

Fisheries and Oceans Canada
Management Action Plan
Fall 2015 Report of the Auditor General of Canada
Chapter 3 – Implementing the Labrador Inuit Land Claims Agreement

Auditor General's Recommendations	Departmental Response to Recommendations	Actions and Timelines to Address Recommendations
<p>3.57 Fisheries and Oceans Canada should work with the Nunatsiavut Government to clarify and agree on the intent of the obligations regarding the Nunatsiavut Government's access to the northern shrimp fishery. They should also agree on what constitutes changes to the system for allocating commercial opportunities to fish. If the differences remain unresolved, the matter should be brought to the Dispute Resolution Board as provided for in the Labrador Inuit Land Claims Agreement.</p>	<p>Fisheries and Oceans Canada's response. Agreed. Fisheries and Oceans Canada is willing to work with the Nunatsiavut Government to clarify the intent of the obligations around the shrimp fishery, including defining what constitutes changes to the system. Failing that, Fisheries and Oceans Canada would agree to mechanisms under the Dispute Resolution chapter of the Labrador Inuit Land Claims Agreement while ensuring that the Minister's discretion under the <i>Fisheries Act</i> is not fettered. Timelines for implementing this recommendation will be discussed with the Nunatsiavut Government as part of our ongoing discussions on fisheries related issues.</p>	<p>This issue was discussed at a bilateral meeting between the department and the Nunatsiavut Government on April 26, 2016.</p> <p>Constructive discussions took place at that time. However, the discussions did not lead to any resolution.</p> <p>It was noted that current resource declines create challenges with changes to access and allocations in this fishery at present. Of note, a Ministerial Advisory Panel's report on the use of the Last in First out Policy (LIFO) in this fishery did provide some guidance on a way forward; a final decision will be taken in the summer 2016 on the Panel's recommendations with respect to additional access to adjacent Indigenous groups. A meeting of the Northern Shrimp Advisory Committee will take place in early July to discuss final management measures for the 2016/17 season.</p> <p>Given the outcomes of these events, further meetings will be scheduled for the fall of 2016 to collaborate on a way forward on the issue of shrimp access.</p>
<p>3.58 Fisheries and Oceans Canada should work with the Nunatsiavut Government to agree on the status of the obligation regarding communal harvesting in the Upper Lake Melville area. If the differences remain unresolved, the matter should be brought to the Dispute Resolution Board as provided for in the Labrador Inuit Land Claims Agreement.</p>	<p>Fisheries and Oceans Canada's response. Agreed. Fisheries and Oceans Canada is willing to participate with the Nunatsiavut Government to clarify and explain our position on this matter. If agreement cannot be reached with the Nunatsiavut Government on the status of the obligation regarding communal harvesting in Upper Lake Melville, Fisheries</p>	<p>3.58.1 Seek Minister's authorization to negotiate arrangement with the Nunatsiavut Government for communal harvest in Upper Lake Melville (ULM) for an additional 9 years. Action completed.</p> <p>3.58.2 Identify lead negotiator. Action completed. The lead negotiator will be Wayne</p>

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	<p>and Oceans Canada would agree to mechanisms under the Dispute Resolution chapter of the Labrador Inuit Land Claims Agreement, while ensuring that the Minister's discretion under the <i>Fisheries Act</i> is not fettered. Timelines for implementing this recommendation will be discussed with the Nunatsiavut Government as part of our ongoing discussions on fisheries related issues.</p>	<p>King, Chief – Resource Management - Labrador, Fisheries Management, Newfoundland and Labrador Region. Regional Headquarters – Newfoundland and Labrador Region will assist with the negotiations.</p> <p>3.58.3 Negotiation mandates have been developed to guide discussions on the nine-year arrangement and Food, Social and Ceremonial (FSC) harvest levels for the 2016 season. Negotiations were held during the period of April 14 to June 14. The nine-year arrangement has not been finalized. However, the Nunatsiavut Government was sent a final draft agreement on June 10. Fisheries and Oceans Canada is awaiting response from the Nunatsiavut Government on this document. Action in progress. It was recognized, by both parties, that final agreement to the nine-year arrangement prior to June 15, the regular opening date of the salmon season, was unlikely. The Nunatsiavut Government agreed that if an FSC licence for ULM was issued for 2016 then 2016 would be the first year of the nine-year arrangement. An FSC licence for ULM was developed and issued on June 14. Action completed.</p> <p>3.58.4 Negotiate annually with the Nunatsiavut Government regarding harvest levels and other management measures. Action in progress. Moving forward, the department will negotiate harvest levels and other management measures on an annual basis, by June 15 of each year, with the Nunatsiavut Government</p>

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<p>3.98 Fisheries and Oceans Canada, Parks Canada, and Environment Canada should ensure that data related to contracts for goods and services within the Labrador Inuit Settlement Area is accurate and complete.</p>	<p>Fisheries and Oceans Canada's response. Agreed. Fisheries and Oceans Canada will continue to communicate proper procedures and processes and educate staff on entering contracts within the departmental financial management reporting system to ensure that the data captured for contracting activities within areas covered by land claims agreements, including the Labrador Inuit Land Claims Agreement, is accurate and complete. Fisheries and Oceans Canada will also look into strengthening its processes related to the reporting of comprehensive land claims agreement data and continue to provide Indigenous and Northern Affairs Canada with this data on a regular basis. To be implemented immediately.</p>	<p>3.98.1 Fisheries and Oceans Canada (Chief Financial Officer Sector) will update, develop and disseminate communications materials aimed at increasing awareness of the Departments obligations under Comprehensive Land Claims Agreements as they relate to contracting. Action completed. Communications material was prepared and disseminated to the department on May 27th, 2016 via various channels such as the departmental internal newsletter and through the Material & Procurement Services group communications channels.</p> <p>3.98.2 Fisheries and Oceans Canada (Chief Financial Officer Sector) will update, develop and disseminate electronic training materials aimed at improving awareness and data capture for contracting activities that are subject to Comprehensive Land Claims Agreements. Action in progress. Senior members of the Department's Material and Procurement Services Directorate concluded consultations with Indigenous and Northern Affairs Canada representatives to strengthen the related processes. While these and associated actions were begun, results require significant development and preparation. Strengthening processes requires geographic area-specific Comprehensive Land Claims Agreements procedural review and development. Target Completion Date: September 30, 2016.</p> <p>3.98.3 Fisheries and Oceans Canada (Chief Financial Officer Sector) will integrate an</p>

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		<p>indicator in its contract monitoring tools for contracts at risk of not complying with Land Claims Agreement requirements. Action in progress. In addition to consulting with Indigenous and Northern Affairs Canada in the development/maintenance of such monitoring tools, senior members of the Department's Material and Procurement Services unit have also concluded consultations with an outside expert. This additional due diligence will ensure that the monitoring tool indicator being added is as effective as possible in identifying potential non-compliance with Land Claims Agreements. Target Completion Date: September 30, 2016.</p>