

# National Ocean Policy of **CANADA**

**DATE:** 2002

**PURPOSE**

Canada's Ocean Strategy: to ensure healthy, safe and prosperous oceans for the benefit of current and future generations of Canadians.

**ADDITIONAL INFORMATION**

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## Canada's Oceans Strategy *Our Oceans, our Future*

### EXECUTIVE SUMMARY

*Canada's Oceans Strategy* is the Government of Canada's policy statement for the management of estuarine coastal and marine ecosystems. National in scope, *Canada's Oceans Strategy* sets out the policy direction for ocean management in Canada.

The Oceans Act provides a framework for modern ocean management. The Act calls for the Minister of Fisheries and Oceans to lead and facilitate the development of a national ocean management strategy. *Canada's Oceans Strategy* responds to this requirement, providing for an integrated approach to ocean management, coordination of policies and programs across governments, and an ecosystem approach.

*Canada's Oceans Strategy* defines the vision, principles and policy objectives for the future management of Canada's estuarine, coastal and marine ecosystems. Specifically, the Strategy supports policy and programs aimed at: **Understanding and Protecting the Marine Environment; Supporting Sustainable Economic Opportunities; and providing International Leadership.**

*Canada's Oceans Strategy* in general, and oceans governance in particular, is much more than a federal government responsibility. It is a collective responsibility shared by all.

Accordingly, oceans governance under the Strategy has core commitments to:

- work collaboratively within the federal government, and among levels of government;
- share responsibility for achieving common objectives; and
- engage Canadians in oceans-related decisions in which they have a stake.

Under this Strategy, oceans governance will advance in three specific areas. First, the federal government will develop, support and promote activities to establish **institutional governance mechanisms** to enhance coordinated, collaborative oceans management across the federal government and with other levels of government. The Strategy proposes to use new and existing mechanisms such as committees, management boards and information sharing to promote coordination in ocean management.

Second, the Strategy seeks to implement a program of **Integrated Management planning** to engage partners in the planning and managing of ocean activities. As the cornerstone of the governance approach, Integrated Management establishes decision-making structures that consider both the conservation and protection of ecosystems, while at the same time providing opportunities for creating wealth in oceans related economies and commu-

nities. It brings together the environmental, economic and social considerations by planning for sustainable use of the oceans in a safe and secure environment. In addition, Integrated Management provides the opportunity to bring together the citizens who want to be engaged in decisions that affect them.

Finally, the Strategy responds to the desire of Canadians to become engaged in ocean management activities by **promoting stewardship and public awareness**. Oceans stewardship means acting responsibly to conserve the oceans and their resources for present and future generations. Through stewardship initiatives, Canadians can actively participate in caring for our ocean resources in meaningful and positive ways.

Implementing *Canada's Oceans Strategy* will require actions under each of the policy objectives, as well as specific initiatives to promote oceans governance. Implementation will also involve new ways of looking at our ocean resources, and new ways of doing business. It requires the ongoing commitment and participation of all levels of government – federal, provincial, territorial, municipal – as well as Aboriginal organizations and communities, businesses, academia, non-governmental organizations and Canadians generally.

*Canada's Oceans Strategy* is based on knowledge from a growing body of ocean management experiences both nationally and internationally. The national Strategy will continue to evolve over time. Its further development and implementation will involve active collaboration with partners, and the development of a results-based management and accountability framework to measure progress, relevance and effectiveness.

# INTRODUCTION

*Canada's Oceans Strategy* is the Government of Canada's policy statement for the management of estuarine coastal and marine ecosystems. Based on the authority and direction set out in the Oceans Act, the Strategy has been informed by experience with Integrated Management planning and Marine Protected Areas, a range of discussions and consultations with oceans stakeholders over the past four years, and emerging experience in oceans policy and oceans management in the international community.

National in scope, *Canada's Oceans Strategy* sets out the new policy direction for modern ocean management.

The Strategy will be further refined and implemented by the Government of Canada in collaboration with provincial and territorial governments; affected Aboriginal organizations and communities (including those bodies established under land

claims agreements); ocean industries such as fishing, shipping and oil and gas interests; environmental organizations and non-governmental organizations; coastal communities; and other Canadians or organizations with an interest in its development or implementation. These are the partners involved in managing Canada's oceans.

This document outlines the policy framework for *Canada's Oceans Strategy* and seeks to:

- Establish the context in which *Canada's Oceans Strategy* is being developed and implemented;
- Set out the framework of a new modern approach to oceans management for the 21st century;
- Describe the strategic approach that will be used to achieve the policy objectives; and
- Set out a series of federal activities that support the *Strategy*.

# THE CONTEXT FOR **CANADA'S OCEANS STRATEGY** *Canada - A Maritime Nation*

Canada is an ocean nation whose economy, environment and social fabric are inextricably linked to the oceans and their resources. Bordered by three oceans, Canada's coastline is vast and diverse – the Pacific's multi-faceted shoreline of rugged mountains, inlets, fjords and islands – the Arctic's complex food web and habitats – the wide continental shelf of the Atlantic. Canada's oceans also define a large part of national sovereignty and are a critical element of national security.

Of equal significance are the internal marine waters of Canada, such as the St. Lawrence Estuary, the Gulf of St. Lawrence, Hudson Bay, James Bay, Strait of Georgia, and the internal Arctic waters. In addition, the oceans are affected by rivers, watersheds, and land-based activities thousands of kilometers from the coasts. Eight of ten provinces and all three territories directly border oceans and marine waterways, and over 25 percent of the population lives in coastal zones.

The richness and biodiversity of Canada's oceans provide enormous potential for present and future generations. The marine ecosystems have a remarkable diversity of species, including commercial and non-commercial fish, marine mammals, invertebrates and plants. The health of our oceans and sound management of ocean resources are not just coastal issues—they are truly national and affect all Canadians.

Canada's oceans are also a critical component of the overall global and national climate as they determine and regulate climate, and provide keys to the understanding of and adaptation to global climate change.

With over \$20 billion in annual economic activity and many billions more in ocean trade passing through our waters, Canada's oceans and their resources are already significant contributors to the overall Canadian economy. Indeed, oceans are the lifeblood that support many coastal communities and are our highways to the world's market places. As they are also the backbone of the global transportation system, safe and secure navigable waters are critical to the effective functioning of Canada's national economy.

Oceans also offer the potential for numerous opportunities to generate significant economic, social and cultural benefits. Examples of the potential are found in fisheries (commercial, recreational and Aboriginal), aquaculture, tourism, transportation, shipbuilding, oil and mineral production, education and research. By developing this potential, Canada is in a position to provide knowledge, management advice and technical expertise for the world community. In addition, determining, understanding and regulating the activities being conducted in our ocean areas of jurisdiction is critical to ensuring national security, sovereignty and defense.

## **ENVIRONMENTAL IMPACTS ON CANADA'S OCEANS**

Oceans are facing severe environmental threats from over-exploitation, pollution from land-based and sea-based activities and the alteration and destruction of habitats and ecosystems. The health of oceans is affected by sewage and pollutant discharge in marine waters, excessive growth of marine plant life, alien species introduction and changes to hydrology and sediment flow.

Despite efforts to improve environmental quality of coasts and seas both in Canada and abroad, degradation of ocean environments has continued. As well, the lack of an integrated approach to using this shared resource has often caused conflict among economic, environmental and social objectives. Management of ocean resources in a global, sustained and integrated fashion has remained elusive, despite various international agreements and initiatives.

## **INTERESTS IN CANADA'S OCEANS**

Today, the growing number of different and competing interests makes management of Canada's oceans much more difficult and complex. Where once traditional fishing and shipping industries were nearly alone, they now share oceans with many others. The conflicts among ocean uses make it essential to ensure that policies are cohesive.

Many stakeholders, particularly those who wish to develop the oceans and their resources, are concerned about the lack of a common vision and common set of principles. As a result, many stakeholders feel that opportunities are somewhat complicated and diminished for investment and development of ocean resources, especially when taken together with a large number of government departments and agencies with oceans related mandates and regulatory regimes.

## **CURRENT MANAGEMENT**

Canada's oceans are governed by a complex web of laws and regulations managed by different levels of government. This governance structure points to the need for developing a unified vision and integrated approach to ocean management that effectively considers the impact of individual sector activities on each other, and on the oceans as a whole. This should be combined with developing resource management decision-making and environmental assessment approaches that take an ecosystem approach and effectively recognize the long-term cumulative impacts of human actions on the marine environment.

New governance mechanisms can also further the coordination needed with the private sector, Aboriginal groups, local communities and other oceans stakeholders' interests.

## **THE OCEANS ACT**

The *Oceans Act* provides a framework for modern and future ocean management initiatives, and calls for the Minister of Fisheries and Oceans to lead and facilitate the development of a national ocean management strategy. *Canada's Oceans Strategy* responds to this requirement. It is designed to be implemented in such a way that it provides policy direction for an integrated approach to ocean management, coordination of policies and programs across governments and an ecosystem approach to ocean resource management and environmental assessment.

# THE APPLICATION OF CANADA'S OCEANS STRATEGY

## MANAGING CANADA'S OCEANS

Canada's oceans are part of the "global commons." Like other ocean nations, Canada is required to manage these resources in a manner that recognizes the international laws, agreements and standards for ensuring order on the seas, beyond the waters of any one state. Management of Canada's oceans is based on both national and international obligations and commitments.

## INTERNATIONAL

The *United Nations Convention on the Law of the Sea* (UNCLOS) is considered the international constitution of the oceans incorporating both the codification of customary international law and negotiated treaty commitments relating to the world's oceans. It provides a comprehensive framework for the regulation of the oceans. It deals with a range of activities such as access to the seas, navigation, protection and preservation of the marine environment, pollution prevention and control, exploitation of living and nonliving resources, conservation, scientific monitoring and research, and the outline of a dispute settlement mechanism. Although the Government of Canada has not yet ratified the 1982 UNCLOS, it is committed to its eventual ratification. Already, a significant proportion of UNCLOS provisions are reflected in Canadian legislation.

There are also numerous other international instruments, processes and institutions dealing with the full range of ocean issues in which Canada is actively engaged to promote and support its interests and responsibilities. These rights and obligations under international conventions and agreements are fully recognized and respected in *Canada's Oceans Strategy*. The *Strategy* is also designed to advance the

international drive to strengthen the global oceans governance regime.

## THE GOVERNMENT OF CANADA

Almost every federal department and agency in Canada is involved in the management of the oceans through policies, programs, services, or regulations. In addition to oceans management, federal departments and agencies have specific authorities, policies and program responsibilities in a wide range of diverse areas such as resource management, sovereignty and defense, trade and industrial development, northern development, transportation and safety, and health and environment.

The *Oceans Act* provides the legislative foundation for *Canada's Oceans Strategy*. It provides the basis for oceans governance by:

- defining maritime territory in accordance with the *United Nations Convention on the Law of the Sea* (UNCLOS), including the declaration of the exclusive economic zone (EEZ);
- assigning a leadership role to the Minister of Fisheries and Oceans in the stewardship of Canada's oceans, and the development of a national strategy for the management of all activities in or affecting estuarine, coastal and marine areas; and
- clarifying and consolidating federal oceans management and responsibilities, as well as oceans responsibilities not otherwise assigned.

At its core, the *Oceans Act* has a principle-based approach, premised on collaboration and co-operation, and respect for assigned constitutional and legislative responsibilities, including existing Aboriginal and treaty rights.

The *Preamble* of the *Oceans Act* guides *Canada's Oceans Strategy*. The *Preamble* states that:

- Canada promotes the understanding of oceans, ocean processes, marine resources and marine ecosystems to foster the **sustainable development** of the oceans and their resources;
- Canada holds that conservation, based on an **ecosystem approach**, is of fundamental importance to maintaining biological diversity and productivity in the marine environment;
- Canada promotes the wide application of the **precautionary approach** to the conservation, management and exploitation of marine resources in order to protect these resources and preserve the marine environment;
- Canada promotes the **integrated management** of oceans and marine resources;
- Canada recognizes that the oceans and their resources offer significant opportunities for **economic diversification** and the generation of wealth for the benefit of all Canadians, and in particular for coastal communities; and
- The Minister **in collaboration** with other ministers, boards and agencies of federal, provincial and territorial governments, and with affected Aboriginal organizations, coastal communities and other persons and bodies (including those bodies established under land claims agreements), is encouraging the development and implementation of a national strategy for the management of estuarine, coastal and marine ecosystems.

## PROVINCIAL, TERRITORIAL AND LOCAL GOVERNMENTS

While the federal government has broad responsibilities for the stewardship and management of Canada's oceans and resources, there are equally important roles and responsibilities for provincial, territorial and local governments. Provinces have primary responsibility for provincial lands, the shoreline and specific seabed areas. Municipalities have responsibility for many of the land-based activities affecting the marine environment.

*Canada's Oceans Strategy* provides the basis for a new strategic management framework to involve all levels of government and interests to work on achieving common objectives.

## ABORIGINAL

The *Constitution Act*, 1982 recognizes and affirms existing Aboriginal and treaty rights. The *Oceans Act* contains an explicit provision to provide certainty that it does not abrogate or derogate from those rights. *Canada's Oceans Strategy*, flowing as it does from the Act, provides this same certainty.

First Nations, Inuit and other Aboriginal groups and organizations have long held a special relationship and connection with the oceans. There is much to be learned from the holistic Aboriginal approach to the marine environment. Aboriginal traditional ecological knowledge is an important component of increasing understanding of the complex marine environment.

*Canada's Oceans Strategy* also respects the legislative responsibilities of land claim agreements that outline specific resource management responsibilities and commitments by the federal government to co-operate and collaborate with the signatories. In many cases, these agreements directly or indirectly affect or concern the oceans.

The *Strategy* provides the broad framework and active encouragement for Aboriginal groups in Canada to become engaged in ocean management. Where Treaties and Land Claims Agreements are not yet established, there are a range of opportunities for involvement and engagement of Aboriginal communities.

Specifically, Integrated Management planning offers an opportunity for First Nation communities and Aboriginal groups to become involved in ocean management decision making.

## COASTAL COMMUNITIES

Canadians have expressed a desire to be more engaged in ocean management. The *Strategy* offers Canadians the opportunity for greater and more direct involvement in policy and management decisions that affect their lives. Coastal communities will be actively involved in the development, promotion, and implementation of sustainable oceans activities, as Integrated Management planning will offer this kind of direct opportunity. In this way, there is a more viable planning process, associ-

ated actions are relevant to the area, and there is “on the ground” expertise and capacity for implementation, monitoring and compliance promotion.

## **OCEAN INDUSTRIES**

Canada’s oceans support a diverse network of commercial activity, including commercial and sport fishing, aquaculture, high technology instrument development, shipbuilding, oil and gas exploration and extraction, seabed mining, defense production, tourism and recreation, boating, marine transportation and ports, marine navigation, and communications. *Canada’s Oceans Strategy* aims to promote the development of private/public partnerships and

standards that will support existing and emerging ocean industries, and ensure the conservation and sustainability of ocean resources.

## **OCEAN INTERESTS**

There are also non-government organizations, interest groups and academics with a wealth of expertise that can provide informed advice on matters such as economic, environmental and social issues, science and technology, community living, jobs and growth, and public education. *Canada’s Oceans Strategy* is designed to actively encourage the participation of these groups and individuals in its evolution and implementation.

# POLICY FRAMEWORK

As a policy framework, *Canada's Oceans Strategy* has the overarching goal -- **to ensure healthy, safe and prosperous oceans for the benefit of current and future generations of Canadians.**

The policy framework is intended to guide the coordination and management of ocean activities. All levels of government retain respective legislative and jurisdictional responsibilities and authorities.

## PRINCIPLES

As set out in the *Oceans Act*, the *Strategy* is based on the three principles of **sustainable development, integrated management and the precautionary approach.** These three principles should guide all ocean management decision making.

Application of these principles is premised on a sound base of scientific and traditional knowledge. The scientific knowledge required to make oceans management decisions encompasses both natural and social dimensions. It is derived from sources inside and outside Canada and its governments. Under the *Strategy*, the Government of Canada commits to ensuring that the following principles serve as guides and tests for assessing future oceans management decisions.

The **sustainable development** principle rests at the core of *Canada's Oceans Strategy*. It recognizes the need for integration of social, economic and environmental aspects of decision making, and that any current and future ocean resource development must be carefully undertaken without compromising the ability of future generations of Canadians to meet their needs.

While this principle applies to all oceans management considerations, from an operational perspec-

tive, this *Strategy* commits the Government of Canada to ensure its implementation through the process of Integrated Management planning. (Implementation details are available in the *Policy and Operational Framework for Integrated Management of Estuarine, Coastal and Marine Environments in Canada*).

As a principle, **Integrated Management** is a commitment to planning and managing human activities in a comprehensive manner while considering all factors necessary for the conservation and sustainable use of marine resources and the shared use of ocean spaces.

Integrated Management is central to *Canada's Oceans Strategy*, as it contains commitments to the long-term objective of developing large-scale and local Integrated Management plans for all of Canada's oceans, starting with priority areas and building on experience as resources and capacity permit.

Integrated Management also embodies several other important principles, concepts and approaches, such as:

- integrated data collection, monitoring, research, synthesis, and information sharing, communication and education (the full range of relevant knowledge is applied to the planning process and decision-making process, including scientific studies and local and traditional knowledge);
- inclusive and collaborative oceans governance structures and processes;
- flexible and adaptive management techniques to deal with uncertainty and improvements in the understanding of marine species and ecosystems; and
- planning on the basis of natural and economic systems together, rather than principally on

political or administrative boundaries (Integrated Management plans may include more than one province or territory or span international boundaries).

The **precautionary approach**, defined in the Oceans Act as “erring on the side of caution,” is a key principle to be applied in the management of ocean activities. Under the *Strategy*, the Government of Canada is re-affirming its commitment to promoting the wide application of the precautionary approach to the conservation, management and exploitation of marine resources in order to protect these resources and preserve the marine environment. *Canada’s Oceans Strategy* will be governed by the ongoing policy work being undertaken by the Government of Canada.

Further commitments in this Strategy clarify the application of this principle from an oceans perspective, namely:

- the promotion of an ecosystem-based approach to management;
- the application of conservation measures necessary to maintain biological diversity and productivity of the marine environment, including the establishment of marine protected areas;
- the promotion of progressive improvement in understanding of the marine environment; and
- the priority given to maintaining ecosystem health and integrity, especially in the case of uncertainty.

## OBJECTIVES

Three policy objectives or outcomes have been identified for the advancement of oceans management activities:

- **Understanding and Protecting the Marine Environment;**
- **Supporting Sustainable Economic Opportunities; and**
- **International Leadership.**

## UNDERSTANDING AND PROTECTING THE MARINE ENVIRONMENT

Successful oceans management depends on *understanding the marine environment* – an understanding that is predicated on solid science, which in turn depends on rigorous peer review. The ability to understand and protect marine ecosystems also depends on the ability to bring together the various disciplines of the marine sciences.

Science support for oceans management is important for delineating ecosystem boundaries, identifying key ecosystem functions and components, developing predictive models and risk assessment techniques, developing ecosystem-based management objectives, developing performance indicators, and assessing the state of ecosystem health. Modern oceans management requires integrating social and environmental information so that human activity is better factored into sound decision-making.

Other key information sources include the federal marine fleets, the fishing industry, community knowledge, and the traditional ecological knowledge shared by Aboriginal peoples.

Integrating diverse and complex information, supplemented by new research to improve understanding of the marine environment (particularly of marine ecosystems), contributes to the advancement and management of oceans resources. Sharing that knowledge with the Canadian public is an important element of enhancing public awareness and engaging public debate.

**Protecting the marine environment** is the corollary of improved understanding of the marine environment. The broadly defined stewardship responsibility is designed to ensure that resources of the oceans are managed wisely, respect the stated principles, and protect oceans for the benefit and enjoyment of future generations. Protection must consider the degradation of the marine environment including, physical alteration and destruction of marine habitat.

Pollutants entering the oceans are also a major concern. Over 80 per cent of marine pollution is from land-based sources. Sea-based sources of

marine pollution also warrant additional attention and action.

There are also unique, sensitive, and ecologically significant areas of the marine environment that require special protection and remediation. Recovery is urgent for marine species currently threatened or endangered, and for actions that keep healthy populations from becoming at risk.

The understanding and protection sections of the policy framework support the creation of a national network of marine protected areas and the establishment of marine environmental quality guidelines. These are two specific elements set out in the *Oceans Act*.

Achieving this objective, however, is much more than just establishing new programs.

It requires new approaches to collaboration across and between governments, as well as new ways of doing business for those using oceans resources and the active engagement of Canadian communities, organizations, and citizens. (These aspects are discussed in greater detail in the subsequent section on Oceans Governance).

## **SUPPORTING SUSTAINABLE ECONOMIC OPPORTUNITIES**

The conservative estimate of ocean industries' contribution to the Canadian economy is well over \$20 billion a year. There is a very strong link between the sustainable economic opportunities objective, and that of understanding and protecting the marine environment. The health of the oceans is inextricably linked to the sustainability of economic livelihoods for coastal communities and Canadians generally. Support for sustainable economic opportunities also requires the development of a scientific knowledge base of oceans resources and development impacts. Under the *Strategy*, the Government of Canada will work with other levels of government, Aboriginal groups, industry and oceans stakeholders to develop this knowledge base and assess the economic potential for development. At the same time, the social, cultural and environmental impacts of development will be considered.

The conservation and sustainable use of **fisheries resources** is one of the key goals within this objective. So too is the development of aquaculture in a manner that supports public confidence and industry competitiveness. Fisheries managers and scientists are developing a renewed approach toward management that is based on conservation, objectives-based fisheries management techniques within an ecosystems context. This requires working more closely with commercial, recreational and Aboriginal licence holders and fleet sectors to promote greater involvement in, and responsibility for, operational management activities.

**Offshore energy and mineral resource** development are already contributing to the prosperity of Canada, and have enormous potential. In addition to being an important element of the overall energy supply and energy policy, offshore energy developments are directly and indirectly helping to transform economies in many communities on the east coast and in the North.

The **shipping** industry is a key transportation mechanism in Canada and offers important social and economic benefits to Canadians. In the area of shipping, Canada harmonizes marine safety and environmental policies with international maritime law, and is a major supporter of the work of the International Maritime Organization.

Canada also has an important and innovative **shipbuilding and industrial marine** industry that is a critical component of the local economy of many coastal communities and, as well, provides industrial benefits for industries across Canada. The offshore oil and gas industry, which has continued to grow since early exploration in the 1960s, is generating increasing demands for vessels of all types, and for equipment related to both exploration and development. In addition, important Canadian service industries, such as **sea-bed mapping, marine communications and data management**, have economic and knowledge potential with the added benefit of a contribution to improved oceans management. Such industrial and knowledge management benefits underscore the necessity for an integrated approach and the collaborative arrangements set out in *Canada's Oceans Strategy*.

Many coastal communities in Canada, from major cities to small villages, are increasingly turning to their coastal areas to support economic opportunity. Opportunities range from small **eco-tourism** operations to major **cruiseships** and waterfront developments. *Canada's Oceans Strategy* supports increased economic opportunities and commits to cooperation that supports its principles and objectives.

The *Strategy* also recognizes that all sustainable economic activities depend on the provision of a safe and secure operating marine environment. Without peace and security in Canadian ocean areas of jurisdiction, the wealth-generating opportunities presented by the oceans will not be realized by present and future generations.

**Supporting sustainable economic opportunities** is not without challenges. For example, conflicts are becoming more common over the most effective and sound uses of ocean space, most particularly in the near-shore. In addition, the cumulative effects of many stresses are not always considered and are difficult to assess. There is also an added challenge of understanding the dynamics of marine ecosystems and predicting future conditions. These challenges reinforce the need for the principles of integrated management, sustainable development, and the precautionary approach to support the sustainable economic opportunity objective. Costs of not implementing an oceans strategy include increased conflicts and competition for ocean space, lost economic opportunities and continued environmental degradation.

## INTERNATIONAL LEADERSHIP

The third policy objective is **International Leadership**. Oceans, by their very nature, demand international management. International Leadership is about advancing Canadian and global ocean-related interests broadly and proactively. By influencing international priorities, decisions and processes, Canada can help ensure its sovereignty and security, sustainable ocean resources, and support social and economic interests. Canada's strong history of assisting other nations, particularly developing nations, in the sustainable development of their oceans will continue.

Several federal departments have international activities concerning oceans. It is recognized that no single department has the mandate, capacity or resources to implement all of the international oceans commitments. A high degree of consistency is required in order to maximize the returns from investments in international activities. A common understanding and consensus on international oceans priorities is necessary among federal government departments in order to advance a coherent international oceans strategy. The challenge ahead is to be more co-ordinated, better prepared and capable of responding to the many international oceans issues that demand immediate attention.

The *United Nations Fisheries Agreement* (UNFA) has emerged as a significant international agreement to complement the *United Nations Convention on the Law of the Sea* (UNCLOS). UNFA specifically addresses the management and conservation of straddling stocks (those species that occur both within the exclusive economic zone of a coastal state and in the adjacent high seas), as well as highly migratory fish stocks on the high seas. Canada has ratified UNFA and intends to ratify UNCLOS once an effective UNFA enforcement regime has been established.

There are a number of other international legal instruments, institutions, processes and initiatives dealing with the full range of ocean issues that define the international environmental agenda. For example, Canada is an active participant in the development of a new global regime for the protection of underwater cultural heritage, an active supporter and participant in the United Nations Informal Consultative Process on Oceans and Law of the Sea, and signatory to a number of International Maritime Organization conventions. In addition, Canada is an active participant in a number of international fisheries and oceans resource management organizations including the North Atlantic Fisheries Organization (NAFO), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the North Atlantic Salmon Commission (NASCO), the North Pacific Anadromous Fisheries Commission (NPAFC), and the North East Atlantic Fisheries Commission (NEAFC), among others. Continuing participation in these fora will assist in advancing ways of strengthening the effective global governance of the oceans.

The “Earth Summit” of 1992 (the United Nations Conference on Environment and Development) produced Agenda 21, the global blueprint for guiding the management of the environment and development. Canada has been working with other nations to fulfill the commitments of Agenda 21, and supporting international institutional arrangements and initiatives to meet its commitments to sustainable development goals. Chapter 17 of Agenda 21 is specifically devoted to oceans, and outlines principles and objectives for oceans management. The *Oceans Act* and *Canada’s Oceans Strategy* represent a concerted effort to implement the Agenda 21 principles of sustainability, integrated management, and precaution. As such, the *Strategy* is a significant tool for addressing Canada’s international sustainable development commitments.

The *Oceans Act and Strategy* will be presented to the international community at important fora, such as the World Summit on Sustainable Development, as a framework for integrated, horizontal ocean governance. This is just one way in which Canada will continue to ensure that oceans governance remains a focal point in global sustainable development discussions.

In the international context, *Canada’s Oceans Strategy* supports and promotes effective governance and regulation, including the exercise of national sovereignty and security. The maintenance and preservation of sovereignty over national ocean space is recognized as a fundamental right in international law and is a priority for Canada. Within our maritime zones, a coordinated system of surveillance and monitoring ensures the Canada is aware of the maritime activities in progress. Strongly associated with maritime surveillance is the enforcement of national and international law within Canadian maritime areas of jurisdiction. Enforcement is fundamental to the protection of our sovereign rights and to the preservation of maritime order and security. The *Oceans Act* recognizes Canada’s maritime jurisdiction through the definition of baselines, internal waters, the twelve nautical mile territorial sea, the twenty-four nautical mile contiguous zone, the two hundred nautical mile exclusive economic zone, and the continental shelf in accordance with the 1982 Law of the Sea Convention. In particular, the Act confirms the authority for the enforcement of a federal

law that is a customs, fiscal, immigration or sanitary law within the contiguous zone. In addition, the Act grants authority to prevent entry into Canada, powers of arrest and search and seizure. A comprehensive national and international legal framework supports this requirement, as well as effective intelligence and enforcement capabilities.

It is important to highlight that a critical goal of this *Strategy* is the ability to ensure the safety and security of shipping and life at sea. Achieving this goal involves prevention through the prediction of dangerous conditions, the maintenance of safe and secure waterways, and the enforcement of Canadian sovereignty, and the capacity for emergency response that serves people, property and vessels in distress.

*Canada’s Oceans Strategy* will respond to the challenge of providing the improved coordination and increased capabilities needed to address immediate and future international oceans issues.

## OCEANS GOVERNANCE

*Canada’s Oceans Strategy* in general, and oceans governance in particular, is much more than a federal government responsibility. It is a collective responsibility shared by all.

Accordingly, oceans governance under the *Strategy* has core commitments to:

- **work collaboratively within the federal government, and among levels of government;**
- **share responsibility for achieving common objectives; and**
- **engage Canadians in oceans-related decisions in which they have a stake.**

Under this *Strategy*, oceans governance will advance in three specific areas. First, the federal government will develop, support and promote activities to establish **institutional governance mechanisms** to enhance coordinated, collaborative decision-making across the federal government and with other levels of government. The *Strategy* proposes to use new and existing mechanisms such as committees, management boards and information sharing to promote coordination in ocean management.

Second, the *Strategy* seeks to implement a program of **Integrated Management planning** to better engage partners in the planning and managing of ocean activities. As the cornerstone of the oceans governance approach, Integrated Management establishes advisory bodies that consider both the conservation and protection of ecosystems, while at the same time providing opportunities for creating wealth in oceans related economies and communities. It brings together the environmental, economic and social considerations by planning for sustainable use.

Integrated Management involves comprehensive planning and managing of human activities to minimize the conflict among users. It also involves a collaborative approach and a flexible and transparent planning process that respects existing divisions of constitutional and departmental authority and does not abrogate or derogate from any existing Aboriginal or treaty rights.

The governance model proposed for Integrated Management is one of collaboration. It involves ocean management decisions based on shared information, on consultation with stakeholders, and on their advisory or management participation in the planning process. It is also based on institutional arrangements that bring together all stakeholders. Participants take an active part in designing, implementing and monitoring the effectiveness of coastal and ocean management plans, and partners enter into agreements on ocean management plans with specific responsibilities, powers and obligations. It is also recognized that in specific cases, Integrated Management and planning may be achieved through co-management.

The Framework proposes that an Integrated Management body will be composed of both governmental and non-governmental representatives with interests in a given ocean space. In coastal and ocean areas with relatively light levels of human use and impact, Integrated Management bodies may focus more on informing and consulting with local interests. In these circumstances, the Integrated Management body may mostly serve to facilitate information sharing.

As there is an increase in human activities and pressures on the marine environment, other arrangements will balance coastal and ocean uses with maximum social and economic benefits, while not exceeding ecological thresholds. In these circumstances, substantial effort will be directed towards maximizing participation of all interests and establishing an Integrated Management body whose role will be to provide decision makers with advice and also to assume part of the responsibility for implementation of the approved management plan.

Finally, the *Strategy* responds to the desire of Canadians to be engaged in ocean management activities by **promoting stewardship and public awareness**. Oceans stewardship means acting responsibly to conserve the oceans and their resources for present and future generations. Through stewardship initiatives, the government can encourage Canadians to volunteer and actively participate in the caring for ocean resources in meaningful and positive ways. Citizens also want to be engaged in decisions that affect them, and look for support for stewardship projects.

*Canada's Oceans Strategy* builds on an existing foundation of stewardship and public awareness activities and will continue to develop and promote national initiatives in these areas. This active participation is encouraged through the Integrated Management planning process, but also through more specific activities. Stewardship initiatives under the Strategy will be co-ordinated with others such as the National Stewardship Initiative and the Natural Legacy Agenda. As well, oceans stewardship initiatives are important for supporting Canada's international commitments under Chapter 36 of Agenda 21.

Industry is also interested in public/private sector partnerships that contribute to sustainable ocean use. Government roles in this relationship are to enable and encourage the public and private sectors to participate as completely as possible in helping to support sustainable ocean use.

# STRATEGIC DIRECTIONS FOR IMPLEMENTING **CANADA'S OCEANS STRATEGY**

Implementing *Canada's Oceans Strategy* requires action under each of the *Strategy's* policy objectives:

1. Understanding and Protecting the Marine Environment;
2. Supporting Sustainable Economic Opportunities; and
3. International Leadership.

As well, the goal of the *Strategy* is to pursue specific initiatives to promote oceans governance.

Implementation of the *Strategy* challenges Canada to explore new ways of looking at our ocean resources, and new ways of doing business.

The activities currently identified within this document are examples of initiatives over a four-year period that will be undertaken by the Government of Canada in support of the *Strategy*.

The Government of Canada would like to engage in discussions on these activities to expand them beyond the federal government.

The Government of Canada invites comments to include activities that may be undertaken by and in partnership with other Canadians. These include provincial and territorial governments, municipal governments, affected Aboriginal organizations and communities, ocean industries such as fishing, shipping and oil and gas interests, environmental organizations and non-governmental organizations, coastal communities, and other individuals or organizations with an interest in oceans management and the implementation of *Canada's Oceans Strategy*.

Canada's oceans have played an important role historically and they offer much promise for the future.

*Canada's Oceans Strategy* invites others to work collectively to ensure healthy, safe and prosperous oceans for the benefit of current and future generations of Canadians.

## ACTIVITIES

Grouped under the main policy objectives of *Canada's Oceans Strategy*, the intention is to implement the federal activities over a four-year period. Advancing these activities requires varying levels of support. Some simply require doing business in new ways through the establishment of committees or conducting joint research. Other activities require policy approval and new financial resources. Still others may require legislative or regulatory change, or changes to the international oceans governance regime.

## UNDERSTANDING AND PROTECTING THE MARINE ENVIRONMENT

- **Improved scientific knowledge base for estuarine, coastal and marine ecosystems:**
  - Improve co-operation in the collection, monitoring and disseminating of information, including the integration of traditional ecological knowledge;
  - Better understand ecosystem dynamics including climate, variability and the impact of change on living marine resources, as well as a new orientation towards operational oceanography;
  - Promote the development of a State of the Oceans Reporting system;
  - Promote academic liaison on oceans research for and among natural and social sciences, especially through the Oceans Management Research Network; and

- Strengthen the co-ordination of ocean science in support of ocean management.
- **Policies and programs aimed at marine pollution prevention:**
  - Improve existing legislation and guidelines on marine environmental protection and maintain an on-going review and assessment of the adequacy of marine pollution prevention standards;
  - Support the implementation of the *National Programme of Action for the Protection of the Marine Environment from Land-based Activities*, in particular the identified priority areas of sewage and physical alteration/ destruction of habitat;
  - Develop a more proactive implementation of the fish habitat protection policy;
  - Develop a framework for a *National Programme of Action for the Protection of the Marine Environment from Seabased Activities* to address priority areas such as ballast water discharges and the introduction of exotic species; and
  - Promote the implementation of the green infrastructure program in coastal communities to improve sewage treatment.
- **Conservation and protection of the marine environment:**
  - Develop a strategy for a national network of Marine Protected Areas;
  - Support and promote efforts to protect underwater cultural heritage;
  - Establish and implement a Marine Environmental Quality policy and operational framework under the Oceans Act; and
  - Support new legislation, regulations and policies and programs aimed at protecting marine species at risk.
- ments of initiatives underway across the federal government such as offshore oil and gas, offshore mineral development, shipbuilding and industrial marine, Innovation Agenda and northern development; and
- Ensure the provision and maintenance of efficient, effective and secure marine transportation.
- **New and emerging opportunities for oceans industries and oceans-related coastal development:**
  - Support partnerships for innovative industries;
  - Support new and emerging fisheries and aquaculture developments, industries supplying environmental equipment and services and new and emerging Canadian capability in servicing and supplying the offshore developments;
  - Support economic diversification in coastal communities to ensure participation within the larger oceans economy;
  - Promote technology transfer, market access, and business development for oceans products and services internationally;
  - Promote an "Oceans Team Canada" approach; and
  - Explore the removal of trade barriers to oceans industry development.
- **Co-operation and co-ordination to support and promote business development in the oceans sector:**
  - Examine regulatory regimes to ensure effective environmental protection and streamline regulations;
  - Examine programs that provide support for industry to ensure that oceans opportunities are captured. This includes viewing programs such as Atlantic Canada Opportunities Agency, Western Economic Diversification, Central Economic Diversification and provincial/territorial initiatives through an ocean-centered agenda;
  - Conduct economic analysis on emerging oceans industries;
  - Support National Research Council and Industry Canada development of a Marine and Ocean Industry Technology Roadmap to help identify technologies that could be supported by Technology Partnerships Canada (TPC);

## SUPPORTING SUSTAINABLE ECONOMIC OPPORTUNITIES

- **Sectoral measures to improve and support governance and management of marine industries:**
  - Support and promote initiatives underway within Fisheries and Oceans Canada such as the Atlantic Fisheries Policy Review and Aquaculture development;
  - Support and promote the sustainability ele-

- Support efforts to secure Canadian industrial benefits from the development of offshore oil and gas, in partnership with the industry, provinces and other stakeholders; and
- Work with industry to develop and implement codes of practice for sustainable oceans use.

## INTERNATIONAL LEADERSHIP

- **Sovereignty and security:**
  - Promote national and international collaboration to prevent illegal activity and enforce national and international obligations;
  - Support and promote the maintenance of maritime sovereignty and security; and
  - Promote a national and international marine safety network.
- **International oceans governance:**
  - Promote compliance with existing international agreements;
  - Support and promote an Arctic/circumpolar agenda through the Arctic Council;
  - Promote integrated management, stewardship and precautionary approach as the overriding principles for oceans management in international fora, including the World Summit on Sustainable Development; and
  - Develop management arrangements with bordering nations for trans-boundary coastal and marine ecosystems.
- **Share experience, promote compliance and build capacity, in particular for developing nations:**
  - Support and promote consultative processes at the United Nations;
  - Provide capacity for effective implementation of ocean management regimes such as the *United Nations Convention on the Law of the Sea*;
  - Support capacity development for developing countries for the sustainable development of marine resources and ocean spaces; and
  - Promote a coherent approach to managing oceans within the global governance system at both a regional and global level.

## OCEANS GOVERNANCE

- **Establish mechanisms and bodies for oceans co-operation and collaboration:**
  - Strengthen institutional arrangements at the national and regional level;
  - Explore arrangements for strengthening relationships with Aboriginal people in oceans management;
  - Support the Minister's Advisory Council on Oceans;
  - Support the Oceans Task Group under Canadian Council of Fisheries and Aquaculture Ministers;
  - Examine the use of other federal, provincial, territorial fora in relation to ocean management such as Canadian Council of Ministers of the Environment;
  - Strengthen and expand institutional arrangements to implement *Oceans Act* responsibilities at the national and regional level; and
  - Explore options to use the Government On-Line initiative as a tool to promote oceans management co-operation and collaboration.
- **Promote Integrated Management planning for all Canada's coastal and marine waters:**
  - Support implementation of the *Policy and Operational Framework for Integrated Management of Estuarine, Coastal and Marine Environments in Canada*;
  - Support the planning processes for Large Ocean Management Areas; and
  - Support coastal and watershed planning initiatives.
- **Stewardship and public awareness activities:**
  - Support regional and national stewardship initiatives, including the development of a national framework;
  - Promote engagement of Canadians in stewardship initiatives;
  - Support and promote public awareness of oceans and ocean issues;
  - Encourage public and private partnerships; and
  - Promote public education on oceans.

## CONCLUSION

*Canada's Oceans Strategy* responds to the legislative and policy requirements outlined in the *Oceans Act* and sets the foundation for future management of Canada's estuarine, coastal and marine waters. The Government of Canada, on behalf of all Canadians, recognizes its implementation as a priority.

In summary, this *Strategy* is designed to set clearly defined objectives and stimulate partnerships among all

those with a stake in oceans management. It is based on knowledge from a growing body of ocean management experiences both nationally and internationally. The national *Strategy* will continue to evolve over time. Its further evolution and implementation will involve active collaboration with partners, led by Fisheries and Oceans Canada, with a results-based management and accountability framework to measure progress relevance and effectiveness.

## Appendix 1

# INTEGRATED MANAGEMENT INITIATIVES AT WORK

Integrated Management initiatives are currently underway on all three coasts. The following examples give a sense of how Integrated Management planning can be put into practice:

### **ARCTIC OCEAN: BEAUFORT SEA INTEGRATED MANAGEMENT PLANNING INITIATIVE (BSIMPI)**

The 1984 Inuvialuit Final Agreement (IFA) established a modern resource co-management arrangement among the Inuvialuit of the Western Arctic, the Government of the Northwest Territories and the Government of Canada. The regional co-management mechanisms within this agreement have enabled the development of a multi-level joint management process for the Beaufort Sea Integrated Management Planning Initiative. This initiative involves several organizations in the scoping and planning of the BSIMPI, including: the Fisheries Joint Management Committee, the Inuvialuit Game Council, the Inuvialuit Regional Corporation, Fisheries and Oceans Canada, Indian and Northern Affairs Canada, and the Canadian Association of Petroleum Producers. Integrated Management will facilitate sound decisions addressing largescale ecosystems, multiple users and issues of marine quality. The Beaufort Sea area continues to be of immediate interest as the Mackenzie Delta/Beaufort Sea remain poised to become major contributors to the continental energy supply.

### **ATLANTIC OCEAN: EASTERN SCOTIAN SHELF INTEGRATED MANAGEMENT (ESSIM) INITIATIVE**

The Eastern Scotian Shelf Integrated Management Initiative (ESSIM) will lead to an Integrated Oceans Management plan for this large offshore area.

Key interests in oceans use and activities include fisheries, offshore oil and gas, shipping, maritime defence operations, submarine cables, science, research and development, recreation and tourism, potential offshore minerals development, and marine conservation. Based on dialogue and input gained through the ESSIM Initiative to date, there is now discussion of a collaborative management and planning process and structure – the ESSIM Forum. This forum would function as a networked structure for engaging and linking federal and provincial government departments, boards and agencies, First Nations, oceans industry and resource user groups, community associations, non-governmental organizations, and academia in the ESSIM process.

### **PACIFIC OCEAN: CENTRAL COAST OF BRITISH COLUMBIA**

The Central Coast of British Columbia has experienced extensive harvesting of the marine and terrestrial natural resources during the past half century. During recent years there has been increasing pressures from growth in aquaculture, cruise ship tourism, sports fishing and potential offshore petroleum. First Nations are the principle inhabitants of this extensive, sparsely populated, largely wilderness area.

Building on the results of an ongoing strategic planning initiative by the provincial government the area has been identified as an Oceans Act Integrated Management planning area. In collaboration with the provincial government, First nations, stakeholders and other interested parties, Fisheries and Oceans Canada, and other federal organizations, have commenced development of the marine information needed for integrated management of activities in the Central Coast.