



LE CLIMAT L'ÉTAT ET NOUS

Rethinking public action on the environment

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English version

PROPOSAL

A system of environmental governance—encompassing sustainable development, climate change (mitigation and adaptation), biodiversity, management and protection of water and resources, and protection of land—must tackle complex, systemic problems of unparalleled scope. These problems affect the whole of society, cut across established structures and government jurisdictions, involve complex scientific and technical problems, and require sustained effort over long periods. They have few precedents in history and demand a degree of mobilization rarely achieved in our modern societies.

PRINCIPLES TO BE OBSERVED

To be successful, environmental governance must rely on institutions that observe certain principles, including :¹

- **A coherent long-term vision**
Strategic planning supported by long-term vision, consistency in government action, choice of priorities, and allocation of resources towards the attainment of clear, measurable, explicit objectives.
- **Integration with economic development**
Environmental issues must be seen as a lever for development and placed at the centre of economic projects.
- **Decisions founded on science and traditional and local knowledge**
Scientific knowledge and traditional and local knowledge must be incorporated into decision taking, which requires a strengthening of research and information-sharing capacity, and the translation of knowledge into forms that deciders can use and the population can understand.
- **Inclusive dialogue**
Because the choice of values is fundamental to environmental governance and because the efforts of

1 Inspired by Derk Loorbach, Rutger Van Der Brugge and Mattijs Taanma (2008). Governance in the energy transition: Practice of transition management in the Netherlands, *International Journal of Environmental Technology and Management* 9, pp. 294-315.

citizens, communities, and businesses are essential if sustainable development is to become a reality, it is necessary to go beyond consultation held upstream of projects. A process of dialogue must instead be implemented, enabling citizens and other stakeholders to obtain information not only about each individual project, but also about the integrated effects of policy directions, to voice their opinions in consequence, to involve themselves in surveillance and monitoring mechanisms throughout the duration of projects, and thus to act as agents of change, moving towards taking charge of our collective future and that of future generations.

- **Continuous measurement, assessment and adaptation**
It is essential to measure, monitor, and assess programs, actions, and objectives on an ongoing basis. This approach makes it possible to adapt rapidly to local realities, new knowledge, and world changes. With a view to transparency, reports on these measurements, monitoring, and assessments must be transmitted clearly to citizens and stakeholders through an ongoing process of education, awareness raising, and information exchange.

A PROVEN STRUCTURE

The experience of recent decades in Québec, Canada, and the rest of the world suggest that effective governance of the environment, climate change, and sustainable development requires a structure capable of complying with the already stated principles of :²

1. Specialized organizations and processes (for example, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, sustainable-development strategies, etc.).
2. Sustainable-development objectives taken on by the machinery of government, including those in the work of central agencies (Conseil du trésor, the office of the premier) and sectoral government departments (Ministère des Transports, de la Mobilité durable et de l'Électrification des transports, Ministère des Affaires

2 James Meadowcroft (2009). *Climate Change Governance*, Policy Research Working Paper 4941, World Bank, Washington, 40 pp.



municipales et de l'Occupation du territoire, Ministère de l'Économie, de la Science et de l'Innovation, Ministère de la Sécurité publique, Ministère de l'Énergie et des Ressources naturelles, etc.).

3. Decisional processes and means delegated to levels of government that are closer to citizens (regional or municipal) when these levels are better suited to take action. des suivis des résultats par rapport aux objectifs à long et à court termes, et des examens des politiques par des organismes transparents et indépendants; et
4. Monitoring of results in light of long- and short-term objectives, and scrutiny of policies by transparent, independent bodies.
5. Groups mandated to interact with the public and promote knowledge about these issues.

A multi-component structure of this kind, including interrelated elements turned toward both government and society, would reduce the risk of major problems being neglected or necessary initiatives being blocked by unilateral decisions.

MODEL

Successes achieved abroad can be adapted to the Québec context. For this purpose, we propose basing environmental governance on structures and organizations that have proven themselves abroad, by modifying the mandate of some of our own organizations and by creating new organizations that will ensure greater consistency and effectiveness of measures taken.³

This model is not put forward as the only solution, but rather as the beginning of a process of reflection and debate on the subject. This is why not all aspects are defined with the same level of precision.

1. A long-term vision and purpose. It is essential that the government's efforts be grounded in a vision and priorities aimed at the long term, beyond electoral cycles, and going beyond a mere list of goals. For complex issues such as sustainable development, this vision must spread over several decades and the actions to attain it must be adjusted periodically—every three or five years, for example—in light of changes in the issues and take into account our society's expectations and its integration with the international community.

3 Catherine Potvin et al. (2017). Re-energizing Canada: pathways to a low carbon future. Sustainable Canada Dialogues, report commissioned by Natural Resources Canada, 71 pages. <http://sustainablecanadadialogues.ca/en/scd/energy>

2. Integrating, structuring laws. On a budgetary basis, the current *Sustainable Development Act* covers no more than 40% of the Québec government's actions. The law should be revised to cover the entire administration, including the Québec government, its crown corporations and agencies, and its regional and local municipalities.

3. Integrated, concerted management. In order to fit in with the tradition of the Québec parliamentary and government system, the authors propose creating or modifying :

- A **ministerial committee** on sustainable development bringing together all government departments concerned, including those responsible for economic and social matters, transportation, land use, municipal affairs, the environment, and energy. The committee would be presided over by;
- A **Minister of Sustainable Development** whose sole mandate would be to direct the committee and coordinate the actions of the machinery of government in this field, and backed up by;
- A **Sustainable Development Secretariat** at the Ministère du Conseil exécutif, which would be responsible, in particular, for coordination and efficiency of sustainable development, and which would take over, among other things, the responsibilities of the current *Bureau de la coordination du développement durable*. The secretariat's coordinating role would be extended and strengthened. It would supervise the work of the **Sustainable Development Agency** (point 5 below) and coordinate the application of all sustainable-development strategies and plans, including those that concern environmental protection, taxation, climate, energy, land use, transportation, and territorial plans (and the land-use and development plans of the RCMs, the Plan Nord, the two metropolitan land-use and development plans, etc.).

4. Strategic planning. Strategic planning would be conducted by the highest-level structures :

- The ministerial committee on sustainable development, backed up by the *Sustainable Development Secretariat* at the Ministère du Conseil exécutif.

This planning would be founded on :

- The analytical and planning resources of the *Sustainable Development Agency* (see below).
- A *committee made up of representatives of the regions*, the regions being defined by current administrative boundaries or, for a stronger environmental residence, by the watersheds.



- *A committee made up of representatives of aboriginal peoples.*
- *A scientific committee, the makeup of which could be entrusted to the Chief Scientist of Québec. The purpose of this committee would be to inform the debates about the committees by means of scientifically sound information and perspectives.*⁴
- Direct involvement of citizens and stakeholders.

5. Implementation. Following the example of the creation of *Energy Transition Québec*, the authors propose setting up a *Sustainable Development Agency* responsible for all files concerning, in particular, the fight against and adaptation to climate change, water management, sustainable development, biodiversity protection, etc.⁵ Implementation of the various strategies for sustainable development should be steered by the Agency, which would coordinate the actions of various government bodies, assess the impact of programs and strategies, and ensure progress towards attaining government objectives.

The Agency would incorporate into a single structure such responsibilities as :

- **Finance**, responsible for funding programs such as the *Fonds vert*, the *Fonds de transition énergétique*, etc. and supporting the implementation of projects aimed at sustainable-development objectives.
- **GHG emission reductions and adaptation to climate change**, which would cover energy and could include *Energy Transition Québec*, with an extended mandate.
- **Water management**, across the entire territory, supporting organizations in the field, such as the watershed organizations.
- **Support for innovation, action, and territorial operations** lending technical, logistical and scientific support to initiatives of government departments, RCMs, local municipalities, industries, watershed organizations, nonprofits, aboriginal nations, and all citizens. To fulfil these responsibilities, the Agency would rely on scientists and experts able to gather and analyze data, formulate plans based on credible models, and to work: upstream, with the government and with elected representatives, in order to inform the latter on the expected effect, costs and consistency of actions, laws, regulations and strategies proposed by the entire government on sustainable development objectives; and downstream, with actors in the community, providing them with day-to-day support.

⁴ This committee could, for example, be a more targeted version of the UK's Government Office for Science. <https://www.gov.uk/government/organisations/government-office-for-science>

⁵ See, for example, the organization chart of the United Kingdom's Environment Agency (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/679923/EA_Organisation_Chart_January2018.pdf)

- **Dialogues** fostering concertation and action with communities, citizens and stakeholders.

6. Accountability / Rendering of accounts. This aspect is crucial and must be dealt with on several levels. Already, government departments are evaluated on the basis of complex, demanding grids. However, the objectives examined are often operational. This is why it seems important to add to existing accountability a new structure capable of evaluating implementation in a global perspective, while interacting freely with society :

- The **Sustainable Development Commissioner**, who would keep the current mandate, that is, retaining the task of auditing all bodies subject to the Sustainable Development Act, including the two structures proposed above. However, because his or her mandate differs from that of the Auditor General, the Sustainable Development Commissioner must report directly to the National Assembly and develop a distinct approach.
- **Expert committee on sustainable development**, comprised of academics and backed by a small permanent team, this committee's mandate would be to report to the Minister of Sustainable Development on the consistency of short, medium and long-term objectives for sustainable development, on progress towards the attainment of these objectives, including the efficiency and usefulness of government policies, strategies and plans, and on actions in the field through an annual public assessment and ad-hoc interventions, responding to the publication of data and other events related to its mandate. This committee would also have a mandate to educate and raise awareness.

In order to fulfil its mandate effectively, the committee would have to have guaranteed access to data, the capacity to conduct storyboarding and comparison of results with forecasts and objectives, etc. It would have the mandate of taking a position in the various consultations and studying (or commissioning a study of) any issue related to sustainable development.⁶

⁶ This committee's mandate is inspired by that of the Committee on Climate Change that has operated in the United Kingdom since 2008.



LINKS WITH COMMUNITIES AND STAKEHOLDERS

The issue of sustainable development impacts the daily life of all citizens. Whether it is a matter of water management, energy transition, or adaptation to climate change, examples both here and abroad show that it is generally more effective to rely on communities and stakeholders in a participatory approach, rather than on solutions imposed by central power. This is why it is essential that the governance structure allow the taking of actions close to citizens, while setting up organizations capable of monitoring and critically assessing these actions.

- **Liaison with aboriginal peoples.** Aside from the committee composed of representatives of aboriginal peoples regarding strategic planning, a committee to liaise with aboriginal peoples should be set up within the Sustainable Development Agency in order to ensure that the agency works in concert with aboriginal communities by means of technical assistance, funding, and a heightened understanding of the aboriginal vision of environmental protection and sustainability.

- **Liaison with regions, municipalities and communities.** Here again, in addition to strategic planning, it is necessary to provide for close interaction with the Sustainable Development Agency, with regard to operations in particular, in order to support local and regional initiatives and empowerment.
- **Direct liaison with citizens and stakeholders.** Elected representatives and representatives of the various communities cannot replace direct contact with citizens and other stakeholders. Indeed, the nature of the structure must be adapted to the nature of the issues, and be in place for the duration.
- **Regional expert committees.** Once established, the expert committee on sustainable development could support the formation of regional expert committees, whose mandate would be to assess regional plans and strategies, and to evaluate the implementation and progress made towards objectives. These committees could also comment on the various actions and plans of local structures, and on the impact of national objectives and measures on the regions.

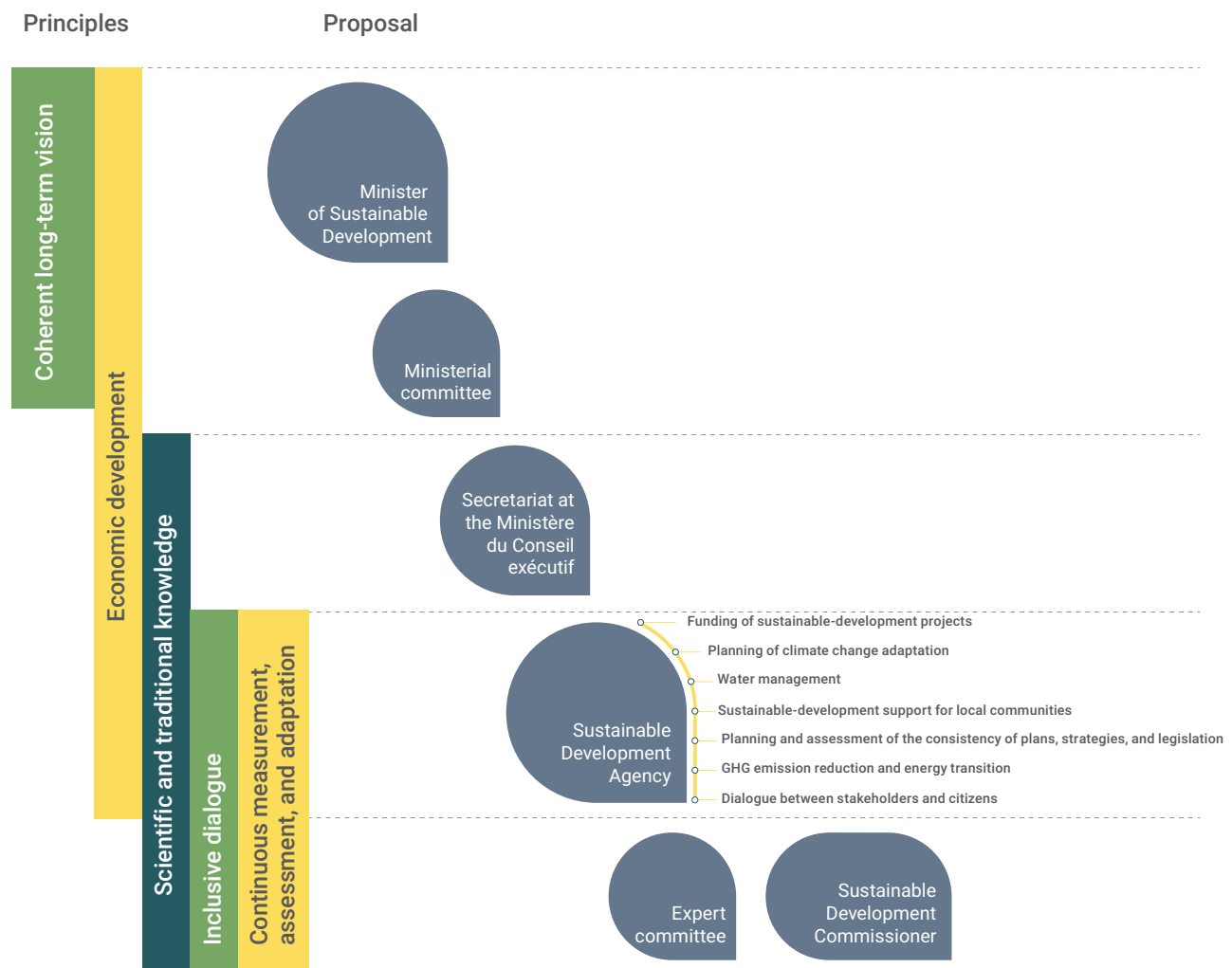


Figure 1 Graphical representation of the proposed structure.

ABOUT THIS DOCUMENT

This report was produced as part of a voluntary initiative by experts; it presents a revised environmental governance framework for Québec. This initiative was launched in summer 2017 and is supported by Institut de l'énergie Trottier, the Chief Scientist of Québec, and Institut du Nouveau Monde.

This proposal is intended to contribute to starting a debate aimed at engaging Québec society within a few months of the next provincial election. It has been developed by academics, and **does not claim to represent everybody's position, nor to be complete.**

The document's authors met on two occasions in fall 2017, in the presence of observers from Coalition Avenir Québec, Option nationale, the Parti Québécois, Québec solidaire, the Fonds vert, Transition Énergétique Québec, the Ministère de l'Économie, de la Science et de l'Innovation, and the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

The group was put together by a steering committee made up of five university researchers — **Luc Bernier**, holder of the Jarislowsky Chair on Public Sector Management, University of Ottawa; **Pascale Biron**, Professor and Chair, Geography Planning and Environment, Concordia University; **Normand Mousseau**, professor of physics, Université de Montréal and academic director of Institut de l'énergie Trottier, Polytechnique Montréal; **Stéphane Paquin**, director of the Groupe d'études et de recherche sur l'international et le Québec, ÉNAP; **Marie-Christine Therrien**, professor at the Centre de recherche sur la gouvernance, ÉNAP — and two external members — **Julie Caron-Malenfant**, director general of Institut du Nouveau Monde and **Roger Lanoue**, expert in strategic management, energy and accessibility of drinking water.

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