



Last year, Canada added dozens of marine refuges to its portfolio of protected spaces. But some scientists are concerned the protections afforded to wildlife in these places are not strong enough. Photo by Grant Callegari

## Is Canada Taking Shortcuts to Hit Its Marine Protection Targets?

**The government is counting fisheries closures as protected spaces in order to hit a 2020 target. Many scientists argue this is not meaningful conservation.**

by Erica Gies

July 11, 2018 | 1,300 words, about 6 minutes

Marine and coastal areas the world over are suffering deaths by a thousand cuts: overfishing, pollution, oil and gas development, climate change, and much more. To stop the bleeding, the United Nations (UN) formed the Convention on Biological Diversity (CBD) in 1992. But in the 18 years that followed, little progress was made. In 2010, the UN devised a strategic plan, known as the Aichi Biodiversity Targets, and asked countries to commit to, among other things, protect 10 percent of their marine and coastal areas by 2020. The Aichi targets were an attempt to motivate countries to act. As one of 196 signatories, Canada made the commitment. It needed to do something: of more than 900 species in the country monitored by World Wildlife Fund Canada, more than half are declining, their populations down an average of 83 percent compared to 35 years ago.

In the first seven years after the Aichi targets were set, Canada moved slowly. At the beginning of 2017, less than one percent of the country's marine area was protected. But suddenly, at the end of 2017, that figure shot up to 7.76 percent.

Such a rapid leap raises questions.

To make such swift gains, Fisheries and Oceans Canada (DFO), a federal government department, designated some new and some pre-existing locations with fisheries closures as “marine refuges.” Of the 51 marine refuges designated in the 2017 surge, 29 were existing fisheries closures that were renamed. These refuges impose far fewer restrictions on the kinds of activities that can take place within them than proper marine protected areas, which are typically managed with more stringent rules and are more difficult to create.

It’s not yet clear whether all of these newly protected areas—amounting to about 275,000 square kilometers as of December 21, 2017—will ultimately count toward fulfilling the Aichi targets. Based on efforts by the International Union for Conservation of Nature (IUCN) to define international standards for biodiversity protection, they most likely will not.

With the 2020 deadline rapidly approaching, a mandate commitment from the Prime Minister, and a string of reports from the Auditor General of Canada outlining how various government departments were failing to meet their conservation commitments, it’s easy to understand the appeal of passing off fisheries closures as properly protected spaces. The government is standing by its position that these fisheries closures qualify in the face of more stringent standards promulgated by IUCN and conservation scientists in Canada.

Fisheries and Oceans Canada has developed its own criteria based on advice from the Canadian Science Advisory Secretariat, another government department, says Jeff MacDonald, director general of oceans and fisheries policy for DFO. These criteria take into account the emerging directions of IUCN’s recommendations, he says. Canada even advocated for its approach to be adopted by the international community at a CBD meeting earlier this year.

The main point of contention stems from wiggle room left in the language of the Aichi targets. Those targets call for ecosystems to be safeguarded by marine protected areas or “other effective area-based conservation measures.” That caveat allowed countries to count areas that offer the same protections as marine protected areas, even if they aren’t designated as such. But Canada and other countries have been stretching that loophole wide, prompting IUCN to work to strengthen and clarify its definitions.

To understand why some scientists think Canada is cutting corners to hit its target, it’s illustrative to look at IUCN’s criteria from its draft document released earlier this year<sup>[PDF]</sup>. According to the organization, a properly protected space should:

- Have a geographically defined area;
- Be governed under a specific authority;
- Be managed to conserve biodiversity;
- Be long-term, without any end point;
- Conserve nature as a whole, rather than selected elements of biodiversity;
- Protect existing ecosystem services;
- Protect existing cultural and spiritual values.

The protections afforded by Canada’s new marine refuges are significantly weaker. For one, they don’t preclude industrial activity other than fishing. They don’t even prevent all kinds of fishing. Many of the new marine refuges prohibit bottom trawling to spare

delicate corals, sponges, and sea pens but leave other parts of the overlying sea open to fishing.

One clear sign of their relative weakness: a national fishing group, the Fisheries Council of Canada, says it prefers marine refuges to marine protected areas because they are typically less restrictive.

Natalie Ban, a professor of environmental studies at the University of Victoria who studies conservation planning, says that rather than considering biodiversity more generally, “which is what marine protected areas are meant to be about,” the government is narrowly focused on protections limited to specific species or habitats.

MacDonald argues that the new marine refuges account for biodiversity much more than typical fisheries closures. A standard fisheries closure protects a particular species by preventing use of a particular type of fishing equipment, or closing an area during a particular season. These new marine refuges add habitat protection into the mix, MacDonald says, making them, by definition, area-based. Also, unlike traditional fisheries closures, some marine refuges have been established to protect a species for its own sake; they’re not limited to species that are commercially important.

Regardless, says Ban, Canada’s marine refuges are too limited to protect biodiversity and, therefore, fall short of the spirit of the Aichi targets.

Dozens of scientific studies show the best way to support biodiversity and protect species is to create multiple protected areas to ensure all habitats and species are represented, and to make sure that these protected spaces are connected so species can migrate between them. It is also critical to restrict all extractive activities such as oil and gas exploration and mining, and to minimize recreational and artisanal fishing.

DFO has said in the past that implementing this kind of network design with its marine protected areas is a goal. But with these fisheries closures-cum-marine refuges, it is not putting that strategy into practice.

“They’re just looking at opportunities of what they can close that can count,” says Ban.

For Sigrid Kuehnemund, lead specialist on oceans for World Wildlife Fund Canada, the biggest concern is the duration of Canada’s new marine refuges. A key part of IUCN’s criteria is that protections persist long-term.

Canada’s new marine refuges are not granted protection in perpetuity, MacDonald acknowledges. But a proposed amendment to the Fisheries Act, Bill C-68, which is currently under consideration by the Senate, would make it much more difficult for these protections to be undone in the future, he says.

The Fish, Food and Allied Workers Union, a fishing industry group based in Atlantic Canada, has a different concern. The organization’s president, Keith Sullivan, says the government’s moves to hit its 2020 target have been “borne unfairly and disproportionately by the fishing industry, while the oil and gas sector gets a free pass.”

For Kuehnemund, allowing oil and gas activity to continue is anathema to the goal of protected areas. The possibility that it could continue in marine refuges “is a huge embarrassment for Canada on the international scene,” she says. “They have to fix it.” Canada wants to establish itself as a leader on ocean conservation, she says, but the current status leaves a lot to be desired.

Ban agrees that no industrial activity should be allowed inside protected areas. “Otherwise they’re not protected,” she says. “We have to ask: what do we need to protect the oceans from?”

MacDonald notes, however, that the government is not counting toward the Aichi targets fisheries closures with existing permits or exploration licenses for oil and gas “or where there is any existing or foreseeable human activity that is incompatible with conservation objectives of the area.”

Whether Canada’s fishing closures will count toward the biodiversity targets in the courts of national and international opinion should be clearer soon. In response to public criticisms of Canada’s marine protection policies, the federal minister of fisheries, oceans, and the Canadian Coast Guard, Dominic LeBlanc, convened a national advisory panel to garner recommendations. And on the international side, IUCN’s final guidelines are due in November. “The [fisheries] minister has said all along that we will ultimately abide by what the CBD decides,” MacDonald says.

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