

October 6th, 2025

Dear Prime Minister, Minister Thompson, Premier Ford, Premier Houston, and Minister Rushton,

We are writing to express our outrage at Marineland's recent threat that the beluga whales in its care will have to be killed unless it receives sufficient financial support from the federal government. This threat follows the refusal of Fisheries Minister Joanne Thompson to issue export permits so that Marineland could send the remaining belugas to a "theme park in China" (<https://www.cbc.ca/news/politics/marineland-beluga-whales-euthanize-1.7651009>). To our minds, Minister Thompson rightly reasoned that exporting the belugas to the theme park would not be in their best interests nor what the majority of Canadians would want (<https://www.cbc.ca/news/canada/hamilton/marineland-belugas-export-denied-1.7647908>).

To export these cetaceans to any theme park or aquarium manifestly flouts the intention of the *Ending the Captivity of Whales and Dolphins Act*, which was brought into law to phase out the captivity of cetaceans unless it was otherwise "in the best interests of the cetacean's welfare" (*Criminal Code* 445.2 (3)(c); *Fisheries Act* 23.2 (2)(b)). Though exceptions are made in Canadian law, for grandfathering in those cetaceans already in captivity, to allow a licence or permit to conduct scientific research, or allow a licence to permit a performance for entertainment (*Criminal Code* 445.2 (3)(a) and (3.1)-(4); *Fisheries Act* 23.2 (2)(a)), the importance of the best interests of the cetacean's welfare was reaffirmed by the sponsors of the bill when it was before Senate.

The first sponsor of the bill, Senator Wilfred Moore, rose at the Second Reading on November 23rd, 2016 to explain that the bill "seeks to protect them [cetaceans] from suffering the harms of captivity. Those harms include confinement, isolation, health problems, reduced lifespans, high infant mortality rates and sensory deprivation." Senator Moore went on to note that "[a]s with other animal cruelty laws, this is a moral condemnation of a cruel practice with an appropriate sanction" (https://publications.gc.ca/collections/collection_2016/sen/Y3-421-75-eng.pdf). Senator Murray Sinclair was the second sponsor for the bill before the Senate and rose at the Third Reading on May 29th, 2018 to argue for Senate support. It was Senator Sinclair's view that this change in law "makes clear that we have a moral obligation to phase out the capture and retention of cetaceans for profit and entertainment", as it is inherently cruel, and so inconsistent with societal commitments to not act cruelly or tolerate

cruelty. Senator Sinclair also contended that keeping cetaceans in captivity was inconsistent with Anishinaabe commitments “to take care of our nation, to take care of our land, to take care of the people and to take care of all that is part of this Creation” (<https://sencanada.ca/en/sencaplus/opinion/canada-ends-whale-and-dolphin-captivity-senator-sinclairs-bill-adopted/>). As noted by Senator Sinclair, the inherent cruelty of cetacean captivity in artificial environments is supported by good scientific evidence showing that such environments are inadequate for meeting the complex physical, mental, and social needs of these animals (<https://www.tandfonline.com/doi/full/10.1080/13880292.2017.1309858>; <https://www.sciencedirect.com/science/article/abs/pii/S1558787819300164>).

It is important for both the federal and provincial governments to meet their obligations to the belugas currently captive in Marineland. “[T]he best interests of the cetacean’s welfare” (*Criminal Code* 445.2 (3)(c); *Fisheries Act* 23.2 (2)(b)) should be paramount when deciding how best to deal with these animals. Exporting them to for-profit parks or aquariums that could not legally acquire these animals in Canada for the express purpose of using them for entertainment fails to adhere to the ethical values that motivated passage of the *Ending the Captivity of Whales and Dolphins Act* by Parliament. Killing them, however humanely, also cannot be said to prioritize their best interests if there are alternatives that can offer them a chance to live good lives in more natural environments.

We are asking both the federal and relevant provincial governments to consider well-designed coastal sanctuary options as a rehoming alternative to aquariums or an alternative to “euthanasia.” Such sanctuaries promise water environments that closely match their natural habitats, far more space within which to swim and dive than can be provided in artificial environments, physical stimuli unmatched in artificial environments, quality veterinary care when needed, and a degree of control over their daily activities that is not possible in artificial environments (<https://polarjournal.net/marine-sanctuaries-hope-for-whales-dolphins-in-captivity/>; <https://journals.plos.org/plosbiology/article?id=10.1371/journal.pbio.3003166>).

Further, we ask that the federal and relevant provincial governments, specifically the governments of Ontario and Nova Scotia, support the efforts of the Whale Sanctuary Project to actualize their plans for a coastal sanctuary in Port Hilford, Nova Scotia. This project is planning a sanctuary that is “more than 100 acres of water space with depths of up to 18 meters” (<https://whalesanctuaryproject.org/the-sanctuary/>). The team involved in this project includes experts in marine mammal biology, marine mammal welfare, and marine mammal veterinary care (<https://whalesanctuaryproject.org/our-team/>). As a sanctuary, they commit to creating an environment that “maximizes [the cetaceans’] well-being and autonomy” (<https://whalesanctuaryproject.org/about-the-whale-sanctuary-project/>). Such a project offers a clear, made-in-Canada, solution for at least some of the Marineland belugas with an eye to

providing a model for other sanctuaries to follow (<https://whalesanctuaryproject.org/about-the-whale-sanctuary-project/>).

The belugas in Marineland have been kept in captivity against their will and their best interests. In keeping them in inadequate, artificial environments, these belugas have been denied lives suited to their complex needs. It is reasonable to think that we, in Canada but particularly Ontario, have incurred a debt to these belugas because they were involuntarily kept as a source of entertainment for various visitors to Marineland over the years, visitors who, in turn, benefited local economies in Ontario. The least that we can do is make the necessary efforts to ensure they live good lives in the more natural environments that well-designed coastal sanctuaries can offer. Denying them the enriched lives that they clearly deserve not only fails to live up to the ethical commitments underpinning the *Ending the Captivity of Whales and Dolphins Act* but undercuts the achievement of our Parliament in making those legal changes.

Sincerely,

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CC: Minister Cho
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Ms. May
Ms. Miedema
Mr. Morrow
Mr. Wilson