



2023

Victories Report

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

Thank you



Dear supporter,

Our Victories Report is our annual opportunity for our community to look back at the previous year to celebrate our achievements in using the law to defend nature, combat climate change, and fight for a healthy community for all. We have much to celebrate because we are able to fight and win on more environmental legal and legislative fronts than any other environmental law organization in Canada. The cases in the following pages are but a snapshot of the 100+ cases that we have underway in litigation or development.

As we start our terms as executive director and as chair, we also wanted to acknowledge the road ahead of us. Like many of you, we are experiencing climate grief. We are tracking the wildfires that are devastating communities and ecosystems coast to coast as we write this letter. The World Meteorological Organization reports that we may exceed 1.5 degrees Celsius in the next five years – the threshold set by the Paris Accord to limit the most catastrophic impacts of climate change.

We hear from supporters daily that you find hope that Ecojustice is on the frontlines of the environmental fight that we cannot lose. We also find hope from our victories in the past year, and in our plans to accelerate our work in the year ahead. Your increased support is making it possible for Ecojustice to intensify

our work to fight this existential threat. Your support gives us hope.

The Intergovernmental Panel on Climate Change report makes it clear that effective climate action is enabled by political commitment, law, policies, and institutional frameworks to chart a course away from this emergency. The climate emergency requires a legal response with laws that hold governments, industry, and the financial sector accountable. Ecojustice is ready and willing to go to court to ensure that those who hold power take action on the climate emergency.

Our shared victory with you is that we never give up. Our work together matters more than ever before. Our litigation is more essential to our collective survival and well-being than ever before.

Thank you for celebrating our victories together and for making it possible for us to accelerate our work to achieve the victories that we have to win in the months ahead of us.



Tracy London
Executive Director



Anna Reid
Chair of the Board



Board of Directors

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Daniel T'Seleie

Kate Zeidler

Brian Hebert

Barnali Choudhury



Climate

“Investing in new fossil fuels infrastructure is **moral and economic madness.**”

– António Guterres,
Secretary-General of the United Nations



Kept oil and gas in the ground

In spring we took important steps to keep more oil and gas in the ground.

February saw us win an appeal to proceed with our case against the Goldboro liquefied natural gas project in Nova Scotia, so we can carry on challenging the road realignment which the project depends on. This is just one of the levers we're pulling to axe the project. We've also requested a federal impact assessment, and have convinced the Canadian government to reject Pieridae Energy's request for \$1 billion in funding.

Over in Newfoundland and Labrador, we went to court to challenge the government's approval of Bay du Nord. This is the first remote, deep-water oil and gas project in Canada and could produce up to one billion barrels of oil. At the March hearing, Ecojustice lawyers argued that the project's approval undermines Canada's international obligations to reduce global emissions. Equinor has since announced it's suspending the project.

March also saw Ecojustice successfully negotiate Exxon and Chevron's surrender of 'sleeper' offshore oil and gas permits. When faced with the prospect of going toe-to-toe in court, the fossil fuel giants voluntarily gave up their longstanding permits to drill in the ecologically sensitive waters off the coast of B.C.

Represented Ontario youths in landmark case

In September 2022, our ground-breaking climate lawsuit finally went to the Ontario Superior Court. Ecojustice lawyers — representing seven young people — argued that the Ford government's weakened climate target violated the

constitutional right to life, liberty, and security of every person in Ontario.

While the court dismissed the application, this case has already made legal history as the first climate lawsuit based on the Canadian Charter of Rights and Freedoms to reach a full hearing in any Canadian court. The judge endorsed the scientific facts that we presented and found that Ontario's target increases the risk of harm and death while disproportionately impacting youth and Indigenous Peoples. Despite the setback in this case, the judge's findings give us hope and we have already filed an appeal.

Got to work bringing Canada's economy in line with net-zero goals

It's no secret that Canada's banks and pension funds are financing a climate disaster. That's why Ecojustice launched a new strategy to bring financial institutions, pension plans, financial crown corporations, and large federally incorporated companies in line with this country's net-zero goals.

To date, we've successfully called for a federal investigation into RBC's greenwashing.

We also hosted an event to introduce our white paper, "Roadmap to a Sustainable Financial System", which saw more than 70 speakers and attendees. Those present included the cutting-edge of sustainable finance leaders, government, academia, finance-sector regulators, industry, and civil society.

We're excited to see support mounting for our cornerstone recommendation that all of Canada's financial institutions should adopt a credible climate plan — one that not only prioritises transparency but also delivers decisive action.

Healthy Communities

"Environmentalism
without **class struggle**
is just gardening."

— environmental activist
Chico Mendes



Stood up for federal plastics regulation

We're protecting and upholding the government's ability to regulate plastic pollution.

In 2021, when Canada declared plastics toxic under the Canadian Environmental Protection Act (CEPA), it gave the federal government power to regulate plastic at all stages of its lifecycle. This is crucial if we're to cut plastic pollution and ensure the plastics industry is effectively regulated.

Industry stakeholders — including Canada's three largest plastic manufacturers — were fiercely opposed to the toxic listing. In fact, a coalition of North American plastics companies filed two separate lawsuits trying to block the federal government's efforts to curb plastic pollution.

This March saw Ecojustice lawyers standing up in court against the so-called Responsible Plastic Use Coalition. Ecojustice continues to take the position that it's well within the federal government's authority to regulate plastics. By listing plastics as a toxic substance under CEPA, the government is taking a much-needed first step toward a safer and healthier planet.

Helping pass Canada's first environmental racism bill

Here in Canada, environmental hazards disproportionately harm Black, Indigenous, and other racialized communities. From dumping toxic waste into the predominantly African-Canadian community of Africville in Halifax, to packing 40 per cent of the country's petrochemical industry into "Chemical Valley", home to the Aamjiwnaang First Nation in Ontario, it's clear that Black and Indigenous people are disproportionately

subjected to harmful environmental conditions.

That's why Ecojustice is working with the Canadian Coalition for Environmental & Climate Justice to push forward Canada's first-ever federal law on environmental racism.

Thanks in part to the thousands of you who asked your MP to support this move, Bill C-226 passed the House of Commons in March. This bill requires Parliament to develop a national strategy to assess, prevent, and address environmental racism and to advance environmental justice.

Strengthened the Canadian Environmental Protection Act

After nearly 10 years of fierce advocacy by Ecojustice and our partners, the Canadian Environmental Protection Act (CEPA) is finally being modernized.

This will help protect the health of all people in Canada, as well as the wildlife and nature we love. Until now, Canada's cornerstone environmental law hadn't been updated for more than two decades. All the while, the everyday threats to people's health — for instance, the use of 'forever chemicals' linked to cancer — snowballed.

Bill S-5, while not perfect, at least drags CEPA into the 21st century. Our very own director of healthy communities, Dr. Elaine MacDonald, has been crucial in making this happen — appearing before parliamentary committees on several occasions.

The bill introduces important changes such as greater control of toxic substances, and recognizes the right of everyone in Canada to a healthy environment. Thank you again to the more than 31,000 Ecojustice supporters who backed this campaign.

Nature

"These are messengers
of the forest. And they're
telling us right now that
we're in trouble ... I don't
know how many other
chances we're going
to have to have messengers
speak so loudly before
they're extinct."

— Spô'zêm First Nation Chief
James Hobart



Fought for an emergency order to protect Spotted Owls

Where there used to be around a thousand of the birds in the old-growth forests of southwestern B.C., now only one wild Spotted Owl remains in Canada. Industrial logging has forced them into ever smaller pockets of land.

That's why last fall, on behalf of Wilderness Committee, Ecojustice filed a petition demanding the federal government step in to protect the endangered birds' habitat from logging. On examining the evidence, Minister Guilbeault found "the Spotted Owl is facing imminent threats to its survival and recovery" and was obliged by law to recommend an emergency order.

In 2021, thanks to the leadership of the Spo'z'em First Nation and with support from Ecojustice and Wilderness Committee, the provincial government announced a one-year halt to all logging within the forests of Spō'zēm First Nation territory, specifically the Spuzzum and Utzlius watersheds. In February 2023, we celebrated the extension of this agreement for a further two years. These watersheds are home to the last known wild spotted owl in Canada.

As long as animals are threatened with extinction, we'll be here to fight their case.

Helped secure the Global Biodiversity Framework at COP15

Last year ended on a high note for Ecojustice as we made important strides at COP15, the UN biodiversity conference held in Montreal. By the end of negotiations, more than 190 of the nations

gathered had committed to protecting 30 per cent of the Earth's land and seas by 2030.

In the lead-up to this crucial event, Ecojustice called for new federal legislation to protect nature and biodiversity, and we were thrilled to be in the audience when Minister of Environment and Climate Change Steven Guilbeault affirmed his belief that enshrining Canada's nature targets in legislation is required. While we're pleased the minister has publicly expressed his support for a nature accountability law in Canada, now the real work begins.

The coming year will see Ecojustice experts work with the Prime Minister's office, Minister Guilbeault, and Cabinet members to develop and introduce an accountability law that centres Indigenous leadership and reshapes Canada's relationship to nature.

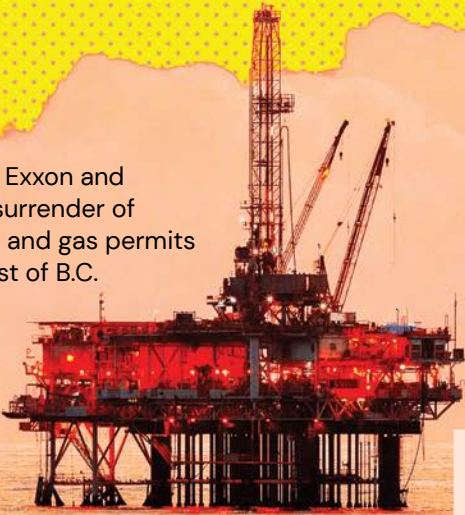
Defended nature in Ontario

Back in November 2022, the Ontario government announced sweeping changes to the Greenbelt — including expanding the city of Hamilton, against its residents' wishes. So we took the provincial government to court.

We won't let Ford bulldoze through democracy.

Elsewhere in the province, we're challenging the federal government's failure to designate the Bradford Bypass for an impact assessment. Not only would the highway increase emissions at a time when they should be curbed, it would also have significant impacts on important habitats, wildlife, and watersheds in the province.

Thanks to people like you, we're able to stand guard for nature — in Ontario and beyond.



Negotiated Exxon and Chevron's surrender of 'sleeper' oil and gas permits off the coast of B.C.

Sued the B.C. government for failing to report on its climate targets. From the jaws of defeat, Ecojustice lawyers wrestled a precedent-setting ruling on climate accountability – people in B.C. have a right to hold their government accountable to follow its climate law

Fought to stop the expansion of Vista coal mine in Alberta

Exposed the banks and pensions funding the climate crisis in a new Climate Finance report

Year in review

We stood up for the ability of citizen-scientists to access public lands for the purposes of studying and protecting endangered species.

Challenged the Ontario government's failure to designate the Bradford Bypass for an impact assessment

In B.C., we welcomed the long-awaited removal of the 'unduly' clause in forestry policy which is a key step in protecting old-growth forests

Supported a community group against clearcutting in Port Blandford, Newfoundland

Called for investigations into misleading 'sustainable' forestry claims

Took Health Canada to court for not properly assessing emerging evidence of glyphosate's potential risks before renewing its approval of the pesticide

And finally, thanks to the work of many organizations including Ecojustice, Canada joined the 150+ countries that recognize their citizens' right to a healthy environment by enshrining it in federal law.

Financials

Statement of Operations

Fiscal year ended October 31, 2022

	2022	2021
Revenue		
Donations	6,890,168	5,328,520
Bequests	3,321,683	823,850
Grants	2,616,778	1,854,024
Contribution from University of Ottawa	100,000	100,000
Cost award and recoveries and other	9,901	87,884
Investment (loss) income	(372,208)	55,789
	\$ 12,566,322	\$ 8,250,067
Expenses		
Salaries and compensation	6,672,829	5,486,484
Facilities and office	1,284,529	1,215,136
Contracts	589,545	446,460
Public education	409,846	315,918
Fundraising	398,711	391,321
Travel	252,838	9,519
Litigation and program support	243,496	237,351
Amortization of property and equipment	163,142	169,150
Human resources	91,937	67,878
Science and research	19,523	25,114
	\$ 10,126,396	\$ 8,364,331
Excess (deficiency) of revenue over expenses	2,439,926	(114,264)
Net assets at beginning of year	\$ 5,686,648	\$ 5,800,912
Net assets at end of year	\$ 8,126,574	\$ 5,686,648

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.



ecojustice.ca

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Thank you for building the case
for a **better earth** with Ecojustice.