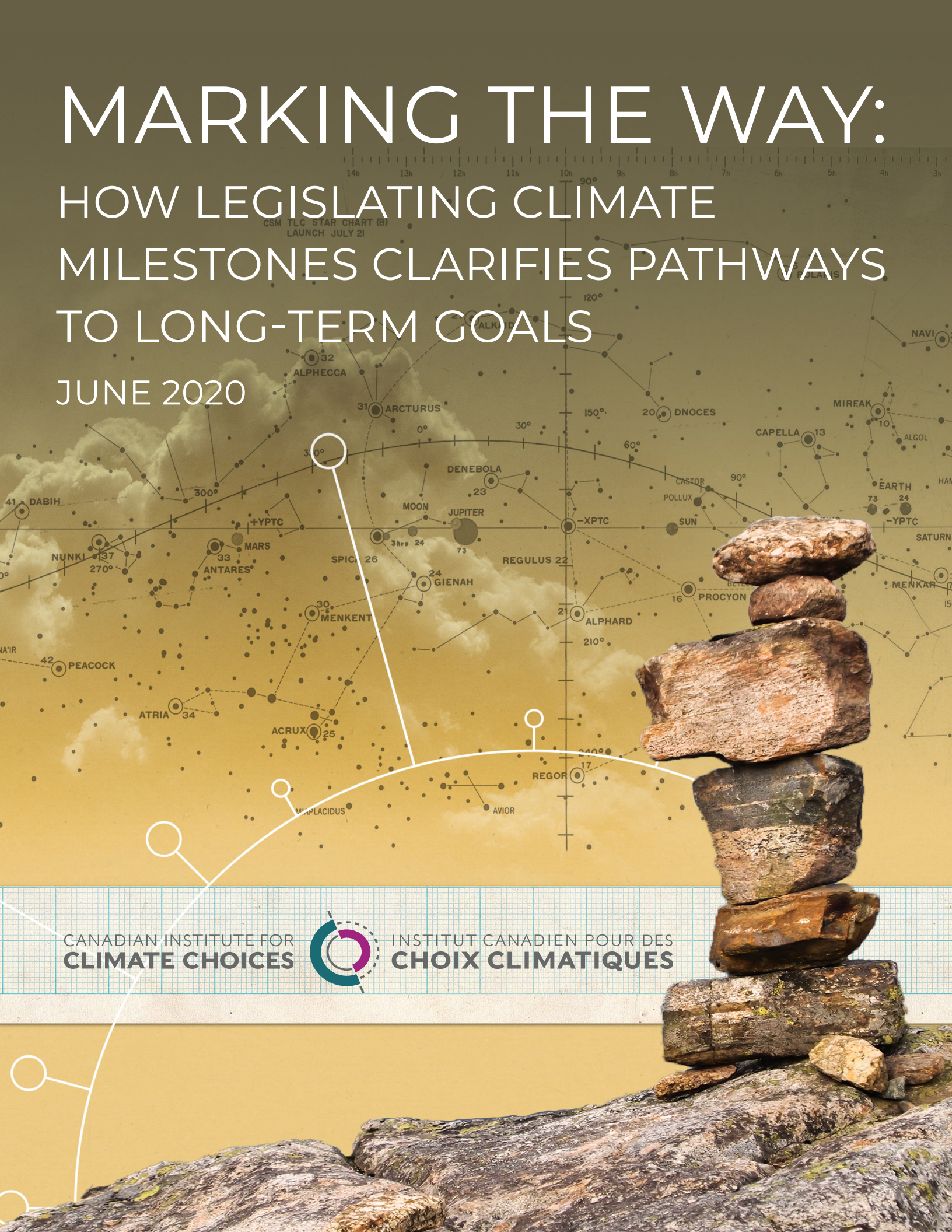
MARKING THE WAY:

HOW LEGISLATING CLIMATE MILESTONES CLARIFIES PATHWAYS TO LONG-TERM GOALS

JUNE 2020



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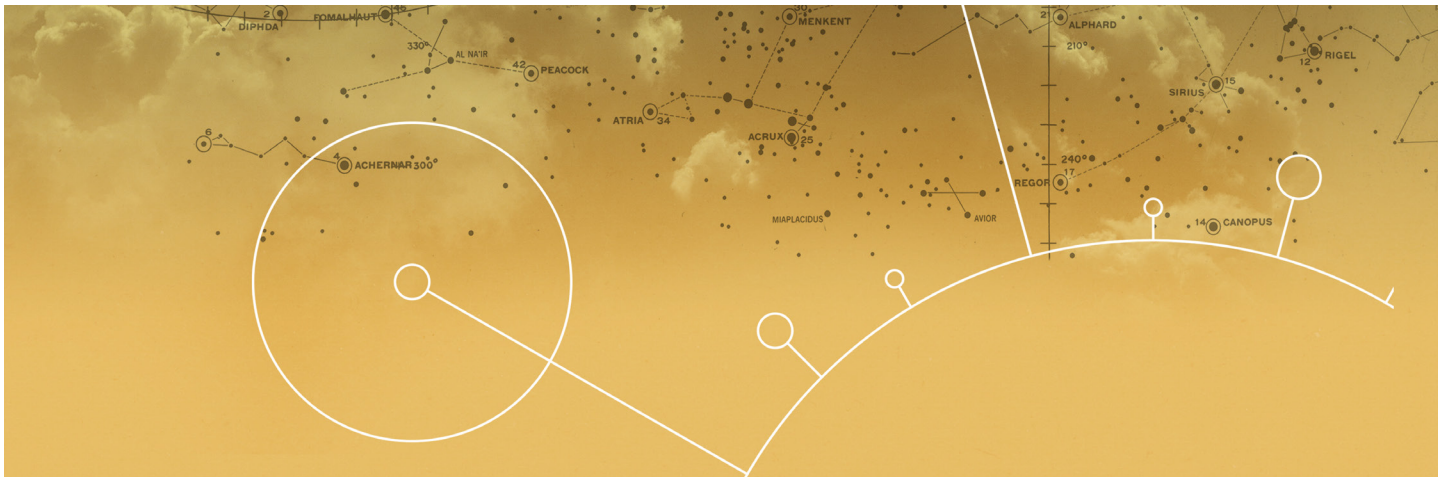


Executive summary

Climate accountability frameworks can help bridge the gap between medium- and long-term goals and the policy action required to achieve them. They break long-term greenhouse gas (GHG) emissions reduction targets into interim milestones. They establish clear governance structures and processes for linking milestones to policy actions. And they hold governments to account for policy implementation by requiring regular, transparent taking stock, progress reports, and—if necessary—action plans to help correct course.

Here in Canada, achieving climate goals is made more complex because jurisdiction and influence on climate-related matters overlap across provincial, territorial, municipal, Indigenous, and federal governments. In this context, adopting climate accountability frameworks could also provide forums and processes for tackling head-on the challenges and opportunities of shared jurisdiction within the federation.

Accountability frameworks are not a silver bullet. They cannot guarantee that a jurisdiction achieves its long-term climate objectives (since they cannot bind the actions of future, democratically elected governments). Nor can they sweep aside the complexity of implementing climate policies across multiple orders of government.

Nevertheless, climate accountability frameworks could help Canada to achieve its 2030 and 2050 climate targets. International and domestic experience shows that the transparency and accountability they provide can play an important role in keeping governments on track. If designed well, a national accountability framework could create institutional incentives for coordination and alignment between different orders of government.

This paper reviews experience with implementing climate accountability frameworks and explores how they can be implemented in the Canadian context. It does not focus on what Canada's specific milestone pathway to its long-term targets ought to be. Instead, it focuses on the process for determining those pathways—and delivering on them.

Learning from case studies

Governments from Germany to Aotearoa/ New Zealand to the United Kingdom have implemented climate accountability frameworks as a way of meeting their long-term climate commitments. Such frameworks are also found in two Canadian provinces: Manitoba and British Columbia. These jurisdictions provide valuable examples for other Canadian governments looking to implement accountability frameworks.

Six common elements emerge from these case studies. Together, these elements establish the governance processes, policy development protocols, and transparency measures that can hold governments accountable for implementing policy that is consistent with their long-term targets.

The six elements are as follows:

- Formalizing climate governance structures and processes
- Clearly defining roles and responsibilities
- Establishing interim emissions reduction milestones
- Producing action plans to meet milestones
- Requiring monitoring and reporting
- Broadening the scope beyond reducing emissions

A set of best practices emerges when comparing how various jurisdictions have implemented these common elements of climate accountability frameworks. We define a best practice as an element of policy design that increases government accountability for meeting long-term targets and interim milestones—and implementing the necessary policies—while keeping the framework robust to changing governments, new political mandates, and shifting policy needs. Table 1 summarizes the common elements and best practices that emerge in the case studies.

Table 1: Elements of Climate Accountability Frameworks and Best Practices in their Implementation

ELEMENT	BEST PRACTICES
Formalizing climate governance structures and processes Establishing a set of governance structures and formal processes for setting, meeting, and monitoring progress against a country's long-term emissions targets.	**Legislating governance structures and processes and long-term targets** Cementing a long-term emissions reduction target in law, as well as a broader governance framework, increases government accountability for reaching targets while also supporting transparency, credibility, and predictability.
Clearly defining roles and responsibilities Outlining the duties of specific institutions as they relate to the attainment of long-term targets.	**Ensuring independent advice and assessment** Having advice and assessment provided independently of government can help depoliticize climate policy debates and ensure that governments are receiving evidence-based, non-partisan advice. **Supporting a whole-of-government approach** Distributing responsibility for climate policy and target attainment across a wide range of government actors supports collaboration and cooperation across policy areas, thereby increasing the effectiveness and efficiency of climate policy overall.
Establishing interim emissions reduction milestones Setting interim emissions reduction milestones as a way of setting out a path to long-term targets.	**Providing clarity on how milestones are set and how they will evolve** Extending milestone planning at least 10 to 15 years into the future and defining clear and codified rules and processes for how milestones are set and when they can be adjusted increases predictability and accountability. **Defining emissions reduction milestones in terms of cumulative carbon budgets** Defining emissions reduction milestones as cumulative carbon budgets provides a meaningful measure of a jurisdiction's contribution to global climate change mitigation. It also makes trade-offs over time, across regions, or across sectors clear for policy-makers.

ELEMENT	BEST PRACTICES
Producing action plans to meet milestones Requiring governments to prepare policy measures, developed through collaboration with experts and stakeholders, that will meet interim milestones.	**Linking progress on milestone commitments to policy course corrections** Obliging governments that miss milestones to publish revised plans and policies that address these excess emissions can help governments stay on track toward their long-term targets.
Requiring monitoring and reporting Having formal requirements for transparent reporting on government plans and progress, allowing the public to better understand and evaluate progress against commitments.	**Requiring government to provide formal responses to independent advisory reports** Requiring governments to respond to progress reports and forward-looking policy recommendations from an expert advisory body ensures the relevance of independent advice and increases government accountability for reaching milestones.
Broadening the scope beyond reducing emissions Requiring governments to look beyond reducing emissions to consider climate change adaptation or the broader social, economic, and cultural impacts of climate policy.	**Integrating multiple objectives into pathways and policy** Formally extending the scope of climate accountability frameworks to consider adaptation and clean growth can lead to better, more integrated climate policy. It can help move the focus beyond GHG mitigation to broader questions of economic development and resilience.

* We define a "best practice" as a design choice or element that increases government accountability for meeting long-term targets and interim milestones, as well as for implementing the policies necessary to do so—while at the same time keeping the framework robust to changing governments, new political mandates, and shifting policy needs. Best practices are based on a review of case study jurisdictions that have implemented climate accountability frameworks, including British Columbia, France, Germany, Manitoba, Aotearoa/New Zealand, Oslo, the United Kingdom, and the U.K.'s devolved administrations in Scotland and Wales.

Climate accountability in the Canadian context

While the common elements and best practices we identify from case studies can provide valuable lessons for Canadian policy-makers, accountability frameworks will be most effective if implemented in a way that suits Canada's unique context. In particular, shared jurisdiction between different orders of government in developing and implementing climate change policy introduces complexity to designing an accountability framework for Canada. Moreover, designing a Canadian climate accountability framework that recognizes Indigenous rights and advances reconciliation will be similarly complex—and critical to success.

We explore three key choices policy-makers will face in designing a national climate accountability framework for Canada's decentralized federation. These choices will have significant implications for the fundamental approach the country adopts, how it will play out in the federation, and, by extension, how successful it will ultimately prove to be.

1. Where do milestones bind?

What level of resolution do interim milestones have: Are milestones set only at the national level? Or are they broken out such that they are legally binding at the provincial and territorial level—or the sectoral level?

2. What is the process for setting the pathways to reach the milestones?

Where will decision-making power ultimately reside: Will provinces and territories define their own pathways that together determine the national one? Or will the federal government ultimately set the pathway, based on consultation and engagement? Alternatively, will these different orders of government set it collaboratively? Or will the decision instead rest with an independent advisory body?

3. Which orders of government develop policy to meet milestones?

Regardless of where milestones bind and how they are set, who will be responsible for implementing policy to achieve them: Will the federal government act unilaterally, using its policy levers to close any gap between milestones and emissions projected under existing federal, provincial, and territorial measures? Or will provincial and territorial governments be expected to find ways to close the gap? Alternatively, will provincial, territorial, and federal governments all contribute to closing the gap, with federal policy acting as a backstop?

Each of the options available within these three choices present trade-offs and challenges (summarized in Table 1 in the report). In particular, a climate accountability framework developed for the Canadian context will inevitably have to contend with complex intergovernmental policy coordination challenges and, at times, diverging priorities among various governments. Still, by providing a forum for constructively addressing intergovernmental challenges, some options are more likely to enable better policy than others, as we discuss in our recommendations.

Conclusions and recommendations

Climate accountability frameworks are a valuable tool, but they also have limitations.

First, "accountability" mostly amounts to reputational consequences. While transparent monitoring and reporting can help individuals and stakeholders hold governments to account, a legislated climate accountability framework cannot *require* governments to meet their long-term targets, since even binding legislation can be repealed. This inherently limits the certainty that climate accountability frameworks can provide around future policy and emissions reductions.

Second, climate accountability frameworks cannot fundamentally resolve the difficulties associated with climate policy in a decentralized federation. A robust and effective Canadian response to climate change requires activating policy among all orders of government. But a federal climate accountability framework cannot force municipalities, provinces, territories, and Indigenous governments to implement stringent policy. No matter how it is implemented, a Canadian climate accountability framework will have to contend with complex intergovernmental policy coordination challenges.

Despite these limitations, a climate accountability framework can play a powerful role in keeping governments on track. It can create the conditions and institutional processes for both federal and subnational governments to act in an increasingly coordinated and collaborative way over time. And the repeating—and transparent—cycle of policy development, progress checks, and (where necessary) course correction can create pressure among all orders of government to implement policies consistent with each other and aligned with national targets.

We make the following recommendations to Canadian policy-makers looking to implement a climate accountability framework.

1. The federal government should legislate a framework for climate accountability consistent with best practices; other orders of government should consider implementing them as well

Climate accountability frameworks—implemented according to the best practices we identify—can help all orders of government in Canada. Doing so involves not only legislating the frameworks but also formalizing governments' legal accountability for meeting milestones. We recommend that the federal government legislate a climate accountability framework nationally and that provinces, territories, Indigenous governments, and municipalities explore implementing them as well. A national climate accountability framework could work within the existing division of powers—neither binding provincial government climate policy nor expanding the scope of existing federal powers.

Subnational accountability frameworks could complement a national one by clarifying the intended plans of provincial, territorial, Indigenous, and municipal governments. This could help provide a clear picture of subnational ambition and, where applicable, the gap that would need to be closed (through more stringent policy) to meet national milestones. Moreover, having numerous accountability frameworks would identify where climate policy ambition differs across jurisdictions, clarify regional tensions slowing progress on climate policy under the federal framework, and create conditions for ambition and policy to converge over time.

2. The federal government should set legally binding emissions milestones only at the national level

Emissions milestones are particularly relevant at the national level given commitments under international processes. However, legally binding sectoral or provincial and territorial milestones risk creating rigidities that raise the overall cost of reducing emissions. Moreover, binding provincial and territorial milestones would require governments to directly confront difficult regional burden-sharing decisions, only to have these debates arise again when the details of policy mechanics were being discussed (a sector-level breakout would do the same, albeit indirectly). Forcing these debates to occur at the early, milestone-setting stage is likely to be divisive and risks making it even more challenging to move over time toward better policy coordination and convergence in federal and subnational policy ambition. Potential provincial or sector-level implications of national budgets should be provided as information only, to inform discussions about the contributions of various sectors and regions.

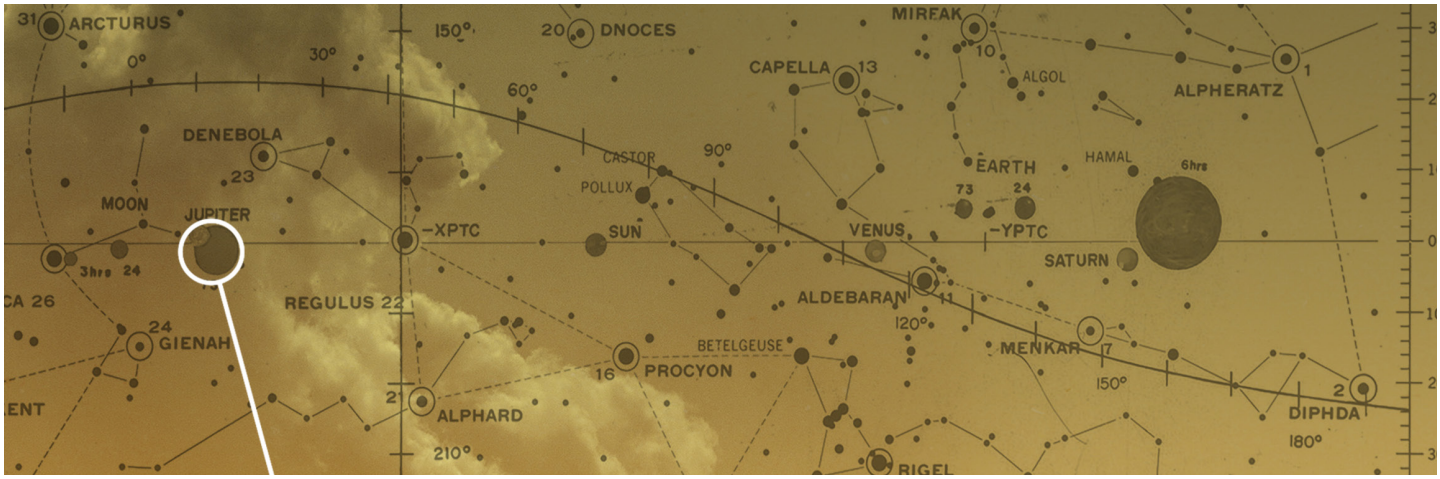
In terms of the process for setting milestones, we recommend that the federal government set the national milestone pathway in consultation

with other governments, stakeholders (including environmental organizations and industry), Indigenous Peoples, and an expert advisory body. Allowing the federal government to make the final decision but with requirements that it consult widely ensures that the milestone pathway considers regional and sectoral circumstances and diverse perspectives, without paralyzing the process.

3. The federal government should continue to create incentives for provinces, territories, Indigenous governments, and municipalities to implement stringent climate policies

We recommend that the federal government adopt a combined federal-provincial approach to implementing policy that can achieve national emissions milestones. Different orders of government have different policy instruments available, and efforts to tackle climate change will be most effective when a wide range of these instruments is brought to bear. The federal government should continue to encourage policy ambition, implementation, and coordination across all orders of government through the use of both policy backstops and financial incentives.

A collaborative, multi-jurisdictional approach will require complex and at times difficult engagement, assessment, and dialogue, but it also offers the best chance of making climate policy in Canada politically resilient. An approach that does not rely entirely on policy from one order of government has the greatest chance of avoiding backsliding in the event that future governments aim to reverse course on climate policy. On the one hand, encouraging provinces, territories, Indigenous governments, and municipalities to act meaningfully—and leaving space for them to do so—ensures a strong base of climate policies will remain in place regardless of the level of future federal ambition. On the other, having federal programs and policy backstops ensures that strong climate policy will remain intact across the country in the event that, for example, some provinces or territories elect governments seeking to repeal stringent climate policies.



Introduction

Around the world, closing the gap between desired long-term outcomes and short-term policy action is a perennial challenge for governments attempting to mitigate climate change. Canada is no exception. Long-term policy planning is especially challenging when timelines for targets extend well beyond electoral cycles.

Climate accountability frameworks—implemented in jurisdictions from Manitoba to Aotearoa/New Zealand to the United Kingdom—offer one way for governments to square this circle. They break down long-term greenhouse gas (GHG) emissions reduction targets into interim milestones. They establish clear governance structures and processes for linking milestones to policy actions. And they hold governments to account for policy implementation by requiring regular, transparent taking stock, progress reports, and—if necessary—action plans to help correct the course.

Currently, Canada does not have a federal climate accountability framework in place. However, the 2019 mandate letter for the Minister of Environment and Climate Change committed to setting legally binding, five-year emissions-reduction milestones based on the advice of experts and consultations with Canadians. To date, provincial climate accountability frameworks have also been legislated in British Columbia and Manitoba.

This report explores how best practices in climate accountability frameworks apply in a Canadian context. Critically, any climate accountability framework implemented in Canada must reconcile shared jurisdiction over climate policy across different orders of government.

Some provinces, territories, Indigenous governments, and municipalities also have their own climate targets, their own policies, and in some cases, even their own accountability frameworks. To add even more complexity, federal and

provincial jurisdiction and authority often do not account for Indigenous rights to self-determination. Addressing climate change will require unprecedented collaboration and coordination between all orders of government across the country. Individuals, businesses, and industry are looking to governments to work together to get Canada on the path to meeting its long-term targets.

Canada has a sound foundation to build on: existing policy processes such as target setting, reporting and disclosure, consultation, and policy development are part and parcel of good climate accountability. Provincial examples also provide valuable experience and insights. Manitoba, for example, implemented climate accountability legislation through its *Climate and Green Plan Implementation Act* and British Columbia through its amended *Climate Change Accountability Act*.

Still, designing accountability frameworks for the Canadian federation poses unique challenges. At what level should milestones be defined: nationally, subnationally, or at the sector level? How will interim milestones for meeting long-term targets be set? Who will be accountable for implementing policy to meet them: the federal government, other orders of government, or some combination?

Our analysis suggests that climate accountability frameworks can be a key tool for governments. They can support greater accountability and policy coherence by formally connecting long-term targets to near-term planning and action, by providing a forum for difficult policy debates, and by empowering engaged citizens and stakeholders with clear and accessible reporting.

At the same time, accountability frameworks—even when designed according to best practices and tailored to the Canadian context—are not a silver bullet. They cannot provide perfect policy certainty, guaranteeing that governments will enact policy consistent with long-term targets. In other words, accountability frameworks do not replace climate policy itself; rather, they are a process for policy development and course correction.

Yet a climate accountability framework for Canada can *enable* good policy. By increasing transparency and accountability it can be a crucial step toward implementing stringent, well-designed, coordinated policy implemented at multiple orders of government. It can create institutional incentives for governments to make their policies more coherent—and more ambitious—over time.

Climate accountability in practice

A climate accountability framework is a set of governance structures and processes that connect long-term climate targets and pledges to near-term policy planning and implementation through regular, transparent stock-taking and progress reporting. Why are governments pursuing climate accountability frameworks? How are they implementing them, both here in Canada and internationally? And what best practices emerge from this experience?

Problem definition: Getting from here to there

Transitioning to a low-carbon economy takes time. But while ambitious long-term targets are important, they are not always helpful in guiding near-term policy and spurring action.

Simply defining long-term targets—with timelines much longer than electoral cycles—tends to be insufficient. Historical experience in Canada demonstrates this: Canadian governments have repeatedly set ambitious GHG emissions reduction targets decades into the future—including for 2000, 2005, 2010, and 2020—and failed to meet them each time.

Unfortunately, governments have incentives to defer stringent climate policy. However, delaying policy ultimately makes achieving long-term targets more challenging and more costly.

Failing to connect near-term policy planning and implementation with long-term targets also introduces risk and uncertainty. In the absence of a credible path to these targets, businesses, consumers, and investors do not have clear expectations regarding the future directions of climate policy, which increases their vulnerability to sudden changes in policy. It also makes it more challenging for them to plan medium- and long-term investment decisions. And this lack of certainty can stifle the innovation necessary to meet long-term targets.

Climate accountability frameworks can help address these challenges. As we discuss below, they can identify a more concrete pathway to long-term emissions targets. They can create incentives for governments to follow through on policy consistent with their long-term commitments. They can, where necessary, enable—or even require—course correction by mandating clear and accessible progress

reporting. And they can support greater policy certainty, lowering risks for businesses, consumers, and investors.

Climate accountability frameworks can also help support increased ambition at the global level. Domestic processes for setting emissions reduction milestones could act as an input to the five-year cycle of monitoring, reporting, and ambition-setting outlined in the Paris Agreement. Aligning a Canadian process with the international process in this way would help to reinforce the credibility and transparency of both systems, as well as reduce reporting burdens on governments.

Learning from international experience

Canadian governments can draw important lessons from the way climate accountability frameworks have been implemented internationally and at home. The United Kingdom (U.K.) was the first country to introduce a climate accountability framework through its 2008 *Climate Change Act*. Since then, jurisdictions around the world have followed suit with similar frameworks to help governments deliver on their long-term emissions reduction targets. Manitoba was the first Canadian province to introduce a climate accountability framework through its *Climate and Green Plan Implementation Act*, 2018. British Columbia followed shortly thereafter with its 2019 amendments to the province's *Climate Change Accountability Act*.

To understand the fundamental components of climate accountability frameworks, we reviewed a number of international and domestic cases where they have been implemented. These jurisdictions include British Columbia, France, Germany, Manitoba, Aotearoa/New Zealand, Oslo, the U.K., and the U.K.'s devolved administrations in Scotland and Wales. We also prepared detailed case studies for the U.K., Aotearoa/New Zealand, British Columbia, and Manitoba. The frameworks we analyze in these case studies vary in the types of processes and governance structures they implement, as well as how much flexibility they afford governments in setting and meeting short- and long-term targets.

Based on this review, we identified **six common elements of climate accountability frameworks**, as well as best practices in their design and implementation. We define a best practice as a design choice or element that increases government accountability for meeting long-term targets and interim milestones—as well as for implementing the policies necessary to do so—while at the same time keeping the framework robust to changing governments, new political mandates, and shifting policy needs. We describe the common elements and best practices below.

The best practices drawn from the case studies do not, however, represent the complete spectrum of possible

approaches. As such, while Canadian governments can learn from the domestic and international best practices, they should not be constrained by them.

Formalizing climate governance structures and processes

A first common element of climate accountability frameworks is that they establish a set of governance structures and formal processes for setting, meeting, and monitoring progress against a jurisdiction's long-term emissions targets. These governance elements include a number of components: clearly defining roles and responsibilities, establishing a process for setting interim emissions reduction milestones, laying out requirements around the development of action plans to meet them, detailing formal monitoring and reporting processes, and broadening the scope beyond a strict focus on reducing emissions. We describe each of these components in detail below.

BEST PRACTICE

Legislating governance structures, processes and long-term targets

Cementing a long-term emissions reduction target using the law increases a government's accountability for reaching it. This is consistent with the approaches of British Columbia, France, Germany, Aotearoa/New Zealand, and the U.K., as well as the devolved governments of Scotland and Wales.

A legally binding climate accountability framework is more resilient to changes in government and political mandates, since future governments can deviate from the framework's requirements only by outright appealing or amending the legislation. This is a more significant task than, for example, simply revising an accountability framework's implementing regulations. Including governance structures and processes in the legislation also supports transparency and credibility. It can increase predictability and certainty for the public, interested stakeholders, and other governments.

In the event that a government's emissions trajectory or policy plans are at odds with its legislated target, citizens and interest groups can sue the government.[1] When upheld, this legal backstop increases certainty and predictability around the future emissions reduction pathway.

Clearly defining roles and responsibilities

Climate accountability frameworks clearly outline the duties of specific institutions as they relate to the attainment of long-term targets. This includes establishing ministerial responsibilities and defining the roles of various government departments and agencies. For example, in the U.K., the Minister of State for Business, Energy and Clean Growth is

1 That is, unless legislation explicitly states that targets and budgets are not enforceable in the court of law. Out of all the cases we examine, only Aotearoa/New Zealand contains this kind of provision. This feature of its *Zero Carbon Act* has been identified by observers as a weakness.

the minister responsible for meeting the legislated long-term targets and overseeing the U.K. carbon budgets. At the same time, the U.K.'s legislation also recognizes the roles of the devolved administrations of Scotland, Wales, and Northern Ireland in climate policy.[2]

Climate accountability frameworks may also create new institutions. For example, legislation often establishes a publicly funded, independent group of experts to provide oversight and advice to government on the development, implementation, and monitoring of long-term targets and interim milestones and success in achieving them. Examples include the Committee on Climate Change in the U.K., the Climate Change Commission in Aotearoa/New Zealand, the High Council for Climate in France, and the Expert Advisory Council in Manitoba.

Legislation commonly requires these advisory committees to consider a variety of parameters when developing policy advice. For example, in performing its functions and duties, Aotearoa/New Zealand's Climate Change Commission must take the following into account: regional and sectoral circumstances; the distribution of benefits, costs, and risks across generations; and the Crown-Māori relationship, the obligations under the Treaty of Waitangi (Te Tiriti o Waitangi), and the specific impacts on Māori and *iwi* (Māori tribes).

BEST PRACTICE

Ensuring independent advice and assessment

Having an independent body provide official climate policy advice to governments and assess their progress enhances the credibility of a climate accountability framework. It helps depoliticize climate policy by acting as a trusted, non-partisan advisor to all parties and all orders of government. And it ensures that governments are receiving evidence-based, non-partisan advice and recommendations on contentious climate policy issues. Best practice involves having both advice *and* assessment functions independently provided—either separately or in combination—and ensuring that those charged with these functions have clear roles, sufficient resources, and adequate power to perform their duties.

The U.K. Committee on Climate Change (CCC) provides a notable example. The first institution of its kind, the U.K. CCC has provided independent, evidence-based, and non-partisan advice to U.K. governments since it was established in 2008. The CCC also acts as a watchdog of sorts, scrutinizing and assessing government plans and actions, providing both the advice function and the assessment function. For over a decade now, successive U.K. governments have, for the most part, followed the CCC's advice and relied on its impartial

2 Notably, the devolved administrations have their own emissions reduction targets and climate change policies but also contribute to meeting the U.K.'s carbon budgets and long-term targets, including implementing U.K.-wide policies.

evidence and analysis. This success has led other countries to set up similar independent advisory bodies, notably the Climate Change Commission in Aotearoa/New Zealand.

Best practice also involves having an independent expert body whose knowledge and experience are both diverse and representative. For example, the U.K. CCC is composed of eight independent members with expertise in the fields of climate change, science, economics, behavioural science, and business. In Canada, a climate accountability framework will have to pay particular attention to ensuring that members of the body have expertise and experience relevant to Indigenous rights and knowledge. Box 2 explores Aotearoa/New Zealand's approach to ensuring that Māori and *iwi* perspectives are represented by the Climate Change Commission, and Section 6 explores broader questions regarding how Canada could ensure Indigenous knowledge and perspectives are reflected. This kind of broad representation can help ensure that the expert body's recommendations reflect not only what is required to reach climate goals but social and economic considerations as well.

While the jurisdictions we examine in our case studies do not take this step, we should note that it is also possible to establish oversight roles for arm's-length institutions that include some amount of authority over policy-making. The California Air Resources Board (CARB), which we discuss in Box 1, provides a notable example.

Box 1. California Air Resources Board (CARB)

Established in 1967, the California Air Resources Board (CARB) is the state's lead agency dealing with air pollution and climate change. Its roles include setting the state's air quality standards, measuring California's progress in reducing pollutants, conducting research on the causes and effects of air pollution, leading the state's efforts to reduce GHG emissions, and engaging with the public and stakeholders to review progress and consider new approaches.

CARB operates independently as an arm's-length government institution. It has a governing board of 12 members (appointed by the Governor), supported by a large professional staff.

CARB is unique among the independent bodies we review in this report in that it is responsible for developing the programs and policies the state uses to fight climate change (i.e., rather than only advising governments and acting as a watchdog). California's *Global Warming Solutions Act* (2006) established CARB as the lead agency to implement the Act. This move required CARB to develop and implement regulations and policies consistent with meeting the state's legislated

commitment to reduce its emissions to 1990 levels by 2020. As a result, the Act put CARB in charge of the development and oversight of the state's primary emissions reduction programs, such as its cap-and-trade program, the Low Carbon Fuel Standard, and its zero-emission vehicle programs. New laws introduced in 2014 and 2017 require CARB to implement measures to reduce GHG emissions by 40 per cent below 1990 levels by 2030 and by 80 per cent below 1990 levels by 2050. While California reached its 2020 emissions reduction target four years ahead of schedule, the 11th annual California Green Innovation Index found that the state is currently not on track to meet its 2030 target.

BEST PRACTICE

Supporting a whole-of-government approach

In most jurisdictions, frameworks designate a single minister, most often the minister responsible for the environment or climate change, as being accountable for meeting long-term targets and interim emissions reduction milestones. However, effective action on climate change requires collaboration and cooperation across all policy areas and government departments.

Best practice climate accountability frameworks distribute responsibility across various government actors to support a whole-of-government approach to meeting targets and milestones. Doing so extends accountability to a broader range of government actors and also supports a more coordinated and collaborative approach that can increase the effectiveness and efficiency of climate policy overall.

A number of jurisdictions have supported a whole-of-government approach to their climate accountability frameworks. For example, in Germany, where the country's *Climate Action Law* sets annual sectoral emissions reduction targets, the ministry most responsible for a sector is accountable for meeting that sector's emissions reduction target. If a sectoral target is missed, the responsible minister must present a revised policy plan to address excess emissions and reach future targets. In the U.K., the government recently followed the advice of the CCC and announced a new Cabinet Committee on Climate Change that will bring together ministers responsible for international and domestic climate policy, in order to drive further action and better coordination across government. In Canada, a whole-of-government approach within the federal government could distribute responsibility across several members of cabinet, for example to the Prime Minister, the Deputy Prime Minister, the Minister of Environment and Climate Change, and the Minister of Finance, or any other combination.

Establishing interim emissions reduction milestones

Countries that have implemented climate accountability frameworks have commonly introduced interim emissions milestones for reaching long-term targets. Milestones either set a target for national emissions in a given year or establish a "budget" for cumulative emissions across an interim period. Typically, milestones align with a stated GHG endpoint objective, such as net zero emissions by 2050. This endpoint is usually informed by a science-based assessment of what is required to avoid dangerous climate change.

Jurisdictions around the world use different methods to set their interim milestones. In the U.K., for example, economic modelling estimates the most cost-effective path to the country's 2050 target and serves as the basis for setting interim milestones. In Germany, the national climate target is divided amongst economic sectors and then broken out into annual emissions budgets that follow a linear reduction.[3]

Jurisdictions also vary in the length of their milestone periods as well as how far in advance they are set. For example, the U.K. *Climate Change Act* (2008) requires budgets to be set 12 years in advance. Aotearoa/New Zealand requires three consecutive five-year budgets to be in place at any given time, whereas Scotland sets annual emissions reduction targets for each year across a minimum 12-year planning horizon. In Manitoba, the province's Carbon Savings Account sets five-year carbon budgets, one at a time.

Finally, climate accountability frameworks vary in terms of how much flexibility they give governments to adjust milestones—as well as the type of flexibility they have. For example, in Manitoba, where carbon budgets are set one at a time, governments have full discretion on how the long-term pathway of milestones is set. While legislation dictates that any shortfall in realizing a five-year budget must be rolled over as an increased obligation under the subsequent one and that ambition must rise with each budget period, there is no overall pathway for carbon budgets beyond the current budget nor a long-term emissions target to calibrate them to. In contrast, the pathway for Aotearoa/New Zealand's milestones budgets is calibrated to a long-term, science-based target, and the government's long-term and interim targets can only be revised if the independent advisory body recommends doing so.

BEST PRACTICE

Providing clarity on how milestones are set and will evolve

Ad hoc milestone setting or a focus limited to the short term can exacerbate policy uncertainty and increase risks for businesses, consumers, and investors. Best practice climate accountability

3 In contrast, the U.K.'s Committee on Climate Change uses sectoral pathways only for consultation with sectoral stakeholder groups, in order to assess the feasibility of milestones and provide a reference point for the cost-effective path towards its long-term target.

legislation therefore requires milestone planning to extend at least 10 to 15 years into the future and contain clear and codified rules and processes governing how interim milestones are set.

In order to support predictability, best practice legislation also sets clear rules on the circumstances under which future milestones can be adjusted. And to support credibility, it allows adjustment only in the event that the expert advisory body recommends it. For example, Aotearoa/New Zealand's *Zero Carbon Act* states that the government can only revise its milestone pathway if the expert advisory body recommends doing do. Moreover, the expert advisory body can recommend revisions only if certain circumstances—also listed in the legislation, such as changes in climate science—have themselves changed. This approach enhances predictability while also allowing for flexibility in the face of changing circumstances.

BEST PRACTICE

Defining emissions reduction milestones as cumulative carbon budgets

Best practice legislation defines emissions reduction milestones as cumulative carbon budgets, rather than an emission reduction target set for the end of a given milestone period. For instance, instead of simply setting a target for the level of Canada's GHG emissions in the year 2030, cumulative emissions budgets establish a set amount of GHG emissions that can be emitted during a given period, such as from 2025 to 2030. Carbon budgets are found across a number of the cases we examine, including the U.K., Aotearoa/New Zealand, Wales, France, and Manitoba.

Using carbon budgets to define milestones keeps governments focused on cumulative emissions—a more meaningful measure of a jurisdiction's contribution to global climate change mitigation. A finite carbon budget also makes trade-offs over time, across regions, or across sectors clear for policy-makers. It forces them to recognize that emitting more now means more significant reductions later and that more emissions from particular regions or sectors necessitate greater reductions in others.

Producing action plans to meet milestones

Emissions reduction milestones and long-term targets are merely aspirational goals unless accompanied by plans and policies to reach them. Recognizing this, climate accountability frameworks typically require governments to prepare policy measures sufficient to meet milestones and develop these policies in close collaboration with experts and stakeholders.

In both the U.K. and Aotearoa/New Zealand, the government is required to table an action plan, complete with policies and measures. Neither country's legislation prescribes how the government must meet its targets or which policies must be used, but

both establish a set of considerations that should be taken into account by government when establishing plans. Frameworks in other jurisdictions are more prescriptive. For example, France's legislation specifies a series of measures that should be implemented to reduce emissions and achieve targets, including building retrofits, energy efficiency, and renewable energy development, to name a few. And in Oslo, where the city sets an annual climate budget complete with emission reduction goals, the council can only approve spending plans that align with the GHG-reduction objectives its climate budget represents.

BEST PRACTICE

Linking progress on milestone commitments to policy course corrections

A best practice noted in the case studies is obliging governments that miss milestones to publish revised proposals and policies, to ensure future milestone periods are adjusted to compensate for the excess emissions. This requirement keeps governments accountable for developing policy consistent with meeting their commitments (particularly when milestones are set as carbon budgets rather than targets) and helps governments stay on track toward their long-term targets.

For example, in the U.K., if the final statement of a budget period indicates that carbon emissions exceed the allocated budget, the Secretary of State must table a report in Parliament that revises proposals and policies so as to compensate for these excess emissions in future budget periods.

Requiring monitoring and reporting

Monitoring and reporting requirements are found in all the cases we examined. Monitoring and reporting are key to ensuring government accountability for reaching milestones, as they allow the public to better understand and evaluate government's progress against its commitments. And, for governments that are taking meaningful action to meet milestones and targets, regular monitoring and reporting enables them to credibly demonstrate to the public that they are making progress and implementing policy consistent with long-term and interim targets.

Typically, climate accountability frameworks mandate that an independent body table yearly progress reports to government that culminate in a final evaluation report at the end of a milestone period. This regular, transparent reporting permits individuals, experts, and stakeholders to compare a government's stated emissions goals with its policy implementation plans and record. And when governments miss the mark, reporting can create pressure on policy-makers to adjust their plans and get back on track.

Climate accountability frameworks also require governments to carry out reporting of their own. These reporting functions often draw on existing government reporting requirements

and exercises. In Canada, this would include progress reports under the United Nations Framework Convention on Climate Change and under the Pan-Canadian Framework on Clean Growth and Climate Change.

BEST PRACTICE

Requiring government to provide formal responses to independent advisory reports

A number of the jurisdictions we examined require governments to respond to both progress reports and forward-looking policy recommendations from the expert advisory body. This requirement ensures the relevance of the independent advisory body and increases government accountability for reaching milestones. In the event governments do not accept independent policy advice, they must provide a rationale for their decision and clearly articulate the alternative policy plans they intend to deliver.

The U.K.'s experience helps to demonstrate the role these kind of reporting requirements can play in climate governance. The U.K.'s climate accountability legislation requires governments to publicly respond to annual reports from the U.K. CCC assessing whether current initiatives are sufficient to meet interim budgets and long-term targets.

While the U.K. met its first (2008 to 2012) and second (2013 to 2017) carbon budgets and is on track to outperform its third (2018 to 2022), it is currently not on track to meet its fourth and fifth budgets, let alone its newly adopted 2050 net zero target (which enhances its previous 2050 target of 80 per cent reductions below 1990). A 2019 report by the CCC flagged that the U.K. government and all devolved administrations must significantly and urgently ramp up policy to get on the path to net zero by 2050. The body has made a number of corresponding policy recommendations as a result. This reporting has sent an early signal to the government that the country's existing policy plans will be insufficient to meet the new 2050 target. In doing so, this regular reporting helps prompt a re-evaluation of the government's approach and revision of its plans. And in the event the U.K. government chooses to ignore the committee's warnings and advice, it will have to publish its rationale and be accountable to the public for its decision.

Broadening the scope beyond reducing emissions

While climate accountability frameworks are generally focused on meeting long-term emissions reduction targets, they often broaden the scope beyond climate change mitigation to consider climate change adaptation. Frameworks can also consider the broader social, economic, and cultural impacts of climate policy. This can include dimensions such as affordability, health, economic competitiveness, and the food, water, and energy security nexus, among others. This broader scope for climate accountability frameworks is exemplified by Aotearoa/New Zealand's approach requiring policy-

makers to consider dimensions such as regional and sectoral circumstances, as well as potential impacts on *iwi* and Māori.

BEST PRACTICE

Integrating multiple objectives into pathways and policy

Best practice climate accountability frameworks pursue integrated climate policy—that is, climate policy that considers not only reducing GHG emissions but also climate change adaptation, as well as broader social and economic objectives. For example, the climate accountability frameworks in Aotearoa/New Zealand and the U.K. establish adaptation committees to conduct climate risk assessments and advise governments on adaptation policies. And France's legislation requires policy-makers to lay out pathways for low-carbon economic development.

Formally extending the scope of climate accountability frameworks to include other dimensions of the climate change challenge beyond a strict focus on reducing GHG emissions can lead to better, more integrated policy. It also avoids the divisiveness that can be created when GHG emissions targets are not connected to broader considerations related to economic development and resilience.

For example, Aotearoa/New Zealand's legislation establishes a broad set of considerations that should be taken into account when crafting policy, including available scientific knowledge; existing and anticipated technologies; social, cultural, environmental, ecological, and economic circumstances; the distribution of benefits, costs, and risks between generations; and Indigenous rights and knowledge. In addition, the government's action plan to reduce emissions must include strategies for minimizing impacts on workers, employers, regions, and communities.

However, while the cases examined highlight integration as a best practice, not all jurisdictions manage to deliver on it, and even those that do are limited in their implementation. For example, climate risk assessments under the U.K.'s accountability framework have been criticized for not connecting risk assessment to processes and accountabilities for adaptation policy-making—that is, for failing to connect priority setting to policy-making in the way they do for mitigation. These shortcomings underscore the importance of learning from the experience highlighted in our case studies but also not being limited by it (a topic we return to in Section 5).

Table 1: Elements of Climate Accountability Frameworks and Best Practices in their Implementation

ELEMENT	BEST PRACTICES
Formalizing climate governance structures and processes Establishing a set of governance structures and formal processes for setting, meeting, and monitoring progress against a country's long-term emissions targets.	**Legislating governance structures and processes and long-term targets** Cementing a long-term emissions reduction target in law, as well as a broader governance framework, increases government accountability for reaching targets while also supporting transparency, credibility, and predictability.
Clearly defining roles and responsibilities Outlining the duties of specific institutions as they relate to the attainment of long-term targets.	**Ensuring independent advice and assessment** Having advice and assessment provided independently of government can help depoliticize climate policy debates and ensure that governments are receiving evidence-based, non-partisan advice. **Supporting a whole-of-government approach** Distributing responsibility for climate policy and target attainment across a wide range of government actors supports collaboration and cooperation across policy areas, thereby increasing the effectiveness and efficiency of climate policy overall.
Establishing interim emissions reduction milestones Setting interim emissions reduction milestones as a way of setting out a path to long-term targets.	**Providing clarity on how milestones are set and how they will evolve** Extending milestone planning at least 10 to 15 years into the future and defining clear and codified rules and processes for how milestones are set and when they can be adjusted increases predictability and accountability. **Defining emissions reduction milestones in terms of cumulative carbon budgets** Defining emissions reduction milestones as cumulative carbon budgets provides a meaningful measure of a jurisdiction's contribution to global climate change mitigation. It also makes trade-offs over time, across regions, or across sectors clear for policy-makers.

ELEMENT	BEST PRACTICES
Producing action plans to meet milestones Requiring governments to prepare policy measures, developed through collaboration with experts and stakeholders, that will meet interim milestones.	**Linking progress on milestone commitments to policy course corrections** Obliging governments that miss milestones to publish revised plans and policies that address these excess emissions can help governments stay on track toward their long-term targets.
Requiring monitoring and reporting Having formal requirements for transparent reporting on government plans and progress, allowing the public to better understand and evaluate progress against commitments.	**Requiring government to provide formal responses to independent advisory reports** Requiring governments to respond to progress reports and forward-looking policy recommendations from an expert advisory body ensures the relevance of independent advice and increases government accountability for reaching milestones.
Broadening the scope beyond reducing emissions Requiring governments to look beyond reducing emissions to consider climate change adaptation or the broader social, economic, and cultural impacts of climate policy.	**Integrating multiple objectives into pathways and policy** Formally extending the scope of climate accountability frameworks to consider adaptation and clean growth can lead to better, more integrated climate policy. It can help move the focus beyond GHG mitigation to broader questions of economic development and resilience.

Climate accountability in the Canadian context

Canadian policy-makers can draw lessons and best practices from the experience of other jurisdictions (as described in Section 2) in developing their own climate accountability frameworks. But these best practices must be applied according to Canada's context, reflecting the unique challenges and opportunities that implementing climate accountability frameworks here will pose.

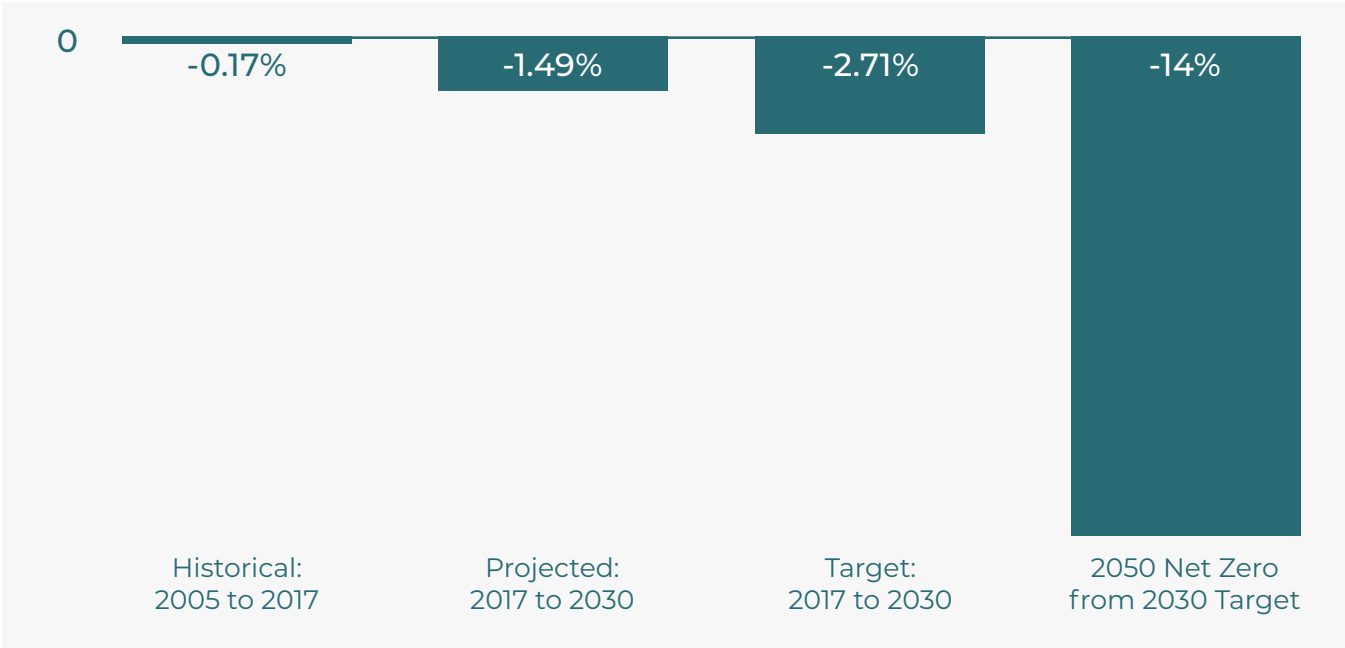
In particular, shared jurisdiction between provincial, territorial, federal, municipal, and Indigenous governments in developing and implementing climate change policy introduces complexity to designing a climate accountability framework for Canada. Notably, a Canadian climate accountability framework will also need to recognize Indigenous Peoples' inherent rights, as affirmed by Section 35 of the Canadian Constitution, and reflect the principles of the United Nations Declaration on the Rights of Indigenous Peoples, to which Canada is a signatory.

In this section, we discuss Canada's challenges and opportunities and present three design choices central to determining how climate accountability could work in the Canadian federal context.

Canada's unique challenges and opportunities

Several factors define the Canadian context. First, aligning Canada's emissions trajectory with the federal government's net zero target will require policy ambition and stringency well beyond anything seen to date. Figure 1 illustrates the magnitude of the challenge. Between 2005 and 2017, Canada's GHG emissions declined about 0.2 per cent per year, falling from 730 to 715 million tonnes. Looking forward to 2030, Environment and Climate Change Canada projects GHG emissions will decline by 1.5 per cent per year. This greater projected rate of decline reflects the recent rise in climate policy ambition by Canadian governments. However, to achieve Canada's 2030 target of 511 million tonnes, the projected 1.5 per cent annual decline will need to nearly double to 2.7 per cent per year to 2030. And to reach net zero by 2050, the annual rate of GHG emissions reductions will, assuming a linear decline rate to net zero, need to average an unprecedented 14 per cent per year after 2030.

Figure 1: 2005 to Net Zero: Average Annual Change in Carbon Emissions[4]



Importantly, policy-makers need not start from scratch in addressing Canada's GHG reduction challenge. Rather, they can build on existing policies, processes, and governance structures. Emissions reductions targets and policies are not new concepts in Canada, and neither are climate accountability frameworks. In 2018, Manitoba became the first province to adopt interim emissions reduction milestones through its *Climate and Green Plan Implementation Act*. Its Carbon Savings Account sets five-year cumulative carbon budgets and is supported by an independent Expert Advisory Council. British Columbia's climate accountability framework, introduced through its amended *Climate Change Accountability Act*, established emissions reduction targets, including targets at the sector level, as well as an external advisory body.

Canadian governments also have experience in implementing systems and policies akin to some individual elements of climate accountability frameworks. For example, cap-and-trade systems, like those in Quebec and Nova Scotia, have emissions caps—akin to emissions milestones—that establish the total level of allowable emissions for a given period. And if made binding through regulations, Alberta's 100 Mt annual cap on oil sands emissions would represent a sectoral cap, while its now-defunct advisory group provides an example of an independent body that can provide input on cap setting.

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4 "Historical: 2005 to 2017" and "Projected: 2017 to 2030" annual decline rates are from: Environment and Climate Change Canada, 2019. *Canada's 4th Biennial Report to the United Nations Framework Convention on Climate Change (UNFCCC)*. Accessed April 12, 2020 from https://unfccc.int/documents/209928.

The "Target: 2017 to 2030" rate is simply the linear decline rate needed to align 2017 GHGs with Canada's 2030 GHG target of 511 mega-tonnes of CO2-equivalent (Mt CO2-e).

The "2050 Net Zero from 2030 Target" is calculated as the linear decline rate from the 2030 target of 511 Mt CO2-e to "net zero" in 2050. We define, hypothetically and for illustrative purposes only, net zero in 2050 to equal 28 Mt CO2-e. This value is simply the "reductions" currently netted from Canada's 2030 emission inventory in Environment and Climate Change Canada, 2019 (page 27). The 28 Mt CO2-e is comprised of 13 Mt CO2-e Western Climate Initiative Credits and 15 Mt CO2-e of Land Use, Land Use Change, and Forestry accounting credits

Nevertheless, building this capacity and experience into a fully scoped Canadian climate accountability framework will pose challenges. A cap-and-trade system, such as the one Quebec has implemented, embodies only one of the numerous features of an accountability framework that we detail in Section 2. And building an accountability framework at the national level will pose unique challenges.

Canada's decentralized structure of governance and shared jurisdiction over climate policy will require careful navigation of a sensitive intergovernmental landscape. It will require balancing nationally coordinated climate policy processes with provincial and territorial autonomy, as well as Indigenous right to self-determination. And it will require doing so in a way that recognizes the diversity of Canada, where economies, emissions profiles, and opportunities to reduce emissions differ greatly across regions.

The Pan-Canadian Framework on Clean Growth and Climate Change reflects the country's most recent efforts to develop a national climate change plan through a combined federal-provincial approach, resulting in both successes and ongoing challenges. The inter-jurisdictional tensions that have emerged from the implementation of the Pan-Canadian Framework are likely to only intensify (at least in the near term), as reaching milestones consistent with a pathway to net zero will demand steep and ongoing increases in policy ambition. And it will have to occur against a backdrop of significant divergences in climate ambition across different orders of government, where some jurisdictions even question the legality of federal climate policy. The forthcoming Supreme Court of Canada decision on the constitutionality of the federal *Greenhouse Gas Pollution Pricing Act* will help resolve some of this uncertainty and will have important implications for the federal government's role in climate policy-making in Canada.

A final challenge—and opportunity—is the need for climate accountability frameworks in Canada to recognize, respect, and safeguard Indigenous rights and embed Indigenous expertise, including in decision-making positions, at every stage of the process. Aotearoa/New Zealand's experience can offer helpful lessons for Canada in this respect (see Box 2). However, Aotearoa/New Zealand's approach is unique to its context and cannot simply be replicated in Canada. There are profound differences between the experience of Indigenous Peoples across and within both countries—including historical context, constitutional and treaty rights, culture, language, and diversity—that must be acknowledged. In particular, the Treaty of Waitangi (an agreement signed between the Crown and Māori chiefs in 1840) is widely accepted in Aotearoa/New Zealand as a constitutional document that establishes and guides the Crown-Māori relationship. However, while the Treaty is well established, Treaty rights are only enforceable in court when a statute or act explicitly refers to the Treaty, as is the case in the *Zero Carbon Act*.

Box 2: The role of Māori in developing and implementing New Zealand's *Zero Carbon Act*

In Aotearoa/New Zealand, the Government worked closely with *iwi* and Māori throughout the development of the *Zero Carbon Act*. The legislation features frequent consultation and engagement with Māori and *iwi* representatives, consideration of Indigenous knowledge, and recognition of the Treaty of Waitangi. For example, the legislation requires that:

- The government's emissions reduction plans include a strategy to recognize and mitigate the impacts of emissions reduction actions on *iwi* and Māori as well as ensure that they have been adequately consulted on the plan;
- The national adaptation plan takes into account the economic, social, health, environmental, ecological, and cultural impacts of climate change on *iwi* and Māori;
- Particular attention is paid to seeking nominations for the Climate Change Commission from *iwi* and Māori representative organizations; and
- Before recommending the appointment of a member to the Commission, the minister considers the need to have members who have technical and professional skills, experience, and expertise relevant to the Treaty of Waitangi, as well as the Māori world, customs, language, and knowledge.

Although the legislation requires that members of the Commission have understanding and expertise relating to Māori rights and knowledge, the legislation does not explicitly require Māori representation. However, after Māori leaders pressed the government to have a voice at the table, a Māori representative was ultimately appointed as Deputy Chair of the Commission. The Aotearoa/New Zealand Māori Council came out in support of the *Zero Carbon Act* in advance of its passing in parliament.

Despite the scale of these challenges, establishing a climate accountability framework here could help Canada implement meaningful climate policy and move past its history of uneven implementation, insufficient action, and periodic swings in policy ambition on the part of territorial, provincial, and federal governments. The governance processes under an accountability framework provide a constructive platform for difficult policy debates. They support improved inter-governmental policy coordination. And they empower citizens and stakeholders to better hold governments to account. These features can improve policy certainty and help ensure that the response Canada marshals to its climate change objectives, including its target of net zero emissions by 2050, is cohesive and robust. Moreover, this kind of framework can also help Canada address other long-term policy challenges, such as driving innovation, economic diversification, and inclusive growth.

Key choices in designing and implementing climate accountability frameworks in Canada

Implementing climate accountability frameworks in Canada will require policy-makers to make some difficult choices. While Canadian governments can draw important lessons from the common elements and best practices outlined in Section 2, these case studies offer imperfect lessons for how climate accountability frameworks can be designed to function, and succeed, in the Canadian federation.

In this section, we explore three key choices in designing a climate accountability framework that will have significant implications for the fundamental approach the country adopts, how climate accountability will play out in the federation, and, by extension, how successful it will ultimately prove as a tool to support the attainment of Canada's targets. The three choices are: 1) where milestones bind; 2) what the process is for setting the milestone pathway; and 3) which orders of government develop policy to meet milestones. For each choice, we present a spectrum of available options and discuss the trade-offs they each present.

Where do milestones bind?

Three broad options for Canada illustrate the range of possibilities for defining the level at which milestones could legally bind under a climate accountability framework.

1. Legally binding milestones are set only at the national level.

Given shared federal and subnational jurisdiction over climate policy, this option could sidestep contentious decisions around how provinces and territories share the burden of addressing climate change. However, it may only defer difficult burden-sharing debates and decisions, since these will inevitably arise when governments are crafting policy for meeting national-level milestones. This option also centralizes responsibility for meeting a national milestone to the federal government, potentially downplaying the role of other orders of government.

2. Milestones are broken out at the provincial and territorial level.

Setting legally binding subnational milestones would allow policy-makers to account for the unique economies, GHG emissions profiles, and emissions reduction opportunities that exist in different regions of the country, while clearly signalling the level of emission-reduction effort required. This approach would also increase policy certainty for consumers, businesses, investors, and other governments by providing

more specificity. Notably, despite the fact that this option breaks out milestones at the provincial or territorial level, the federal government would be the accountable entity.[5] Further, setting carbon budgets at subnational scales also leads to less flexibility in meeting the overall national budget.[6] As a result, it could increase the cost to the economy of achieving a given level of emissions reductions by forcing reductions to take place in particular regions even when more cost-effective actions were available elsewhere. Perhaps most significantly, this option faces the challenge of defining regional burden-sharing head-on. The related question of who sets emissions milestones in the first place (which we discuss below) will therefore be a critical and highly challenging decision.

3. Milestones are broken out at the sector level.

Sector-level milestones would provide more concrete signals for policy-makers, industry, and society relative to the other options in terms of how and where emissions reductions should occur. Sectoral targets have precedent in Canada. At the provincial level, British Columbia's *Climate Change Accountability Amendment* Act 2019 commits to setting sectoral targets by 2021, which are to be reviewed every five years. And Alberta's 100 Mt cap on oil sands emissions is a kind of sectoral carbon budget.[7] Despite these strengths and precedents, binding sector-level milestones risk being overly inflexible. Imposing milestones on economic sectors and locking in their emissions reduction trajectory risks creating rigidities that raise the overall cost of mitigation. First, fixed sectoral pathways would not be flexible to changes in the availability and costs of emissions reduction opportunities across sectors due to developments in technology or innovation. Second, the degree to which sectoral milestones bind will in part depend on overall sectoral output, which will itself be affected by broader economic forces. As a result, rigid sectoral targets would not be adaptive to shifting emissions reduction opportunities and costs across sectors and would risk forcing costly reductions in some parts of the economy while more cost-effective ones are available elsewhere. Achieving sector-level milestones may also require sector-specific policy levers.

5 A federal climate accountability framework could create incentives for provincial action, but it could not compel provinces to adopt as their own the milestones allocated to them under the federal process. As a result, ultimate accountability would rest with the federal government.

6 A trading mechanism could act as a solution to this. But although it would create flexibility, a trading mechanism would also likely lead to significant disagreement among provinces and territories. The way in which a national budget was broken out across provinces and territories would strongly affect which jurisdictions were likely end up with surplus credits to sell and to what degree. Provinces and territories would therefore have a strong incentive to advocate for the largest allocation possible, just as they would in the absence of a trading mechanism. So, while a trading mechanism could help reduce overall costs, it would still effectively require the accountability framework to define regional burden-sharing.

7 At time of publication, the 100 Mt cap has been legislated but not yet backed up by binding regulations.

What is the process for setting the milestone pathway?

Best practices suggest that a wide range of stakeholders, experts, and orders of government should be involved in the process for setting the milestone pathway. In Canada, an independent expert advisory body should play a central role, as should Indigenous governments and representative organizations. Nevertheless, there is a range of possibilities for how the pathway is set and who is ultimately responsible for setting it. We outline four broad options for establishing processes to define emissions milestones and pathways for Canada.

1. Provinces and territories define their own pathways.

Provincial and territorial governments could independently define subnational milestones (where applicable), the sum of which would define national milestones. Depending on where milestones bind under the accountability framework, these targets would be established for either the subnational jurisdiction as a whole or specific sectors within it. This option presents the greatest opportunity for provincial and territorial buy-in, as it allows subnational governments to set their own targets and ambition. It also enables ambition to be set in a way that reflects the unique economies, emissions profiles, and emissions reduction opportunities of different regions. However, it does nothing to resolve the risk that the sum of provincial and territorial GHG reduction ambition will be insufficient to meet the national long-term target. It also raises important considerations about the role of Indigenous governments in defining their own pathways.

2. Provincial, territorial, Indigenous, and federal governments collectively determine the pathway.

Under this option, multiple orders of government would, with input from the expert advisory body, collectively agree on the milestones and (where applicable) how they will break out into subnational and/or sectoral milestones. They would also engage and consult with key stakeholders (including private-sector representatives and civil society), as well as municipal governments, to inform their decision-making. This kind of inclusive, collaborative approach to milestone setting presents both opportunities and risks. On the one hand, it could result in greater buy-in from different orders of government and establish the groundwork for deeper policy coordination—a significant benefit given that the need for coordination will likely only intensify over time as policy stringency increases. On the other hand, this kind of approach has a high likelihood of creating lengthy, or even deadlocked, negotiations where consensus could be difficult or impossible to achieve.

3. Federal government sets the milestone pathway, based on consultation and engagement.

In this option, the final decision on setting milestones lies with the federal government. Its decision-making would be informed by engagement and consultation with the expert advisory body, other orders of government, key stakeholders including industry and environmental organizations, and Indigenous Peoples. This is a familiar approach, as it follows Canada's history of directly setting national emissions reduction targets—notably the 2030 target as outlined in the Nationally Determined Contribution—with some degree of consultation. Comprehensive consultation can add a time- and resource-intensive step to milestone setting; however, it also helps enhance buy-in from affected stakeholders and allows important perspectives and circumstances to be raised and considered. While this option makes the process of milestone setting comparatively straightforward relative to the previous two options, policy coordination challenges are likely to be difficult under this approach since subnational governments may not feel ownership over the milestone pathway that emerges (however defined or broken out).

4. Expert advisory body determines the milestone pathway.

Under this option, an independent expert advisory body would be given complete authority to set the milestone pathway, as well as to break it out where applicable. While its decision would still be based on consultation and engagement with governments, Indigenous Peoples, and stakeholders, the expert body would ultimately make the final decision. On the one hand, this option ensures that the milestone pathway is set based on science and expert advice, which enhances credibility by taking real or perceived political influence out of the decision-making process. This approach also avoids lengthy or deadlocked negotiations between governments, which supports timely decision-making. However, this option does not directly support federal or subnational government buy-in or collaboration, and it risks limiting governments' ownership of the milestone pathway.

Which orders of government develop policy to meet milestones?

Regardless of how milestones and pathway are set, they are only effective if governments implement policies consistent with achieving them. Climate accountability frameworks can define various roles for federal, provincial, and territorial governments with a variety of respective roles in the development of policy to meet defined milestones. We outline three main options:

1. Federal government drives policy.

Under this approach, the federal government uses a set of new or strengthened federal policies to fill the gap left by existing provincial, territorial, Indigenous, municipal, and federal commitments. For example, the federal government could increase the stringency of the federal carbon price or the federal Clean Fuel Standard to close the gap, or it could implement entirely new policies. Making a single government responsible for developing policy to meet milestones could simplify policy development for meeting milestones. On the other hand, it limits the levers available to reduce emissions, since the federal government has different policy instruments, authorities, and powers than provincial and territorial governments. By establishing a smaller, more reactive role for provincial and territorial governments, this option risks reducing their ability to proactively participate in climate policy development and closes off the possibility of customizing policies to reflect unique regional contexts and challenges.

2. Provincial, territorial, and federal governments contribute, with a federal policy backstop.

In this option, federal, provincial, and territorial governments work together on a more equal basis to develop policies in their respective jurisdictions to meet milestones. Under this option, the federal government could encourage provincial and territorial ambition in various ways, including program spending or direct financial transfers. See Box 3 for details.

The threat of a federal "backstop" in the case that provincial or territorial policies were insufficient would also create incentives for provinces and territories to implement more stringent policy. A federal policy backstop could include strengthening the federal carbon price or raising energy efficiency standards, among other things. If the federal assessment determined that the provincial or territorial policy were sufficient, the backstop policy would not be implemented. Provinces and territories would have the opportunity to customize policy, where possible.

This approach effectively makes federal, provincial, and territorial governments jointly responsible for implementing policy that contributes to national milestones. It builds on the existing landscape in Canada where policies at these levels of government contribute to reducing GHG emissions. However, collaboration on policy development requires time and resources, and its success will rely on the willingness of all governments to do so in good faith by developing, revising, and likely strengthening their own policies based not only on their own objectives but also those of other governments. This approach also raises unresolved questions about the role of Indigenous governments in climate policy development and implementation.

3. Provincial and territorial governments drive policy.

In this option, provincial and territorial governments develop policies to meet milestones, with the federal government only playing a convening role or supporting provincial policy ambition by using financial incentives. Akin to the bottom-up process under the United Nations Framework Convention on Climate Change, the federal government could invite provinces to come forth with their own plans, based on their own assessment of what is ambitious and fair. In the Canadian context, in the event of a gap between provincial and territorial contributions and national milestones, the federal government could facilitate a negotiation with provinces and territories aimed at increasing their policy stringency. It could also encourage greater provincial and territorial ambition using its spending powers. Under this approach, provinces and territories would consult with self-governing Indigenous communities on policy choices.

This option could sidestep possible tensions and save the time and resources associated with pursuing more coordinated policy within the federation. It does not, however, ensure that, when taken together, provincial and territorial policies will be sufficiently ambitious to reach national milestones—as has been the challenge until now. As a result, it is not clear that this option can be consistent with a climate accountability framework that includes national, legally binding milestones.

Box 3: Incentives and disincentives for developing policy sufficient to meet milestones

The federal government has a range of tools it can use to encourage provinces and territories to develop policies consistent with national or subnational milestones.

Incentives

Federal spending powers could be used in a number of ways to encourage provinces and territories to implement measures consistent with emissions reduction milestones. For instance, federal programmatic spending could be used to support the emissions reductions priorities of provincial, territorial, Indigenous, and municipal governments: for example, through the Low Carbon Economy Fund under the Pan-Canadian Framework. Spending could support a broader portfolio of climate change objectives, including adaptation and clean growth, or even provincial or territorial priorities unrelated to climate.

Disincentives

Any number of consequences may be considered by the federal government to discourage weaker climate policy ambition from other orders of government, including:

- Backstop mechanism: The federal government could develop a policy response to make up for any gap between initially proposed provincial and federal policies and milestones. This could take the form of a more stringent single policy (e.g., a higher federal backstop carbon price) or a broader package of policies. The backstop could also take the form of a requirement to purchase domestic offsets or international credits (depending on the outcome of international negotiations on Article 6 of the Paris Agreement) that would make up the difference. For instance, Germany is required to purchase E.U. Emissions Trading System credits in the event of a shortfall in meeting its legislated 2030 target.
- Consideration of milestones in government decisions: The federal government could enshrine rules in legislation, or through regulation, that require policy-makers to take into consideration milestones and long-term targets in other areas of policy or legislative decision-making. For example, this could be done in relation to assessments of proposed projects within federal jurisdiction. Taking climate change commitments into account in project approval decisions is already part of the scope of the forthcoming Strategic Assessment of Climate Change, which aims to provide guidance on how federal assessments will consider a project's impact on national GHG emissions. Enshrining long-term targets and interim milestones through a climate accountability framework would therefore ensure that compatibility with these commitments is considered in a project's assessment.

To conclude this section, Table 2 provides a summary of the trade-offs associated with different options across the three design choices we discuss above.

Table 2: Summary of strengths and weaknesses of options

QUESTION: WHERE DO MILESTONES BIND?		
OPTIONS	STRENGTHS	WEAKNESSES
Exclusively national level	▸ Provides broad, national direction in meeting climate goals ▸ Sidesteps contentious issues of regional or sectoral burden-sharing	▸ Centralizes responsibility for meeting a national milestone to the federal government, potentially downplaying the role of other orders of government
Provincial and territorial level	▸ Leads to milestones that reflect the unique economies, GHG emissions profiles, and emissions reduction opportunities across regions ▸ Clarifies the level of ambition required at provincial and territorial scales	▸ Directly confronts contentious issues of regional burden-sharing ▸ Sacrifices flexibility in meeting national targets (unless there is some sort of regional trading mechanism)
Sectoral level	▸ Provides clarity for sectors, a level where key policy decisions are made ▸ Avoids directly confronting challenges of regional burden-sharing	▸ Risks raising the overall cost of mitigation since fixed sectoral targets do not respond to shifting emissions reduction opportunities and costs

QUESTION: WHAT IS THE PROCESS FOR SETTING THE MILESTONE PATHWAY?

OPTIONS	STRENGTHS	WEAKNESSES
Provinces and territories set their own targets, which in sum define the national pathway	▸ Provides the greatest opportunity for provincial and territorial buy-in ▸ Allows ambition to reflect unique regional economies, emissions profiles, and emissions reduction opportunities	▸ Creates risk that the sum of national ambition will be insufficient to meet long-term target
All orders of government collectively determine the pathway	▸ Creates opportunity for greater buy-in from all orders of government ▸ Creates a greater likelihood of pathway being sufficient to meet long-term target	▸ Creates risk of lengthy (or deadlocked) negotiations
Federal government sets the pathway, based on consultation and engagement	▸ Builds on historical precedence (e.g., setting of 2030 target) ▸ Allows different perspectives to be raised and considered	▸ Requires additional time and resources for consultation ▸ Risks limiting buy-in from other governments
Expert advisory body determines the pathway	▸ Sets pathway based on science, expert advice, and Indigenous knowledge ▸ Avoids lengthy (or deadlocked) negotiations	▸ Risks limiting buy-in from governments

QUESTION: WHICH ORDERS OF GOVERNMENT DEVELOP POLICY TO MEET MILESTONES?		
OPTIONS	STRENGTHS	WEAKNESSES
Federal government drives policy	▸ Supports policy certainty by offering a clear policy path for meeting milestones	▸ Leaves a smaller, more reactive role for other governments and reduces their incentive to participate in policy development ▸ Limits opportunity to customize policies to reflect regional contexts
Federal, provincial, and territorial governments contribute to policy development, with federal policy backstop	▸ Builds on existing landscape of federal, provincial, and territorial climate policy ▸ Creates potential for greater interjurisdictional policy coordination ▸ Increases probability of meeting milestones due to presence of a federal backstop	▸ Requires time and resources to facilitate collaboration ▸ Relies on willingness of governments to participate in good faith and undertake a collaborative policy-making process
Provincial and territorial governments drive policy	▸ Sidesteps possible tensions of interjurisdictional policy coordination, saving time and resources	▸ Creates the risk that, when taken together, subnational policies will not be sufficiently ambitious to reach national milestones

Conclusions

Our case studies show that legislated climate accountability frameworks are getting traction here and in many other countries and jurisdictions and are helping governments move toward their long-term climate targets. That experience reveals for Canada a set of common elements that are central to any climate accountability framework, as well as best practices in their implementation.

Yet our analysis also underscores that—no matter how valuable—climate accountability frameworks are not a silver bullet for achieving ambitious climate objectives.

Even in jurisdictions with the most stringent implementation, government accountability drivers are largely restricted to reputational and political consequences. Transparent monitoring and reporting help citizens and stakeholders hold governments to account. But climate accountability legislation cannot bind future democratically elected governments to the policy choices of previous governments. Whether future governments uphold existing milestones and the policies for meeting them is ultimately up to them, since policy advice can be rejected, and even binding legislation can be repealed. This inherently limits the certainty that climate accountability legislation can provide around future policy and emissions reductions.

Further, climate accountability legislation cannot fundamentally resolve the difficulties associated with climate policy-making in a decentralized federation. For Canada to have a robust and effective response to climate change, a wide range of policy levers must be brought to bear. But a climate accountability framework cannot force provinces, territories, Indigenous governments, or municipalities to implement stringent policy. The federal government can only encourage them to act. No matter how it is implemented, a Canadian climate accountability framework will inevitably have to contend with complex intergovernmental policy coordination challenges and, at times, diverging priorities across various orders of government.

Nevertheless, a climate accountability framework can play a powerful role in keeping governments on track to meet their long-term targets. When targets are enshrined in law, a climate accountability framework provides an important legal foundation for what can otherwise be purely aspirational goals. Interim milestones signal to households, businesses, and investors the level of

climate policy stringency they can expect in the medium term with greater certainty. The independent advice and analysis provided by an expert advisory group makes the available choices clearer and supports evidence-based policy-making. Accessible reporting allows citizens and stakeholders to monitor and track progress. And the forum the framework establishes for considering long-term implications, coordinating climate policies, and reconciling tensions and trade-offs helps support the political durability of climate policy.

A climate accountability framework cannot circumvent difficult policy debates and policy coordination challenges in Canada, but it can enable better policy by providing a process for addressing intergovernmental challenges.

It can create the conditions and institutional frameworks for governments to coordinate and collaborate increasingly over time. The repeating—and transparent—cycle of policy development, progress checks, and (where necessary) course correction can create pressure among all orders of government to implement policy consistent with each other and with national targets. A collaborative federal government could create incentives for active participation. And provinces, territories, Indigenous governments, and municipalities could exert their influence by tailoring policy according to local context and putting pressure on other governments by implementing more ambitious policy.

Climate accountability frameworks can also, over time, help avoid potential pendulum swings in policy ambition when new governments are elected. As the case studies illustrate, climate accountability frameworks do not lock in policy nor prevent future governments from adjusting their approach in the future. This flexibility creates space for future governments to make climate policy their own. While it undercuts policy certainty, it increases the odds that a future government will choose to work within the climate accountability framework rather than do away with it entirely.

Over time, this process can become foundational to the climate policy landscape in Canada. Its transparent monitoring and reporting requirements will empower citizens and stakeholders to better understand how meaningful their governments' climate policies are. Over time, improved accountability could help drive a convergence in climate policy ambition across a range of perspectives.

By increasing transparency and accountability, and by formalizing institutional structures and governance processes, climate accountability frameworks can serve as a crucial step toward Canadian governments implementing coordinated, effective climate policies consistent with the country's long-term targets.

Recommendations

Climate accountability frameworks have clear benefits. They can provide a concrete pathway to long-term emissions targets. They can help keep governments accountable for following through on policy to meet their commitments. They can help track progress and, where necessary, correct course. And they can support greater policy certainty, lowering risks for businesses, consumers, and investors.

The details of how governments design and implement accountability frameworks, however, have important implications for how well the frameworks deliver on these benefits. Based on our assessment of international experience and our analysis of the opportunities and challenges posed by the Canadian context, we make the following recommendations:

1. The federal government should legislate a framework for climate accountability consistent with best practices; other orders of government should consider implementing them as well

Climate accountability frameworks—implemented according to the best practices we identify—can help governments across Canada. To follow through on its commitment to enact legally binding emissions milestones, the federal government should legislate a climate accountability framework nationally. Provinces, territories, Indigenous governments, and municipalities should also explore implementing their own accountability frameworks, as British Columbia and Manitoba have done.

Subnational climate accountability frameworks could complement a national framework in multiple ways. First, given Canada's shared jurisdiction over climate policy and the fact that some policy instruments are uniquely available to particular orders of government, Canadian climate policy would be more robust if subnational governments were accountable to their citizens for policy implementation in the same way the federal government would be. Second, subnational frameworks would clarify the intended plans of provincial, territorial, Indigenous, and municipal governments, providing a clearer picture of subnational ambition and, where applicable, the gap that would need to be closed under the federal framework in order to meet national milestones. Third, having both national and subnational accountability frameworks would surface issues where

climate policy ambition differs across jurisdictions, clarify regional tensions slowing progress on climate policy under the federal framework, and create conditions for ambition and policy to converge over time.

When implementing climate accountability frameworks, governments in Canada can look to the experience from other jurisdictions we present in our case studies. First, they should implement frameworks that include the common elements we identify in Section 2. To deliver on the governance processes and transparency mechanisms that a climate accountability framework requires to function effectively, all six of these common elements must be in place:

- Formalizing climate governance structures and processes
- Clearly defining roles and responsibilities
- Establishing interim emissions reduction milestones
- Producing action plans to meet milestones
- Requiring monitoring and reporting
- Broadening the scope beyond reducing emissions

Second, governments in Canada should implement these common elements consistent with best practices. The best practices we identify in Section 2 include the following:

- Legislating governance structures, processes and long-term targets
- Ensuring independent advice and assessment
- Supporting a whole-of-government approach
- Providing clarity on how milestones are set and will evolve
- Defining emissions reduction milestones as cumulative carbon budgets
- Linking progress on milestone commitments to policy course corrections
- Requiring government to provide formal responses to independent advisory reports
- Integrating multiple objectives into pathways and policy

2. The federal government should set legally binding emissions milestones only at the national level

Legally binding milestones are particularly important at the national level given Canada's commitments under international processes. As such, we provide additional advice specifically to the federal government.

We recommend that a federal climate accountability framework set binding milestones only at the national level. Legally binding sectoral or provincial and territorial milestones risk creating a rigid approach that raises the overall cost of reducing emissions. In the absence of a trading mechanism, binding subnational milestones would force GHG reductions in particular parts of the economy or regions when there are more cost-effective or practical options to reduce

emissions elsewhere. Moreover, binding subnational milestones would require governments to directly confront difficult decisions about regional burden-sharing (sectoral milestones would do the same, albeit indirectly) only to have these debates resurface when the details of policy mechanics were being discussed. Forcing these debates to occur at the early, milestone-setting stage is likely to be divisive. It risks making it even more challenging to move over time toward better policy coordination and convergence in federal and subnational policy ambition.

However, it is useful to provide public *information* on the contributions provinces, territories, and sectors are projected to make to the national budget or target to illustrate implications of pathways rather than to prescribe explicit reductions at these levels. Detailed projections strike a balance by providing public, transparent projections for sectors and regions that can guide policy while still remaining non-binding. They can increase transparency, helping to inform challenging conversations about the contributions of different sectors and regions.

In terms of process, we recommend that the federal government set the national milestone pathway in consultation with other governments, stakeholders, Indigenous Peoples, and a non-partisan expert advisory body. Allowing the federal government to make the final decision, but with requirements that it consult widely, ensures that regional and sectoral circumstances and diverse perspectives are considered without paralyzing the pathway process. Similarly, including reporting obligations that require the federal government to justify its decision in the event it rejects the expert body's advice creates incentives to ensure milestones are rooted in evidence and science.

3. The federal government should continue to create incentives for provinces, territories, Indigenous governments, and municipalities to implement stringent climate policies

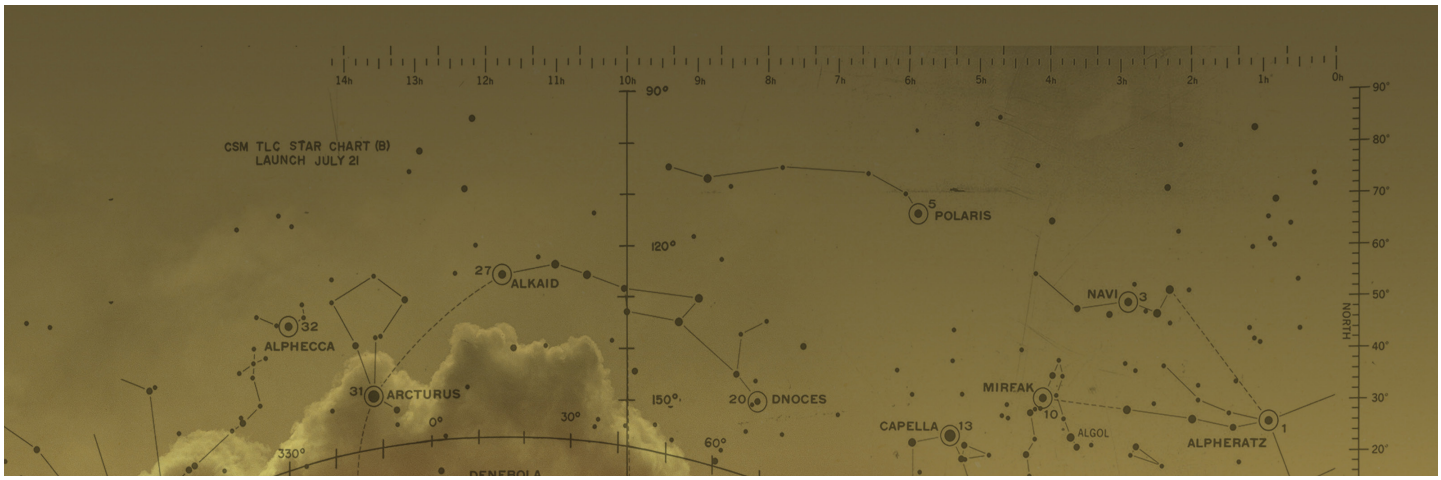
Different orders of government have different policy instruments available. Efforts to tackle climate change will be most effective and efficient when a wide range of these instruments is brought to bear. Focusing only on federal levers, for instance, would force the federal government to rely on instruments that might not always be well suited to reducing emissions from particular sources. For example, only provinces and territories can implement building codes. Municipalities make many of the zoning and infrastructure decisions that affect urban form and its implications for GHG emissions. Indigenous governments can best identify challenges and opportunities unique to their own context and inform or implement policy in response. A multi-jurisdictional approach offers a way of realizing the benefit of bringing an array of policy instruments to bear.

To implement such a multi-jurisdictional approach, the federal government should continue to encourage policy ambition, implementation, and coordination across all orders of government. Doing so would provide governments with both the opportunity and the motivation to customize policy according to local circumstances and priorities.

To ensure that overall climate policy in Canada is and remains sufficient to reach national milestones, the federal government should use federal policy "backstops." This could include, for example, increases in the federal benchmark carbon price, increases to the stringency of the planned Clean Fuel Standard, or new policies altogether. Where possible, provinces and territories should have the opportunity to seek equivalency if they have policies that achieve equivalent outcomes. This would provide provinces, territories, and Indigenous governments with an opportunity to customize policy to fit their unique contexts, while still supporting national milestones and long-term targets.[8]

A collaborative, multi-jurisdictional approach will require complex and at times difficult engagement, assessment, and dialogue, but it also offers the best chance of making climate policy in Canada politically resilient. An approach that does not rely entirely on policy from one order of government has the greatest chance of avoiding backsliding in the event that new governments come to power wishing to reverse course on climate policy. On the one hand, encouraging provinces, territories, Indigenous governments, and municipalities to act meaningfully—and leaving space for them to do so—ensures that a strong base of climate policies will remain in place regardless of the future level of federal ambition. On the other, having federal climate policy backstops ensures that strong climate policy will remain intact across the country in the event that, for example, some provinces or territories elect governments seeking to repeal stringent climate policies (as has been the case with certain elements of the Pan-Canadian Framework). The potential to enhance political resiliency of climate policy is in fact the strongest argument in favour of a collaborative multi-jurisdictional approach.

8 In some circumstances, however, federal policies may be more appropriate than provincial and territorial ones. For example, there may be more value to having a harmonized national approach or consistent compliance obligations in some areas or where provincial and territorial policy development or implementation capacity is a constraint. Provincial and territorial governments may also find that in some casesthe costs of developing a regionally specific policy outweigh the benefits and instead choose to adopt a federal policy (as some provinces have done with the federal carbon pricing backstop).



Questions for further exploration

The recommendations we make in the section above articulate a potential approach to tailoring climate accountability frameworks to the Canadian context. However, there are additional questions that will still need to be explored in order to move forward with climate accountability frameworks in Canada. Two key questions stand out:

How will climate accountability frameworks in Canada address climate policy integration?

In Section 2 we identify climate policy integration as a best practice—namely, considering not only climate change mitigation but also adaptation and inclusive clean growth. The benefits of integration are clear. Integration can identify areas where policies focused on mitigation, adaptation, or clean growth might be at odds. It can move the discussion on how emissions reduction efforts get distributed—which risks becoming myopic and divisive—to one focused on economic diversification and realizing the opportunities that come with addressing climate change. And it helps ensure that Canada's response to the overall climate change challenge is well considered, robust, and resilient.

However, the lessons that can be drawn from our case studies are fairly limited when it comes to pursuing policy integration. While frameworks in the U.K. and Aotearoa/New Zealand contain elements focused on adaptation, including stipulations to conduct risk assessments and develop adaptation plans, they lack any sort of formal requirements that those risks are actually reduced. They also pursue adaptation as separate from reducing

emissions, rather than pursuing both simultaneously as part of a larger climate change policy challenge. And while France's accountability framework connects reducing emissions to broader low-carbon development pathways, it does not integrate adaptation and resilience issues into these pathways.

Realizing the benefits of integration in a Canadian climate accountability framework will require going beyond the experiences described in our case studies. Some dimensions will be relatively straightforward. For example, there is clearly a case for broadening the scope of monitoring and reporting to focus not only on outcomes that reduce emissions but on adaptation and clean growth ones as well, to provide a larger picture of how (and how effectively) Canadian governments are addressing climate change. Other dimensions will be much more complex. For example, should there be adaptation and clean growth milestones? How should they be measured? How broad should the scope of "clean growth" be? Is it simply focused on clean technology, or is it focused on the sustainability of the economy as a whole? What sorts of policy measures should be on the table for pursuing it? Given municipalities' contribution to climate change adaptation, what should their role be in related governance processes? And critically (and a topic we return to below), what role will Canada's Indigenous Peoples and governments play in helping ensure an integrated response to climate change in Canada?

How will a Canadian climate accountability framework recognize Indigenous rights and support the process of reconciliation?

A Canadian climate accountability framework will not be successful unless it recognizes Indigenous rights, along with historic and modern treaties, and meaningfully engages Indigenous Peoples throughout the decision-making processes.

Canada has a stated desire to pursue reconciliation and a clear legal obligation to recognize Indigenous rights and title in the design of an accountability framework. Addressing climate change in Canada will require unprecedented inter-governmental collaboration. Effective climate policy will require not only ensuring Indigenous nations' participation from the very start as a concerted partner but, more fundamentally, formally recognizing the integral role they must play in the associated climate governance processes.

Aotearoa/New Zealand's experience, discussed in Box 2, can offer lessons on recognizing Indigenous rights. But the experience and histories of Indigenous Peoples in Canada are unique, so appropriately addressing Indigenous rights, title, and governance in the Canadian context will require different solutions.

Some aspects are fairly clear-cut. The recommendations and advice

of an expert advisory body would be incomplete without the inclusion of Indigenous perspectives. Any Canadian climate accountability framework should include an obligation to consider how climate policy could affect Indigenous Peoples and include a requirement to report on these potential impacts.

In addition, the expert advisory body itself should include Indigenous representation. The unique Indigenous ways of knowing, doing, and being, as well as the insights that Indigenous Peoples bring, are an essential perspective that an expert advisory body must recognize and build on to be effective. However, in designing the expert advisory body, Canada should consider new ways to ensure Indigenous representation addresses structural imbalances and empowers Indigenous Peoples to participate in a meaningful way. For example, the framework could establish a dedicated Indigenous committee of the advisory body. Consideration should be given to how this relates to the proposed National Council for Reconciliation, recommended by the Truth and Reconciliation Commission of Canada in their 2015 Calls to Action.

Other dimensions are less obvious. How can collaboration between different orders of government, including Indigenous governments, be fostered? How can the accountability framework ensure it fairly shares powers and responsibilities between these participants? And given the different perspectives, experiences, and ways of life of Indigenous Peoples across Canada, how can an accountability framework ensure their diversity of perspectives are taken into account?

These questions are just a sample of the ones Canadian and Indigenous governments will have to wrestle with. This paper does not pretend to have the answers. Nevertheless, we are certain that effective climate accountability frameworks cannot move forward in Canada until these questions are thoroughly considered, discussed, and answered in a way that meaningfully reflects Indigenous Peoples' perspectives.

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