

February 2nd, 2015

TO: The Chair and Members of the Committee to Advise on Matters of Social Responsibility
CC: The Secretary-General
James Administration Building, Room 3L3 845 Sherbrooke Street West Montreal, QC H3A 0G4

Subject: Divest McGill 2015 Submission

On behalf of Divest McGill, we are delighted to deliver this submission to the Committee to Advise on Matters of Social Responsibility. Enclosed is the petition, the signatures of approximately 400 members of the community (collected over the past three weeks alone, in addition to having well over 1500 signatures on our main petition), and a brief detailing the social injury caused by fossil fuels and tar sands.

This brief explains why divestment is not only morally necessary, but also feasible and financially prudent. It details why a decision to divest from the 200 fossil fuel companies with the largest carbon reserves would uphold the values of the university, secure its finances, and permit the school to take a leadership role in a necessary global transition away from carbon-intensive forms of energy.

We have had time to deeply ponder CAMSR's report on our 2013 submission. We believe CAMSR will be pleased with the changes made to this submission that will make the case for divestment clearer and more actionable. In direct response to CAMSR's decision we have:

- Dropped all language involving divestment from the banks
- Discarded our asks relating to the Plan Nord
- Taken more pains to clarify that we suggest divesting from *only* the top 200 fossil fuel companies, not the entire industry (which makes divestment actionable even with Canada)
- Targeted a particular company—Shell—for immediate divestment, and explained our reasoning in detail as an example of the extensive evidence of social injury that can be found on fossil fuel companies

This latest submission incorporates many important new elements:

- Evidence refuting many claims made in CAMSR's response (although they are popularly thought to be true or the result of misleading advertising by the fossil fuel industry, careful review shows that the CAMSR committee report contained important misconceptions)
- In depth reasoning for why fossil fuel companies bear particular responsibility for climate change and are committing social injury through their many efforts to stymie a much-needed energy transformation . We hope this point being clearer will assist the committee.
- Material relating to dire harm to the natural environment
- As previously mentioned, this submission targets Shell for immediate divestment
- An FAQ that we hope will answer common questions

We have read and deeply pondered the work of the previous CAMSR committee. That said, just as we have taken the time to listen and reflect, now is the time for the Chair of CAMSR, Mr. Butts, the Chair of the Board, Mr. Cobbett, and the entire committee to show us the same consideration and open mind.

We see issues that must urgently be addressed in this round of CAMSR proceedings in order to maintain our confidence in the seriousness with which these concerns are being handled.

We had three principal concerns with CAMSR's response last time:

1. The final report neither addressed, discussed, nor refuted our main arguments for divestment. We need a more constructive and serious engagement—with points of disagreement or instances of requirement for further evidence clearly and precisely stated. Otherwise, we are at a loss for how to

constructively engage with the board and are left with a sense of not being understood. This submission contains an outline of our argument that we respectfully request CAMSR mark “agree,” “disagree,” or “need more information” so that we may actively address the committee’s questions and comments.

- a. This lack of information leads to more work being placed on us attempting to guess where the problem lies and is deeply disrespectful to our time and work
2. After our presentation to CAMSR, many of your questions came as a surprise (considering our reading of the committee’s terms of reference) and many of the answers were already contained within our brief. In particular, a CAMSR member asked us for evidence that these companies have broken the law, which was on page 3 and 9 of our 14 page brief. In the future, we’d like questions to be submitted to us in advance as much as possible, or at least that the petitioners be given more opportunity to gather evidence and respond. Moreover, considering the number of experts in the McGill community on the subject, it was hard to understand how CAMSR’s report—at a university with a nobel-winning, IPCC climate scientist—came to be so filled with misconceptions and incorrect premises. Phrases such as “insufficient evidence” were hard to understand in this context and this apparent lack of specificity and research by the committee was disappointing. At the very least, we hope gaps in evidence will be explicitly identified in the future.
 - a. We note that this lack of preparedness led to a decision being made that was low on accurate information and therefore not an informed decision in the best interests of McGill.
3. Despite our letter reminding the board of its [conflict of interest](#) responsibilities, several serious conflicts of interest were subsequently identified in the proceedings, about which the board has taken, to our knowledge, no disciplinary or corrective action. We expect board members to act in McGill’s best interests, and be scrupulous about preventing their private interests from unduly influencing McGill’s decisions. Although we do not expect perfection, in regards to conflict of interest considerations we viewed the CAMSR 2013 process as unacceptable and we believe it was inferior to what the McGill community expects of its board, and particularly its ex-principal.
 - a. We note also a lack of communication with the McGill community about these problems.

In addition:

- Our letter of October 2014 to CAMSR outlining these concerns has gone unanswered.
- We’re glad that Secretary-General Strople met one individual once about these ethical lapses but an e-mail to Mr. Strople requesting to meet with Divest McGill about these ethical issues has gone unanswered. We will follow up but are concerned.
- We are disappointed to note that our attempts have failed to meet with or discuss with many members of CAMSR and the board in order to exchange views, identify areas of concern or questions. Most of our e-mails have gone unanswered or we were refused. We understand that board members are busy people but are surprised and disappointed by the lack of communication and disinterest about the issue of our time and remain tremendously concerned that low-quality, unformed decisions will harm the McGill community and beyond.

Process:

- We will require more time than 20 minutes to present our case—at least an hour of time seems primordially necessary. The reasons for divestment are clear and straightforward but popular misconceptions, industry distortion, and magical thinking are common in this domain. It is important to allow time for reflection, questions, and a deeper exchange.
- We would appreciate an opportunity to find so-called “insufficient evidence” before a final decision is made. Our concern is that unless important information gaps have a chance to be addressed the decision will again be low-quality.

We know that mistakes happen and people's time is limited, and perhaps we have misunderstood elements of what happened due to a lack of communication. The past is the past and we are concerned with looking to the past to improve the process this time around. These concerns, however, are quite serious and we believe they must be urgently addressed as CAMSR reads and responds to this brief in a timely manner.

We are delighted that McGill's board has such an advisory committee to hear community concerns about the way McGill invests its endowment—and indeed, we have heard many grave concerns from our community with respect to the fossil fuel industry. In addition, we have been pleased that the revised Terms of Reference for CAMSR now incorporates a definition of “social injury” which includes harm to the natural environment. We believe environmental issues will be the key question of the 21st century and are glad to discuss the real harm these companies are causing.

Please accept our sincerest thanks for your willingness to grapple with this globally significant issue alongside Divest McGill, and engage constructively throughout the review of the Terms of Reference. We hope to maintain an ongoing dialogue throughout this process that will guide both our resubmission and your final recommendation to the Board. We welcome the opportunity to make further representations specifically in favor of divestment.

Yours sincerely,

Divest McGill