaps for the first time, their duty to protect people's right to a healthy environment and address environmental injustices under a strengthened CEPA. And even though we have been in this fight for many years, we are also just getting started. You can be sure that we will be in the courts so that all communities' right to a healthy environment is protected from coast to coast.

Like our work with CEPA, every victory in this report tells a small part of our much bigger story of how we collectively tip the scales of justice toward our planetary survival. Every case fights a root cause of our ecological crises. Every case needs its lawyer, and you make it possible that it is not just a lawyer speaking truth to power in bringing these critical cases forward. Ecojustice has become a community of 200,000 strong, and it's our collective voice speaking truth to power that makes government and corporations hear what needs to be done and take action.

The team at Ecojustice finds hope in being part of this community with you. Thank you.



**Tracy London**  
Executive Director



**Anna Reid**  
Chair of the Board



# CLIMATE

**“The climate crisis has already been solved. We already have all the facts and solutions. All we have to do is to wake up and change.”**

**– Greta Thunberg, climate activist**





## **Holding FortisBC accountable for greenwashing**

In March 2024, our clients Stand.earth and concerned B.C. residents took the bold stand of suing FortisBC for deceiving the public in its advertising and greenwashing its products.

The case we've filed says that in contrast to the climate-friendly image it's trying to portray, FortisBC is pushing customers to buy new gas furnaces and lock themselves into using gas for decades.

Despite FortisBC talking a lot about their "renewable natural gas" and its supposed climate benefits, almost all of the gas consumers receive to their homes is fracked fossil gas from Northern B.C.

## **All oil and natural gas permits in B.C. waters relinquished**

February 2024 saw the last of 227 oil and gas exploration permits that once blanketed B.C.'s coast surrendered to the federal government.

In April 2023, following a challenge Ecojustice brought on behalf of our clients

World Wildlife Fund Canada and the David Suzuki Foundation, Chevron Canada Limited relinquished 19 offshore oil and gas exploration permits within sensitive marine areas on the West Coast. Prior to that, Exxon Mobil surrendered its permit – plus several more in the B.C. offshore that we hadn't challenged.

This all started when we launched a challenge against 'sleeper' oil and gas permits owned by Chevron and ExxonMobil in July 2022, which just goes to show: Good things take time.

## **Backed Ontario youth in court**

Ecojustice supporters will be familiar with our groundbreaking case representing seven youth suing the Ford government. In January 2024, we went to the Court of Appeal for Ontario to appeal the dismissal of a crucial climate case.

That's because in 2023, the Ontario Superior Court dismissed our lawsuit. We were disappointed but undeterred.

Sophia, Zoe, Shaelyn, Alex, Shelby, Madi, and Beze – who took the Ontario government to court for backtracking on its climate target – continue to be an inspiration to us all.

# HEALTHY COMMUNITIES

**“Never doubt that a small group of thoughtful committed individuals can change the world. In fact, it’s the only thing that ever has.”**

**– Margaret Mead, cultural anthropologist**





## **Bill S-5 modernizes the Canadian Environmental Protection Act**

June 2023 saw Bill S-5 passed into law meaning – after nearly 10 years of hard work – the *Canadian Environmental Protection Act* (CEPA) is being modernized.

Dr. Elaine MacDonald, Ecojustice's Healthy Communities program director, spoke to committees in both the Senate and House of Commons about Bill S-5, which aims to modernize CEPA. In 2023, Bill S-5 passed into law thanks in part to the 31,000+ Ecojustice supporters who called on political leaders to keep CEPA reform alive.

Bill S-5 introduced some important improvements to CEPA such as greater control of toxic substances. It also recognizes the right to a healthy environment for the first time ever in federal law and includes a duty to upholding the principles of environmental justice, intergenerational equity, and non-regression.

And we couldn't have done it without you.

## **Hamilton's boundary-expansion nightmare ends**

December 2023 saw the Ontario Legislature

pass the *Planning Statute Law Amendment Act* (Bill 150), which reversed the forced expansion of Hamilton and other municipal boundaries.

This was a victory not just for the people of Hamilton, but for everyone who cares about democracy in this country. In December 2022 Ecojustice, representing Environmental Defence, sought a judicial review of the Minister of Municipal Affairs and Housing changes to Hamilton's official plan. We also launched a major freedom of information effort that compelled the government to release thousands of pages on forced sprawl.

## **A milestone in the fight against environmental racism**

In March 2023, we celebrated the House of Commons passing Bill C-226 which, once approved by the Senate, will become the first-ever federal law to tackle environmental racism!

The Canadian Coalition for Environment & Climate Justice (CCECJ), supported by the likes of Ecojustice, now urges the Senate to pass Bill C-226 at the earliest opportunity.

Then, the important work of developing a national strategy can begin.

# NATURE



**“Even a wounded world is feeding us. Even a wounded world holds us, giving us moments of wonder and joy.”**

**– Robin Wall Kimmerer, botanist and author**





## Winning for at-risk migratory birds in one fell swoop

Back in November 2023, Ecojustice lawyers Andhra Azevedo and Sean Nixon went to Federal Court on behalf of Sierra Club BC and Wilderness Committee, to fight for at-risk migratory birds across Canada. We're so excited to share that in February 2024, a judge ruled in our favour!

This is a win for all migratory birds whose survival hangs in the balance, whether they're flying home to old-growth forests in B.C. or to islands in Atlantic Canada. As we've seen from the long decline of the Marbled Murrelet, at-risk species suffer when the federal government sits back and does nothing meaningful to protect them. Now the federal Environment Minister will have to take more action to protect the critical habitat for at-risk migratory birds across Canada.

## Supported B.C.'s draft Biodiversity and Ecosystem Health Framework

From November 2023 to January 2024, Ecojustice's law reform team mobilised supporters to engage in B.C.'s consultation process on the draft Biodiversity and

Ecosystem Health Framework.

This was a crucial opportunity to push the province on its commitment to co-developing a biodiversity and ecosystem health law with First Nations. "It's time for B.C. to rewrite its relationship with the natural world," says Victoria Watson, Ecojustice lawyer and law reform specialist. "If implemented well, this framework provides an opportunity to do just that."

## Welcoming a federal nature accountability bill in 2024

A year after Canada hosted COP15, the United Nations Biodiversity Conference, the federal government has committed to introducing a federal nature accountability bill in 2024.

As the country with the second largest area of intact nature, Canada has a crucial role to play in protecting biodiversity globally. Ecojustice will continue to put pressure on lawmakers to ensure this bill will halt and reverse biodiversity loss, with detailed goals and strong reporting standards.

"To ensure success, it is imperative this law be developed and implemented with full respect for the rights and sovereignty of Indigenous Nations," says Josh Ginsberg, lawyer at Ecojustice.

# FINANCIALS

## Statement of Operations

*Fiscal year ended October 31, 2023*

<b>Revenue</b>	<b>2023</b>	<b>2022</b>
Donations	\$ 5,890,942	\$ 6,890,168
Grants	2,732,661	2,616,778
Bequests	2,037,949	3,321,683
Investment income (loss)	250,751	(372,208)
Contribution from University of Ottawa	100,000	100,000
Cost award and recoveries and other	27,045	9,901
	<b>11,039,348</b>	<b>12,566,322</b>
<b>Expenditures</b>		
Salaries and compensation	8,042,302	6,672,829
Facilities and office	1,346,016	1,284,529
Contracts	681,493	589,545
Fundraising	458,320	398,711
Public education	370,831	409,846
Travel	253,193	252,838
Litigation and program support	234,520	423,496
Amortization of property and equipment	185,717	163,142
Human resources	153,526	91,937
Science and research	335	19,523
	<b>11,726,253</b>	<b>10,126,396</b>
(Deficiency) excess of revenue over expenditures	\$ (686,905)	\$ 2,439,926

*Ecojustice maintains internally restricted funds to safeguard the Society's ability to continue as a going concern and to ensure the completion of current cases. Our full audited financial statements are available on our website at [ecojustice.ca](http://ecojustice.ca).*



Filed lawsuit against FortisBC  
for deceiving the public



Supported the end of open-net  
fish farms in British Columbia  
and Nova Scotia



Challenged Quebec's free entry  
mining regime in court on behalf of  
the Mitchikanibikok Inik First Nation



Attended two rounds of  
international plastics  
treaty negotiations



Sued Ontario  
government to release  
Greenbelt documents



This year in  
**VICTORIES**

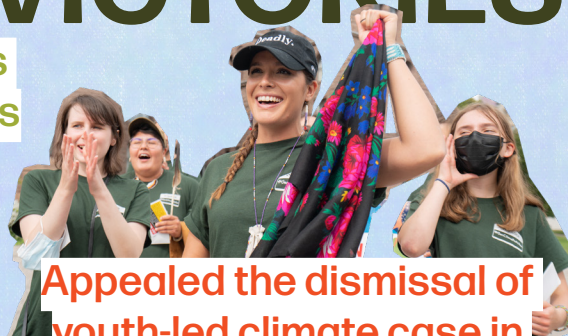


Attended COP28,  
the UN Climate  
Change Conference

Took to the streets as  
part of global marches  
to end fossil fuels



Went to court for  
the last wild-born  
Spotted Owl



Appealed the dismissal of  
youth-led climate case in  
Ontario

Launched appeal in case  
challenging federal approval of oil  
and gas megaproject Bay du Nord







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