

Seniors for Climate Action Now!

Submission to Standing Committee on Environment and Sustainable Development

Amendments to Bill C-12

May 17, 2021

SCAN! - Seniors for Climate Action Now! would like to thank the committee members for the opportunity to express our views on the 'Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050 (C-12)'.

SCAN! is a recently formed climate action group with members in a number of communities across Ontario. Our mandate is to inform and mobilize seniors around the climate emergency. Our goal is to build support for urgent and dramatic climate action and to work in solidarity with Indigenous Peoples, youth climate activists, and other climate action and social justice groups in the hopes of preventing more climate catastrophes.

This committee has an opportunity to propose and consider amendments that will make Bill C-12 more effective in terms of climate action, provide substance to the currently vague concept of accountability and to strengthen climate justice and social justice considerations.

In strengthening the Bill, we urge the committee to consider amendments in three integrated areas. The first relates to a number of particular provisions in the Bill ranging from target dates to reporting and enforcement mechanisms. The second is to consider the legislation from a broader perspective, one that guarantees Indigenous Peoples' rights in setting Canada's climate plan, that builds into definitions of accountability Canada's international obligations and that recognizes the disproportionate impact of the climate crisis as well as the need to support workers and affected communities. The third area is the need to consider the Bill within the context of Canada's climate plan and to propose amendments that require more ambitious climate targets, the adoption of a carbon budget approach to emission reductions and the need for a new climate plan for Canada.

1. Specific Provisions

a) Changing the Definition of Net Zero

The definition of net zero should be changed to emphasize emission reductions over carbon removal. In the Bill, "Net-zero emissions" is defined as ... "a point at which anthropogenic emissions of greenhouse gases into the atmosphere are balanced by anthropogenic removals of greenhouse gases from the atmosphere over a specified period". Such a definition allows Canada to continue to emit excessive levels of GHG so long as those emissions can be theoretically balanced by the future possibility of carbon removal technologies. Canada's climate goal should be to achieve-as close as possible-zero emissions by 2050, not just net zero emissions. Bill C-12 has to give priority to emission reductions in the immediate and near term. Reducing emissions in the present increases the possibility of avoiding climate uncertainties, feedback loops and tipping

points that will push us past climate danger lines. Canada's current climate plan gives priority to carbon storage and offset credits rather than a planned and staged reduction in GHG emissions. In line with a 'zero emission' strategy, we propose that as part of every emission reduction plan for every target date in the Bill, the government should publish the proportion of emission reductions that are to be achieved by emission reduction initiatives compared to carbon removal and offsets.

b) Inclusion of a New Target Date

According to Bill C-12, national targets or "milestones" for achieving the 2050 target are to be established by the Minister of the Environment for 2030, 2035, 2040 and 2045. The year 2025 should be included as the first target date. Waiting until 2030 is totally irresponsible.

c) Enforcement

There are no enforcement mechanisms in the Bill. Without enforcement there is no accountability. The current provisions which apply when there is a failure to achieve a target are weak and inconsequential. If the designated Minister concludes that Canada has missed a target, the failure has to be explained in the following assessment report along with any measures that are or will be taken to address the shortcoming. Targets have to become obligations. The provisions of the Bill need to shift from an emphasis on reporting and explaining to recognizing that the government and its Ministers have a mandatory obligation to achieve emission reductions. This mandatory obligation must be accompanied by the right of citizens to hold the government to account for failure to achieve targets.

d) Independent Advisory Body

The Bill establishes an Advisory Body to advise the Minister on how to achieve net-zero emissions by 2050. The Advisory Body is to report annually on its advice and the Minister must respond publicly. The role of an independent advisory board needs to be strengthened. This would include officially recognizing the advisory body in the development of emission reduction plans and it would include financial resources for the Advisory Body to engage scientific, technical, social and economic expertise.

2. A Climate and Restorative Justice Perspective

a) Indigenous Peoples' Rights, Sovereignty and free, prior and informed consent.

The Bill calls for the development of Emission Reduction Plans. Each milestone target is to be supported by an emission reduction plan setting out such things as year-specific targets; a description of key emission reduction measures; descriptions of relevant sectoral strategies. The Bill also requires the designated Minister to provide for input from indigenous communities and governments, provincial and municipal governments, the private sector, a new advisory body and interested persons. The development of emission reduction plans has to provide for more than “input from Indigenous communities and governments. The Bill needs to be amended to provide for full participation in the drafting of the plans and free, prior and informed consent from Indigenous Peoples prior to the adoption of the plan.

b) Canada’s fair share of International obligations

In 2009 rich countries committed to setting aside US \$100 billion a year to support developing countries respond to the climate crisis. These commitments aren’t being fully honoured and the need for additional funds increases as the climate crisis deepens. The World Bank has noted that adaptation costs in vulnerable countries will increase dramatically and could reach \$500 billion by 2050. The Paris Agreement and the United Nations Framework Convention on Climate Change (UNFCCC) both highlight the principle of “common but differentiated responsibilities and respective capabilities”. In other words, rich countries like Canada which produce an outsized share of GHG emissions are expected to do more than other countries which emit less and do not have the economic resources to assume a greater climate mitigation responsibility. The concept of accountability in the Bill needs to be broadened to ensure that there is a transparent process for determining Canada’s fair share of these international financial obligations and for ensuring they are honoured.

c) Progress reports for Protecting Workers and Affected Communities

Bill C-12 requires that “progress reports” for each milestone year be prepared and issued two years before the start of those years (i.e. the 2030 progress report is due at the beginning of 2028). These reports are required to contain an update on progress toward achieving the milestones including measures that could be taken to improve the probability of achieving those milestone targets. We propose the Bill be amended to require that in ‘progress reports’ and ‘emission reduction plans’ there be detailed commitments for income guarantees and equivalent jobs for those whose livelihood has been affected by our efforts to reduce emissions and shift from fossil fuels. The Bill should also recognize that the impacts of the climate crisis together with the impacts of efforts to respond to the climate emergency have a disproportionate effect based on race, gender, age, disability and income. Racialized, low-income and Indigenous communities are those most affected. Progress reports and emission reduction plans in

the Bill should provide an assessment of the differential impacts of the climate crisis and the steps to be taken to protect and support affected communities.

3. Canada needs a New Climate Plan

a) Target setting and carbon budgets

On April 22, 2022, Prime Minister Trudeau pledged to a more ambitious climate target for Canada. The Liberal government is now on record to pursue a 40-45% reduction in GHG emissions by 2030. That target is neither ambitious enough nor achievable with the government's current plan. Canada's climate target setting process is a problem. It is more about political calculations than climate action.

It was already highly unlikely that the government would achieve the 30% Paris reduction targets. Now the government has committed to a more ambitious target of 40%-45% which makes it even more unlikely. Canada has missed all nine previous climate targets. We are on course to miss the tenth and most important one, Paris 2030. The latest National Inventory of Emissions indicates that Canada's GHG emissions, due to the oil and gas sector, are still climbing. We are the only G7 country where GHG emissions have actually increased since the signing of the Paris agreement in 2015.

In 2005 GHG emissions were 730 MT. At the 45% target they will need to be 402 MT. The difference is 328 MT. That is a huge number. It is more than the entire GHG emissions of the oil and gas sector combined with all the emissions from the transport sector that were recorded in 2005. There is nothing in the strengthened climate plan nor the budget nor any announcement since that suggests even a remote possibility of achieving those figures.

The government's plan to achieve the Paris 2030 targets, old or new, will falter. Its hope of achieving net zero by 2050 will not be realized. The Paris target relies too heavily on carbon pricing with a minor assist from a number of climate programs such as tree planting and ZEV charging stations. And its commitment to net zero by 2050 relies almost exclusively on fossil fuel hydrogen and carbon storage with an assist from modular nuclear.

The Bill should be amended to ensure that Canada's GHG emission reduction targets are based on the best available scientific evidence, not industry lobbying or political posturing. The process should be open, transparent and accountable. Our targets should be based on two considerations: What is the remaining global carbon budget that is consistent with keeping temperature increases below the critical threshold of 1.5 degree C and what is Canada's fair share of that number?

A carbon budget represents the total amount of greenhouse gases that can be emitted in the future in a given region. Once the number is established it becomes Canada's carbon budget and the absolute upper limit of the country's emissions. On the basis of that number, emission reduction targets are established and from there comes the policies and plans and the monitoring and the measuring and the tracking and the accountability that will make it happen. The less we reduce emissions now the more we will have to reduce them in the future and the harder it will be to stay with the carbon budget.

b) Widening Cracks in the Foundation of Bill C-12

The Bill in front of the committee was drafted in the context of Canada announcing its 'strengthened climate plan'. In December 2020, the government released 'The Healthy Environment and a Healthy Economy' claiming that it would result in Canada exceeding its Paris GHG emission reduction targets and achieving the 2050 target. We urge the committee to review the government's climate plan and to consider its implications for Bill C-12. If the measures, provisions and actions contemplated in the Bill are fuelled by the initiatives, programs and commitments that are expressed in the government's climate plan and updated by Budget 2021, then the prospect for climate failure looms large.

SCAN! has published a report entitled The Liberal Climate Action Formula: A Recipe for Failure. It provides a critical assessment of the federal government's 'strengthened climate plan'.

The report reviews a number of the government's most prominent programs such as home retrofits, Zero emission vehicles and tree planting and concludes that they are too little too late, not ambitious enough, suffer from poor conception and design and are decoupled from the actual goal of reducing GHG emissions. In reviewing the numbers and the modelling the government has provided the SCAN! Report suggests that achieving the emission reduction numbers in the climate plan will be more a product of what the government has called "accounting contributions" than actual GHG reductions.

In addition to some creative accounting the government's plan is remarkable for its glaring omissions when it comes to support for clean renewables such as solar energy and wind power.

The SCAN! Report also reviews the government's carbon price system and considers it seriously flawed, particularly the Output Based Pricing System (OBPS) which is in place for the biggest emitters. There are 1700 large emitters responsible for 40% of Canada's GHG. The system the government has crafted will allow too many of them to 'game' the system and escape their emission reduction responsibilities.

The SCAN! report argues that the so-called strengthened climate plan is more an economic plan whose goal is to throw a lifeline to the fossil fuel industry than it is a climate plan able to address the climate emergency. The government is staking our future on its wrong-headed goal of becoming a fossil fuel hydrogen superpower. In a remarkably short time, the hydrogen lobby has secured the political will to launch Canada on a multi-decade, misguided energy strategy.

The report exposes and explores the 'Fossil First' climate action formula that informs the Liberal Government's plan. The formula is this: Carbon Pricing + Hydrogen + CCUS (carbon storage) + Nuclear = Paris 2030 and beyond.

In reviewing each element of the formula, the SCAN! Report raises a number of troubling questions and concludes that we are on a path to climate failure. The federal government's plan for Canada's energy future is to preserve the reign of oil and gas for as long as possible, to develop fossil fuel hydrogen combined with carbon storage and to promote the application of modular nuclear reactors. The price tag to the Canadian public will be astronomical and the cost to the planet immeasurable.

Budget 2021 did not alter course from the Healthy Environment and a Healthy Economy. It didn't address any of the shortcomings identified in the government's climate plan; it didn't correct any failures; it didn't forge any new pathways. It didn't announce any new programs that would change the climate calculus.

In amending Bill C-12 we urge the committee propose a course correction by encouraging the government to develop a new 'people and climate first' plan for Canada.

Here is a [copy](#) of the SCAN! report.