



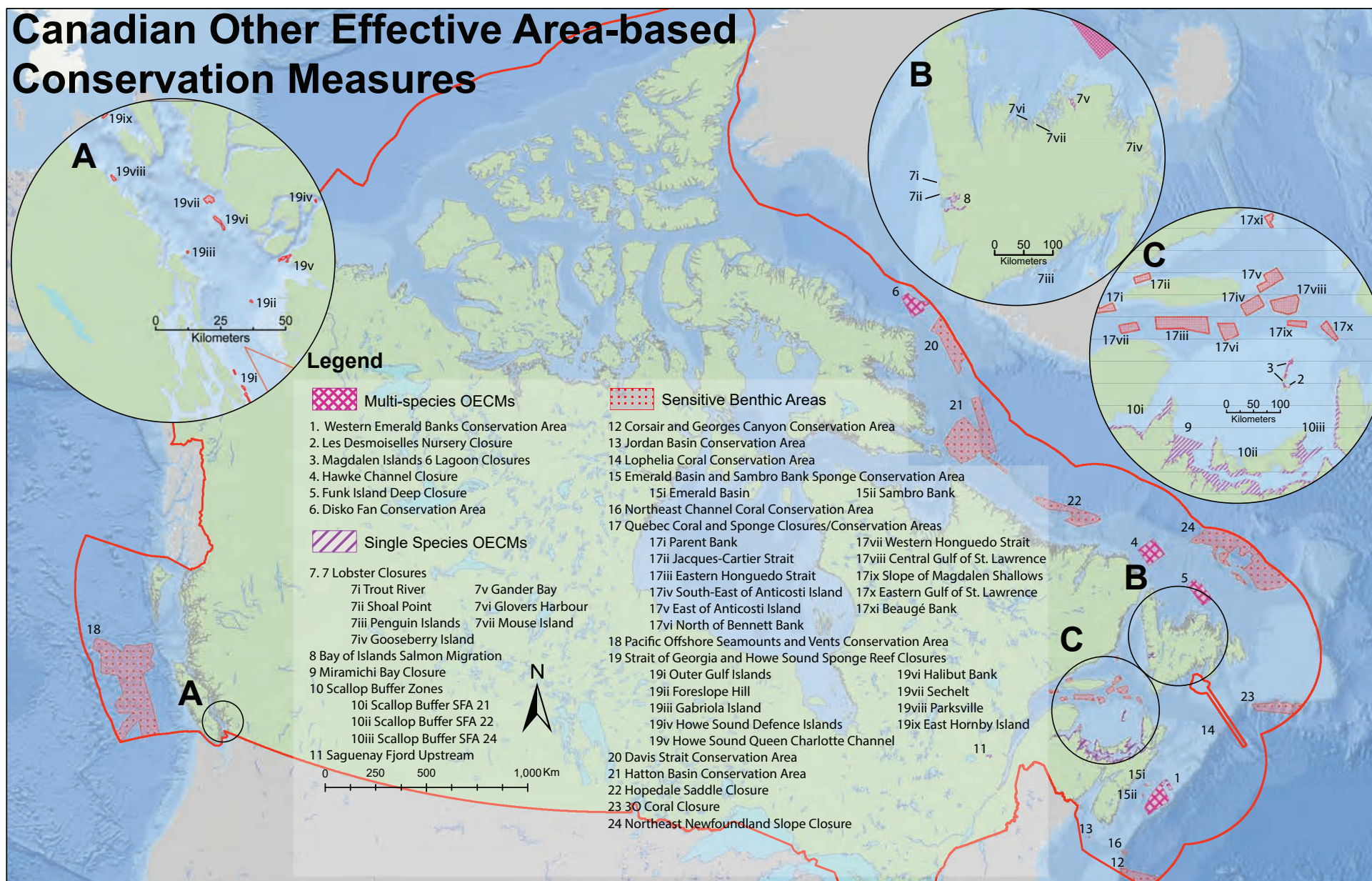
MEETING INTERNATIONAL STANDARDS:

Improvements for Canada's
Marine Refuges

© Nick Hawkins



Canadian Other Effective Area-based Conservation Measures



With three oceans and the world's longest coastline, the health of Canada's marine environment holds global significance. Home to thousands of species and habitats from giant whales to fragile corals and sponges, from tiny plankton to valuable commercial fish, Canada's waters contain an incredible diversity of marine life. Ensuring that these ecosystems continue to support marine life and coastal livelihoods will require specific and focused effort to protect important areas. With the increasing impacts of climate change, biodiversity loss and pervasive pollution, it is more crucial than ever to reduce threats caused by human activity.

In recent years, there has been increased global attention to ocean health. In 2010, the international community pledged to protect at least 10 per cent of coastal and marine ecosystems by 2020, as part of the United Nations Convention on Biological Diversity (CBD). As recently as 2015, Canada had protected less than 1 per cent of coastal and marine ecosystems. The Government of Canada's promises to protect marine areas and maintain sustainable fisheries, together with international commitments, have resulted in 7.9 per cent of Canada's marine

environment receiving protection as of December 2018.

All types of marine protection are not equal, however. More than half of what is counting as protected in Canada has been designated through the *Fisheries Act*, which currently restricts fishing but not industrial activities such as shipping, oil and gas, and mining. These areas - known as "marine refuges" in Canada or "other effective area-based conservation measures" (OECMs) globally - may not meet the international standards that would allow Canada to count them towards marine protected area targets, although they may achieve some specific conservation goals. *Fisheries Act* marine refuges are often implemented because they can be established relatively quickly, whereas current processes for protection

under the *Oceans Act* and *National Marine Conservation Areas Act*, which may offer stronger protections, can require at least 5 to 10 years to complete.

The protection of biodiversity and habitat is a primary goal for the establishment and management of protected areas. To better understand how Canada's protected areas measure up to global and national standards, we assessed all areas currently designated as protected under the *Fisheries Act* to determine if they align with national and international standards for protected areas. Our goal was to provide recommendations for Canada to improve marine conservation and ensure our protected areas meet international standards for the conservation of biodiversity.



© Nick Hawkins

HOW WE ASSESSED THE QUALITY OF CANADA'S MARINE REFUGES

Using publicly available information, the report reviewed all 54 areas protected through the *Fisheries Act* in Canada and assessed whether these areas met criteria set out in three sets of guidance. The first, developed by Fisheries and Oceans Canada (DFO); the second, created by the International Union for Conservation of Nature (IUCN) with input from the scientific and conservation communities; and the third adopted by the Convention on Biological Diversity (CBD), the international treaty under which Canada has agreed to its marine conservation targets. Meeting CBD criteria determines whether sites can count towards international protected area targets. Across the three sets of guidance, we identified 10 criteria in common, which we then used to evaluate how well marine refuges align with international standards, and where improvements need to be made. Further details and the full analysis can be found in our [technical report](#).

CHARACTERISTICS OF A *HIGH QUALITY* MARINE REFUGE:

- Not currently recognized as a protected area
- Has well-defined geographic boundaries
- Large enough to effectively protect biodiversity within natural habitats
- Governed by a specific authority
- Governance and area creation are equitable
- Managed to ensure effective biodiversity conservation
- Activities that could negatively impact biodiversity are controlled
- Implemented with the intention of long-term protection
- Involves management measures that are effective and enduring at providing in-situ biodiversity conservation.

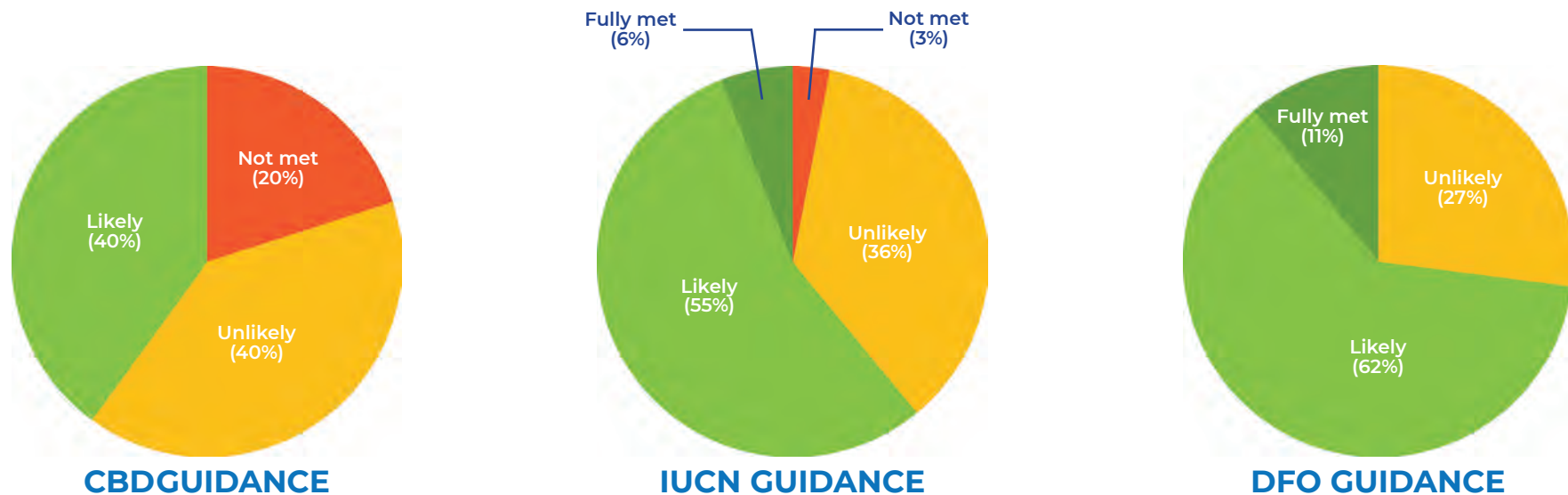
RESULTS & RECOMMENDATIONS

FINDING 1:

THE MAJORITY OF CANADA'S MARINE REFUGES DO NOT MEET INTERNATIONAL GUIDANCE.

When assessed according to the international guidance adopted by the CBD, **only 40 per cent of the areas closed under the *Fisheries Act* met the highly-protected marine refuge criteria**. The remaining 60 per cent of the areas need a variety of improvements to meet globally accepted standards. Even when measured against DFO's own guidance, 27 per cent of marine refuges were unlikely to meet the criteria to be counted as protected. One of the main failings of marine refuges is that the *Fisheries Act* **cannot prohibit many high risk industrial activities**, the most pressing being offshore oil and gas activities. In fact, since we began this analysis, new oil and gas bids have been granted within the Northeast Newfoundland Slope Closure, with the potential for more marine refuges to become subject to oil and gas exploration.

LIKELIHOOD OF CANADA'S MARINE REFUGES MEETING NATIONAL AND INTERNATIONAL CRITERIA



FINDING 2:
SOME TYPES OF MARINE REFUGES
ARE MORE LIKELY TO MEET
GUIDANCE THAN OTHERS.

Canada's marine refuges can be considered to fall within one of three categories, based on their stated conservation objectives:

- *Sensitive Benthic Areas* intended to protect sensitive seafloor communities of corals and sponges, which comprise 84 per cent of the area protected as marine refuges
- *Multi-species Areas* with conservation objectives and regulations to protect more than one species or habitat
- *Single Species Areas* designed to protect just one species (i.e. juvenile lobster, Atlantic salmon) from a specific threat (i.e. a specific type of fishing gear).

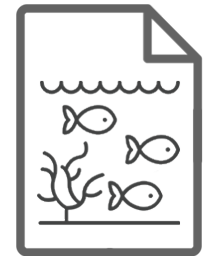
The analysis found that **Sensitive Benthic Area Closures** were more likely to meet international guidance than multi-species closures, and that single species closures did not meet CBD criteria.

ACTIONS FOR IMPROVING CANADA'S MARINE REFUGES:

Canada's national guidance on marine refuges should reflect recently adopted international guidance. The following actions should be taken to improve the current protection status of marine refuges and enable them to count towards meeting international targets.

PRIORITY POLICY AND LAW ACTIONS:

- Update Canada's policy guidance on marine refuges.
- Pass an amended *Fisheries Act* to ensure that fisheries closures are made permanent and cannot easily be repealed.
- Undertake a review of the Atlantic Offshore Accord Agreements so that oil and gas is restricted from areas closed to protect fish and fish habitat.
- Canada should explore additional mechanisms to either create or account for existing marine refuges, including Indigenous Protected Areas, shipwrecks, National Historic Sites, and others, where biodiversity conservation may be achieved.
- DFO should transition specific marine refuges into *Oceans Act* Marine Protected Areas, such as the Western Emerald Bank Conservation Area and the Strait of Georgia Glass Sponge Reef Closures. DFO should focus on areas where industrial activities that are outside of the jurisdiction of DFO could negatively impact the habitats and/or species these sites were intended to protect.



PRIORITY MANAGEMENT ACTIONS FOR SPECIFIC CATEGORIES OF MARINE REFUGES:

- Clearly identify monitoring and management for each marine refuge to ensure biodiversity is being effectively conserved.
- For Sensitive Benthic Area closures, at least 70 per cent of identified coral and sponge concentrations should be protected, in line with scientific advice, but it is preferred that 100 per cent of these concentrations be protected to safeguard these sensitive habitats.
- Conservation objectives should include all ecologically and biologically significant species and habitats in an area instead of just focusing on a single species or habitat type.
- Small, single species areas that do not contribute to the protection of biodiversity despite being important to fisheries management should not be included in marine conservation targets.



While it is important to note that Canada has made significant strides since 2015 towards meeting its international commitments on marine protection, improvements need to be made to ensure that marine refuges do, in fact, protect biodiversity in a meaningful way. This report offers tangible solutions for the federal government to undertake in order to align its marine refuges with international guidance, and more importantly, to increase the effectiveness of these conservation areas. Canada has a significant role to play in global leadership on oceans, and it is important to Canadians that national efforts are to a high standard, particularly given the public investment in protecting nature.



SEABLUE CANADA

SeaBlue Canada is an alliance of Environmental Non-Governmental Organizations (ENGOS) that are cooperating in advocating for a better protected ocean. Specifically, SeaBlue advocates for stronger protection standards for our existing marine protected areas and an expansion of the area protected to meet Canada's goal of 10% protection by 2020. SeaBlue Canada is: Canadian Parks and Wilderness Society, David Suzuki Foundation, Ecology Action Centre, Oceans North, West Coast Environmental Law, and WWF-Canada.



© Nick Hawkins

