



FUR INSTITUTE OF CANADA
INSTITUT DE LA FOURRURE
DU CANADA

Standing Senate Committee on Energy, the Environment and Natural Resources

The Senate of Canada

Ottawa, Ontario

Canada, K1A 0A4

Via email

RE: Bill S-241

Fur Institute of Canada

The Fur Institute of Canada (FIC), created in 1983 by Canada's Wildlife Ministers, is the national voice for the fur sector, including trappers, sealers, fur farmers, manufacturers, retailers and furriers. Responsible for Canada's trap testing and certification program in accordance with the Agreement on International Humane Trapping Standards, the FIC advocates for a sustainable, well-managed fur sector and furbearer conservation on behalf of Canada's 50,000 trappers. The FIC's work supports not only the commercial fur trade, but wildlife research, predator management, human-wildlife conflict work and livestock protection.

Bill S-241 and the rules-based order in international wildlife trade

Bill S-241, *An Act to amend the Criminal Code and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (great apes, elephants and certain other animals)*, though seemingly well-intentioned, poses potential significant issues to the future of wildlife trade in Canada, both in the legislation itself, and by the Ministerial powers it seeks to create. The Fur Institute believes that the scope of this legislation is excessive and not evidence-based, instead focusing on charismatic species.



Allowing animal rights groups to dictate the application of legal tools which were designed for the conservation of endangered wildlife will continue to degrade our system of wildlife conservation. If allowed to pass in its current state, this legislation has the potential to undermine the livelihoods and heritage of rural, remote and Indigenous communities across Canada.

Agreement on International Humane Trapping Standards

The Agreement on International Humane Trapping Standards (AIHTS), signed between Canada, the European Union and the Russian Federation in 1997, is a landmark international agreement which establishes a series of international norms on the trapping of furbearers. Along with a companion agreement between the United States of America and the European Union, the AIHTS forms the backbone of international trade in wild fur. The Agreement applies to four species found in Canada which are “designated species” under this legislation, and one not found in Canada:

- Canis latrans* (coyote)
- Canis lupus* (wolf)
- Lynx rufus* (bobcat)
- Lynx canadensis* (Canada lynx)
- Nyctereutes procyonoides* (Common raccoon dog)

Testing of traps in Canada was historically done in testing compounds, most notably at the University of Guelph and Innotech Alberta’s facility in Vegreville. Over decades of testing, we have developed advanced computer simulation models and Reference Trap Comparison protocols that allow us to test and certify traps to the Standards set out in the Agreement without testing on individual animals. However, in the case of significant developments in trap design, or a



dispute over the results of computer simulation or the Reference Trap Comparison, compound testing could be required.

Clause 3.4 of Bill S-241 does not provide an exception for this kind of research. That means that if passed in its current form, S-241 could impede the Government of Canada's ability to fulfill its responsibilities under the Agreement on International Humane Trapping Standards.

Recommendation:

That a Clause be inserted at 3.4(c) as follows:

(c) for the purpose of conducting scientific research in accordance with Canada's responsibilities under international agreements

The CITES trade regime

The *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act* (WAPPRIITA), is a seminal piece of legislation for the management and regulation of international trade in wildlife in Canada. This is acknowledged in the WAPPRIITA itself at Clause 4, which reads:

the purpose of this Act is to protect certain species of animals and plants, particularly by implementing the Convention and regulating international and interprovincial trade in animals and plants.

In the definitions section of the Act, "Convention" is defined as:

Convention means the Convention on international trade in endangered species of wild fauna and flora, made on March 3, 1973 in Washington, D.C., United States and ratified by Canada on April 10, 1975, as amended from time to time, to the extent that the amendment is binding on Canada; (Convention)



The Environment and Climate Change Canada website

<https://www.canada.ca/en/environment-climate-change/services/convention-international-trade-endangered-species/wild-animal-plant-protection-act.html>

agrees, stating:

The purpose of WAPPRIITA is to protect Canadian and foreign species of animals and plants that may be at risk of overexploitation due to illegal trade and also to safeguard Canadian ecosystems from the introduction of species considered to be harmful.

Nowhere in the Act or the supporting documentation is individual welfare highlighted as a justification for the enactment of the Act. Co-opting the tools which Parliament has given to the Government of Canada to enact an agreement as important as CITES in order to enforce arbitrary ideas about individual welfare of a random assortment of animals is not a responsible course of action.

Defining captivity

Many sections of this Act depend on an undefined term: captivity. Much of the discourse around this Bill and its predecessor, particularly by its supporters, pertains to zoos, aquariums and exotic pets. However, using the dictionary definition of captivity, which according to the Cambridge dictionary is “the situation in which a person or animal is kept somewhere and is not allowed to leave”, this could apply to a significantly broader range of activities.

Most concerningly to the Fur Institute of Canada, this could potentially apply to trappers, human-wildlife conflict experts, and wildlife researchers who use restraining traps for any of the designated species as set out by S-241. This would be deeply detrimental to canid and felid trapping, as well as to the trapping of bears. This would have dire impacts on the ability of wildlife researchers to carry out non-lethal research on these species, as well as on the ability of municipalities and provinces to reduce conflict between predators and communities by re-



locating problem animals instead of killing them. This ambiguity must be addressed before this Bill moves any further through the Parliamentary process.

Recommendation:

That a definition of captivity be added to S-241 to delineate zoos, aquariums and other long-term captivity situations from the temporary captivity associated with essential wildlife management activities.

Preserving trade in wildlife

The Preamble of S-241 states the following:

Whereas the global wildlife trade contributes to biodiversity loss, mass extinction and the risk of zoonotic disease and the Government of Canada may address wildlife trafficking through regulation;

This one statement, perhaps as much as any other portion of the Bill, shows the true goal of animal rights groups which are supporting this Bill: they want to end international trade in wildlife.

Thankfully, there are voices of reason in this space, most notably the Convention on Biological Diversity, which identifies sustainable use of wildlife in Targets 5, 9, 12 of the Montreal-Kunming Biodiversity Framework. Working to support the wildlife economy, instead of slurring it in the preambles to Bills, is essential to the conservation of biodiversity, as well as supporting the livelihoods and heritage of rural, remote and Indigenous communities.

Recommendation:

Amend the preamble to state that sustainable use of wildlife is an essential part of biodiversity conservation.



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Conclusion

Bill S-241 is a Bill which seeks to accomplish change on a scale that is rarely done through Senate Public Bill. As a result, it has either missed some important details which could have an out-sized impact on wildlife trade in Canada, far removed from its original intent of regulating zoos, or it is acting as a Trojan horse for anti-wildlife animal rights groups to attempt to chip away at Canada's world class system of wildlife management, to the detriment of Canada's rural, remote and Indigenous communities.

The Fur Institute of Canada is available to further explain our concerns with this Bill, either in front of the Committee, or directly with Committee members.

Doug Chiasson

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