

Endorsing Statement of Solidarity for Arrested SFU Community Members Protesting Against TMX Project (Dr. Tim Takaro and Zain Haq)

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BACKGROUND OF TMX PROJECT & RELATION TO THE SIMON FRASER STUDENT SOCIETY

As previously written for Anti-TMX Day of Action by Chloe Homenuke (previous Environmental Science Councillor, now current acting VP Internal) & Matthew Provost (VP External and Community Affairs) with editing by SFU 350 Members

As outlined by the project [overview](#), the purpose of the Trans Mountain Pipeline ULC (TMX) expansion project is to construct a pipeline next to their already-existing pipeline which serves to [transport](#) “crude oil, semi-refined and refined products” from Edmonton to the Westridge Marine Terminal in Burnaby. The expansion will triple capacity to move barrels of crude oil, going from 300,000 to 890,000 barrels per day. Trans Mountain already has thirteen tanks within the Burnaby Terminal, located next to the Simon Fraser University (SFU) Burnaby campus, with plans to add [fourteen new tanks](#) (one existing tank will be replaced) as a part of the expansion.

The building of the TMX pipeline and the addition of new tanks inevitably increases environmental risks and threatens the health and safety of SFU students, Burnaby Mountain residents, and especially Indigenous People(s) and their traditional and Unceded Territories that we are settled on. [An “affidavit](#) from the Burnaby fire chief, [states] the layout poses numerous potential fire scenarios that would be inextinguishable due to lack of safe firefighting positions. Approximately 240,000 people live within the 5.2 km radius of the dangerous Sulphur Dioxide exposure area, including Simon Fraser University. Yet the evacuation zone offers only a single road, which passes directly by the storage Terminal. Staff and students have been told to shelter in place in case of fire.”

Additionally, over the next fifty years, the likelihood of an oil spill in the Burrard Inlet as a result of the TMX pipeline is between [79-87%](#). This would lead to harmful environmental impacts for BC’s wildlife, as described by [SFU350](#). Furthermore, the City of Burnaby has

declared that additional tanks will increase the risk of a tank farm-caused fire [from](#) 1 in 1,000,000 per year to 1 in 2,000 per year. Note that this assessment does not include the hazard of potential forest fires leading to a tank explosion.

In March 2018, the B.C. Supreme Court granted the Trans Mountain Pipeline an injunction, which was later amended in June of that year. An injunction prohibits particular conduct [to](#) “prevent one party from interfering with the legal rights and interests of another party.” A TMX injunction [could](#) “occur in three ways: (1) obstruction of an entrance to a TMX facility, including facilities of TMX contractors and subcontractors, (2) destroying signage or fencing around TMX sites, or (3) coming within five metres of TMX property.” Trans Mountain can [report](#) ‘unauthorized activity’ to the RCMP who will investigate the situation. If they determine there has been an injunction breach, they can arrest the person(s). Crown Counsel under the BC Prosecution Service and the Ministry of Attorney General will [decide](#) “whether to charge a person with contempt and will recommend the sentence.” Sentence severities have risen since 2018, [from](#) a \$500 fine and community service to now, typically 2-4 weeks in jail, with some Indigenous land defenders, serving up to 90 days in jail. As of February 8, 2022, more than [248](#) people have been arrested for contempt and [48](#) have been sentenced to detention.

The ‘Brunette River 6’ is a group of six land defenders that were arrested and charged with criminal contempt for breaching the TMX injunction. They [are](#) “members of a nondenominational, multi-faith prayer circle and are residents of Burnaby and Vancouver.” The group is comprised of Catherine [Hembling](#), 79, Janette [McIntosh](#), 58, Ruth [Walmsley](#), 61, Zain [Haq](#), 21, Bill [Winder](#), 69, and Tim Takaro, 64.

The Simon Fraser Student Society (SFSS) has taken a stance in opposition to the TMX project, as seen in [IP-6](#) Climate Justice and Sustainability, passed by the 2020-2021 SFSS Board of Directors. IP-6 directly condemns the funding and construction of the TMX and supports: 1(j) “[a]mplifying departments, faculty and students doing climate justice work” and 1 (k) “[i]nvesting in student led activism, advocacy, and research around climate justice.” It is of paramount importance that the SFSS follows through in supporting these policies on anti-TMX action and student activism. Additionally, as councillors representing the SFSS, it would be negligent to fail to act against this injustice due to the health and safety threats it poses to our membership.

ISSUE: ZAIN & DR. TAKARO’S DETAINED FOR PROTESTING AGAINST TMX PROJECT

Zain Haq, 21, is an international student at Simon Fraser University. He was sentenced to [14 days](#) in jail for breaking an injunction against the Trans Mountain expansion (TMX) pipeline. In participating in non-violent civil disobedience, he’s been arrested a total of ten times. He’s also taken part in hunger strikes to maintain pressure on SFU to divest from fossil fuels.

“I am not motivated much by hope. I am telling the truth about the urgency of the climate catastrophe because I am doing my duty. [...] If you hope to see impact, you will burn out. Instead, I remember that this is the last chance to have a habitable planet. If I get arrested, it is not the end of the world. The end of the world is the end of the world.” – Zain Haq on [National Observer](#)

Dr. Tim Takaro, a professor in the Faculty of Health Sciences at SFU, along with the [Protect the Planet Stop TMX Coalition](#), has been peacefully protesting against the TMX project by occupying the forest canopy in the Brunette River Conservation Area with the aim to delay the project and the hope it will be cancelled. In July 2021, Dr. Takaro initiated a parliamentary [petition](#) against the project that gathered over 5,500 within a month, but the petition was not presented in the House of Commons due to a federal election being called.

On November 26, 2021, Dr. Takaro was arrested for allegedly breaching a court injunction for the TMX project. This was the same day that [Trudeau came to British Columbia](#) to discuss the massive flooding in our communities. Dr. Takaro pleaded not guilty and his trial will be happening from June 13-16, 2022.

“We’re in a climate emergency. In a climate emergency, disruption is required when the government is not acting in the best interest of the people and the planet.” – Dr. Tim Takaro, [Video Documentary](#)

Despite the important activism that Zain and Dr. Takaro have done to not only protect the SFU community, but the planet, SFU has refused to clearly state opposition against the TMX Expansion Project and for support of these individuals.

CURRENT STATUS

Tim is awaiting trial for June 13-16, 2022.

Zain was jailed on February 15th for [14 days](#) after pleading guilty to breaching a court injunction for the TMX Expansion Project (on Burnaby Mountain). He has 4 upcoming trial dates regarding other peaceful civil disobedience instances, including one for Fairy Creek (on Vancouver Island).

KEY CONSIDERATIONS

Background on Dr. Tim Takaro and Zain Haq’s climate activism, provided by Jaden Dyer

Dr. Takaro has long fought as an anti-TMX activist and member of the Protect the Planet Stop TMX Coalition for the safety of students, staff, faculty, residents on Burnaby Mountain, and in solidarity with Host Nations, endangered by the local and global threat of the expansion project poses. He has dedicated his career to researching the human health effects of climate change and played an essential role in halting construction and raising awareness on the project’s extreme threat to the livelihood, from organizing meetings with Burnaby residents and fire chiefs to participating in acts of civil disobedience such as tree sit-ins.

Zain has been fighting for a livable future since he first came to Canada and started at SFU in 2019. He consistently puts his freedom and safety on the line working to protect the community from the devastation it will face from a 2°C rise in global average temperatures, including mass crop failure and starvation. Last Fall, Zain vowed to go on a hunger strike on campus if SFU did not commit to full divestment from fossil fuels by 2025, as well as to take appropriate action to oppose the TMX. This included actively pursuing regional and national

media attention, assisting in lobbying for the immediate release of TransMountain's safety plans, and making an official statement educating the Burnaby Mountain community on the existential threat it poses to human lives and Indigenous sovereignty. Zain reached out to Dr. Takaro for his support in the campaign, which was integral in facilitating the organization process and gaining further publicity and support from faculty and the wider community, including members of Protect The Planet Stop TMX.

Despite their sentencing, Zain and Dr. Takaro continue to fight today for Indigenous rights, human safety, and a habitable planet, participating in political action and peaceful civil disobedience in the footsteps of the many social and environmental rights activists before them.

The Simon Fraser Student Society has in the past taken a stance in opposition to the Trans Mountain Pipeline as well as other extractive resource projects. Both IP-6 and IP-7 outline the following:

IP-6 Climate Justice and Sustainability:

- **The SFSS Supports:**
 - 1(a) Indigenous sovereignty and self-determination, the LandBack movement, and meaningful and proper consultation with Indigenous Host Nations and communities
 - 1(j) Amplifying departments, faculty and students doing climate justice work
 - 1(k) Investing in student-led activism, advocacy, and research around climate justice
- **The SFSS Opposes:**
 - 2(a) Funding and construction of new and existing fossil fuels infrastructures such as the Trans Mountain Expansion (TMX) and Coast GasLink (CGL) Pipeline,

IP-7: Indigenous Inclusion and Reconciliation:

- The SFSS Supports:
 - Indigenous Governance and Sovereignty:
 - 3(d) Indigenous People(s) inherent right(s) and title(s) to the land, as well as the right to self-determination in any possible circumstance
 - 3(f) Respecting the inherent rights and responsibilities of all living beings
 - 3(h) Standing in solidarity with Land Protectors and Indigenous Climate Action movements
 - 3(i) Affirm the work towards social and equity and social justice to enhance Indigenous self-determination
 - 3(j) Amplifying and support the work that has been done by Land Protectors since time immemorial
 - 3(j)(i) This includes statements of solidarity and/or reparations
 - Reconciliation and Decolonization:
 - 5(j) Land Back
- The SFSS Opposes:
 - 12. Any pipeline or extractive entity that causes harm to the land

MOTION

Whereas the Trans Mountain Expansion (TMX) project is currently increasing their tanks twofold, adding fourteen new tanks to their already-existing thirteen tanks, in which one existing tank will be replaced, within the Burnaby Terminal located next to the Simon Fraser University (SFU) Burnaby campus,

Whereas, despite the threat the expansion poses to its students and the environment, SFU has yet to take a clear stance against the Trans Mountain Expansion project,

Whereas the SFSS is located on the traditional, unceded territories of the sə́l ilw'ətaʔ (Tsleil-Waututh), skwx wú7mesh (Squamish), and xwməθkwəy'əm (Musqueam) Nations on which the Trans Mountain Expansion (TMX) pipeline is trespassing and being built without their free, prior, and informed consent,

Whereas the SFSS opposes TMX on the grounds of violation of Indigenous sovereignty and supports actions of Indigenous land and water defenders against TMX,

Whereas the 2020-2021 SFSS Board Directors passed Issue Policy IP-6 Climate Justice and Sustainability which outlines on pg. 24 "The SFSS Opposes under 2(a) "Funding and construction of new and existing fossil fuels infrastructures such as the Trans Mountain Expansion (TMX) and Coast GasLink (CGL) Pipeline",

Whereas the current SFSS stance is in full opposition to the TMX Pipelines and continues to advocate and support climate justice initiatives and calls to action,

Whereas SFSS believes in the right to peaceful protest and assembly,

Whereas the activism work of Zain Haq and Dr. Tim Takaro contributed to the pressure towards SFU to fully divest from fossil fuels and was successful,

Be it resolved that the SFSS Council endorse, sign, and release a statement in solidarity with SFU student Zain Haq and SFU professor Dr. Tim Takaro for their arrest(s) and/or upcoming trial immediately.

Be it further resolved that SFSS Communications sends the statement to the SFU Administration upon release to request they share, amplify, and stand in solidarity with Zain Haq and Dr. Tim Takaro.

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Relevant References:

[Burnaby Trans Mountain tree-sitter jailed for criminal contempt](#)

[SFU professor marks one year of civil disobedience against TMX pipeline expansion](#)

[Zain Haq willing to go to jail if it helps save the planet | Canada's National Observer: News & Analysis](#)

[Press Release: Two More Accused of Breaching Trans Mountain Injunction Sentenced to 14-21 days in Jail](#)

[Assessment of the Trans Mountain Pipeline and Tanker Expansion Proposal](#)

[An Assessment of Spill Risk for the Trans Mountain Expansion Project](#)

Other Resources:

Zain Haq's story: [!\[\]\(d3fb9f94af8b26d1c844efa9a98805b0_img.jpg\) Why did this young man get arrested 10 times?](#)

Tim Takaro's story: [!\[\]\(950a62bbddad88d64435fd35607dfc42_img.jpg\) Climate activist arrested the same day Trudeau comes to BC to tal...](#)

[PROTESTS & ARRESTS :: Protect the Planet. stop TMX](#)

[Free, Prior and Informed Consent](#)

[Read the Trans Mountain Assessment Report - Sacred Trust](#)