

# Backgrounder

GREENPEACE

## PROTECTING NATURE - PROTECTING LIFE NATURE AND BIODIVERSITY ACT: A GREENPEACE CANADA REPORT

### Natural Life Support Systems and Wildlife Are Collapsing

In the lead-up to the Convention on Biological Diversity (CBD) COP15 talks that will be hosted in Montreal at the end of this year, Greenpeace Canada has evaluated the legislative framework for nature protection in Canada. Based on this analysis we are releasing a new report outlining key shortcomings of the existing laws and calling for a new *Nature and Biodiversity Act*.

While the federal government has certainly not lived up to past promises when it comes to biodiversity and nature protection, Minister of the Environment and Climate Change Steven Guilbeault now has an unprecedented opportunity to fix this.

### Key findings: the system of laws and policies is failing

- 1. Failed commitments:** Canada has failed to meet international commitments under the Convention for Biological Diversity, as well as its targets under the 2010 Aichi Protocol to the Convention. Furthermore, it missed its target to integrate biodiversity considerations in all municipal planning across Canada.
- 2. Failing laws:** A bewildering array of federal and subnational laws and policies prioritize resource development and provide only fragmented and inadequate protection for species and ecosystems. The federal Species At Risk Act is not being implemented effectively. [Nova Scotia](#) is the sole province with an (albeit weak) biodiversity law; several provinces lack species at risk laws, [including BC](#), the most biodiverse province in Canada, and Ontario recently [weakened](#) its *Endangered Species Act* (ESA).
- 3. Colonial framework:** Canada was founded on stolen Indigenous lands, which have been the territories of numerous Indigenous Peoples since time immemorial. Globally, lands inhabited by Indigenous People are estimated to contain [80%](#) of the world's remaining biodiversity. Indigenous Land Defenders are often [criminalized](#) for their activities, while injunctions against Land Defenders have become ["a tool of colonialism"](#).
- 4. Conservation for carbon:** The world's biggest polluters are rushing to make use of nature for so-called [carbon offsets](#) that enable their ongoing greenhouse gas emissions. They commonly do this by paying others to plant trees or protect forests from logging in return for being allowed to keep polluting the atmosphere. Recently, the federal government announced [a new system](#) to enable this false "solution" to climate change.

### Legislating system change: a Nature and Biodiversity Act

In light of this unprecedented ecological crisis and inadequate system of laws, we propose that a legislative solution is urgently required. The purpose and principles of an effective and equitable *Nature and Biodiversity Act* would include the following:

#### 1. Targets with plans to halt biodiversity loss:

Canada seeks to preserve 30% of its land and water by 2030, and will soon adopt new targets under the CBD. The Act should therefore clarify what such protection entails, and put Canada on a course to

achieving it. Progress toward 30% protection and beyond should include: protected spaces, structural connectivity between them, and full recovery of endangered and threatened species. Canada's participation will be essential, since it hosts approximately a quarter of the Earth's wetlands and boreal forests, 20 percent of its fresh water, and the longest coastline in the world.

## **2. Access and equity**

Solving the nature crisis requires building more inclusion so all people can both experience the natural world and contribute to its restoration. Effective legislation would enable people to connect with nature, not shut communities out of it.

## **3. Decolonizing Nature**

The Act should reinforce the government's commitment to implementing the United Nations Declaration on the Rights of Indigenous Peoples, recognize and enable sovereign Indigenous rights to manage protected areas, recover species at risk and manage culturally important and harvested species in traditional territories.

## **4. Transparent reporting**

Under this Act, the Minister of the Environment would prepare and table in Parliament yearly progress and assessment reports, which update the public on progress toward achieving the 2030 and post-2030 targets, indicating whether the interim targets have been achieved.

## **5. Public accountability**

The Act should provide recourse to the public if the government fails to provide sufficient content or explanation in a plan or in a report setting out corrective action for failure to meet a target.

### **Statistics:**

According to a landmark 2019 report by the *Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services* (IPBES), Nature and wildlife are being lost at rates unprecedented in human history. Fully [one million individual species](#) are at risk of extinction globally. Therefore, as concluded in [a 2022 study](#) by 50 researchers from 23 countries, a transformative change is now needed to stop the destruction of ecosystems and rescue the planet from human-caused mass extinction of species.

In Canada, [1,231 species](#) are listed under the *Species at Risk Act*. Populations of at risk species have declined [a further 59%](#) since 1970. In response to this growing crisis, the Liberal government committed to [protecting 30 per cent](#) of lands and waters nationally by 2030, as well as to funding certain Indigenous conservation measures. Commitments to protect 30% of nature by 2030 are an important, if partial, solution. Aspirational targets lacking serious commitment to implementation will be insufficient to address the multiple threats driving species extinction and the destruction of nature today. A Nature and Biodiversity Act can play an important part of the solution.

### **For more information, please contact:**

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