

STOPKM LEGAL DEFENCE FUND BOARD POLICY AGREEMENT

Below are the terms of the agreement that will govern the operation of the StopKM Legal Defence Fund Board [“the Board”]. All members of the Board agree to act in accordance with the policies set forth herein. Violation of or interference in the administration of these policies will be grounds for immediate removal from the Board. Accessing funds outside of the policies and procedures of the StopKM Legal Defence Fund Board will result in immediate termination, legal action and the notification of relevant professional organizations and licensing bodies (e.g. Law Society of BC, university ethics boards, ombudsman, etc.)

A. PURPOSE

The StopKM Legal Defence Fund (hereafter “Fund”) exists to disburse funds raised to support civil litigation, legal costs, fees, and other associated costs of legal defence for defendants facing charges stemming from protest, civil disobedience and direct action activities in opposition to the KM pipeline and tanker project (the “Project”). The StopKM Legal Defence Fund Board (hereafter “Board”) is accountable to defendants, Indigenous communities and social movements that oppose the Project. Members of the Board will act in the capacity of trustees for these stakeholders and manage and operate the Fund in a transparent manner on their behalf. The purpose of this Policy Agreement is to establish the foundational principles of the Fund and the roles, responsibilities, and limits of the members of the Board (and any other party) involved in the management and oversight of the Fund. Additionally, this Policy Agreement will set forth the decision-making process for all parties.

B. STATEMENT OF PRINCIPLES

Members of the Board agree to the following foundational principles and agree that said membership is contingent upon upholding these principles at all times. Membership on the Board may be rescinded or revoked for failure or inability to uphold the following:

1. All accused are presumed innocent.
2. Our solidarity is based on respect for a wide range of strategies and tactics– the Board will not discriminate with respect to ruling on funding applications based on the charges of the accused or the outcome of their charges.
3. We oppose any state and corporate repression of dissent, including surveillance, infiltration, disruption, and violence. We agree not to assist law enforcement actions against activists and others and to challenge any requests for information made by a state agent.
4. We value the voices and leadership of those most impacted by injustice –funds will be disbursed on criteria based on need and risk with the recognition that some groups and individuals face oppression, prejudice, and disproportionate challenges when engaging with the legal system.
5. Any debates or criticism will stay internal to the Legal Defence Fund Board, avoiding any public or media denunciations of fellow activists and/or events.

6. The existence and availability of this Fund is an essential component of a strong social movement that values mutual aid and support – this Fund is a tool created for the express purpose of supporting broad participation in social movements in order to achieve strategic political goals.

C. THE BOARD SHALL:

1. Establish a mechanism for raising and receiving funds.
2. Maintain a bank or credit union account.
3. Reach determinations on Fund applications using a need and risk-based criteria aimed at achieving equity for all applicants.
4. Make this policy agreement public and make other policies and procedures for the receipt and disbursement of Fund monies available upon request.
5. Engage a professional to maintain an acceptable accounting/bookkeeping system for all expenses and monies received to and disbursed from the Fund.
6. Make financial statements publicly available.
7. Make application forms available to those seeking support from the Fund.
8. Establish clear timelines for making and communicating determinations on defendant applications for Fund monies.
9. Establish a procedure for the emergency dispersal of Fund monies.
10. Create an appeal process in the event the Board decides to deny an application for the disbursement of monies from the Fund.
11. Produce regular reports on all applications received and all monies disbursed from the Fund since the previous report.
12. Hold regular meetings and hold special meetings as needed.
13. Establish that quorum for a meeting is at least 50% of the membership.
14. Establish that voting by proxy, by email, and by teleconference is allowed, subject to the policies adopted by the Board.
15. Operate on a consensus basis with a 2/3 majority vote of members when consensus cannot be reached.
16. Maintain a membership which includes at least seven (7) voting members who will act in the interests of defendants. There shall be at least one lawyer, but no more than half of the board shall be lawyers. The other seats on the Board shall be held by Indigenous members, movement organizers, and grassroots activists. The Board shall establish procedures for adding and removing members, always maintaining an odd number of seats.
17. Operate open meetings, reserving the right to enter into *in camera* meetings whenever deemed necessary by the Board in order to respect the privacy of defendants seeking Fund monies or to discuss confidential aspects of legal strategy.
18. In the case of a vacancy on the Committee, allow replacement membership in accordance with the membership policy in #16 above.
19. Elect or appoint delegates to attend legal support and movement strategy meetings to provide updates, presentations, and reports as needed or requested.
20. Establish a policy for disbursing accumulated funds which can no longer be used for their intended purpose.

21. Establish protocols for safeguarding the confidentiality of personal and legal information of all applicants to the Fund.
22. Establish a procedure to make changes to this document.

The undersigned members of the StopKM LEGAL DEFENCE FUND BOARD hereby willingly and knowingly agree to uphold the purpose and principles as described in sections A and B of this document. Further, the undersigned agree to fulfill the duties as described in Section C of this document to the best of their abilities.

1) Irina Ceric

Signature and Date

2) Stephen Collis

Signature and Date

3) Harjap Grewal

Signature and Date

4) Peter McCartney

Signature and Date

5) June McCue

Signature and Date

6) Rita Wong

Signature and Date