



**Standing Committee on Environment and Sustainable Development**  
**House of Commons**  
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**Re: Proposed Amendments to Bill C-12: *Canadian Net-Zero Emissions Accountability Act***

By Ian Theaker and Susanne Lloyd, **Climate Messengers Canada**

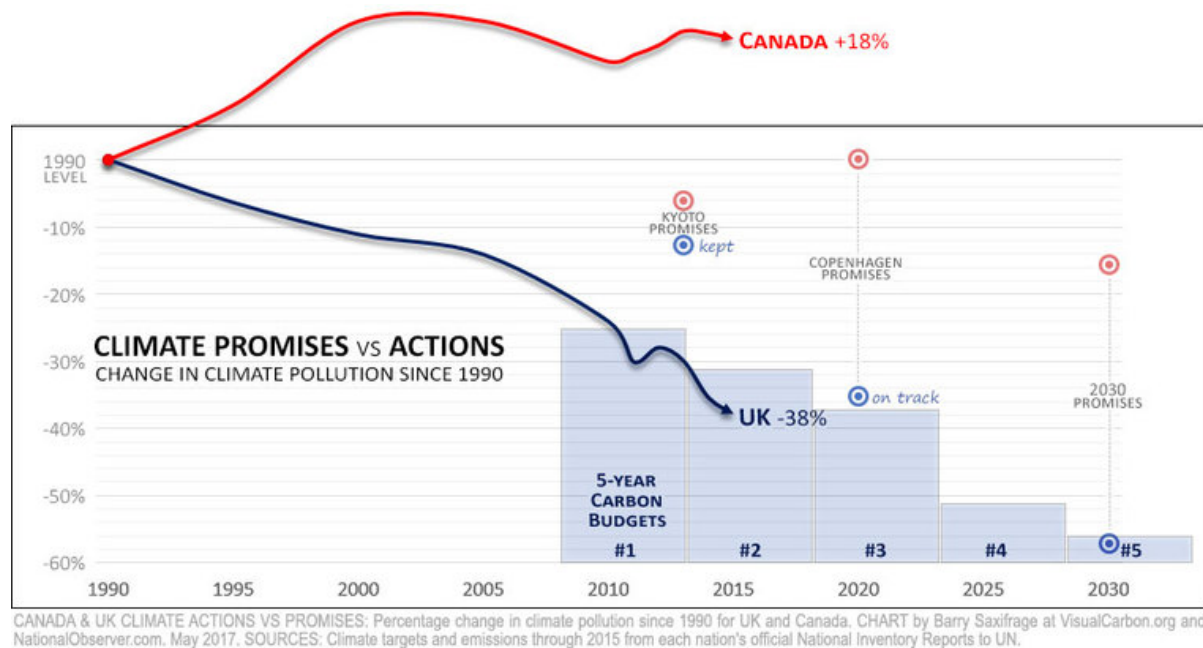
**Introduction**

We are pleased to submit this brief on behalf of Climate Messengers Canada. Our group is composed of nonpartisan citizens dedicated to individual and collective action to help Canadians create and thrive in a post-carbon world. We are engaged voters from across the nation with a wide variety of backgrounds, united by a deep concern with climate threats to our children and grandchildren, our nation, and the planet.

We applaud Prime Minister Trudeau's April announcement of a new Nationally Determined Contribution (NDC) of greenhouse gas (GHG) emissions 40-45% below 2005 levels by 2030 (PMO, 2021). However, we remain very skeptical that this new emissions target will actually be achieved without fundamental amendments to Bill C-12.

As Figure 1 shows, Canada has set many targets over the last 30 years, but has actually met none of them (Canadian Press via CBC News, 2019). These failures are largely due to the lack of legislation that ensures governments are accountable for meeting targets, and that guarantees real transparency of Canada's GHG emissions, reduction targets, and climate change mitigation plans. This is the promise of an **amended** Bill C-12 that truly fulfills its stated purpose of

“...setting of national targets for the reduction of greenhouse gas emissions based on the best scientific information available and to promote transparency and accountability in relation to achieving those targets, in support of achieving net-zero emissions in Canada by 2050 and Canada’s international commitments in respect of mitigating climate change.” (*Canadian Net-Zero Emissions Accountability Act*, 2020)



**Figure 1 - Climate Promises vs. Actions (Saxifrage, 2020)**

For comparison, Figure 1 also shows that the United Kingdom has successfully reduced its GHG emissions. This is due in large part to its well drafted 2008 *Climate Change Act* (United Kingdom, 2008), and the roles that its well-resourced, independent Climate Change Committee plays in setting emissions targets and budgets, advising on issues and solutions, and effective, extensive public education with the UK citizen’s Climate Assembly (Climate Assembly UK, 2021).

Bill C-12 could help chart Canada’s path to net-zero GHG emissions by 2050. We believe this can be achieved through repeated scientific, evidence-based analysis to inform targets, budgets, policy and plan development, and iterative progress assessment and course correction as needed. Canada would be well advised to follow other nations like France, New Zealand or the UK in developing our own climate legislation (United Kingdom, 2008; New Zealand Ministry for the Environment, 2021; France 24, 2021; Gage & Gnanalingam, 2015).

## **Key Bill C-12 Amendments Proposed by Others**

Many civic organizations, Indigenous Peoples and news media have deep criticisms and valuable recommendations to improve the version of Bill C-12 currently being considered by the Standing Committee on Environment and Sustainable Development.

Climate Messengers Canada support several key amendments proposed by others:

1. **Canada needs a 2025 milestone target, plan and report.** The current proposal of 2030 as the first “Milestone Year” and “Report” ignores the urgency of the climate crisis. Other nations have created emissions targets and plans much more quickly than the 10 years proposed in the current Bill C-12 (Watts, 2018; IPCC, 2018).
2. **The independence of the advisory body should be supported by dedicated funding sufficient to support an effective secretariat.** Their currently proposed mandate, composition and resources to advise on targets, plans and performance are ill-defined and inadequate to ensure true independence and robust science-based targets and advice.
3. **The advisory body should include Indigenous Peoples,** supported by federal funding to ensure meaningful engagement consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Holistic Indigenous perspectives and wisdom are essential, but their fiscal capacity to participate is extremely limited.

## **Climate Messengers Canada’s Recommended Amendments**

Climate Messengers Canada also recommend several additional amendments we believe are essential to making Bill C-12 fit for purpose:

4. **Define federal GHG emissions milestone targets as legislated requirements** that establish legal consequences for non-compliance with Canada’s Nationally Determined Contributions (NDCs), and impose strict limits on use of international and domestic carbon offsets.

To end Canada’s sad record of climate inaction by successive partisan governments, Bill C-12 should include legislated requirements that ensure federal milestone GHG emissions targets and plans are consistent with Canada’s NDCs, and defined according to a policy-relevant climate target of 1.5°C or 2°C as set out in the Paris Agreement. The Bill should emphasize trustworthy emissions reductions within Canada, by establishing strict and explicit limits to the use of domestic and international GHG offsets, and legal consequences (e.g. citizen lawsuits) for noncompliance.

**5. Establish an independent, expertise-centered scientific advisory body with a mandate to advise on long-term and milestone GHG targets and budgets.**

Alternatively, include climate science and economics expertise in the advisory stakeholder body, with a similar mandate.

Hearing from an advisory body of stakeholders such as the panel recently announced by the Environment Minister is wise; Canada is a big and complicated country. We applaud broad representation of interested parties to advise on actions that would reduce Canadian emissions, and most current appointees have much to contribute.

However, this is not the same as getting the best independent scientific direction to set emissions targets, or to identify climate regulations and policies needed to achieve major reductions this decade and beyond. Ideally, Bill C-12 will establish an independent scientific advisory body with deep climate science and economics expertise, and the mandate of advising on Canada's NDCs and milestone targets.

Alternatively, if the advisory body continues to be largely composed of stakeholders, it should include deep climate science and economics expertise, as does the UK's Climate Committee. They are essential to build Canadians' trust that NDCs, targets and plans are grounded in verifiable science and evidence, not political expediency or self-interested stakeholder influence.

**6. Explicitly define the role of Commissioner of the Environment and Sustainable Development (CESD) as reviewing and commenting on federal climate plans, progress and assessment reports, and how they compare to advisory body advice; and establish specific reporting content with timeline requirements.**

Assessment of climate policy success rests with the Commissioner of the Environment and Sustainable Development (CESD), and is based on a rolling cycle of reporting requirements. But as currently framed, Bill C-12 offers little guidance on actions required of the Minister in response to any of the reports or advice. Canadians need transparency of progress or failure in emissions reductions by a stringent reporting structure that requires the independent CESD to report directly to Parliament, the Auditor General and the Minister in full view of the public. This may require appointing the CESD as an Officer of Parliament.

To this end the Minister should be required to report annually on progress towards emissions NDCs, targets and reductions, including:

- an update on emissions reduction progress based on the most recent available data,

- an update on implementation of measures included in GHG emissions reduction plans and budgets,
- a statement and analysis of whether NDCs and GHG emissions targets are likely to be met for the next two milestone years, and for 2050,
- advice on proposed changes to emissions reduction plans and further actions needed to meet NDCs and targets, and
- any other information that the Minister considers appropriate, such as additional measures that could help to achieve GHG emissions targets

The Minister's reports should be publicly released and tabled in Parliament no later than the 31st of March, 2022, and each 31st of March thereafter.

The CESD should evaluate the Minister's progress reports, including

- an evaluation of the accuracy of the Minister's progress reports,
- an evaluation of the items listed above for Minister's progress reports,
- advice on needed revisions to relevant plans, actions and emissions budgets to achieve the targets, in consultation with the scientific advisory body, and
- any other information that the CESD considers appropriate, such as additional measures that could help to achieve GHG emissions targets

The CESD's evaluation report should be publicly released and tabled in Parliament within 90 days of the release of each progress report by the Minister.

The Minister should publish a reply to the CESD's evaluation report within 60 days that includes:

- a response to each point raised in the CESD's evaluation, including changes to plans and/or targets,
- a statement and analysis of whether emissions targets for the next two milestone years and for 2050 are now likely to be met,
- if the Minister makes provisions different from those recommended by the CESD, a statement setting out the reasons for such decisions, and
- any other information the Minister considers appropriate

**7. Structure emissions targets, plans, advice and progress reporting in terms of national carbon budgets.**

To engage and inform government, business, and industry action in achieving NDCs and milestone emissions targets, Bill C-12 emissions plans, advice and progress reporting should be structured in terms of national carbon budgets that make explicit the roles and contributions of existing jurisdictions and economic sectors (UK Committee on Climate Change, 2020; Simmons, 2021). These should be structured using North American Industry Classification System (NAICS) categories (Statistics Canada, 2018), and compatible with emerging international agreements on climate-related financial risk disclosures by companies, banks and investors, such as the Task Force on Climate-Related Financial Disclosures' recommendations (TCFD, 2017).

Rolling short-term, medium-term and long-term national emissions targets and carbon budgets should clearly communicate the likelihood of climate success, typically in terms of a 50 or 67 percent chance of limiting warming to the temperature target (Matthews et al, 2019). Areas of uncertainty should be clearly defined and noted, particularly assumptions about use of carbon capture and sequestration efforts or carbon offsets (Rogelj et al, 2019).

**8. Work with provinces and territories to coordinate and integrate regional, local and national emissions targets, carbon budgets and reporting.**

Environmental protection is a joint responsibility of all levels of government; each of Canada's provinces and territories will contribute to achieving national NDCs and emissions targets with their own regional targets, policies and reporting. The federal government should work closely with the provinces and territories to ensure consistency, transparency and accountability across Canada with coordinated regional and sectoral carbon budgets and reporting. The federal government should consider ongoing fiscal and structural incentives, similar to those of the Canada Health Act, to foster collaborative, coordinated national, provincial and territorial climate policy, targets, plans and reporting.

## **Conclusion**

In summary, we call for the final Bill C-12 to include the eight amendments proposed above. If the Bill does not address the problems that prompt these proposed amendments, then we urge Members of Parliament to carefully consider voting against its passage by the House of Commons as unfit for purpose.

As you consider this bill and the amendments proposed by us and by others, Climate Messengers Canada hopes that Environment Committee members will be conscious of the need to be the “good ancestors” who consider the impacts of our current actions on the seventh generation - and beyond.

## **Summary of recommendations**

1. Canada needs a 2025 milestone target, plan and report
2. The independence of the advisory body should be supported by dedicated funding sufficient to support an effective secretariat
3. The advisory panel should include Indigenous Peoples, funded as outlined by UNDRIP
4. Define federal GHG emissions milestone targets as legislated requirements that establish legal consequences in the event of non-compliance
5. Establish an independent, expertise-centered scientific advisory body with a mandate to advise on long-term and milestone GHG targets and budgets; alternatively include this expertise and mandate for the stakeholder advisory body
6. Explicitly define the role of Commissioner of the Environment and Sustainable Development (CESD)
7. Structure emissions targets, plans, advice and progress reporting in terms of national carbon budgets
8. Work with provinces and territories to coordinate and integrate regional, local and national emissions targets, carbon budgets and reporting

**Climate Messengers Canada** ([www.climatemessengers.ca](http://www.climatemessengers.ca)) is a group of nonpartisan citizens committed to encouraging strong actions to address the climate emergency in Canada.

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