



CLIMATE JUSTICE SASKATOON

Mobilizing for sustainable living and justice for all

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BRIEF

As part of the parliamentary consultative process

Re: Bill C-12

To members of the House of Commons Standing Committee on Environment and Sustainable Development:

Francis Scarpaleggia

Dan Albas

Monique Pauzé

Yvan Baker

Chris Bittle

Laurel Collins

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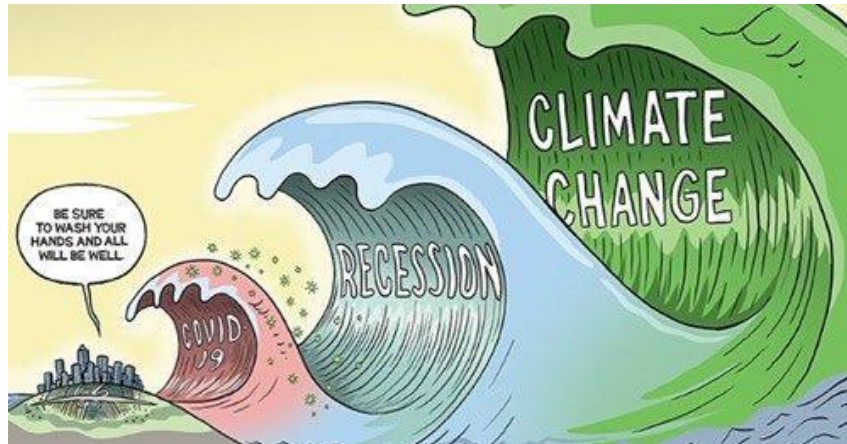
Ya'ara Saks,

with thanks for the opportunity to contribute to this process.

We welcome the arrival of Bill C-12 as an important (and overdue) step forward towards national climate responsibility. However, as it stands it is inadequate as a response to the global emergency which we all face: therefore we advocate for amendments in a number of areas.

In considering the ultimate shape of this Bill, we call on you to:

RECOGNIZE that the current state and trajectory of climate change constitutes a global emergency; that it is already responsible for destruction, displacement and death worldwide; and that in the absence of concerted action its future impacts will be vastly more profound and vastly more severe than the current coronavirus crisis.



RECOGNIZE that action commensurate with the scale and intensity of the climate emergency is therefore urgently necessary. Incrementalism is not enough.

RECOGNIZE that such action needs to be determined by established science mediated through ethical decision-making. It cannot be left to negotiation among corporate, human and ecological interests, in which those with the largest budgets inevitably secure a disproportionate amount of contact with government ministers and their aides. Industries whose entrenched business model is the primary driver of the crisis must no longer be permitted to drive the government agenda.

RECOGNIZE that the federal government has international responsibilities (especially those officially acknowledged in the 2015 Paris Agreement); and that to ignore these, or delay action, in order to appease sectional domestic interests – whether commercial, ideological or provincial – is not only immoral and irresponsible but also generates an irrevocable blockage to Canada's longterm interests.

RECOGNIZE that, in a national and global emergency, it is a vital function of government to ensure that the population are informed accurately about the nature and extent of the threat – not by corporate vested interests but by voices able to accurately and impartially explain the scientifically-determined realities of the situation.

RECOGNIZE that, with that information generally available, it is then also a function of the government to facilitate meaningful consultation with citizens about the best way to meet the very challenging targets required to address the emergency.

RECOGNIZE the principle that nobody should be left behind. Deeper and broader consultation will be required with the Indigenous nations which have lived in these territories since time immemorial. This needs to be on a nation-to-nation basis, respecting (in deeds as well as words) both the United Nations Declaration on the Rights of Indigenous Peoples' principle of free, prior and informed consent and the traditional methods of governance of each nation. It should also include the active enablement of Indigenous communities to pursue energy and economic development options consistent both with their own traditions and principles and with a rapid energy transition. Equally, government action will be essential to ensure a just transition for persons and communities currently economically dependent on fossil fuel extraction.

RECOGNIZE the logistical and ethical problems inherent in the largescale application of carbon dioxide removal technologies, and in offsetting through international emissions trading.

On the basis of those realities and principles, we believe significant amendments are necessary if Bill C12 is to fulfill its declared function.

1. Ambitious targets, compatible both with the science of climate change and with basic ethical principles, should be set for the current decade, and be included in the legislation:

The best scientific understanding of what is necessary for the global community to have a reasonable chance of keeping heating below 1.5°C was set out clearly in the IPCC's October 2018 Special Report. Chapter 2 of that report presents four illustrative pathways consistent with that goal. These are presented in Chapter 2 of the report as LED, S1, S2 and S5,¹ and in the Summary for Policymakers respectively as P1, P2, P3 and P4.² All are calculated to have a 50% to 67% probability of ensuring that the 1.5°C limit is kept at the end of the century, with zero or minimal overshoot in the intervening years. However, the four pathways differ in a number of respects: two factors are of particular significance to us:

¹ Rogelj, J., D. Shindell, K. Jiang, S. Fifita, P. Forster, V. Ginzburg, C. Handa, H. Kheshgi, S. Kobayashi, E. Kriegler, L. Mundaca, R. Séférián, and M.V. Vilariño (2018): Mitigation Pathways Compatible with 1.5°C in the Context of Sustainable Development. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)], p.112 et seq

² IPCC (2018): Summary for Policymakers. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)], p14.

- The degree of dependence on carbon dioxide removal (CDR) technologies. While some CDR is built into all of the illustrative pathways, excessive use of these methods creates new problems. Largescale application of biomass energy with carbon capture and storage (BECCS) would make massive demands on land, undermining both food security and biodiversity. Direct air carbon capture and storage (DACCS) requires very large amounts of energy per unit of CO₂ sequestered. Furthermore, both technologies are still unproven and likely to be very costly. Only the LED (P1) pathway minimizes dependence on these technologies, while still including some CDR through reafforestation and improved soil management techniques.
- The degree of commitment to basic human rights. Only the LED (P1) pathway explicitly takes the universal attainment of a “decent living standard” as one of its design criteria.

We therefore argue that national policy should assume the LED (P1) pathway or something very similar.³ In the LED scenario, global anthropogenic carbon dioxide emissions in 2030 are reduced by 52% compared to 2010 levels.

We therefore regard a national 52% reduction compared to 2010 as the minimum target necessary for 2030. If accompanied by an equal rate of reduction of other greenhouse gases, this is equivalent to a 60% reduction compared to Canada’s chosen reference year of 2005 (and a 59.5% reduction compared to 2019, the latest year for which a National Inventory Report is available).

That a 60% reduction is achievable has been demonstrated in modelling by EnviroEconomics and Navius.⁴

Hence we propose that:

1.1. Section 7(2) be amended to read: The target for domestic greenhouse gas emissions for 2030 shall be calculated as a 60% reduction compared to 2005 levels. (emissions target of 296Gt CO₂e)

1.2. Section 7(3) be amended to read: The Minister may, in a decision containing reasons and made available to the public, at any time declare a more ambitious target for 2030 in the circumstance that emissions reductions have been achieved at a faster rate than predicted.

³ The LED scenario is based on the modelling published as: Grubler, A., Wilson, C., Bento, N., Boza-Kiss, B., Krey, V., McCollum, D. L., Rao, N.D., Riahi, K., Rogelj, J., De Stercke, S., Cullen, J., Frank, S., Fricko, O., Guo, F., Gidden, M., Havlik, P., Huppmann, D., Kiesewetter, G., Rafaj, P., Schoepp, W., & Valin, H. (2018): *A low energy demand scenario for meeting the 1.5 °C target and sustainable development goals without negative emission technologies*. *Nature Energy*, 3(6), 515–527. doi:10.1038/s41560-018-0172-6

⁴ Sawyer, D. & Melton, N. (2021): *Towards Canada’s Fair Share: New Modelling and Analysis on Achieving a Stronger Climate Target*. Available online at https://d36rd3gki5z3d3.cloudfront.net/wp-content/uploads/2021/04/Towards-Canadas-Fair-Share_Modelling-Results.pdf

While this is an ambitious target, it does not represent a fair share for Canada. The Paris Agreement commits us to the following (our emphasis):⁵

*This Agreement will be implemented to reflect **equity** and the principle of **common but differentiated responsibilities** and **respective capabilities**, in the light of different national circumstances. (Article 2:2)*

*In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, **recognizing that peaking will take longer for developing country Parties**, and to undertake rapid reductions thereafter in accordance with best available science, so as to achieve a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century, on the basis of equity, and in the context of sustainable development and efforts to eradicate poverty. (Article 4:1)*

*Each Party's successive nationally determined contribution will represent a progression beyond the Party's then current nationally determined contribution and reflect its highest possible ambition, **reflecting its common but differentiated responsibilities and respective capabilities, in the light of different national circumstances**. (Article 4:3)*

***Developed country Parties should continue taking the lead by undertaking economy-wide absolute emission reduction targets.** Developing country Parties should continue enhancing their mitigation efforts, and are encouraged to move over time towards economy-wide emission reduction or limitation targets in the light of different national circumstances. (Article 4:4)*

***Support shall be provided to developing country Parties** for the implementation of this Article, in accordance with Articles 9, 10 and 11, recognizing that enhanced support for developing country Parties will allow for higher ambition in their actions. (Article 4:5)*

*Developed country Parties **shall provide financial resources** to assist developing country Parties with respect to both mitigation and adaptation in continuation of their existing obligations under the Convention. (Article 9:1)*

Hence, (i) addressing climate change is a shared responsibility among all countries (“*common responsibilities*”); (ii) different countries have contributed to the crisis to very different extents, and therefore have different degrees of responsibility for addressing it (“*differentiated responsibilities*”); (iii) wealthy countries have a greater capacity for action (“*respective capabilities*”). As a wealthy country which has contributed disproportionately to historic greenhouse gas emissions, and which continues to do so, Canada’s fair share is substantially in excess of the 60% figure quoted above. We support the analysis of the Climate Equity Reference

⁵ United Nations (2015): *Paris Agreement*. Available online at https://unfccc.int/sites/default/files/english_paris_agreement.pdf

Framework,^{6,7,8} on the basis of which a fair share for Canada has been calculated as the equivalent of a 140% reduction in emissions by 2030: 60% to be achieved domestically, and the other 80% through targeted development aid to support climate change mitigation in low income countries. As a sign of Canada's international goodwill, we propose that this commitment be included in the legislation:

1.3 Section 7(5) be added, to read: The 2030 target for overseas emissions reductions achieved through funding by the Canadian government shall be 80% of Canada's 2005 emissions. (targeted reduction of 591Gt CO₂e)

We consider that 2030 is too late for a first "milestone". What happens to our emissions – and those of other high-emitting countries – during the current decade is absolutely vital. It is our cumulative emissions load – not primarily the emissions figure for calendar year 2030 – that determines our continuing contribution towards the crisis. Serious action needs to be in place to take effect immediately. Additionally, setting the first milestone 10 years down the road makes it all too easy to miss it. (After all, Canada has so far missed every single target that it has set for emissions reductions.) Therefore we call for an interim 2025 emissions target:

1.4 Section 7(6) be added, to read: The target for domestic greenhouse gas emissions for 2025 shall be calculated as a 30% reduction compared to 2005 levels. (emissions target of 591Gt CO₂e)

In view of the problems mentioned above regarding carbon dioxide removal technologies, we propose:

1.5 Section 7(7) be added, to read: Compliance with targets for 2025 and 2030 shall be calculated only on the basis of emissions reductions: carbon dioxide removal technologies shall not be accounted for in the calculations. Likewise, internationally negotiated offsets shall not be considered in the compliance calculations.

⁶ Kemp-Benedict, E., Holz, C., Athanaisou, T., Kartha, S., & Baer, P. (2017): *The Climate Equity Reference Calculator*. Berkeley and Somerville: Climate Equity Reference Project (EcoEquity and Stockholm Environment Institute). Available online at <https://calculator.climateequityreference.org>

⁷ Holz, C., Kemp-Benedict, E., Athanasiou, T., & Kartha, S. (2019): *The Climate Equity Reference Calculator*, J. Open Source Softw., vol. 4, no. 35, p. 1273, Mar. 2019. doi: 10.21105/joss.01273

⁸ Holz, C., Kartha, S., & Athanasiou, T. (2018): *Fairly Sharing 1.5 – National Fair Shares of a 1.5°C-compliant Global Mitigation Effort*, Int. Environ. Agreem. Polit. Law Econ., vol. 18. Special Issue: Achieving 1.5°C and Climate Justice, pp. 117–134. doi: 10.1007/s10784-017-9371-z

2. All further targets should be determined on the basis of independent expertise, without commercial bias, and all targets should be legally enforceable

As noted above, Canada has failed to meet every single one of the emissions targets it has so far committed to. This is a cause for shame, and it needs to stop. Therefore, we propose that Section 8, Section 21 and other relevant Sections of the Bill be amended to include the following:

- 2.1 The advisory body responsible for proposing to government appropriate targets and action plans shall be made up of persons with relevant technical expertise (climate science, engineering, social science, economics, ecology, Indigenous ecological knowledge), together with representatives of Indigenous communities. Financial interests in the fossil fuel industry, or employment therein, shall be considered a conflict of interests, and trigger disqualification from membership of the advisory body.**
- 2.2 The advisory body shall consult widely, including the organisation of citizens' assemblies throughout the country. Such assemblies will be provided with basic scientific and technical information by persons approved by the advisory body without interference by government or political parties.**
- 2.3 The advisory body shall prepare its first report, setting out policies to meet the 2025 target, before the end of 2021; and its second report, setting out policies to meet the 2030 target, before the end of 2022. Thereafter, action plans shall be prepared at least 8 years in advance of the target year, with the option for later modification to take account of new technological developments.**
- 2.4 The achievement of targets shall be mandatory upon the government.**
- 2.5 There shall be included in the Bill provisions sufficient to enable Canadian citizens, and citizens of climate change vulnerable countries, to enforce Canada's obligations in the Bill in Canadian courts of competent jurisdiction.**
- 2.6 The advisory body shall be empowered to publicly identify areas in which legislation is inadequate to achieve the results claimed.**
- 2.7 The advisory body shall produce an annual report on progress.**
- 2.8 The advisory body should be provided sufficient and protected resources for its operations.**
- 2.9 The advisory body should officially report to an independent officer of parliament, not to any particular minister.**

3. Targets after 2030

In line with our recommendation 1.5, but permitting necessary flexibility after 2030:

- 3.1 Compliance with targets for “milestone years” after 2030 shall take account of CDR technology only to the extent that the advisory committee find emissions reduction measures to be inadequate to achieve the target. International offsets will still be excluded from the calculations.**

We consider it important that every country do its share in reducing emissions – and therefore that Canada do its own work, rather than paying others to do it for us.

Recognising that, in the science of climate change, impact depends on total emissions, not merely on the 2050 net zero target, we recommend that:

- 3.2 The advisory body shall determine the remaining Canadian carbon budget based on application to Canada of the IPCC’s P1 pathway, or a pathway based on similar principles of justice and land protection, and shall set firm 5-year carbon budgets for each period between “milestones”. These shall be used additionally to “milestone” targets. They shall be regularly reviewed, and modified as necessary in line with future peer-reviewed research findings.**

This is to ensure that measures are not merely introduced at the last minute to satisfy the “milestone” emissions reduction figure, nor scheduled predominantly for the couple of years immediately prior to a “milestone”.

Our final two sets of recommendations are for legislative directions complementary with Bill C-12, as opposed to amendments to the Bill. These are included both out of a concern for just outcomes and out of a concern for success in achieving targets.

4. Ensuring a just transition

In all major structural changes to society and the economy, major opportunities arise. This is particularly the case in decarbonisation, with the anticipated substantially increased demand for skills in engineering, architecture, construction, electrical design and installation, plumbing and many more areas. However, there is also a risk that some people will be left behind. People on low income are vulnerable to any change. We therefore advocate that:

Separate legislation should be put in place to provide comprehensive protection for the most vulnerable as the transition proceeds. This could include (but not be limited to) a guaranteed liveable income.

Recognising that the current federal carbon pricing and rebate system is currently moderately progressive, effectively taking more from high-consumption wealthy people and giving more to low-consumption people on low income, the progressive nature of this system should be maintained or enhanced.

The transition to a zero carbon economy will require the phasing out of fossil fuel production, with serious implications for those working in that sector and their communities. We therefore advocate that:

Transition plans should be developed for all heavily fossil-dependent communities, driven and funded by the federal government. These should include arrangements for new industrial and commercial development, streamlined skills and job training, and community facilities.

In all change, a recognition is necessary that Canada shares this territory with several previously-existing nations. We therefore advocate that:

Systems for full consultation with Indigenous communities (not just officials of national bodies or persons elected under Indian Act legislation) should be developed and applied, concerning all policy areas which can positively or negatively impact the nations or communities concerned. The principle of free, prior and informed consent should be paramount in all territory-specific policy.

All First Nations should be granted federal funds to develop their own emissions reduction plans.

5. Be honest about the impacts of the supply side

Canada's largest sector of emissions is fossil fuel production. However, Canada's fossil fuel production impacts on the climate are not limited to our domestic emissions. Oil, bitumen, fossil gas, and coal exported from Canada are subsequently burnt and contribute to the climate crisis. Canada therefore has a responsibility to address not only the domestic demand side of fossil fuel energy but also the supply side. A recent United Nations Environment Programme report found that, in order to meet the 1.5°C target, each year from now until 2030, the world needs to annually reduce overall output of fossil fuels by 6% - coal by 11%, oil by 4% and gas by 3%.⁹ Canada should take on its share of responsibility in achieving this, while also taking action to ensure a positive transition for workers and communities dependent on those industries. Specifically, Canada should:

- **Rapidly cease all federal funding of fossil fuel industries**
- **Enhance environmental assessment legislation to require consideration of both upstream and downstream greenhouse gas emissions for all new fossil projects. Any project which is found, after detailed investigation, to contribute a net increase in emissions globally should not be permitted.**

Mark Bigland-Pritchard MA MSc PhD
on behalf of Climate Justice Saskatoon
Saskatoon, 2021-05-17

Climate Justice Saskatoon's vision is a future in which:

- Individuals, communities, other species and ecological systems are healthy
- Human economies are sustainable and in balance with the Earth's natural systems

Climate Justice Saskatoon's mission is to co-create and share a new story of a realistic journey towards transformed economies:

- Economies which rely on science-based evidence, sustainable renewables-based energy policy and effective implementation, and
- Governments which actively pursue human rights, equality, democracy, justice and equity for all, and protection of biodiversity



⁹ Stockholm Environment Institute, International Institute for Sustainable Development, Overseas Development Institute, E3G, and United Nations Environment Programme. (2020): *The Production Gap Report: 2020 Special Report*. Available online at <http://productiongap.org/2020report>