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## **Standing Committee on Fisheries and Oceans**

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**EVIDENCE**

**Monday, June 2, 2014**



**Chair**

**Mr. Rodney Weston**



## Standing Committee on Fisheries and Oceans

Monday, June 2, 2014

• (1530)

[English]

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

I'd like to thank Mr. Kerr for joining us here today. We appreciate him coming in to discuss his private member's bill, Bill C-555.

Mr. Kerr, as is the practice, you have a few minutes if you want to make some opening comments, and then we'll proceed to questions. All members have a copy of your bill in front of them at this time, so whenever you're ready, Mr. Kerr, please proceed. I know that you're quite familiar with the proceedings of this committee, having been a former member, so proceed any time you want.

**Mr. Greg Kerr (West Nova, CPC):** Thank you very much, Mr. Chair.

I've shortened my statement down to about 15 minutes.

**The Chair:** That's great.

**Voices:** Oh, oh!

**Mr. Greg Kerr:** Anyway, I'm pleased to be here.

I think that probably everybody sitting around the room knows as much as I do about this bill and why we're doing it. But I would point out that we've had some pretty positive reaction overall, because the fact of the matter is that even though quite often we hear internationally some comments about the seal trade and the seal hunt, the reality is that it's not only legal, it's well respected and certainly is done very professionally. I think that if Parliament doesn't support the efforts that are made in such things as the seal industry, it means that other industries could be in jeopardy as well, just because internationally they may be looked at differently. I appreciate that all but one in the House seem supportive of the bill.

I think you probably realize that the reason we're going to a nautical mile, which is the main purpose in changing the regulatory process, is that there have been incidents in the past, as you know, with Mr. Watson and Sea Shepherd, and the *Farley Mowat* activities years ago. That's *Farley Mowat* the ship, not the man. There were some very close calls, and there have been suggestions that it could happen again. What the officials basically have said is, look, the half nautical mile is just too close, with ice cracks for hundreds and hundreds of feet. The reality is that these are big boats they're bringing in; they're ships, I guess, or however they put it.

That was the main intent, to actually provide better protection and better safety for all concerned.

As you know, the only comments we hear.... We do hear from the industry. They'd like to see things go further. They're happy with this change and they hope we'll look at something down the road, etc., but I want to point out that this is specific not to those who are legally approved by the minister's office and who get permits every year, but to those who refuse to cooperate in any way. They have no interest in cooperating. Their whole focus is on disrupting the seal hunt.

We have to help support the authorities who are trying to make sure that it's safe out there. That's the intent, and as I say, I would point out that if there are other things that might be done down the road.... I think I indicated to you, Mr. Chair, that the committee may at some point want to look in another year or so to see if there are other things that can be done to keep adding to the support. Also, I think it's not a bad idea to do something every once in a while just to remind both those in the industry and those observing that we do take this very seriously and we do support the industry very much.

There, I've dragged my statement out as far as I can.

**The Chair:** Thank you very much, Mr. Kerr.

We'll start with questioning.

We'll move to Mr. Chisholm first.

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Thank you very much, Mr. Kerr.

Thank you for travelling to appear before the committee. I appreciate your taking the time. I know that you have a lot of items on your agenda as it stands, but you've decided to avail us of your experience and knowledge in this area, and we appreciate it.

We supported the bill at second reading. We understand, from a health and safety perspective, that if the people fishing are in danger as a result of the distance, then that itself is enough reason, but I haven't actually heard anybody say that on such-and-such a day, other than in April of 2008 with the *Farley Mowat*.... I haven't heard anybody say, number one, that "on such-and-such a date this happened", with actual specific examples of where the half nautical mile has been compromised. That's the first one.

Second is the question of enforcement. We'll get an opportunity to speak to other witnesses to get some support for this, but there's been some suggestion that it's been difficult to get enforcement of the half nautical mile. Will the enforcement be any different? Will it be expanded? Is there an anticipation or has DFO said, in understanding that we're increasing the difference, that will mean we're going to need more people, less people, more boats, or less boats? Could you share with us a bit of that detail?

The first one is on examples of specific cases. The second is a question on some of the justification.

Thank you.

• (1535)

**Mr. Greg Kerr:** Thank you, Mr. Chisholm.

First, in discussing with the officials—I'm trying to get some of that background myself—actual events, there has been not so much change from what you've seen in the record but there could be an increased interest in activity because of some of the changes going on in Europe. They do expect that there's going to be more focus again on the seal hunt as there has been before. It goes cyclically, I guess. There is an expectation that you will see increased activity. Given the fact that Mr. Watson and company were sidelined, and they've also spent a fair amount of time in Japan, Russia, and other quarters, there is a sense that there would be more focus back in Canada and the seal hunt is the main one mentioned. In terms of actual incidents, you're correct, you can't physically say that actual incidents have increased but the anticipated interest seems to have gone up.

With regard to the other part, first of all, there's no expectation of the need to change either the number of staffing or vessels needed to patrol. I haven't found any real incidents reported back to us in doing the research, again, that suggests they aren't capable of managing it now. One of the reasons there have not been many incidents in recent years is that they are paying greater attention to the potential risk and so on. What they do know is that the nautical mile gives that cushion that even if they're a little late in arriving, which is one of the complaints, there is a lesser chance of any engagement. Obviously, it becomes very apparent when they're getting within the range. Even though they don't measure the nautical or the half-nautical exactly, they have a good sense of what a nautical mile would be.

I believe from anything that we've looked at and talked about that Fisheries officials and the coast guard take this very seriously. Because it is a legal hunt, they are obligated to provide the protection necessary. I think it's in good shape from whatever we've been doing.

**Mr. Robert Chisholm:** Right.

I presume what you're saying—and I won't put words in your mouth—is that given that they anticipate increased interest in the seal hunt, and therefore there may be more incidents, you'd think they would be preparing to beef up protection and their monitoring ability to intervene and protect the people who are fishing.

Is that not fair to assume?

**Mr. Greg Kerr:** Certainly on the monitoring.... As you know, I get to talk to base officials out of Greenwood, and one of their jobs is to do a lot of patrolling up north. This is included in their over-fly mandate. Again, I'm not the one to ask about what the schedules are, but my understanding is that they are quite prepared to keep a greater vigilance on that.

I don't sense that there is any imminent need to beef up the actual security. When they say "an increased interest" I think it's because of the focus again on the seal hunt, the European Union, and the type of debate they're having and so on. I think it's more preventative than it is trying to prepare for imminent action. We'll probably know in the

next year or two as to whether there's any actual increase in activity or not. But it seemed like the prudent thing to do to help them make their case a little stronger.

• (1540)

**Mr. Robert Chisholm:** You've indicated that there were some consultations held with the industry. I guess I should ask you if there were consultations held with the industry and with observers and organizations that have been involved in observing the prosecution of the seal hunt? Was that consultation held?

**Mr. Greg Kerr:** I was in some discussions with industry reps when they were in Ottawa. It was not with observers directly because they are permitted, if you like, by the minister's office to observe, so that wasn't really part of the discussion. It was to deal with those who are illegally involved. I know that the industry would like to have seen probably more steps taken, even suggesting that maybe the legal observers should not be let out there. But that was certainly beyond a private member's bill. That's into another regulatory process.

Generally speaking, the comments we got were that they were glad that there was a step being taken forward. It wasn't a matter of if they were against it or opposed. Perhaps they would have liked to have seen it go further.

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Thanks, Mr. Chair.

Thank you for appearing before the committee, Mr. Kerr.

I gave a speech on your bill in the House of Commons, and like Robert said, our party supports this bill, but I also said when I stood up to speak that this bill is a charade to make it appear that the Conservative government is actually doing something about the seal hunt when, in fact, it's not doing much of anything.

The biggest decline in seal in the markets for Canadian seal products in history has happened under this government's watch. We've seen the markets collapse in Russia, Kazakhstan, Belarus, Taiwan, the EU. There's an argument back home on the ground in Newfoundland and Labrador that the ban of Canadian seal products could have been made an issue with Canada-EU trade talks. It was not.

On the ground, in Newfoundland, the biggest seal hunt is off the northeast coast on the front, and what people say is that the half mile wasn't enforced. Now you're going to increase it to a full mile. What's the difference? Again, that's where a nuisance bill comes into play.

I will ask you a question as a member of Parliament for Nova Scotia, Mr. Kerr. Do you personally think the government, your administration, should have made this EU seal ban more of an issue in Canada-EU trade talks?

**Mr. Greg Kerr:** First, I'm glad you said it was a charade. I thought you called it a piece of crap. I didn't want to get bogged down—

**Mr. Ryan Cleary:** I'm much more diplomatic than that.

**Mr. Greg Kerr:** —in a bunch of wording here on the thing.

I think a lot of us share the concerns about the trade, maybe different views of the same issue. I'm not the one who can speak about whether we should be taking on the ban or whether we should be over in Europe.

I do know, again, from the industry—and you know that most of the representatives were from Newfoundland—that they think any focus that's put on the seal hunt is a positive move. That's why we asked them. I said this is a very modest step. It's a very positive move. Would they like to see more things done? Of course.

The one thing I probably would have to disagree with is I didn't run into a lot of comment about it not being in force now. I didn't hear a criticism of Fisheries officials or coast guard officials, or the military who do the flyovers. Would they like to see more patrol? I think so.

But part of that—and you probably know better than I—is that in some cases they would rather there be no observers out there. They don't even like the legal ones being out there as well. So I'm not sure which one they were focused on.

Should we collectively as parliamentarians be concerned about the EU issues? Absolutely, but that's way beyond the scope of a private member's bill to look at safety issues. I think that may be directed more to some other officials.

• (1545)

**The Chair:** Thank you.

Mr. Kamp.

**Mr. Randy Kamp (Pitt Meadows—Maple Ridge—Mission, CPC):** Thank you, Mr. Chair.

I have a few questions for my colleague, and then I'll be splitting my time with Mr. Sopuck, who has much more experience shooting at things.

My first question is.... The bill is a pretty simple bill, and I know what sections of the regulations it's amending. Normally when we think of the seal fishery as it's referred to here, we think, as Mr. Cleary has said, that it takes place on the front or in the Magdalen Islands.

If a fishery of sorts became more active on the grey seal in your area, for example, in Nova Scotia, would this then apply to that as well?

**Mr. Greg Kerr:** That sounds encouraging. I'd love to see a hunt on the grey seal.

My understanding, Mr. Kamp, is that if there is a legal fishery going on, the officials will in fact deal with each and every one, protection of the hunters, etc., in basically the same way.

The one difference might be in the areas we're talking about where ice is a big part of the equation, so it may be handled slightly differently, but certainly, yes, the expectation is that type of protection would be provided if it's a legalized hunt.

**Mr. Randy Kamp:** I guess that was going to be my next question. We're just thinking of the problem being when the fishery is taking place on ice floes, but even some of the harp seal fishery takes place

on land. Certainly, the grey seal fishery, if there were one, I think would be primarily on land.

Do you see the same need or this applying appropriately for both of those situations?

**Mr. Greg Kerr:** It would be interesting. It would be a different type of policing, for sure, if it were on land or in a more moderate temperature of water, I would think. But my understanding would be...if it was a legalized fishery, whatever the process, it would be to protect the sealers, the legal hunters.

Of course, I know there are efforts to actually find product use for the big ones—and that would be great—as a possible food source, and so on. If that were the case and the markets developed, it's really possible that there could be a legalized seal hunt, but I think we're a ways off there. In other words, it's not just done because the cod are disappearing. It would be done because there's a use for it.

But I don't know how the policing would actually be done on land, or who would be responsible. But my understanding is that if it were legalized, yes, there would be appropriate protection measures put in place.

**Mr. Randy Kamp:** I guess that leads me to my next question, and probably my last question.

You didn't change the language. You just changed the “half mile” to “nautical mile”. I know that, so this may not be a fair question.

That part of the regulation is still going to say:

no person shall, except under the authority of a seal fishery observation licence..., approach within one...mile of a person who is fishing for seals.

**Mr. Greg Kerr:** Yes.

**Mr. Randy Kamp:** Have you given any thought to whether that word “approach” is significant? Is the onus on the individual who could be, in fact, approached by somebody fishing for seals, who gets within one mile of him or her? Maybe they are just nature lovers sitting on the beach in the middle of winter, and somebody fishing for seal gets within one mile of them. Is that a problem, in your view? Have you given any thought to that?

**Mr. Greg Kerr:** I'm still stuck on “nature lover”. Paul McCartney didn't have much faith when he got out there and lay on the ice with a seal. I think they took a little chomp out of him or his lady there that day.

No, I think what we have to do going forward, if we want to.... This was more specific to vessels that were approaching; that was the thought process there. There are a number of other potentials. If people went out with rifles illegally on the ice, and so on, it would go beyond, and probably bring the RCMP and other forces into play. But, generally speaking, I think the concern here is that the recklessness of a larger vessel and what it can do to ice, particularly if the ice is thin enough, is very much a danger.

So, I don't know. I'd have to worry that one through, I think, Mr. Kamp. I'm not quite sure where we'd go with that.

• (1550)

**Mr. Randy Kamp:** Well, thank you very much, and thank you for a good bill. I'll turn it over to Mr. Sopuck.

**Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC):** It's quite clear that seal populations are abundant. The hunt is well managed, and it's monitored very closely. I think the so-called animal cruelty issues have largely been resolved. Why do you think it is, then, that the animal rights extremists have continued to focus on the seal hunt, as opposed to issues that are a lot more important from a conservation perspective?

**Mr. Greg Kerr:** One thing I know is that we have a sizable mink industry down in my neck of the woods, and you run into selective opposition, and pretty active opposition some days. I have to think that ignorance is a big part of it. You can still find photos of little white seal pups being pushed around by certain entities. I don't know how long it's been, but it's been a long time since seal pups were even considered a part of the legitimate seal hunt. Also, methods have changed and improved, as they have with other things.

I just think it's from some European interests. It's been an easy target to get people stirred up and say, look what those pesky devils over there in Canada are doing. So, I'm not sure, other than continuing to inform, and continuing to make it part of our international discussions. I think if people want to think of that as an ugly thing we do in Canada, they're going to continue doing so. But I'd say mainly ignorance is the big thing.

**Mr. Robert Sopuck:** Personally, I think you're being far too generous. I think these people see this as a great fundraising tool and I think they know exactly what they're doing and why they're doing it.

Can you talk about the effects that the growing seal population is having on the fish stocks in the Maritimes?

**Mr. Greg Kerr:** I know for a fact that, again down our way, a lot of fishermen like to keep rifles in their boats. Of course, I don't know that any are actually doing that, but there's always a sense that they are a real nuisance. People don't realize that when you get into the large seals, you're talking about a grey seal weighing 800 pounds and greater. That's a lot of animal out there. So there's a lot of debate, and I know you've talked to fisheries officials about what actual impact they have on the cod fishery, etc., and I expect that debate will go on. But there's no question they're pretty heavy eaters, so I know they do cause a lot of disruption out there.

Bob, there's one thing you said about the fundraising. Some of us who are a little older probably can remember when Brigitte Bardot was the lead spokesperson for years on the seal hunt. One of the fundraising things she did was to put on the market a number of ashtrays made out of animal hooves. I thought that was something strange for an animal activist, to use hooves of animals as ashtrays and put them up for a fundraiser for animal protection. Anyway, that's part of that ignorance thing I think I was referring to.

**Mr. Robert Sopuck:** Can you talk about the unintended consequences that you could foresee happening as a result of your bill? What could possibly happen, apart from what you're trying to do with this bill?

**Mr. Greg Kerr:** I hope it only gives an extra tool or advantage to the authorities to protect the seal hunters. It's a pretty simple, straightforward activity and it creates more safety. So I think it should probably give some encouragement to the industry that the

government is thinking in terms of the safety of the seal hunters. That's the first concern, the safety of the seal hunters.

**Mr. Robert Sopuck:** Right.

I want to get back to the issue of the seal markets. In spite of the WTO ruling, there are other countries that don't have that kind of so-called sensibility or sensitivity. Do you see potential new markets for seal products developing over the next few years?

**Mr. Greg Kerr:** I really don't.... Are you talking in terms of a food product or the pelt?

• (1555)

**Mr. Robert Sopuck:** Any kind of product.

**Mr. Greg Kerr:** Well, the pelt.... Again, I'm more familiar with the mink industry. It's market-driven as much as anything, and I guess it depends on pricing and market penetration and so on. I know when we talk about the big grey ones, there's talk about dried food sources for many parts of the world. If in fact it panned out, that would make a very manageable and profitable type of business, I think. I'm sure we'd all like to see something like that happen.

**Mr. Robert Sopuck:** Thank you.

**The Chair:** Thank you, Mr. Sopuck.

I know the bells will start ringing here in a few minutes. I guess what I would ask is if there is consent to continue on after the bells start ringing, to give Mr. MacAulay his full 10 minutes. Then we wouldn't come back after the bells.

Are we in agreement on that?

**Some hon. members:** Agreed.

**The Chair:** All right, thank you.

Mr. MacAulay, the floor is yours.

**Mr. Greg Kerr:** Now I'm nervous.

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Short minutes, Mr. Chair, but anyhow, thank you very much.

Mr. Kerr, thank you for doing this. There's a lot of different things about the seal harvest and your bill.... Your bill, of course, is a very small item as you've already said, but you indicate that the bill puts them from half a mile to a mile back from the hunt.

Do you not feel there's greater need for more security in order to make sure you can keep the people who are illegally there further back from the hunt? I wonder if you had any discussions with officials or the Department of Fisheries and Oceans or whatever department is going to make sure they keep them out of the way.

**Mr. Greg Kerr:** I think that's a worthy.... I was saying to the chair earlier that maybe there's some research the committee might like to work at, because there are people out there who really wonder why there are any observers at all. That's a long-standing process and one that wasn't part of this bill, as you know.

I think the industry has no problem with veterinarians and those who are watching to make sure the seal hunt is done correctly. But it's a little concerned about anybody who's there whose purpose is to disrupt the legal industry itself. So, Lawrence, I think it'd be a good conversation to follow up on. There are probably people who could speak a lot better to the topic than I could. But as an individual MP, I always think anything we can do to strengthen it is probably a good idea worth looking at.

**Hon. Lawrence MacAulay:** But, you have, Mr. Kerr, brought some attention to the seal harvest, and for that I thank you.

I don't believe there are any nature lovers out there at all. I believe there are people out there just to cause trouble and just to stop the hunt. Also, I hope there is enough enforcement to make sure that it is enforced to a mile, but that's up to the government.

When you were doing the consultation, or whatever consultation you did, did you consult with the Seals and Sealing Network, or the Fur Institute of Canada? If you did, what kinds of recommendations did they give you, or what did they have to say?

**Mr. Greg Kerr:** It's interesting with the fur industry; some of the conversations spilled over between the mink and the seal.

**Hon. Lawrence MacAulay:** Excuse me, but I believe also you indicated, if I read you correctly, that there is a great fear that what they're doing with the seal hunt.... If we're not careful, if this work continues on, it could affect some pretty valuable industries in this country other than the seal hunt.

**Mr. Greg Kerr:** I agree totally with that. I think the thing we all want to be concerned about, of course, is that there's a fairly large part of the world population that is totally against using pelts for anything. In other words, that's their issue. It's not about safety or any other issues. I think my point would be, if you started going through the inventory of everything that's done in the world, you could pretty well shut down the world economy. You would always find a group that was opposed to something that's done out there, and so on. We wouldn't be eating hamburgers and a lot of other stuff if that were to happen down the road.

I think you're right. The fur industry's concern is that, if there is something wrong with the process or the method they are carrying out, they would like to be consulted and talk about how they can make it better because they want to do it right. They know the sensitivity.

But if we don't stand strong with them, their concern is that there will be people picking away year after year, trying to erode or undermine what they are trying to do, regardless of whether it's seal or any fur industry. I think there is an interest in watching that we do stand up and are prepared to protect, in this case, the seal industry, but also that we are prepared to protect any legal fur industry that takes place in our country.

• (1600)

**Hon. Lawrence MacAulay:** You didn't actually say it, but I would take it that, if they took cameras into a slaughterhouse, there might be some problems, too, with some of the do-gooders who feel we should not have anything.

**Mr. Greg Kerr:** I'll take your word for that.

**Hon. Lawrence MacAulay:** I think that's why we have to be really careful where we go.

There must have been some discussion about the 10-metre issue for the licensed observers. I would feel that is very close and a menace to the people who are on the ice trying to hunt the seal.

**Mr. Greg Kerr:** Yes. I should point out—and I know the parliamentary secretary is listening—that it's a separate regulatory process that looks at the permit process.

**Hon. Lawrence MacAulay:** But was it discussed?

**Mr. Greg Kerr:** There are a lot who think they are too close.

**Hon. Lawrence MacAulay:** And they are.

**Mr. Greg Kerr:** There are a lot who don't like them there at all, other than those who are there on the veterinarian side, those protections.

But I want to point out that this is under a totally different regulatory process than those who are not licensed. We could only look at what you call the illegal protest side of it. I don't think there is anything wrong with having a discussion about that down the road. I'm sure there are people interested in it.

**Hon. Lawrence MacAulay:** I think for sure it's great to have the veterinarians out there, but I certainly believe, and I would ask you if you concur, that the rest of the people out there have not done much for our sealing industry. We have, I guess, the most humane seal hunt in the world. Do you think a lot of the recent trouble we are having with it is because of the people who are out there observing?

**Mr. Greg Kerr:** Believe it or not, there is very mixed opinion on that, because some of the legal observers would like it to go wrong. In other words, they're not in favour of the seal hunt, but when they are through observing, they would agree with your very comment that it is being done correctly, that it is being done humanely. They don't use poor tactics; they don't kill seal pups anymore. In one sense, the observers actually serve a purpose because they have to confirm that whatever is being done—if they like it or not—is being done correctly.

So I think that's part of the discussion that should take place. Do they wish it would stop? Some of them certainly would like to see it stop. But I haven't seen a report—we or the department could find out, I suppose—that they have provided any evidence in recent times —

**Hon. Lawrence MacAulay:** On the negative side....

**Mr. Greg Kerr:** —on the negative side, in terms of method and process.

**Hon. Lawrence MacAulay:** The only thing I see is that when anybody's out there, it caused great difficulty for the industry itself. There's nothing that would help out the industry, and there are other places in the world where they do have the seal hunt and they're selling the pelts and we're not, which is a bit annoying.

You also dealt with the grey seal. In your discussions—I won't use the word “cull”—do you suspect or was there any discussion on legalized hunts on the grey seal? Are you at liberty to inform the committee whether you had that discussion?

**Mr. Greg Kerr:** I might be shot at midnight if I get into that topic. That's certainly beyond, I think as—

**Hon. Lawrence MacAulay:** Was it part of any discussion?

**Mr. Greg Kerr:** It was part of a discussion on the whole seal business, but as I responded to the parliamentary secretary, if a hunt were to be legalized, then certainly the same processes should be followed.

Is there an interest in having a legalized hunt? Yes, a lot of people have expressed interest.

**Hon. Lawrence MacAulay:** When you were having your discussions on the marine mammals regulations, was there any discussion about the penalized period being extended from five years to more for people who break the law out there, because these people have caused a lot of difficulty?

**Mr. Greg Kerr:** Yes, and I think we passed along a few of those comments raised about making the penalty tougher. Again, I point out, our focus was specific on the distance for this particular piece, this simple little piece of legislation.

**Hon. Lawrence MacAulay:** I have to agree; I supported it fully. Have you dealt with other countries, or used information from other countries, that had the same difficulty as we have?

**Mr. Greg Kerr:** No, I haven't.

**Hon. Lawrence MacAulay:** Thank you very much, Mr. Chair.

**The Chair:** Thank you very much, Mr. MacAulay.

Mr. Kerr, I want to thank you on behalf of the committee for taking the time to come and meet with us today and answer questions about your private member's bill. We certainly appreciate it.

Mr. Chisholm, go ahead.

•(1605)

**Mr. Robert Chisholm:** What are we going to do next on this? Are we going to call witnesses?

**The Chair:** On Wednesday, we have officials coming from the Department of Fisheries and Oceans for the same bill.

**Mr. Robert Chisholm:** What about other witnesses?

**The Chair:** We'll discuss that on Wednesday.

If you get some suggested witnesses, please bring them with you. Thank you.

The meeting is adjourned.

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