



Canadian
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Our file: 117-2014-389

Mr. Jim Bronskill
The Canadian Press
800-165 Sparks Street
Ottawa, Ontario
K1P 5B9

FEB 27 2015

Dear Mr. Bronskill:

This refers to your *Access to Information Act* request of November 10, 2014, for "**2014 06 04 / Background Note for DM Resources and Energy Committee (9 June 2014) / Internal Tracking No. 18507; and 2014 06 17 / Background Note for DM Resources and Energy Committee (18 June 2014) / Internal Tracking, received on November 18, 2014**".

Enclosed please find a copy of the releasable material pertaining to the subject of your request. Portions of the material have been exempted from disclosure by virtue of one or more of sections 13(1), 15(1) (as it relates to the efforts of Canada towards detecting, preventing or suppressing subversive or hostile activities), 16(1)(a) or (c), 19(1), and/or 21(1)(a) or (b) of the *Act*.

With regards to the information exempted pursuant to subsection 19(1), I wish to inform you that the disclosure provisions contained in subsection 19(2) were considered however, none of them applied.

You may use the contact information located in the letterhead to contact us should you wish to obtain clarification concerning your request. Please provide the file number at the top of this letter in any subsequent correspondence.

Please be advised that you are entitled to file a complaint to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to: Information Commissioner of Canada, 30 Victoria Street, Gatineau, Quebec, K1A 1H3.

Yours truly,

Michel Joyal
Coordinator
Access to Information and Privacy

Attachments

MEMORANDUM TO THE DIRECTOR

**MEETING OF THE DEPUTY MINISTERS'
COMMITTEE ON RESOURCES AND ENERGY**

15:00 – 16:00

Monday, 9 June 2014

269 Laurier Avenue West, 19th Floor Boardroom

BACKGROUND

This *ad hoc* meeting of Deputy Ministers has been called to discuss the federal response to protests associated with resource and energy development in anticipation of possible events in summer 2014. The issue is being driven by violence of the hydraulic fracturing protests in New Brunswick in 2013 (TAB 1), and the Government's interest in assuming a proactive approach to possible issues as the summer approaches.

GOVERNMENT OPERATIONS CENTRE RISK FORECAST 2014

Public Safety will present on the Government Operations Centre (GOC) report titled "Government of Canada Risk Forecast – 2014 Protests and Demonstration Season" (TAB 2) in which the GOC identifies and assesses the potential risks associated with the spring/summer protests and demonstrations. The GOC assesses the risk for 2014 as low (characterized by awareness-building protest activities) with possible medium risk activities (characterized by disruption to critical infrastructure including transportation networks).

In reviewing the Risk Forecast (TAB 2),

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Traditional Aboriginal and treaty rights issues, including land use, persist across Canada. Discontent related to natural resource development across Canada is largely an extension of traditional concerns. In British Columbia, this is primarily related to pipeline projects (such as Northern Gateway). In central Canada,

The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no mandate nexus.

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GUIDED DISCUSSION

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Tom Venner
Assistant Director
Policy and Strategic Partnerships

Enclosed:

- **TAB 1:** “Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick”
- **TAB 2:** “Government of Canada Risk Forecast – 2014 Protests and Demonstration Season (Government Operations Centre)”

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Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick

On 2013 10 17, violence erupted near the Elsipogtog First Nation, New Brunswick, when the RCMP enforced a provincial court injunction against an encampment of (bolstered by a number of self-described Mi'kmaq warriors). The camp, situated on Highway 134 (near the town of Rexton), had blocked the facility and equipment of SWN Resources Canada (an American-owned shale gas exploration company) since September 29, 2013.

A broad convergence of Aboriginals and non-Aboriginals have attempted to prevent hydraulic fracturing in New Brunswick since 2011, but since the late spring of 2013 have sought to prevent SWN from conducting preliminary seismic testing which is done to ascertain if hydraulic fracturing is feasible.

During the October 17th raid and subsequent arrests, Molotov cocktails were thrown at the RCMP and several shots were fired from the nearby woods. Shortly after the initial RCMP raid, approximately 300 local Aboriginals and non-Aboriginals confronted and subsequently broke the RCMP line resulting in additional arrests. During this period, six RCMP vehicles were destroyed by fire. In total, 40 people were arrested.



The RCMP recovered three firearms, knives, unspent ammunition, and small improvised explosive devices (IED's) from the camp. RCMP Assistant Commissioner Brown subsequently stated that the IED's "were akin to a Boston Marathon-type of bombing." In response to the RCMP raid, and in support of the Elsipogtog First Nation, activists and militants engaged in more than 50 peaceful solidarity protests, demonstrations and road blockades across the country.

Since the summer of 2011, militants and extremists have engaged in equipment sabotage, multiple road blockades, and the

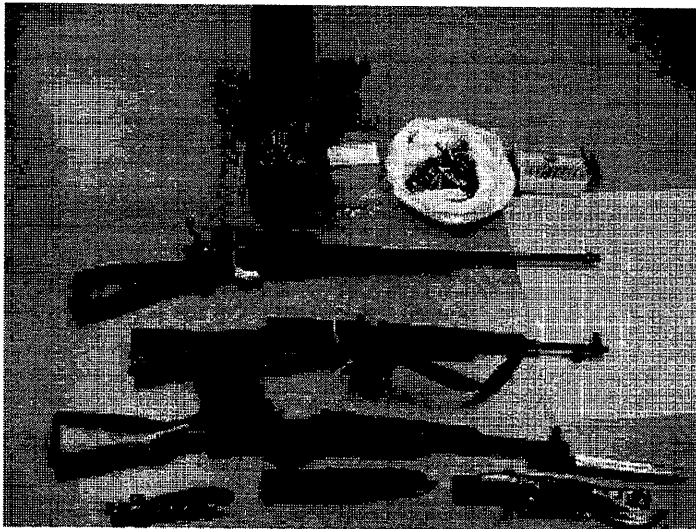
¹ As outlined in the United Nations Declaration of Rights of Indigenous Peoples (UNDRIP) which Canada endorsed as an aspirational document in 2010.

destruction of six RCMP vehicles (previously mentioned) resulting in over 100 arrests since June 2013. The cost of industrial equipment sabotage has exceeded \$250,000 (excluding the estimated \$300,000 to replace the six RCMP vehicles) while the additional cost to law enforcement has reportedly surpassed \$4 million.

This included some of the self-described "Mi'kmaq Warriors" who came from other parts of the Maritimes and often attempted to co-opt the direction and actions of this group.

Regulatory and Crown decisions on a range of natural resource development and critical infrastructure projects are expected in 2014

RCMP Photo of some of the item seized at the raid.



Government Operations Centre

**Government of Canada Risk Forecast
2014 Protests & Demonstrations Season**

Date of issue: 01 May 2014



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RDIMS# 1092364

Prepared by: Planning Division

EXECUTIVE SUMMARY

The notoriety and success of past civil society movements including the Arab Springs (2010), the Occupy Movement (2012-present), the Idle No More movement (2012 – 2013) and Pipeline demonstrations across Canada and the US, as well as the province-wide student demonstrations in Quebec (2012) have inspired citizens to build grass roots movements and have their voices heard on a wide range of issues across larger and larger geographic areas.

Over the last several years, protests and demonstrations in Canada have been motivated by social, political, environmental, First Nations-related issues or some combination of these. These general categorizations continue to hold true.

Based on previous Government Operations Centre (GOC) work on historical protest/demonstration trends and ongoing tracking of protest and demonstration trends, as well as public announcements and other pre-protest/demonstration indicators observed by the GOC and federal partners, a number of conclusions can be drawn:

- Of the usual protests and demonstrations which occur in Canada annually only a limited number rise to the level of being of a national interest;
- The majority of protests and demonstrations are peaceful in nature and their individual impacts are short-lived;
- Due to the local nature of protests and demonstrations, it is often difficult to develop a national picture because most information and impact stays at the local level;
- Other aspects of protests and demonstrations need to be considered (e.g., the use of social media, the engagement of youth populations, the perceived success of previous protest “movements”, growth in the geographic breadth of protest and demonstration activity, as well as a seeming increase in the targeting of critical infrastructure);
- Exact triggers are difficult to predict. What information or action will be seized upon as a trigger is not usually known to either side of a confrontation, and there are too many potential trigger points to identify which ones will ignite a situation;
- At this point, the federal partners consulted had no information to indicate that any identified issues had yet provoked significant organizing activity or would do so in the near to medium terms.

Thus, the GOC forecasts a **LOW** risk during the 2014 spring / summer protest and demonstration season, with the possibility of **MEDIUM** level events occurring.

1. SCOPE

The purpose of this document is to identify and assess the potential risks associated with the 2014 spring / summer protests and demonstrations season.

While response to protests and demonstrations do not generally fall under federal responsibility, disruptions to critical infrastructure may trigger a federal response, or at least situational reporting by the GOC.

2. METHODOLOGY

The risk forecast is based on a previously completed five-year environmental scan, a statistical update to the scan, as well as an interdepartmental meeting (April 1, 2014) hosted by the GOC and consisting of representatives of nine other federal partners organizations. The meeting was used to discuss and share information regarding members' knowledge of any future potential large, disruptive or geographically widespread protests or demonstrations in Canada which may rise to the level of national or federal interest.

3. BACKGROUND

As a result of the increased scope and reach of civil society protest and demonstration activities, and their correspondingly wider impact on critical infrastructure, the GOC began to examine the strategic effect of major protest and demonstration movements from the perspective of their growing frequency, their impact on critical infrastructure, and of the need for any federal government response.

The GOC conducted a five-year environmental scan of past protests and demonstrations in Canada that affected the national interest or had an impact on critical infrastructure.

After conducting a trend analysis of protests and demonstrations, the GOC concluded that most of the protests and demonstrations naturally fell into four primary categories:

- **Social Issues** protests include specific issues and concerns (e.g. labour actions, anti/pro-abortion rights protests, pro-marijuana demonstrations), as well as broad-based grievances and protests against generic conditions (e.g., Occupy Wall Street).

- **Political Issues** protests are generally for or against domestic or international political developments. This would include the Quebec student protests, opposition to Federal employment insurance reforms, protests against perceived political injustices by foreign governments, protests against decisions taken by municipal, provincial or federal government, and protests in-opposition to domestic or international political events (e.g., political leadership conferences, WTO/IMF meetings, G8/G20 meetings).
- **Environmental Issues** protests include pipeline protests, Non-Governmental Organization (NGO) organized protest events, and all protests in opposition to government or industry environmental policy decisions or actions. This also includes animal rights-related protests.
- **First Nations Issues** protests include all protests with a First Nations nexus, including Idle No More protests, Assembly of First Nations-organized events, fishing-related protests, and treaty or resource development-related protest activities.

That said, not all significant protests and demonstrations can be slotted exclusively under these headings. Some issues are naturally compatible (e.g., some environmental and First Nations issues) and supporters may come together to engender organizations responsible for large, disruptive or geographically widespread protests and demonstrations which can not be categorized under a single heading.

The GOC's environmental scan also indicated that mass protests and demonstrations have proven to be a highly effective means to communicate information on political views, alternative policy and specific agendas.

4. LIKELIHOOD AND SEVERITY ASSESSMENT

The likelihood and severity assessment for this Risk Forecast is based on:

- A. Historical protest/demonstration trends
- B. Ongoing tracking of protest and demonstration trends by the GOC and other federal partners;
- C. Public announcements and other pre-protest/demonstration indications observed by the GOC and federal partners;
- D. The collective assessment by those on the working group.

A. Historical protest/demonstration trends

As stated earlier, over the last several years, protests and demonstrations in Canada have been motivated by social issues, political issues, environmental issues, First Nations-related issues or some combination of these.

Historically, the majority of protests and demonstrations are peaceful in nature and their individual impacts are short-lived (rail/highway blockades, traffic and port and entry disruptions).

Of the usual protests and demonstrations which occur in Canada annually only a limited number rise to the level of being of a national interest. The criteria for the GOC to report on protests and demonstrations (*i.e.*, domestic civil disturbances) is for an event resulting in actual or potential, significant disruption to government operations, critical infrastructure and/or pose a significant, actual or potential threat to public safety. Thus, while there has rarely been “a significant actual or potential threat to public safety”, large, disruptive, and geographically widespread protests and demonstrations have caused disruption to government services and critical infrastructure.

B. Ongoing tracking of protest and demonstration trends by the GOC and other federal partners

Although post-“Idle No More” (INM) First Nations protests and demonstrations actually decreased after April 2013, a recent statistical update to the GOC’s environmental scan found that Aboriginal issues are still the leading motivator of protests and demonstrations, though at a much reduced occurrence rate. Political issues, environmental issues and social issues followed (in that order), though collectively only represented about one-quarter of the events tracked.

However, these findings should only be taken as demonstrative and not concrete fact. Due to the local nature of protests and demonstrations, it is often difficult to develop a national picture because most information and impact stays at the local level. If not covered by the media or publically reported on by local authorities, federal partners and the GOC may not be aware of some protests and demonstrations.

C. Public announcements and other pre-protest/demonstration indications observed by the GOC and federal partners

Federal partners reported that while they are aware of public calls or announcements for organized protests and demonstrations motivated by various issues, none have yet demonstrated a level of organization, public acceptance or geographic coverage to warrant potential federal/national level interest. Instead, a number of partners pointed out that the pre-protest/demonstration season indicators they would have otherwise expected to observe over the course of the winter did not materialize. Most reported that they were not aware of any significant ongoing pre-protest/demonstration activities.

D. The collective assessment by those on the working group

During the discussion of the working group, several potential motivating issues were identified (e.g., anti-pipeline; anti-fracking/shale gas; First Nations issues collectively; various political and environmental issues). However, while all agreed that any one of these issues could motivate large, disruptive, or geographically widespread protests and demonstrations, none of the partners had any information to indicate that any of these issues had yet provoked significant organizing activity or would do so in the near to medium terms.

Other Factors

That said, previous GOC experience has revealed that there are some influencing factors that should be considered:

First is the use of social media. Many interest groups and civil society movements have leveraged the power of social media not only to spread their various messages farther than ever before, but have also been able to translate this digital reach into the physical environment by more effectively and efficiently organizing larger numbers of interested individuals over larger geographic areas. The result has been larger single issue or related-issue protests and demonstrations occurring concurrently in multiple locations.

The spread of "citizen journalism" through social media and other internet fora allows for even wider distribution of alternatively sourced information into the mainstream, which can then translate into even wider coverage to otherwise less politically active populations.

Related to the use of social media, is the activation and engagement of youth by many of the issue-related movements that have been established in the last half decade.

Finally, the notoriety and success of past civil society movements will necessarily encourage new groups to emulate the actions and activities of those that came before them. While at the same time, existing groups continue to perfect their methodologies.

For the GOC, this has meant that individual protests and demonstrations which in and of themselves may not have been a significant priority in the past are now noted because of their potential for spawning additional or concurrent protests or demonstrations in support of the original issue in other locations.

This growth in the geographic breadth of protest and demonstration activity, as well as a seeming increase in the targeting of infrastructure (*i.e.*, the transportation section, especially rail and road) has increased the strategic impact of recent protest movements. A recent example of critical infrastructure (CI) disruption occurred in Sarnia, ON, in December 2012 where a CN line was blocked for approximately 1 week and disrupted delivery of supplies to Sarnia's Chemical Valley, which if prolonged, may have resulted in job losses. The VIA passenger corridor in the Kingston / Belleville area was disrupted and generated abundant media coverage; as well, ports of entry, such as Blue Water Bridge in Sarnia, were also targeted. The impacts are quite fluid and vary according to the nature and length of disruption.

Potential Triggers

Exact triggers are difficult to predict. What information or action will be seized upon as a trigger is not usually known to either side of confrontation, and there are too many potential trigger points to identify which ones will ignite a situation. A dispute over a relatively minor incident can spark a larger local incident with sympathy events elsewhere.

However, some potential strategic trigger points could include:

- The Government's regulatory, policy and legislative agenda. Some activists may feel the Government has not consulted with them, such as the ongoing Northern Gateway Keystone XL and shale gas protests.
- Financial contribution to communities with unresolved disputes. Frustration toward education issues, funding mechanisms, land claims and treaties that may spark provincial protests causing major disruptions to critical infrastructure, small businesses, and traffic. The mass student protests in Quebec are a prime example.
- The Government's response to an emergency could also feed discontent. For example, the Attawapiskat housing crisis triggered protests. Any perceived inadequate response to cyclical events, like forest fires and floods, may be a flash point. There is still discontent from First Nations evacuees as a result of the 2011 Manitoba Floods (over 1,800 still have not returned home).

5. IMPACT ASSESSMENT

The impact from protest activities may include: disruption of services and inconvenience to the public (transportation disruptions), damage to property, disruption of government operations (municipal / provincial / federal), increased media coverage and scrutiny, political fallout, economic losses (*i.e.*,

transportation or port of entry blockades, policing costs), and in the extreme, injury and loss of life.

There are three levels of risk associated with protest activities:

| LEVELS OF RISK | DEFINITION |
|----------------|---|
| Low | Awareness building activities (round dances, gatherings) |
| Medium | Disruptions to critical infrastructure namely to the transportation network |
| High | |

Although the impact increases with each risk level, the probability of occurrence diminishes. For example, extremist actions will result in high impact, but the probability of its occurrence is low.

The duration of a particular protest action will also affect its impact, as the longer the activity lasts, the greater the disruption and potential impact. For example, the blockade of a rail line leading to Sarnia, Ontario's Chemical Valley for one week in December 2012 was on the verge of affecting the supply of propane in Ontario, potentially leading to harmful economic effects. This type of disruption can lead to increased pressure for more robust response by authorities. This in turn can further aggravate an already delicate situation.

6. RISK FORECAST

The risk forecast considers the likelihood, severity and impact assessments outlined above as well as the risk tolerance of the Canadian public and of the various levels of government.

The Canadian public, as well as all levels of government in Canada, recognize that lawful advocacy, protest and dissent are rights protected by the *Canadian Charter of Rights and Freedoms*. As such, there exists in Canada a very high risk tolerance regarding protest and demonstration activities, though this tolerance declines when there is proven illegality or a threat of violence and injury, or the protest / demonstration continues over an extended period of time.

This elevated tolerance level, along with the fact that at this point, there is little information to predict the occurrence of one or more large, disruptive, or geographically widespread protests or demonstrations necessitates the GOC to forecast a **LOW** to **MEDIUM** risk during the spring / summer protest and demonstration "season".

7. GOC RESPONSE

Public Safety Canada has the overarching responsibility for response coordination supported by the federal family.

In the event that protest activities become a national interest, the Federal Emergency Response Plans (FERP) would form the basis of response and coordination by the Government. The FERP outlines how the primary Federal institutions will be engaged through their emergency support functions. Supporting departments may be called upon, depending on the situation, to provide specialized assistance. The GOC will be the hub, and be responsible for:

- **Operations:** monitoring, validating and coordinating a response to events of a national interest.
- **Interdepartmental consultation:** coordinated communications with interested and responsible federal departments and agencies, as well as provincial and private sector partners.
- **Situational Awareness:** consolidated reporting to senior officials will be provided.
- **Risk Assessment:** threats and impacts to Canada's critical infrastructure will be analyzed to determine the level of response.
- **Planning:** developing a course of action.
- **Briefing Senior Decision-Makers:** coordinated briefing of senior officials, including the Assistant Deputy Ministers Emergency Management Committee and the Assistant Deputy Ministers National Security Operations Committee, on developments related to an incident and the federal response.

10. CONCLUSION

While there is a certainty that some protests and demonstrations will occur during the spring and summer of 2014, and there are enough issues brewing in various domains (*e.g.*, legislative, regulatory, political, *etc.*) which have the potential to trigger large, disruptive or geographically widespread protests and demonstrations, there is little or no concrete information indicating more than a normal level of protest and demonstration activity.

MEMORANDUM TO THE DIRECTOR**MEETING OF THE DEPUTY MINISTERS'
COMMITTEE ON RESOURCES AND ENERGY****10:30 – 12:00****Monday, 19 June 2014****269 Laurier Avenue West, 19th Floor Boardroom****BACKGROUND**

Further to the agreement at the 9 June *ad hoc* meeting of Deputy Ministers, this follow-up meeting has been called to further discuss the federal response to potential protests associated with resource and energy development issues in summer 2014. The discussion is being driven by the violence that occurred surrounding the hydraulic fracturing protests in New Brunswick in 2013 (**TAB 1**), and the Government's interest in proactively preparing for possible issues as the summer approaches.

At the time of writing, Public Safety had not provided any information in support of the discussion. As such, information included represents issues that may be raised.

NORTHERN GATEWAY PIPELINE DECISION

The federal government is expected to render its decision pertaining to the proposed Northern Gateway pipeline project on 17 June.¹ The project was approved by the National Energy Board in late 2013, and has become a touchstone for opposition to oil sands development. While most of the Aboriginal (and non-Aboriginal) opposition falls under the category of legitimate protest and dissent,

¹ The proposed Northern Gateway pipeline project would carry oil to tankers for export to the U.S. and Asia. It would be 1,177 km in length and run from Bruderheim, Alta, to Kitimat, B.C carrying 525,000 barrels per day. If approved, the estimated start-up date is in 2017.

Although an announcement had not been made at the time of writing, it is expected to be one of three possibilities: approval; approval with additional Aboriginal consultation; or rejection. Each of these decisions could have a distinct impact on Government-Aboriginal relations, particularly during summer and fall 2014.

In the event that the Government approves the pipeline, the Service assesses that

The Government may also announce that while it supports the Northern Gateway project, it will not approve it until after additional Aboriginal consultation is conducted

The Service assesses that

There is also a possibility that the Government could reject the pipeline. The Service assesses

the Service assesses that

GOVERNMENT OPERATIONS CENTRE RISK FORECAST 2014

Public Safety may present on the Government Operations Centre (GOC) report titled "Government of Canada Risk Forecast – 2014 Protests and Demonstration Season" (TAB 3) in which the GOC identifies and assesses the potential risks associated with spring/summer protests and demonstrations. The GOC assesses the risk for 2014 as low (characterized by awareness-building protest activities) with possible medium risk activities (characterized by disruption to critical infrastructure including transportation networks).

In reviewing the Risk Forecast (TAB 3),

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The Service recognizes that many of these issues involve legitimate protest and dissent and as such, have no nexus to CSIS' mandate.

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GUIDED DISCUSSION

Public Safety may also lead DMs in a guided discussion of a protest or demonstration incident. Originally intended as a table-top exercise, this discussion will consider possible federal responses to protest and demonstration incidents.

If you require any further information, please do not hesitate to contact me.

Tom Venner
Assistant Director
Policy and Strategic Partnerships

Enclosed:

- **TAB 1:** “Violent Confrontation over Seismic Testing (Hydraulic Fracturing) in New Brunswick”
- **TAB 3:** “Government of Canada Risk Forecast – 2014 Protests and Demonstration Season (Government Operations Centre)”

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