

Andrew Gage,
Speaking Notes for Senate Standing Committee on Energy, Environment and Natural Resources
Re Bill C-12 – the Canadian Net Zero Emissions Accountability Act
9 June 2021

Thank you for inviting me to speak to you today from the Territory of the Lekwungen Speaking Peoples in Victoria, BC. I am the head of West Coast Environmental Law's climate program, author of several reports and submissions on Canadian climate law and a member of a coalition of organizations calling for a Canadian climate accountability law.

In 1992, under Prime Minister Brian Mulroney, Canada played a leadership role in negotiating the United Nations Framework Convention on Climate Change. The governments of the world agreed to “stabiliz[e] greenhouse gas concentrations and prevent dangerous anthropogenic interference with the climate system.”

In 1992 I still had a full head of hair. I've waited my entire adult life for Canada to deliver. Canada set specific climate targets in 1997 under Prime Minister Chretien and in 2010 under Prime Minister Harper, but as a country we have missed every climate target set. My daughter, at age 15, is now organizing climate strikes, worried about her future.

Clearly we need accountability. According to the Merriam Webster dictionary accountability is “the quality or state of being accountable;... especially: an obligation or willingness to accept responsibility or to account for one's actions.”

As a society we have a lot more experience with financial accountability than we have with what I call “climatic accountability”. We expect our governments to:

- set budgets identifying how much will be spent and who is responsible for managing that spending,
- apply rigorous and credible accounting principles to measure how we're doing;
- report annually; and
- have regular audits by experts to ensure that the reports are accurate.

These structures are necessary to address political challenges that are true for both financial and climatic management:

- The costs and benefits associated with current decisions do not necessarily follow election cycles; and
- There can be incentives for governments to overspend now and defer difficult decisions, to “cook the books” or blame previous governments for budget short-falls.

In 2008 the UK government adopted modified versions of principles of financial management in its Climate Change Act. It provided a structure for successive Labour and Conservative governments to reduce that country's GHG emissions to levels not seen since the late 1800s.

You've probably heard the saying, the best time to invest in a healthy atmosphere was in 1992, but the next best time is now.

Canada until now has had **no** consistent, science-based and credible framework for reducing its greenhouse gas emissions. And it shows in those missed targets.

Bill C-12 as amended by the House of Commons, puts in place many of the elements necessary for sound climatic management. I would not say that it meets the gold standard promised, but nor did best practices in financial management spring fully formed into Canadian law.

C12 puts in place regular targets, set 10 years in advance. That's like using budgets to set financial goals.

It requires plans "for achieving" the targets – that's using budgets to describe a plan of who is responsible for spending. Although I will note that it is less clear in Bill C12 than in the UK or New Zealand climate laws that the plans actually need to add up to the target – a disturbing weakness of the Bill.

There are clear requirements for the setting of targets and plans. They must be set with the benefit of expert advice and must consider best scientific information. Plans must include a description of measures to be taken and modelling of the reductions they will result in. This is all equivalent to the requirement to follow Generally Accepted Accounting Principles in financial planning.

I do note that we are very disappointed not to see requirements to model the key cooperative provincial measures that the government is relying on to achieve the targets or requirements to release the assumptions and methodology for the modelling that is being done.

We also have regular reporting on progress – although considerably less frequently after 2030 – and regular independent reviews by the Advisory Body and the Commissioner for Environment and Sustainable Development.

Bill C-12 is less ambitious in several respects than equivalent laws in other countries. That's disappointing.

But when you haven't learned to ride a bike at all, the first step is to get on one and learn how to pedal. The unprecedented climate crisis has been ignored too long, and if trying to make the bill perfect is going to delay it, that's time we don't have.

The most important thing right now is to start putting in place the structures and rules that support strong climatic planning, and to develop a culture in government and Canadian society that recognizes the importance of reducing greenhouse gas emissions. Many of the strongest aspects of the UK approach are not required in the UK Climate Change Act, but are part of how the country has chosen to implement it. What we need now is an Act and good faith efforts to make it work so we can stop missing our targets. If necessary, we can learn from our experiences and strengthen the Act at some point in the future.

Thank you.