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Chair

Mrs. Deborah Schulte

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•(1105)

[English]

The Chair (Mrs. Deborah Schulte (King—Vaughan, Lib.)):
Good morning, everyone.

I want to welcome our witnesses today, starting with World Future Council's Catherine Pearce. She is here from London to join us in the room today.

We have three others who are in video conference with us and I would like to introduce them now.

We have Peter Davies, who was the Wales commissioner for sustainable futures and is currently the chair of the Wales Council for Voluntary Action. He's on video conference from London with us. With him, we have Malini Mehra. Welcome.

We also have on video conference from Victoria, Thomas Gunton from the school of resource and environmental management at Simon Fraser University. It's nice to see you, and thank you for being with us today.

From Berlin we have the German Council for Sustainable Development. Günther Bachmann is the general secretary. Thank you very much for joining us today.

Just to give a little bit of procedure, we have witness statements and then we are going to go into questioning. I will let you know when you have one minute left in your speech, so that you don't go over your 10 minutes.

When it comes to questioning I will let everyone know when we're at one minute, so that people know that it needs to end. I will allow a very short going over, but I will let you know when the time is up. Then please finish up your sentence and then we will stop.

We're going to start off the statements with Catherine Pearce, future justice director. She's here with us today.

Thank you.

Ms. Catherine Pearce (Future Justice Director, World Future Council): Madam Chair, honourable members, it is a pleasure and an honour to have this opportunity to give my views on Canada's Federal Sustainable Development Act.

I'm here today speaking on behalf of the World Future Council, an organization founded in 2007, which endeavours to bring the interests of future generations to the heart of policy-making. We identify and research exemplary policies and work with decision makers and legislators to spread these tried and tested solutions in order to ensure a sustainable future for all. The World Future Council

advocates a vision of future justice—common sense, interconnected policy solutions that will benefit society as a whole and provide high quality of life for generations to come.

I'd like to introduce three main observations before this committee.

Let me first turn to the nature of what is understood by the term sustainable development. Its fundament rests on a commitment to equity with future generations. The Brundtland commission report offers one of the original and most widely used definitions of sustainable development. It underlines that the only acceptable form of social and economic development is one that ensures future generations at least as much resources and environmental quality as the present generations enjoy.

The Federal Sustainable Development Act assumes the same definition, yet the concept of sustainable development has had decreasing traction in policy-making over recent years. It has been diluted to such an extent that it no longer holds much meaning, often to the detriment of its original purpose. Sustainable development has been siloed into a purely environmental box. It is no longer seen to transcend disciplines nor to balance with economic priorities; nor does it offer the radical framing of change that is required if we are to meet some complex and unprecedented challenges of our time. Furthermore, to the general public the term sustainable development holds little resonance.

Experience in Wales shows a helpful reframing of the debate. My co-witness today, Mr. Peter Davies, former commissioner for sustainable futures in Wales, can I'm sure help to elaborate. The process of changing the title of their legislation from "sustainable development" to the Well-being of Future Generations (Wales) Act offers an interesting context for the committee members.

The legal duty to promote sustainable development remains at the heart of the Welsh well-being act. However, in order for the act to be better understood, more engaging, and therefore better implemented by all, the well-being of future generations was used to frame it. In doing so, the legislation transcends and overcomes the silo, one-dimensional approach. By framing the legislation in terms of well-being, it incorporates health, free time, public space, equality, cultural heritage, and many other integral elements that are often overlooked. It engages across the policy-making sphere.

The Welsh legislation also helps bring to life the global sustainable development goals and brings them closer to a reality of implementation. Because of their universality, the Government of Canada is also expected to implement all 17 goals by 2030. The breadth and interconnected nature of the goals offer a truly transformational agenda, one that cannot remain within the environment silo, marginalized as only an environmental priority.

This would therefore lead to the conclusion that the work and outputs of the Federal Sustainable Development Act cannot be confined to only an environment department or committee, but rather must engage the heart and centre of government.

My second observation turns to applying intergenerational equity, which can help to bring new meaning to the true concept of sustainable development, as the experience from Wales and elsewhere has shown. Despite best intentions, the interests of the here and now often take precedence over future interests, driven by the short-termism of election cycles. Short-term business cycles driven by quarterly earnings reports aggravate the pressure for immediate rather than long-term returns on investment.

The theory of intergenerational equity has a deep basis in international law. Professor Edith Brown Weiss of Georgetown University is one of the leading authorities. She established three principles of intergenerational equity: conservation of options, conservation of quality, and conservation of access for future generations.

These require that we understand the fundamental entitlement among generations correctly, so that we recognize that future generations have an equal claim with the present generation to use and benefit from the natural environment. Once we recognize this equality of entitlement among generations, economic instruments such as discount rates, the use of new indicators, and many other tools can be developed to achieve intergenerational equity efficiently.

● (1110)

Yet future generations are not effectively represented in the marketplace today. By their absence, they are simply without a voice, which leads me to my third and final point on advocacy for future generations.

To secure sustained human environmental well-being, commissioners or guardians for future generations have been shown to help introduce a long-term perspective into policy-making, linking citizens with governments, working as a catalyst for sustainable development implementation, and acting as principal advocates for common interests of present and future generations.

Existing commissioners or guardians for future generations at regional and national levels around the world have been formally recognized by the UN Secretary-General, Mr. Ban Ki-moon in his 2013 report "Intergenerational solidarity and the needs of future generations". It's also worth noting at this point that the report sets out a recommendation for a high commissioner for future generations at the international level, which has received significant support from many governments.

Commissioners for future generations are an innovative approach to implementing sustainable development. These independent bodies

are dedicated to enhancing governance frameworks and processing, filling institutional gaps by actively advocating for long-term interests, and helping to promote and implement intergenerational justice. Through offering advice and recommendations, and building capacity, such institutions have proven very effective in overcoming short-termism and alleviating the policy incoherence plaguing the decisions of today.

The UN report identifies eight national institutions either present or previous. These include Canada's commissioner of the environment and sustainable development, as well as offices in Finland, Hungary, Israel, New Zealand, Norway, Germany, and Wales. For the latter, a statutory commissioner for future generations has been introduced as part of the legislation I have just mentioned.

It's important to note that these institutions are all different, reflecting domestic political makeup and context. All of them enjoy different levels of independence and powers. However, they all attempt to break new ground in interpreting sustainable development to the governments they work with and to a public audience, especially since all of them hold very strong connections with civil society while working alongside their parliamentary colleagues.

While we recognize that no one size fits all, in recognizing the contribution of these offices, the World Future Council defines six criteria in order to achieve successful impact. These include being independent and impartial, being proficient in terms of having a multidisciplinary staff, being transparent, being legitimate by democratic standards, being widely accessible to external assessments and citizens' concerns, and giving full access to all relevant information.

The role of the commissioner of the environment and sustainable development here in Canada matches well with our criteria. However, a review of the act should also consider strengthening the role and mandate of the commissioner. There are many means to do this that this committee should consider. If I may, I'd like to offer some initial suggestions.

It may be helpful to remind the committee that the Auditor General Act, which alongside the Federal Sustainable Development Act governs the role of the commissioner, already recognizes the needs of future generations as being part of the commissioner's considerations. This offers a more explicitly long-term perspective within the commissioner's mandate. It could be brought out more fully in the commissioner's day-to-day functions, and this would help to better support the underlying essence of the Sustainable Development Act and to better reflect the overall impact and coherence of this important legislation that reaches beyond just the environment.

Another means may be through providing greater resources to ensure key recommendations are actually followed up. Another may be providing an unbiased forum to gather evidence and input from third parties in order to offer coherent policy recommendations that visualize and interpret long-lasting sustainability for all.

With that, I bring my comments to a close.

Thank you for your attention.

•(1115)

The Chair: Thank you very much, Catherine.

That was bang on time, so thank you very much for staying within the 10 minutes.

We will hear from all of the witnesses first and then we'll go to questions.

Next up is Peter Davies.

Mr. Peter Davies (Wales Commissioner for Sustainable Futures (2011-16) and Chair of the Wales Council for Voluntary Action, As an Individual): Thank you very much, Chair.

I am very grateful for the opportunity to contribute to the work of the committee and to draw on our experience in Wales. We've had a devolved government in the UK since 1999, and sustainable development was established as a core principle of the Government of Wales Act 1998.

What I'm going to share with you is our experience over the last 17 years or so of trying to promote sustainable development in all our policies. That was the requirement of the Government of Wales Act as it was established in 1998. The evidence of our experience of implementing this duty, though, was very mixed. It was a fact that was highlighted by the Wales Audit Office, by independent evaluations, and by each of my independent annual reviews of performance across Welsh government. There were consistent criticisms of a lack of consistency, a lack of understanding of the concept of sustainable development, and a superficial approach to its implementation across government, with individual departments taking their own approaches and delivering effectively, sometimes, but always in silo operations as opposed to joined-up delivery across government.

There were significant weaknesses in our experience in delivering sustainable development, not least being the fact that the Government of Wales Act only applied to government and did not apply to the rest of the public sector in Wales. This led to the proposals in the manifesto of the Labour Party, which became the current government in 2012, to introduce a stronger and very much more specific legislation during its term of office. It was termed at that point the sustainable development bill. We had a four-year journey involving discussion papers and green papers. We had four different ministers lead the process of creating the legislation. We had a change of department lead. It began in the environment department, and it moved to be led by the social justice department. We had a change in the name of the legislation, as Catherine has mentioned already.

The minister at the time—I remember well—said that sustainable development doesn't mean anything to Mrs. Jones in Merthyr. We need to make a piece of legislation mean something to real people. She cares about her children and her grandchildren and the future generation, so let's use that as the basis for the legislation. It became known as the future generations bill and eventually became the well-being of future generations bill and now the Well-being of Future Generations Act.

It was influenced and shaped by a national conversation on “The Wales We Want”, which linked very much to the UN global conversation on “The World We Want”. I led that in my role as

commissioner for sustainable futures. It helped to engage the wider community in designing and helping to shape the nature of the legislation. The legislation itself went through an intensive scrutiny and amendment process before the bill was passed by the National Assembly for Wales on March 17 last year, received royal assent on April 30 last year as the Well-being of Future Generations Act, and became law on April 1 this year. The legislation has been designed to align directly with the United Nations sustainable development goals, and indeed, it puts a specific requirement on the government to take into account the United Nations sustainable development goals.

The act itself sets very clearly what we mean by sustainable development. It sets out seven national goals that we want to achieve for “The Wales We Want”: a prosperous Wales, a more resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales with a vibrant culture and thriving Welsh language, and importantly, a globally responsible Wales. Those national goals are underpinned by a set of national measures of progress, a set of indicators, which the government consulted on and issued earlier this year—in fact, in March of this year.

•(1120)

We have a set of national goals underpinned by national indicators, and a requirement and a duty on all public bodies under the legislation to demonstrate their contribution to the achievement of these goals and their contribution to the improvement of performance against each of those indicators.

The act does set out very clearly the sustainable development principle in terms that the needs of the present are met without compromising the ability of future generations to meet their own needs. It tries to make that more practical by setting out our long-term purpose, a clear set of indicators, and critically, a set of operating principles in terms of how we do business in Wales. There are five operating principles that each public body is required to apply in its decision-making: focusing on preventative action, collaboration, integration, the involvement of people and communities in decision-making, and ensuring that decision-making is done in the interests of the long term.

The legislation sets out a clear long-term development path, measures of progress, and common working principles for how we do business in Wales and how the public sector operates. Ministers have begun to apply this act in preparation for its becoming law, in terms of how we set our budgets, how we procure, and how we invest in improving our health, environment, and economy. It will provide a framework for how the government operates and how we do business.

It also sets out a requirement for public bodies at a local level to come together to form public service boards, which can collaborate more effectively to provide integrated solutions to some of those more difficult long-term problems that we face in tackling poverty, inequalities, and climate change, and in improving biodiversity. There are common objectives now across those public bodies and a requirement for them to operate collaboratively at the local level.

We want to ensure that future generations are given the best possible start in life. I think that's a key point in the implementation of this legislation, in the sense of the importance of early years for the long term and the future generations. We have a scheme that is a sort of iconic scheme and is symbolic, I guess, in that we plant a tree in Wales and in Africa for every child born. It's an iconic, symbolic statement of the importance of future generations and our commitment to the environment.

The seventh goal that I've mentioned, a globally responsible Wales, is particularly important in terms of how the act is being implemented.

Obviously, alongside the act, we have very strong commitments to climate change and to the reduction of carbon emissions. Core to the implementation of the act as we go forward will be evidence of how government spends its money in terms of procurements and how it provides grants and support to business and to the third and voluntary sector, to ensure that all government money is spent in alignment with the principles of the act. I want to also highlight that we have a voluntary commitment or code of practice called a "sustainable development charter" for the business community to make their commitment to achieve the same goals and apply the same principles that the public sector has.

I want to end by introducing my successor. I've stepped out of my role, which I've played for the last 10 years and which was a non-statutory role. My successor, the future generations commissioner for Wales, has been appointed. She's taken up the post on April 1 in a new role established under the act. She has statutory powers and duties to ensure that the intent of the legislation is being applied in practice. The Wales Audit Office also now has powers and duties to ensure that the act is being applied in practice. There's a very close relationship between the new commissioner and the Wales Audit Office.

The new commissioner and the shape of that office have been influenced by the advice of the World Future Council. You've heard from Catherine on that today. It's an independent body providing a voice for future generations, holding ministers and the public bodies to account in terms of the delivery of the act.

•(1125)

I'm delighted to say that, when the bill became an act back in April of last year, we were able to host a gathering in Cardiff, which included representation from the United Nations, but also representation from your own commissioner. We were delighted to host Julie Gelfand here in Cardiff. I know Julie knows some of this experience in Wales, and I hope my presentation today has given you some context and some learning that might be applied to your work in Canada.

The Chair: Thank you very much for that statement. That is really good information for us as we're wrestling with the same issue here; and thanks for the call-out for our very own commissioner. We appreciate that.

We next have Malini Mehra.

Ms. Malini Mehra (Chief Executive, Global Legislators Organisation for a Balanced Environment (GLOBE) International): Thank you very much, Chair.

Good morning to you and to other members of the committee. Thank you very much for this opportunity to appear before you.

My name is Malini Mehra. I am the chief executive of GLOBE International, which is the world's largest network of national legislators devoted to legislative leadership on climate change and sustainable development. I am, however, speaking today in a personal capacity, drawing on almost three decades of experience in working on sustainable development in different sectors and in different countries, including my home country of India.

Having worked in the NGO community and inside the United Nations, as well as at the heart of central government in the U.K. and at the top of global companies on these issues—and now with legislative leaders from around the world—I would like to offer a perspective that cuts across traditional silos and perhaps brings some new facts and exciting trends to the attention of your review process.

This is the third time that the Federal Sustainable Development Act of 2008 has been reviewed. I presume that the object of the exercise is to assess whether it is still fit for purpose, or whether certain aspects, such as existing priorities or institutional arrangements, need to be revisited.

I assume the review process is also an important opportunity to reconnect with the public on these issues, like a renewal of one's marriage vows, reaffirming the fundamental social contract between the government and the people to secure sustainable development through democratic engagement for the benefit of current and future generations.

This fitness for purpose and democratic engagement for effective implementation are core themes that I'd like to address. I believe that your review process of the Federal Sustainable Development Act offers an excellent opportunity to modernize the approach and practice of governance for sustainable development to make it more fit for purpose in the post-2015 world.

I submit that modernization for the post-2015 world, with greater democratic engagement and accountability, should be an approach for this committee to consider. I do so for the following three reasons.

Firstly, we now have more than a generation of experience of "doing" sustainable development, from Local Agenda 21 to full-blown sustainable development acts and frameworks across countries. We have a good idea of what works and what doesn't, and it's time to learn from these lessons and apply them. You've just heard from Peter Davies an excellent example of lessons learned and applied in Wales.

Secondly, last year changed everything. Not only was 2015 the hottest year on record, it also represented an unprecedented coming together of a host of UN summits on disaster risk management, gender equality, finance for development, sustainable development goals, and of course, climate change. All these set a very clear agenda for 2030, but the flight path will have to be set by governments.

In Sendai, Addis, New York, and Paris, the world's governments adopted new global agreements that will set the course of government policy for the next 15 years. This is not a pick-and-mix approach. The 2015 summits require a holistic whole-of-government mindset and will require changes to governance. At GLOBE International, we are promoting an integrated approach to the implementation of the 2015 agreements, which we term “the convergence and coherence approach”.

Thirdly and finally, two important new trends are present and visible: firstly, an increased role of non-state actors in public mobilization and in solution design and delivery, including through coalitions; and secondly, greater transparency and disclosure, including through big data releases—we've seen some of those recently—and social media.

These trends are resetting norms around public specialist discourse and expectation on these issues. For example, the Paris agreement was a very atypical, very modern piece of international diplomacy and policy-making, bringing in non-state actors for the first time. There are now more than 4,000 registered commitments on climate action from companies, cities, subnational regions, and investors that will make gigatonnes of difference to global greenhouse gas emissions reductions. Could this be one of the game-changers that helps us to keep global emissions below the much tougher 1.5 degree Celsius goal set by the Paris agreement?

• (1130)

Chair, this is the new modern context of politics and policy-making. How will governments and this committee respond to this challenge? That is the question.

Thank you. Those are my opening remarks. I look to more detail in the discussion to follow.

• (1135)

The Chair: Thank you very much for that. You're absolutely right; that is the question in front of us. We're struggling with that.

Next up is Thomas Gunton.

Dr. Thomas Gunton (Professor, Director of Resource and Environmental Planning, School of Resource and Environmental Management, Simon Fraser University, As an Individual): Thank you very much, and thank you for the opportunity to participate in this process.

I'd like to begin by briefly summarizing our own experience in sustainable development research at Simon Fraser University.

For the last several decades we have been examining sustainable development practices in most of the countries in the world, and we've looked at policy achievements in other areas. Based on this and my own personal experience as a deputy minister of environment, we have developed a list of best practices for

sustainable development. We've grouped these under eight principles and about 45 different indicators. I'm obviously not going to summarize them, but it would be useful to briefly summarize the eight principles.

The first is the development of goals, objectives, and targets that are measurable, effective, and cover the short, medium, and long terms. The second is the development of what we call “effective strategies” that clearly document how the strategies will meet the targets. Third is the integration of the environment, the economy, and the social into the various elements of sustainable development. The fourth is to ensure that accountability is allocated to the highest level of decision-making in cabinet and the civil service. The fifth is the importance of monitoring and forecasting trends to determine the degree to which the various targets are being met or not met. The sixth is to require an obligatory adaptive management process whereby strategies are revised if and when they're not meeting the targets. The seventh is to ensure collaborative engagement of the public and key stakeholders in the development and management of the strategy. Finally, the eighth principle is to enshrine all of this into legislation.

As part of our research, we were asked by the David Suzuki Foundation to develop a draft sustainable development act, which we did, and that became the basis for the Federal Sustainable Development Act of 2008. In our view, this has been a major achievement that Canada should be proud of, but a number of significant deficiencies remain. Many of these deficiencies are related to what was left out of the final legislation, which we had incorporated or recommended in the earlier drafting.

The first deficiency relates to the setting of targets. We do have a legal obligation to set targets, but the problem is that the target-setting requirements do not require setting targets that cover all of the different components of sustainable development and the setting of short-, medium-, and long-term targets. What's the result of that? As the former commissioner of the environment and sustainable development concluded in his research, only six of 34 sustainable development strategies in the 2013 plan had effective targets. Our review of the 2016 draft sustainable development strategy comes to a similar conclusion, which is that there is simply a lack of measurable targets.

The second deficiency is that while there's a requirement to prepare a strategy, there is no requirement to document clearly and quantitatively how the strategies or actions will achieve the targets that are intended. We reviewed all of the federal policies, including the 2016 proposed sustainable development strategy, and we could not find one example of a strategy area where analysis was done to show how a strategy would effectively meet the targets. Even in the high-priority area of climate change, we have lists of actions and initiatives, but there is no analysis anywhere that documents how these various actions will achieve the desired greenhouse gas reduction targets.

The third deficiency is that the responsibility for sustainable development resides in a unit within a department under a director general level, as opposed to being in a central agency and reporting to either cabinet committee or high-level decision makers. While the staff can be congratulated for the great work they do, unless they are integrated into leadership at higher levels they're not going to be successful.

The fourth deficiency is that there is no obligation in the act that requires revising strategies and actions if and when it becomes clear they are not meeting their objectives. We have known for some time that we will not meet our greenhouse gas reduction targets. Both independent studies and studies done by the government have shown this, yet we have seen no requirement and no effort to revise the strategies to deal with the shortfall.

• (1140)

We also found features of the act that we think are working relatively well. I think the monitoring and public reporting undertaken by the commissioner of the environment and sustainable development process and the progress reports by the federal government are doing a relatively good job. I think there have been great efforts in engaging the public in the development of plans, but clearly there are deficiencies in the act that overwhelm these particular strengths.

Now, it's possible to reform the act to address all of these deficiencies. In our own research we have examined the experience in such countries as Germany—it's very nice to have a representative here today from that country—that have implemented all of these best practices in a very effective way. Germany, according to our research, has one of the best records in terms of environmental performance. It's near the top. Canada, unfortunately, is near the bottom in terms of environmental performance.

Let me conclude by noting that we have made remarkable progress, but there are clearly deficiencies that we need to address. Specifically, we need to revise the legislation to, one, require the setting of short-, medium-, and long-term goals and targets that cover all of the different dimensions of sustainable development; two, require the development of strategies that will clearly document how these targets will be met; three, have a requirement that the strategies need to be revised, an obligatory revision of strategies if and when they're not achieving their objectives; and four, elevate responsibility for sustainable development to a central agency that reports to either a senior cabinet committee or through the PMO.

With these changes, I think we will have a much higher likelihood of success in achieving our sustainable development goals.

Thank you.

The Chair: Thank you very much. This is giving us a tremendous amount of food for thought as we move forward with this strategy and act.

Our last speaker is Günther.

You're up. Thank you. You have 10 minutes.

Professor Günther Bachmann (Secretary General, German Council for Sustainable Development (RNE)): Thank you very much, Ms. Chair. Thanks for the nice introduction of Germany so far.

What I can offer you is a practitioner's view of what we are doing here in Germany. I've been in the position of general secretary for the German Council for Sustainable Development since 2001, when all this started.

As a preliminary remark, I would like to share with you the notion that we in Germany find that the structure we have, with the institutions we have in place, is an okay structure. It is operational. It works. But I have to say that after we tried everything else, we kind of meandered our way into what we now have. We learned through the efforts and the tries in the nineties. We tried departmental approaches. They all failed. We tried approaches via Parliament that failed. We tried approaches via cities' involvement and only local agenda politics. They failed.

But now, I have to say, no institution or institutionalization is forever. That is why we are currently thinking about how to advance what we have in place in Germany. This is what I want to talk about for a couple of minutes.

First, institutions in a country follow purpose. We decided to keep with the term "sustainability", to fill it and not discard it. There are problems with the vagueness of this term, of course, but then, with a substantive and ambitious national strategy for sustainable development, there's a kind of refreshment every other year of the term of sustainable development. It gets the notion to the people. People understand it. We see from polls that now almost 80% of the German population understands the term "sustainable development". When we started out in 2001, it was 13%.

We decided to keep the term broad and to bring in environment, of course, most importantly, but also issues from the sides of social inclusion, social development of society, and the green economy. Once we're talking about sustainability, we are talking about energy, about resources, about housing problems, about gender, food, and health, and also about demography and inclusion in Germany. We are talking about budget issues, tax breaks, and the financial resources we will devote to innovation and research and development.

For all this, we think we need a high-level commitment in government. We need a central responsibility to ensure that this in our institutional set-up. It's like with the private sector; you need the involvement of the CEO. Otherwise, you'll get nothing at the end of the day. But once you have the CEO and the top level of government involved, then you have to ensure a bottom-up element to bring in people's voices. There is a coordination and coherence issue.

With all this at hand, we worked our way through the German institutions; I will explain which ones they are. Over the last 15 years, through five governments in four different colours, we kept the notion of sustainability on the highest level. I have to say that we did not compromise the environment through the issues from the economic or social side.

Now what we have in place is a mechanism on the government side, the so-called state secretaries for sustainable development. They meet every other week, chaired by the chief of staff of the German Chancellery. In our system it's the federal minister in the Chancellery, so one step behind Ms. Merkel.

● (1145)

We have had the German Council for Sustainable Development since 2001. The task of the council is to advise the federal government. At the top level is Ms. Merkel, as the prime minister. At that time it was Gerhard Schröder from the Social Democrats.

We are also advising the departments; we can do this as well. The chancellor appoints the members of the council in their personal capacity, so not by delegation from banks—the social bank, the economic bank, or the ecological bank—but in their personal capacity. We report back to the.... I report back to the chancellor. I have a seat in the state secretaries committee to close the gap between these two institutions. We are tasked with agenda-setting, and we can also do our own projects out of our own right. For this purpose we have a staff of 12 now. We have some budget, now around four million euros annually.

Third, we have a parliamentary advisory commission to the Parliament. They are tasked with the legal impact assessment of pieces of legislation, and they are as close as you can come in the German system to the institution of the ombudsman for future generations.

All these three institutions are light institutions—light because they have to be re-established every three years or every legislative term. They did not start their work with a kind of scientific design or a design by some politicians, but they started work as a step-by-step development of the portfolio piece with the institutions all centring around the issue of the sustainable development strategy.

This strategy comes with goals and targets. The indicators are independently monitored by the statistical office of Germany, and then there are written comments on the fact-finding, on the number-crunching, by the statisticians.

We have management rules in place, giving the departments some advice on how to develop their politics toward the goals of the national SD strategy. There are also some soft instruments here in play. As for the German council, we ourselves issue the German sustainable development codex, a code for companies, be they private or publicly run. For the company performance code and the

transparency code we have the German sustainability award. It's a high-level, kind of an Oscar-type ceremony that awards enterprises and cities with the German sustainability award.

We have a review system in place. Already twice we have reviewed our government's system with the help of international experts. In the first review, in 2009, there was also a Canadian from your foreign ministry involved, and thanks for that.

Still, with the sustainability development goals already mentioned, the global goals already mentioned, we will have to redesign the national approach and we do so in this year. By the end of the year, we will have a relaunched national strategy, which follows the idea of the triple, the triple being the impact of the global goals for Germany. It says, first, that there are problems within Germany and we have to take care that we do the right thing here. Second, there are issues to be tackled through the German competencies, in industry or in the cities, that will help others in the world to solve their problems. Third, the help from Germany to developing countries will be increased financially.

To wrap it up, as I told you, nothing is finalized. We are currently thinking about how to better anchor the issue of sustainability in our constitution. We are thinking, together with our parliament, about ways and means to add it to the German constitution and to anchor the sustainability issue there.

● (1150)

Secondly, we're on our way to developing an outreach towards the regions in Germany, which is a federal country, and our parliament has provided me with some serious money to establish four regional hubs as kinds of reference centres to the work of the German Council for Sustainable Development.

Lastly, we are increasing coordination efforts within government by addressing certain sustainable development issues in so-called sectoral strategies that will follow on the overall comprehensive SD strategy that is run by the government itself.

Thank you for your attention.

The Chair: Thank you very much.

Thanks to all of you for sharing your wealth of knowledge as you struggle with the difficult issue of how to move this initiative forward and embed it deeply in government so that it actually is effective.

We're going to turn to questions now. I'll just remind everybody that I will give you a one-minute notice when we're running out of time. When I do, just finish your sentence. I don't mean to stop you. I just want to let you know that you have to wrap up your sentence and complete your thought.

I do want to introduce someone. He's our first questioner and I didn't introduce him. Robert Sopuck is standing in for MP Ed Fast.

Thank you very much for joining us today. Lead us off.

Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC): I was on this committee for my entire four years as an MP, so it's great to be back.

What you're all embarking on is extraordinarily difficult. I actually will admit that I was a delegate at the earth summit in Rio, where a lot of this began, and when I was with the Manitoba government we attempted exactly what we're talking about here. The premier chaired the council, we had a sustainable development act, and I was the chief staff person. What all of you are attempting is extraordinarily difficult. We almost minimize how difficult it actually is. The challenges are enormous, given the complexity of government and different departments.

I'm going to direct all my questions to Ms. Pearce, if I might, because she happens to be here.

Ms. Pearce, one thing that struck me about all of the presentations, yours included, was that there was no mention of the urgent need to create wealth in society, and obviously via free markets, which are the most efficient wealth-creation system the world has ever seen. Why was the issue of the need to create wealth not front and centre? I mean dollar wealth.

• (1155)

The Chair: Go ahead. It's a free-form six minutes, and you guys can answer the questions.

Ms. Catherine Pearce: Thank you.

Thank you for the question. I can't with all confidence speak on behalf of my fellow witnesses today, but in terms of creating wealth and in terms of a dollar wealth, one of the experiences we've found, which I'm sure is the case with many of my colleagues, is that when you're looking to ensure sustainability, this is not just a case of economic prosperity. This is also a case in terms of social prosperity and in terms of basic health and well-being.

By securing some of these basic elements, which are often overlooked, if you consider it... These are issues that are often marginalized for the sake of securing the dollar. It is by looking at and investing in these aspects of social society in terms of investing in equality and common well-being for all that we will then generate the economic prosperity you're talking about. What we tend to do—and it's one of our failings—is to look at the economic question first and overlook all the other aspects, believing that they will come along the way.

Mr. Robert Sopuck: Thank you.

Except in this particular case, the notion of creating wealth was marginalized by every speaker and wasn't mentioned at all.

But let me just carry this further. An economist named Kuznets created what he called the Kuznets curve. He looked at environmental indicators in relation to the wealth of a country. The best example is sulphur dioxide. In the United States the process was that, as it industrialized, SO₂ emissions went up dramatically, and the country got richer, but at some point in the 1970s, SO₂ emissions went down dramatically, and the country kept getting richer. There is a very clear relationship—and in the modern world there is a very clear relationship—to free market capitalistic societies and their positive environmental performance. I wrote a piece a while ago, a

kind of tongue-in-cheek one, saying that if you want to save the environment, you have to get rich.

So I go back to the question. First and foremost, creating wealth in a society should be front and centre. Given the financial situation in Greece, for example, because of excess government spending, are they going to be concerned about environmental quality at this particular point? Again, I go back to the question about the centrality of wealth creation via free market democracies as a way to improve the environment. It's an absolute prerequisite to environmental improvement.

Ms. Catherine Pearce: I think that if you take wealth creation as front and centre, then you're disregarding many other crucial aspects to what is in fact sustainable development in terms of ensuring a prosperous and healthy society for all.

In order to safeguard the wealth creation that you are talking about, let us be clear, if that is the front and centre priority, then those are priorities that are going to have damaging and desperate impacts not only upon a society's health, but also in terms of the local, natural, and global environment.

Mr. Robert Sopuck: I didn't say it's a priority; I said it's a prerequisite.

Let me give you an example from where I live. I live right next to a thousand-square-mile national park, Riding Mountain National Park, in the middle of an agricultural and forestry zone.

The only reason Canada was able to reserve the thousand-square-mile park for nature only—there is no logging, no mining, no farming, even though all those things are possible... The only reason Canada is able to do that, plus a whole host of different things, is because we are a rich country. So don't put words in my mouth and imply that I don't care about the environment and that it's only about the dollar; it's not. The issue is, a rich society is a prerequisite to improving the environment, so you're not really responding to my point.

The data is really clear. For most environmental indicators, the richer a country is, the better those environmental indicators.

• (1200)

Ms. Catherine Pearce: Thank you. Sorry, I didn't mean to misinterpret your question.

The Chair: Ms. Pearce, just wrap it up because we're actually out of time on that question.

Ms. Catherine Pearce: Sure, and I can see that my co-witnesses would like to answer the question, too, so I would prefer to open the floor to the other witnesses.

The Chair: I'm sure that in the second round we'll have more in that vein, but at the moment we're going to move on to the next questioner, Mike Bossio.

Thank you.

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.): Actually, I apologize, Chair. Mark and I have just decided we're going to switch. Mark says he would really like to go next.

The Chair: Sure. Mark Gerretsen, you're up. Thank you.

Mr. Mark Gerretsen (Kingston and the Islands, Lib.): Thank you very much.

Thank you, Mr. Bossio, for indulging that. I just want to follow up on that same line of questioning by Mr. Sopuck.

I would tend to disagree that wealth creation is a prerequisite. I would almost suggest that in order to be sustainable, all elements of sustainability need to be looked at as prerequisites.

For example, when I was the mayor of Kingston, when industry was trying to set up in our community, they weren't particularly looking for the community that had the lowest taxes in order to create the most wealth. They were looking for the communities that had the best quality of life because they knew they could retain human capital there, and individuals who would be interested in living in that community would then end up benefiting the economic interests of the industry because they would retain that high calibre of individual.

I'm curious if you would like to just expand a little bit on how you see that balance. I've always defined sustainability as a balance between economic, social, cultural, and environmental factors with the understanding that they all have to operate together at the same time in order to be prosperous.

Ms. Pearce, would you like to comment on that?

Ms. Catherine Pearce: Certainly.

Thank you very much for your question and your comment. I would very much agree with that.

I think one of the difficulties we're experiencing—and this is common across many different parts of the world, which is why we're here today—is that when we look at sustainability, it is often only considered in terms of the environmental aspect. I think that is one of the downfalls we're challenged by here, in that sustainability is siloed and often marginalized, with the concern that the economic concerns are prioritized and far outweigh our efforts in terms of safeguarding natural resources, for example.

The other aspect you mentioned is, of course, culture. That too is often overlooked very much, to the detriment of societies and to the detriment of improving our economic wealth. We may want to look at that concern too.

How do we reframe this debate? Your outlook is very broad in terms of how you consider sustainable development, and that is a classic kind of definition. But for most people, when we mention “sustainable development” or “sustainability”, eyes glaze over and the interest is just not there. Do we need to challenge the debate in terms of reframing it if we are to overcome some of the challenges we face?

Mr. Mark Gerretsen: Thank you for that.

That moves nicely into my second point, which is the attempt to reframe it. Some of that attempt has involved talking about “future generations”, and using that term in titles instead of “sustainability”. I agree that it means different things to different people, and you're spending half the time trying to explain that to people.

My next question is about teeth. We've heard a lot of motherhood statements about being sustainable. Some of our guests today have talked about ways of measuring it. One of the discussions I seem to continually hear come up around this table is about how to enforce this stuff. How do you actually create the legislation that forces the higher-ups in government...? We heard about that. How do you make sure this stuff actually takes place? What are the repercussions for it not happening?

Ms. Pearce, would you like to start by answering that? Then I'd be happy to hear from the other members, as well.

• (1205)

The Chair: You have two minutes to answer that, so maybe take one minute, and then we'll let some of the others on the video conference chime in.

Ms. Catherine Pearce: I have just a couple of points, really, before I pass it on to other witnesses.

This is about high-level commitment, isn't it? Sustainable development isn't just something we forget about, and then think about when everything else is done. This demands huge attention across all sectors of government. It demands high-level commitment.

As has already been mentioned, we need to be ensuring and introducing short-term, mid-term, and long-term targets. We need to be introducing a strategy of how to do that. Also, enforcement is a key point in terms of accountability, in terms of introducing indicators to ensure that we're meeting those targets, and in terms of ensuring that we are actually gathering the data to check that we're meeting those targets.

How do we rectify the situation if it's going wrong? Not only do we need to ensure that there are assessments of all the decisions being made, which reflect on social and environmental aspects too; we must also determine what elements of punishment we need to bring in.

Mr. Mark Gerretsen: Can I go to Günther? He had talked about how they have become successful in Germany, and they seem to have a high measure of success.

Has that been because of certain enforcements that have been put in place to ensure that these things happen because of the repercussions that might be associated with them?

Prof. Günther Bachmann: Mark, I have to say that this is a wonderful question you pose. Very bluntly, you will not regulate yourself into sustainable development. Sustainable development is more than just regulation. We have these legal impact assessments in place, but it would be more important, I think, to create a notion in society that with sustainability there's something in it for the ordinary person. That comes with the huge understanding that we have of the impact on food of sustainability and of jobs created by sustainability.

That is why I think creating wealth is a prerequisite, as is keeping it within the planetary boundaries. It all comes down to what wealth is and what “wealthy” means to you. The German green economy is prospering and is an increasing economic part of Germany. That is where people have put their trust.

You mentioned Greece. I just came back from Athens where, together with the National Bank of Greece, I introduced the Greek sustainability code. It is for companies in Greece, and it's about creating trust and prosperity. That's the way forward.

The Chair: I think that's a wonderful segue back to that first question: what is wealth and how do we measure that? It's much broader than money.

Let's go to the next questioner, who is Mr. Cullen.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Thanks very much, Madam Chair.

Thank you to all our witnesses.

I want to get a reference point with Ms. Gelfand. I'll note for those witnesses who are not present that we have our environment commissioner gracing us with her presence.

How long have we had sustainable development strategies and goals within Canada?

Ms. Julie Gelfand (Commissioner, Office of the Commissioner of the Environment and Sustainable Development): For the sustainable development strategies and goals, it's been a long time. Do I know the exact date...?

Mr. Nathan Cullen: Has it been 30 years?

Ms. Julie Gelfand: No, it hasn't been 30 years.

A voice: It was 1997.

Ms. Julie Gelfand: It was 1997, so that's almost 30 years.

Mr. Nathan Cullen: All right.

In your last report, over that time—just over 20 years—we've talked about five out of all of the reports forwarded to government actually complying with the notion of sustainable development.

Ms. Julie Gelfand: What we talked about was a cabinet directive on strategic environmental assessment, which is different from the sustainable development strategy.

Mr. Nathan Cullen: Right. So if there's a directive that is meant to be sent and isn't being sent and isn't being applied.... I want to get into the question of compliance that a number of my colleagues have picked up on today. I'm intrigued by my Conservative colleagues insisting that somehow the economy exists outside of our environment and our ecology. It's a fascinating fifth-dimension perception.

There's a question I have for Mr. Bachmann. In terms of compliance being connected to success, in Canada we've had many strategies. We've had many government protocols that do not get followed. The compliance rate is abysmal, and that's been admitted to, and that's been across different types of governments.

Do there need to be fiscal measures, penalties, or financial penalties for deputy ministers and senior cabinet people who are meant to be applying these directives? What is it that has been successful in Germany in regard to actually following through? Does Canada need to consider some of those applications here?

●(1210)

Prof. Günther Bachmann: I would be very interested to hear about an example where we could work with fines and regulations in the way you've expressed. It's not what we are doing in Germany, but I can say that maybe what you've just sketched out is an alternative.

We're doing it by a kind of public watchdog function. Once a year, we have an annual sustainable development summit where our prime minister, the German chancellor, addresses a crowd of 1,000 to 1,500 people who are really committed to sustainable development. We have this follow-up procedure in the parliament, so there is not a legal compliance mechanism but a political compliance mechanism. People get asked.

Mr. Nathan Cullen: I like the public shaming option as well.

Voices: Oh, oh!

A voice: I'm sure you do.

Mr. Nathan Cullen: Ms. Pearce, in some of your testimony I think you mentioned the public watchdog notion, as Mr. Gunton has talked about, something that allows the Auditor General's office, perhaps through the environment commissioner, to be a much more stringent watchdog. In your experience, is this something that has been effective?

Ms. Catherine Pearce: Very much so, yes. In all the institutions I've mentioned, there is the element of a watchdog or an opportunity to provide accountability to government and to public offices on their commitments if they're not meeting them.

Also, to widen that window, it allows that access within the public. There are many concerns around lack of interest, or apathy, or actually just a lack of transparency about what is happening within government. It is important for the public to see that within government their first port of call and their first concern is looking to sustainability to ensure a kind of safeguarding of their needs.

Mr. Nathan Cullen: Accountability and transparency are the buzzwords of any new government, as is true with this one. The notion in Germany that the prime minister's chief of staff is the one who's chairing these meetings holds it to a very high level of authority.

Mr. Gunton, there's the question of what these sustainable development strategies are meant to look at. It's great if federal departments are saving on photocopying or having a few recharging stations for electric vehicles. There's also this notion of every federal decision that's being made also passing through the sustainability lens. That seems to me, just in terms of a broader impact on something like climate change, to be a much larger fish to go after.

Am I conflating two different ideas around sustainability? I would hate to simply have an internal government approach to making federal departments more sustainable, as noble as that exercise is, because when I consider the power and the influence of each of those federal decisions over the sustainability of Canada, that seems to be a very much larger and more important objective.

Dr. Thomas Gunton: I agree, and if you look at the sustainable development strategies that we have, they're really a compilation of individual departmental initiatives. You need to start at the other end with a clear statement of what you want to achieve, clear targets that are over the short, medium, and long term, and then you need to develop strategies to meet those targets. You need to monitor to see if you're meeting those targets, and you need to take remedial action.

On the question of performance—

Mr. Nathan Cullen: Just a question on that because I think in your testimony you suggested that what we have so far does not have measurable.... How can we be accountable if there's no way to measure success or failure from the government's commitments?

Dr. Thomas Gunton: Yes. That's exactly the point and the starting point has to be clear, measurable targets: short-, medium-, and long-term.

For example, you could even have a quantitative target for greenhouse gas reductions of 30% by 2030, but if you don't have short- and medium-term targets to constantly monitor the degree to which you're meeting those objectives, there is no compliance and there's no accountability.

I look at the example of federal fiscal policy where we were very successful in the 1990s. What are the lessons learned from there? And we were successful in doing that. Number one, you have to have clear, quantitative targets, which they had, short-, medium-, and long-term fiscal targets. You have to have a clear strategy, which is a budget that shows how you get there. You had performance introduced for the deputy ministers, which required compliance with them. If you didn't meet them.... You had all those elements together. You have to apply the same kinds of strategies for all the different dimensions of sustainable development.

• (1215)

The Chair: Thank you very much for that. I think that gives us a clearer picture of what needs to be done.

Thank you, Nathan.

The next person is Mr. Amos.

Mr. William Amos (Pontiac, Lib.): Thank you, Chair.

Thank you to all our witnesses. I really appreciate the consideration that you are providing to us. Having an international perspective as we re-evaluate the Federal Sustainable Development Act here in Canada is so valuable.

I'm going to focus my questions specifically on Dr. Gunton's comments just because I think that I really want to get very practical and concrete in terms of the Canadian context and what the federal government needs to do in terms of legislative and institutional change.

Before I do though, I'll just take one sentence because I couldn't agree more with my colleague Mr. Cullen's comment about the fifth dimension, and my colleague Mr. Sopuck's remarks around the Kuznets curve. I would simply point out that the evaluation, the econometric methodology that is Kuznets curve analysis is highly controversial; it is not settled in academia, and the relationship between a country's GDP and income versus environmental

outcomes is totally.... It's not unsubstantiated but not a matter of settled discussion, simply to be fair to the issue. I'll park that issue now.

Dr. Gunton, you have experience as a senior civil servant. You understand how government systems work behind the facade of politicians. What would you recommend to this committee as we contemplate making recommendations, both legislative- and policy-wise? What would you recommend be done beyond simply saying whole-of-government approach, or we need central agencies to be more involved? What specifically in terms of central agency involvement within the federal government would you like to see? What specific roles do you think need to be fulfilled and in what specific departments?

Dr. Thomas Gunton: On the question of a central agency, you need to elevate sustainable development into a central function as opposed to being done largely within a branch within a particular ministry.

Really, the key is the need to set clear targets. We prepared the draft legislation that would form the basis for the Federal Sustainable Development Act. There were some elements in our draft which were left out in the act that was passed. I think you should have a look at those.

First, we suggested that there would be a requirement to develop targets for every dimension of sustainable development, including the economy. I want to address that it does need integration with the economy; that those targets would be set in the regulations covering the areas of sustainable development, short, medium, and long term; and that there is a capacity to set the regulations. But they were never set.

Second, there was a requirement for monitoring the progress and forecasting the degree to which those targets are going to be met, which we recommended. That was partly done but not fully done. You need to monitor and forecast to see whether you are meeting the objectives.

Third, there was a requirement we suggested that you had to respond if the targets were not being met. You had to respond as to why and come up with an alternative strategy or revisions to the strategy to show how they would be changed to ensure you got back on track, in the short, medium, and long term.

Those are some of the key provisions that were in the original draft we prepared back around 2005-06.

Mr. William Amos: Would you have any comments about the specific role of the Privy Council Office?

• (1220)

Dr. Thomas Gunton: Not specifically. That's something that has to be worked out with the government, but clearly the responsibility for sustainable development strategies has to be accountable to the highest levels in government. Whether that should be to a senior cabinet committee through the PMO, that's something to be worked out internally within governance as to the best reporting mechanism for that.

Having it right now at a low level within a particular ministry is obviously not the most successful way to go about it.

Mr. William Amos: Regarding your point about how not all aspects of the private member's bill that the Suzuki Foundation and you helped draft were implemented, it's my understanding that one of the reasons that the commissioner or the reason that the commissioner is not an independent actor is because that would have required a budgetary outlay, which wouldn't have been allowable pursuant to the rules of private members' bills.

In hindsight it's kind of interesting. As I understand it, the commissioner is—and correct me if I'm wrong, Ms. Gelfand—actually appointed by the Auditor General, which shelters it in certain circumstances from the Governor in Council providing that nomination.

I wonder if you would comment on the appropriateness of that circumstance. Would you recommend having it become an independent parliamentary agent appointed by GIC or do you think it should remain under the Auditor General?

Dr. Thomas Gunton: I don't think it is critical as to where it is. I think the commissioner is doing an excellent job. There are constraints. If there are no measurable targets and objectives, it's hard for the commissioner to evaluate progress. You have to go back to the starting point, have some clear objectives and measurable targets that can be used to measure the success of our policies.

The Chair: Thank you very much. The discussion is a wonderful one. It probably will take several days if we get into detail, but thank you for that quick answer.

Next, we're going to our second round with Mr. Bossio.

Mr. Mike Bossio: As everyone else has communicated, I thank you all very much for being a part of this discussion that is so important to all of us around this table to find solutions to build a long-term sustainable society.

I really enjoyed some of the specifics that are being outlined here, in particular some of Dr. Gunton's comments around short-, medium-, and long-term targets. He talked about a strategy to document how those targets will be met and a revised strategy if those objectives are not achieved, and being controlled by a central agency.

Because Germany and Wales have now gotten to that stage, would you agree that this would be the transition that we should be looking at, to have measurable indicators, to have it controlled under a central agency, and to very strictly measure those targets and then monitor if those targets are being met?

Could you speak to that, Peter first and then Günther?

Mr. Peter Davies: I'm happy to come in.

Yes, absolutely. When I heard the analysis and the principles being set out, they absolutely chimed with our experience in terms of what has not worked in Wales up to now and why we put in place this new legislation. I think a lot of those principles are absolutely at the centre of what you need to consider in terms of the revision that you are looking at, and it certainly applies to the approach that we've taken in Wales.

I think a new government coming in Wales—there will be a new government in May—will have to set out very clear milestones against each of those indicators I mentioned in my presentation. They will be held to account against those milestones, against those

indicators, or be reported against them, and also they'll have independent audit by the future generations commissioner and the audit office in terms of their performance against them. So, yes, absolutely, it really did chime against our experience.

I just want to add one final point against the previous comments. We're a country that has a history of wealth being generated through the exploitation of our natural resources. We were at the heart of the industrial revolution that sent coal around the world. We know the impact of unfettered economic development, and our commitment to a prosperous Wales is a commitment that is based on an integrated approach of a balance between social justice, the environment, and the economy.

• (1225)

Mr. Mike Bossio: Thank you very much for that comment, Peter.

Günther.

Prof. Günther Bachmann: I agree that the targets and timetables are kind of the turning point in policy-making when it comes to sustainable development. We are coming from a world where politics was just programming and measures, means and measures, and now the targeted timetable approach allows us to go for verification, for public trust, and for a new kind of public-private partnership. That is why I think the targeted approach, as you call it, is a turning point.

From there on, you can develop institutional set-ups, but the first principle, as I've already told you, is targeted timetables. We're not yet in the position to enforce sustainable development policies by just rule-making, by just rules for behaviour. That is something that comes maybe in a couple of years, but as of now, we have the targeted approach as the best practice employed.

Mr. Mike Bossio: I'd like to add to that. Today Ms. Gelfand—and she does a phenomenal job in her role... But I am wondering, from an accountability and enforcement standpoint, is it better to have her under the Auditor General branch or should she be a complete stand-alone entity, similar to the Electoral Officer or whatever, the Privacy Commissioner, or something along that line, where she can have more teeth legislated into her job rather than having a monitoring and finger-pointing type of role, but really not having any of the teeth to go with it? Is it better to have a separate entity that is an arm's-length body or still under the auditor's wing?

Peter and then Günther once again.

Mr. Peter Davies: From my experience, I think the separate entity is an important statement, because this is also about leadership, enabling culture change, bringing different groups together, and convening groups to look at difficult issues and develop appropriate solutions. It's not simply about monitoring. That's an important part of the role and it's important to hold people to account, but it's a much broader role than that, and I think basing it within the audit office in Canada limits its capacity to play that broader role. That would be my summary.

Mr. Mike Bossio: Go ahead, Malini.

Ms. Malini Mehra: Thank you very much.

I would just comment from the U.K. government's experience, and working as a practitioner within the government on the sustainable development strategy. I was very interested to go through the testimony of your last hearing and hear from the commissioner that she did not have enforcement powers.

It is very important to distinguish between a body that is a watchdog that monitors and a body that actually is able to exercise compliance through enforcement. The two need not be the same. It was not the case in the U.K. government, where for five years we had a strategy, "Securing the future", the sustainable development strategy by the former Labour government, which was then thrown out by the coalition government. It had a very brief lifetime.

There was an independent watchdog, the Sustainable Development Commission, on which Peter was one of the commissioners, which was also abolished. The purpose of the Sustainable Development Commission was to monitor but to be a good friend of government. The requirement to ensure compliance with government directives lay with the departments.

There has been a debate in the U.K. government, including through inquiry by the Environmental Audit Committee, as to whether there needs formally to be a compliance mechanism and whether the strategy needs to be locked into either the Treasury or in the Cabinet Office, because Treasury is able to enforce and perform sanctions to errant departments. Fundamentally, this is about the management task at the front end, and then later on a political task.

I've served for many years in very large multinationals, which have extremely effective sustainable development strategies. Ten years, working with Unilever on the Unilever sustainable development strategy, it was very clear. We have annual reviews. We have regular reviews. We are constantly looking at and revising our targets. We are resetting and people are held to account. If they're being held to account in a company, why should we not expect people, managers, to be held to account in a government department?

● (1230)

The Chair: Thank you very much.

Mr. Mike Bossio: Sorry, Günther. I guess we've run out of time.

The Chair: We have. Hopefully, we can maybe get more on that as we move forward in the questioning. I'm sorry to have to cut everybody off.

Mr. Shields.

Mr. Martin Shields (Bow River, CPC): Thank you, Madam Chair. I really appreciate the interesting discussion today. It's probably one of the first times I felt like I was hearing a lot of things in this committee that made more sense, and the discussion has been excellent. I really appreciate the witnesses.

Peter, there are some things you said that resonated with me a little bit. You talked about a lot of local decision-making. I can remember a long time ago, as a mayor, when people would propose certain things I said, "Is there community buy-in for this? Are you proposing something that is your idea or is there community support, because if you don't have community support we're going down the wrong road?" I think you've alluded to that.

When you get to enforcement, it's the same kinds of arguments. Is this something for which we have people who will really enforce it? I can remember when there used to be a \$1,000 fine in my province for littering. Nobody ever got that fine because nobody was ever going to give that ticket. If they dropped it to \$100, they gave a lot of tickets.

It's a really interesting process you're talking about when you talk about local decisions. We had a premier who, forever, used to say in our province to his MLAs when they would bring up things, "Have you talked to Martha and Henry? Go talk to Martha and Henry at their house and find out what they think before you propose something to implement and to enforce."

Peter, could you talk a little bit more about local decision-making and how important that is to your process?

Mr. Peter Davies: It is absolutely critical. As I mentioned, we went through "The Wales We Want" process, which was a 12-month process of engaging communities, businesses, and individuals around Wales in helping to inform and shape the act.

Some of our experience has been that we've had too much of a top-down approach, and we needed more of a bottom-up approach, and it's really important to get that balance.

It's really important, though, also to ensure that you have an informed approach so that people understand. One of the requirements of the new legislation is to produce a future trends report and to continue this national conversation, so that people understand what are the future trends, why it's so important to undertake some action. You really need that dialogue and that engagement to be a two-way process between information and knowledge about future trends, and allowing people to make more decisions at the local level.

From our experience, the greatest progress we've made is when we've been able to allow communities to mobilize, take action, and shape their own future. As part of "The Wales We Want", we had communities take up that and say, okay, this is about the community that we want in our local area, and shape that for their future, understanding the priorities, the issues of climate change, and the need for jobs for young people, but really for communities to take greater ownership.

It doesn't work if it's simply a top-down process. It has to be owned and understood and involve people. That's why one of the core principles of the bill is involvement, the involvement of people in decision-making.

Mr. Martin Shields: Excellent.

You also added into this that the flexibility process that was there for communities is important in that process as well.

Mr. Peter Davies: It is. Of course, it's going to be embedded within the electoral process as well, the democratic process.

Under the new legislation, the future generations commissioner is required to produce, a year before the general election, a report on how we are doing on behalf of future generations, a report that sets out how we're doing against the milestones, against those indicators. That's deliberately intended to produce a better-informed electoral democratic debate and discussion about how we are doing and what we need to do more of, less of, and improve under the next government. That is deliberately designed to improve the electoral debate.

Mr. Martin Shields: What you're building is a change of behaviour, not an enforcement by threat, in your communities. That's what I'm hearing.

Mr. Peter Davies: Absolutely.

I think, in terms of accountability, there needs to be accountability, in terms of government accountability, in terms of performance against the broad set of measures that we've set in the legislation. The legislation on its own is not going to be a silver bullet; it will not change the world on its own. You need a process whereby you involve the wider community in enabling that change to happen.

• (1235)

Mr. Martin Shields: Thank you.

Canada is a big country, as you well know. Wales is geographically a little smaller. I'd be the last one to say in Saint John, New Brunswick, that you need to do exactly the same thing that's happening in my community. We have a large country, and I think that local decision-making.... We have to be very careful when we talk at a national level about what we're setting for standards and how to evaluate. We have to be very careful, because we have a very large and diverse country.

Where am I on my time?

The Chair: You have one minute.

Mr. Martin Shields: I'll go back to Ms. Pearce. You started talking at the last minute, and I know you wanted to say something more. Do you remember where you were at? You were in mid-sentence, and we ran out of time with your answer.

Ms. Catherine Pearce: I'm afraid I don't remember.

Mr. Martin Shields: I'm going to give you the go-ahead.

Ms. Catherine Pearce: Just to reinforce that message, actually, Canada is a very vast country, and the needs of society are very broad from one end to the next. The language that needs to be used, in terms of engagement and encouraging participation of the public, has to be unique and tailored to the different communities of this beautiful country, and also in terms of how the government relates to

the public as well. There is not a one-size-fits-all in terms of the process by which we can open up the relationship between public and governments, and also in terms of broadening out that trust.

One element of ensuring that governments are on track and ensuring their performance on these targets.... The element of disaggregated data is also incredibly important and incredibly complex when we look at the concerns of Canada and in terms of checking on progress. There's a huge amount of work that needs to be done—I don't need to tell you this—in terms of how we actually define what it is we're trying to meet and how we ensure that we're actually meeting those targets.

Mr. Martin Shields: Good. Thank you.

Thank you, Madam Chair.

The Chair: Thank you.

Next is Mr. Fisher.

Mr. Darren Fisher (Dartmouth—Cole Harbour, Lib.): Pretty much everything has been said.

I agree with Martin—excellent conversation. We could go around the table and talk about this all day.

Ms. Pearce, I've always felt that real environmental leadership has to come from government, that the strategies we set for ourselves will have a greater impact down the line. Notwithstanding legislation or regulations, do you feel that private businesses take a cue from the government and will change their ways, if we lead by example?

Ms. Catherine Pearce: I think it's quite a complex relationship, actually.

When we talk about leadership, it's often the case that leadership can be found from the private sector just as much, if not more so than in government.

I think, in many respects, it's how governments take on this responsibility and ensure that not only is it not marginalized but it's covered across all different departments, with leadership from a key central agency at its core. There is much to learn of how the private sector, how businesses actually incorporate a sustainability approach, if you like, to ensure their performance is actually meeting and ensuring environmental targets that governments have introduced.

In many respects, there are examples around the world where corporations are actually imposing and showing leadership, and showing the way on how governments need to be taking on business, how they need to be introducing targets, and how they need to be ensuring that they have the right strategy to meet those targets.

When we talk about sustainability, it is up to all of us, isn't it? It's up to governments. It's up to business, and it's also up to the public at large. We all have a relationship to play. I think the relationship among those three different sectors is actually very key.

There are many elements, the bottom up, the grassroots level, which are really demonstrating action in this area, because they're tired of waiting for governments or private sector to take the lead. There are many examples around the world where we can actually learn from one another, and I think that relationship is quite sophisticated. There needs to be elements where we can learn from one another. We talked about lessons learned. I think this really needs to be brought out a little more.

Mr. Darren Fisher: Super, thank you.

Madam Chair, we talked a lot about legislation versus policy versus strategy. We've talked about a good plan being effective only if it's enforced. We've all shared almost the same thoughts all around the room in previous meetings and today. We also talked about strengthening the role of the commissioner, and Ms. Pearce mentioned that as well. Mike mentioned, you know, giving her some teeth. We've talked about finding ways to measure success. We've all talked about the goals, the targets, and all the indicators.

I might be off on this, but I believe, Mr. Davies, you mentioned that Wales has their plan. I don't want to put words in your mouth, but I think you might have said it was enshrined in law. Can you clarify that? Are you indicating that what you have in Wales now is somewhat stronger than a policy or a strategy? Notwithstanding the fact that you said it's not a silver bullet, I like what you've done where you've come forward a year before an election and you put the onus on the politicians to have success and enforce those successes.

This is a year old now. Are you seeing any successes, any measurables that you can share with us today? A lot of what you said when you spoke for 10 minutes was very much the same thing we've talked about around this table, and the musings we've had.

• (1240)

Mr. Peter Davies: This is now a law. It became law in April of this year, so it's just become law. We passed the bill. It received royal assent last year, became an act last year. It's now been passed into law, so it's become law in this last week or so. It is now a framework. Very simply, it is about our long-term development path, about how we, as a nation, want to develop. It sets out our long-term development path—a set of goals, a set of measures against those goals, a requirement on government to set milestones of progress. It's tied into the electoral cycle, so obviously, it links back to the democratic process. It can't be dictatorial; it links back absolutely to the democratic process.

But our experience with the political parties in introducing this act into law has been...as one of the opposition parties said, "You know, we're not disagreeing about where we want to get to in the long term, but we are disagreeing about how we get there". That's what politics is about.

The legislation, if you like, sets out our long-term development path. There will be a lot of debate and discussion politically about how we get there and what the best mechanism is for achieving progress, making progress against those milestones. But what we've tried to do is set out a basis for consensus on what we want to try to achieve as a nation, set some clear measures in place, and set some clarity about how we get there, such as the principles of involving communities in decision-making.

Mr. Darren Fisher: If I can just summarize what you just said, the law has more teeth than the policy or the strategy or the act. Is that something you see as a beneficial move forward for us?

Mr. Peter Davies: Absolutely. The previous situation I used to refer to as being a cut-and-paste duty. In other words, the officials cut out the statements and pasted them into new policy documents, and that was the degree to which sustainable development was actually implemented in practice. It was simply set out in the introduction to documents as saying this complies with the sustainable development duty. We now have something that is much clearer and much more focused on what it is we are trying to achieve, with measures of performance against that.

So yes, absolutely, that is the transition that we've been through.

Mr. Darren Fisher: Thank you, sir. I appreciate that.

Thank you, Madam Chair.

The Chair: Thank you very much.

Mr. Eglinski.

Mr. Jim Eglinski (Yellowhead, CPC): Thank you.

Thank you to all the witnesses who showed up here today.

I'd like to dwell on a couple of things. Yes, as Ms. Gelfand said, sustainability has been part of our government for approximately 30 years, but sustainability was in this country when the first settlers came in. I remember my grandfather, who settled in this country in 1905, talked about sustainability on his quarter section. He planted a crop. The next year he summer-fallowed. He talked about trapping in the early days. He said you couldn't trap in one forest area all the time. You had to take so many animals, and then let it prosper.

Sustainability has always been here. For any individual in this room, they've had a sustainability plan in their life. For us as a government, it's a lot more complex. It's a lot easier when you're an individual and you only have yourself to be accountable for. If you're a corporation, you have a CEO who probably has a lot of clout, because he's the one who's making the decisions. Right now I see us in government with a very broad, complex country. As Mr. Shields alluded, Canada is made up of roughly 12 regions, with four forms of government, and we need to come up with a good plan to meet global expectations.

I'm going to fire a question off to Mr. Gunton. Looking at the demographics of our country, we have the provinces and the Northwest Territories and the different regions of the Northwest Territories. We have provincial governments and the federal government. We have aboriginal people we need to take into concern. One thing we must realize is that if anybody in this country knows about long-term sustainability, it's our aboriginal people, because they've lived off the land and they believe in what the land can give us.

You mentioned earlier that Canada has one of the lowest and Germany has one of the highest.... I understand that they have a fairly tight network on top in Germany. But how do you see us capturing all of Canada to come up with a very strong program?

That's a loaded question; sorry.

• (1245)

Dr. Thomas Gunton: That's an excellent and challenging question. This obviously is a very complex institutional environment that we work in.

People have mentioned the importance of multi-stakeholder collaboration. I look at some of the examples we've had in British Columbia dealing with things like the War in the Woods, where we brought all of the different groups together, including first nations, sitting around a table for sometimes two to three years, and in these cases coming to consensus agreements on how to move forward in a sustainable way.

It's certainly possible to do. It has to be a multi-stakeholder dialogue. In many cases, such as on the pipeline issues, which are paramount in Canada, we're now using adversarial approaches, where we pit parties against each other in quasi-judicial hearings. We have to move beyond that. We have to go to a collaborative approach involving all the multi-stakeholders. We had a national round table, which was helpful in this process. It would be good to bring some of those kinds of multi-stakeholder mechanisms back together.

Germany also has a federal system, as we know. They have achieved, in our view, pretty good integration between what's happening nationally and all the different levels of government in Germany. There are models to look at there as well.

Mr. Jim Eglinski: Mr. Bachmann, towards the end of your speech you alluded to going to regional hubs. Can you explain a little bit more about that? I think we have roughly 12 or 13 regional hubs in Canada. How are you working that in Germany, please? What type of information are you looking for from those groups to help?

Prof. Günther Bachmann: Germany has 16 provinces, bigger ones and smaller ones. We have a couple of hundred local communities. What we see now is that we have established government links from the federal level to the cities and to the provinces. What we have not yet achieved is bringing in the building communities—the grassroots, the artists, the culture people, the scientists, the forestry and farming people. They are all working in a kind of tunnel. We have not yet achieved a crossover, comprehensive approach that brings those people together. Bringing those communities together is the final task that those four hubs—north, south, east, and west—are supposed to deliver.

There's a certain feeling of working together in this field that we still need here in Germany.

The Chair: You are out of time. Thank you very much. Thank you for that answer.

Mr. Cullen, go ahead.

Mr. Nathan Cullen: I want to get back to the public watchdog role. I am going to turn this to Ms. Pearce. How would you imagine it being strengthened to the point where...? The concern I have is that we have been over this over a number of decades here in Canada, and the rhetoric or the hopes have not often met with the results.

We had a meeting organized by a colleague last night looking at Canada's climate change commitments. Even with all the efforts of the provinces and the efforts of the federal government, and even with our current target—which is insufficient to the commitment made by the new government. It was a target made by the old government. We are 97 megatonnes off what Canada has promised to date, and the make-up becomes the question.

Some imagine that what we are talking about here today could apply itself to Canada's becoming more vigorous and more rigorous, and actually making commitments and then following through on them. Do you imagine that to be true under the models we are talking about, the models you have studied, or the one that is being contemplated here for Canada?

• (1250)

Ms. Catherine Pearce: As I said in my testimony, the position of the current commissioner of the environment and sustainable development is a very strong one, but we believe there are certain elements that would require some adjusting to actually strengthen the mandate of that position and that office.

It generally reflects what is going on with other institutions around the world that reflect similar kinds of powers of independence, responsibility, and an ability to ensure government-wide compliance with their targets on sustainability and elsewhere.

Mr. Nathan Cullen: Perhaps I haven't been specific enough.

For compliance, imagine, if you will, that the government were to come forward with a plan that required the drastic dropping of the curve of greenhouse gas emissions—federal leadership, a carbon-pricing strategy, all of the mechanisms you would imagine. This would not be easy lifting, by any measure. No one considers it that way.

Do you have faith in the federal development strategies we are talking about—in some office, the commissioner's office enhanced or some other role—to be able to counter the push-back that would be inevitable from such an aggressive or ambitious plan?

Ms. Catherine Pearce: I certainly think it requires an enhanced position from the existing commissioner's role in order to carry that weight and carry that influence because as we are gathering here, this isn't just down to one agency or one stakeholder. This is across the board and society wide in terms of Parliament and government and private-sector engagement, as well as the public.

In our experience, we have seen that those institutions around the world that carry the most influence and the most weight are those that are connecting with and working with all of those different sectors. In terms of recognizing that a target is failing, or where efforts need to be increased, it is important that the commissioner be able to undertake research and analysis, working with some of these stakeholders, to see what additional efforts are required and why the failings are taking place.

Mr. Nathan Cullen: Maybe I'll transfer this question over to Mr. Bachmann for a moment. The current commissioner's role, at least as envisaged, is looking backwards, as being able to audit the performance. This has been a struggle because oftentimes we have not had the data for the commissioner to even understand whether the performance has been achieved.

Mr. Bachmann, to you in Germany, with the quite dramatic changes Canada would have to make to its energy profile and the amount of greenhouse gases that are emitted to achieve even the old government standards—never mind the new 1.5-degree Celsius post-industrial standard—do you imagine these strategies and the mechanisms we are talking about...? You talked about coming together, being public, and admitting to what the government has and hasn't done.

You can hear my skepticism—or “concern” I suppose is a better word—as to whether these are the vehicles that are going to be sufficiently strong, just on the issue of climate change. I know sustainability has a much broader reach, but just on climate.

Is what we are talking about sufficiently strong, in your view, or does there have to be an enhancement even further still?

Prof. Günther Bachmann: I had some part in the decision that was then well known as the German *Energiewende*, or energy transition. From that time, in 2011, I have to say that of course we have to use the command and control system, the role of the state, and the role of audiences. People then ask, “What comes down on me? What risk do I bear?”

It is better to add another angle to this. The other angle would be on chances and options, not on costs and risks. Then people would ask you, “What's in it for me? What is my take in the bigger picture?” That is how the German energy transition works. What's in it for me? How do I get people encouraged and open up choices for them?

This is my answer to you. I think the commissioner should be in the most independent role that you can assign to this position.

•(1255)

Mr. Nathan Cullen: Thank you.

Prof. Günther Bachmann: It's not only about a watchdog; it's about presenting choice and coaching people into a new role.

The Chair: Thank you very much.

We've actually given you six minutes for your questions, so we doubled up your time and I'm giving that extra three minutes to the two other parties to have a go at the last question before we have to close today, unfortunately. It's been a brilliant session.

Mr. Fast, you have three minutes.

Hon. Ed Fast (Abbotsford, CPC): Thank you. I'd like to address my question to Mr. Gunton.

You've been very clear about wanting to have the inclusion, in the legislation or perhaps in the strategy, of stringent, mandated, and measurable targets. First of all, are you looking at including those in the legislation, baking them into the legislation itself, or doing it through regulation or through policy and strategy?

Dr. Thomas Gunton: What we recommended was actually doing it as regulations. There are provisions in the act now to set regulations, so you can actually do that in regulations as opposed to legislation.

Hon. Ed Fast: I'm assuming you're talking about these kinds of targets right across the range of economic, environmental, and social indicators.

Dr. Thomas Gunton: Yes, that's correct. The integration of them all.

I would just point out a caution. If it takes a long time to set sound reasonable targets, and it's not something that could be done overnight. You pick the areas of highest priority first.

Hon. Ed Fast: I'm glad you mention that because as I start thinking about your suggestion to include these in regulations under the Federal Sustainable Development Act, the challenge is that just looking at economic you'd be looking at things such as job creation, GDP growth, youth unemployment, income equality, seniors outcomes, and it goes on.

Then we're talking about the environmental element, which would include greenhouse gas emissions, air pollutants, other toxins into the environment. We'd be talking about conservation targets, ocean health, species at risk. Then you get to the social element of it and you're talking about things like first nations poverty, immigrant integration, education, and health outcomes.

We're talking about a comprehensive and significant set of targets that would have to be established. I guess my concern is to do it under the Federal Sustainable Development Act may actually be the inappropriate form in which to do it. Those targets should be set in individual departments that are implicated by the broader elements addressed in the Federal Sustainable Development Act.

Your comments, please...

Dr. Thomas Gunton: I don't disagree.

The Federal Sustainable Development Act is usually thought of as setting environmental targets, but you need targets across these other areas. They may be better set in different places. When you look at our federal sustainable development strategy now, the proposed one, there is an attempt to set targets for a number of different dimensions, but there are no quantitative measurable targets except for one or two items in that plan.

If you don't know clearly what it is that you are trying to achieve, then you're never going to achieve it, and you're never going to know whether you're on the right course.

So yes, set your priorities. You can't do it all at once, but we need to really get under way setting some clear measurable outcomes for the short, medium, and long term to figure out what it is that we want to do and by when we're going to do it.

Hon. Ed Fast: Thank you.

The Chair: Thank you very much.

The last questioner is Mr. Bossio.

Mr. Mike Bossio: Thank you. I'd like to go back to Günther.

You never had a chance to actually answer my question earlier and Nathan Cullen had proposed a part of it as well. In Germany, what are you doing now that is equivalent to the environment commissioner, what is that role, and what level of enforcement does that role have within the German system?

Prof. Günther Bachmann: We have as close as could be, the German parliamentary advisory group on sustainable development. They have an ombudsman or commissioner role in parliament. They are a watchdog of government and they are agenda-setting within parliament. We do not have a commissioner.

• (1300)

Mr. Mike Bossio: What about from an enforcement standpoint of that group?

Prof. Günther Bachmann: They have no enforcement. Enforcement is with the government, and then within the government you only have the steering function of the PMO and the chairing of the federal minister of this group of state secretaries.

Mr. Mike Bossio: Okay, thank you.

To lead on to that, I visited Germany. It's a beautiful country. It's also a very complex country of different regions, east and west Germany, so there's a different cultural heritage more recently, and a lot of complexities exist within that society. Yet you have also been able to take those complexities and develop these goals, these targets, and to implement them and execute them. I know many of our colleagues here have said it's so complex.

Where do we start? How do we establish these goals in different regions and in different ministries? Would you not agree that you have so far been successful in developing this, and it's really a case of just getting on with it and doing it?

Prof. Günther Bachmann: Yes, I could only agree with this. I think we did a job here that helps Germany. It provides prosperity and wealth options for German society, and that is what really sells. When we started this in 2001, politicians from all parties said they didn't like the idea of quantified targets and timetables. That would

imprison them, and they do not like to have their hands bound. We have to overcome this argument by good practice and by taking the first step. It's all about doing it instead of reasoning about complexity.

The Chair: Thank you very much. It has been an excellent session, and there's never enough time to delve into something as broad and as important as this in just the two hours that we get to do it with you. We really appreciate the time that you've taken to share your experiences with us and to help us see the path forward as we struggle with this act and how we may make it work. I don't want to go through all the important things that you've said, but there's a tremendous amount here for us to digest and consider.

As I always say to all of our witnesses, you heard the line of questioning. We would love to have a copy of your deposition. We would love to have anything more that you think we should know, based on the line of questioning. There were a lot of great answers there. If we can have those put down, and if as you put them down you think of something else, share it with us. We are very interested in what you have to tell us about this subject.

Thanks again for sharing your time and for being here with us today.

Before the committee closes, we have one more point of action, but I do want to let the rest of you go. We're just going to do very quick committee business.

Mr. Amos, go ahead.

Mr. William Amos: Thank you, Madam Chair.

I just wanted to bring forward a notice of motion because I noted, as we all did, that the House of Commons passed an order on March 22, which designated the Standing Committee on Environment and Sustainable Development, our committee, as a committee for the purposes of the section 343(1) review for CEPA. I wanted to make sure that our review, which we initiated on our own, and the review that has been referred to us by the environment minister, be brought together. The motion I would propose would read as follows, and I can send it around after, if that's convenient.

The Chair: Just read it, and then send it to the clerk. She'll make sure that we get it on the record for consideration on Thursday.

Mr. William Amos: That's perfect.

What I propose is:

Pursuant to the order passed by the House of Commons on March 22, 2016 which designated the Standing Committee on Environment and Sustainable Development (the Committee) as the committee for the purposes of section 343(1) of the Canadian Environmental Protection Act, 1999 (CEPA, 1999), that pursuant to section 343(2) of CEPA, 1999, the Committee immediately undertake a comprehensive review of the provisions and operation of CEPA, 1999 and submit a report and recommendations within the authorized timeline and that all testimony, reports, recommendations, or any such document received pursuant to the study of CEPA, 1999 initiated by the Committee under Standing Order 108(2) be deemed to have been received as part of the statutory review.

• (1305)

The Chair: Thank you very much for tabling that. We'll get it to the clerk and get that out to everybody for discussion on Thursday in our committee business section.

That's the end of today's session. For those of us who are on the subcommittee, we'll be starting that shortly. The meeting is adjourned.

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