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Chair

Mr. Rodney Weston

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• (1535)

[English]

The Chair (Mr. Rodney Weston (Saint John, CPC)): I call this meeting to order.

Before we start, I'll remind the members, for their information, that our meeting today is being televised. So comb your hair, sit up straight, and smile.

I'd like to begin by thanking the minister for joining us today. I know you're no stranger to our committee proceedings, but I'll remind you, Minister, that generally we allow 10 minutes for presentations from our witnesses at the committee. There's a little timer here. You'll hear a beep when the 10 minutes have expired. Just try to keep within certain time constraints. The members all know the time constraints that they're held to.

With that, Minister, welcome. I'd ask you, when you begin your presentation, to take a few moments to introduce your staff accompanying you today as well.

Thank you very much. You may proceed at any time.

Hon. Gail Shea (Minister of Fisheries and Oceans): Thank you very much.

Good afternoon, everyone. Thank you for inviting me to be here today. I believe it's my second appearance before the House Standing Committee on Fisheries and Oceans to talk about important fisheries issues.

With me I have Claire Dansereau, the Deputy Minister of Fisheries and Oceans; Dave Balfour, the Senior Acting Assistant Deputy Minister; and Guy Beaupré, the Acting Associate Assistant Deputy Minister—quite a title.

As you know, I will be with you for a period of one hour. I believe my officials can stay longer than that, if you so wish. I will begin by giving a short statement.

First of all, I want to welcome the opportunity to outline why my department and our government support amendments to the 1978 Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, also known as the NAFO convention. These amendments are good for Canada and good for Canada's fishing industry, and I believe they deserve our support.

As you know, achieving sustainable and responsible fisheries is a complex challenge. Through foresight and hard work, Canada is now a leader in shaping global conservation efforts. We are collaborating with provincial governments, with industry, and with

our international partners to heighten global awareness about the need to ensure conservation-based harvesting in all fisheries.

Our paramount objective is to curb overfishing. We want to ensure that sustainable fisheries are there for generations to come.

One of the most effective ways to achieve this is by taking part in a regional fisheries management organization, an RFMO such as the Northwest Atlantic Fisheries Organization, known as NAFO. It's clear that no single jurisdiction can succeed alone in stopping the practice of overfishing. NAFO and other organizations like it offer a unique forum to influence others, assertively represent Canada's interests, and forge cooperative alliances that allow us to advance them.

We have achieved a remarkable degree of success over the last few years in managing our fisheries resources through these collaborative efforts.

In September my officials had a very productive meeting in Norway. They achieved important results for Canada. These include 11 closures in the NAFO regulatory area to protect corals and sponges from bottom fishing.

I would like to assure this committee that all decisions at this year's NAFO meeting were within scientific advice. These also include NAFO adopting Canadian proposals for strict bycatch provisions and other precautionary measures to ensure the reopenings of 3M cod on the Flemish Cap, outside of Canada's 200-mile limit, and redfish in division 3LN, which is on the southern Grand Banks, and also to ensure that they are carried out responsibly.

These reopenings are a significant milestone since they came a decade after these stocks were placed under moratorium. Canada, through its participation in NAFO, played a central role in enforcing the moratorium and fostering the recovery of these stocks.

For Greenland halibut, the total allowable catch was maintained at 16,000 tonnes for one year. This will be reviewed in 2010 with additional information. This fishery is worth \$25 million to the Newfoundland economy.

These accomplishments build on many others in recent years. Canada has achieved great success in improving compliance of fishing vessels in the NAFO regulatory area, or NRA, which is outside of Canada's 200-mile limit.

In fact, since we formed the government in 2006, there have been fewer violations in the NAFO regulatory area in those four years combined than there were in 2005. This is largely due to greater enforcement and improvements to the monitoring, control, and surveillance measures adopted by NAFO in 2006.

Additional measures to further improve compliance were adopted at the 2009 NAFO meeting. There have been four serious infractions so far this year. All the vessels involved were recalled to port for additional inspections, as required by the NAFO conservation and enforcement measures. Fishery officers from my department observed these inspections. This demonstrates just how seriously NAFO contracting parties take the issue of illegal fishing on the high seas.

● (1540)

Through Canada's leadership, we are helping to turn NAFO into a model regional fisheries management organization. As a result of our efforts, some important straddling stock, such as yellowtail flounder, have fully recovered, and American plaice is showing signs of recovery. These fish are found both inside Canadian waters and on the high seas of NAFO's regulatory area.

Enhanced enforcement is only part of what we are accomplishing through participation in NAFO. Reform and modernization of regional fisheries management organizations like NAFO must continue so that today's challenges are met with modern solutions. That's why NAFO adopted amendments to its 1978 convention in 2007, amendments that I must emphasize are consistent with the United Nations Fisheries Agreement and the United Nations Convention on the Law of the Sea. Mr. Chair, these changes were needed and welcomed by Canada. Most importantly, these changes recognize and respect Canada's sovereignty over its 200-mile limit.

Canada maintains control over its waters. No NAFO measures will be applied in Canadian waters unless Canada requests that they apply and unless Canada votes in favour of such action. This bears repeating, Mr. Chair. Canada's sovereignty is protected. There will be no NAFO measures within Canadian waters unless we ask for them and we vote for them, period. If and only if we see value in allowing foreign nations into our exclusive economic zone—in the case of a joint NAFO science expedition, for example—the project will be conducted under Canada's direction, supervision, and control. Make no mistake: we do, and we will continue, to assert Canada's interests and we will work to protect our assets. We will only agree to something if it's in the best interests of Canada and the stewardship of our resources.

So let me repeat: Canada maintains absolute control over its waters. Any suggestion to the contrary is simply ill informed and fear-mongering.

Let's also be clear about why Canada supports this new convention. First, under the old convention, any country could object to a NAFO decision and decide on a unilateral quota on its own and fish it without consequence. Under the amended convention, there are new objection procedures that require the objecting country to put alternative measures in place. There is also a dispute resolution mechanism to address such issues. These mechanisms, for the first time in NAFO's history, require all contracting parties to be held accountable for their actions.

Second, the amended convention emphasizes reaching consensus on decisions wherever possible. Only when consensus cannot be reached would a two-thirds majority voting system be used. This new voting system will help protect Canada's fishing quotas in NAFO. Any NAFO member that wishes to change the way NAFO allocates fish must obtain the support of eight of the 12 NAFO members instead of the seven that were needed before. This, in turn, protects Canada's quotas.

Under the original convention rules, NAFO's decisions were made through a simple majority vote. This often left the impression that there were only winners and losers in NAFO decisions. In some cases, it led to defiance of rules, unilateral quotas, and overfishing. These changes provide a decision-making process that better reflects the modern challenges facing NAFO members.

The successful management of fisheries in the northwest Atlantic outside our 200-mile limit requires international collaboration and is called for in international law. By bringing together decision-makers, fisheries managers, enforcement officers, and scientists, NAFO can develop effective conservation and management measures, and they can implement appropriate mechanisms to ensure compliance. I'm proud to say that Canada strongly supports these efforts and is a strong leader at the NAFO table.

As you know, Canadian industry and provincial governments, including Newfoundland and Labrador, were consulted extensively on the amended convention. They agreed that it protects Canada's interests and uses the most up-to-date decision-making and management practices. The amended convention has many advantages for Canada, because it represents a shift to an ecosystem-based approach to decision-making. This means that decisions take into account the complex interrelationships among marine species and their habitat. They also consider the impact of fishing gear on sensitive ocean habitat.

● (1545)

In keeping with this new approach, NAFO has led the way in recent years to protect vulnerable marine ecosystems in the regulatory area. In these times of global economic uncertainty, building fisheries that are both sustainable and economically prosperous is at the top of my department's agenda. This is why these amendments are so important. They help ensure the conservation and sustainable management of the stocks and ecosystems in the northwest Atlantic.

Working together under the NAFO banner, we have successfully engaged in a new cooperative approach to fisheries management. Our ultimate goal is to ensure sustainable fisheries through decisions based on sound scientific advice. We will continue to press for change through multilateral discussions and our strategic bilateral relations with like-minded fishing countries. When it comes to sustainable management of fisheries, Canada will always lead by example. That's why we strongly support changes to the NAFO convention.

Thank you, Mr. Chair.

The Chair: Thank you, Minister.

Mr. Byrne.

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Thanks very much, Mr. Chair.

And thank you, Minister and colleagues.

You and your government assert that Canada already has custodial management of the nose and tail of the Grand Banks as well as the Flemish Cap. One would think if we really had custodial management we wouldn't need to revise NAFO at all. One would think that custodial management trumps NAFO, unless of course custodial management claims are actually quite fraudulent.

Would you explain why the Conservative government has as its official policy that it has achieved custodial management and we don't even need to actually be talking about NAFO, other than... You say that Newfoundland and Labrador agreed to all of this at those meetings and we should take your word for it. Yet this committee has received specific documentation in writing from the Province of Newfoundland and Labrador that it certainly does not agree with any of this.

Finally, corals and sponges are now protected from bottom trawling by NAFO within its jurisdiction, in an area outside the continental shelf and into deeper waters. It is an intriguing situation on which you can show some real leadership. Consistent with that NAFO decision to ban bottom trawling to protect corals and sponges in the offshore area outside the continental shelf, since Canada has jurisdiction and management control over sedentary species on the continental shelf, you, Madam Minister, have the power to ban bottom dragging on our continental shelf on the nose and tail of the Grand Banks. Consistent with the NAFO decision, Minister, you can ban foreign fishing activity on the nose and tail to protect those sponges and corals. Will you do it?

There are three questions for you.

Hon. Gail Shea: Thank you, Mr. Chair.

First of all, in response to the member's comments about the Province of Newfoundland and Labrador, Newfoundland and Labrador are a part of this delegation to NAFO. They were part of it in 2007 when these changes were negotiated and, until very recently, did not give any indication that they were not supportive of what had been negotiated; as a matter of fact, quite the opposite, because I did get a couple of letters from the minister in Newfoundland indicating just that as recently as July 18.

On the sponges and corals, these areas that have been identified to be closed for protection of the ecosystem are areas that have not been subject to bottom trawling because once you do bottom trawling, whatever harm you're going to effect on these corals and sponges has already taken place. These 11 areas that have been identified are areas that have not been touched and are still very much intact.

On custodial management, I know different ideas are put forward by different people on what custodial management actually is. But what has happened in this case is that we cannot take ownership of property of the ocean outside of our 200-mile limit because the

United Nations Convention on the Law of the Sea would not allow that to happen. It cannot happen. What has happened is that we do provide surveillance, conservation, and protection. We do, through NAFO, have rules that are present in the NAFO regulatory area, and therefore we manage this area.

● (1550)

Hon. Gerry Byrne: Thank you, Ms. Shea.

You didn't have an opportunity to explain in any great detail why custodial management was described in the Conservative Party of Canada's platform of 2008 as being in force. Canada allegedly has custodial management; that's what your government says. Yet now you tell us that we cannot put it into force because it cannot exist. I don't understand why you tell people in Canada we have custodial management of the nose and tail of the Grand Banks and the Flemish Cap—and put it in your platform—when it doesn't exist.

You also said that NAFO's great achievement was to ban something that never occurred. There was never any activity in the 11 areas where a prohibition has been placed on bottom trawling to protect coral. You have an opportunity now to use that same legal principle to ban bottom trawling of foreign factory freezer trawlers on the nose and tail, and you're walking away from it. It seems rather strange.

This afternoon I had an opportunity to ask the Minister of Foreign Affairs directly about an amendment or motion that will be put forward to this committee. We were given notice of it today. Government members, joined by the Bloc and the NDP, will consider asking the government to extend the consultation period on the NAFO amendments a further 21 days. The government tabled a very specific policy in 2008 that allowed Parliament 21 sitting days to review international treaties. Conservative members are now saying that policy is not effective, it's broken, it's too short a timeframe, and it needs to be extended by another 21 days. When I asked the Minister of Foreign Affairs if he was prepared to actually sanction amending his policy, he refused to answer me. You answered instead.

Did you speak for the Government of Canada, the Prime Minister, and the Minister of Foreign Affairs when you told me this afternoon in the House that you were prepared to amend the federal government's policy on the tabling of international treaties in Parliament and change it from 21 sitting days to 42? Is that the position of the Government of Canada and not the Minister of Fisheries and Oceans Canada?

Hon. Gail Shea: Thank you.

As far as I'm concerned, every time I speak it's on behalf of the Government of Canada. In January 2008, Minister Cannon changed the way Canada signs on to international treaties. This was to give opposition parties a chance to view and comment on the treaties. It's my understanding that the period for tabling treaties must be at least 21 days. It does not say it can't be more than 21 days.

Given that a number of countries are party to this convention and all countries are working to get their amended conventions adopted by their own countries, I think it's reasonable—if it is the wish of the committee—that we look at another 21 days. We don't have a problem with that.

•(1555)

Hon. Gerry Byrne: Madam Minister, NAFO has made the decision to ban bottom trawling for coral and sponges in the offshore area. Are you prepared to consider that for the nose and the tail of the Grand Banks outside of the 200 miles? You'd be consistent with your NAFO partners if you did.

Hon. Gail Shea: We haven't banned bottom trawling where there is currently fishing; we've banned closed areas where coral currently exists. Where there is bottom trawling, the damage has already been done to the coral, and banning would not help it. But we have an international obligation to work with the regional fisheries management organizations, and that's where those decisions are made.

Hon. Gerry Byrne: You have no rebuttal whatsoever that custodial management is a fictitious policy that just doesn't exist. Do you agree with that?

Hon. Gail Shea: Custodial management exists, because Canada manages this area through NAFO outside our 200-mile limit.

Mr. Scott Andrews (Avalon, Lib.): Minister, do you see this new NAFO agreement as being custodial management?

Hon. Gail Shea: I believe that the NAFO agreement strengthens custodial management.

Mr. Scott Andrews: So you're saying our government has custodial management outside of the 200-mile limit.

Hon. Gail Shea: Yes, I am.

Mr. Scott Andrews: Your government also stated in previous years that it was going to conclude a bilateral agreement with the Government of Newfoundland and Labrador so the province itself could obtain management of the fisheries resource inside the 200-mile limit. Have you moved forward with this bilateral agreement?

Hon. Gail Shea: No. There was an agreement between the union in Newfoundland and another party, I believe, but we were not a signatory to it, nor were we invited to be a signatory.

Mr. Scott Andrews: Your party committed that it would move forward with a bilateral agreement in Petty Harbour in the campaign of 2006, I believe, and move forward with the province on management of resources inside the 200-mile limit. Have you proceeded with that?

Hon. Gail Shea: No, we haven't.

Mr. Scott Andrews: Okay. Thank you very much.

The Chair: There are 15 seconds left, so we'll move on to Monsieur Blais.

[*Translation*]

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Thank you, Mr. Chair. Ladies and gentlemen, good afternoon. My first question deals with the topic of the day. Other questions will deal with other issues.

Madam Minister, what was the level of your participation in the negotiations that resulted in this amended convention? At what point in time did this issue come before you?

[*English*]

Hon. Gail Shea: I do not attend NAFO meetings. Those meetings are attended by officials. I worked with our department on setting up the mandate for discussions at NAFO meetings.

[*Translation*]

Mr. Raynald Blais: I presume that you did some follow-up. How did you go about that?

[*English*]

Hon. Gail Shea: Could you elaborate a little on the question?

[*Translation*]

Mr. Raynald Blais: I would like to know what your level of involvement was in everything to do with the negotiations. How did you follow these negotiations? Were you given updates very regularly? If so, by whom and how? I can easily see that the minister would be interested in the negotiations that were going on over there. What kind of exchanges did you have with those who were participating in the negotiations?

[*English*]

Hon. Gail Shea: If the member is speaking about the amended convention, I had not been elected. That was back in 2007, well before my time.

[*Translation*]

Mr. Raynald Blais: From the moment work began on this issue, I assume you had the opportunity to look at the document, to work on the file. How did you go about that?

[*English*]

Hon. Gail Shea: The amended convention was negotiated at the NAFO meetings in 2007. After I became minister, we took this document to cabinet for approval.

[*Translation*]

Mr. Raynald Blais: How satisfied were you with what was achieved?

•(1600)

[*English*]

Hon. Gail Shea: I'm very satisfied with what has been obtained in these negotiations. Take, for example, the issue of a contracting party being able to object. In the current system, if a country doesn't feel it has enough quota, it just says to NAFO, "I object. I don't feel I have enough quota, so I'm going out to unilaterally fish whatever I want to fish." That is currently not seen as illegal fishing. With these changes to NAFO, that will all be changed and we'll be able to put a stop to countries unilaterally setting their quota. That's why it's important that we adopt this amended convention.

[*Translation*]

Mr. Raynald Blais: I will now move on to another subject.

We know what has happened in Europe with the seal hunt. A complaint was filed with the World Trade Organization. I have the feeling we will have to be proactive and show some leadership rather than simply dealing with the complaint at the WTO. Then we have our own opponents, the abolitionists, who are also very active on this issue. You saw them as I did. They are still spreading their lies and saying whatever they like. They are stirring things up.

What interests me at the moment is what the department, and you as its minister, intend to do on this issue. What are your very short-term intentions? Do you intend to organize a meeting to bring together the stakeholders—and I mean all stakeholders—so that we will finally have a strategic plan? We have to stop saying “let's wait and see” as we have done for the last 30 years and show some leadership.

[English]

Hon. Gail Shea: Thank you. This has been a very difficult file because we are fighting a public relations battle all the time, and as you know, the latest public relations battle is a group that is going to try to start a boycott against Canadian seafood because we're seal hunters, which is unfortunate.

What we are doing is this. We are currently working with companies that process seals, and some of them are very interested in diversifying their product line, diversifying their markets. So we're working with them. We're also doing some public relations on the sealing industry. This is an issue that will be discussed with my provincial counterparts in the upcoming week. We're having federal-provincial meetings on Prince Edward Island. So we do have this issue on the agenda to discuss then, and there will be a way forward mapped out after discussion with them.

[Translation]

Mr. Raynald Blais: They are now calling for a boycott of maple syrup as well as of seafood. Who knows where it will stop? As you say in English, the sky is the limit. We need to take it seriously to a certain extent, even if we know very well that the boycott is not likely to be very successful. I take it very seriously, in fact, because they keep spreading lies all this time. The rabble-rousing will pass, but we on our side are failing to reach the people who are hearing that message.

What steps do you intend to take so that people in Europe as well as in the United States hear our reply to the abolitionists' message? They are saying that we are acting like barbarians and, if you can believe it, that the species is at risk. For all intents and purposes, their message is intended to put an end to the hunt.

[English]

Hon. Gail Shea: We will be working with our embassies, both here and in Europe. We'll be doing some public relations around that. If you look at the statistics from the boycott that they tried to get off the ground in the United States a few years back, you'll see they show that the amount of Canadian seafood being exported to the United States did not drop in the least. There actually was a company tasked with doing a review of the effect of this so-called boycott. It got the list of companies that were supposedly on the boycott list, who were supposed to be boycotting Canadian seafood, and it called every one of them on one-third of the list. Of that third, 51% of those companies didn't know they were on the list, and another 13%, I believe, were still purchasing Canadian seafood.

So the boycott was not effective, and I think that's in part because the world knows Canada has top-quality seafood.

•(1605)

The Chair: Thank you, Minister and Monsieur Blais.

Mr. Stoffer.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Chairman, thank you very much.

Minister, I thank you and your officials for coming today.

Minister, respectfully, I have complete disagreement with you and your department's view on custodial management. I just want to put that on the record.

Minister, you said that anybody who has differences of opinions or views—I'm paraphrasing now—is fear-mongering. I met with Mr. Applebaum, Mr. Rowat, Mr. Parsons, and Mr. Wiseman, former senior officials of the department you now manage—they've been in Newfoundland and they've been here—four very sober, very educated and very well-informed individuals, and not once have I ever heard them fear-monger on this issue. They have disagreed with the department and Canada's position on NAFO and the new convention, but I've never heard them fear-monger on this issue. I think it's unfair that a minister of the crown would quote them—although you didn't say it was them specifically—as fear-mongering. I find that is a rather unfortunate choice of words.

I want to go through one aspect of this and I want you to tell me whether these four wise and sober men are completely out to lunch or they're just not understanding it. Under the original convention, members can object to any management decisions without constraints. They can do the same thing under the proposed amendments. They can object without constraints. The requirement for an accompanying explanation is not a constraint, even if it results in overfishing.

With regard to objections, the proposed amendments continue to lack an effective dispute settlement process for the relevant fishing season, providing only, as indicated, a review process that takes place during the fishing season that cannot result in binding decisions that overrule objections. Is Mr. Applebaum wrong? I mean, the reality is that they've indicated many concerns.

The other question I have is that if Canada retains sovereignty over its 200-mile limit, which it does—no one is disagreeing with that—why is that provision about the possible allowance after a consent in the vote in the new NAFO arrangement? Who authorized that? Did Canada welcome that provision, or did the EU insist that provision be part of the new NAFO amendments?

Thank you.

Hon. Gail Shea: I'll start with your last question first.

That clause is there because it was discussed at the table. It clarifies that NAFO could never impose itself on us but that if we asked NAFO to impose on us, then it could. For example, Greenland, which has a very small population, may not have the capacity to carry out research science, or whatever, and it may want NAFO to carry out science within its waters. That's why it is there. It's my understanding that the entire NAFO convention must be interpreted in accordance with the United Nations Convention on the Law of the Sea, which guarantees Canadian sovereignty.

I respect that these gentlemen have differing opinions, but I also know there was an independent lawyer brought to the Senate committee who did not agree with their opinions. They are ex-bureaucrats; however, they are not lawyers.

Now, on the process of the objection, if a state objects and says it does not have enough quota and it is going to fish anyway, that state can fish legally. The objection must come before an ad hoc panel, and if whatever that ad hoc panel decides is not to the satisfaction of the contracting party, this will go to UNFA for its binding objection process. While that is happening, the contracting party or the state that has objected must abide by the ruling by the ad hoc panel. So if that ad hoc panel found they were overfishing, then that becomes an illegal fishery and they could be charged.

• (1610)

The Chair: Thank you, Mr. Stoffer.

Mr. Calkins.

Mr. Blaine Calkins (Wetaskiwin, CPC): Thank you, Mr. Chair.

Through you, a couple of days ago we had the privilege of hearing from Mr. Balfour, who is here today. I would like some clarification. Mr. Balfour.

Could you please remind the committee what happened in 1995 at the United Nations to trigger the development? You mentioned there was an agreement in 1995 at the United Nations, which basically got us to the point where we agreed that the NAFO agreement wasn't working properly. I believe it was a UN convention on the preservation of fish stocks that spearheaded some of the changes we're seeing today. Is that not what you stated a couple of days ago?

Mr. David Balfour (Acting Assistant Deputy Minister, Fisheries and Aquaculture Management, Department of Fisheries and Oceans): Thank you for that question.

I think what we were discussing was how the current NAFO convention we operate under was brought into effect in 1978, well before modern international fisheries instruments such as the UN Fisheries Agreement you referenced. That agreement brought great emphasis on the importance of an ecosystem-based approach to the management of fisheries, a precautionary approach to such management, and cooperation amongst parties on the high seas to the management and securing of conservation and sustainable use. That was indeed a driver for the modernization of the NAFO convention so that we would be able to bring effective tools into place in the management of the NAFO regulatory area, reflective of UNFA.

Mr. Blaine Calkins: Mr. Chair, I guess the point is being made that in 1995 the Government of Canada knew, through the United Nations agreements in place, that something had to happen. Through you, Mr. Chair, can the Minister of Fisheries let the committee know when action was actually taken on this? When did Canada actually get involved in pushing this agenda forward?

Just for clarification, we know now that in 1995 we had the agreement.

Hon. Gerry Byrne: Well, it was a good try.

Mr. Blaine Calkins: Mr. Byrne, I didn't interrupt you while you were speaking.

Through you, Mr. Chair, to the minister, can she enlighten the committee as to when the government of the day, once we knew we had the United Nations agreement in 1995, actually started to put this process forward?

Hon. Gail Shea: The United Nations Fisheries Agreement was first ratified in 1999.

Mr. Blaine Calkins: Okay, but I'm talking about the time after the United Nations ratification process, Madam Minister, which was basically the impetus, as Mr. Balfour said, for changing the NAFO convention. When did Canada engage in changing the NAFO convention to have the new amendments put forward?

Hon. Gail Shea: That was in 2007.

Mr. Blaine Calkins: So it was in 2007, or about 12 years afterwards and following a change of government. Well, thank you. That clears some things up.

Madam Minister, the opposition, particularly the opposition Liberals, have come out and said that basically Canada is giving up its sovereignty. They've beaten that drum for a little while and now they've changed their minds from beating that drum to talking about whether or not there's custodial management. Former Minister Thibault, when he was minister of fisheries and oceans, basically said there was no custodial management, that Canada had no effective custodial management.

I would like you to bring some clarification, if you could, to what Canada has the power to do through custodial management, as you see it.

• (1615)

Hon. Gail Shea: These amendments will strengthen the overall fisheries outside of our 200-mile limit. We continue to enforce our custodial management through enforcement measures. We do have two offshore patrol vessels, and sometimes we have three active. We do have air surveillance. We do require that observers be on those ships. We do have electronic reporting and monitoring, and we do have very good compliance.

So the fishing that's happening outside our 200-mile limit must comply with rules, and Canada does have the authority, as does any other NAFO country, to board and inspect the ships that are fishing there.

Mr. Blaine Calkins: Thank you, Madam Minister.

Can you explain to me, under the old convention as it exists today, the process by which a foreign country would go about asking to come in to fish in our waters? I understand that no other foreign country has ever come into the exclusive economic zone of Canada to fish, but could you explain to me by what mechanism they would go about asking? I'm sure they've asked.

Hon. Gail Shea: For a foreign country to come within our 200-mile limit to fish, Canada would have to make the request. If it was through NAFO, Canada would have to make the request through NAFO. Canada would have to show up at NAFO and vote on this request, and Canada would actually have to license the ships coming into our waters.

Mr. Blaine Calkins: Is that how it exists today or under the proposed amendments to NAFO?

Hon. Gail Shea: That's how it would exist. What this does is clarify what exists. Article VI, paragraph 10, clarifies that NAFO could never impose itself on us.

Mr. Blaine Calkins: So the amendment would actually strengthen our sovereignty.

Hon. Gail Shea: It is, and that's what I've said all along. It is strengthening what we currently have.

Mr. Blaine Calkins: Okay.

Does this type of provision exist, when we're talking specifically about article VI, paragraph 10, in other RFMOs? If it does exist, how has it worked? What's been done, and what's the experience to date?

Hon. Gail Shea: This does exist in other RFMOs. Whether or not it has ever been used by those countries, I could not tell you, but there does not seem to be a problem with it if Canada accepts that no one can come into our 200-mile limit unless we ask for it. Other countries are signing on to the same amended conventions, and they're saying the same thing about their countries. So it is in other agreements that exist now.

Mr. Blaine Calkins: We understand, through your testimony here and through the testimony of department officials, particularly Mr. Balfour when he was here the other day...and he talked about the three keys, that fisheries management used to have a species-specific approach, and now we're going to more of an ecosystem approach, which is strengthening, obviously with our knowledge of science and so on, the ability to protect fish stocks. Obviously the dispute mechanism and the objection procedures to TACs are present, and the voting system is proposed to be strengthened to a two-thirds majority, rather than a simple majority.

My question is to you, Madam Minister. Those things would certainly be at risk if Canada did not sign on. Are there any other things that Canadians need to be aware of that would be at risk of being lost if Canada did not sign on to these amendments to NAFO?

Hon. Gail Shea: I want to talk about moving to a two-thirds vote as opposed to a simple majority. For example, Canada's fish quotas on straddling stocks are set at NAFO. If for some reason other countries wanted more of a share of what Canada now has, it would be more difficult for them to open quota keys. So this in effect protects Canada's fish stocks and Canada's current fish quotas.

Mr. Blaine Calkins: Could you elaborate more on the dispute settlement mechanism and exactly what kind of teeth can be applied there? Right now, obviously, it's very frustrating when countries that don't agree to TAC unilaterally change what they want to do and they go out and fish. That's very frustrating, especially when it comes to conservation of fish stocks.

I would like you to elaborate a little bit more on this whole dispute mechanism and how it's going to be implemented if ratification of these amendments happens, and how you see it being helpful.

•(1620)

Hon. Gail Shea: As you just said, currently what happens is if a contracting party files an objection with NAFO—for example, they don't believe they're being treated fairly when it comes to quota allocation—they just file an objection and then go out and fish anyway. These changes will allow for a mechanism whereby this overfishing can be stopped, so it will actually give some teeth to what can be done. If a panel, either the first ad hoc panel that looks at this or the second appeal panel, finds that for the contracting party, for some reason, this is all the quota that is allocated to them and

they do not deserve any additional quota, if they are found to be fishing illegally they can be charged.

The Chair: Thank you, Madam Minister.

We have about 10 minutes remaining. We don't have enough time for another round of questioning for you, so I'd like to take this opportunity to—

Hon. Gerry Byrne: Mr. Chair, I think we could probably do it. If each party were assigned three minutes, we'd fulfill the minister's commitment to us to round out the hour. That doesn't sound like an unreasonable request.

The Chair: If I could depend on you to stay within the three minutes for both questions and answers, it would be great.

Hon. Gerry Byrne: Sure. Let's go.

The Chair: Actually, I would constrain it to two minutes per party. That way you would have two minutes for the question and answer when the buzzer goes.

Hon. Gerry Byrne: Let's get started, and thanks again, Madam Minister.

Just for the benefit of the Conservatives, it's spelled out in the treaty here very clearly that there is a loss of Canadian sovereignty. What amazes all of us is that while Canada negotiated an opportunity for NAFO and the European Union to manage inside our waters, it never dawned on anybody to actually ask—for Canada to ask—for the ability to manage outside of the 200-mile limit. That's not in here.

Madam Minister, you said that Bob Applebaum is not a lawyer, that these bureaucrats don't have any knowledge of international law issues. Bob Applebaum is an internationally renowned lawyer with expertise in the Law of the Sea. I point that out to you, so perhaps you should pay more attention to him, because he is a lawyer and you respect and like lawyers.

With respect to the objection procedure, you said that's gone. You made the statement that that's no more. Well, Madam Minister, half of this document describes in detail how countries can still impose the objection procedure. Half of the articles in this document actually describe in detail how the right to unilaterally fish once an objection is filed still exists.

Half of this document outlines in detail that the objection procedure, the matter of resolving the objection procedure, will take up to four years. In fact, your colleagues around you will describe the circumstance surrounding the Gulf of Maine resolution, which DFO and the Government of Canada embarked upon, which took three years to resolve.

There is nothing in this treaty that produces a binding decision within the calendar year, the fishing season, in which an objection is raised. It takes six months to fish down this quota to nothing. That's the problem with this particular revised convention, and you can't deny it. The objection procedure is still here, and countries have the ability to fish unilaterally for as much as they want, right down to the last fish.

The Chair: Monsieur Blais.

[Translation]

Mr. Raynald Blais: Thank you very much.

As to the amendments that we have seen, the Bloc Québécois is not satisfied. We are going to discuss the issue this afternoon and we will hear from witnesses in due course. But, unless we are provided with facts that we have been unaware of until now, I have to say that we cannot be satisfied with what has been accomplished. I understand that you may be, but personally, I am not. I already had the opportunity to tell you why.

As for the grey seals issue, I would like to know what your intentions are. We must ensure that the people of the Magdalen Islands will be able to participate in this hunt, which takes place in October and in November, right now, in fact. If we wait, the seals will move out of the area.

• (1625)

[English]

Hon. Gail Shea: Well, currently we are looking at a number of different options to deal with the exploding grey seal population. I've seen firsthand the devastation that grey seals can cause to all types of fishing gear, to all types of fish. We have made a commitment that we will be moving on trying to control the numbers of the grey seal population in Atlantic Canada. We are looking at a number of different options right now in trying to decide which is the best option, and of course, we have to take into account the cost.

[Translation]

Mr. Raynald Blais: Do you intend to get in touch with the people of the Magdalen Islands, so that there can be some action?

[English]

Hon. Gail Shea: Yes. As I said earlier, this will be discussed with ministers from eastern Canada and from all across Canada next week.

The Chair: Thank you.

Mr. Stoffer.

Mr. Peter Stoffer: Thanks again, Mr. Chair.

Mr. Calkins, I wish to remind you that foreign vessels can fish in our 200-mile limit if they're under contract with Canadian companies. There have been incidents of ships like the *Olga*, which caught 49 metric tonnes of fish. I can tell you that story later on, if you like. It was quite interesting to see what we didn't do about that.

Madam Minister, you indicated four major fishing violations this year. We had Fisheries observers on board those vessels to inspect them. Am I correct?

Hon. Gail Shea: Yes.

Mr. Peter Stoffer: Is it possible to get unedited copies of those reports? The reason I ask is that we asked for this prior to now, in previous committees, and we were unable to get them because of the so-called commercial agreements. Is it possible to get copies of those unedited reports?

I have another question for you. Right now under the proposed new amendments, if this treaty were passed right now, if we were out on the Flemish Cap and saw a Portuguese or Spanish vessel with 20,000 pounds of fish, say, that it wasn't supposed to have—correct me if I'm wrong—we note the violation, the ship goes back to its

home port, and it's the home state that metes out any punishment for that. Am I correct?

What do we do to verify that there are indeed proper sanctions such as the licences being revoked and everything else? What do we do to ensure it? What's different in this one compared to the other one? What hasn't changed? Because in the old treaty, that thing happened as well.

Hon. Gail Shea: Well, we can't write the laws for other countries, but I can tell you that the laws and penalties in some other countries are much stiffer than they are in Canada. We do follow up and ensure that the flag state does meet its obligations under NAFO.

Mr. Peter Stoffer: If possible, can you give examples of that?

Hon. Gail Shea: We have many examples because we follow up with every single incident.

Mr. Peter Stoffer: And the observer reports?

Hon. Gail Shea: We will follow up on that.

Mr. Peter Stoffer: Thank you.

The Chair: Thank you, Mr. Stoffer.

Mr. Peter Stoffer: I have some salmon questions—

The Chair: Mr. Kamp.

Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC): I have two quick questions. If there's any time left, I'll turn it over to Mr. Weston.

Minister, would you say that through our involvement in a more effective NAFO, fisheries are being managed as sustainably outside our 200-mile limit as they are within our exclusive economic zone, or that at least we're moving in that direction?

Hon. Gail Shea: I think it's very clear just by the numbers of serious violations that have happened over the last number of years. Since Canada was able to start its surveillance and monitoring of the area outside our 200-mile limit in the NAFO regulatory area, things have changed quite a bit.

We've talked a lot about custodial management here today. I just want to share with you the definition put forward by Premier Williams in 2005. Premier Williams said:

Canada should take custody over fishing grounds outside our 200-mile limit. Historical fishing rights would be fully established. However, our federal government would be responsible for the management and enforcement of that area, so offenders are identified and prosecuted in a manner which would effectively deter those parties from reckless, irresponsible fishing practices.

I believe this is exactly what has been accomplished. It's another reason why I believe we have achieved custodial management.

• (1630)

Mr. Randy Kamp: So your definition of custodial management would be having fisheries effectively managed and sustainably managed in the same way outside as they are inside.

Hon. Gail Shea: And they currently are.

Mr. Randy Kamp: Thank you very much.

The Chair: There are 10 seconds remaining.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Minister, thank you for being here. You remind us that we're here not just to promote politics, but also to protect *poissons*. We're straddling not just fish, but also sovereignty and conservation.

Isn't it true that there's no perfect treaty whereby we could both protect our sovereignty and not intrude in another nation's waters without having some reciprocal arrangement?

The Chair: Thank you, Mr. Weston. I appreciate that.

I thank all the members for sticking to the timeframes in that last round. As the minister indicated when she entered the room, she had one hour.

I want to thank the minister today for taking the time to meet with the committee. We do appreciate it.

We look forward to having you back before our committee again. Thank you very much.

We'll take a five-minute recess before we resume.

- _____ (Pause) _____
-
- (1635)

The Chair: I call the meeting back to order.

As we discussed at our meeting on Tuesday, the second hour of our meeting today will be to deal with the motion that was put forward by Mr. Byrne, that motion being:

That pursuant to Standing Order 108(2) the Standing Committee on Fisheries and Oceans report the following to the House:

Given the evidence heard by the House of Commons Standing Committee on Fisheries and Oceans at hearings in March, May and October 2009, and the serious concerns recently expressed by the Government of Newfoundland and Labrador, the Committee recommends that the Government of Canada not ratify the Amendment to the Convention on Future Multilateral cooperation in the Northwest Atlantic Fisheries adopted by the General Council of the Northwest Atlantic Fisheries Organization (NAFO) in 2007, and that Canada notify NAFO of its objection to the amendment as per Article XXI of the Convention.

Is there discussion on the motion?

Mr. Kamp.

Mr. Randy Kamp: Mr. Chair, I'd like to move an amendment to the motion. I do have some copies here if that would be helpful. Our side may have them already.

It is a pretty simple amendment. It is to replace the final clause, "and that Canada notify" with the following—

The Chair: Mr. Kamp, before you begin, can we have the amendment distributed to all members to simplify the process?

Do all members have the amendment at this time?

Mr. Kamp, you may proceed.

Mr. Randy Kamp: It is before you then to replace the final clause, beginning at "that Canada notify" and following with this clause: until the Standing Committee on Fisheries and Oceans has had an additional 21 sitting days to study the matter further and to report the results of that study to the House.

The amendment arose because I heard in the last meeting and in discussions with—

Mr. Peter Stoffer: On a point of order, Mr. Chair, are we in camera? Do we need to be?

The Chair: No, we are not.

Mr. Randy Kamp: I heard comments made at that meeting that it would be nice to be able to consider this further and not feel we were under this time constraint of October 19, and I agreed with that. This seemed like a reasonable approach to take.

Mr. Blais, for example, was concerned that we could get a commitment from the government that we would not go ahead and ratify while this committee was still continuing to do its work, and as you heard in question period, the minister made that commitment, as she has made here today. The Minister of Foreign Affairs and International Trade has made a similar commitment to us.

My expectation is that it will take fewer than the 21 sitting days, which takes us to about November 13, if I am right, but it seems there would be some additional study we could do to either get more comfort in the direction the government is proposing or to make a different recommendation to them.

That is my amendment, Mr. Chair.

- (1640)

The Chair: Thank you, Mr. Kamp.

It has been moved to amend the motion by replacing the final clause, "and that Canada notify" with the following: until the Standing Committee on Fisheries and Oceans has had an additional 21 sitting days to study the matter further and to report the results of that study to the House.

Is there discussion on the amendment?

Mr. Byrne.

Hon. Gerry Byrne: Thank you very much, Mr. Chair.

I appreciate your reading into the record the position of the Liberal Party of Canada, which is that this revised NAFO convention not be ratified. That is our position.

We take some comfort at this point in time, given the fact that the government—at least the Conservative members of this committee—is not prepared to pronounce itself on this particular convention. Clearly, it has concerns; it wants more time to study it. That means it's not necessarily sold on the benefits of the convention, so we certainly applaud that.

The Liberal Party of Canada has determined that this convention is not in the best interest of Canada. We've heard expert witness testimony during March, May, and October 2009. Now we've heard from the minister herself, which quite frankly increased my concern; it did not decrease it at all.

The Liberal Party of Canada will not be supporting this particular amendment to the motion for many reasons, but mostly because we're very clear that this is not in the best interest of Canada. We appreciate the fact that the government—at least the Conservative members here—is quite uncertain. It wants more time to study it.

But I will point this out to committee members. We made a commitment to get on to the business of other issues facing this committee. Issues were piling up. I think we've heard enough testimony for us to at least pronounce ourselves on this. I know where our party stands. I would have thought or hoped that the New Democratic Party would pronounce itself on this. If what some members are saying is that they need more time to study, that they haven't yet made up their minds on this, I guess they'll just have to make that case known not only to the committee but to the public as well.

The Chair: Thank you, Mr. Byrne.

Mr. Stoffer.

Mr. Peter Stoffer: Thank you very much, Mr. Chairman.

Just to give a brief outline of this discussion, as you know, when we were last here, the first thing out of my mouth was this: is there any possible way, because of all the other issues, that we can get the government to assure us that it can delay ratification?

My understanding was that, as of October 19, the 21-day deadline given to us by the government would have been over and the government would have had its own right on October 20 to ratify this agreement. We had asked, was there any possible way we could get that extended to discuss not only this but the other issues as well?

At the time, Mr. Kamp, the parliamentary secretary, was not sure if indeed that could happen, so Mr. Byrne moved a motion—and rightfully so—which we supported, because of the urgency of the situation. We then find out today that the government has acknowledged the fact that there can be more time prior to their discussing the ratification of this treaty, which then gives us the opportunity to bring in two more sets of witnesses.

One set would be the Province of Newfoundland and Labrador, and one question I would like to ask them about is their current view of the situation.

Also, we consistently hear about scientific and eco-based management. It would be nice to bring in the scientists who do these NAFO TACs and allocations in order to see if indeed, in their view, these new amendments are either good or bad.

Personally, I can tell Mr. Byrne and the Liberal Party that I do not support the amendments to this particular treaty, and I would vote against them and support any motion that would have the government not ratify. But in fairness to everybody and in fairness to the people of Newfoundland and Labrador, I think it's only fair that we allow a couple more groups of witnesses to come in. We'd then make our report. We'd then table a motion of concurrence or non-concurrence in the House, we'd have a vote, and we'd proceed from there.

But bear in mind that we know full well—because we've done this before, and I've lost arguments before—that even when concurrence ruled in favour of it, previous governments and the current one have said, “Well, it's a motion anyway; it's nice to hear from the House, but we don't have to abide by it.”

I can assure Mr. Byrne and the House that I and the NDP will not be supporting the NAFO amendments as presented to us by the minister and officials. However, to repeat, I think it's only proper that

we get an opportunity to speak to Newfoundland and Labrador and to scientists. We're only talking about maybe a couple of days. We don't even need the 21 days to do this. That way we're not, as Mr. Kamp said, rushed into this, even though our views are probably already well known, that this side—I can't speak to the Bloc—would exercise reservation over the treaty, and I believe the Conservatives would probably support the treaty as it's done.

It's only fair that we have a couple more days of what the Senate calls “sober second thought” in this regard, but I believe it would be fair to balance out any kind of discussion in this review.

• (1645)

The Chair: Thank you, Mr. Stoffer.

Mr. Weston.

Mr. John Weston: Mr. Chair, there's a saying that no good deed goes unpunished. It seems to me that in the spirit of parliamentary democracy, the government has provided 21 more days for discussion. Mr. Byrne said, I think about three times in his two minutes, that it shows there's great uncertainty on the side of the government and restlessness, or whatever words he used. In fact, it's an opportunity to respond to the kinds of issues raised by you, Mr. Byrne and Mr. Stoffer, to hear from other people. It's an exercise in parliamentary democracy, and it's counterproductive to turn around and chastise the government by suggesting there's some uncertainty because we want to give you an opportunity to have your views, and those of other witnesses, heard.

Thank you.

The Chair: Thank you, Mr. Weston.

Monsieur Blais.

[*Translation*]

Mr. Raynald Blais: Thank you, Mr. Chair.

I have participated in a good-faith exercise in these last few hours. This has been about good faith and nothing but good faith. I have always been very clear on our position on this issue. The problem was the October 19 date. That forced us to analyze the situation very quickly and to come to a conclusion like the one reflected in the motion on the table.

In my opinion, since we had no guarantee—either from the Department of Fisheries and Oceans or from the Department of Foreign Affairs—that the decision could be suspended, we had to make a decision today. In all good faith, given that we now have more time to study the issue, it is important to do so. That says it all.

Furthermore, I agree entirely with Mr. Stoffer. We maintain our position on the amendments before us. The question is not whether we are studying the possibility of changing our approach today; it has nothing to do with that. To those who think that that is what is going on, I say that they are clearly not listening. I said it several times and I will say it again: we are not satisfied with the amendments to NAFO that are currently before us; that is our opinion.

However, when we do not agree on a position, it is quite appropriate to allow people the time to have their say; that is showing good faith.

Yesterday, it was an urgent matter because of the October 19 date; now, it is no longer urgent. So I will let others have their say. I am anxious to hear from Mr. Williams, if he agrees to come here. I look forward to hearing what the ministry in Newfoundland and Labrador has to say. I was also convinced by the arguments presented by Mr. Applebaum and the others. But I am far from convinced by what the department has presented to us concerning the amendments.

The exercise we are currently undertaking is intended in all good faith to ensure that our final position on the matter will not be taken with a gun to our heads, and particularly not with a deadline like October 19. This will allow us to go into more detail in our arguments. Our position remains the same, that is that the NAFO amendments currently on the table are unsatisfactory. I told the minister so yesterday, during a meeting on another issue: the grey seal. I told her that our position remains the same, in fact.

If some people think that we have suddenly changed our position, there is nothing we can do. They are free to think what they will; at the end of the day, I cannot make them do anything. However, I know my position and I know the Bloc Québécois' position. We consider the results of the NAFO negotiations to be unsatisfactory.

But it is quite right to give people the opportunity to come here and express their opinions, given that we no longer have this sword of Damocles, the October 19 date, over their heads. This is how we cooperate. It has nothing to do with the views of others that some may think we have taken over. It is unfortunate that it happens like that, but, for myself, I have always believed that the more time we have to analyze an issue, the better our position will be. If our position does not change, it will be better documented. My feeling is that it will be more complete than it was, given the witnesses that we will be hearing from.

I hope that we will be hearing from other witnesses who will give us various perspectives. Hearing other opinions is not a problem for me, given that we no longer have the sword of Damocles hanging over our heads. I am cooperating.

• (1650)

I believe I have cooperated in good faith in order to allow people to have their say so that we can study this issue once again. However, let us not fool ourselves. We are not trying to get out of anything. We have just pushed back the deadline.

In my opinion, the situation is improving to some extent. I feel that our group is better informed than ever and will be even more so after we hear the next witnesses. This is even better for democracy. I am perfectly comfortable with the position we have taken and I hope that everyone will support it.

[English]

The Chair: Thank you, Monsieur Blais.

We'll go to Mr. Kamp.

Mr. Randy Kamp: Thank you, Mr. Chair.

I think we're probably getting close to being ready for the question on this, but perhaps I can make a couple of final comments.

First, I appreciate the comments made by my colleagues, but I would encourage us all, as parliamentarians, as members of this

committee, to try as much as possible to retain some objectivity as we continue studying this. I think it behooves us to do that on both sides of this issue.

In addition to the witnesses who have been mentioned, personally I would be very interested in hearing from another NAFO country, maybe even one of the coastal states that will be affected by this amendment in a similar way, or maybe Norway, which has already ratified this.

I think the additional time, in addition to allowing us to hear witnesses as we develop the report, would allow us some time to actually talk to one another, as well, rather than to just vote on a motion. We could get a sense of and flesh out our own positions on this at the end of our study. We would be able to write a report that is balanced and understand one another better. This time will allow us at least some time—not a lot of time, but some time—to actually produce a report that is the subject of some discussion among ourselves.

The Chair: Go ahead, Mr. Byrne.

Hon. Gerry Byrne: Mr. Chair, there you have it. I guess we'll call the vote soon.

Our position is relatively clear, and I respect the fact that others may disagree with me. I will put one air of caution on the table, which is that there are still deadlines. Other countries can still ratify this, and once you get to a threshold of a three-quarters majority, then of course it's a done deal. The convention is then ratified. So we'll just take a shot, and we'll hope for the best and hope that a three-quarters majority within NAFO does not ratify it within the time period during which we will still be debating it here in Canada.

Perhaps we'll call the question.

We won't be supporting this NAFO revised convention.

• (1655)

The Chair: Is there any more discussion on the amendment?

Go ahead, Mr. Stoffer.

Mr. Peter Stoffer: I understand, if I'm not mistaken, that the United States is part of NAFO. It would be very interesting to see what a country like that says. Because they're so protectionist of their ground and their waters, it would be interesting to see what they have to say. So if we're inviting another country, if indeed this passes, it would be interesting, Mr. Kamp, if we could get someone from the United States, who understands this issue, to come before us, if indeed that's possible.

The Chair: Thank you, Mr. Stoffer.

Is there any further discussion on the amendment? All right, I will call the question.

It has been moved by Mr. Kamp to amend the motion put forward by Mr. Byrne by replacing “and that Canada notify NAFO of its objection to the amendment as per Article XXI of the Convention” with “until the Standing Committee on Fisheries and Oceans has had an additional 21 sitting days to study the matter further and to report the results of that study to the House”.

(Amendment agreed to)

The Chair: Is there any discussion on the amended motion?

Mr. Peter Stoffer: Can you read it out again?

The Chair: I'll read the motion as amended.

That pursuant to Standing Order 108(2), the Standing Committee on Fisheries and Oceans report the following to the House. Given the evidence heard by the House of Commons Standing Committee on Fisheries and Oceans, at hearings in March, May and October 2009, and the serious concerns recently expressed by the Government of Newfoundland and Labrador, the committee recommends that the Government of Canada not ratify the amendment to the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, adopted by the general council of the Northwest Atlantic Fisheries Organization in 2007, until the Standing Committee on Fisheries and Oceans has had an additional 21 sitting days to study the matter further and to report the results of that study to the House.

That is the amended motion. Is there discussion on the amended motion?

Mr. Peter Stoffer: The last sentence, "notify NAFO of its..."

The Chair: No, that's removed.

Mr. Peter Stoffer: All right, okay.

The Chair: Is there any discussion on the amended motion? Are we ready for the question?

Sorry, Mr. Byrne.

Hon. Gerry Byrne: My original motion has indeed been amended. That's it. There's not much I can do about that. I would have liked to have a negative vote nullifying the NAFO convention right here and now so we can send a clear message to the international community that we are not accepting a loss of Canadian sovereignty inside the 200-mile limit. That has not occurred.

Now we, as Liberal members, have to deal with this as it currently exists. We will be voting in favour of this, and since there are 21 additional sitting days, the government, from the fisheries minister on down, has guaranteed us it will not ratify this treaty until a bare minimum of at least 42 sitting days of the House have lapsed, hopefully even longer—because, of course, as the minister pointed out, it's a minimum of 21 days; she finally provided a clarification.

Hopefully the New Democratic Party, or maybe even the Bloc, will use a supply day, which is available to them. Since we now have time, there's an opportunity for the New Democratic Party to use a supply day, an opposition day, in the House of Commons to actually bring this to the floor of the House of Commons. I would encourage my colleague Mr. Stoffer to do so.

The Chair: Thank you, Mr. Byrne.

Is there any further discussion on the amended motion?

Mr. Stoffer.

Mr. Peter Stoffer: That very kind gesture does call for a minor response.

Some hon. members: Oh, oh!

Mr. Peter Stoffer: Not that I would definitely want to play tit-for-tat, but I do recall a certain supply day motion that the Liberal Party had.... Just kidding, just kidding.

Some hon. members: Oh, oh!

Mr. Peter Stoffer: Mr. Byrne, in all fairness, I will definitely speak to my leader on that, and there are no guarantees because there are 36 of us—we have 182 different subjects of concern—but I will definitely raise it with the party.

• (1700)

The Chair: I appreciate that, Mr. Stoffer.

To your point of not going tit-for-tat, I was asking for discussion on the amended motion. Do you have something to add on the amended motion, Mr. Byrne?

Hon. Gerry Byrne: Yes, I do, thank you.

The amended motion would not even be read right now if my party's supply day motion had been supported by the other parties, because we'd be into an election right now and there would be no ratification of the revised NAFO treaty.

Some hon. members: Oh, oh!

Hon. Gerry Byrne: So therein my party's supply day motion, for the record, was in very specific contradiction to the revised NAFO convention because it would have collapsed the government, and there would be no ratification of the revised convention. Anyway, not to be tit-for-tat, Peter, but there you go.

Some hon. members: Oh, oh.

Hon. Gerry Byrne: Anyway, let's get on and hopefully we'll be able to resolve this.

The Chair: Thank you very much.

There being no further discussion on the amended motion, I call the question on the amended motion at this time, as I read previously.

(Motion as amended agreed to)

The Chair: The amended motion has been adopted unanimously.

This meeting is adjourned.

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