

Weaver says 44 members voting the same way could create stability. (CBC)

Posted by Joan Russow

Wednesday, 24 May 2017 19:34 - Last Updated Tuesday, 30 May 2017 04:30

By Joan Russow

This is wonderful news for the citizens of British Columbia

Last night I gave the following presentation on a panel:

I have done a content analysis of the platforms of the NDP and the Green Party

First, I would like to discuss five key issues; proportional representation, electoral finance reform, party status, Kinder Morgan and Site C; then I will refer to other core elements in the platform.

PROPORTIONAL REPRESENTATION

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The Green Party platform states the following:

Introduce proportional representation,

The NDP affirmed in its platform;

Our voting system hasn't been working. It gives all of the power to make decisions to a party that doesn't even get 50 per cent of the votes. ... We'll ensure BC's regions are all represented fairly.

For years, when I was National Leader of the Green Party of Canada, I worked with professors in the University of Toronto Law School on a Charter Challenge to the First Past the post. **Years later**, one of the Law professors said probably the best route is to pass the legislation through Parliament or the legislature

In the 2005 Referendum, there was almost 60% support FOR (STV). During the 2017 election the NDP and the Greens, that both supported PR, received almost 60 % of the vote. I think that would DEFINITELY justify putting PR to a vote in the legislature.

John Horgan recently said he had advocated for a referendum, but he does not rule out a vote

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The better way to ensure that all BC regions are represented fairly is for the NDP to commit to a vote.

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REFORMING POLITICAL FINANCE LAWS

The Green Party platform calls for the banning of monetary and non-monetary contributions from non-individual entities (including corporations, unions and non-residents of BC).

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The NDP platform affirms the following

``We'll take big money out of politics, we'll make every vote count,

`Since Corporations, unions and non- residents are not allowed to vote in BC. Only individuals should be permitted to fund political parties.

OFFICIAL PARTY STATUS

Rules on official party status are not laws, but are internal rules governing the legislature. Therefore, the members of a legislature could pass a motion to dispense with the rules and

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could grant official status to parties that would otherwise fail to qualify

Generally, in states where there is proportional representation, to benefit from PR a party has to receive 5 % of the vote; the Green Party of BC, has over 16.7% support. I think that the NDP should make a commitment, to pass a motion to GRANT, to the Green Party, official party status with all the benefits

KINDER MORGAN EXPANSION

The NDP wrote the following in their platform

The Kinder Morgan pipeline is not in BC's interest. It means a seven-fold increase in tanker traffic. It doesn't, and won't, meet the necessary conditions of providing benefits to BC without putting our environment and our economy at unreasonable risk. We will use every tool in our toolbox to stop the project from going ahead.

In addition, the Green party and the NDP should lobby the federal government to seek, from the International Marine Organization (IMO) the designation of the Salish sea as being a Particularly Sensitive Sea Area (PSSA).

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The Salish sea appears to fulfill many of the criteria for designation of a PSSA.

Areas important for the conservation of biological diversity as well as other areas with high ecological, cultural, historical/archaeological, socio-economic or scientific significance.

An area that could be at risk from international shipping activities. With substances on board which would be harmful if released into the sea

An area that may be a critical spawning or breeding ground or nursery area for marine species which may spend the rest of their life-cycle elsewhere, or is recognized as migratory routes for fish, birds, mammals, or invertebrates.

An area that is of particular importance for the support of traditional subsistence or food production activities or for the protection of the cultural resources of the local human populations.

Consideration should also be given to the potential for the area to be listed on the World Heritage List, or declared a Biosphere Reserve

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Currently, proposals, in the Salish Sea, for a World Heritage Site and for a Marine Protected Area, have been submitted and an initiative for a Salish Sea Biosphere Reserve is in progress.

THE NDP and the Green Party should combine their efforts to promote the Salish Sea as a PSSA, and to prevent the Kinder Morgan expansion.

SITE C

The evidence based UBC Report said:

We came to the conclusion, looking over 10 different scenarios, that it makes the most economic sense to suspend or cancel Site C while the project is referred to the BC Utilities Commission.”

“Our analysis indicates that cancelling the Site C project as of June 30, 2017, would save between \$500-million and \$1.65-billion, depending on future conditions

In addition, I believe that the court erred in the Treaty 8 injunction case by failing to take into consideration international law and significant principles related to injunctions.

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Article 1 of the legally binding International Covenant on Civil and Political Rights affirmed:

In no case may a people be deprived of its own means of subsistence.

In the 1991 BC Litigation publication, Justice J.A. Norris described the nature of the injunctive remedy in BC Law in the following way:

The remedy [of injunction] is an equitable one. The exercise of the equitable jurisdiction is not to be restricted by the straitjacket of rigid rules but is to be based on broad principles of justice and equity regarding the substance and not merely the facade or the shadow. It moves with time and circumstances

Since 1991, time and circumstances have changed not only through provisions in the 94 recommendations of the Truth and Reconciliation Commission but also through Canada's adoption of the UN Declaration on the Rights of Indigenous peoples

Both the Green Party and the NDP made a commitment to the recommendations of the Truth and Reconciliation Commission.

In the Green Party platform was the following;

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Develop a plan, in cooperation with the First Nations Leadership Council to implement all relevant recommendations of the Truth and Reconciliation Commission.

In the NDP Platform was the following:

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We will make reconciliation with First Nations a priority,

Truth and Reconciliation Recommendation 92 reads:

We call upon the corporate sector in Canada to commit to obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.

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The NDP referred to the UN Declaration on the Rights of Indigenous Peoples that has been adopted by 190 nations, including Canada, and agreed:

As a priority, we will work with First Nations' to improve relations, to reduce conflict on the ground and in the courts by ensuring decisions affecting land, air and water respect the law,

Article 19, in the Declaration on the Rights of Indigenous «peoples

affirms that States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

There has been NO free, prior and informed consent given by treaty 8.

Not only was there no free prior informed consent, there was complete disregard for the impact on food security

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Both the platforms referred to food security

The issue of site c has to be a priority, because it is time dependent so the recommendation in the UBC report should be followed and all further construction must end and it should be cancelled well before June 30 so as to save between \$500-million and \$1.65-billion, depending on future conditions," Perhaps site c should be canceled even before may 31 to prevent further expropriation of farm land

There should be compensation for farmers and First Nations who have been impacted already by the construction of Site C construction. There must also be a fair and just transition, into the green economy, for Canadian workers affected negatively by the cancellation of SITE C.

I found that the two platforms coalesced with most of the other Core issues And where there were differences in the platform, they appeared to arise from differing abilities to link issues, and difference in terminology, level of commitment, degree of boldness or apparent oversight, all of which could be overcome.

Fortunately in BC, if the current percentages last, the green party has the opportunity of working with a party whose platform is in line with green party values.