

**Canada's Submission on Actions taken pursuant to Paragraphs 83 to 90 of the
United Nations General Assembly Resolution 61/105 to Identify, Manage and
Protect Vulnerable Marine Ecosystems**

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- Pursuant to the Fisheries Commission request of 2008, the Scientific Council delineated corals at its meeting in October 2008 and will undertake work on sponges as well as corals in canyons during 2009.
- At its meeting during March 19-20, 2009, the Ad Hoc Working Group of Fishery Managers and Scientists recommended to the Fisheries Commission that it consider closing the areas with significant coral concentrations based on the Canadian proposal. (The Working Group intends to meet again before the 2009 annual meeting to review the information on sponges as well as corals and sponges in canyons that will be forthcoming after the June 2009 Scientific Council meeting.)

Combined, these changes highlight an irreversible course of action towards the identification and protection of VMEs in the NAFO context.

To support research efforts in NAFO, Canada will undertake research surveys in 2009 and 2010 to enhance our knowledge of the benthic habitat, and will actively participate in the EU/Spanish- led survey planned for 2009 and 2010. The surveys are expected to delineate the location of corals and sponges in the NAFO Regulatory Area (NRA) with much greater precision than has been possible to date. Similarly, Canada has created a Centre of Expertise on Cold Water Corals and Sponge Reefs in St. John's, Newfoundland and Labrador, which is dedicated to compiling current information and available resources on corals and sponges on a national basis including in the NRA.

4.0 Canadian Perspective

At the domestic level, Canada is also taking seriously the protection of VMEs and has at its disposal a tool kit of measures that can be adapted to a given situation. Canada's approach to VME protection considers all ocean activities that may have an impact on VMEs, and is not exclusive to only commercial fisheries.

The management and protection of fisheries resources and the responsibility for Canada's ocean strategy falls under the mandate of the Department of Fisheries and Oceans (DFO). DFO is committed to sustainable development and safe use of Canadian waters and, as such, works towards the integration of environmental, economic, scientific, and social perspectives to ensure that Canada's oceans and freshwater resources benefit this generation and those to come. (see Appendix 1-- Canada's Legislative and Policy Framework, which includes a description of the *Fisheries Act*, the *Oceans Act*, and the *Species at Risk Act*, which all contain measures that can be used for VME protection).

Such an integrated, ecosystem-based approach applies equally to DFO's international and domestic actions and programs. Canada's International Governance Strategy, in

fishing activities that are licensed and/or managed by DFO both within and outside Canada's 200-nautical mile EEZ. The policy outlines separate processes for historically fished⁵ and frontier areas⁶.

This two-fold approach was taken in response to the DFO's 2006 *Science Advisory Report, Impacts of Trawl Gears and Dredges on Benthic Habitats, Populations and Communities* which suggests that there is a higher level of scientific uncertainty about benthic habitats communities and species in frontier areas. The report also notes that the greatest impact to vulnerable benthic habitats, communities, and species in a given area can be caused by the first few fishing events. The policy thus requires greater precaution when fishing activities are being considered in frontier areas. It also gives special consideration to historically fished areas that have not been exposed to bottom-contact fishing. In particular, proposals for new bottom-contact fishing in historically fished areas will require risk assessments prior to proceeding.

4.4 Oceans Management

Historically, Canada has always placed an emphasis on the protection of our oceans. In

4.5 *The Role of Marine Protected Areas (MPAs)*

Canada uses MPAs as one of its area-based tools for oceans management⁷. Three federal authorities have mandated responsibilities to establish MPAs, namely, Environment Canada, Fisheries and Oceans Canada and the Parks Canada Agency. Each of these federal authorities takes related but different criteria into consideration when identifying MPAs. The *Oceans Act* prescribes a leading and coordinating role for DFO in developing a network of MPAs. (A full description of the MPA programs along with a description of the areas protected can be found in Appendix 6: Marine Protected Areas).

It is interesting to note that the two MPAs designated under the *Oceans Act* since 2006 have a VME connection. Indeed, the Bowie Seamount MPA located in British Columbia, is a biologically rich area, with a dynamic and productive ecosystem. Within the Bowie Seamount MPA (which includes Bowie, Hodgkins and Davidson seamounts) many VMEs have been recorded in high densities and require protection as a vast number of fish and marine mammal species are dependent on the seamounts for their health and survival. As for the Musquash Estuary, it is a unique ecosystem due to its size, expansive salt marshes, and relatively undisturbed natural condition and where certain activities are prohibited according to a zone system.

5.0 Conclusion

The international community (States, International Governmental Organizations, M k89)9P::CMckCP):)vxMe