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National Advisory Panel on Marine Protected Areas Standards

Panel Secretariat, DFO.NationalAdvisoryPanel-ComitedeConseilNational.MPO@dfo-mpo.gc.ca

Dear Panel Secretariat,

Oceana Canada thanks the co-chairs and members of the National Advisory Panel committee for providing the opportunity to comment on the development of protection standards for Canadian Marine Protected Areas (MPA) as [published online](#). Oceana Canada is an independent charity and part of the largest international group focused solely on ocean conservation and supports ongoing efforts to establish effective marine protection in Canada. We congratulate Fisheries and Oceans Canada (DFO) on the efforts made to improve conservation and protection of Canada's coastal and marine environment and are pleased to provide our perspectives and recommendations to the Advisory Panel.

In 2010, the Government of Canada committed to protecting ten per cent of coastal and marine waters by 2020 in support of the [CBD Aichi target 11](#) and later the [UN SD Goal 14](#). Oceana Canada applauds the Government of Canada on achieving and surpassing the interim target of 5% protected waters by 2017, with a total of approximately [7.75% protected today](#). This represents a significant increase from the less than 1% of marine waters protected in 2015. The Government of Canada must now ensure that the protection measures being afforded are meaningful, long-lasting, effective, and conservation-focused.

The benefits of MPAs, [recognized by the IUCN](#) and well-documented worldwide, are dependent on the application of protection standards that promote the conservation of marine ecosystems and biodiversity, and ensure that allowable activities within the MPAs are compatible with conservation objectives. Enacting minimum standards for Canadian MPAs can help provide consistent and streamlined federal regulatory processes for designations, provide certainty for industry and stakeholders, set a scientific baseline for which progress and recovery can be measured and celebrated, allow meaningful engagement and co-management with communities, and better align our conservation objectives and outcomes with local and international communities.

Oceana Canada supports the mandate of the National Advisory Panel to use the [IUCN guidance](#) documents as a baseline, and wishes to reinforce the importance of these global standards of protected area classifications as recognized by the UNCBD. Oceana Canada recommends the following points to help align these international standards within a Canadian context.

1. Require a management plan, timelines, and milestones.

Oceana Canada supports the recommendation from [DFO's 1999 report](#) that management plans should be prepared for each MPA (based on proposals, assessment reports, and comments from stakeholders, the public, and government agencies) and that the reports should “state the reasons for the MPA, its goals and objectives, how the goals and objectives are to be reached, and how the success of the MPA will be measured.” The plans should be based on a sound understanding of natural, cultural and socio-economic values and context, and clearly state the long-term conservation goals. Currently, the vast majority of [Canada's MPAs lack publicly-accessible management plans](#).

Moreover, the plans should integrate a periodic review and amendment process to measure how well objectives are being met, and to update and refine conservation goals, objectives, and management measures in response to changing needs and conditions. The results from the review process should be captured as an annual report. Currently, there are insufficient review and revision processes for MPAs, and [no unifying federally-sourced document](#) to catalogue, evaluate, and report on all of Canada's existing MPAs.

2. Restrict damaging activities and ensure no-take zones represent at least 30% of each MPA.

Oceana Canada supports the [IUCN guidance](#) recommendation that at least 30% of each MPA should be designated as a Category 1 (no-take) zone and therefore protected from all environmentally-damaging extractive activities and uses, subject to the rights of Indigenous peoples, and in accordance with Indigenous law. In the remaining 70% of MPAs, DFO must ensure that environmentally-damaging industrial activities and infrastructure development (e.g., mining, industrial fishing, oil and gas extraction) are not located in, adjacent to, or otherwise negatively affecting the MPA¹, as they are incompatible with the primary goal of MPAs to conserve biodiversity, and may disqualify the MPA from contributing to international targets.

Oceana Canada supports sustainable fishing practices within MPAs in conjunction with [IUCN guidance](#), should they be proven to be “low impact, assessed and managed to the highest standards, and that do not impact the ecological integrity of the area, species levels and trophic structure.” Fisheries management [practices with negative ecological impacts](#) that clearly jeopardize the conservation objectives of the MPA (e.g., bottom-contact gears that damage sensitive habitats, high bycatch rates of vulnerable or protected species) should be prohibited, while non-destructive practices must be closely monitored to ensure they continue to have minimal impact on MPA conservation objectives.

3. Capture all OECMs in minimum standards approach.

The [IUCN has developed draft guidelines](#) in recognition that “other effective area-based conservation measures” (OECMs) can contribute to the achievement of Aichi Target 11 given the similar conservation objectives (e.g., actively governed, long-term management, *in-situ* conservation of biodiversity, ecosystem services, and cultural and spiritual values). Given that more than [60% of all DFO-designated marine protected](#) areas (4.78% of the 7.75% of Canada's marine waters considered protected) are OECMs,

minimum standards should also apply to OECMs, with clearly defined conservation objectives and the regulatory means to achieve them.

Currently, OECMs do not have the regulatory frameworks to restrict industrial activities and uses beyond those related to fisheries and may not be able to contribute to national and international conservation targets under IUCN guidelines if other industrial activities and uses (e.g., oil and gas development, mining) are permitted within OECM boundaries in the future. Aligning OECM and MPA protection standards will help Canada make a lasting contribution to marine conservation and ensure all our protected areas meet international targets.

4. Foster transparent processes for engaging rights- and stakeholders.

Article 27 of [UNDRIP](#) notes that all states shall “recognize and adjudicate the rights of Indigenous peoples pertaining to their lands, territories, and resources.” These rights apply to the designation of conservation areas. Where appropriate, federally-designated marine protected areas should [recognize Indigenous communities and legal traditions](#) to allow for meaningful conservation of cultural and spiritual values by integrating traditional knowledge and resource use and extraction information through co-management approaches. Recent designations within Canada’s Pacific and Arctic waters have recognized the co-management of marine areas with [Haida](#) and [Nunavut Inuit](#), respectively. DFO should [continue to partner directly with Indigenous organizations and territorial governments](#) to create management and monitoring programs, and provide guidance to legally-recognize Indigenous Protected and Conserved Areas (IPCAs).

[Models of fair and open governance](#) must be promoted through community engagement in MPA management and participation on advisory boards. There are many opportunities to have Indigenous and coastal [communities participate in a leadership role](#) for the development, monitoring, and ongoing management of protected areas (e.g., citizen science, community co-management, IPCAs).

5. Use best, most available science and knowledge and, where feasible, provide quality education.

As noted above, the information used in the development and management of MPAs has often not been made publicly available, rendering it difficult to assess whether this information is validated and representative. DFO should develop a framework to ensure that the data and knowledge used to inform decisions regarding MPA and MPA network development are the best, most up-to-date and representative possible, with mechanisms to integrate new information and manage adaptively. Further, DFO should provide ongoing funding and investments in research, monitoring and enforcement of MPAs to manage adaptively and meaningfully. Adequate resourcing, including staff capacity, is a [key determinant for MPA success](#) and effectiveness. For example, managers can monitor vessel activity and compliance with MPA zoning through AIS and develop biological and abiotic indicators with the support of communities to measure the progress of conservation, abundance, and rebuilding of habitat and species.

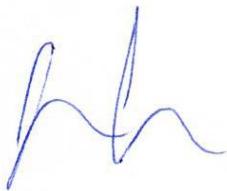
Wherever possible, educational materials and programs should be integrated into the long-term management of the MPA to foster long-term support, compliance, and public understanding of Canadian MPAs.

6. Contribute to a networks approach.

[DFO has committed to developing MPA networks](#) that will share a common foundation, including conservation goals and management approaches. The [IUCN notes](#) that protected area networks can magnify benefits of individual sites, protect large-scale ecosystem processes, achieve climate change adaptation and mitigation, slow the loss of endangered marine species, restore abundance, and help rebuild depleted fisheries. At the federal level, DFO must clearly define roles and responsibilities through regulatory frameworks; and implement a coordinated management approach and monitoring programs (at the individual and network level) to promote the longevity of the network.

On behalf of Oceana Canada, we are pleased to offer the above recommendations to the National Advisory Board. The development of minimum standards for Canadian MPAs will be a significant contribution to marine conservation in Canada and to our international commitments. We look forward to working with DFO and the Board to ensure MPAs achieve meaningful, long-term conservation objectives to benefit marine biodiversity and ecological functions for all of Canadians and future generations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josh Laughren".

Josh Laughren, Executive Director

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