



House of Commons  
CANADA

# **Standing Committee on Environment and Sustainable Development**

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ENVI • NUMBER 002 • 2nd SESSION • 39th PARLIAMENT

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**EVIDENCE**

**Tuesday, November 20, 2007**

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**Chair**

**Mr. Bob Mills**

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# Standing Committee on Environment and Sustainable Development

Tuesday, November 20, 2007

•(1535)

[English]

**The Chair (Mr. Bob Mills (Red Deer, CPC)):** Order.

I would like to welcome our guests, Mr. Thompson and associates.

As you know, our first hour will be spent questioning and cross-examining. I've talked to Mr. Thompson, and he tells us that he will probably take about the first five minutes. Then we'll open it to questions.

The second hour, as members know, will deal with future business. We will end the meeting at 5:30.

Mr. Thompson, welcome.

**Mr. Ron Thompson (Interim Commissioner of the Environment and Sustainable Development, Office of the Auditor General of Canada):** Thank you very much, Mr. Chairman.

We are simply delighted to be here to discuss our 2007 annual report. It was tabled in the House of Commons on October 30.

I am accompanied by our two principals, Andrew Ferguson and Richard Arseneault.

This report covers two issues fundamental to the mandate Parliament gave the Commissioner of the Environment and Sustainable Development 12 years ago. One issue was sustainable development strategies; the other was, of course, environmental petitions.

[Translation]

First, I'll talk about sustainable development strategies. Sustainable development strategies deal with issues that concern all Canadians - protection of the environment, economic prosperity, and social issues such as health. These issues are not mutually exclusive. For example, it is increasingly understood that Canada's economic health depends on its environmental health.

Sustainable development strategies were introduced by Parliament a decade ago to encourage government departments to green their policies and programs. They were to do this by integrating protection of the environment with economic and social issues when developing policy proposals for the future and when managing programs and activities of the day.

[English]

We've been monitoring sustainable development strategies for more than a decade. Unfortunately, the ambition and momentum that existed in the early stages of sustainable development strategies have

faded. Frankly, the strategies today are a major disappointment. We found little evidence in our audit this year that the strategies have improved or that they have encouraged departments to integrate protection of the environment with economic and social issues in a substantive or meaningful way.

This year I call on the government to carry out a thorough review of what needs to be fixed. The review should result in a concrete action plan to ensure that the government delivers results that will meet Parliament's expectations.

I am very pleased that the government has agreed with our recommendation to carry out such a review and has made a commitment to complete it by October of next year. I would hope that this committee, Mr. Chairman, would take an active interest in this review by the government. Environment Canada will lead the review; frankly, I believe a separate hearing with them to discuss objectives, approach, and work plan could be quite helpful indeed.

When we look at it, there will never be a better time to carry out this review. Canadians are highly interested in environmental issues, and there is time for government to adjust its approach before the next round of strategies is tabled in 2009.

[Translation]

The other chapter in my report on environmental petitions is more positive. Petitions are letters sent by Canadians to the Auditor General as a way to present their environmental concerns and questions to specific ministers of the federal government. Ministers are required to respond in writing within 120 days. The Commissioner administers the process on behalf of the Auditor General.

Our retrospective study of petitions shows that petitioners value the process, which provides a forum for voicing their concerns and assures them of a formal response. We found that petitioners and departmental officials believe that petitions have had an impact on the government's management of environmental and sustainable development issues.

[English]

We also identified opportunities to improve the process, including making Canadians more aware of it. Environmental petitions are a unique feature of our parliamentary democracy. They contribute to public engagement, transparency, and government accountability in environmental matters that concern Canadians.

As I believe the committee knows, we will soon be providing another report to Parliament. Our February status report will include 14 chapters that focus on whether the government has made satisfactory progress on issues that we have audited in the past, issues such as toxic substances, species at risk, contaminated sites, and strategic environmental assessments.

Many parliamentarians find it useful when we provide them with a status report because it clearly points to areas where there has been insufficient progress since our original audits. This information would be a good starting point for discussion with departments in a hearing before a committee such as this.

That concludes my opening statement, Mr. Chairman. We would be very pleased now to respond to questions from members.

• (1540)

**The Chair:** Thank you very much, Mr. Thompson and Mr. Arseneault.

Mr. Ferguson, welcome as well.

I would propose, or it's been suggested to me, that we go to five minutes because of the one hour.

Mr. Cullen, I believe you have a concern about that.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Yes: can I ask why?

**The Chair:** Just because we have only one hour, and it would give the maximum number of members the opportunity.

But that's just a suggestion. I need full consensus for that to happen. It's your decision.

No?

**Mr. Nathan Cullen:** No, thank you.

**The Chair:** Okay.

We'll proceed then with Mr. Godfrey for 10 minutes.

**Hon. John Godfrey (Don Valley West, Lib.):** Welcome, Mr. Thompson, and welcome, associates.

Can you summarize the key failings of the fourth round of sustainable development strategies? For example, I understand that the committee of deputy ministers responsible for the strategies has never met, and that the issue of sustainable development strategies has never appeared on a cabinet agenda.

**Mr. Ron Thompson:** Mr. Chairman, certainly that committee he referred to hasn't met recently. We can find little evidence, actually, that there's been very much of substance going on at the centre to drive these strategies as part of an overarching government process to put in place sustainable development.

Let me give an example of what we find isn't there. When we look at the process within which these strategies fit, there is no overarching framework for the government as a whole that would identify the goals for sustainable development that the government is pursuing and how the individual departments that prepare individual sustainable development strategies are to contribute to those goals.

In our judgment, not having that overarching strategy for the government as a whole makes it very difficult for departments to do

meaningful work at the departmental level because, really, to some extent at least, they're flying blind.

**Hon. John Godfrey:** Thank you.

Based on what you've said and what's in the report, would I be correct in saying that this government has allowed a fourth set of strategies to be produced that are not connected; that contain no objective overall targets; that contain no set standard of indicators, no rigorous reporting schedule, no validation verification—in other words, in essence no accountability on the environment whatsoever?

**Mr. Ron Thompson:** For the most part, I would agree with you, but on the last couple of points, not necessarily. There is validation of commitments made on a department-by-department basis. We do that as part of our mandate, and we report 11 of those in this particular chapter.

But in terms of having an overarching strategy, no. In terms of having overarching goals that are driven down into departments, we can't see any.

So for the most part, Mr. Godfrey, I agree with you.

**Hon. John Godfrey:** Thank you.

Would you say that other countries have switched to producing one overarching sustainable development strategy that is superior to this ineffectual basket of strategies? And is it true to say that you, yourself, have in some fora called for a federal sustainable development strategy?

**Mr. Ron Thompson:** Mr. Godfrey, Mr. Chairman, I haven't really looked at other countries in any detail on this. We're hoping that this will be done by the government as it conducts the review that they have committed to undertaking.

In terms of overarching goals, this year the Department of the Environment asked departments that were going to prepare these sustainable development strategies to tell Environment Canada what they were doing and what programs they had, I think under about six different topics. So that information will have been assembled as part of the process of developing this fourth round of strategies.

That's a far cry from having goals set at the centre. It may be a start toward developing goals for the government as a whole, but I would suggest to you it's a modest start.

**Hon. John Godfrey:** I guess one thing that strikes one as curious about your one recommendation is that, in a sense, you've almost invited a conflict of interest by putting in charge of the review the same department—let us say the Department of the Environment—that was responsible for the set of failed strategies in the first place.

Wouldn't that be a role better ascribed to somebody else, such as Parliament or this committee, than the department itself, which failed to undertake the work in the first place?

**Mr. Ron Thompson:** Mr. Chairman, that's a very good question.

We debated long and hard on how to craft this recommendation, Mr. Godfrey. We felt very strongly that we needed one recommendation—that it was time to pause and reflect before going forward for a fifth round. This begged the question, to whom should the recommendation be addressed?

When we thought about it—we consulted on this with Privy Council Office, with Environment Canada, and with about eight current deputies and four former ones—at the end of the day we came to the view that the sustainable development strategy process, and sustainable development itself, is a government-wide process. It's an initiative of the government, not of any one particular government department. So we wanted to address the recommendation to the government even though we generally don't like doing that because it's fairly imprecise.

Then we consulted with the Privy Council Office as to who should respond on behalf of the government. Privy Council Office, after consultation with Environment Canada and ourselves, said they thought Environment Canada should be carrying out this review for now on behalf of the government. So obviously we've accepted that from the government of the day.

• (1545)

**Hon. John Godfrey:** Do you think it would be helpful to this process if there were actually an act to require the development and implementation of a national sustainable development strategy, and if this act required the reporting of progress against a standard set of environmental indicators? It perhaps might also involve, as this committee has suggested, the appointment of an independent Commissioner of the Environment and Sustainable Development accountable to Parliament. The act would also require the adoption of specific goals with respect to sustainable development in Canada.

Do you think that would help alleviate the problem that you have been identifying over the years?

**Mr. Ron Thompson:** Mr. Chairman, Mr. Godfrey, we've been calling for an overarching sustainable development strategy for the Government of Canada for some time. The government itself committed to putting one in place, I think by the middle of 2006, and it isn't here yet of course.

We still believe that is something that is needed to make this process work. Whether legislation is needed to bring it into play, I don't know, that's up to the government to decide. But clearly there's a need to have an overarching strategy that individual initiatives toward sustainable development can contribute to.

Do I think there's a need to have an independent commissioner? I think you've already got one. I can't imagine any commissioner having more clout than this one, situated where we are. I think we have plenty of clout and plenty of independence to do our job on your behalf.

**Hon. John Godfrey:** The issue is whether your office continues in the same fashion or not. There's a green ribbon panel that is considering the issue on behalf of the Auditor General, and hasn't reported back officially, I guess.

Do you think that whoever in the future occupies the office you're in would have his or her hand strengthened by the existence of the kind of act I have described—which is contained in a nice little private member's bill, called Bill C-474, that I have put forward, just by coincidence? I'm just here to help, Mr. Commissioner, you understand.

Do you think legislation with that sort of precision, indicators, and goals would strengthen your hand?

**Mr. Ron Thompson:** Are you asking for me to comment on the private member's bill, sir?

**Hon. John Godfrey:** Well, on something like it, with those objectives and goals in mind. If you want to talk about my private member's bill, I'd be thrilled.

**An hon. member:** But mind you endorse it.

**Mr. Ron Thompson:** I will go as far as to say that I think there is a need—we all think there's a need—to have an overarching strategy. There's a need to have sufficient guidance given to the government as a whole and individual departments to make that strategy work. In particular, there's a need to take goals, measurable goals, that would be established at the government-wide level, and drive them down into departments and fix a way for those departments, each as to their own mandate, to contribute to those goals in a measurable way, thereby bringing to life this whole notion of sustainable development within the government.

From what we can see, in terms of how these SDSs, or sustainable development strategies, are working, it hasn't come to life yet.

**Hon. John Godfrey:** Without putting words in your mouth, it may not be an unhelpful strategy to put forward such a bill.

**Mr. Ron Thompson:** Well, Mr. Chairman, if I may suggest, it would depend on what was in the bill. There are certainly things one would want to consider.

**The Chair:** Thank you, Mr. Godfrey. In Rotary, we would actually fine you for advertising, but this isn't Rotary, so we'll carry on and go to Mr. Bigras.

Go ahead, Mr. Bigras.

• (1550)

[Translation]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Chair, I'd like to continue along the same lines as Mr. Godfrey, but not with regard to the private bill. In June, the Auditor General directed a green ribbon panel to evaluate the future role of the Commissioner of the Environment.

Is that correct?

**Mr. Ron Thompson:** Almost.

**Mr. Bernard Bigras:** The panel phoned me this summer to ask me what role the Commissioner of the Environment should play, how many reports there should be and whether they should be integrated.

Has the panel completed its work, and has it prepared a report?

[English]

**Mr. Ron Thompson:** Mr. Chairman, Mr. Bigras, yes, the panel, as I understand it, has virtually completed their work.

They had a very busy summer, as I understand it. I don't know whether you've appeared before them; I certainly have, and our group has. I don't know how many people they've interviewed in total. They're very close to completing their work. I haven't seen the final report yet, but I'm expecting it will be provided to Mrs. Fraser in the next few weeks.

[Translation]

**Mr. Bernard Bigras:** If I understand correctly, the report has not yet been tabled. Can you assure us that, when it is, the committee is able to examine it first?

Second, you state in point 1.62 of this report that:

[...] we also did not find evidence that the departments had analyzed and considered the environmental, social, and economic consequences of their current or proposed policies, programs and activities when developing their strategies.

I find it hard to understand this sentence because I'm convinced that, when the government introduces a policy, plan or program, an economic assessment is submitted on the benefits of that policy. Did you mean to say instead that there had not been an environmental assessment equivalent to the economic assessment at the time government policies and plans were presented?

I'd like you to explain point 1.62 to me.

[English]

**Mr. Ron Thompson:** Thank you, Mr. Chairman. I will respond to those two questions from Mr. Bigras.

In terms of the green ribbon panel, certainly when the panel provides its report to Mrs. Fraser, she's going to spend some time studying it, I suspect, with people on the executive committee. She fully intends to make it public, sir, with an action plan to respond to whatever recommendations it may contain. At that time, I'm sure that when it's made public obviously it will come to all members of Parliament and more specifically this committee.

The panel was asked to look at how well we are implementing the mandate we have, as opposed to seeing what other kind of mandate we might have. That's the primary focus of the panel's work. They may well have heard other things as well, which they might put in the report; I don't know. They were basically asked whether the commissioner has carried out the mandate given to him or to her over the past decade as well as they might, so that's what we'll find in the report.

In terms of how we see SDSs, as we point out in the opening statement and in the chapter, they were put in play a decade ago to really help departments—to coerce departments, if I can put it that way—to green their operations. They were expected to consider environmental protection alongside economic prosperity and major social issues such as health as they did a couple of things: as they carried out and managed programs of the day, and more particularly as they looked ahead to consider programs and proposals for programs of the future.

Now, in terms of changing management's behaviour in the way these SDSs were designed to do, we can't see any evidence that management's behaviour has been changed. That's the point we're making in the chapter, and that's what we think needs to be re-examined.

In terms of evaluation of programs coming through, you may be referring, Mr. Bigras, to strategic environmental assessments and that sort of thing. We didn't really get into that in this chapter, but if you can hold on until February, we have a major follow-up chapter in February that deals with just that.

● (1555)

**The Chair:** Yes, Mr. Lussier.

[Translation]

**Mr. Marcel Lussier (Brossard—La Prairie, BQ):** Mr. Thompson, discussing current issues is one of the responsibilities of your office. Will the 14 chapters that are published in February address current issues?

[English]

**Mr. Ron Thompson:** Mr. Chairman, Mr. Lussier, I certainly hope so.

Let me explain what we've done to select these 14 chapters. We've looked back over the history of this office, and we've tried to select some of the key recommendations we've made to Parliament and to the government over that period of time and the key audit observations we've made. We haven't looked at them all. We've selected those that we think are of relevance today and will be of relevance for some time into the future. We have audited those to determine whether the government has taken adequate action to address either the recommendations we have made or the observations we have made.

I'm hoping, sir, that what you will see will be quite relevant to today.

[Translation]

**Mr. Marcel Lussier:** I'm going to restate my question. In the 14 chapters, are you going to discuss blue algae?

**Mr. Ron Thompson:** No.

**Mr. Marcel Lussier:** Not at all?

[English]

**Mr. Ron Thompson:** No.

[Translation]

**Mr. Marcel Lussier:** In your opinion, do the 14 chapters address current issues from an environmental standpoint? Are they currently relevant for the public?

[English]

**Mr. Ron Thompson:** Mr. Chairman, perhaps Mr. Arseneault could reply.

[Translation]

**Mr. Richard Arseneault (Principal, Office of the Auditor General of Canada):** I'll give you an idea of the content of those chapters. Three chapters will address chemical substances, and one of those will focus on an assessment of chemical substances in accordance with the Canadian Environmental Assessment Act. We've been very critical of the government's performance in this area in the past, and we have therefore a follow-up to see whether matters have improved.

We've also done a follow-up on an audit we did in 2003 on the federal government's management, evaluation and approval of pesticides, and we will be reporting on our findings.

We've also prepared another chapter that will provide follow-up to our 2002 chapter on contaminated sites and abandoned mines in the North. At the time, we were highly critical of the government, and we will be able to reveal what we've found out about the government's performance since 2002.

Four chapters respectively address four living systems: federal protection areas, species at risk, invasive aquatic species and areas of concerns in the Great Lakes.

We then look at three institutional tools the government has acquired for managing environmental issues. We also examine the international environmental agreements signed by the government to determine whether the information concerning those agreements is being transmitted to Canadians.

We also have a chapter on strategic environmental assessments, an issue of major concern for this committee since it is often brought to our attention. We've done a follow-up. It will be remembered that, in 2004, when we did the work, the government's performance was not very good. We will now see where it stands.

We also have a chapter on the greening of government operations. In particular, we look at green purchasing issues and the guidelines the government has put in place to enable departments to check compliance.

We've also done four follow-ups to responses to petitions. In the past, we conducted audits on environmental petitions because ministers' responses to petitioners contained commitments.

We've conducted audits and we're now doing follow-ups in four areas: insurance for nuclear facility operators, guidelines that the Minister of the Environment undertook to develop for deciding not to include certain species at risk, contaminated military sites, genetically modified fish and, lastly, research and systems put in place to ensure that those fish do not contaminate the environment.

We're really covering a fairly broad range of substances.

• (1600)

[English]

**The Chair:** Mr. Lussier, your time is actually up, so very quickly....

[Translation]

**Mr. Marcel Lussier:** I would like us to table these 14—

[English]

**The Chair:** Mr. Cullen, please.

**Mr. Nathan Cullen:** Thank you, Chair.

Thank you to our witnesses today.

From listening to the initial testimony and the questions since, I think there is a need for translation for Canadians, in some sense, not from one official language to the other but of the implications of your report, of what it means. "Sustainable development" is a very exclusive term, I would suggest; people don't necessarily know what it means. Your section as to why this is important, when I read it here, is talking about the lens that government attempts to put in front of all of its programs and spending to consider the environment.

Is that essentially the crux of what it is to attempt to put these strategies into practice?

**Mr. Ron Thompson:** Mr. Cullen, the short answer, I think, sir, is yes. Let me embellish that a bit, from the viewpoint of how we see it.

It seems to us that sustainable development is about a lot of things, but one of the things it's about is getting ahead of the curve a bit. It's encouraging the government to look down the road and to try to anticipate problems—for example, problems that might be involved in protecting the environment, problems that might come up based on an individual department's activities—and to think through ways of mitigating them before they could become really serious. It's about looking down the road, most particularly, and trying to think about opportunities that may present themselves that could be exploited; for example, innovation opportunities.

It's not just about managing the programs of the day, although it's certainly about that too. It's about protecting the environment in relation to issues that have arisen in the past, but it's about looking down the road to try to get a little ahead of the curve.

**Mr. Nathan Cullen:** I know this doesn't fall within your immediate purview, but I assume the government does this around taxation policy, does it around immigration policy. It has some knowledge or makes some attempt to understand what's coming when designing the policies of today, because many of these policies last over a number of years and have implications.

The conclusion that the government has, in your words, provided a major disappointment with respect to looking down the road for our environment seems to me to encapsulate the very problem we're dealing with right now in climate change: that this, by its nature, is an issue that requires the government to look down the road, to plan ahead, and to apply a green filter in front of the programs, the policies, and the spending that government does. The failure to do so has consequences.

I'm trying to understand, because we've had four plans in twelve years. This is the tenth audit. Governments have said *mea culpa* time and again. The auditor's office has slapped their wrists and chastised them properly.

I'm wondering what consequences there are. Have you been able to determine that anybody anywhere within the government has ever been docked pay, has ever received a letter of reprimand? Has there been any consequence for the failure to look ahead and protect the environment in implementing government policies?

**Mr. Ron Thompson:** Mr. Chairman, Mr. Cullen has two questions. Let me address them sequentially.

In terms of climate change illustrating what we mean by sustainable development...it's a very good illustration, I think. If the government puts forward a government-wide climate change plan, that's one thing. The next step is to back that plan up into the departments that are going to be able to contribute to achieving the goals in that plan.

That's where the individual SDSs come into play. Clearly, not every government department will have a role to play in combating climate change; some will more than others. The SDSs are the vehicles that departments that have a role to play can use to strut their stuff, if I may put it that way.

Really, climate change is a good example of how sustainable development could work and we believe should work within the federal government, starting with an overall plan, an overall set of goals, and backing those goals down into departments.

**Mr. Nathan Cullen:** I will just stop you there for a moment. With a failure of the attempt to have a consistent approach to sustainable development, the ability to apply a government's overall climate change plan, which this government and previous governments have announced, seems to me impossible. If you don't have a structure within government—in Transport, in Health, in Industry—in which they can apply a green lens, if you will, then how can governments make any type of climate change announcements with any confidence whatsoever of them actually coming to fruition? Or is it just another attempt at rhetoric?

I'll stay away from the politics, but if the function isn't there, if there simply isn't the mechanism to produce the results the government wishes on greenhouse gas reduction, then I don't know how any minister can stand up with any confidence after a report like this and say, "Oh no, we have it figured out. We have the ability to function this and make it real."

•(1605)

**Mr. Ron Thompson:** There's a need, Mr. Chairman, Mr. Cullen, to put in place an overarching plan. That's clear. The government agrees with that. We've agreed with that. We're hoping this review will flesh that out.

There are a number of programs now in place within the government that look at climate change. What we're talking about is trying to encourage the government to do something at the top, at the government-wide level, that would permit a reasonable coordination of programs now in place and a reasonable orientation towards achieving specific goals. I don't think that's impossible, sir. I think that's entirely possible and it needs to be put in place.

**Mr. Nathan Cullen:** I admire your confidence, only because after four plans, twelve years, ten audits, and a major disappointment again, it's not as if the government is not aware. I'm very disturbed about the accountability or lack of accountability measures that exist.

In order to consider the consequences—we'll stay with climate change for a moment—of continuing to make mistakes in terms of Canada's record, the implications for a region like mine, north-western British Columbia, and any low-lying area, the far north, our country in general as a northern region, are significant and serious. I find it remarkable, and maybe you could answer this. That I can find no incidents of any deputy minister, assistant deputy minister, ever being held to account for the failure that has been claimed to be at the centre of the government's initiative in protecting Canada's environment. I don't know how government can claim accountability and how actually you're able to have this kind...I know it's functionally possible but culturally impossible, based on this regime's and the previous regime's performance. I just don't see any evidence for it.

**Mr. Ron Thompson:** Mr. Chairman, Mr. Cullen, I haven't been able to find and we haven't been able to find any sanctions for bad performance or rewards for good performance, quite frankly. We mentioned that during the in camera briefing a couple of weeks ago, and I'll say it again on the public record today. And that's a real problem.

However, I've been auditing in this government for 30 years in this office, and I've seen some amazing things done when people's feet are held to the fire and when the situation demands it. Where there's a will, there's a way, I would suggest, Mr. Cullen. There has never been a better time, in our view, for the government of the day to take a look at environmental protection. It's the number one issue in the country. There is plenty of time between now and the next time the sustainable development strategy process kicks in, which is two years down the road, to get it right or at least to start to get it right. There has never been a better time to get at this.

**Mr. Nathan Cullen:** What seems curious to me—and this follows up on my colleague's point—is the perception of a conflict of interest...in order for the government that's choosing to hand this to the very ministry that has so botched this up, with no apparent sanctions, as you say, for bad behaviour or reward for good.

It seems to me there is an opportunity for members of Parliament to finally get involved deeply in this and to provide some of the lessons and sanctions. If there are other lessons in other departments, if it's pay bonuses or the lack thereof, or it's reprimands or public accounting, I don't particularly care what it takes; if government issues orders, which they rarely do, that are progressive enough to handle the issue, and they're still not carried out, if we could only match the amount of rhetoric and announcements to actual performance....

Every minister of the environment, going back five or six, has claimed that this is a central piece of their tenet, and consistently, the only consistency across individuals and parties has been the failure on this front: Health Canada failure; CIDA failure; Immigration; Department of Fisheries and Ocean, for goodness' sake; Indian Affairs; Justice. Overall, unsatisfactory and failing.

I don't know what my colleague's impression is, but I am not feeling the confidence today in reading the report again of handing this simply to Environment Canada, for all their best intentions, and feeling that we can walk away from this file. If this has so many implications, as you say, in terms of protecting Canada's environment, whether it's climate change or other issues, I don't think it's proper for us to allow the Privy Council to simply decide to keep it in-house.

**Mr. Ron Thompson:** One of the reasons I am confident, or I guess a little bit confident, Mr. Cullen, is the hearing we're having today. I have to tell you, in my experience with the federal government, if there's one thing that bureaucrats listen to it's the committees of the House. It seems to me this committee is in a pretty darned good spot now that we have this report on the table, now that we have Environment Canada agreeing to carry out this review and to look at the things we're suggesting should be looked at.



I would suggest that if you would be willing to do it, if you'd want to do it, this committee could put a lot of backbone into Environment Canada and it could really almost be a make or break to the success of this review.

So I think there is a genuine interest in doing things better, and I think this committee can help that process along immeasurably.

• (1610)

**Mr. Nathan Cullen:** Thank you.

**The Chair:** We'll go to Mr. Warawa.

**Mr. Mark Warawa (Langley, CPC):** Thank you, Chair.

In the spirit of giving as many people as possible an opportunity to question the commissioner—and I thank him for being here—I will be sharing my time with Mr. Watson. So please stop me after five minutes. I thank the Bloc for doing the same.

I just want to confirm that the government has committed to conduct a sustainable development strategy review. We will be reporting back in October 2008.

You're happy with that, is that correct?

**Mr. Ron Thompson:** Mr. Chairman, yes, sir, I am. I'm delighted that the... I think it will take a year to do a meaningful review. The fact that the results will be available in October 2008 is, I think, good timing. The only thing I think we need to flesh out—not we, but the government department that is doing it—is how to conduct the review. What is the work plan? What are the objectives? What are the deliverables? That's something I would suggest this committee could play a hand in to encourage Environment Canada to get on with it.

**Mr. Mark Warawa:** In your report, you say there's a decade of problems.

Looking at past reports, for instance in 1998, the report said that, "Almost all departments failed to establish the clear and measurable targets", and that, "The lack of benchmarks needs to be dealt with quickly." The commissioner said he was "disappointed that many departments did not challenge themselves to look at what really needs to be changed....The status quo is not acceptable any more." That was in the Commissioner of the Environment's report in 1998.

In 1999, it says, "[The Commissioner] is concerned that federal departments have not laid the groundwork needed to reliably achieve the sustainable development goals they set for themselves in 1997", and, "[T]he Report also points to a lack of co-ordination among departments". The commissioner said, "There continues to be a substantial gap between talk and action on the federal government's environment and sustainable development agenda".

Every year there was a similar critique.

Now we're coming up to 2002. It says, "The federal government has yet to provide a clear picture of what a sustainable Canada would look like 20 years from now", and, "The federal government's sustainable development strategies...after five years and two generations of strategies, they still fall short".

In 2005 the report said that, "The federal government has failed to provide departments with the direction they need to co-ordinate their sustainable" development strategies, and that, "An overall federal

sustainable development strategy...though long-promised, has not yet been produced." When it comes to protecting the environment, bold announcements are made, then often forgotten as soon as the confetti hits the ground. The federal government seems to have trouble crossing the finish line.

This has been a similar theme over the last decade. You've elaborated on that. It's a challenge to this committee to get involved. It's been a critique of a decade of problems. I appreciate that. This government is listening clearly to your recommendations. We've agreed with your recommendations, and we've committed to do the review. Less than a year from now, we'll have that.

How am I doing for time?

• (1615)

**The Chair:** You have one and a half minutes.

**Mr. Mark Warawa:** I will very quickly go over addressing the different departments. You've said...well, I don't have time to get into that. I want to quickly go to petitions.

Petitions, you said, were a success. I read through it and found that in some cases, there was an individual or an organization that had numerous petitions. Mr. David Boyd, who is well respected in the environmental field and is an expert from UBC, I believe, had about five or six petitions. The David Suzuki Foundation had, I think, about four or five petitions. An organization in British Columbia that was concerned about the Deltaport development had three petitions. Among the 46 petitions you've had, it is often a group or individuals who are experts in the field making repeated petitions.

How can we encourage the general population to take advantage of this? It's not your typical petition that is entered into and read in Parliament. How do you see us promoting the petition process so that the average Canadian out there sees this as a tool to communicate with the ministers and get appropriate answers?

**Mr. Ron Thompson:** Mr. Chairman, Mr. Warawa, this is a very good question. We just don't think that this process is really very well known. I suspect that one of the reasons it isn't, perhaps, is that we maybe haven't done our job as well as we might have. I think our website isn't the easiest to use, and we're looking at how to change that. We're looking at trying to talk a little bit more about the petitions process when we are out giving speeches and writing articles, to make the Canadian people aware that it exists.

So I think in terms of raising awareness of the process, we can do a lot. What we're doing right now is developing a plan in order to do just that. We want to wait for a little while, because I have a funny feeling that the green ribbon panel is going to look at that too, and they may make recommendations, I don't know. So we want to think about what they might be saying and then put forward a plan to make the petitions process better known to the Canadian people.

Now, in addition to making it better known, I think we can do a better job of giving more precise and useful guidance both to petitioners and to departments that are trying to craft petition responses on behalf of ministers. We have some guidance. We think it should be stronger and sharper, and we're working at doing that too. I would think in probably two or two and a half months we'll be in a position to have a better approach to the administration of petitions ourselves, which hopefully should go a long way to making the Canadian people more aware of it and making the process work a little bit more smoothly.

**The Chair:** Mr. Watson, you have three and a half minutes.

**Mr. Jeff Watson (Essex, CPC):** Thank you, Mr. Chair, and thank you to Mr. Thompson and his colleagues for their invaluable work for this committee...an ongoing tradition of environment commissioners highlighting ten years of failed policies by the Liberal government on the environment. These are all directly attributable to them.

In light of Mr. Godfrey's opening statement, where he wants to leave on the public record that the most recent SDS is attributable to this government, you state that it's the deputy ministers policy committee on the environment and sustainability—I'm going to quote from page 30, paragraph 1.20—that was the responsible committee during the preparation of the 2007-2009 strategies.

Is that correct? That's the committee that led the spadework for this strategy?

**Mr. Ron Thompson:** Yes.

**Mr. Jeff Watson:** Was it the previous government that established that committee to do the spadework on the SDS?

**Mr. Andrew Ferguson (Principal, Office of the Auditor General of Canada):** I think it was actually the current government that established the most recent committee. Our point here was mainly that these committees have transitioned and changed so frequently as to obscure what their mandate is vis-à-vis the strategy process.

**Mr. Jeff Watson:** I'm asking about the initial committee that was established to lay the groundwork for the current SDS.

**Mr. Andrew Ferguson:** I think it would have been a previous government, yes.

**Mr. Jeff Watson:** Thank you very much.

So the current leader of the opposition, the then Liberal environment minister, initiated this process that led to the faulty content that we have here today. The timing of it, I think, is also important. You had some criticism about the timing established by the committee for reporting being set into mid-2006.

Why was the timing of issuing a report coming out of this committee so important?

**Mr. Andrew Ferguson:** In our previous audit, we had recommended that the government move ahead with providing guidance to the 32 departments responsible for producing sustainable development strategies, and that guidance was made available publicly in July, approximately five months before the most recent strategies were due to be tabled.

**A voice:** That's pretty late.

**Mr. Jeff Watson:** So that's why it's important, as we're looking forward to a review, that we have enough time to ensure that it's done robustly. And the timing is important too, so that it can be integrated deep into the very departments themselves, so that we're guaranteeing our success, rather than pre-empting with one particular party's view on a bill, pre-empting that kind of spadework. I think that's the essence of why we need this type of review.

Is that why you recommended it, rather than legislation up front?

• (1620)

**Mr. Ron Thompson:** Well, if I may, Mr. Chairman, I think the review is a sensible thing to do at the beginning of all of this. Doing it in a year is good timing. It allows the results to then be put into play for the next round with a year to spare. That's plenty of time to get at least some of the architecture in place to make this work the way it was intended. Now, whether more is needed after the review, sir, I don't know. It would depend on what the review discloses. But that would be the reason for looking at the timing.

**The Chair:** Thank you, Mr. Watson.

**Mr. Jeff Watson:** Thank you, Mr. Chair, and thank you, Mr. Thompson.

**The Chair:** We are into the second round.

Mr. McGuinty, for five minutes.

**Mr. David McGuinty (Ottawa South, Lib.):** Thank you, Chair.

Thank you very much, Mr. Thompson and team, for being here this afternoon.

Mr. Thompson, there is a green ribbon panel, which you said was struck by the Auditor General's office. Its mandate, in part, is to examine not just the role of the commissioner's office but the sustainable development strategies as well, in part?

**Mr. Ron Thompson:** Yes, Mr. McGuinty and Mr. Chairman, it's looking at how we are implementing our mandate, and part of our mandate deals with sustainable development strategies. As a matter of fact, it's kind of a strange situation in the sense that they are required to be produced under the audit office law. So that's why they're looking at them.

**Mr. David McGuinty:** How much is the green ribbon panel going to cost?

**Mr. Ron Thompson:** I don't know. That's a very good question. It won't be cheap, but I really don't know, sir.

**Mr. David McGuinty:** Can you estimate?

**Mr. Ron Thompson:** No, I can't. It will be made public when we report on our performance next year, I would think.

**Mr. David McGuinty:** Can you estimate what this review that the government wants to pursue would cost?

**Mr. Ron Thompson:** No, I can't do that either, Mr. McGuinty. It depends on whether they are going to be hiring outside consultants in terms of out-of-pocket costs. They may want to do that.

**Mr. David McGuinty:** Sorry, sir, but who's "they"?

**Mr. Ron Thompson:** They would be the driver of the review, in this particular case Environment Canada, the Deputy Minister, Michael Horgan.

**Mr. David McGuinty:** Right.

Why would a deputy minister at Environment Canada be driving a government-wide review when responsibility for sustainable development strategies doesn't reside with that line department or its minister?

**Mr. Ron Thompson:** Mr. Chairman, that's another good question. I got at that a little bit just a few minutes ago, when we talked about the recommendation we made. We're recommending that the government do a review, because sustainable development and the sustainable development strategies that fit under that are a government initiative, not an initiative of any one department, as you have quite properly pointed out.

But we did consult on that. We wanted to address the recommendation to the right official or the right body. And after a lot of consultation, with current deputies, former deputies, PCO, Environment Canada, and others, we determined that the recommendation should be addressed to the government.

We then wrote to PCO and asked if they would reply to this recommendation on behalf of the government, being the central agency, or suggest someone who would. They replied to us and said that they were asking Environment Canada to reply on behalf of the government.

So there is a group of central agencies involved, Mr. McGuinty—PCO, TBS, and of course the line department, Environment Canada.

**Mr. David McGuinty:** It's interesting how, from a machinery of government perspective, the default drive from your colleague officials in PCO and PMO and elsewhere is again to punt this issue to the least-funded line department in the federal government, Environment Canada.

I want to switch gears for a second to another issue, which I'm hoping will be part of your February report. That is the question of former Bill C-288, now the Kyoto Protocol Implementation Act for this country, a binding law on the government.

Will your office be reviewing the government's breach—or breaches, potentially—under that law, which is now of course being enforced in Federal Court by a number of environmental groups? Will you be reporting to Canadians very clearly on the extent to which this government has in fact broken its own laws?

**Mr. Ron Thompson:** Mr. Chairman and Mr. McGuinty, I have a couple of comments on that.

Bill C-288 requires that the commissioner's office, our office, do an audit—if I can put it that way—in May of 2009 of the take-up of the plan. We are making arrangements now to do that. We are in the early stages, but we will certainly be doing that and getting ready to do it early on.

As you probably know, the National Round Table on the Environment and the Economy had a look at the plan that was put forward on, I think, August 23. They issued a very interesting report on that plan—which the committee may want to have a look at—that offered some challenges, frankly, regarding the numbers that were associated with certain targets in the government's plan.

Hopefully, over the next two years those challenges will be met by the people who prepared the plan so that by the time we come

around to auditing that in two years, we'll have something a little more solid to look at.

But we certainly are looking at Bill C-288. We're involved in it. I met with the national round table a couple of times to talk about their work, and we're going over to see Environment Canada to talk about the round table's report, probably before Christmas, to get a sense of what is going to change before we get into the audit game.

• (1625)

**Mr. David McGuinty:** Thank you, sir.

**The Chair:** Thank you.

Mr. Vellacott.

**Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC):** Thank you very much, Mr. Thompson, for being here today.

We've actually had some of this discussion already in terms of where some of the problems of not coming up with a strategy have resided over the last number of years. I think it's fair to say, although I know it doesn't go down well on the other side, that this government has been busy fixing up some of the Liberal messes on the environment. A year and a half really isn't a lot of time to do that, but we'll do our very best.

With this period of time ahead, looking for a review of the plan and then a report of that in October 2008, I'm wondering—and I'm guessing we all would be rather keen to know—what your suggestions would be. Once the report is tabled or the review is before us in October of 2008, how much time on average would it take to then get on with the implementation of it? Of course it depends on what that report is, but would it be six months, a year, a couple of years? What would you advise in terms of what it will take to implement a sustainable development strategy out beyond October 2008?

**Mr. Ron Thompson:** Thank you for the question, Mr. Vellacott and Mr. Chairman.

In terms of an overarching, government-wide sustainable development strategy, that might well take some time to put together. It depends on how much use Environment Canada is able to make of the collectors, by topic, that I mentioned a little earlier, coming out of these existing sustainable development strategies. They've asked departments to tell them, over six subject areas, "What programs and activities do you have under each of these?" Now, if that's useful to Environment Canada and the government of the day in coming up with an overarching set of goals, an overarching strategy, then it might not take that long to put something in place.

The best person to ask, of course, is the Deputy Minister of the Environment—who perhaps should be sitting here with me today—but I would think something could be done for the next round of strategies, which would be tabled in December of 2009, with that something being at least the beginning of an overarching strategy, maybe one or two elements of that, and having those one or two elements back down into sustainable development strategies of at least some of the government departments.

That would be a very good start, and that would be a long way from where we are today, sir.

**Mr. Maurice Vellacott:** Right. So it would be a little better than a year, anyhow, to get that initial start and at least some of those elements under way as you go to December 2009.

You mentioned in your report that former governments, Liberal governments, have rarely examined sustainable development strategies. On page 35 here I read the following:

The federal government's commitment to produce a federal sustainable development strategy dates back 15 years, to Canada's pledge at the 1992 Earth Summit in Rio de Janeiro. That commitment was reiterated in 1997 at the Earth Summit+5 in New York, where Canada promised to have a national strategy in place by 2002.

And on it goes.

What do we make of that? Would it be fair to say that they didn't get the job done, or that sustainable development strategies were not a priority? There was the rhetoric, there was the language here in the report, but despite all those grandiose promises, it wasn't a priority and the job didn't get done.

**Mr. Ron Thompson:** Mr. Chairman, the job hasn't been done yet.

One criticism of audits is that we're always looking back and criticizing what *has* happened. I would like to suggest to you that there's a whole lot more to audits than that. Look at where we're sitting today: we looked back, we found out what wasn't working, and we identified certain elements that should be working better. Now is the time, though, I would suggest, for all of us to look forward. There's never been a better time to put in place what should

be in place to make these sustainable development strategies work. We have a committee that's obviously interested in that. You have a commissioner and his staff who are very interested in that. We have a government department that has been given the task of carrying out this review and that has expressed to me quite a lot of interest in it.

I think it would be helpful for us to look forward and to try to encourage each other to put in place what should be there to make this work.

● (1630)

**Mr. Maurice Vellacott:** Thank you.

**The Chair:** Thank you, Mr. Vellacott.

I would like to thank our guests for being here.

This was probably one of our best sessions. All the members kept to their time limits and we got definite answers from the witnesses.

Again, thank you very much.

**Mr. Ron Thompson:** Our pleasure.

**The Chair:** I'd like to go in camera now, for our meeting on future business. I would ask all those who need to vacate the room to now do so.

Thank you.

*[Proceedings continue in camera]*

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**Publié en conformité de l'autorité du Président de la Chambre des communes**

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