

Bill C-12 : Canadian Net Zero Emissions Accountability Bill

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Third Reading Transcript

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Hon. Rosa Galvez moved third reading of Bill C-12, An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050.

She said: Honourable senators, I rise to speak at third reading as the sponsor in the Senate of Bill C-12, An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050.

In November 2020, the government tabled this bill, which will enshrine in legislation Canada's commitment to achieve net-zero greenhouse gas emissions by 2050 and provide a comprehensive framework of accountability and transparency to ensure governments undertake the planning, take action and conduct the monitoring needed to achieve that goal. In May 2021, Bill C-12 was referred to the Standing Committee on Environment and Sustainable Development in the other place for consideration and study.

The bill, with 29 sections, has been strengthened by over 30 amendments proposed by several parties in the other place. In terms of amendment, I would like to first highlight the most important one, which offers an opportunity for potential improvement to the legislation. There will be a comprehensive review of the provisions and operation of the act five years after it comes into force to be undertaken by the relevant committee of the Senate, the House of Commons or both houses of Parliament. This ensures that we parliamentarians can examine the effectiveness of the act with the benefit of five years' experience and make recommendations for improvements at that point.

The objective of Bill C-12 is for Canada to achieve net zero by 2050. That is that all anthropogenic greenhouse gas emissions will be balanced by anthropogenic removals. The updated version of Bill C-12 clarifies that nothing in the act precludes Canada attaining net-zero emissions before 2050. In other words, net zero is a race, not something that we should wait until 2050 to hit. If we can reach the goal earlier it would be great, and nothing in the law prevents that kind of ambition. Climate science is clear that early action is crucial to avoid catastrophic consequences. Many stakeholders and Canadians voiced their concern that the original version of the bill did not go far enough to ensure accountability prior to 2030. I'm pleased that the purpose section of the bill was amended to add emphasis on "immediate and ambitious action."

An interim objective for 2026 was added, and progress reports are required in 2023 and 2025 in addition to the 2027 progress report. Furthermore, the 2025 progress report must contain an assessment of the 2030 target and must include changes being made to course correct, if needed, to achieve the target. Moreover, the bill now requires that the first report of the

Commissioner of the Environment and Sustainable Development be submitted by the end of 2024. These changes provide for — and ensure — almost yearly meaningful accountability “checkpoints” over the next decade, which will also inform our parliamentary review in five years.

The other place also worked on improving the bill’s provisions in relation to targets.

First, the bill now codifies the 2030 greenhouse gas emissions target by incorporating Canada’s Nationally Determined Contribution — its NDC — for that year under the Paris Agreement. This amendment was preceded by Canada’s commitment made at the Leaders Summit on Climate in April 2021 to enhance its emissions reduction target under the Paris Agreement to 40% to 45% below 2005 levels. With Bill C-12, the 2030 and 2050 targets will now be clearly enshrined in legislation.

In addition, clarifications were made to ensure that each greenhouse gas emissions target set under the act must be a progression from the previous one, preventing backsliding on Canada’s greenhouse gas emissions targets.

The bill now provides that all targets that remain between 2030 and 2050 must be at least 10 years before the beginning of its corresponding milestone year. Instead of 5 years in the original bill, we will now have targets 10 years in advance. This will ensure that the government starts planning for future targets sufficiently ahead of time, providing a great opportunity for long-term planning.

Going a step further, the bill now requires the Minister of Environment and Climate Change to publish a high-level description of the key emissions reduction measures to achieve that target and the latest projections of greenhouse gas emissions within a year of setting targets for 2035, 2040 and 2045.

If we take as an example the 2035 target, it will need to be set by the minister on December 1, 2024, at the latest, and the high-level description of key measures and projections will be made public by December 1, 2025. The detailed emissions reduction plan in relation to the 2035 target must be established at least five years prior to the deadline, meaning no later than December 2029.

Another set of amendments reinforces the involvement of Indigenous peoples. The preamble now states the Government of Canada’s commitment to considering Indigenous knowledge when carrying out the purposes of this act. Related amendments require the minister to consider Indigenous knowledge when setting greenhouse gas emissions reduction targets and as an expertise requirement of the advisory body as a whole. Emissions reduction plans must also consider the United Nations Declaration on the Rights of Indigenous Peoples.

The bill now includes more detail on the required content of these plans. It is now mandatory to include in each plan a description of how Canada’s international commitments with respect to climate change are considered, projections of the annual greenhouse gas emissions reductions resulting from the plan’s combined measures and strategies, and a summary of cooperative measures or agreements with provinces and other governments in Canada.

We heard criticisms about this bill not setting legally binding targets. However, I would like to bring to your attention section 9(1), which states that “The Minister must establish a greenhouse gas emissions reduction plan for achieving the target . . .” — so there is an obligation to plan for success.

Similarly, progress reports must include Canada's most recent published greenhouse gas emissions projections for the next milestone, as well as details on any additional measures that could be taken to increase the probability of achieving the target if the projections indicate that a target will not be met.

Similar content is also required in assessment reports.

The amended bill also took into consideration concerns with respect to the advisory body. The act now specifies that the Net-Zero Advisory Body provides independent advice on achieving net-zero emissions by 2050 and on targets and plans.

With respect to the membership of the advisory body, the amended bill contains a provision requiring the Minister of Environment and Climate Change to consider the need for the advisory body as a whole to have expertise in or knowledge of, among other subjects, the following: climate change science; Indigenous knowledge; physical and social sciences; climate change policy at the national, sub-national and international levels; energy supply and demand; and relevant technologies.

These explicit requirements of independence and expertise bring Canada into the international "best practices club" in that regard. I note that our own committee pre-study report included an observation on the administrative independence of the advisory body, including control over its own budget and secretariat, which I hope will be considered by the government. With regard to avoiding conflicts of interest, the Conflict of Interest Act of 2006, which applies to all public office holders, will also apply to members of the advisory body.

In line with the bill's objectives of transparency and accountability, Bill C-12 requires the Minister of Environment and Climate Change to publish the advisory body report 30 days after receiving it and to respond publicly within 120 days. Moreover, the bill requires that the minister's response to the Net-Zero Advisory Body address any difference between the target he or she sets and the target recommended by the Net-Zero Advisory Body.

Finally, Bill C-12 in some ways is stronger than the U.K. Climate Change Act held as the gold standard. It is better in terms of the level of detail required in plans and reports and their timing. Our new course-correction mechanism under sections 14 to 16 is much stronger, and so is the obligation of the Minister of Finance to report on financial risks of climate change but also on economic opportunities. The fact that targets can only get stronger is also not present in the U.K. law.

The Senate's Standing Committee on Energy, the Environment and Natural Resources began its pre-study on Monday, June 7, and met each day that week. The committee heard from 35 witnesses, representing 22 groups and 5 individuals, in 11.5 hours of hearings. Since the other place did not hear from any Indigenous witnesses in their study of the bill, it was a priority for our study to hear from those groups who are disproportionately impacted by climate change. We heard from four individual First Nations and Indigenous Climate Action.

There was consensus among witnesses that Bill C-12 is an important piece of legislation and that a climate accountability framework is desperately needed.

As an environmentalist, I would have preferred a more ambitious bill, but sadly, we can't waste any more time. Half a loaf is better than none.

I strongly believe that this bill is our best chance at taking swift action to address the climate emergency and protect the interests of future generations. Parliament must set up a legal framework that will ensure transparency from future governments and hold them accountable for how they combat climate change and its negative impact.

On June 17, 2019, an overwhelming majority of members in the House of Commons adopted a motion that states, and I quote:

. . . Canada is in a national climate emergency which requires, as a response, that Canada commit to meeting its national emissions target under the Paris Agreement and to making deeper reductions in line with the Agreement's objective of holding global warming below two degrees Celsius and pursuing efforts to keep global warming below 1.5 degrees Celsius;

Canada's climate situation has not improved since then. Rather, it has gotten worse. Bill C-12 is the logical next step following that recognition that we are in a climate emergency.

I want to thank all of the senators who dedicated their time and energy to studying this bill. I particularly want to thank the members of the Standing Senate Committee on Energy, the Environment and Natural Resources, who met for several days in a row to ensure that we had all of the information we needed to do our job as parliamentarians.

I hope that you'll all join me in voting in favour of this improved version of Bill C-12, which seeks to finally address the causes of climate change in Canada so that everyone, Canadians and people around the world, including future generations, can live a prosperous life on this earth.

Thank you very much.

Hon. Claude Carignan: Esteemed colleagues, I rise today at third reading of Bill C-12, the short title of which is the Canadian Net-Zero Emissions Accountability Act.

In theory, Bill C-12 is meant to be a tool to help Canada achieve net-zero emissions in 2050. The bill's legislative summary states, and I quote:

"Net zero" means a balance between emissions that are produced and those that are taken out of the atmosphere. It is not the same as "gross zero," which means reducing emissions from all sources to zero.

The purpose of Bill C-12 is to provide the dates on which the government must set greenhouse gas reduction targets and produce reports explaining the steps it has taken to meet those targets. Simply put, Bill C-12 is a schedule of the reports that must be produced between now and 2050.

Bill C-12 also creates the Net-Zero Advisory Body, which is responsible for providing the minister with advice with respect to the targets that must be met and the measures the government is taking in order to achieve them. This advisory body must produce annual reports, and the minister must publicly respond to the advice contained in those reports.

In his November 25, 2020, speech, the Minister of the Environment said that Bill C-12 will allow Canada to meet and exceed its 2030 reduction targets under the Paris climate agreement. However, that target will be extremely difficult to achieve according to the following Government of Canada numbers in the legislative summary:

. . . Canada has committed to reducing its emissions to 40%–45% below 2005 levels by 2030. . . .

. . . Canada's emissions will be 3%–5% below 2005 levels in 2020.

These numbers show that, over the past 15 years, Canada has reduced its emissions by just 3% to 5%, which means it will have to reduce its emissions by another 37% to 40% over the next nine years to meet its 2030 target. It has taken us 15 years just to climb the first step of a long stairway, and we have only nine more years to get to the top.

I would add that some of the emissions reductions observed in 2020 are temporary because they are due to lockdown measures to fight the pandemic, which slowed some economic activity. Here is what Corinne Le Quéré, Professor of Climate Change Science at the University of East Anglia, said in her testimony on June 10, 2021:

In 2020, the decrease in emissions due to COVID-19 confinement measures is temporary because nothing has changed: we still have the same infrastructure; we just use it less. Emissions are going back up around the world and the situation is extremely serious.

I see Bill C-12 as a very unambitious plan, because it lacks concrete measures and imposes no accountability on the government if it misses its targets. The bill merely proposes a plan to make a plan. It is not ambitious enough or strategic enough to reach our Paris targets for 2030 or our goal to achieve net-zero emissions by 2050.

The government is asking us to quickly pass a bill that makes a false promise to Canadians, especially young Canadians who will suffer the worst effects of climate change. This bill will only increase cynicism by once again allowing the federal government to promise reduction targets without any robust measures to meet them and by failing to impose any consequences if it does not meet the promised targets.

As the Senate committee explained in a report following its pre-study of the bill:

Canada has never had a problem setting greenhouse gas (GHG) emission reduction targets; rather, the problem has always been achieving those reductions. To date, no Canadian government has been held politically accountable for these failures.

I don't think that Bill C-12 will be an exception to that disappointing and terrible trend. From what I can see, this bill doesn't give any indication of how Canada will have to meet the short-, medium- and long-term goals to achieve net-zero. I want to echo what Senator Paula Simons told the Minister of the Environment on June 9, 2021.

It is a plan to have a plan, and the very name of the act incorporates words like “transparency” and “accountability,” but I'm not seeing an actual accountability mechanism.

This bill is quite obviously a ploy to win votes, and I'm disappointed to see the government playing with our country's climate future in this way.

To convince you, here's a telling example. The initial version of Bill C-12 did absolutely nothing to impose an accountability mechanism on the government for 2021 to 2030. Instead, the Liberal government voluntarily gave itself a 2030 deadline so that, during its next election campaign, it could promise to set high reduction targets that would impress the public — with smoke and mirrors — but would be very hard to meet. Therefore, if the government were re-elected, it would not have to explain why the targets weren't met.

The amendments made by the House of Commons committee did improve the situation somewhat by requiring the minister to prepare a plan to reduce greenhouse gas emissions with

an interim objective for 2026 and to prepare a progress report by the end of 2023, followed by another by the end of 2025 and a final one by the end of 2027.

However, these amendments are woefully inadequate because they do not address the bill's biggest problem, which is the government's lack of accountability if it misses the reduction targets. On that point, I will quote the questions Senator Simons asked John Moffet, Assistant Deputy Minister at Environment and Climate Change Canada, on June 7, 2021:

I want to return to the issues raised by my colleagues, Senator Black, Senator Miville-Dechéne and Senator Massicotte. We are told there will be three interim reports between now and 2030. There will be many, many other reports of various descriptions, but where is the moral hazard for failing to meet these targets? You told Senator Miville-Dechéne that there is no right of civil action to hold the government accountable. The government is accountable for producing the reports, but is there any moral hazard beyond public shaming if this doesn't actually come to pass?

In reply to Senator Simons' questions, Mr. Moffet essentially states that there would be two consequences if the government fails to meet the targets. In my opinion, they are inadequate given the gravity of the situation for future generations if we fail to meet the targets, as they will have to suffer the worst effects of climate change.

According to the Assistant Deputy Minister, the first consequence is that the government would be subject to judicial review. This recourse already exists, as Senator Massicotte pointed out. He told Mr. Moffet, "That same recourse has been applicable for the last 30 years and hasn't achieved very much, but let's hope it changes."

If the government doesn't meet its greenhouse gas reduction targets, the second consequence is an increased risk of losing the election, but that provides little consolation to the younger generations, particularly those who aren't old enough to vote yet.

I'm not saying that the amendments proposed by the House of Commons committee didn't do anything to improve the bill. However, I don't think they're sufficient. In other words, I don't think that the bill goes far enough because, in its current form, it won't enable us to meet or exceed the proposed Paris targets or to achieve net-zero emissions by 2050.

That being said, I think the amendment that the committee in the other place made to section 7 is worthwhile. It requires that each greenhouse gas emissions target represent a progression beyond the previous one. That is an essential obligation if we want to achieve net-zero emissions by 2050. If we want to make it to the top of the stairs, we can't turn around halfway up.

I'm disappointed, however, that despite these amendments, the bill doesn't do enough to hold the government to account if it fails to meet its targets and the bill doesn't contain any practical measures. A mere legislative promise that the government will come up with a greenhouse gas emissions reduction plan is not enough to convince Canadians and other countries that Canada will achieve its targets. Bill C-12 is nothing more than a table of contents indicating that there will be chapters; it doesn't say what those chapters will be.

For example, nothing in the bill obliges the minister to take the necessary measures to achieve the targets, even though that is a requirement in the Paris Agreement. Here's what Christopher Campbell-Durufilé of the Quebec Environmental Law Centre told the committee on June 11, 2021:

. . . this is a very procedural framework where we lay down plans to meet targets, but we have no legal obligation to proceed with those plans at this time, whereas article 4(2) of the Paris agreement includes a requirement to take action to meet the targets.

That said, I support the addition of paragraph 8(d) and subclause 9(5) to the bill by the House of Commons committee. Those two additions, read with clause 13, which was in the original version of the bill, reinforce the federal government's obligation to take the provinces' views into account. Under clause 13, when the federal government is setting a greenhouse gas emissions target or establishing an emissions reduction plan, it must provide the governments of the provinces, as well as Indigenous peoples, with the opportunity to make submissions. Under paragraph 8(d) and subclause 9(5), the bill now requires the minister to take their submissions into account.

It was a good idea to add these two new clauses to the bill, but I believe that the bill could do much more to ensure that the federal government collaborates with the provinces to achieve net-zero emissions by 2050.

The environment is an area of constitutional jurisdiction that is shared by the federal government and the provinces. The provinces have a say, and they must be listened to. The Senate committee that did the pre-study on Bill C-12 shares this point of view. I remind honourable senators that this committee is made up of 12 experienced members from the four groups of senators and that their report on Bill C-12 was unanimous, that is to say it contained no dissenting comments. The report reminds us that the provincial governments and Indigenous governance structures play a major role in efforts to reduce greenhouse gas emissions in Canada. I quote from the report:

In Canada's federation, constitutional jurisdiction over some of the most important policy areas influencing GHG emissions rests with the provinces, territories and Indigenous governance structures, rather than with the federal government.

I am convinced that we will not be able to meet the Paris Agreement's 2030 reduction target or the 2050 net-zero target unless the federal government does more to harmonize its own targets and specific greenhouse gas reduction plans with those of provincial governments, the administrations of major cities and large industries. In that sense, I am in complete agreement with this passage from the Senate committee's report, and I quote:

The committee notes how important it is for the federal government to work closely with the provinces, territories, municipalities, and industry, and in ongoing collaboration and consultation with Indigenous governance structures towards the net zero 2050 target.

Furthermore, the Senate committee rightly recognizes that transitioning the energy system and meeting the greenhouse gas reduction targets will pose more challenges for certain economic sectors. However, several major corporations have managed to do something the federal government was unable to include in Bill C-12: They have developed plans with concrete measures for reducing their emissions.

For example, yesterday, June 28, *La Presse* had a very interesting article by H  l  ne Baril about different industries' contributions to achieving net zero. The article states:

In Canada, 66% of the companies listed on the S&P/TSX Venture Index disclose their GHG emissions, said Millani [a Montreal firm that specializes in ESG (environment, society, governance) integration], but just 23% of them are implementing the recommendations of the

Task Force on Climate-Related Financial Disclosures on the need to incorporate governance and climate-related risk management measures into their operations.

It is urgent that we engage companies in different strategies to reduce greenhouse gas emissions.

It is ironic that even Suncor and other oil companies developed net-zero plans before the federal government did. I want to share another quote from Ms. Baril's article:

Suncor, Canadian Natural Resources, Cenovus Energy, MEG Energy and Imperial, which produce 90% of Canadian oil, recently made a collective commitment to achieve net-zero emissions by 2050, while still carrying out their operations.

The oil companies have said that Bill C-12 does not go far enough to support their efforts to reduce their own emissions. They are calling for the bill to be amended to ensure better harmonization of provincial and federal plans. According to them, inadequate harmonization will have significant negative consequences. Shannon Joseph, a representative from the Canadian Association of Petroleum Producers, said the following to the Senate committee on June 8, 2021:

We know as an industry that is regulated both federally and provincially that different governments have their own climate ambitions and perspectives on opportunities for policy measures to achieve those ambitions. Often different orders of government develop policies targeting the same activities and the same emissions, and this creates policy inefficiencies that drive away the capital needed for Canadian industry to innovate and deliver environmental results.

Bill C-12 must create the framework for us to do better. It should be amended to enhance integration and collaboration between federal, provincial and territorial governments in the way strategies are developed and evaluated.

I share the concerns of the Senate committee, which indicated in its report on Bill C-12 that the bill does not require the minister to include in the greenhouse gas reduction plans any information about the economic and social impacts of the climate action set out therein. In fact, the committee report states that the minister is not required to consider essential economic indicators, such as the real gross domestic product, levels of investment and employment, or even energy affordability and security, in the reduction plans he or she has to prepare. That omission is another significant flaw in the bill because, according to the committee report, and I quote:

. . . including economic and social considerations in the climate accountability regime does not diminish the clear policy signal sent by the milestone GHG emission reduction targets under Bill C-12. In fact, considering and measuring these indicators may improve Canada's ability to get to net zero faster and more equitably.

It's therefore counterproductive for the Liberal government not to make it clear in the bill that the minister must take community and industry social and economic factors into account in developing Canada's greenhouse gas emissions reduction plans. I would add that the U.K.'s and France's climate accountability laws take economic considerations into account, according to what Professor Le Quéré told the Senate committee on June 10, 2021. She added:

It is recognized in the U.K. and in France that there will be a cost to tackling climate change, and the role of the advisory committees in these two countries is to do the job at the lowest possible cost and to distribute the costs fairly. The advice is not blind to the economy, but it is made with the objective of reducing the emissions in the most efficient way, considering the capacity of the economy in general to absorb, but with the priority given to the instrument that would work best.

From my perspective, it was critically important that Bill C-12 include provisions requiring the minister to take economic factors into account when developing greenhouse gas reduction plans. Otherwise, these plans can't be adapted to the reality of communities and industries, which means that it will be impossible for them to fully contribute to achieving the reduction targets set through these government plans.

The other major flaw in the bill is the inadequate safeguards to ensure the independence of the Commissioner of the Environment and Sustainable Development and the Net-Zero Advisory Body. This flaw was raised by a number of witnesses as the bill was being studied by both the House of Commons and Senate committees. The commissioner's role under Bill C-12 is described in clause 24. The commissioner must produce a report at least once every five years on the implementation of measures adopted by the Government of Canada to mitigate climate change. However, in order for the commissioner to conduct a thorough review, the bill must to be amended to give the commissioner greater independence from government. On May 19, 2021, in his testimony before the House of Commons committee, Paul Fauteux recommended that the commissioner be designated as an officer of Parliament, so that he could answer to parliamentarians rather than to the government. The Senate committee report made the same recommendation, which would have ensured greater transparency and accountability in future government actions to achieve net-zero emissions.

It is deplorable, but the government certainly does not intend to support an amendment to the bill that would increase the independence of the commissioner. Clearly, the government is refusing to make this change because it would mean that the bill would have to be returned to the House of Commons, precluding it from passing before the summer adjournment.

To convince you that the possible amendment that I could propose would be rejected as the session is ending, I have an excerpt from an open letter written by nine Quebec senators, members of the majority group in the Senate, concerning my amendment to Bill C-15, which was rejected. It was nonetheless a legitimate amendment that would have responded to a clear request from the premiers of six provinces. I will quote their letter as follows:

It is incumbent upon us to now speak honestly about the true objective of this amendment, which is to slow down passage of the bill at any cost. The bill would slowly become trapped on the Order Paper, hostage to a game of parliamentary ping-pong between the Senate and the House of Commons.

I don't share these senators' point of view. What I think is that the Senate is once again being held hostage to a fake emergency brought about by the Liberal government itself, which created it by dragging its feet on the study of this bill over the past few months. The government waited a year after being elected to introduce this bill. Now it is trying to create a false sense of urgency, thus keeping the Senate from carrying out its true role, which is to provide sober second thought on legislation. The government is doing all this purely for electoral gain, since it's the one making these choices, while we are seeing more and more signs pointing to an election being called this summer.

On another matter, the report of the Standing Senate Committee on Energy, the Environment and Natural Resources also highlighted, as I did, the insufficient guarantees with regard to the independence of the Net-Zero Advisory Body. The committee states:

. . . the committee is of the opinion that the Net-Zero Advisory Body must have administrative independence, including control over its own budget and secretariat, as well as a strict conflict of interest code requiring recusals from discussions and recommendations relating to direct conflicts of members.

In his testimony on May 19, Paul Fauteux mentioned the lack of independence in the process for appointing members to the advisory body. He said:

. . . the minister appoints members, and may determine and amend the terms of reference of, the advisory body.

When the Minister of the Environment testified in committee on May 17, MPs Dan Albas and Elizabeth May also criticized the fact that the members of the advisory body had already been chosen before the bill had even been implemented. This concern was evident when Ms. May asked the minister a question and he was unable to give a convincing answer. Ms. May said, and I quote:

. . . the bill refers to an advisory committee, not an expert committee. You have only one climate scientist on the current body. I think it was disrespectful to this committee and the parliamentary process to jump the gun and appoint an advisory committee before the bill had even had a single witness to talk about why so many people and experts believe we should model ourselves much more on the U.K. climate committee, which is universally respected for its expertise. You have one climate scientist on your advisory body. . . .

I wonder if you will reconsider the composition—more than the people on it, the structure of it—to be much more like the U.K. expert body that sets carbon budgets.

I believe the bill should have extended guarantees of independence to the advisory body, including structural guarantees to the advisory body and individual guarantees to its members. It is inexplicable that the government didn't do this.

I will note that the amendment to clause 20 that was adopted is purely symbolic and does nothing to address the lack of independence of the body and its members. While the original version of clause 20 required that the body provide the minister with advice, the new version states that it must provide the minister with “independent” advice. The addition of the word “independent” does nothing to genuinely guarantee the institutional and structural independence of the advisory body.

I will therefore be voting against Bill C-12 because it is seriously flawed and doesn't provide the necessary means to achieve net-zero emissions by 2050 or meet the 2030 Paris target. I don't think there is any chance that the government, or even a majority of senators, will agree to amend the bill because of the undue pressure from the Liberal government to hold an early election and because this bill could die on the Order Paper. I refuse to comply with the government's ultimatum. I will not pass a flawed bill that is lacking in substance, a bill that will fuel the cynicism of Canadians, those who are counting on us to pass robust laws in order to drastically and sustainably reduce our greenhouse gas emissions. I don't agree with the proverb that says that a bird in the hand is worth two in the bush. Young Canadians have the right to expect the strongest fundamental guarantees to ensure the protection of their environment.

I therefore humbly ask you to vote against Bill C-12, so that the government has to redo its homework and introduce a new bill. This new bill would have to include a lot more than just a promise to come up with plans. It would have to contain specific robust and practical measures to achieve net-zero emissions targets and comply with the Paris Agreement. We also need a bill that would hold the minister and government to account if they fail to meet the targets that have been set.

Thank you for your attention.

Hon. Senators: Hear, hear.

Hon. Robert Black: Honourable colleagues, I rise today to speak to Bill C-12, An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050.

As many of you know, I am — and always will be — an “agvocate.” I have worked in agriculture for most of my life. It's what I know best and it will remain my primary focus as long as I serve Canadians here in the Senate Chamber.

Thus, my focus today will be the role of agriculture in the fight against climate change and the mitigation of greenhouse gas emissions in support of Canada's efforts to achieve net-zero emissions within the next 29 years.

First, I would like to thank my colleague the Honourable Senator Rosa Galvez for sponsoring this bill in the Senate. This is an important step forward in making Canada a greener, cleaner and more sustainable place to live, work and play.

I was particularly pleased to see that additional accountability measures were introduced in the other place, such as further progress reporting in 2023 and 2025 — including a review of the 2030 target — and a 2026 interim emissions objective as well as more prescriptive requirements for the emissions reduction plan and progress reports. These markers along the way provide not only ways to maintain accountability, but also ways to further update and include all Canadians in this journey.

As I mentioned earlier, agriculture is one of my primary focuses, and it's no surprise that this industry has an important role in fighting climate change. According to the Organisation for Economic Co-operation and Development, in 2016, agriculture contributed about 17% of greenhouse gas emissions globally, and that figure does not include an additional 7% to 14% caused by changes to land use. According to Agriculture and Agri-Food Canada, 10% of Canada's greenhouse gas emissions are from crop and livestock production, excluding emissions from the use of fossil fuels or from fertilizer production.

These are significant numbers that we need to work to bring down. However, the onus cannot be placed solely on farmers and the agricultural industry. They work hard to provide us with food, and most of them are good stewards of the land. And, as stewards of the land, farmers are heavily invested in the fight against climate change and mitigating its impacts.

In fact, in many cases, our farmers face the brunt of climate change as Canadian agriculture suffers greatly from the effects. The frequency of extreme weather events has doubled since the 1990s. There has been an increase in floods, droughts, forest fires and storms that, unsurprisingly, interfere with both planting and harvest, which disproportionately affects farms of all sizes.

While we must recognize that agriculture is only a small part of the problem when it comes to climate change, the agricultural sector has demonstrated continuous improvement over many years while emissions from other sectors have risen over time. Agriculture also has an amazing potential to be an important part of the solution.

In fact, many farmers have already taken steps over the years to make their land a zero-till operation. This technique increases the retention of organic matter and nutrient cycling, which in turn increases carbon sequestration. Many have also included perennial forage and cover crops in their cropping rotations. There is more carbon in soils under perennial forage than annual crops, due in part to the former's ability to better transfer carbon to the soil. In fact, the Canadian Federation of Agriculture shared that farmers have kept their emissions steady for 20 years while almost doubling production, resulting in a decrease in greenhouse-gas-emission intensity by half.

Agriculture and Agri-Food Canada also recognizes that agriculture helps slow climate change by storing carbon in agricultural lands. Storing, or sequestering, carbon in soils as organic matter, perennial vegetation and in trees reduces carbon dioxide amounts in the atmosphere.

We have also seen more technological advancements and innovation, including precision agriculture, the use of artificial intelligence and drones, that aim to decrease negative environmental impacts while also increasing profitability. We can also explore the possibility of scaling up technologies that we already know yield positive environmental outcomes.

There are many other innovative methods farmers employ in order to protect the environment without sacrificing profitability. An example of this is reintegrating livestock and crops on the farm and managing grazing, which can increase livestock's nutrient consumption as well as increase the soil organic matter.

Additionally, vertical farming and urban farming have gained popularity in recent years. These innovative ways of farming allow us to grow crops in urban areas without taking up much space. We're also seeing the use of hydroponics, meaning growing crops directly in nutrient-enriched water rather than soil.

The challenge for the agriculture and agri-food sector will be to mitigate greenhouse gases while adapting to the impacts of climate change without jeopardizing food security. To do so, Canadian agricultural producers and food processors will need the government's support in transitioning their operations to be more sustainable, and they will also require the government's support while they seek to change decades-long practices and procedures.

Many organizations, including the Canadian Federation of Agriculture, the Ontario Federation of Agriculture, the Canadian Cattlemen's Association and the Canadian Pork Council, among many others, have highlighted their dedication to supporting Canada's fight against climate change. There are, of course, concerns specific to each sector regarding issues such as fair carbon pricing, which I have spoken about in the past, and other potential impacts to the overall sustainability of the industries but, overall, Canadian agriculture knows that they have a critical role to play as stewards of the land, which involves preserving ecosystems and resources, such as our soil and water, as well as minimizing the environmental impacts of their activities through the implementation of beneficial agricultural practices.

At this time, I would like to pivot to the role of soil health and the environment and how it can and does affect climate change. I have risen on a number of occasions in this chamber and in

the Agriculture and Forestry Committee to speak about the importance of soil health. As you may know, I have proposed that the Standing Committee on Agriculture and Forestry undertake a new study on soil health in Canada.

In relation to Bill C-12, soils across Canada play a critical role in carbon storage and can help deliver on the net-zero greenhouse gas emissions target by 2050.

As one of Canada's most precious natural resources, soil conservation is a top-of-mind matter for the agriculture and agri-food sectors. In fact, I believe it's a cross-sector, cross-Canada concern. The future of this country is intrinsically linked to the health of its ecosystem, which in itself hinges on soil health.

Since becoming a senator in 2018, I have consistently been meeting with soil health stakeholders, including farmers, scientists and other agri-business owners, as well as experts like the godfather of soil health, Don Lobb, and his academic son, Dr. David Lobb. In fact, it was Don Lobb who gave me a nudge to look into former senator Herbert Sparrow's 1984 report on soil health.

It has been 37 years since the Senate last completed a study on soil health. What you may not know is that the 1984 study, entitled *Soil at Risk*, done by the Senate Agriculture Committee, is the most-requested Senate report on Parliament Hill ever. However, in the decades that have passed since that report came out, the Canadian landscape has changed significantly, and it's high time that this report be updated.

At this time, I am pleased to share that my office has heard from over 185 supporters of the proposed study. We have received support from academics, government officials, as well as both national and provincial organizations from across the country.

I am hopeful that the study I proposed to the Agriculture Committee, if undertaken, will connect with Canadians by introducing soil health through the lens of food security, environmental conservation, the link between air and water quality and soil health, and the role of soil in carbon markets and climate change, as healthy soils will help support Canada's net-zero targets.

I think we can all agree that ensuring the health and conservation of Canadian soils is a shared responsibility and will require collective leadership and sustained commitment and action by those directly responsible for managing soil across the country. Healthy soil is arguably one of the most critical resources for the health of our natural and agri-ecosystems so that they can sustain food production, as well as the provision of ecosystem services. Knowing how to manage soils and understanding how soils function is key to their productivity and long-term sustainability and will have serious effects on how we manage climate change into the future.

In March 2019, a report by the Canadian Agri-Food Policy Institute, entitled *Clean Growth in Agriculture*, highlighted that:

Canadian agriculture . . . has steadily reduced its GHG emissions intensity as a result of dramatic disruptive technological changes. The efforts by governments, industry and academia continue to enable the industry to reduce its emissions. . . .

The report also says those efforts are also helping the industry to become “. . . a net sink . . . providing solutions for the rest of the economy.”

Colleagues, soil health and climate change are intrinsically linked. On the one hand, soils are the second-largest carbon sink after our oceans, storing three times more carbon than is found in the atmosphere. On the other hand, rising temperatures and changing precipitation patterns can lead to soil erosion, fertility loss and a decline in the soil's ability to carry out basic ecosystem services.

We know that soil is not a renewable resource, and we don't have much time left to save our soils — some experts say less than 50 years. Additionally, the cost of soil degradation in Canada is estimated at \$3 billion annually, and this will only increase if nothing is done. Improving soil health is not a one-size-fits-all endeavour across Canada's varied landscape, but it is clear that healthy soil has an important role to play in our economy, environment and society, including in helping our country reach our target of net-zero emissions by 2050.

Honourable colleagues, we know that climate change is one of the biggest issues facing our world. It is clear that the agriculture industry understands and supports the call to action to fight climate change. However, we are asking a lot of our farmers. Many agricultural operations rely on decades-old practices that have only recently been deemed to be environmentally detrimental. Making the switch to new technology costs a lot of money and, while I've never heard of a farmer who was "in it for the money," it does impact on the viability of their businesses.

At this time, I am taking this opportunity to once again call upon the Canadian government to work collaboratively with our agricultural industry so they can help make the journey to environmental sustainability a little easier for everyone.

I am confident that the agriculture industry — which has been innovating for as long as it has existed — will continue to rise to the challenge by helping in the fight against climate change. Of course, initiatives must come from all sectors, and it must be a joint effort from all of us. In order to achieve our goals in greenhouse gas reduction, government and industry must work together.

I know that many of us in this chamber have children and grandchildren. Without working together to challenge and change the effects of climate change, I fear that they will be living in a world entirely different from the one we know today. I hope you will all join me in supporting the passage of this important bill.

Thank you.

Hon. Mary Jane McCallum: Honourable senators, I rise today to speak on third reading of Bill C-12, the Canadian Net-Zero Emissions Accountability Act. I would like to thank Senators Galvez and Coyle for all the hard work that they have done.

As much of my work as a senator has been to work with and fight for the countless Indigenous communities that are ravaged by both climate change and resource extraction and development, I wanted to use this opportunity to elevate their voices within this consequential debate. As such, the following is a speech I will read on behalf of the Wa Ni Ska Tan: An Alliance of Hydro Impacted Communities that represents 40 communities in Manitoba.

Wa Ni Ska Tan is a Cree word that means "let's rise" or "let's wake up." They say:

We welcome the opportunity to speak on this bill and to the impacts of hydro dams and climate change in Manitoba, particularly on Indigenous communities.

Cree and Anishinabe peoples in Manitoba have been living with the impacts of hydro dams, diverted rivers and impounded lakes in their homelands for over half a century and are all too familiar with the severe environmental damages they cause. They are also concerned about the escalating climate crisis.

Hydroelectricity has long enjoyed a reputation as “clean, green,” even “carbon-neutral” energy. Unfortunately, this reputation is not deserved. Newer research has shown that, in addition to the grave and ongoing damages hydropower operations cause to lakes, rivers, forests, fish, birds and land animals, hydropower also contributes significantly to the climate crisis.

The public conversation about climate change and greenhouse gases focuses heavily on fossil fuel use as the main driver of climate change. While fossil fuels are clearly an important part of the problem, it would be a great mistake to build more hydro dams as a way of reducing our fossil fuel use. For one thing, as the river protection group American Rivers notes:

It is equally imperative that we do not destroy the environment we are trying to save by rushing to develop low-emissions energy sources that will result in serious environmental harm, as well as high economic and societal costs.

Beyond these vital considerations, it is also important to understand that hydropower, in fact, is not carbon-neutral but contributes to greenhouse gas emissions in several significant ways.

The most important way that hydropower creates greenhouse gas emissions is via large reservoirs. One summary of recent scientific research summarized the problem in the following words:

... the world's reservoirs are an underappreciated source of greenhouse gases, producing the equivalent of roughly 1 gigaton of carbon dioxide a year, or 1.3 percent of all greenhouse gases produced by humans.

That's more greenhouse gas production [globally] than all of Canada

Hydro reservoirs actually produce not only carbon dioxide but also nitrous oxide and methane. The latter two gases contribute much more powerfully to climate change: methane emissions produce 24 times as much global-warming potential and nitrous oxide 298 times as much as carbon dioxide over a 100-year time scale. Over shorter terms, methane's impact is even greater: over a 10 to 20-year period, it is 86 times more potent than carbon dioxide in accelerating climate change. Methane makes up nearly 80% of the greenhouse gas emissions from reservoirs.

Reservoirs produce these greenhouse gas emissions principally through the flooding of shorelines and forests, which kills trees and plants, introducing organic matter into the water that then decomposes, producing carbon dioxide, nitrous oxide and methane. Such flooding occurs not only at the time of dam construction, but also on a regular, ongoing basis on lakeshores, islands and riverbanks whenever a hydro utility artificially raises water levels or releases surges of impounded reservoir water.

These scientific observations are supported by the experiences and knowledge of Indigenous communities whose traditional territories include these reservoirs. Thus, Leslie Dysart, a fisher from O-Pipon-Na-Piwin Cree Nation living near South Indian Lake in Northern Manitoba, said:

I have witnessed many times over the years, along or near eroded, destroyed shoreline, areas of bubbling gas emitting from below the water continuously.

Hydro operations have also led to the destruction of large areas of Canada's northern boreal forest, the North's equivalent of the Amazon rainforest in terms of protection against climate change. The northern boreal forest sequesters carbon and produces large amounts of oxygen. But it has been under attack for many years, and hydropower's role includes the forest cut down during hydro dam construction for roads, transmission line corridors, generating stations, dams themselves, construction materials, forest drowned and killed by the flooding of land and the tens of thousands of trees lost annually due to the constant slumping of shorelines and destruction of islands caused by hydro's manipulation of water levels.

Again, as Leslie Dysart further indicates:

Hundreds of Islands have disappeared on South Indian Lake over the decades, the trees and vegetation are submerged and decay emitting GHG's, there is no monitoring of this impact.

Both the construction and the decommissioning of hydro dams are also major emission sources. Building mega dams requires moving tonnes of earth and rock and long-distance transport of large amounts of heavy materials such as concrete and cement, which involves burning a lot of fossil fuels. Decommissioning hydro dams actually causes even more emissions – up to three times as much as constructing them. Thus, accounting for emissions related to hydropower must consider the amount related to the decommissioning process in addition to construction and maintenance.

Hydro dams and climate change have significant impacts on Indigenous peoples and communities. Indigenous peoples suffer some of the highest burdens of disease and ill health in Canada, combined with some of the poorest access to health care. While multiple factors are at work here in northern Manitoba, hydro dams are a major factor. The filling of lakes and rivers with silt, dead trees and debris have made travel dangerous and difficult, led to many fatal accidents and created a drinking water crisis in a land where, in the past, people could literally dip their cups in the water and drink. Bathing and swimming in once-pristine water is no longer possible in many lakes, with children suffering skin rashes when they make the attempt.

Mercury contamination after flooding has forced the closure of numerous fisheries over the years, and the damages to land and water have inhibited or prevented the practice of culture on the land and the harvesting of healthy food and medicines. The people are left with chronic boil-water advisories and reliance on expensive, unhealthy, mostly processed store-bought food. They have to pay for this new unhealthy type of food with incomes derived mostly from social assistance, since their once-lucrative commercial fisheries have been decimated by hydro operations.

Climate change will make all these problems worse and is already beginning to do so. While hydro dams have created a chronic problem with dangerous "hanging ice" suspended precariously above the water by the wintertime lowering of water levels, climate change will weaken ice even more and lead to more deaths by falling through the ice.

Already, prairie winters have become shorter and warmer. This, in turn, means winter roads can only be created for very short periods to bring in heavy and bulky supplies to communities without regular road access, further increasing the cost and difficulty of supplying communities with their basic needs. Thinner ice for shorter periods also increases the difficulty and danger of travel on land and water, further threatening health and promising to lead to more accidents and fatalities.

Climate change threatens animal populations that have long been important to Indigenous communities, such as muskrat, caribou and moose. Hydro dams have already forced many animals to move — moose, caribou, beaver, muskrats and rabbits — as they can no longer live in the forest or by the erratically fluctuating lakes and rivers. The sturgeon and white fish that traditionally formed the foundation of Cree diets have already been decimated by hydro operations, unable to spawn safely or to follow their traditional movements, while fishing nets are tangled or destroyed by the fallen trees. Climate change will only worsen these disasters.

All these negative changes in the climate, along with the lands, waters, forests and animals, are especially harmful to Indigenous peoples and they have resulted from activities that have brought them little or no benefit. Many hydro-affected Cree and Anishinaabe people have difficulty paying for the hydro that heats and lights their homes, even though it is generated at great cost to them — environmental, economic and human cost.

Not only has hydro power largely wiped out their once-abundant hunting, trapping and fishing economies, but there is also the human loss, psychological damage and emotional distress created by witnessing the profound harm and destruction to their homelands, economies, health and families.

The industrial activities that have created the climate crisis have similarly brought them proportionally few benefits, as the jobs and services that the industrial economy makes available to non-Indigenous Canadians are more difficult or even impossible for them to access, even though they live right there. Moreover, the combined effects of hydro power and the climate crisis intersect with other issues that confront Indigenous communities, including residential schools, gendered violence and substance abuse. Indeed, much recent media attention has focused on the violence against Indigenous women and two-spirit people engendered by so-called “man camps,” notably those associated with hydro construction over the last 50 years.

We welcome this bill to require measurable concrete action to reduce greenhouse gas emissions and reach net-zero emissions. Implementation should explicitly reject large-scale hydro as an acceptable strategy and include direct, mandated and properly funded collaboration between scientists and Indigenous knowledge keepers, combining scientific expertise and know how with each Indigenous nation’s close familiarity and long-term relationship with the lands and waters of their territories.

Indigenous traditional ecological knowledge is intensive, detailed, local knowledge accumulated through millennia of active use, observation and stewardship of specific homelands. It offers an invaluable source of understanding of particular ecosystems as holistic, interdependent, synergistic webs of connection and interaction. This collaboration should also focus on how to better mitigate past, present and anticipated impacts associated with both hydro power and climate change. Both the work and resulting decision-making should engage actively with, and be accountable to, impacted communities.

They close by saying, “Thank you for the opportunity to raise our concerns in the Senate Chamber.”

Senators, as a fellow senator, I urge you to support this bill so that we can move to action. We can’t afford to continue to do nothing. Thank you.

Some Hon. Senators: Hear, hear.

Hon. Douglas Black: Honourable senators, I also rise today to speak at third reading to Bill C-12, An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050.

Let me start my remarks by saying that I strongly support the net zero by 2050 objective. This is an important goal shared by governments, industry and civil society. It's a goal that will require the efforts of all economic sectors to achieve. Bill C-12 endeavours to create a climate accountability regime, as we heard this afternoon, through the establishment of and reporting on emissions targets. As hundreds if not thousands of Canadians have reminded me by email and on Twitter, this is a consequential piece of legislation. The result, if successful, is no less, senators, than reordering the Canadian economy. Before I get into the content of the bill, I would like to reflect on process.

While I am very proud of the work that our committee has done, our observations and the level of cooperation and respect shown amongst all senators, I must acknowledge that the process was truncated. A core strength of the Senate is our unfettered and thorough work. As I have often said, we are Canada's best think tank, but if we abbreviate our processes to convenience a government, as we have done far too often during this pandemic, we will justifiably lose that mantle.

The pre-study tool is, in my view — and I believe it's shared by many of my colleagues — designed to be used in unique, complex and time-sensitive circumstances, such as budget implementation bills, trade agreements with looming ratification dates or bills addressing court-imposed deadlines, not to rush legislation that has been in contemplation for years.

It is difficult, if not impossible, to gain a full view of a bill and the dynamics around it before the final version even comes to the Senate. The situation in which we found ourselves when trying to pre-study Bill C-12 is a perfect example of why the Senate should act consecutively with the House of Commons and not in conjunction with it.

As our committee was meeting to hear witnesses and consider possible amendments, there were significant amendments being debated at committee in the other place.

Because the legislation was so in flux and the timelines were short due to the arbitrary deadlines that the government placed upon us and that the Senate agreed to, we could not hear from a full slate of witnesses as we neither had the time, or we were asking witnesses one or two days before we wanted their considered remarks. It was not our finest hour.

Perhaps even worse, as the committee noted in its pre-study report, there were important witnesses who did not get to participate from whom we should have heard as they would have helped paint a more complete picture.

These potential witnesses, from whom we did not hear, but many expressed interest to be heard, would be industry associations, such as rail, airlines, road transport, agriculture, steel, construction and housing. We did not hear from provincial and territorial governments. We did not hear from representatives from other countries with experience in climate accountability nor, importantly, did we hear from investment professionals or economists.

If we had not been arbitrarily constrained, we could have finished the job we were supposed to do in this place, which is to rigorously scrutinize legislation affecting Canadians. And senators, aggressively decarbonizing the economy on a tight timeline will impact all Canadians and is worthy of the Senate's best work.

The Senate's role is also to understand and defend regional interests, a duty we did not comprehensively discharge in our study of Bill C-12. Not only was the process imperfect, but so is the bill. The Prime Minister likes to say that the environment and the economy go hand in hand. How many times, senators, have we heard that? But in this bill, there is only one hand. No consideration has been given to the hand that governs our diverse social circumstances and prosperity.

As the committee noted in our observations, the targets themselves should be focused exclusively on emissions reductions. I agree, but that said, without reporting on, measuring and considering economic factors in the decision making, there is little hope that we can achieve these targets. Also, no thought was given in this bill to understanding where the action of change must happen: industry, commerce and individual Canadians.

Allow me to quote quickly from our committee observations:

... the committee is concerned that plans and reports under Bill C-12 are not required to contain information about the economic and social impacts of climate action or inaction, such as through cost-benefit analysis. Further, despite the preamble of Bill C-12 referring to making Canada's economy "more resilient, inclusive, and competitive", there is no specific inclusion of measures such as real gross domestic product, levels of investment and employment, energy affordability, among others, as considerations in the Minister's plans and reports. Similarly, there is no mention of energy security as a consideration despite its importance as a factor in the transition to a low carbon economy. It is therefore the view of the committee that these measures must be included as considerations in the Minister's plans and reports before the statutory five-year review.

Senators, if we are serious — and we should be serious — about reaching the targets required to be set by this legislation, then we need to move from the 60,000-foot elevation to the ground without crashing.

Looking at it another way but using a similar analogy, we've got to build a plane that has all of the parts necessary to successfully take off and not crash out of the gate. That means public and private sector investment, talent and jobs, and affordable and reliable energy. A single missing piece could relegate this bill before us to another stack of paper, meaning as much as Canada's previous climate commitments have meant.

Without domestic and foreign investment, we cannot further electrification, develop clean energy projects or advance the technological innovations we know are necessary. Without talent, we cannot build the infrastructure needed for a low-carbon future. And without jobs being created and affordable and reliable energy available, there will be no guarantee of political support for net-zero policies or even net-zero objectives.

I believe Canada's climate accountability regime must include an economic component to be effective. In fact, I believe this bill should be amended to include economic considerations.

However, I recognize that the will for an amendment, given the circumstances, does not exist in this chamber. While I accept this fact, I want the record to clearly reflect that this legislation is not complete without its second hand.

The other key issue with this bill is it does not adequately acknowledge the role of provinces and territories on the road to net zero, as my colleague Senator Carignan has also pointed out. There are many possible paths to net zero, and no province or territory has the same emissions profile

or the same financial and social capacity to effect large-scale economic change in a very short period of time. The federal government must account for and respect that, and the amendment that was made in the other place reflects consultation. It does not reflect what is required here to get the job done.

With much of the constitutional authority residing with levels of government other than the federal government, there is a clear need for intergovernmental collaboration. Specifically, this bill should have ensured the provincial and territorial climate policies and their plans are integrated into the targets, plans and reports for the minister under Bill C-12.

Building in the contributions of Indigenous governance structures and Indigenous communities is also of great importance in this effort. So too are the initiatives undertaken at the local government level. Silent on all.

An integrated approach to emissions reduction is necessary in order for us to be successful with this massive undertaking. Witnesses were unambiguous in committee hearings: Sustained investment is needed to fund Canada's energy transition. A stable and predictable policy environment is a precursor to attracting that investment. Climate accountability regimes at the federal level must have a role to play in establishing that environment, but investors must also see intergovernmental cooperation. Including a provision in the bill to make this change would send a strong signal that Canada will both respect jurisdiction and work together with partners across governments to make progress.

An equitable and just transition, as is often referred to, will not happen without due consideration given to the regions and regional economies. The challenges, for example, facing my province of Alberta in this transition are different than those facing Ontario or Nova Scotia, for example.

It is worth mentioning that ongoing progress on emissions reduction will be threatened if the country is mired in political conflict or jurisdictional battles before the courts.

These are not my only reservations with Bill C-12. I am also uneasy with vesting a single minister, however capable, with the singular authority to amend emissions targets and plans. And there are other aspects mentioned in our committee's observations that could improve this bill. Action to close the gaps in Bill C-12 would help secure the confidence of those whose support is crucial to achieving the bill's aims: provinces, territories, Indigenous communities, investors and individual Canadians.

Before I conclude my remarks, I would like to thank my fellow committee members for the collaborative nature of our pre-study deliberations. I want to make a special mention of our chairman, Senator Massicotte, for his leadership in a very difficult circumstance. Also, I want to acknowledge the contribution of the bill's sponsor, Senator Galvez.

May I also thank my colleagues in my office for outstanding work, as well as the clerks and all support to the committee who were working under the gun from the very first moment.

In summary, I will support this bill. I support the aspirations of this bill, but I have substantial practical concerns that the imbalance and omissions in Bill C-12 will prevent Canada from achieving the goal of net zero by 2050.

I suspect that we have not seen the last of this legislation. I urge the government to give the committee's observations and the comments of senators, both in committee and here today,

the attention they deserve, and address those shortcomings at the earliest opportunity so Canada can achieve this goal. Thank you, colleagues.

Hon. Peter Harder: Honourable senators, I rise in support of Bill C-12, a piece of legislation aimed at helping Canada achieve net-zero greenhouse gas emissions by the year 2050. The framework in this legislation is an important step forward, and I am pleased that this Forty-third Parliament will take meaningful climate action.

The basic question I ask is this: What is the climate legacy we wish to pass on to our grandchildren? I doubt I'll be here in 2050, but I am raising the alarm so that our generation does not continue to fail them.

We have no time to waste. Much bolder measures than Bill C-12 will be required to avoid catastrophe on this planet. However, together with carbon pricing, green investment and innovation, this legislation gives Canada a fighting chance to do our part to meet humanity's greatest ever challenge. Essentially, this bill requires an emissions reduction plan, with the benefit of an expert advisory body and the government reporting requirements to meet incremental goals. This statute will also survive any change in government in the decades to come, providing there are no attempts to repeal. On that point, the Senate of Canada ought to be paying particular vigilance.

The House of Commons Standing Committee on Environment and Sustainable Development strengthened this bill, adding reporting requirements in 2023 and 2025 to work toward the critical benchmark of 2030. According to the 2018 report of the Intergovernmental Panel on Climate Change, or IPCC, to avoid catastrophe emissions must fall by about 43% from 2010 levels by 2030, reaching net zero around 2050. These are the numbers required to limit global warming to 1.5 degrees Celsius. I'll describe the scientific importance of that threshold shortly. The IPCC commented that achieving this goal will require “. . . rapid and far-reaching transitions in energy, land, urban and infrastructure (including transport and buildings), and industrial systems . . .”

Unfortunately, between 2016 and 2019, Canada's greenhouse gas emissions increased by 3.3%. The recent growth rate is the highest of any G7 country. Since the Paris Agreement was signed in 2016, all other G7 countries, except the United States, have decreased their emissions. Those decreases were between 4.4% in Italy and 10.8% in Germany.

Canada is a wealthy country with very high per-capita emissions. In fact, Canadians are among the top per-capita emitters from fossil fuel combustion, with emissions of 3.4 times the world average in 2019. We're also stewards of a large part of the natural world, with collective responsibilities to protect many relatively pristine and globally consequential ecosystems. At the same time, Canada is warming twice as fast as the rest of the world, and the Arctic is warming at three times the global rate.

Canada is not doing its fair share to reduce emissions, let alone take a leadership role. Progress has also been difficult to achieve. Just this year, the Supreme Court upheld the constitutionality of the federal carbon-pricing legislation, preserving our country's most effective policy tool after the Governments of Saskatchewan, Ontario and Alberta challenged the law.

Fortunately, there is now almost consensus at the federal level with climate change as a reality and that a price on carbon is rational and efficient in reducing emissions.

Using that tool and massive green investment, we can and must fulfill our commitments under the Paris Agreement.

Canada must earn the credibility to positively influence international cooperation and prevent disaster. To this end, with Bill C-12, the government will be required to develop a rational plan with accountability for its success. Constructively, senators can help develop and support policies to meet our Paris targets.

We can also depoliticize the policy debate through a long-term and evidence-based lens. With climate change, we must rededicate our commitment to following the science, just as we have followed the science in terms of our pandemic response.

Colleagues, the IPCC report begins with a reference that states the challenge before us. From Antoine de Saint Exupéry:

As for the future, your task is not to foresee it, but to enable it.

So let us consider our options in terms of the difference between a planet with a 1.5-degree increase versus a 2-degree increase. According to the IPCC report, keeping warming to 1.5 degrees Celsius will limit the risks of increases in heavy precipitation events, including the number of very intense tropical cyclones and hurricanes. Globally, Western Canada and Eastern Canada are two regions most at risk from increases in such events at conditions of 2 degrees.

Limiting the increase to 1.5 degrees will also substantially reduce the probability of extreme drought and water scarcity. This lower rate of change will enhance the ability of natural and human systems to adapt in terms of ecosystem resilience and food production.

At 1.5 degrees, the risks of catastrophic poverty in terms of energy, food and water availability can be mitigated in Africa, Asia and small island states. At 1.5 degrees, there would be significantly less risk of flood hazard and a much lower risk of extinction for many species. At 1.5 degrees, the likelihood of an Arctic Ocean free of ice in the summer would be once per century compared to once per decade at 2 degrees. By 2100, the global sea levels would be 10 centimetres lower at 1.5 degrees compared to the alternative.

Particularly striking, at 1.5 degrees, 70% to 90% of the coral reefs will be destroyed. At 2 degrees, over 99% of the reefs would die.

We must hold the line at 1.5 degrees, including allowing changes in our lifestyles. Compared to the sacrifices of previous generations, such as those who endured the Great Depression and the Second World War, very little has been asked of us. For example, we can fly less, buy cleaner vehicles and consume more plant-based foods with a much lighter environmental footprint.

The tangible costs of climate change are already evident. Wildfires in Australia, California and Western Canada have been devastating and are a sign of things to come. In Quebec, 66 people died in the heat wave in Montreal in 2018. The Îles de la Madeleine are suffering massive erosion due to the lack of protection from sea ice. The 2019 Hurricane Dorian, worsened by climate change, has caused extensive damage in Halifax.

The consequences of our failure to act in a rich country like Canada will be disastrous for the most impoverished populations on this planet and will take a shameful place in history, unless we change course now.

Perhaps the greatest crime of all is being perpetuated in respect of mass extinction. The eradication of species is an incalculable theft from all future generations and an atrocity against Mother Nature and our fellow creatures. Climate change is occurring at the same time as many other human activities contributing to mass extinction, including habitat destruction, wildlife trafficking, plastic pollution, overfishing and the spread of invasive species. Yet climate change undermines whatever resilience those strained wildlife populations may have left.

In 2018, the World Wildlife Fund released a major report indicating that 60% of vertebrates — mammals, birds, fish, reptiles and amphibians — have been eradicated since 1970. Since I was 18-years-old, more than 60% of vertebrates have been eradicated.

A 2019 UN report found that a million animals and plant species are now threatened with extinction, many within decades. This die-off is what scientists now refer to as the Anthropocene extinction, named after us in our dishonour, constituting the sixth mass extinction in the history of the planet.

For context, the last mass extinction in this series occurred 66 million years ago when an asteroid slammed into the earth, killing dinosaurs and wiping out three quarters of animal and plant species. In considering these issues, we must think of the younger generations and the future generations.

In 2019, climate change protests that began with teenagers in Europe spread around the world. On September 27 of that year, hundreds of thousands of Canadians took to the streets calling for bold climate action. Canadians of all generations marched in cities from St. John's to Edmonton to Vancouver, and as far north as Inuvik in the Northwest Territories. Greta Thunberg met with Prime Minister Trudeau and rallied young people in Montreal. Here in Ottawa, just outside Parliament, one little girl held a sign asking if there would still be whales, turtles and cheetahs when she is 18. An older marcher held a sign urging seniors to fight for the planet. One young person carried a picture of Dr. Seuss's famous environmental messenger, The Lorax, referred to yesterday by Senator Coyle with the ominous warning: "unless."

Honourable senators, with Bill C-12, and in our own work, we must stand with and for Canada's young people, our grandchildren. They have much more to lose with our decisions on environmental matters than we do and their interests are not well represented in the political process or institutions.

In this country and around the world we must put aside political divisions. We must cooperate because one thing is certain: If we do not work together, we will fail together. Just this month, the Parliamentary Budget Officer's report indicated that the government is not on track to meet its targets. If Bill C-12 and measures like carbon pricing cannot reduce our emissions due to political barriers to rational policies, it may be that the courts will eventually play a role, given the impact of climate change on human rights.

In 2019, the Supreme Court of the Netherlands ordered that the national government take further action against climate change, requiring a 25% reduction from 1990 emissions by the end of 2020. In 2020, the Supreme Court of Ireland quashed the government's national mitigation plan because it did not give enough detail on the reduction of greenhouse gases. There have been important decisions this year in France and Germany, with the German Federal Constitutional Court indicating that current inadequate measures violate the freedoms of young people. In Canada, there are currently efforts to bring a climate case before the Federal Court of

Appeal. Nonetheless, in legislatures and through executive action, all efforts must be directed toward rational and effective ways to reduce emissions.

With the challenge of climate change, we live at the most consequential time in human history. We must not be the broken link in the chain. If we do not cooperate toward the shared and necessary objectives of saving the environment, we will fail ourselves, our children, our grandchildren and all generations. We will fail the miraculous creatures with whom we share this planet. We are now their only hope, and their only threat. We must choose to do better. With Bill C-12, Parliament can commit to taking all the necessary action to begin to turn that tide by creating a rational plan that we can work to implement.

In the Senate, we should contribute to this goal in the critical years ahead and, for the sake of our grandchildren, we should and must be bold.

AI generated response based on transcript:

Summary:

Key Theme of the Debate

The key theme of the debate surrounding Bill C-12 is the urgent need for Canada to establish a transparent and accountable legal framework to achieve net-zero greenhouse gas emissions by 2050. The discussions revolve around the bill's provisions, effectiveness, and adequacy in meeting climate commitments while considering social, economic, and environmental implications, particularly regarding the role of Indigenous peoples, provincial collaboration, and industry engagement. The proponents emphasize the necessity for immediate actions and more ambitious targets, while critics raise concerns about the bill's lack of concrete measures, accountability mechanisms, and the dependence on voluntary agreements with provinces and various sectors.

Conservative Policy Suggestions

1. **Market-Driven Environmental Solutions**: Encourage voluntary partnerships with industries to meet emissions reduction targets, using market-based approaches rather than imposing stringent regulations. Policies could include incentivizing businesses that exceed emissions targets rather than establishing binding limits.
2. **Provincial Autonomy in Climate Commitments**: Advocate for greater provincial flexibility and autonomy in developing their climate action plans, allowing provinces to tailor their strategies according to regional economic and environmental contexts. This could involve a reduction of federal mandates in favor of collaborative agreements on goals.
3. **Economic Impact Assessments**: Require that any climate legislation includes comprehensive economic impact assessments before implementation. This approach would ensure that any measures taken to meet emissions targets are financially viable and won't hinder economic growth or job creation, particularly in energy-dependent provinces.

Liberal Policy Suggestions

1. **Strengthened Accountability Framework**: Amend the bill to include enforceable accountability measures for emissions reduction targets, creating legal obligations on the government to report and act decisively if targets are not met, thereby increasing public trust in government climate actions.
2. **Enhanced Indigenous Engagement**: Implement stronger provisions for the involvement of Indigenous communities in the decision-making processes regarding climate actions and

policies. This could also include integrating Indigenous land management practices into climate strategies to benefit from their traditional ecological knowledge.

3. **Federal-Provincial Collaboration**: Establish mandatory collaboration frameworks between federal and provincial governments to ensure that climate goals are aligned and that federal policies support provincial initiatives. This could involve financial incentives for provinces that develop ambitious carbon reduction strategies in partnership with the federal government.

Screenshot of output on 24/02/2025

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Bill C 12 : Text of the Bill

<https://www.parl.ca/DocumentViewer/en/43-2/bill/C-12/royal-assent>

Second Session, Forty-third Parliament,

69-70 Elizabeth II, 2020-2021

STATUTES OF CANADA 2021

CHAPTER 22

An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050

ASSENTED TO

June 29, 2021

BILL C-12

RECOMMENDATION

Her Excellency the Governor General recommends to the House of Commons the appropriation of public revenue under the circumstances, in the manner and for the purposes set out in a measure entitled "*An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050*".

SUMMARY

This enactment requires that national targets for the reduction of greenhouse gas emissions in Canada be set, with the objective of attaining net-zero emissions by 2050. The targets are to be set by the Minister of the Environment for 2030, 2035, 2040 and 2045.

In order to promote transparency and accountability in relation to meeting those targets, the enactment also

- (a) requires that an emissions reduction plan, a progress report and an assessment report with respect to each target be tabled in each House of Parliament;
- (b) provides for public participation;
- (c) establishes an advisory body to provide the Minister of the Environment with advice with respect to achieving net-zero emissions by 2050 and matters that are referred to it by the Minister;
- (d) requires the Minister of Finance to prepare an annual report respecting key measures that the federal public administration has taken to manage its financial risks and opportunities related to climate change;

(e) requires the Commissioner of the Environment and Sustainable Development to, at least once every five years, examine and report on the Government of Canada's implementation of measures aimed at mitigating climate change; and

(f) provides for a comprehensive review of the Act five years after its coming into force.

Available on the House of Commons website at the following address:

www.ourcommons.ca

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CHAPTER 22

An Act respecting transparency and accountability in Canada's efforts to achieve net-zero greenhouse gas emissions by the year 2050

[Assented to 29th June, 2021]

Preamble

Whereas the science clearly shows that human activities are driving unprecedented changes in the Earth's climate;

Whereas climate change poses significant risks to human health and security, to the environment, including biodiversity, and to economic growth;

Whereas, Canada has ratified the Paris Agreement, done in Paris on December 12, 2015, which entered into force in 2016, and under that Agreement has committed to set and communicate ambitious national objectives and undertake ambitious national measures for climate change mitigation;

Whereas the Paris Agreement seeks to strengthen the global response to climate change and reaffirms the goal of limiting global temperature increase to well below 2°C above pre-industrial levels, while pursuing efforts to limit that increase to 1.5°C;

Whereas, the Intergovernmental Panel on Climate Change concluded that achieving net-zero greenhouse gas emissions by 2050 is key to keeping the rise in the global-mean temperature to 1.5°C above pre-industrial levels and minimizing climate-change related risks;

Whereas the Government of Canada is committed to achieving and exceeding the target for 2030 set out in its nationally determined contribution communicated in accordance with the Paris Agreement;

Whereas the Government of Canada has both international greenhouse gas emissions reporting obligations under the United Nations Framework Convention on Climate Change, including the national inventory report, the nationally determined contribution, the biennial report and the biennial transparency report, and domestic reporting obligations under Acts of Parliament, including the annual report under the *Greenhouse Gas Pollution Pricing Act* and the Minister of the Environment's obligations under the Pan-Canadian Framework on Clean Growth and Climate Change, and it wishes to improve transparency and accountability in respect of greenhouse gas emissions targets by providing additional domestic reporting obligations;

Whereas the Government of Canada has committed to developing a plan to set Canada on a path to achieve a prosperous net-zero-emissions future by 2050, supported by public participation and expert advice;

Whereas the Government of Canada is committed to advancing the recognition-of-rights approach reflected in section 35 of the *Constitution Act, 1982* and in the United Nations Declaration on the Rights of Indigenous Peoples and to strengthening its collaboration with the Indigenous peoples of Canada with respect to measures for mitigating climate change, including by taking Indigenous knowledge into account when carrying out the purposes of this Act;

Whereas the Government of Canada recognizes that its plan to achieve net-zero emissions by 2050 should contribute to making Canada's economy more resilient, inclusive and competitive;

Whereas climate change is a global problem that requires immediate and ambitious action by all governments in Canada as well as by industry, non-governmental organizations and individual Canadians;

And whereas the Government of Canada recognizes that significant collective and individual actions have already been taken and intends to sustain the momentum of those actions;

Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Short Title

Short title

1 This Act may be cited as the *Canadian Net-Zero Emissions Accountability Act*.

Definitions

Definitions

2 The following definitions apply in this Act.

Convention means the United Nations Framework Convention on Climate Change, done in New York on May 9, 1992. (*Convention*)

emissions reduction plan means a plan established under subsection 9(1). (*plan de réduction des émissions*)

Indigenous knowledge means the Indigenous knowledge of the Indigenous peoples of Canada. (*connaissances autochtones*)

Indigenous peoples of Canada has the meaning assigned by the definition aboriginal peoples of Canada in subsection 35(2) of the *Constitution Act, 1982*. (*peuples autochtones du Canada*)

milestone year means any of the years 2030, 2035, 2040 and 2045. (*année jalon*)

Minister means the Minister of the Environment or, if another federal minister is designated under section 5, that minister. (*ministre*)

net-zero emissions means that anthropogenic emissions of greenhouse gases into the atmosphere are balanced by anthropogenic removals of greenhouse gases from the atmosphere over a specified period. (*carboneutralité*)

Her Majesty

Binding on Her Majesty

3 This Act and its regulations are binding on Her Majesty in right of Canada.

Purpose

Purpose

4 The purpose of this Act is to require the setting of national targets for the reduction of greenhouse gas emissions based on the best scientific information available and to promote transparency, accountability and immediate and ambitious action 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.

Designation of Minister

Minister

5 The Governor in Council may, by order, designate any federal minister to be the Minister referred to in this Act.

Targets and Plans

Target — 2050

6 The national greenhouse gas emissions target for 2050 is net-zero emissions.

For greater certainty

6.1 For greater certainty, nothing in this Act precludes attaining net-zero emissions before 2050.

Targets — milestone years

7 (1) The Minister must set a national greenhouse gas emissions target for each milestone year with a view to achieving the target set out in section 6.

Progression

(1.1) Each greenhouse gas emissions target must represent a progression beyond the previous one.

Target — 2030

(2) The national greenhouse gas emissions target for 2030 is Canada's nationally determined contribution for that year, communicated under the Paris Agreement, as amended from time to time.

Paris Agreement

(3) Each greenhouse gas emissions target must be as ambitious as Canada's most recent nationally determined contribution communicated under the Paris Agreement.

Subsequent targets

(4) The Minister must set the national greenhouse gas emissions target

- **(a)** for the 2035 milestone year, no later than December 1, 2024;
- **(b)** for the 2040 milestone year, no later than December 1, 2029; and
- **(c)** for the 2045 milestone year, no later than December 1, 2034.

Description — key measures

(5) Within one year after a greenhouse gas emissions target is set for a milestone year after 2030, the Minister must publish a high level description, similar to Canada's nationally determined contribution communicated under the Paris Agreement, of the key greenhouse gas emissions reduction measures the Government of Canada intends to take to achieve that target

and the latest projections of the annual greenhouse gas emissions, taking into account the combined impact of those measures in the period between the publication of the description and the milestone year in question.

Setting emissions target

8 When setting a greenhouse gas emissions target, the Minister must take into account

- **(a)** the best scientific information available;
- **(b)** Canada's international commitments with respect to climate change;
- **(c)** Indigenous knowledge; and
- **(d)** submissions provided by the advisory body under section 13 and advice it provided in its report under subsection 22(1).

Emissions reduction plan

9 (1) The Minister must establish a greenhouse gas emissions reduction plan for achieving the target set by section 6 and each target set under section 7.

Plan — 2030

(2) The Minister must establish an emissions reduction plan for 2030 within six months after the day on which this Act comes into force.

Interim objective for 2026

(2.1) The emissions reduction plan for 2030 must include an interim greenhouse gas emissions objective for 2026.

Extension

(3) The Minister may, in a decision containing reasons and made available to the public, extend the time limit set out in subsection (2) by 90 days.

Subsequent plans

(4) The Minister must establish each subsequent emissions reduction plan at least five years before the beginning of the year to which it relates.

Considerations

(5) When establishing a greenhouse gas emissions reduction plan, the Minister must take into account the United Nations Declaration on the Rights of Indigenous Peoples, the submissions provided by the advisory body under section 13 and advice it provided in its report under subsection 22(1), and any other considerations that are relevant to the purpose of this Act.

Emissions reduction plan — contents

10 (1) An emissions reduction plan must contain

- **(a)** the greenhouse gas emissions target for the year to which the plan relates;
- **(a.1)** a summary of Canada's most recent official greenhouse gas emissions inventory and information relevant to the plan that Canada submitted under its international commitments with respect to climate change;

- **(b)** a description of the key emissions reduction measures the Government of Canada intends to take to achieve the greenhouse gas emissions target;
- **(b.1)** a description of how Canada's international commitments with respect to climate change are taken into account in the plan;
- **(c)** a description of any relevant sectoral strategies;
- **(d)** a description of emissions reduction strategies for federal government operations;
- **(e)** a projected timetable for implementation for each of the measures and strategies described in paragraphs (a) to (d);
- **(f)** projections of the annual greenhouse gas emission reductions resulting from those combined measures and strategies, including projections for each economic sector that is included in Canada's reports under the Convention; and
- **(g)** a summary of key cooperative measures or agreements with provinces and other governments in Canada.

Explanation

(2) An emissions reduction plan must explain how the greenhouse gas emissions target set out in the plan and the key measures and the strategies that the plan describes will contribute to Canada achieving net-zero emissions by 2050.

Other information

(3) An emissions reduction plan may contain any other information that relates to that plan or to the purpose of this Act, including information on initiatives or other measures undertaken by the governments of the provinces, Indigenous peoples of Canada, municipal governments or the private sector that may contribute to achieving the greenhouse gas emissions target.

Amendments

11 The Minister may amend an emissions target set under section 7 or an emissions reduction plan in a manner that is consistent with the purpose of this Act.

Other ministers

12 When establishing or amending an emissions reduction plan, the Minister must do so in consultation with the other federal ministers having duties and functions relating to the measures that may be taken to achieve that target.

Public participation

13 When setting or amending a national greenhouse gas emissions target or establishing or amending an emissions reduction plan, the Minister must, in the manner the Minister considers it appropriate, provide the governments of the provinces, Indigenous peoples of Canada, the advisory body established under section 20 and interested persons, including any expert the Minister considers appropriate to consult, with the opportunity to make submissions.

Report

13.1 The Minister must publish on a Government of Canada website, and by any other means that the Minister considers appropriate, a report on the results of the consultations carried out under section 13.

Reports

Progress report

14 (1) In consultation with the ministers referred to in section 12, the Minister must prepare at least one progress report relating to each milestone year and to 2050 no later than two years before the beginning of the relevant year.

First progress reports

(1.1) In consultation with the ministers referred to in section 12, the Minister must prepare a progress report in respect of the first milestone year by no later than the end of 2023, another by no later than the end of 2025 and another by no later than the end of 2027.

2025 progress report

(1.2) The 2025 progress report must contain an assessment of the 2030 greenhouse gas emissions target, based on the most recent developments in science, technology and greenhouse gas emissions management, and the Minister must consider whether the target should be changed, based on those developments.

Content of report

(2) A progress report must contain

- **(a)** an update on the progress that has been made towards achieving the greenhouse gas emissions target;
- **(a.1)** Canada's most recent published greenhouse gas emissions projections for the next milestone year;
- **(a.2)** a summary of Canada's most recent official greenhouse gas emissions inventory and the information, relevant to the report, that Canada submitted under its international commitments with respect to climate change;
- **(b)** an update on the implementation of the federal measures, sectoral strategies and federal government operations strategies described in the relevant emissions reduction plan and, if available, updated projections of annual greenhouse gas emission reductions resulting from those combined measures and strategies;
- **(b.1)** an update on the implementation of the key cooperative measures or agreements with provinces or other governments in Canada described in the relevant emissions reduction plan;
- **(b.2)** if the projections indicate that the plan's greenhouse gas emissions target will not be met, details of any additional measures that could be taken to increase the probability of achieving that target; and
- **(c)** any other information that the Minister considers appropriate.

Interim progress

(3) Any progress report relating to 2030 must include an update on the progress that has been made towards achieving the interim greenhouse gas emissions objective for 2026.

Assessment report

15 (1) In consultation with the ministers referred to in section 12, the Minister must prepare an assessment report in relation to a milestone year or to 2050 no later than 30 days after the day on which Canada submits its official greenhouse gas emissions inventory report in accordance with the Convention in relation to the relevant milestone year or to 2050, as the case may be.

Contents of report

(2) An assessment report must contain

- **(a)** a summary of Canada's most recent official greenhouse gas emissions inventory and information, relevant to the report, that Canada submitted under its international commitments with respect to climate change;
- **(b)** a statement on whether Canada has achieved its national greenhouse gas emissions target for that year;
- **(c)** an assessment of how the federal measures, sectoral strategies, and federal government operations strategies described in the relevant emissions reduction plan contributed to Canada's efforts to achieve the national greenhouse gas emissions target for that year;
- **(c.1)** an assessment of how the key cooperative measures or agreements with provinces or other governments in Canada described in the relevant emissions reduction plan contributed to Canada's efforts to achieve the national greenhouse gas emissions target for that year;
- **(d)** any information relating to adjustments that could be made to subsequent emissions reduction plans in order to increase the probability of meeting subsequent national greenhouse gas emissions targets; and
- **(e)** any other information that the Minister considers appropriate.

Failure to achieve target

16 If the Minister concludes that Canada has not achieved its national greenhouse gas emissions target for a milestone year or for 2050, as the case may be, the Minister must, after consulting with the ministers referred to in section 12, include the following in the assessment report:

- **(a)** the reasons why Canada failed to meet the target;
- **(b)** a description of actions the Government of Canada is taking or will take to address the failure to achieve the target; and
- **(c)** any other information that the Minister considers appropriate.

Tabling and Publication

Publication of target

17 The Minister may publish the national greenhouse gas emissions target for the milestone year to which an emissions reduction plan relates before that plan is tabled in each House of Parliament.

Emissions reduction plan — tabling

18 (1) The Minister must cause each emissions reduction plan to be tabled in each House of Parliament on any of the first 15 days on which that House is sitting after the day on which the plan is established.

Amendment — tabling

(2) The Minister must cause any amendment to an emissions reduction plan to be tabled in each House of Parliament on any of the first 15 days on which that House of Parliament is sitting after the day on which the amendment is made.

Reports — tabling

(3) The Minister must cause each progress report and each assessment report to be tabled in each House of Parliament on any of the first 15 days on which that House is sitting after the day on which the report is finalized.

Emissions reduction plan made public

19 (1) The Minister must make each emissions reduction plan available to the public, in the manner the Minister considers appropriate, as soon as feasible after it is tabled in either House of Parliament.

Amendments made public

(2) The Minister must make each amendment to an emissions reduction plan available to the public, in the manner the Minister considers appropriate, as soon as feasible after it is tabled in either House of Parliament.

Reports made public

(3) The Minister must make each progress report and each assessment report available to the public, in the manner the Minister considers appropriate, as soon as feasible after they are tabled in either House of Parliament.

Advisory Body

Establishment and mandate

20 (1) There is established an advisory body, called the Net-Zero Advisory Body, whose mandate is to provide the Minister with independent advice with respect to achieving net-zero emissions by 2050, including advice respecting

- **(a)** greenhouse gas emissions targets under section 7;
- **(b)** greenhouse gas emissions reduction plans under section 9, including measures and sectoral strategies that the Government of Canada could implement to achieve a greenhouse gas emissions target; and
- **(c)** any matter referred to it by the Minister.

Engagement activities

(1.1) The advisory body's mandate also includes conducting engagement activities related to achieving net-zero emissions.

Terms of reference

(2) The Minister may determine and amend the terms of reference of the advisory body and must make any terms of reference or amendments to those terms available to the public.

Appointment and remuneration of members

21 (1) The Governor in Council appoints the members of the advisory body on the recommendation of the Minister and fixes their remuneration.

Minister's recommendation

(1.1) When making a recommendation, the Minister must consider the need for the advisory body as a whole to have expertise in, or knowledge of,

- **(a)** climate change science, including the environmental, ecological, social, economic and distributional effects of climate change;
- **(b)** Indigenous knowledge;
- **(c)** other relevant physical and social sciences, including economic analysis and forecasting;
- **(d)** climate change and climate policy at the national, subnational and international levels, including the likely effects and efficacy of potential responses to climate change;
- **(e)** energy supply and demand; and
- **(f)** relevant technologies.

Composition of body

(2) The advisory body is composed of no more than fifteen members, who are appointed on a part-time basis for a renewable term of up to three years.

Co-chairs

(3) The Governor in Council, on the recommendation of the minister, designates two co-chairs from among the members appointed under subsection (1).

Reimbursement of expenses

(4) The members are entitled to be reimbursed, in accordance with Treasury Board directives, for the travel, living and other expenses incurred in connection with their work for the advisory body while absent from their ordinary place of residence.

Deemed employment

(5) Members of the advisory body are deemed to be employed in the federal public administration for the purposes of the *Government Employees Compensation Act* and any regulations made under section 9 of the *Aeronautics Act*.

Report

22 (1) The advisory body must submit an annual report to the Minister with respect to its advice and activities, including setting out the result of its engagement activities.

Factors

(1.1) When providing its advice and preparing its report, the advisory body must take into account a range of factors, to the extent they are relevant to the purpose of this Act including environmental, economic, social and technological and the best available scientific information and knowledge, including Indigenous knowledge, respecting climate change.

Minister's response

(2) The Minister must make the annual report available to the public within 30 days after receiving it and then, within 120 days after receiving the report, the Minister must publicly respond to the advice that the advisory body includes in it with respect to the matters referred to in paragraphs 20(1)(a) to (c), including any national greenhouse gas emissions target that is recommended by the advisory body if the Minister has set a target that is different from it.

Minister of Finance

Annual report

23 The Minister of Finance must, in cooperation with the Minister, prepare an annual report respecting key measures that the federal public administration has taken to manage its financial risks and opportunities related to climate change. The Minister of Finance must make that report available to the public.

Commissioner of the Environment and Sustainable Development

Commissioner's report

24 (1) The Commissioner of the Environment and Sustainable Development must, at least once every five years, examine and report on the Government of Canada's implementation of the measures aimed at mitigating climate change, including those undertaken to achieve its most recent greenhouse gas emissions target as identified in the relevant assessment report.

Recommendations

(2) The report may include recommendations related to improving the effectiveness of the Government of Canada's implementation of the measures with respect to climate change mitigation that it has committed to undertake in an emissions reduction plan.

Submission

(3) The report is submitted as part of the next annual report the Commissioner makes under subsection 23(2) of the *Auditor General Act*.

First report

(4) The first report must be submitted no later than the end of 2024.

General Provisions

Methodology

25 Subject to any regulation made under section 26, the methodology used to report on Canada's greenhouse gas emissions for each milestone year and for 2050 must be consistent with the methodology used by Canada in its official national greenhouse gas emission inventory report for the Convention.

Regulations

26 (1) The Governor in Council may make regulations for the purposes of this Act, including regulations

- **(a)** amending or specifying the methodology to be used to report on Canada's greenhouse gas emissions for each milestone year and for 2050, including with respect to greenhouse gas emissions and removals; and
- **(b)** amending any timeline set out in this Act, other than the ones set out in sections 6 and 24, or any milestone year, for the purposes of aligning it with Canada's international commitments.

International standards

(2) Any regulation made under subsection (1) must align with the international standards to which Canada adheres.

Statutory Instruments Act

27 For greater certainty, the emissions reduction plans, the reports made under this Act, any ministerial decision made under subsection 9(3) and any terms of reference set under subsection 20(2) are not statutory instruments for the purposes of the *Statutory Instruments Act*.

Review of Act

27.1 Five years after the day on which this Act comes into force, a comprehensive review of the provisions and operation of the Act is to be undertaken by the committee of the Senate, of the House of Commons or of both Houses of Parliament that is designated or established by the Senate or the House of Commons, or by both Houses of Parliament, as the case may be, for that purpose.

Consequential Amendment

R.S., c. A-17

Auditor General Act

28 The *Auditor General Act* is amended by adding the following after section 21.1:

Additional functions

21.2 The Commissioner must also carry out the functions assigned to them under the *Canadian Net-Zero Emissions Accountability Act*.

Coming into Force

Section 23

29 Section 23 comes into force on a day to be fixed by order of the Governor in Council.