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**Status Report**  
of the Commissioner of  
the Environment and  
Sustainable Development  
to the House of Commons

**MARCH**

**Management Tools  
and Government Commitments**

**Chapter 8**  
International Environmental Agreements



Office of the Auditor General of Canada

*The March 2008 Status Report of the Commissioner of the Environment and Sustainable Development comprises The Commissioner's Perspective—2008, Main Points—Chapters 1 to 14, Appendices, and 14 chapters. The main table of contents for the Report is found at the end of this publication.*

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Chapter

# 8

International Environmental Agreements

*All of the audit work in this chapter was conducted in accordance with the standards for assurance engagements set by The Canadian Institute of Chartered Accountants. While the Office adopts these standards as the minimum requirement for our audits, we also draw upon the standards and practices of other disciplines.*

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# Management Tools and Government Commitments

## International Environmental Agreements

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### Main Points

#### What we examined

Canada has signed more than 100 international environmental agreements over the years, the Kyoto Protocol among them, committing it to act on crucial issues such as ocean pollution, fishery conservation, and the protection of endangered species.

In 2004, we reported that lead departments for the agreements we looked at had varying degrees of knowledge about whether they were achieving the objectives of the agreements. Some departments did not always know the environmental results they were achieving under the agreements or, in some cases, the results they were supposed to achieve. Nor were all the departments reporting on the results they had achieved. In 2005, we reported that the government still had no action plan for meeting its 2002 World Summit on Sustainable Development (WSSD) commitments.

For this status report, we examined the federal government's management of information on international environmental agreements to assess the progress it has made since 2004. We examined 20 international environmental agreements in four departments—Environment Canada, Fisheries and Oceans Canada, Transport Canada, and Foreign Affairs and International Trade Canada. We assessed the availability and fairness of the information they had about the agreements' objectives, the means they have established to meet the objectives, their current targets, and their reporting on progress. We also examined how the government plans and reports on progress made against its WSSD commitments.

We did not look at the extent to which the agreements were successful but rather at whether enough information is available for parliamentarians and other interested Canadians to judge whether Canada is meeting its environmental commitments to the international community.

**Why it's important**

Given the increasing global awareness of risks to the environment caused by human activities, Canada's international reputation depends in part on the credibility it achieves by keeping its international environmental commitments and on its ability to demonstrate the environmental results that it is achieving under the agreements. As one of the world's largest countries, rich in natural resources, Canada also has much to gain from the success of its international environmental agreements—and a corresponding obligation.

**What we found**

- The government has made unsatisfactory progress toward providing a complete and understandable picture of the results expected from Canada's international environmental agreements. While Environment Canada, Fisheries and Oceans Canada, Transport Canada, and Foreign Affairs and International Trade Canada generally make information available on Canada's obligations under the agreements, they provide less information on the programs and means in place to meet the obligations. In addition, the departments do not generally make complete and understandable information available on the results the government both expected to achieve and has achieved toward fulfilling obligations under the agreements.
- The government has made unsatisfactory progress in planning, monitoring, and reporting the extent to which Canada is meeting its commitments from the World Summit on Sustainable Development in 2002. While it has followed the United Nations Commission on Sustainable Development approach to monitoring and reporting, it still has no longer-term plan for ensuring that it will be in a position to report significant progress on its commitments, while taking into account the review timetable established by the UN.

**The departments have responded.** The departments agree with our recommendation. Their detailed responses follow the recommendation in the chapter.

## Introduction

**8.1** How can countries address environmental issues that cross one or more geopolitical boundaries? Experience teaches us that countries cannot tackle issues such as air pollution, deterioration of the ozone layer, climate change, and ocean pollution by acting alone. Instead, they have needed to develop international agreements on a wide range of subjects that permit them to collaborate.

**8.2** In 2001, the United Nations Environment Programme reported that “there were over 500 international treaties and other agreements related to the environment.”

**8.3** Since 1972, Canada has been a key participant in international environmental activities. Over the years, it has signed a large number of international agreements and similar instruments dealing with various environmental issues. The Kyoto Protocol on greenhouse gas emissions is one such example. Canada’s environmental commitments to the international community have increased in tandem with the number and complexity of agreements it has signed.

### What we found in previous reports

**8.4** In the 1998 Report of the Commissioner of the Environment and Sustainable Development, Chapter 2, Working Globally—Canada’s International Environmental Commitments, we concluded that Canada could not judge its performance on its international commitments regarding the environment and sustainable development because there was no all-inclusive list of existing commitments. Without this information, Parliament’s ability to oversee how Canada’s international environmental commitments were being honoured was greatly reduced. In addition, we explained that an interested party needed answers to the following four questions to thoroughly assess Canada’s performance regarding these agreements:

- What has Canada committed to do?
- What actions are required to meet those commitments?
- What actions has Canada taken?
- How successfully have these actions fulfilled Canada’s commitments?

**8.5** In the 2004 Report of the Commissioner of the Environment and Sustainable Development, Chapter 1, International Environmental Agreements, we examined whether the lead departments for five international environmental agreements knew to what extent they were

achieving specific key objectives related to those agreements. We focused on the results achieved for one objective in each of the agreements. We also examined whether the departments could make assurances regarding the quality of the information. We observed that

- the lead department for two of the agreements knew the extent to which it was achieving its environmental objectives;
- for the other three agreements, there were deficiencies in achieving environmental objectives; and
- for four of the five agreements, we made specific recommendations to the department responsible for the agreement, and we made an overall recommendation directed to all lead departments.

The departments agreed to make available more complete and understandable information on their agreements. The government responded to the audit by saying that it would continue to work to improve reporting provisions under international environmental agreements.

**8.6** In 2002, the World Summit on Sustainable Development (WSSD) was held in Johannesburg, South Africa. This was a major event that brought together nearly 200 nations to address global sustainable development. The key outcome was the *Johannesburg Plan of Implementation*, which outlined the commitments that nations made at the WSSD. Since then, we have commented in our 2002 to 2005 reports that the federal government needs to develop an action plan to deliver results on Canada's WSSD commitments. In our 2005 audit, we reported that the government still had not done so.

#### **Focus of the audit**

**8.7** The objective of this audit was to assess the progress that selected departments have made in responding to the underlying issues derived from certain recommendations, observations, and commitments on reporting their activities and results regarding Canada's international environmental commitments. We assessed progress, taking into consideration the complexity of addressing the issues we raised and the time that had elapsed. We focused on the

- availability of information regarding anticipated results on Canada's international environmental agreements and how those results are measured and reported; and
- planning, monitoring, and reporting on Canada's progress in meeting the commitments it made at the WSSD.

**8.8** More details about the audit objective, scope, approach, and criteria are in **About the Audit** at the end of this chapter.

## Observations and Recommendation

### Availability and fairness of information

**8.9** In this audit, we examined two broader issues related to Canada's international environmental agreements: the availability of information to Parliament and Canadians, and its fairness, focusing on ease of understanding (Exhibit 8.1). As stated in our earlier reports, we expected that lead departments would have clearly identified and documented anticipated results, and how to measure and report on them. We also expected that the federal government would

- keep track of Canada's international environmental agreements,
- identify a lead department for each agreement, and
- define the lead department's accountability for achievements and reporting.

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#### Exhibit 8.1 How we defined available and fair information

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By available, we mean that we expected the lead department would make complete and understandable information easily and publicly available through its planning and reporting documents (reports on plans and priorities, departmental performance reports, sustainable development strategies) as well as on its website, or by directing users to where the information can be readily obtained, such as in reports to international bodies.

By fair, we mean that we expected the lead department would provide, in a clear, complete, and understandable manner, current information that Parliament and Canadians need to assess progress. In essence, this information would tell the story of how Canada is meeting its commitments under international environmental agreements.

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**8.10** In our 2004 report, we found that lead departments had varying degrees of information about results and whether they were achieving the objectives of their agreements. In its response to our recommendation, the federal government said that it would work to improve reporting provisions under international environmental agreements.

**8.11** To assess the federal government's progress since 2004, we selected 20 agreements from the four departments designated as lead for the greatest number of agreements according to Foreign Affairs and International Trade Canada's international environmental agreement

database. The following four departments were the lead for 93 of the 130 agreements listed:

- Environment Canada,
- Fisheries and Oceans Canada,
- Transport Canada, and
- Foreign Affairs and International Trade Canada.

Other selection criteria included the following: Canada is a signatory, the agreement was ratified and in force in Canada and internationally, and the agreement is environmentally significant. For more details about the selection process and audit approach, see **About the Audit** at the end of this chapter.

**8.12** We took into account the variety of information media the government can use, such as its planning and reporting documents, the required reports prepared under the international agreements, as well as departmental websites and other documents. We looked for information that would tell the story of how Canada is meeting its commitments under international environmental agreements.

**8.13** We also assessed the level of guidance the Treasury Board of Canada Secretariat provides for reporting progress on international environmental agreements and how it defines the lead department's accountability for reporting.

**8.14** We noted that while the Secretariat does not outline specific procedures for international environmental agreements, it does provide general guidance on measuring and reporting results. For example, the *Guide to the Preparation of Part III of the Estimates* provides guidance on how to produce reports on plans and priorities and departmental performance reports. The Secretariat also provides guidance in *Results for Canadians: A Management Framework for the Government of Canada*, which states that management in all departments, agencies and functions must focus on achieving results and on reporting them in simple ways to elected officials and to Canadians.

### **The availability of information and its fairness remain uneven**

**8.15** The government's planning and reporting documents contained little information on the agreements. For example, of the twenty agreements examined, six were not mentioned in those documents while the others had only brief descriptions of some activities or

proposed activities. In addition, the frequency of required international reporting for the agreements varies:

- nine of the twenty agreements ask for some form of annual reporting,
- six have multi-year reporting (every two to four years), and
- five have no formal reporting requirements.

Because annual reporting is not always required, much of the available information is not current.

**8.16** Considering the variety of information media, including departmental websites, we noted that the availability and fairness of information on Canada’s international environmental agreements was uneven. For most of the agreements we examined, relatively complete and understandable information was available on matters that do not change much, such as the overall obligations and objectives of the agreement and, to a lesser degree, the specific programs, partnerships, and means in place to meet them. Information on more operational and variable matters—such as enforcement mechanisms, current targets, and Canada’s progress in meeting its obligations—tended to be less complete, understandable, and available. If such information is not complete, understandable, and available, Parliament and Canadians cannot fully understand where Canada stands in relation to its commitments or how it is meeting the treaty’s objectives. The following examples from two of the agreements examined illustrate these points.

**8.17 The Convention on International Trade in Endangered Species (CITES).** CITES came into effect in 1975 as a result of a growing awareness that international trade in wild species was endangering their survival. Environment Canada is the lead department responsible for implementing CITES on behalf of the Canadian government.

**8.18** Environment Canada’s planning and reporting documents contained limited information on the agreement and operational activities. They described some activities carried out during the year, such as attending meetings and updating regulations.

**8.19** Environment Canada’s CITES website, accessed through the Department’s main website, provided easily available and relatively complete and understandable information on the Convention and the federal government’s approach. It identified and described Environment Canada’s role, and key partners (such as provinces and

agencies) and their roles. However, there was no description of the roles of the Canada Border Services Agency and the RCMP.

The website clearly described the legislative vehicle—the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*—Canada uses to meet its obligations and provided links to the regulations. It contained lists of species regulated by CITES, described the process for obtaining trading permits and gave information on CITES, with links to the website of the Convention’s international secretariat.

**8.20** However, Environment Canada’s CITES website contained little information on enforcement targets or activities. As well, information on how Canada sets targets and expectations for meeting its obligations under the Convention is incomplete. In accordance with the requirements of the Act, it stated that the activities of the Canadian management, scientific, and enforcement authorities for CITES are presented in Environment Canada’s annual reports on the Act. However, the latest annual report listed was for 2001, leaving Canadians uninformed about current activities and objectives. Department officials told us that they expected to present to Parliament a combined report for the years 2002 to 2004 in late 2007.

**8.21** **The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.** The Basel Convention, which came into force in 1992, was developed to help control the ever-increasing movement of hazardous waste and hazardous recyclable materials across borders—especially to sites that lack the capacity to process them—and to promote their environmentally sound management. Environment Canada is the lead department implementing the Convention on behalf of the federal government.

**8.22** Environment Canada’s latest planning and reporting documents included no information on the Basel Convention, other than a brief mention in the 2005–06 Departmental Performance Report that Canada’s regulations regarding hazardous waste and hazardous recyclable materials had been updated.

**8.23** Environment Canada’s waste management website had links to the Basel Convention’s international website. That website contained Canada’s reports to the Basel Convention secretariat as well as

complete, understandable, and easily available information on the convention's three central objectives:

- minimizing the generation of hazardous waste and hazardous recyclable materials,
- ensuring hazardous waste and hazardous recyclable materials are disposed of in an environmentally sound manner and as close to where they were generated as possible, and
- minimizing the international movement of hazardous waste and hazardous recyclable materials.

It also had information on international reporting requirements regarding progress. In addition, we observed that the Department publishes annual reports on its website that contain some statistical information on the movement of waste. The latest report, issued in December 2006, covers activity for 2005.

**8.24** The Department's website contained limited information on the current roles of key players, specifically, how the provinces and the Canada Border Services Agency are involved in meeting the Convention's objectives. The website clearly stated how the key regulations, the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*, deal with the Convention's last objective and to some degree its second objective, but had little information dealing with the first objective. Finally, it contained no clear description of how Environment Canada monitors Canadian progress on the Convention or what specific targets Canada has set regarding its objectives—for example, targets to reduce hazardous waste and hazardous recyclable materials.

**8.25** As these examples illustrate, when information on Canada's international obligations—including anticipated and actual results—is not complete, understandable, or available, Parliament and Canadians cannot gauge progress toward international and Canadian objectives, the trends in Canadian activity, or where implementation may be weak.

**8.26** Given that the availability of information and its fairness remain uneven we have assessed the government's progress in providing a complete and understandable picture of Canada's international environmental agreements as unsatisfactory (Exhibit 8.2).

**Exhibit 8.2 Progress in addressing our finding on availability and fairness of information is unsatisfactory**

Finding	Progress
Lead departments responsible for international environmental agreements need to provide Parliament and Canadians with a complete and understandable picture of progress and anticipated results for Canada's international environmental agreements. (2004 Report of the Commissioner of the Environment and Sustainable Development, Chapter 1, see paragraph 1.130, and the 1998 Report of the Commissioner of the Environment and Sustainable Development, Chapter 2, see paragraphs 2.71 and 2.72)	Unsatisfactory

**Satisfactory**—Progress is satisfactory, given the significance and complexity of the issue, and the time that has elapsed since the finding was made.

**Unsatisfactory**—Progress is unsatisfactory, given the significance and complexity of the issue, and the time that has elapsed since the finding was made.

**8.27 Recommendation.** As lead departments responsible for international environmental agreements, Environment Canada, Fisheries and Oceans Canada, Transport Canada, and Foreign Affairs and International Trade Canada should provide Parliament and Canadians with complete, understandable, and current information on objectives, means, expected results, and results.

**Environment Canada's response.** Agreed. Environment Canada has various reporting methods, ranging from annual departmental performance reports to reports on plans and priorities and regular updating of the Department's international engagements posted on public websites to monitor and convey progress achieved. The Department will use the Report on Plans and Priorities, the Departmental Performance Report, and the Department's website to ensure information on its international environmental agreements' (IEA) objectives, means, anticipated results, and results achieved are transparently and effectively reported to Parliament and to Canadians.

By fall 2008, the Departmental Performance Report will highlight information on the Department's IEA results achieved against the expected results.

By spring 2009, the Report on Plans and Priorities will highlight information on the Department's IEA activities, plans, and priorities.

By the end of March 2009, the Department will regularly post reports and updates on IEA progress on respective Environment Canada branch public websites, where appropriate. In addition, by the end of

March 2008, the Department will use the recommendation, where applicable, as it updates its International Affairs website.

**Fisheries and Oceans Canada's response.** Fisheries and Oceans Canada agrees with the recommendation as it relates to the active and key international agreements in which the Department is already involved. Internationally, the Department supports activities designed to lead to more responsible management of high seas fisheries and the sustainability of high seas ecosystems by seeking improvements to international governance. It is in this spirit that Fisheries and Oceans Canada participates in the Regional Fisheries Management Organizations.

On its websites, the Department will present up-to-date information with regards to the plans and measures taken by these organizations on environmental issues, and will define the roles of Canada with regard to them. The Department will also reflect the above information in a consistent fashion in its departmental reports to Parliament and to Canadians, such as the Report on Plans and Priorities, the Business Plan, the Departmental Performance Report, and relevant integrated fisheries management plans. These documents will be updated starting in the next fiscal year, while the websites will be updated in an ongoing manner and as a result of revisions to the above-mentioned documents.

**Transport Canada's response.** Agreed. It should be noted that as these issues are complex, more than one department may be responsible for implementing an agreement for Canada under their respective mandates and legislation.

The Department already makes information on activities related to international environmental agreements under its responsibility available to Parliament and the public. Since the time of the audit, Transport Canada has improved how information on implementing our international obligations is made available to the public.

In 2007, the International Maritime Organization (IMO) conducted an audit of Canada's efforts to implement all of its conventions and found overwhelmingly positive results. A copy of the IMO's full report is presently being finalized and will be published on the Department's website for the information of all Canadians.

**Foreign Affairs and International Trade Canada's response.** Agreed. The Department is willing to work with relevant departments to explore ways by which lead and co-lead departments for international environmental agreements can promote better outreach to Parliament and Canadians on global environmental diplomacy.

**Environmental agreements are listed in Foreign Affairs and International Trade Canada's Treaty Database**

**8.28** We reported in 1998 that there was no listing of international environmental agreements. As part of our work at that time, we created a comprehensive database of environmental agreements and commitments. In its response to our report, Foreign Affairs and International Trade Canada agreed to maintain the database.

**8.29** In this audit, we found that although the Department has not maintained the comprehensive database, it is currently updating its Treaty Database (a listing that focuses on the formal aspects of all treaties Canada has signed, such as the in-force date, signatories and parties, and treaty text). This is available on a federal website and includes international environmental agreements. Although the database stores information on the lead negotiating departments involved, this information is not publicly available. We noted that the Treaty Database contains less publicly available information than the international environmental agreement database that we created in 1998. The latter provided, for example, the name of the lead federal department as well as an interpretation of key commitments under the agreement. The existing system requires users to contact the department for this type of information.

**8.30** In addition to these databases, Environment Canada periodically produces a hard-copy compendium of the almost 60 agreements in which it plays a role. The latest published version is dated 2002. While not a complete listing of Canada's international environmental agreements, this document provides basic information on each listed agreement, such as objectives and commitments as well as contact information. It serves primarily as an internal reference tool. However, given its periodic nature, it does not include specific information on targets or results. In 2006, Environment Canada began work to update the compendium but, at the time of this audit, had not yet released it publicly.

**8.31** Although Foreign Affairs and International Trade Canada has not maintained the more comprehensive international environmental agreement database, given that its Treaty Database lists all treaties including environmental agreements, we have assessed the government's progress in maintaining a listing of environmental agreements as satisfactory (Exhibit 8.3).

**Exhibit 8.3 Progress in addressing our finding on a listing of international environmental agreements is satisfactory**

Finding	Progress
There is a need for a comprehensive listing of the environmental and sustainable development commitments Canada has made. (1998 Report of the Commissioner of the Environment and Sustainable Development, Chapter 2, see paragraphs 2.73 to 2.82)	Satisfactory

**Satisfactory**—Progress is satisfactory, given the significance and complexity of the issue, and the time that has elapsed since the finding was made.

**Unsatisfactory**—Progress is unsatisfactory, given the significance and complexity of the issue, and the time that has elapsed since the finding was made.

### World Summit on Sustainable Development monitoring and reporting

**Earth Summit 2002 Canadian Secretariat**—The Earth Summit 2002 Canadian Secretariat was the federal government body that was created on a temporary basis to manage and coordinate Canada’s preparations and participation in the World Summit on Sustainable Development. It disbanded on 31 March 2003.

Environment Canada, the Canadian International Development Agency, and Foreign Affairs and International Trade Canada were the co-leads for Canada in relation to the Summit process.

**8.32** In 2002 (the 10th anniversary of the Rio Earth Summit), Canada was one of 200 nations that participated in the World Summit on Sustainable Development (WSSD). The key outcome was the *Johannesburg Plan of Implementation*, a comprehensive listing of over 600 commitments made by the participating nations.

**8.33** The **Earth Summit 2002 Canadian Secretariat** prepared a draft priority list of 46 commitments from the full *Johannesburg Plan of Implementation*. Had the list been approved by the Deputy Ministers’ Environment and Sustainable Development Coordinating Committee, it would have become a first step in developing an action plan. However, it was never approved and the Secretariat was disbanded shortly thereafter, in early 2003. Examples of items from the Secretariat’s proposed priority list included

- “. . . to halve, by the year 2015, the proportion of people who are unable to reach or to afford safe drinking water . . . ”
- “. . . to achieve, by 2020, that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment . . . ”
- “[to] take immediate steps to make progress in the formulation and elaboration of national strategies for sustainable development and begin their implementation by 2005.”

### Canada still has no overall action plan to report on its priority WSSD commitments

**8.34** In our reports from 2002 to 2005, we said that the federal government needs to develop an action plan to fulfill Canada’s WSSD commitments. In our 2005 audit, we reported that the government still had not done so. We also reported that the Earth Summit 2002

Canadian Secretariat's proposed priority list identified lead and implementing departments and that some departments had incorporated their specific WSSD commitments into their 2004 sustainable development strategies. However, in this audit, our review of the 2007 strategies did not find any specific references to the WSSD, as were found in 2004. Departmental officials indicated that, while not specifically referred to as such in their strategies, they had included therein many of their commitments related to WSSD.

**Senior managers**—Deputy ministers, associate deputy ministers, and assistant deputy ministers who sit on departmental executive committees.

**8.35** In addition, officials from Foreign Affairs and International Trade Canada, Environment Canada, and the Canadian International Development Agency (former co-leads of the Earth Summit 2002 Canada Secretariat) told us that it has become difficult to get WSSD on the agenda of **senior managers**. For example, although the United Nations Commission on Sustainable Development is the high-level body designed to follow up on commitments from the 1992 Earth Summit and the WSSD, there has been limited or no senior departmental management presence at recent meetings. The officials further stated that there has been no progress on

- formalizing the priority list of commitments by the Deputy Ministers' Committee on Economic Prosperity, Environment and Energy (which replaced the Deputy Ministers' Policy Committee on the Environment and Sustainability); and
- identifying a lead department that would have overall responsibility for following up on WSSD commitments.

**8.36 Canada at the United Nations Commission on Sustainable Development.** The UN established the Commission on Sustainable Development to follow-up world action on commitments from the 1992 Earth Summit as well as from the WSSD. In 2003, the Commission moved to a two-year cycle, focusing on one thematic cluster of related issues for each cycle (Exhibit 8.4).

**8.37** Foreign Affairs and International Trade Canada coordinates Canada's participation at the Commission on Sustainable Development. For each thematic cycle, it identifies the federal departments and agencies that could be involved, leads an interdepartmental working group that meets regularly throughout the cycle, and oversees how the Government of Canada participates at the Commission each May. The working group produces and submits Canada's voluntary national report to the Commission during the review year of each cycle. The report is a detailed snapshot of activities for the current theme.

**Exhibit 8.4 Following up on commitments made at the 1992 Earth Summit and at the 2002 WSSD**

The United Nations established the Commission on Sustainable Development to follow up on commitments from the 1992 Earth Summit (notably *Agenda 21*, which is a comprehensive plan of action to be taken at all levels in every area in which humans affect the environment) as well as the 2002 WSSD. Rather than review progress on all commitments in *Agenda 21* and the *Johannesburg Plan of Implementation* every year, the Commission moved to a two-year cycle, focusing on a thematic cluster of related issues for each cycle.

2004 and 2005	Water, sanitation, and human settlements
2006 and 2007	Energy for sustainable development, industrial development, air pollution/atmosphere, and climate change
2008 and 2009	Agriculture, rural development, land, drought, desertification, and Africa
2010 and 2011	Transport, chemicals, waste management, mining, 10-year-framework of programs on sustainable consumption and production patterns
2012 and 2013	Forests, biodiversity, biotechnology, tourism, and mountains
2014 and 2015	Oceans and seas, marine resources, small island developing states, and disaster management and vulnerability
2016 and 2017	Overall appraisal of the implementation of <i>Agenda 21</i> , the <i>Programme for the Further Implementation of Agenda 21</i> , and the <i>Johannesburg Plan of Implementation</i>

The first year (review year) of each cycle gives countries the opportunity to report to the Commission on the activities they have undertaken for commitments relating to that cycle's theme. These national reports are integrated into the Secretary-General's thematic report to Commission members. The second year (policy year) focuses on helping countries to find ways to overcome barriers to their commitments, generally leading to policy recommendations.

The Commission seeks the cooperation of international bodies and inter-agency coordination mechanisms (such as UN Water) that have established monitoring and follow-up processes to monitor the commitments in each cycle thereafter. In addition, the Commission schedules follow-up reviews of previous themes.

Source: Commission on Sustainable Development, Report on the Eleventh Session (27 January 2003 and 28 April to 9 May 2003)

**8.38** While this approach permits Canada to voluntarily monitor and report on progress made for the Commission's current thematic cycle, the federal government still has no action plan to ensure that Canada can report significant, concrete progress against commitments, while taking into account future cycles and the overall assessment in the final cycle. Without such a plan, it will be difficult for Parliament and Canadians to know how the government intends to meet its WSSD commitments, and the extent of any progress achieved. In our view, there is still a need for departments to work together to develop a government-wide, coordinated long-term plan. Given these findings, we have assessed the government's progress in planning, monitoring, and reporting on Canada's WSSD commitments as unsatisfactory (Exhibit 8.5).

**Exhibit 8.5 Progress in addressing our finding on planning, monitoring, and reporting on Canada's WSSD commitments is unsatisfactory**

Finding	Progress
Foreign Affairs and International Trade Canada, Environment Canada, and the Canadian International Development Agency need to plan, monitor, and report the extent to which Canada is meeting its WSSD commitments. (2005 Report of the Commissioner of the Environment and Sustainable Development, Chapter 7, see paragraphs 7.46 to 7.51)	Unsatisfactory

**Satisfactory**—Progress is satisfactory, given the significance and complexity of the issue, and the time that has elapsed since the finding was made.

**Unsatisfactory**—Progress is unsatisfactory, given the significance and complexity of the issue, and the time that has elapsed since the finding was made.

## Conclusion

**8.39** Progress by the four key departments we examined on providing complete, understandable, and easily available information on expectations and results for Canada's international environmental agreements is unsatisfactory. We found that the availability and fairness of information remain uneven.

**8.40** Canada's progress in planning, monitoring, and reporting on its WSSD commitments is unsatisfactory. While efforts are being made to monitor and report progress on commitments in accordance with the UN's Commission on Sustainable Development, the government still does not have a government-wide, coordinated long-term action plan to ensure that it can report significant progress on commitments regarding *Agenda 21* and the *Johannesburg Plan of Implementation*, by the 2016–17 UN target date for overall assessment.

**8.41** Although Foreign Affairs and International Trade Canada has not maintained the comprehensive international environmental agreements database, we are satisfied that its Treaty Database includes enough information on international environmental agreements to allow Canadians to make further searches.

## About the Audit

### Objective

The overall objective of the audit was to assess the progress that selected departments have made in responding to the underlying issues derived from certain recommendations, observations and commitments on reporting their activities and results regarding Canada's international environmental commitments.

### Scope and approach

We focused our audit on selected recommendations, significant observations and government commitments arising from the 2004 Report of the Commissioner of the Environment and Sustainable Development (CESD), Chapter 1, International Environmental Agreements; the 1998 CESD Report, Chapter 2, Working Globally—Canada's International Environmental Commitments; and the 2005 CESD Report, Chapter 7, Sustainable Development Strategies. Specifically, our audit assessed

- whether Environment Canada, Fisheries and Oceans Canada, Transport Canada, and Foreign Affairs and International Trade Canada, with guidance and support from the Treasury Board Secretariat, have collectively made improvements in providing Parliament and Canadians with a complete and understandable picture of progress and anticipated results for Canada's international environmental agreements; and
- whether Foreign Affairs and International Trade Canada, Environment Canada, and the Canadian International Development Agency have made progress in planning, monitoring, and reporting the extent to which Canada is meeting its WSSD commitments.

Our approach included assessing 20 agreements, reviewing documents, and interviewing departmental officials. The selection was two-staged. We first identified the four departments designated as lead for the greatest number of agreements in Foreign Affairs and International Trade Canada's international environmental agreement database. The four departments were the lead for 93 of the 130 agreements listed. We then selected environmentally significant agreements from those departments to cover most of the key environmental issues such as biodiversity, water, and air. The agreements also had to have been ratified by Canada and be in force. The recent Stockholm Convention on Persistent Organic Pollutants was not yet in the database but we added it to our selection due to its environmental significance. We did not include the Kyoto Protocol to the United Nations Framework Convention on Climate Change since we had examined it in detail as part of our 2006 Report.

We asked the lead departments to provide information on the agreements based on the four categories used in the audit: obligations and objectives, programs and means, expectations and targets, and measuring and reporting results. These were derived from our 1998 study. We used this information as a foundation from which to assess the fairness and availability of information on the agreement. We did not audit the accuracy of the information provided.

We looked for the availability of clear, complete, understandable, and current information on how Canada is meeting its international obligations in the departments' tabled planning and reporting documents, required reports to international bodies, and in publicly available sources such as department websites.

**International Environmental Agreements Selected****Environment Canada**

- Agreement on the Conservation of Polar Bears
- Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal
- Canada–U.S.A. Agreement on the Transboundary Movement of Hazardous Waste
- Canada–United States Air Quality Agreement
- Canada–United States Great Lakes Water Quality Agreement
- Convention on Biological Diversity
- Convention on International Trade in Endangered Species
- Convention on Long-range Transboundary Air Pollution
- Convention on the Protection of Migratory Birds in Canada and the United States
- Protocol to the Convention on Long-range Transboundary Air Pollution Concerning Emissions of Nitrogen Oxides
- Protocol to the Convention on Long-range Transboundary Air Pollution on Further Reduction of Sulphur Emissions
- Ramsar Convention on Wetlands
- Stockholm Convention on Persistent Organic Pollutants

**Fisheries and Oceans Canada**

- International Commission for the Conservation of Atlantic Tuna
- North Atlantic Salmon Conservation Organization
- Northwest Atlantic Fisheries Organization
- Pacific Salmon Treaty

**Foreign Affairs and International Trade Canada**

- Convention on the Conservation of Antarctic Marine Living Resources

**Transport Canada**

- International Convention and Protocol for the Prevention of Pollution from Ships (MARPOL 73/78)
- International Convention on Oil Pollution Preparedness, Response and Cooperation

**Criteria**

The following criteria for the audit were derived from the observations, recommendations (including the government response), and criteria from our 1998 study, and our 2004 and 2005 audits:

- The government has a system in place to keep track of Canada's international environmental agreements.
- The government has identified a lead department for each agreement and the name of the department is easily available to Parliament and Canadians.
- Lead departments for international environmental agreements have clearly identified and documented the environmental results they expect to achieve and how they will measure and report results achieved.

- The Treasury Board of Canada Secretariat has provided guidance and direction to departments on how to measure and report results and expected results against Canada's international environmental obligations.
- Lead departments have provided guidance to those responsible for international environmental agreements within the departments on how to measure and report results and expected results against Canada's international environmental obligations.
- The government has identified one or more lead departments for monitoring its commitments regarding the World Summit on Sustainable Development (WSSD).
- The government (or lead department) has developed a plan of action to ensure that Canada's commitments regarding the WSSD are being met.
- The lead department(s) for the WSSD regularly report(s) on progress in implementing commitments.

**Audit work completed**

Audit work for this chapter was substantially completed on 15 June 2007.

**Audit team**

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For information, please contact Communications at 613-995-3708 or 1-888-761-5953 (toll-free).

## Appendix List of recommendations

The following recommendation is found in Chapter 8. The number in front of the recommendation indicates the paragraph number where it appears in the chapter. The numbers in parentheses indicate the paragraph numbers where the topic is discussed.

Recommendation	Response
<p><b>Availability and fairness of information</b></p> <p><b>8.27</b> As lead departments responsible for international environmental agreements, Environment Canada, Fisheries and Oceans Canada, Transport Canada, and Foreign Affairs and International Trade Canada should provide Parliament and Canadians with complete, understandable, and current information on objectives, means, expected results, and results. (8.9–8.26)</p>	<p><b>Environment Canada’s response.</b> Agreed. Environment Canada has various reporting methods, ranging from annual departmental performance reports to reports on plans and priorities and regular updating of the Department’s international engagements posted on public websites to monitor and convey progress achieved. The Department will use the Report on Plans and Priorities, the Departmental Performance Report, and the Department’s website to ensure information on its international environmental agreements’ (IEA) objectives, means, anticipated results, and results achieved are transparently and effectively reported to Parliament and to Canadians.</p> <p>By fall 2008, the Departmental Performance Report will highlight information on the Department’s IEA results achieved against the expected results.</p> <p>By spring 2009, the Report on Plans and Priorities will highlight information on the Department’s IEA activities, plans, and priorities.</p> <p>By the end of March 2009, the Department will regularly post reports and updates on IEA progress on respective Environment Canada branch public websites, where appropriate. In addition, by the end of March 2008, the Department will use the recommendation, where applicable, as it updates its International Affairs website.</p> <p><b>Fisheries and Oceans Canada’s response.</b> Fisheries and Oceans Canada agrees with the recommendation as it relates to the active and key international agreements in which the Department is already involved. Internationally, the Department supports activities designed to lead to more responsible management of high seas fisheries and the sustainability of high seas ecosystems by seeking improvements to international governance. It is in this spirit that Fisheries and Oceans Canada participates in the Regional Fisheries Management Organizations.</p>

Recommendation	Response
	<p>On its websites, the Department will present up-to-date information with regards to the plans and measures taken by these organizations on environmental issues, and will define the roles of Canada with regard to them. The Department will also reflect the above information in a consistent fashion in its departmental reports to Parliament and to Canadians, such as the Report on Plans and Priorities, the Business Plan, the Departmental Performance Report, and relevant integrated fisheries management plans. These documents will be updated starting in the next fiscal year, while the websites will be updated in an ongoing manner and as a result of revisions to the above-mentioned documents.</p> <p><b>Transport Canada’s response.</b> Agreed. It should be noted that as these issues are complex, more than one department may be responsible for implementing an agreement for Canada under their respective mandates and legislation.</p> <p>The Department already makes information on activities related to international environmental agreements under its responsibility available to Parliament and the public. Since the time of the audit, Transport Canada has improved how information on implementing our international obligations is made available to the public.</p> <p>In 2007, the International Maritime Organization (IMO) conducted an audit of Canada’s efforts to implement all of its conventions and found overwhelmingly positive results. A copy of the IMO’s full report is presently being finalized and will be published on the Department’s website for the information of all Canadians.</p> <p><b>Foreign Affairs and International Trade Canada’s response.</b> Agreed. The Department is willing to work with relevant departments to explore ways by which lead and co-lead departments for international environmental agreements can promote better outreach to Parliament and Canadians on global environmental diplomacy.</p>



# Status Report of the Commissioner of the Environment and Sustainable Development to the House of Commons—March 2008

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