



Context for Establishment of National Advisory Panel on Marine Protected Area Standards

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National Advisory Panel on Marine Protected Area Standards



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Canada's Commitment to MPAs

In 2010 Canada agreed to a marine conservation target under the United Nations Convention on Biological Diversity (Aichi Target 11):

- *By 2020 ...10% of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of **protected areas** and **other effective area-based conservation measures**, and integrated into the wider landscapes and seascapes.*

Minister's Mandate Letter:

- Work with the Minister of Environment and Climate Change to increase the proportion of Canada's marine and coastal areas that are protected to 5% percent by 2017 and to 10% by 2020.
- Work with the provinces, territories, Indigenous Peoples, and other stakeholders to better co-manage our three oceans.



Current Approach

- Fisheries and Oceans Canada leads and coordinates the development of a national network of marine protected areas (MPAs) on behalf of the Government of Canada
- This network includes a range of conservation tools implemented by three federally-mandated departments: Fisheries and Oceans Canada, Environment and Climate Change Canada and Parks Canada Agency
- MPA Networks include Oceans Act MPAs, National Marine Conservation Areas, marine National Wildlife Areas and the marine components of terrestrial National Wildlife Areas, Migratory Bird Sanctuaries and National Parks, as well as provincial and territorial protected areas, along with other effective area-based conservation measures.



Policy Need

- As the federal government and partners work to establish MPAs to meet the 10% target, public interest in MPA effectiveness has increased, along with confusion about the different conservation tools.
- There will be a need for increased coherence to explain MPAs as the number of sites increases in the future.
- Two key areas have been identified that may help to address this confusion :
 - A common framework or categorization system that identifies a range of protection levels consistent with the Canadian context
 - A common understanding of associated standards of protection in MPAs



Drivers for Panel Establishment

Parliamentary interest

- Standing Committee on Environment and Sustainable Development Report: *Taking Action Today: Establishing Protected Areas for Canada's Future* (March 2017) recommends minimum standards for each category of federal MPA
- Standing Committee on Fisheries and Oceans (SCOFO): Questions have arisen throughout the MPA study currently under way on minimum standards in MPAs
- During debates in the House and at SCOFO on Bill C-55, it was suggested that proposed amendments to the *Oceans Act* should include minimum protection standards and targets for MPA zoning.

Public interest

- The June 2017 Oceans 20 Workshop Report outlines a key recommendation to amend the *Oceans Act* with a defined minimum protection standard
- Significant public opposition to regulatory proposal to allow oil and gas in a portion of the proposed Laurentian Channel *Oceans Act* MPA



Other Jurisdictions

- The International Union for the Conservation of Nature (IUCN) sets out guidance on MPA categories, and corresponding standards for allowable and prohibited activities within each category.
- MPA standards are found in legislation in Australia, New Zealand, United Kingdom, and California.
 - Under California's *Marine Life Protection Act*, all extractive activities and other activities that upset the natural ecological functions of the area are prohibited in marine reserves.
 - Similar restrictions are found in Australia's *Environment Protection and Biodiversity Conservation Act* and New Zealand's proposed *Marine Protected Areas Act*.



Reconciliation Context

- **The Government of Canada is committed to renewing its relationship with Indigenous peoples, making the recognition and implementation of rights the basis for all relations between Indigenous peoples and the federal government.**
- Developing this renewed relationship includes:
 - A commitment to implement the United Nations Declaration on the Rights of Indigenous Peoples (2016)
 - A comprehensive review of laws and policies related to Indigenous peoples (Working Group of Ministers) (commenced 2017)
 - A commitment to develop – in full partnership with First Nations, Inuit, and Métis Peoples – a Recognition and Implementation of Rights Framework to be implemented before October 2019.
- These initiatives provide an opportunity for stronger collaboration with Indigenous groups on national oceans policies.



Indigenous Protected and Conserved Areas

- **Indigenous-led conservation efforts are increasingly recognized for their critical contribution to biodiversity. Accordingly, there is movement internationally and in Canada towards greater recognition and support of Indigenous leadership in protected and conserved areas.**
- Current IUCN guidance on MPA management categories acknowledges indigenous rights, responsibilities, and priorities. In addition, the IUCN recognizes four broad types of protected areas governance, including governance by Indigenous peoples and local communities.
- The concepts of Indigenous Protected Areas (IPAs) or Indigenous Protected and Conserved Areas (IPCAs) are gaining currency both internationally and domestically.
- The Indigenous Circle of Experts (ICE) for the Pathway to Canada Target 1 will release a report at the end of March offering a proposed IPCAs concept and recommendations on how to recognize and support these areas in a Canadian context.
- Although the mandate of the ICE is terrestrial and inland waters, its recommendations will be broadly applicable to the marine environment and provide a springboard for further engagement with Indigenous marine partners on the concept.



Commitment to Establish Panel

- In September 2017, during debate in Parliament on Bill C-55, Minister LeBlanc proposed an expert panel to define MPA minimum standards.
- Following this proposal, in October 2018 Minister LeBlanc led a Canadian delegation to the international *Our Oceans Conference* in Malta, where he reiterated Canada's commitment to the international target of protecting 10% of our marine and coastal areas by 2020, and discussed Canada's progress toward meeting our domestic target of protect 5% by the end of 2017.
- At the conference, Minister LeBlanc announced his intention to establish a **national advisory panel** to provide him with **advice on minimum standards within future MPAs in Canada's waters**.



Your Mission

- To examine current state of Canada's marine protection tools in light of these drivers – can a category system be developed that meets the needs of current programs? How can protection standards be developed that respect existing approaches to MPA development?
- To provide practical and innovative recommendations that consider best available science, the ecosystem approach, a precautionary approach, and Indigenous knowledge systems
- To situate your work within the Indigenous reconciliation context, including the consideration of Indigenous approaches and world views with respect to marine conservation, and to consider the relationship of the evolving concept of Indigenous Protected and Conserved Areas (IPCAs) to the standards discussion.
- Your recommendations to the Minister could inform:
 - Future policy approaches to marine conservation
 - The Department's exploration of the concept of marine IPCAs with Indigenous partners.
 - Consideration of Indigenous knowledge systems and science advice sought related to the management and monitoring of MPAs