



Coastal and Indigenous community access to marine resources and the ocean: A policy imperative for Canada

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ABSTRACT

Access, defined as the ability to use and benefit from available marine resources or areas of the ocean or coast, is important for the well-being and sustainability of coastal communities. In Canada, access to marine resources and ocean spaces is a significant issue for many coastal and Indigenous communities due to intensifying activity and competition in the marine environment. The general trend of loss of access has implications for these communities, and for Canadian society. In this review and policy perspective, we argue that access for coastal and Indigenous communities should be a priority consideration in all policies and decision-making processes related to fisheries and the ocean in Canada. This paper reviews how access affects the well-being of coastal communities, factors that support or undermine access, and research priorities to inform policy. Recommended actions include: ensuring access is transparently considered in all ocean-related decisions; supporting research to fill knowledge gaps on access to enable effective responses; making data accessible and including communities in decision-making that grants or restricts access to adjacent marine resources and spaces; ensuring updated laws, policies and planning processes explicitly incorporate access considerations; and, identifying and prioritizing actions to maintain and increase access. Taking action now could reverse the current trend and ensure that coastal and Indigenous communities thrive in the future. This is not just a Canadian issue. Globally, the ability of

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coastal and Indigenous communities to access and benefit from the marine environment should be at the forefront in all deliberations related to the oceans.

1. The access imperative

Secure access to the ocean and its resources is central for the well-being of coastal communities [1]. However, barriers to this access are a substantial and growing challenge for many coastal and Indigenous communities around the world [2–6], including in Canada [7–15]. In this review and policy perspective, we argue that access for coastal and Indigenous communities should be a priority consideration in all policies and decision-making processes related to fisheries and the ocean in Canada. To that end, this paper provides a brief introduction to coastal and ocean access issues, identifies areas where further research is needed to inform policy, and makes recommendations that will help place coastal and Indigenous community access at the forefront in deliberations and policies related to Canada's oceans.

2. Defining access

Access, broadly speaking, is the ability to use and benefit from a resource or an area [after 16]. Access is influenced by rights – which, in this context, can be defined as a socially and/or legally acknowledged and supported claim to property [16] – but the terms are not synonymous. As explained below, access is not solely a matter of rights. There are two broad categories of access: 1) resource access and 2) spatial access. Resource access signifies the ability to benefit from the harvest or use of living (e.g., fish, seafood, plants, mammals) and non-living (e.g., rocks, sand, minerals, tides, currents, wind) marine resources. This can be differentiated from availability, which refers to the physical presence of marine resources such as fish or other seafood. Spatial access refers to the ability to enter and use geographic areas of the ocean and coast for a variety of activities and purposes – for example, to harvest or manage resources, for development activities (e.g., aquaculture, energy development, mining, oil and gas) and for non-consumptive activities (e.g., for recreation, for transportation or shipping, to visit cultural areas). States can grant access to marine resources and spaces to different stakeholders and groups, including those who are near to or distant from a resource or area [17]. For example, the rights and privilege to use areas of the ocean for fishing, energy development, or mining can be granted by governments to local development corporations, national corporations or foreign interests. Benefits of that access then flow to various individuals, communities or groups, ranging from local fishers to distant corporations. Similarly, the economic and nutritional benefits of fisheries can flow to local communities or to owners of fishing licenses in distant regional centers or, given global seafood supply chains, even to other countries [18,19]. The economic and employment benefits of other activities that require spatial access, such as sites for aquaculture, energy or mining, might also flow to local development corporations, distant corporations, or be shared between developers and local communities through impact benefit agreements. To encompass this range, access in a marine context can be broadly defined as “the ability to use and benefit from available marine resources or areas of the ocean or coast”.

3. The importance of access for coastal community well-being

For those who live adjacent to the marine environment and who rely on it, access to both marine resources and areas of the ocean and coast is a particularly important issue. Indeed, the holistic well-being of Canada's coastal and Indigenous communities – which includes economic, social, cultural, health, and political considerations – depends on multiple dimensions of access and benefits [20–22]. For instance, the distribution of fishing and seafood harvesting allocations and licenses

by the government significantly influences how much economic benefit (e.g., employment, income, economic impacts) stays in coastal and Indigenous communities [23–26]. Of course, economic accounting does not take into account the full value of fisheries for coastal communities, which includes food security and sovereignty, cultural connections, social networks, educational and spiritual benefits, means of transportation, lifestyle benefits, and intergenerational connections [27]. For Indigenous communities in Canada, access to ocean and coastal territories is essential for cultural continuity – including traditional management and harvesting practices, inter-generational transfer of knowledge, and consumption, trade or sale of local and culturally significant species used for food, social and ceremonial (FSC) purposes [28–32]. Access is also important for the political empowerment of those who have claims of adjacency or historical use of the marine environment and resources [7,12,33]. Secure long-term access and retention of benefits is not just about the well-being of coastal communities; it is ultimately a matter of their continuity and survival. For example, declines in fishing economies can result from reduced access and in turn cause increasing unemployment and deteriorating social conditions in coastal communities [21,34,35]. This can lead to a number of mental, social and physical health issues, as well as out-migration to regional centers [21,35].

Why is the continuity of coastal and Indigenous communities important? The vibrancy and continuity of these communities is important for reasons related to identity, autonomy, sovereignty, culture, healthy rural-urban dynamics, and environmental sustainability see, e.g., [36]. As a country with one of the longest coastlines in the world, Canada has long been identified as a maritime nation – with thriving coastal fishing communities recognized as an integral part of our heritage [37]. Coastal communities were also the driver of and rationale for Canada's support in the development of UNCLOS [38] and related claims to sovereignty over the oceans, particularly in the Arctic [39,40]. Indigenous coastal peoples' cultural connections to the oceans preceded settler and nation-state claims to coastal space and harvests by millennia [30]. Maintaining the ability to visit important areas and harvest resources, as well as autonomy in decision-making and management processes affecting these areas, is central to Indigenous identity and integral to the ongoing Reconciliation process [41]. These rights are also protected under Section 35 of the Constitution Act of 1982 [42] and have been upheld by subsequent court decisions (e.g., *R vs Sparrow* and *R vs Marshall*).

There are also important connections between socio-economic conditions in rural communities and urban contexts – as outmigration can lead to increased unemployment in regional urban centers [21]; thriving rural economies are not a drain on social resources and contribute to wealth creation in regional urban centers; and rural food-producing communities can contribute to healthy food systems [43]. Finally, the sustainability of the coastal environment may also depend on continual community access. When local communities are connected to, rely on, and have rights to participate in the management of coastal areas and the environment, they are more likely to support sustainable management practices [1]. Continuity of access and practice is essential to maintaining local monitoring, stewardship capacity, local and traditional knowledge about stock dynamics, weather and tide patterns, as well as intergenerational transfer of safe and effective fishing practices [1,44]. On the Pacific Coast, for example, the presence of thriving rural coastal communities will enable ongoing local stewardship efforts such as the Coastal Stewardship Network and Guardian Watchmen Programs [45], the local capacity to actively monitor environmental conditions and enforce rules [46], and first responder capabilities in the case of oil spills or other disasters [47,48]. Young people, particularly those from Indigenous communities, will often move to urban centers for

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