

TRUDEAU INVOKES EMERGENCIES ACT FOR FIRST TIME TO CLEAR BLOCKADES

■ Order gives police, banks sweeping powers to fine, imprison and seize assets of protesters

■ ‘These blockades are illegal and if you’re still participating, the time to go home is now’: PM

■ Move made against wishes of many premiers, but Ford supports it

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Prime Minister Justin Trudeau has given the federal government, police and financial institutions sweeping powers, invoking the Emergencies Act for the first time, to quell protests against pandemic restrictions that have blockaded Ottawa and border crossings.

Mr. Trudeau called the unprecedented move on Monday an act of “last resort,” made in an attempt to end the intractable 18-day demonstration in downtown Ottawa and roadblocks at border crossings in Alberta, Manitoba and British Columbia. He said the emergency powers would also ensure authorities can keep the Ambassador Bridge, which was just reopened, clear of protesters.

The Prime Minister said the emergency orders, which are in effect immediately, will be “time limited, geographically targeted, as well as reasonable and proportionate to the threats they are meant to address.”

“These blockades are illegal, and if you’re still participating,



A demonstrator receives gas cans from the back of a vehicle in front of Parliament Hill as the protest in Ottawa continues on Monday. BLAIR GABLE/REUTERS

the time to go home is now,” Mr. Trudeau said.

By invoking the state of emergency, the Prime Minister directly inserted the federal government into tackling the blockades that are damaging Canada’s economy and international reputation. Ottawa is now ordering private companies to do its bidding. The Prime Minister is also risking further divisions with the many premiers who said they opposed the federal declaration and warned it is not proportionate.

Under the law, the federal government will strengthen police powers to impose fines and imprison people; compel tow-truck companies to help clear block-

ades; allow banks to freeze the personal and corporate accounts of individual protesters without a court order; and subject crowd-funding companies to anti-money laundering and terrorist financing rules.

“We are today serving notice: If your truck is being used in these illegal blockades, your corporate accounts will be frozen, the insurance on your vehicle will be suspended,” Finance Minister Chrystia Freeland said at the press conference with Mr. Trudeau. “Send your semi-trailers home. The Canadian economy needs them to be doing legitimate work, not to be illegally making us all poorer.”

Ms. Freeland said crypto currencies will also be subject to the new financial rules, and crowd-funding companies will need to report large and suspicious transactions to FINTRAC, the federal agency that detects money laundering and terrorism financing.

“This will help mitigate the risk that these platforms receive illicit funds, increase the quality and quantity of intelligence received by FINTRAC, and make more information available to support investigations by law enforcement into these illegal blockades,” Ms. Freeland said.

Through the Emergencies Act, the government declared a public order emergency, which Jus-

tice Minister David Lametti said cabinet hopes to revoke earlier than the 30 day time-frame granted under the law. Mr. Lametti said he believes the government has met the conditions required for the declaration, which include that the crisis “seriously endangers” the safety of Canadians or threatens Canada’s security.

The government has to bring the emergency declaration to the House of Commons for a vote within seven days. The Senate is also required to hold a vote on it. If invoking the act is not approved, the declaration is rescinded.

■ EMERGENCIES ACT, A7

Is Emergencies Act too much? Time will tell

For now, Canadians will be glad to see Trudeau's leadership in this crisis

JOHN IBBITSON

OPINION



By invoking the Emergencies Act, Prime Minister Justin Trudeau and Ontario Premier Doug Ford have decided to co-operate in confronting the militants who have taken possession of downtown Ottawa.

Federal and provincial police will now have greater resources to restore control in the national capital, supplementing and perhaps supplanting the hapless Ottawa Police Service, while also choking off the financing of the occupation.

Much could go wrong. Violence is possible. But provided the military is never required, the public will support reasonable measures to restore the au-

thority of government in the capital and at border crossings.

And it won't have slipped the Prime Minister's notice that, by federalizing the response to protesting truckers, he is further embarrassing the Conservative Party.

Mr. Ford and Mr. Trudeau share one thing in common: Each depends for his political survival on the support of suburban Ontario voters. Over the past four years, the two men have at times competed with each other and at other times co-operated, always with an eye to what each thought those voters wanted.

For the more than two weeks that the truckers have been occupying Ottawa, the Ford government was content to lie low, confident that any blame for the fiasco that extended beyond the city's mismanagement would fall on Mr. Trudeau's head.

But when protesters shut down Windsor's Ambassador Bridge, threatening the province's economy, the two governments worked together to dismantle the blockade. And Mr.

Ford was supportive, Monday, of Mr. Trudeau's decision to invoke the Emergencies Act.

Is invoking the act a mistake? Perhaps. In the long run, it could be seen as overreach. Popular opinion sided with Pierre Trudeau when he invoked the War Measures Act in 1970 during the FLQ crisis. Years later, sober reassessment concluded suspending civil liberties to fight a small band of terrorists was excessive.

But the whole purpose of the Emergencies Act, which in 1988 replaced the War Measures Act, is to give the federal government the necessary powers to deal with an emergency without having to suspend Charter rights.

The weeks-long occupation of downtown Ottawa has been supplemented by thousands more on weekends. At the border crossing in Coutts, Alta., police have allegedly found guns, ammunition and body armour.

The question is whether all of this amounts to a threat to the peace of the realm so serious that the act must be invoked. Both Mr. Trudeau and Mr. Ford

think so, although several premiers fear the new measures will only embolden the protesters. It's a fair concern.

Up until now, Mr. Trudeau has shown little interest in accepting responsibility for ending the protests. Monday, he took full responsibility. If the government mismanages occupations and blockades, public support will evaporate. He is taking a political risk.

But for the Conservatives Party, the situation is dire. The party supported the initial aim of the Ottawa protest, which was to end mandatory vaccinations for truck drivers crossing into the United States. But that protest has devolved into a populist, right-wing occupation of the parliamentary precinct with an aim to force an immediate end to all pandemic restrictions and maybe to bring down the government as well.

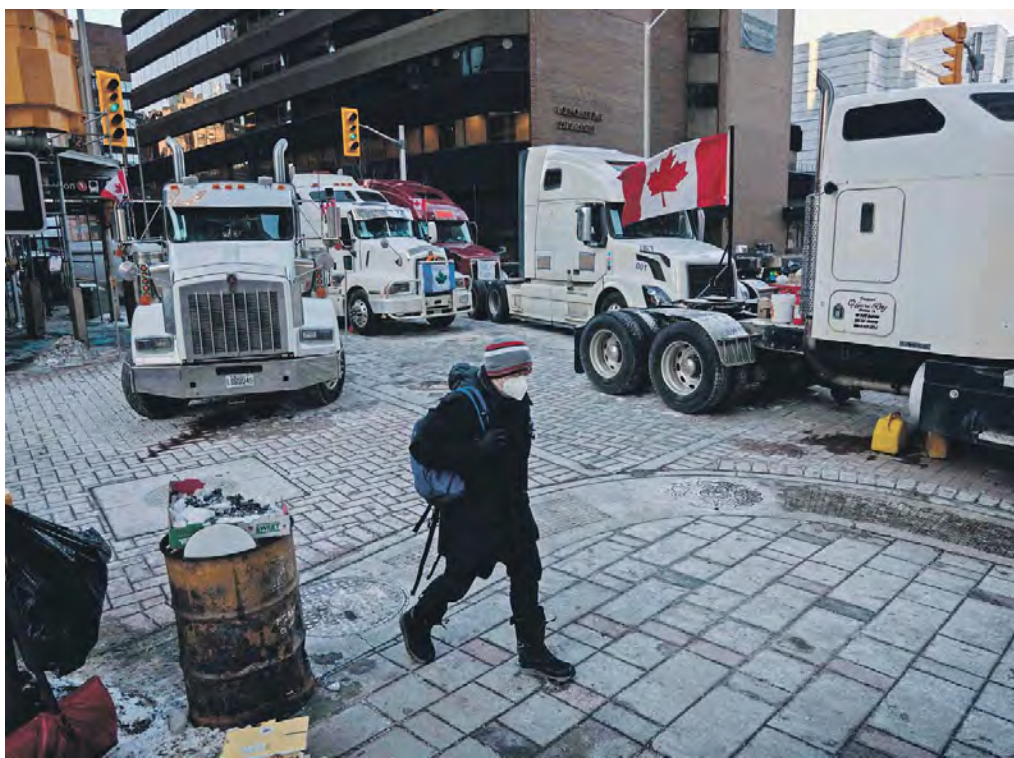
How will the Conservatives vote when the House is asked to affirm the emergency measures? From the tone of interim leader Candice Bergen's comments

Monday night – she called the measure “ham-fisted” – it seems likely the Conservatives will vote against authorizing the act, although there may be defections.

Perhaps, one day, that vote will be seen as principled opposition to an abuse of power. But in the near term, siding with the truckers and their supporters discredits the party, which once valued keeping the peace over protecting those who disturb it.

Carleton MP Pierre Poilievre, the only declared candidate for the leadership, remains solidly committed to supporting the truckers. It is difficult to understate the alarm of the establishment arm of the Conservative Party at what Mr. Poilievre has been saying.

Future histories may also point to the role Mr. Trudeau played in escalating the crisis, by demonizing those who opposed federal measures to combat the pandemic. But for now, the people will support him. In times of trouble, Canadians expect their leaders to lead. They will welcome his leadership now.



A person walks between trucks parked in Ottawa on Monday during protests over coronavirus restrictions. Ottawa Police Service says officers witnessed ‘aggressive, illegal behaviour by many demonstrators’ on the weekend but that safety concerns ‘limited police enforcement.’ ED JONES/AFP VIA GETTY IMAGES

Innu Nation ‘frustrated’ as Ottawa signs fund deal with Newfoundland

SARAH SMELLIE ST. JOHN'S

Ottawa and the Newfoundland and Labrador government have signed terms for two key pieces of a \$5.2-billion financing agreement aimed at staving off a spike in provincewide electricity rates due to the beleaguered Muskrat Falls hydroelectric project.

Premier Andrew Furey was joined by Liberal members of Parliament in St. John's on Monday for the signing of terms regarding a \$1-billion federal investment and a \$1-billion federal loan guarantee – the third loan guarantee Canada has backed for the project. Government officials said the signatures complete the negotiation process for the \$5.2-billion deal.

“Muskrat Falls and the looming worry of doubling power bills has been a top concern of almost every single citizen in our province,” Mr. Furey said. “I’ve heard it echoed in every town, bay and community all over our beautiful province.”

But Labrador's Innu Nation says the two governments moved ahead with the financing deal without addressing their concerns. In a news release shortly before Mr. Furey's announcement, the First Nation said it was “frustrated that no agreement to mitigate financial impact to Innu Nation has been reached.”

The \$5.2-billion deal between Ottawa and the Newfoundland government was first announced in principle in July. Aside from the \$2-billion in investments and loan guarantees, Ottawa has also agreed to send annual transfers to the province equivalent to Canada's yearly net revenue from the Hibernia offshore oil project off St. John's. The transfers will continue until the end of Hibernia's life and are expected to total \$3.2-billion.

The financial aid is aimed at preventing residential electricity rates from nearly doubling in order to pay for the project, although it's still unclear exactly what the electricity rates will be when the generating facility is producing at full power. Officials said Monday the target rate for residents is 14.7 cents a kilowatt hour, with an expected annual increase of about 2.25 per cent. The current residential rate is 12.52 cents a kilowatt hour, according to Newfoundland Power's website.

As of September, 2020, Muskrat Falls' price tag had ballooned to about \$13.1-billion, up from about \$7.4-billion when it was sanctioned in 2012, although the project has since seen further delays. After missing the Nov. 26 goal to start generating power at full capacity, the province's energy corporation recently pushed the final commissioning date to the end of May. Meanwhile, Newfoundland and Labrador Hydro has said the project is racking up \$1-million a day in interest and financing charges.

When asked about the Innu Nation, Mr. Furey said he had several “reasonable conversations” with the First Nation.

The Muskrat Falls site sits on the Churchill River in Labrador and its construction flooded Indigenous lands and hunting grounds. The Innu Nation has said the project required its approval to go ahead. After last July's announcement of the financing deal, the Innu Nation said it had been left out of negotiations and was concerned the deal would affect the money it was entitled to from the project.

Emergencies Act: Government hasn't met threshold to invoke measure, Canadian Civil Liberties Association says

FROM A1

The act requires the creation of a parliamentary oversight committee, and mandates a public inquiry report to the House of Commons on the emergency declaration within a year of its termination.

The act also requires the prime minister to consult with all provincial and territorial premiers before issuing a declaration. Mr. Trudeau met virtually with premiers on Monday morning after briefing his caucus. While Ontario Premier Doug Ford supported the decision, premiers from Manitoba, Saskatchewan, Alberta and Quebec said they didn't want it imposed countrywide.

“Now is not the time to put oil on the fire,” Quebec Premier François Legault said. Ottawa may be nearly under “siege” he said, but “we do not have these problems in Quebec.”

Alberta's Jason Kenney said Alberta should be left out. “It's not needed,” he said. “It could make the situation even more complicated. And that's what I told the Prime Minister.”

Asked to respond to the contention that the declaration could inflame already angry protesters, the Prime Minister said the blockades are damaging the economy, hurting Canadians and that more tools are necessary to end them.

Mr. Trudeau said police who can control demonstrations in their jurisdiction “will not have to use those additional tools” and that communities not experiencing significant illegal protests are unlikely to see any impact.

Interim Conservative Leader Candice Bergen said the Conservatives will wait to see the details before deciding whether to support the emergency orders.

“Conservatives want to see an end to the blockades,” she said. “We want to see them ended peacefully and quickly, in a way that Canadians feel that they've been listened to,” she said. “We are concerned that the actions of the Prime Minister will not have that effect, and in fact will have the opposite effect.”

NDP Leader Jagmeet Singh said his party supports Mr. Trudeau's action,

but the timing is an “example of the failure of his leadership.”

Before the government announcement, protest organizers and former Newfoundland and Labrador premier Brian Peckford dismissed the federal plan. Mr. Peckford is part of a lawsuit challenging the federal vaccine mandate for international travellers. He likened the use of the Emergencies Act to “killing a fly with a sledgehammer.”

“We are going to hold the line,” Mr. Peckford said.

Protests in downtown Ottawa are usually quieter during the week, but after the Prime Minister's news conference, demonstrators began sounding their horns and blasting music.

Tyler Armstrong, a 25-year-old truck driver from Hamilton who has had his truck cab parked on Wellington Street in Ottawa since the blockade started at the end of January, called the emergency declaration “a little bit ridiculous,” saying the protesters are lawful and peaceful.

“I'm going to stay here until every mandate Canada-wide is lifted,” he said, adding that he has no fear of arrest because police have been friendly.

Over the weekend, the Ottawa Police Service said officers witnessed “aggressive, illegal behaviour by many demonstrators” but that safety concerns “limited police enforcement.” Some Ottawa residents have taken matters into their own hands, and stopped trucks from joining the blockades downtown.

The force has not issued an update on arrests, tickets or other measures since Saturday.

Late Monday, the Canadian Civil Liberties Association said in a statement the government hasn't met the threshold to invoke the Emergencies Act.

“This law creates a high and clear standard for good reason: the act allows government to bypass ordinary demo-

cratic processes. This standard has not been met,” the group said.

Leah West, an assistant professor of international affairs at Carleton University and national security expert, said on Twitter she has “serious doubts” the conditions have been met. “Can it truly be said the security of Canada is threatened by largely non-violent protests? Certainly, our sovereignty and territorial integrity are not at risk.”

But Errol Mendes, a law professor at the University of Ottawa, said the protests are beginning to look more like an insurrection and are becoming a national security threat. He said Canada suffered significant economic damage from the blockade at the Ambassador Bridge.

“We need a national response,” he said.

Public Safety Minister Marco Mendicino said many of the leaders of the blockades are extremists, who are willing to resort to violence.

He pointed to the seizure of weapons in Coutts, Alta., describing the protest leaders as a “hardened group, driven by extremist ideology to overthrow the government.”

He would not say if there is any evidence that protesters in Ottawa have guns but he said the government is concerned about a truckload of 2,000 firearms stolen from Peterborough, Ont.

Mr. Mendicino said the emergency powers should help end the more than two weeks of unrest in Ottawa, noting the RCMP and Ontario Provincial Police are “assuming shared control and command over the operation in Ottawa.”

Mr. Trudeau said “the measure of success” of the emergency orders will be determined by the reliability of Canada's supply chains and the return to normal life.

With a report from Bill Curry

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