

Submission to the Committee to Advise on Matters of Social Responsibility
Divest McGill: Petition to Divest from the Plan Nord and Non-Consensual Resource Extraction
February 1 2013

Divest McGill

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DivestMcGill.com
divestmcgill@gmail.com

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TO: The Members of the Committee to Advise on Matters of Social Responsibility

CC: The Secretary-General
James Administration Building, Room 313
845 Sherbrooke Street West
Montreal, QC H3A 0G4

Divest McGill is proud to present the Committee with the following submission. Enclosed is the petition, the signatures of approximately 730 members of the community, a letter discussing conflicts of interest, and a brief detailing the social injury caused by the Plan Nord and non-consensual resource extraction. Approximately 360 signatures were received online, and 370 were submitted in person.

Divest McGill has also made available the records in the McGill Archives concerning the Committee, with a focus on South African divestment. The Committee's submissions to the Board, its public reports, and the Board's discussion of those affairs can be found at McGilliLeaked¹. Interested Committee and community members are welcome to peruse that history.

Please accept our sincerest thanks in advance for conducting a thorough and efficient review of the situation. We would be very appreciative if we could be provided with an expected timeline for the process when one becomes available. Our submission today is largely confined to the damages caused by the Plan Nord, and we welcome the opportunity to make further representations specifically in favor of divestment.

Sincerely,
The Members of Divest McGill

¹ <http://mcgillileaked.wordpress.com/category/committee-to-advise-on-matters-of-social-responsibility/>



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The McGill community expressed broad support for the two requests submitted by Divest McGill to the Committee to Advise on Matters of Social Responsibility.

The Code of Conduct of the Board of Governors (excerpts reproduced opposite) requires members and members at large to withdraw from deliberations and abstain from voting in the case when the member has a real or perceived conflict of interest, or when the member is uncertain if there is a real or perceived conflict of interest.

Where these conflicts of interest or perceived conflicts of interest exist, we sincerely hope that members will recuse themselves from the proceedings surrounding those requests. Those conflicts could include principal employment at a financial institution or energy company, or at a law firm with a significant number of clients considered in this motion; they could also include holding positions on governing bodies of companies considered in this motion or employment by investment firms that engage in the practices considered in this motion.

Thank you for your time, and for your consideration for the Code of Conduct.

Sincerely Yours,
The Members of Divest McGill

From the Code of Conduct of the Board of Governors of McGill University

4. Rules Governing Conflicts of Interest

The following shall apply when considering situations of real or perceived conflict of interest

- 4.1 A Member shall be considered to have a real conflict of interest when he/she holds a personal interest, whether direct or indirect, that he/she is or should be aware of and that would, in the opinion of a reasonably informed and well-advised person be sufficient to put into question the independence, impartiality, and objectiveness that the said Member is obliged to exercise in the performance of his/her duties.
- 4.2 A Member shall be considered to have a perceived conflict of interest when he/she would appear to have, in the opinion of a reasonably informed and well-advised person, a personal interest, whether direct or indirect, that would be sufficient to put into question the independence, impartiality, and objectiveness that the said Member is obliged to exercise in the performance of his/her duties.

5. Management of Conflicts of Interest

- 5.1 Members are expected to have primary responsibility in the identification and management of their own conflicts of interest.
- 5.2 In order to manage one's conflict, a Member must endeavor to identify what is, or could be, a real or perceived conflict of interest. The Secretary-General shall serve as a resource person to all Members in helping to identify conflicts of interest.

6. Examples of Conflicts of Interest

The following, without limitation, are examples of conflict of interest:

- 6.1 when a Member, whether directly or indirectly, has a personal interest in the outcome of deliberations of the Board; in a contract or a proposed contract to be entered into by the University or a University-related body; or is likely to obtain a personal advantage as a result of a discretionary decision made by the University or a University-related body;
- 6.2 when a Member is a member of the senior management personnel of a corporation, institution, or body, whether public or private in nature, whose interests may be in competition with those of the University;
- 6.3 when a Member accepts gifts, gratuities, or favours from a firm or corporation engaged in or wishing to engage in transactions with the University, except in the case of customary gifts of a purely nominal value.



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The hundreds of members of McGill University who signed the petition, along with the students' associations and campus groups who endorsed it, request that the Board of Governors divest from financial institutions that invest in or give loans to companies with objectionable practices.

The involvement of those financial institutions is an integral element of the continued exploitation of the land and its residents, as most of the resource extraction and public-private partnerships require levels of capital that individual companies would be unable to front.

That said, to the best knowledge of Divest McGill, there exist few if any financial institutions whose practices fully correspond with the values of the McGill community, as expressed through this petition. As such, we request that the University participate in active shareholder action to encourage responsible lending and investment practices in financial institutions, and when responsible financial institutions and products, like pooled investment funds, become available, that the University divest its other holdings.

We look forward to entering into a full discussion with the CAMSR to evaluate the best path forward to fulfill the spirit of the petition.

Sincerely Yours,
The Members of Divest McGill

