Canada, Kyoto, and the Conservatives: Thinking/Moving Ahead*

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I will begin this short paper with three quick caveats. Firstly, though I have been involved in environmental policy and politics for some 15 years, climate change has not been my focus, and international relations is my main area of expertise. Nor am I an expert in federal-provincial relations, though they are an inevitable piece of any foreign policy puzzle approached from a Canadian perspective. That said, I have a heightened interest in global warming as a topic of immediate and, especially, long-term concern, and I am pleased to be able to offer my opinion on the consequences of the recent electoral victory of the revamped Conservative Party in Canada in relation to our Kyoto commitments. Regarding the latter: I am not, as will become apparent, a dogmatic Kyoto proponent. In fact I've found such a position harmful, for reasons that will emerge or at least be subtexted in my ensuing comments. However, I view it as vital that both Canada and, of course, especially the United States, take as pro-active a stance on global warming as is politically possible.

It would be premature to declare the Canadian implementation of Kyoto dead, but it is certainly apparent that the new Harper government is making audible funeral arrangements. Indeed it has moved with rather remarkable speed toward dismantling whatever scaffolding previous Liberal governments had managed, in their own procrastinate manner, to erect; and public comments by Environment Minister Rona Ambrose and Natural Resources Minister Gary Lunn have made it clear that 'less Kyoto, more Washington', is the preferred approach. A "made in Canada solution" has emerged as the mantra for the development of a new set of policies, which includes an overhaul of the Canadian Environmental Protection Act (CEPA) and a focus on air and Great Lakes pollution, but some critics are already labeling it a "made in Washington" approach.[1] This is unfair, but it is clear that a Canadian approach as conceived by the Harper Administration differs significantly from what they consider the false promises made by the Chrétien and Martin Administrations, and that they will be less willing to direct onerous responsibilities toward the LFE (large final emitters) that contribute just under half of all Canadian emissions.[2]

Of course, the death of Kyoto has long been predicted by many observers, especially once the Bush administration assumed the helm in Washington (see Soroos, 2001). It has several embedded problems that suggest a premature demise, such as the lack of participation by key states with rapidly expanding economies, the lack of American leadership, and a reliance on market mechanisms with insufficient infrastructure to avoid corruption. It has certainly been common knowledge that, without a Herculean effort and the complete participation of every provincial and municipal government, Canada's commitment of 6% below 1990 levels will be an embarrassing

[1] Note that the CEPA overhaul is not a Conservative initiative, as it is up for review regardless of the government in power. There is concern also that the revamping of CEPA might eliminate the move in late 2005 to add the "Kyoto six" greenhouse gases (namely: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulphar hexafluoride). While in Opposition the Tories were opposed to their inclusion, especially with regard to the first two GHG sources, both of which are of course instrumental to maintain human life.

[2] LFE's are found in the primary energy production, electricity production, mining and manufacturing sectors. This covers about 700 companies operating in Canada; 80-90 of these companies account for approximately 85 percent of the LFE GHG emissions. Even the Liberals had exempted automobile manufacturers, however (though a voluntary reductions agreement had been reached).

failure; even Liberal officials said as much prior to ratification.[3] Even if we assume a genuine (if incontestably delayed) effort on the part of the Liberals, an expanding economy and population has put the initial commitment out of reach.[4] While Canadian officials insist Canada maintains a long-term commitment to Kyoto, and indeed Ambrose is (because of a prior Liberal commitment) presiding over the twenty-fourth sessions of the Subsidiary Body for Scientific and Technological Advice (SBTA) and the Subsidiary Body for Implementation (SBI) of the UNFCCC in Bonn this week, it is self-evident that efforts to curb expectations of further Canadian commitments have already been made. Cutbacks to Liberal Kyoto-inspired programs have proceeded at breakneck speed, ostensibly to make budgetary room for a tax subsidy for citizens willing to take public transit on a regular basis. Nearly every statement that has emerged from Ambrose and Lunn has at least mentioned the sheer futility, and implied folly, of trying to meet the original goals.

This does not amount to abandoning Kyoto, but to demanding a renegotiation of a commitment that was, according to the new regime, made under false pretenses in the first place. Should the effort to re-open commitments fail, which it probably will, Canada has another option, which is to simply fail to meet the targets, and then get serious about a renegotiated post-2012 scenario. The more drastic option of pulling out of the Protocol, which could be done legally in a matter of two or three years, seems less likely at this point, when the Conservatives have a minority hold in Parliament. Indeed, some of the policy advisors I approached insisted that, even with a majority government, there is no long-term plan to pull out of Kyoto, though that will be proven in time if such an event occurs. At the present time, however, the public discourse over Kyoto seems hampered by the emergence of discourse bipolarity on Kyoto, and this is unfortunate. Indeed, one could argue that ideological blinkers have been limiting the policy spectrum for some time. There are several ideas which, at this point, and given the realities of petroleum-friendly governments in both Washington and Ottawa, it would be best to discard, if only for a better view of the policy option landscape. At the same time, there are unprecedented opportunities to pursue innovative approaches, and to recognize the potential of greater public awareness of global warming as a real-world and present challenge, as opposed to a scientific uncertainty or future prospect. Below, I outline eleven points which strike me as particularly pertinent at this junction. Many of these apply to both Canadian and American circumstances, though I am obviously more geared towards the Canadian.

[3] Herb Dhaliwal, Minister of Natural Resources Canada, September 5, 2002: "Canada has no intention of meeting the conditions of the Kyoto Protocol on greenhouse gases even though the government hopes to ratify it this fall." Quoted in Bruce Cheadle, "Canada to Sign Kyoto, but Won't Abide by it," *Toronto Star*, 5 September, online, accessed 29 October, 2002, available at://www.*theStar.com*. Under Kyoto (the 3rd COP of the United Nations' Framework Convention on Climate Change), Annex 1 states committed to an average of 5.2% below their 1990 GHG emissions level; Canada settled at 6% below the 1990 level of 607 Mt/yr, which demands a total emission of 571 Mt/yr during the period of 2008-2012. With current emissions well over 725 Mt, this would indeed be a colossal event.

[4] Note that per-capita emissions rates have not grown at the same pace as overall national emissions; therefore population growth itself is an obstacle to meeting the Kyoto commitments as they are presently framed. See Kettner et. al., 2006.

1. Many casual observers have been hampered by the erroneous belief that federal or national leadership is just a matter of time on this issue. The belief here is that things will get visibly worse (extreme weather being the most visible thing) and that national governments will be forced to lead, either by way of concerted and vocal public opinion, or because of pressure from other leaders in the international community. The fact is that leaders will not cut off the main branches on which they stand; in the Conservatives' case, this remains not only oil wealth from Alberta but an ideological platform encouraging deregulation. Short-term and relatively minor infusions of cash into Research and Development aside, we will not see major leadership initiatives by either Ottawa or Washington on climate change. In the Canadian case, even in a minority government where the opposition is in favour of Kyoto, this is evident. In terms of international impact, Matthew Paterson argued that "the integration of markets and corporations across the Atlantic make it unlikely that the carboniferous bloc would be unaffected by strategies in Europe to reduce emissions radically" (2001:16). He is right: The Europeans will not dictate to the automobile culture of North America on this issue, especially when the fastest growing economies, such as China and India, are not considered on board either. I would be tempted to view the lack of serious leadership at the national level as a permanent feature, one that will outlive the next national elections in both Canada and the United States.

2. Given the leadership lacuna at the national level, a decentralized vision of strategy needs to emerge, indeed has emerged. However, this remains one of the most sensitive political issues in a federalist state. For example, if much of the action on climate change will indeed take place at the city level, the federal government needs to find innovative ways to support local initiatives without soliciting provincial territorialism. This is easier said than done. Nonetheless it is evident that mayoral leadership in the U.S. is impressive: some 231 mayors representing over 45 million Americans have signed the U.S. Mayors Climate Protection Agreement; 20 Canadian counties, towns, and cities (including Calgary and Edmonton) belong to the International Council for Local Environmental Initiatives. Transgovernmental approaches will similarly hold greater promise than multilateral ones at this stage. For example, in 2001 the New England Governors (NEG) and the Eastern Canadian Premiers (ECP) adopted a joint Climate Change Action Plan, committing to GHG emission reductions to 1990 levels by 2010, and 10% below 1990 levels by 2020 (see Selin and VanDeveer, 2006). This commitment was renewed as recently as the previous week. Other state or provincial based initiatives will be discussed at greater length during this workshop, but suffice to say it is time to recognize the source of most of the leadership on this issue is not national but regional and, even, municipal. This does not advocate ignoring possible national initiatives, however, which are essential. It is to suggest we would be foolish to rely upon them.

3. We need to start talking openly about adaptation to climate change, a topic the Inuit will no doubt become very familiar with as their way of life is further altered by climatic shifts. Some scholars have been doing this for some time (see Pielke, 1998), as has the UNFCCC COPs, but generally it has been taboo amongst environmentalists to seriously discuss adaptation, since it implies resignation to the fate of global warming and might discourage more active prevention programs. The norm of stopping global warming is pitted against the relatively mild, even acquiescent need to limit human damage, and naturally the former appears more robust.[5] However, given the serial lack of leadership on this issue, the immensity of the problems associated with mitigation, and the continued drive for industrialization, it is only reasonable to assume adaptation will become one of the more pressing policy concerns we will face in coming decades. (I will return to this theme below). More importantly, however, openly discussing adaptation – most notably in Canada's case, possible policy responses to northern challenges, and the subsequent demands this will place on future budget projections – will frame the issue as a mainstream concern, and provoke more reasonable demands on the Conservative government to begin thinking aloud. Finally, admitting adaptation is both inevitable and necessary confirms the science behind climate change. Thankfully, it would seem that Canadians face a much thinner wall of disconnect in that area than do Americans at this stage.

4. Common terminology may be found, but common understandings will be a much more painful and localized process. For example, Manitoba has claimed it is well on the path to exceed Kyoto commitments, but there remains ample controversy over the exact level of GHG contributions made by hydro-power. Indeed, it is often simply assumed by observers that we have commonly agreed-upon methodologies for measuring emissions, and even this is false (especially on a global scale, but across a large state such as Canada as well). Similarly, debates over carbon sequestration sinks leave much room for both innovation and compromise. Regardless of whether or not Canada pushes toward its commitments, it should push its expertise in this vital scientific field, through the SBTA and through the promotion of educational development in Canadian universities. Technological solutions will never, in themselves, provide sustainable development, but they can certainly make a major difference.

5. The lead-in to Kyoto is often referred to as a textbook example of how *not* to conduct the complex interplay between foreign affairs commitments and federal-provincial relations. Arguably, it was a brilliant opportunity for co-operation squandered. There are of course several interpretations of this, with some suggesting the provinces' recalcitrance as the main culprit, and others insisting Ottawa made all the wrong moves in its lackluster effort to achieve provincial harmony. From an outsiders' viewpoint it is rather obvious that both the federal government and several provincial governments are to blame for the essential disconnect. The 1995 National Action Program in Climate Change, resulting from

[5] This is referred to as "norm entrapment" in the regime literature (Risse, 2000). On the need to move toward serious discussions of adaptation, see Bell, 2006.

federal-provincial Ministerial dialogue, did nothing to decrease emissions, which were almost 10% above 1990 levels in 1999. A 1997 agreement, *sans* Quebec, to stabilize emissions by 2010 had some promise, but the federal government unilaterally declared its intention to agree to a 3% reduction instead of stabilization at Kyoto. Once there, it went a step further, effectively doubling that commitment to 6%. No doubt this description misses much of the nuance behind the process, but it remains an event that most provincial historians will note as a federal betrayal (see MacDonald and Smith, 2000). As always, Canadian-American relations and their public optics are interesting facets of the story. Much of the Canadian federal oscillation prior to and during COP3 seemed to be predicated on shifts within the Clinton Administration; naturally Harper will be sensitive to the popular assumption that his approach is based largely on the G.W. Bush/Cheney approach to energy policy. Likewise, concerns that a majority government will be impossible to achieve if the rest of Canada perceives the administration as excessively Albertan will be constant. But open consultation and, on some key issues, negotiation with the provinces will be as essential as it will be strained. The recent rapprochement between Ottawa and Quebec will be put to an interesting test in this regard; Quebec's moral high ground on this issue is particularly irksome to westerners.

6. Emissions trading has generated an entirely new and very interesting field of economics, based almost entirely on derivatives and futures. The idea is borrowed from American efforts to cap air pollution, but in its Kyoto variation it has spawned a virtual feeding frenzy of potential investors, chartered accountants, financial advisers, and lawyers. It has, in short, already taken off at astronomical speed toward becoming a major industry in itself – if it ever actually works, outside of a domestic or European Union context. However, it would be imprudent to put too much stock in carbon emissions trading as either a profitable activity or a sincere effort to reduce global warming. This was a market-based incentive compromise (see Cass, 2005)[6] that is often lambasted by the right, who feel it gives undue credit to overpopulated developing states and deindustrialized Cold War losers; and the left, who views this as yet another way to escape the demands of emissions reductions at home and carry on business as usual. Even possible Clean Development Mechanism contributions have raised serious concerns amongst environmentalists that the CDM is used to "avoid Kyoto action" while contributing to projects in the southern hemisphere with dubious ecological (i.e., in terms of forest carbon sinks) and human rights implications, such as the Plantar eucalyptus tree plantation in Brazil.[7] Meanwhile, at the national level, we are fairly far from the implementation of an effective trading

[6] "It was only after the United States rejected the Kyoto Protocol that the EU was able to promote emissions trading as a legitimate strategy to meet the Kyoto target. Emissions trading was reframed from an illegitimate attempt to shirk responsibilities to reduce domestic emissions into the best option to salvage the Kyoto Protocol without American participation." (2005:40).

[7] See David Suzuki Foundation, *Risky Business: How Canada is Avoiding Kyoto Action with Controversial projects in Developing Countries* (Vancouver, October, 2003).

system. Beyond Alberta's media campaigning, and Ontario's hesitance, Quebec's insistence that it be rewarded for hydro resources has also curtailed any effort to establish a national emissions trading regime. One thing is certain: the Harper government will not indulge the end-result of the multilateral trading system as agreed to, *sans* U.S., which would see companies and/or provinces and/or the federal government buy "hot air" credits from deindustrialized states such as Russia. This should not be difficult policy to sell.

7. We are not doing enough to sell renewable energy abroad, despite the economic opportunities this entails. Though undoubtedly improving, Canadian commitment to solar, wind, geothermal activities and hydrogen fuel cell development has been limited. While wind technologies are beginning to penetrate utility markets and catch the eye of domestic policy makers, and companies such as Ballard have emerged as world leaders in the development and employment of fuel cell technologies, CIDA (the Canadian International Development Agency) remains actively engaged in developing the oil and gas sector abroad, from Bolivia to Kazakhstan.[8] In the 1970s and 1980s, the focus was on production and financing operations of national oil companies, promoting seismic exploration, and, of course, aiding the purchase of relevant Canadian goods. This expanded in the 1990s to environmental management and governance issues, though one of the current priorities remains the "strengthening of institutional and commercial linkages with Canada's oil and gas industry." This involved some $340 million of funding in the 1990s to petroleum projects, used to tie aid to equipment purchases to modernize oil and gas industries. Examples of recipients include Peru, Columbia, Ecuador, India, Pakistan, China, Thailand, Bangladesh, and Tanzania (Canadian companies are developing the Songo Songo gas field, supported by CIDA-INC). The East Africa Passive Margin Regional Hydrocarbon Study allocates $6.1 million "to access long-term hydrocarbon production potential from the Red Sea to the Zambezi Delta in Mozambique." CIDA-INC made a $74,000 "contribution … to help a Canadian firm penetrate the oil and gas sector in Indonesia." The Institutional Cooperation Division engages in training and technology transfer through Canadian NGOs, but such NGOs include the Canadian Institute for Petroleum Industry Development, which received $4million for training programs. Given the immense potential for solar power and biomass development in Africa and elsewhere, it might be wise at this juncture to more seriously investigate the option of redirecting such resources into these emerging fields. The assumption that developing states must pass through a fossil-fuel dependent stage in their paths toward "modernity" discourages more creative efforts to facilitate development. This is, of course, attributable to the standard North-South relationship, and there is no shortage of southern elites who benefit and thus encourage the oil and gas and coal linkage. Canada's most visible exception to this pattern has been in the sale of nuclear technology but that has also led to serious issues of safety and it is difficult to avoid the conclusion that,

[8] See the relevant website at CIDA, available at <http://www.acdi-cida.gc.ca/cida_in>; subsequent statistics in this paragraph were taken from this source.

as the world's largest uranium exporter, a strong element of market creation isn't at work here as well. Given the potential contribution Canada can make with technology transfers, and the fact that any global agreement based on emissions reductions will indeed prove futile in the face of expanding industrialization in Asia and Latin America, it would appear obvious that we best pursue our long-term interests by encouraging states to either limit or rapidly bypass the oil-based technological culture that characterized North American development. However there is little ground for optimism here, since technology transfer is viewed with disdain by many in the relevant industries, and the untested impact of large-scale efforts such as carbon sequestration remain less exciting for Chinese officials than the prospect of continued double-digit economic growth.

8. It is vital that the long-term effects of global warming in terms of ecosystemic alteration are pursued on the scientific side, and popularized by government and media sources. There are issues, such as the alarming spread of the pine beetle, that simply cannot be ignored, and can in fact be utilized to promote concrete action. For example, the symbioses between globalization and global warming is increasing the likelihood of bioinvasions at both the microbial and species levels. As Andrew Price-Smith puts it, there is a "link between temperature increases and a shortened extrinsic incubation rate coupled with increased biting activity of many arthropod vectors…Since global environmental change is expected to generate significant long-term shifts in abiotic phenomena (temperature, humidity, water resources, etc.), we can reasonably expect attendant shifts in pathogenic virulence" (2002:168). There is evidence that warming trends will induce species migration northward, and this raises concerns about disease and threats to native species (see Hughes, 2000). However, such "unassisted migration" will prove difficult for rare species of plants and trees, and adaptation or extinction are as likely (see Iverson, et. al., 2004). Not so for insects: warming patterns have vastly extended the range of the mountain pine beetle, ravaging Yoho National Park in British Columbia and threatening forests in Washington; officials in Alberta are "setting fires and traps and felling thousands of trees in an attempt to keep the beetle at bay."[9] (One former government official involved in the negotiations over softwood lumber tariffs mentioned the possibility that the agreement reached in 2006, which was certainly not in tune with the Canadian government's initial demands, was provoked at least partly by the pine beetle – or, rather, the urgent need to clear forests and, as a result, the need to resume large-scale exports.) In the infamous case of zebra mussels we might see northward migration as appropriate reproduction temperatures are more common. Flooding could also expand zebra mussel territory even further. On the latter, it is believed that "…climate change will affect the incidence of episodic recruitment

[9] The pine beetle has swept across British Columbia, and scientists fear it will "cross the Rocky Mountains and sweep across the northern continent into areas where it used to be killed by severe cold … U.S. Forest Service officials say they are watching warily as the outbreak has spread." The U.S. is less vulnerable because it "lacks the seamless forest of lodgepole pines that are a highway for the beetle in Canada." By the time we hear more about the beetle highway, it may be too late to recover. Quotes from Doug Struck, in an article written for the *Washington Post* and reprinted in *The Montreal Gazette*, "Our Forests Are a Feast", March 5, 2006, A10.

events of invasive species, by altering the frequency, intensity, and duration of flooding … by allowing aggressive species to escape from local, constrained refugia." (Sutherst, 2000:224; Kolar and Lodge, 2000). It is especially difficult to predict the impact of climate change on northern areas, since the Arctic is such a vulnerable ecosystem. In general, we may be in for some nasty surprises, and the challenges this will pose to multilateral efforts at co-ordination will be commensurate. But it is an opportunity to promote the cause for climate policy as well.

9. Rather quickly, the Arctic has become what is perhaps the most visible related issue-area for Canadians; this was reinforced by a recent TIME magazine cover depicting a lonesome and, perhaps, doomed polar bear. Recent studies have indicated the Arctic ecosystems are in peril, and that is a disturbing scenario not just for northerners but for the image of Canada as a whole.[10] It has also raised the security dimension of the issue once again. This will be a convergence point of publicity efforts made by opponents and proponents of Kyoto; oil and gas (Canadian and Alaskan) will strive to demonstrate their ecological consciousness by way of tender television commercials; environmental NGOs will use the Artic as a platform to raise broader awareness of their concerns; the military will request additional funding for proper ice-free surveillance. What might get lost in all this, however, is the actual condition and effects of global warming upon Northern peoples. Here we have both a constituency, albeit a small one, and a global human rights concern that could prove to be a great embarrassment for an ostensibly progressive state such as Canada.

10. It is senseless to prolong the debate over the most appropriate level of environmental governance in Canada. It is quite clear that all levels are heavily involved, and that none of them have the sufficient leadership capacity to firmly take the helm. There are of course excellent arguments for localized efforts, and these seem to be taking the lead at present, at the transgovernmental and even municipal levels. Local initiatives, which are flourishing, continue to offer the best hope for an effective GHG reduction program. In an essay written when Kyoto was still just the name of a Japanese city, Ronnie Lipshultz argued that there are five essential arguments in favor of local approaches that focus on the bioregional level of implementation. They allow for the scale and practices of ecosystems; more effectively assign property rights to local users of resources; locate local and indigenous knowledge; increase participation of stakeholders; and display greater sensitivity to feedback (Lipshultz, 1994: 109). But there is no

[10] See Canada (2005): a recently completed Arctic Climate Impact Assessment concluded that air temperatures in Alaska and western Canada have increased as much as 3-4 degrees Celsius in the past 50 years, leading to an estimated eight percent increase of precipitation across the Arctic; as this falls a rain it increases snow melting and dangers of flood flashing. Melting glaciers, reductions in the extent of sea ice thickness, thawing of permafrost; "should the Arctic Ocean become ice-free in summer, it is likely that polar bears and other northern species would be driven toward extinction." (2005:2).

doubt that some form of national or federal level leadership is instrumental, since "pollution lies substantially within federal jurisdiction. Pollution and the protection of habitat are very much a part of providing peace, order, and good government" (Paehlke, 2001:118). Edward Parson concluded a major research project on environmental governance with the thought that "[a] promising direction for resolving competing claims of environmental authority at multiple scales would be to construct cross-scale networks of shared authority and negotiated joint decisions that mirror the complex cross-scale structure of environmental issues. Canada's loose federal structure may facilitate such an approach, or indeed compel it if redrawing the lines of formal environmental authority is out of the questions" (Parson, 2001:355).[11] This entails federal, provincial, municipal, and aboriginal participation, and in the case of an issue so obviously global in scope, the participation of the foreign policy community is essential as well; taken in total this has been referred to as the "microfederalism of environmental policy" (Gillroy, 1999). Given the lack of national leadership, this is not necessarily a bad thing; some combination of unwieldiness and pragmatic co-operation is the hallmark of democracy, and few of us are convinced of the need for a radical recentralization at this stage. Further, it is necessary to involve the business community and the NGO community, neither of which often appreciate the finer qualities of the other, at most points of discussion. The big question may well be whether the Conservatives have either the legitimacy or instinctive openness (beyond repeated bromides to the values of decentralization) to pursue such a broad agenda when it is related to a topic they do not find particularly galvanizing in the first place. Meanwhile, the Kyoto machine chugs on, with hundreds of government employees carrying on as though the Kyoto protocol is an assumed contextual variable in international affairs, busy with COP preparations, and sub-COP preparations, and the Ad hoc Working Group for Further Commitments for Annex 1 Parties Under the Kyoto Protocol preparations, and the intricacies of providing security for participants at COP12/MOP2 in Nairobi next year, and the many other facets and minutiae of these global governance efforts. They are deep in the forest; and are often joined by NGOs and others who have adapted a Kyoto-based litmus test for environmental concern. Perhaps it is time to constructively move past this.

11. Finally, and thankfully, we have more than Kyoto with which to approach global warming, both in terms of mitigation and adaptation. There are extant technology agreements such as the Carbon Sequestration Leadership Forum, Methane to Markets, the Renewable Energy and Energy Efficiency Partnership, and the Asia-

[11] He adds that the Canadian Council of Ministers of the Environment held such promise in the 1980s and early 1990s, as it "helped build technical capacity in smaller jurisdictions; it invested provincial and territorial officials with a national perspective when they held the rotating chair; and it provided key research and analysis to address technically challenging problems shared by multiple jurisdictions" (ibid). Though it still meets today this Council could certainly be rejuvenated if the will to do so was there.

Pacific Partnership on Clean Development and Climate.[12] There are many other international agreements that have an impact here, and we would be remiss to mourn the failure of Kyoto without some optimistic referral to the opportunities they offer. Indeed it would take a very long policy paper to outline them all; Meinhard Doelle has listed several in a recently published book on climate change and international law, including world trade, human rights, law of the sea, and biodiversity conservation (2006). In some cases, there is a blatant advocacy role; the Coalition of Small Island States has thrust global warming onto the human rights agenda, and Canadian Inuit and other northern dwellers have begun a similar process; and there is some room to work within the context of regional economic agreements such as NAFTA to pursue climate change-related policies. In other cases there are incidental benefits. For example, efforts to curtail the loss of biodiversity must be explicitly tied to habitat preservation, which protects carbon sinks. If Canada is reluctant to further embrace Kyoto, it can nevertheless improve the odds toward climate change mitigation and adaptation by pursuing a broad multilaterally oriented sustainable development agenda. Most Canadians, still convinced Canada is or could be a world leader in environmental policy, would support this.[13] One of the inherent dangers with such a sweeping agenda as the UNFCC and Kyoto, beyond the temptation to sign on without commensurate and consensual understandings of the consequences, is that the public might assume a "that job is done" attitude. This job has just begun, with or without Kyoto, and every Canadian (and American) should be made aware of this.

[12] The latter involves the U.S., Australia, India, Japan, China and South Korea, and seeks ways to develop innovative technologies to reduce emissions rather than targets.

[13] Canadian leadership is not as outlandish as some might believe. A recent Pilot 2006 Environmental Performance Index conducted at Yale University and released at the Davos Summit (World Economic Forum) in January placed Canada amongst the top states, at eight place (behind Denmark – the United States was rated 28th). Canada scored highly in most of the studies policy categories, including water, energy, natural resources, and general human health. The EPI can be found at http://www.yale.edu/epi/

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