

Rapport sur l'application de la Loi sur le développement durable

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SUMMARY



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The *Rapport sur l'application de la Loi sur le développement durable* takes stock of the first years of the implementation of the government's approach, from the *Sustainable Development Act's* adoption on April 19, 2006 to April 19, 2013. It is the first in a series of three documents stemming from the specific obligations and deadlines stipulated in the Act. In this context, it focuses neither on an assessment of the outcomes resulting from the implementation of the *Government Sustainable Development Strategy* nor changing trends in Québec's approach to sustainable development. Such observations must be examined separately in two other reports that are pending in 2013-2014.

Chapter 1 of the report analyzes the interpretations of the four objectives stipulated in the Act, which the government has formally undertaken to pursue by encouraging the involvement of senior officials in the Québec government. It briefly illustrates the scope and perspective for application sought for each objective and provides a reading grid.

Chapter 2 highlights the key initiatives that the Québec government and public administration have undertaken to apply the *Sustainable Development Act*. It presents the main observations and facts stemming from the application, based on the key themes of its implementation. More specifically, it indicates the main initiatives undertaken by the Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs (MDDEFP) in its capacity as coordinator of the approach and the decisions adopted by the Comité interministériel du développement durable (CIDD) with a view to properly applying the Act. The report presents and explains the key initiatives undertaken or reactions to the observations and recommendations of the Sustainable Development Commissioner in his annual reports. It also indicates the main observations and challenges stemming from the application of certain provisions in the Act. It examines certain reflections and emphasizes certain adjustments likely to facilitate the enhancement and efficacy of the application of the Act.

The *Sustainable Development Act* seeks to provide a general framework for intervention, describe the scope of the elements sought in the application of its provisions, and guide the establishment of new governance rules aimed at allowing the public administration to participate in the search for sustainable development. The report examines how the objectives specify the anticipated

changes in the initiatives that the public administration undertakes by inviting all of the government departments and bodies concerned to implement the relevant measures pertaining to sustainable development. It emphasizes the importance for the government of ensuring that the desired administrative change of policy is orchestrated in such a way as to satisfy the current needs of Québec society, without compromising the ability of future generations to satisfy their needs. Moreover, the objectives encourage public organizations to bolster cohesion and establish new collaborations to carry out their initiatives by relying, in particular, on the collaboration mechanisms stipulated in the Act. Lastly, the objectives reflect the importance of promoting the accountability of government departments and bodies in the implementation of sustainable development and their respective initiatives.

The application of the *Sustainable Development Act* has led the public administration to adopt a series of measures and undertake initiatives aimed at the attainment of the objectives that legislators are seeking. It was decided not to extend the application of all or part of the provisions to municipal and school organizations and health and social services establishments during the implementation phase of the initial strategy adopted in 2007. Instead, voluntary integration and support for the organizations through the implementation of government guidance-consulting action plans for public interveners and businesses that support territorial vitality were emphasized.

Consideration of the 16 principles of sustainable development in the activities of the public administration represents, with the *Government Sustainable Development Strategy*, one of the two most important measures to foster the integration of sustainable development into the government's decision-making processes. To this end, the report indicates how the MDDEFP has guided government departments and bodies and provided extensive training to targeted staff in government organizations, in order to promote the reflection and change spurred by this common basis for analysis. It emphasizes the conception of numerous guides and tools to recognize the principles of sustainable development in order to integrate sustainable research and development into the public administration's spheres of intervention. The report states the importance for government departments and bodies to gradually adopt this method to foster more coherent government action, implement a new management framework, and help achieve a change of direction in society, in particular by integrating this practice into the analytical criteria of strategic plans. It should be noted that the 16 principles cover a broad range of intervention. Recognition of the principles is facilitating the search for sustainable development.

The *Government Sustainable Development Strategy 2008-2013*, which was tabled in the National Assembly on December 12, 2007 and came into force on January 1, 2008, stems from collaboration with government departments and bodies in 2007, an online consultation, and a parliamentary commission held in the fall of 2007. The report on the application of the Act deals essentially with the first version of the Strategy according to an integrated, coherent approach that defines one perspective, three challenges, nine policy directions, and 29 objectives aimed at reflecting a wide array of public concerns. It describes the initiatives that have enabled the public administration to integrate the search for sustainable development into its spheres of activity and government organizations to assume this new responsibility in their respective missions. What is more, it presents the implementation of essential initiatives, i.e. the *Plan gouvernemental de sensibilisation et de formation à la démarche de développement durable*, the *Politique administrative pour un gouvernement écoresponsable* and the government guidance-consulting plans for public interveners in the education and health and social services sectors, the municipalities, and private-sector businesses. The initiatives have promoted prompt action on sustainable development in the public administration.

In February 2012, the government decided to postpone for two years the review of the government strategy in order to abide by the process stipulated in the Act, which calls, among other things, for the preparation of two other reports and the organization of consultations. This decision, as the report indicates, is promoting the pursuit of the initiatives stipulated in the sustainable development action plans (SADPs), in particular with regard to awareness-raising and training, environmental management and environmentally responsible acquisition practices, in addition to allowing for the addition of at least one initiative related to Agenda 21 de la culture du Québec. It affords an opportunity for government departments and bodies to more broadly consider the principles of sustainable development in their developmental initiatives during the two years.

Moreover, the report sets out the initiatives related to the implementation of governmental coordination of the Act that the MDDEFP ensured. To this end, it presents the provisions in the Act that confer on the department responsibilities with respect to promotion, coordination, the development of knowledge, guidance and consulting as regards government departments and bodies. It also presents the initiatives that the MDDEFP undertook to fulfill these mandates. The department first created the position of assistant deputy minister for sustainable development,

the Direction générale du développement durable and the Bureau de coordination du développement durable.

Since then, the MDDEFP has coordinated the main initiatives stipulated by the Act, including the elaboration of the Strategy. It has produced promotional documents and carried out measures in the Strategy's public communications plan by presenting the approach at government and external events and disseminating information on these topics on its website. It has coordinated the production of periodic reviews covering follow-up to the initiatives carried out to implement the Strategy. It has sought to broaden knowledge by focusing on foreign experience and participating in international events related to sustainable development. It has also provided its expertise and collaboration through governmental or external projects to promote the attainment of the Strategy's objectives. The CIDD has also contributed to the fulfillment of the MDDEFP's coordination mandate by collaborating with the department to elaborate and coordinate follow-up to the implementation of the Strategy and the production of periodic progress reports and the reports that the Act requires.

The MDDEFP believes that this mandate should be reinforced in order to allow broader collaboration and synergy between different entities, in particular in the realization of the major projects in which a number of organizations are participating. The observations formulated by the members of the Commission de l'administration publique on February 1, 2012 on the application of the *Sustainable Development Act* are reported in the application report. The observations have revealed the need to adopt new coordination mechanisms to better manage in the future the implementation of the horizontal actions of a growing number of government interveners. The proposals led the MDDEFP to establish the Comité directeur du développement durable to reinforce the coordination of the sustainable development approach, define major strategic and horizontal action, and ensure compliance with government commitments in this regard.

The application of the *Sustainable Development Act* obliges the government organizations concerned to elaborate, implement and monitor the SADPs. The implementation of these initial commitments has, among other things, enabled the organizations to clarify their contribution to the gradual implementation of the Strategy and to indicate their principal achievements from the standpoint of sustainable development, within the framework of a periodic accountability process. The report indicates that the MDDEFP has guided several representatives of entities in this approach. It has offered numerous information

sessions to help organizations to elaborate their action plan. It notes that the department has also produced and distributed among government departments and bodies the *Guide d'élaboration d'un Plan d'action de développement durable* to help the organizations elaborate their SADP and promote the coherence of government action in the plans overall. The report indicates that as of April 1, 2009, 132 government departments and bodies covered by the Act and operating in 2009 produced an initial action plan totalling 1 146 initiatives that contributed to the attainment of the government's sustainable development objectives. All of the SADPs were published as soon as they came into force and were made available periodically on the websites of the organizations concerned.

The *Sustainable Development Act* makes provision for the application of specific accountability mechanisms, thereby confirming the responsibility but also the accountability of the organizations with regard to the realization of the SADPs pertaining to the implementation of the Strategy. The mechanisms set deadlines to ensure follow-up in a perspective of efficacy and internal coherence. They also highlight the role of the government departments and bodies in the successful establishment of a new management framework in the public administration and periodically inform the public of the implementation of the initiatives. The report emphasizes that the government departments and bodies have all satisfied the requirement of the Act to report annually under a special section of their annual management or activity report on the activities carried out in respect of sustainable development and the results obtained in relation to their action plans. Decisions and measures adopted by the CIDD to act upon the recommendations of the Sustainable Development Commissioner concerning accountability have, according to the application report, also enhanced the means that the public administration uses to carry out the government's approach.

As the report mentions, while the majority of organizations have complied with the accountability rules stipulated in the Act, the exercise demanded annually of government departments and bodies is regarded by a number of them as demanding but essential to ensure sound follow-up to the initiatives, in particular from the standpoint of their impact. A number of organizations believe that it would be relevant to examine ways to simplify certain procedures or administrative requirements that the public administration has adopted in this regard.

Sustainable development indicators and follow-up indicators in the Strategy and the action plans designed by the public administration are making it possible to measure and monitor progress as regards sustainable

development in Québec society, under the Strategy and in the action plans of government organizations. Lastly, the report reveals that the adoption of sustainable development indicators to measure and monitor the long-term progress and progress in Québec society according to a capitals-based approach was innovative and bold. The development and enhancement of the approach continue to pose a challenge and efforts are focusing on the enhancement of its indicators.

To conclude, the report reveals that the provisions and sections of the Act all appear to concur or be directly related to the gradual attainment of the four objectives that the Act pursues. The vast majority of the provisions and sections have been applied or considered by the public administration since April 19, 2006 and a significant effort has been made by the organizations that the Act covers to satisfy the requirements and the attendant directives. The report indicates that the MDDEFP is aware that, while the *Sustainable Development Act* does not take precedence over other legislation, its true scope and linking with other statutes and the mission of each entity continues to raise questions. It also indicates the adjustments that might be made to the vocabulary that legislators use. The sections and provisions could also be clarified or updated. Notwithstanding that the application of the *Sustainable Development Act* poses an ongoing challenge, this complex approach appears to be solidly rooted in the public administration.