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Chair: Mr. Ken McDonald



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• (1540)

[English]

The Chair (Mr. Ken McDonald (Avalon, Lib.)): I now call this meeting to order.

Welcome to meeting number 10 of the House of Commons Standing Committee on Fisheries and Oceans. Pursuant to Standing Order 108(2) and the motion adopted by the committee on Monday, October 19, 2020, the committee is resuming its study of the implementation of Mi'kmaq treaty fishing rights to support a moderate livelihood.

Today's meeting is taking place in a hybrid format pursuant to the House order of September 23, 2020. The proceedings will be made available via the House of Commons website. So you are aware, the webcast will always show the person speaking rather than the entirety of the committee. To ensure an orderly meeting, I would like to outline a few rules to follow.

Members and witnesses may speak in the official language of their choice. Interpretation services are available for this meeting. You have the choice, at the bottom of your screen, of “floor”, “English” or “French”. For members participating in person, proceed as you usually would when the whole committee is in meeting in person in a committee room. Keep in mind the directives from the Board of Internal Economy regarding masking and health protocols.

Before speaking, please wait until I recognize you by name. If you are on the video conference, please click on the microphone icon to unmute yourself. Those in the room, your microphone will be controlled as normal by the proceedings and verification officer. I will remind you that all comments by members and witnesses should be addressed through the chair. When you are not speaking, your mike should be on mute. With regard to a speaking list, the committee clerk and I will do the best we can to maintain a consolidated order of speaking for all members, whether they are participating virtually or in person.

I would now like to welcome our witnesses.

Today we have, from the Coldwater Lobster Association, President Bernie Berry. As an individual, we have Mr. Richard Williams, and as an individual, we have Alan Clarke, retired enforcement officer with the Department of Fisheries and Oceans.

We'll now proceed to remarks.

For five minutes or less, Mr. Berry you can go first.

Mr. Bernie Berry (President, Coldwater Lobster Association): Good afternoon, everyone. Thank you for the opportunity to speak before the Standing Committee on Fisheries and Oceans.

My name is Bernie Berry. I am president of the Coldwater Lobster Association. Our association was established five years ago and we represent approximately 200 members. Our membership is comprised of fishermen from Lobster Fishing Area 34, the largest LFA in eastern Canada, which encompasses an area of 8,500 square kilometres with 975 licences, the most licences in any LFA, and the largest landings per year at approximately 45 million to 47 million pounds per season.

The issue before us today has created great strife within our communities for over 21 years with little to no progress. A moderate livelihood fishery will have implications for first nations fishermen, commercial fishermen and all coastal communities that rely on the fishery for their economic survival.

The implementation process of a moderate livelihood fishery must be determined through open dialogue with all affected parties. The most critical reason for this matter of a moderate livelihood fishery not moving forward has been a lack of transparency in the negotiating process. The Crown has not carried out consistent or meaningful talks with either first nations or industry over the years.

Industry has been excluded from the most crucial conversations when they concerned a transfer of access to the fishery and how that is going to be achieved without harming the industry. The industry must be included in the talks because it has had a long dependence on these resources for the success of not only its own businesses but its communities' economic well-being as well.

The nation-to-nation negotiation model has not wielded any lasting success when it pertains to integrating first nations into the fishing industry through a moderate livelihood fishery. Continued exclusion of the fishing industry from these talks will not help to achieve a positive outcome in these discussions.

All parties must have their concerns fully vetted to have any chance of a lasting agreement among all involved. This process must recognize that there can only be one regulator and one set of rules for all. We cannot entertain any thought of having multiple regulatory regimes. If there are multiple regulators for one fishery it will only lead to confusion, non-compliance, lack of science, lack of enforcement, etc. It simply will not work.

In early September, Nanos Research was commissioned by Maritime and Quebec fishing associations to conduct a Canadian public opinion poll asking about how the fishery should be managed. In early November, Nanos Research was commissioned again to conduct a poll of Canadians, this time by The Globe and Mail and CTV, which included several questions from the earlier poll. One question in particular that was included in both surveys indicated that an overwhelming percentage of Canadians, 75%, believe there should be only one regulator and one set of rules laid out by the Government of Canada.

Adjacency must be a major component of any discussions pertaining to a moderate livelihood also. First nations have traditional territories that they have hunted and fished. First nations cannot simply choose where they want to fish. Traditional grounds, areas and territories must be established and adhered to by first nations.

Two first nations bands located in southwest Nova Scotia, namely Acadia First Nation and Bear River First Nation, have expressed major concerns about the infringement on their traditional grounds by outside first nations bands in Nova Scotia. The adjacency concern must be addressed in order to ensure there is no undue pressure on particular stocks in localized areas.

Since 1999, almost \$600 million has been allocated to buy first nations access into the commercial fishery. Today another process is under way to negotiate a moderate livelihood fishery that will cost the Crown hundreds of millions of additional dollars. Industry believes the Crown has fulfilled its fiduciary responsibility concern in the Marshall decision.

The Marshall initiative, along with other government programs and the ingenuity of first nations, has created an economic success story within Atlantic Canada first nations. This success was documented in a recent Macdonald-Laurier Institute report, which showed the total on-reserve fishing revenue for Mi'kmaq and Maliseet in Nova Scotia province grew from \$3 million in 1999 to \$152 million in 2016. This number is expected to be much higher today.

The report evaluated the overall impact of the Marshall decision and highlighted impressive first nations fishing fleets, the dramatic increase in indigenous workers in the sector and the substantial financial benefits flowing to these communities.

It also documented the growth of onshore processing plants and related value-added businesses.

Following the 1999 Marshall decision, indigenous and non-indigenous fishermen have fished side by side in numerous fisheries. There is no difference between the two parties on the water in the commercial season. Collectively it is fishermen trying to do their best for their families and their communities.

The ultimate goal of any negotiation is to ensure that differences are put aside, but ultimately, equality and respect must prevail.

Thank you.

• (1545)

The Chair: Thank you, Mr. Berry.

We'll go to Mr. Clarke, for five minutes or less, please.

Mr. Alan Clarke (South West Nova Scotia Area Chief of Enforcement, Department of Fisheries and Oceans (Retired), As an Individual): Thank you.

This is not the first time that I have addressed the fisheries standing committee on this issue. I joined DFO as a fishery officer in July 1979, and I retired in September 2014. I spent 35 years as a fishery officer, and of those 35 years, 25 were as the area chief of enforcement for the southwest Nova Scotia area of the Scotia Fundy, now Maritimes region.

I managed compliance, monitoring, conservation and protection and enforcement through the 1990 Supreme Court Sparrow decision on the food, social and ceremonial, FSC, rites and through the September 1999 Supreme Court of Canada Marshall moderate livelihood decision and the Supreme Court's subsequent November 1999 clarification.

For the sake of full disclosure and transparency, I also want to advise the committee that I have not now nor had at any time in the past any affiliation with any commercial fishery or any organization involving lobsters or any other fishery, for that matter.

I also have no connection with any political party. I served under 10 Liberal and seven Conservative DFO ministers, and three Liberal and three Conservative prime ministers. Through my 35-year tenure with DFO enforcement, I have always conducted myself and our C and P programs in a non-partisan way, our only objective being efficient and productive fisheries management in all fisheries. This included proactive compliance, monitoring and enforcement to ensure the long-term sustainability of all fisheries for the future benefit of all Canadians.

As you are aware, following the Marshall decision, the fisheries standing committee of the day held extensive hearings surrounding the department's implementation of the Marshall decision. During those hearings and discussions, I was interviewed by Mr. Wayne Easter, who was then chair of the fisheries standing committee. The standing committee was seeking first-hand knowledge of the fisheries management and the enforcement concerns and problems we were experiencing in the field in southwest Nova Scotia.

We identified several key enforcement issues that were having a deleterious effect on our fishery officers' ability to deal effectively and proactively with the increased non-compliance that was occurring during the closed lobster fishing season.

We also offered several essential recommendations to enhance conservation through proper management and enforcement in this fishery. They included that effective enforcement was critical to conservation. DFO must rigorously enforce fisheries' regulations with impartiality. DFO must have a sufficient number of enforcement officers, and those officers must be provided with the budgets and equipment to do the job safely and effectively. DFO must enforce one set of rules and regulations for everyone, and it must have the resources and personnel to do the job.

Commercial fisheries for both indigenous and non-indigenous fishers must be conducted under one set of rules and regulations, including seasons. The lobster fishery in particular must be managed in such a way as to ensure that it is being conducted as a genuine food fishery and not an illegal commercial fishery. There must be an examination of the question of whether the lobster food fishery should be conducted during the same season as the regular commercial fishery.

● (1550)

We felt very strongly in 1999 that we had made the appropriate recommendations to the then fisheries standing committee. I feel even more staunchly about them now in 2020.

I would further recommend that the standing committee consult with and listen to their fishery officers to confirm that any recommendations from 1999 or now are still appropriate and comprehensive.

I am a firm believer in the statement that those who don't learn from history are doomed to repeat it. In my view there is no need to try to reinvent the wheel.

I would be pleased to address any questions that you may have.

The Chair: Thank you, Mr. Clarke.

Mr. Williams, go ahead for five minutes or less, please.

Mr. Richard Williams (Research Director, Canadian Council of Professional Fish Harvesters): My thanks to the committee and to Jaime Battiste for the opportunity to talk with you today.

I appear in my capacity as research director for the Canadian Council of Professional Fish Harvesters, the national human resources sector council for the fish-harvesting industry in Canada. Our members include harvester organizations across Canada with indigenous representation on both coasts.

I will begin by sharing three of the most significant findings from our recently completed national study of labour supply trends in the Canadian harvesting industry.

First, the fishing industry today is seeing sustainable growth with potential to drive social and economic development in rural coastal communities and first nations. With improving stock management and conservation, the supply of wild-caught seafood is increasingly limited, while global demand is growing almost exponentially. In this situation, seafood product values have nowhere to go but up over the foreseeable future.

Second, the most serious barrier to continuing industry growth may be labour supply. A third of the current workforce will age out of the industry by 2025, and with shrinking rural populations, we

currently have too few new entrants to replace them. As we have already seen in fish processing, critical labour shortages may soon be common on the harvesting side.

Third, indigenous employment in the fishery grew from 1,400 individuals in 2001 to 3,400 in 2016, an increase of 142%. Indigenous harvesters made up 13% of the total fishing labour force in Nova Scotia in 2016, and 18% in New Brunswick. Those figures will have increased since then.

Taking all these factors into account, it's clear that there are real opportunities for first nations to achieve greater economic and social development through expanded engagement in fisheries.

How best to pursue this opportunity? One path is to continue the incremental growth of the past two decades and find ways to accelerate it through new collaborations with government and other industry stakeholders, or first nations may undertake to create new and distinct fisheries with perhaps multiple management systems and licensing regimes, or some combination of the two. Whatever pathways, there will be impact on non-native harvesters and their communities. I will share with you what I understand to be the predominant views taking shape among the harvester leaders I work with across the Atlantic and Quebec.

These leaders understand and acknowledge that 300 years of systemic racism unjustly separated indigenous peoples from their traditional territories and fisheries, and that racism is evident today in recent violent action. They recognize the constitutional rights and the simple human rights of indigenous peoples to have full and fair access to fisheries for food, social and ceremonial purposes; to earn rewarding livelihoods; and to build self-reliant communities. They recognize and accept that the moderate livelihood right set out by the Marshall decision is to be negotiated between the Crown and first nations on a government-to-government basis, and that they are not party to these negotiations.

Finally, they share with indigenous leaders and harvesters a commitment to conserving fish stocks and habitat and to conducting fisheries on a sustainable basis to ensure employment, incomes, and social and cultural well-being for future generations.

In my view, these points of emerging consensus provide a constructive basis for dialogue and future collaboration with first nations fisheries leaders and government agencies on moving forward with the development of indigenous fisheries. If and when that begins, harvester leaders in the commercial fishery will bring forward certain concerns, as you've heard, about process and implementation steps.

First, it is in no one's interest that there be conflict in communities and on the water, with international media attention focused on violent incidents. Harvester leaders deal every day with pressures from their grassroots members who are reacting anxiously to rumours and aggressive posturing by non-indigenous and indigenous actors, particularly on social media. There is a critical need for calmer voices to be heard and for leaders in government, first nations and commercial fisheries organizations to provide clearer information on policy objectives, pathways and timetables.

Second, after a two-decade struggle to get the fleet separation and owner-operator policies enshrined in legislation and regulations, commercial harvesters hope to see first nations fisheries develop in ways that help retain fair shares of the wealth of the fishery in the hands of working harvesters and their communities, both indigenous and non-indigenous.

• (1555)

Third, non-native fish harvesters need to have a voice and a role in the process. It will help a great deal to relieve current pressures if government establishes a formal consultation table linked to and informing government-to-government negotiations with first nations.

As you've heard, the issue of seasons is critical and will have to be dealt with as well.

Today, first nations communities are pushing for their rightful place in the fishery. It may take longer than some might hope, but I believe conditions are taking shape to achieve this. It is an inescapable reality that success will require indigenous and non-indigenous harvesters to work together to steward common resources, manage adjacent fisheries and meet the demands of the same markets.

As a practical step in this direction—

The Chair: Thank you, Mr. Williams. We've gone over time and I have to get to the questioning.

Before I get to the questioning round, I just want to let the members know that we'll have to carve off the last half hour for future committee business, namely the next meeting and beyond. I'm going to have to be very strict on the time allocated for questions and when it ends, because I don't want to punish anybody on the sheet by not getting to them.

We'll start off with Mr. Bragdon, for six minutes or less.

As well, to the questioners, please, if you can, identify who you would like to answer the question instead of leaving it just hanging out there for someone to volunteer to answer. It makes it much easier and goes much more quickly.

Mr. Bragdon.

Mr. Richard Bragdon (Tobique—Mactaquac, CPC): Thank you, Mr. Chair; and thank you to each of the witnesses for joining us tonight and giving us some very valuable insights through your testimony.

Mr. Clarke, I'll start with you. Congratulations on many years of service in DFO, over 30 years, through various administrations. That's a lot of experience you bring to the table, and perspective.

I notice you recently were quoted in *The Guardian* stating that the minister mishandled the situation. Can you expand on how you think the minister has mishandled it and what you think should be done differently, or should have been done differently?

Mr. Alan Clarke: I was very concerned by the September 17 comments by the minister in which she indicated that unauthorized fishing during the closed season would not be allowed during negotiations. Either she or perhaps the PMO decided that they were going to change that strategy, but that started the chain of events of creating uncertainty, fear and confusion that, in my view, led to the civil unrest that took place.

In no way do I condone civil unrest. I spent 35 years trying to ensure that civil unrest did not take place in the fisheries, and I certainly wouldn't condone it now, but I can understand the frustration and the terrible communication, as I would call it. I wouldn't call it bad communication; I would have to call it no communication. The minister and her department, and the Prime Minister's Office, for that matter, have had terrible public relations and communications around this issue since September 17, and in my opinion, that has created and contributed to the confusion and the frustration that spills over sometimes in civil unrest.

I was involved in civil unrest when we had 200 or 300 lobster vessels blockade the Yarmouth ferry at the Yarmouth wharf. I've had office occupations; I've had protests and demonstrations. I've seen the riot team, the RCMP riot squad, marching down Main Street in Yarmouth, beating on their shields trying to clear protesters. Therefore, I know what civil unrest can do and I'm afraid that the minister contributed with her poor communication, helping to create that civil unrest.

• (1600)

Mr. Richard Bragdon: Thank you, Mr. Clarke.

I have just one more question for you, and I'm going to put it to Mr. Berry and Mr. Williams as well.

There has been a lot of talk and we've heard a lot throughout this committee and throughout the time this committee has been going on in regard to the establishment of potentially two separate fishing authorities.

Mr. Clarke, I want to get your perspective from an enforcement standpoint, and then I'll go to Mr. Berry and Mr. Williams. What are your thoughts as to how two separate fishing authorities would work or not?

Mr. Alan Clarke: I don't think they have a chance of being successful. As the Supreme Court pointed out, I think the onus is not on indigenous or non-indigenous fishermen to decide how the fishery is going to be managed. It's up to the Crown and the government to decide. There has to be one authority with one set of rules and regulations for all. I think that was clear in their decision, and it was also clear in the first standing committee recommendations, the 28 recommendations that were produced.

Mr. Richard Bragdon: Thank you, Mr. Clarke.

Mr. Berry.

Mr. Bernie Berry: If I could I would like to expand on Mr. Clarke's earlier point about the things that happened this summer and the reason they got out of hand.

It wasn't simply that DFO stopped doing its due diligence this summer. Over years, if not decades, it has just slowly and surely pulled back and almost simply abdicated its role and responsibilities of enforcing the rules that are on the books. This is something that has been building, not just since this summer. This has been a long time coming.

The other thing is that the minister is the only one who can issue licences and the one who has to maintain order. Seasons are there for a reason. I hate to use that, but they are for conservation and stuff like that. The minister, and only the minister, has the full authority to issue licences.

Mr. Richard Bragdon: Thank you, Mr. Berry.

Mr. Williams.

Mr. Richard Williams: I guess my approach to this is focused on the fact that in the medium to long term, we are not going to be able to use fisheries officers and have rules enforced by officials on the water as a way to solve these problems. The key in the medium to long term is going to be to get agreements among people who are working together on the water and to have dialogue and collaboration take place at the community level. That's where I think the minister needs to lead this overall exercise in the immediate future.

The Chair: Thank you.

Mr. Morrissey, go ahead for six minutes or less, please.

Mr. Robert Morrissey (Egmont, Lib.): Thank you, Chair.

I want to go to Mr. Berry.

You indicated that DFO for some years now has abdicated its role in enforcing regulations in the fishery.

Could you briefly elaborate on the timeline and on how we have arrived at this point?

• (1605)

Mr. Bernie Berry: This actually really started to happen right after Marshall when especially the out-of-season FSC fishery was being developed, even though the FSC fishery pertained to Sparrow.

In the early 2000s, as today, every year licences had to be negotiated between DFO and first nations to see how much product was going to be removed in a particular summer for food, social and ceremonial. Over time, DFO either negotiated away....

At first, early in the 2000s, they were doing some checks and balances, and they had a handle on what was being removed, but over time slowly their input into what was happening, and their control of what was happening out of season were slipping through their fingers. Whether this was through negotiation...they were ceding more responsibility to other folks, and it wasn't working, and it just kept building and building. Actually, I think DFO simply lost control, and that's why we're here today.

Mr. Robert Morrissey: Mr. Berry, there was a period of time when the department's enforcement capability was significantly reduced by the government of the day. Did that have an impact?

Mr. Bernie Berry: It could have, but still you have to make do with what you have. Yes, there were probably more officers in the field 20 years ago than there are today, but you have to adjust. You can't just give up your responsibility for what you're supposed to be doing in terms of enforcement.

Mr. Robert Morrissey: If you have fewer people to do the enforcement, how do you do it? It's difficult to operate a competitive fishery like this under a goodwill principle.

An issue that is at the periphery of this issue—it was discussed generally in some early meetings—is what I would call not only the out-of-season, but the unrecorded, undocumented and unregistered cash-for-product sales in the industry, which have been growing. It's been alluded to by a number of witnesses who appeared before this committee. We're told off the record, and sometimes on the record, that a big part of what is driving some of the unrest here is the lucrativeness of this industry as it relates to cash sales.

I'll ask all three to comment.

Mr. Bernie Berry: You're absolutely right. The reason this activity has grown is that it is so lucrative. There are a lot of concerns there. It's not just the cash deals, which are in the millions and millions of dollars—

Mr. Robert Morrissey: You recognize and acknowledge that this is happening?

Mr. Bernie Berry: Out of season, absolutely.

The other thing is that enough lobsters are being landed that aren't being accounted for that it could have a detrimental effect on how biologists and scientists look at how they put their numbers together when they assess the stock, for example.

Mr. Robert Morrissey: Would that have a negative impact on our marine sustainability certification, MSC, that we depend on for sales in our European and U.S. markets? Our markets depend a lot on being able to document and have validity in those numbers. If those are not being recorded accurately, it could have a negative impact on our key marketplaces.

Would you agree?

Mr. Bernie Berry: Absolutely, it could. It could lead to conditions on our MSC for a five-year period. We don't have it yet, but it could lead to that.

Mr. Robert Morrissey: Mr. Williams, you represent a large, credible group. Would you care to give your opinion on my questions?

Mr. Richard Williams: The point I would emphasize there is that there are problems. Members of our organization frequently report issues around illegal lobster sales, etc., but it's not everywhere and it's not every first nation. There are a number of first nations that have worked—

Mr. Robert Morrissey: I was not just referring to first nations. I was referring to the industry globally.

• (1610)

Mr. Richard Williams: Where first nations harvesters are engaged in these illegal activities, it's often sponsored by or at the initiative of non-indigenous actors in the industry.

On P.E.I., where you are, I don't think this kind of problem has reached any scale at all. There's a high level of collaboration.

Mr. Robert Morrissey: Mr. Clarke, I have about 30 seconds left. You've been in the business a long time. How would you answer to the issue of illegal activity?

Mr. Alan Clarke: From my understanding, it has resulted in two things. One is that over the last few years, the number of food fish traps that are authorized had been increasing to what I'm hearing is a stage when the quantity of traps being issued are reaching commercial quantities. When you're catching commercial quantities, that increases the incentive to sell commercial quantities illegally.

What happens is not so much the indigenous fishermen, but that the non-indigenous lobster poachers and the unscrupulous lobster buyers are conducting their illegal activities under the guise of a legitimate food fishery. The more people who get away with it...

Non-compliance is broken down into three levels. There are some people who will never break the regulation, some people who will always break them, and the 60% in between who will go one way or the other, depending on what the deterrent is. If there's no deterrent and if people aren't getting caught and prosecuted, then those groups are going to go into non-compliance. That's what is taking place in southwest Nova Scotia—

The Chair: Thank you.

We'll now go to Madam Gill for six minutes or less, please.

[*Translation*]

Mrs. Marilène Gill (Manicouagan, BQ): Thank you, Mr. Chair.

I would like to thank the witnesses Mr. Berry, Mr. Williams and Mr. Clarke for agreeing to testify.

First, I have a question for Mr. Clarke. I think it's worthwhile to get a fishery officer's point of view.

Mr. Clarke, you have notably been an officer for 35 years. You mentioned earlier enforcement of regulations and lack of resources, equipment and budget. I know that is a lot. You seem to be suggesting that these factors are obviously having an impact on the current situation.

If you had any recommendations and requests to make about this, what would they be?

[*English*]

Mr. Alan Clarke: I'm not sure I understood your question. Could you repeat it, please?

[*Translation*]

Mrs. Marilène Gill: Yes, of course.

Is the interpretation working?

Mr. Chair, can we make sure Mr. Clarke is hearing the interpretation?

[*English*]

The Chair: Madam Gill, I have the time stopped for now.

Mr. Clarke, you can select the language that you want to hear on the bottom of your screen on the computer. You have to have that set on English if you want to hear it in English even though Madame Gill will be speaking French.

Please continue, Madame Gill.

[*Translation*]

Mrs. Marilène Gill: Okay.

I will go faster.

Mr. Clarke, it would be worthwhile to hear your point of view, because you have 35 years of experience as a fishery officer. Your testimony has shed new light on the situation.

One of the things you mentioned was that the enforcement of regulations, and availability of resources, equipment and budget are problematic for fishery officers. That echoes what Mr. Berry also said a little earlier.

To improve this type of situation, what recommendations would you make in terms of regulations, resources, equipment and the budget allocated to fishery officers?

• (1615)

[*English*]

Mr. Alan Clarke: I'm having trouble with your translation because I can hear your French at the same time that I'm hearing the translation and they're talking over each other.

[*Translation*]

Mrs. Marilène Gill: Oh, no!

I won't get in trouble if I ask my question in English?

[*English*]

The Clerk of the Committee (Ms. Nancy Vohl): If I can intervene....

[*Translation*]

Mrs. Gill, is it possible that your—

Mrs. Marilène Gill: Mr. Chair, if I may, I can try to quickly translate my question. If I do, I will be breaking with the Bloc Québécois tradition, but I will do it anyway.

I'd really like to hear Mr. Clarke's response.

[*English*]

I can try to ask my question in English if you're able to understand my accent.

Mr. Alan Clarke: I can understand you fine in English.

Mrs. Marilène Gill: You have to have years of experience as an *agent des pêches*— I don't know how to say that in English. It was pretty interesting what you just spoke about a couple of minutes ago. You spoke about rules, resources, equipment and budgets and that you needed more resources for the job of *agent des pêches*. I wondered if you could just develop that. What would be needed by the DFO staff in order to achieve their goal well and to ensure that these kinds of situations...? I don't know how to say that.

[Translation]

In other words, how can we make sure that these kinds of situations don't escalate? How do you say that in English?

[English]

It would help in resolving those kinds of situations.

Mr. Alan Clarke: Yes, I understand your question very well.

The difficulty I have is that I haven't been involved directly with DFO in enforcement for five or six years now, so I'm not sure of the present situation. I was involved in a process at the time called C and P renewal, which introduced another level of supervision into the fishery officer training and command.

It was working effectively, but I hear that because of budget cuts some of that has now been rolled back. I've heard of situations in the last couple of years where fishery officers have had to park their vehicles because they had no gas to put in their vehicles. I've heard that they have positions that are acting, with no incumbents in the position. I think it has to be looked at again in terms of what was done with C and P renewal to see how much of this has eroded.

I worked very closely with this when former prime ministers Chrétien and Martin were involved, but I'm afraid, from what I'm hearing from the field staff, that since the Harper government, there have been cuts not only to science but to enforcement that are contributing to some of the problems we're seeing today.

[Translation]

Mrs. Marilène Gill: Thank you, Mr. Clarke.

Mr. Berry and Mr. Williams, I would also like to hear what you have to say about the fishery officer's role and the needs being felt. We are obviously talking about the situation in Nova Scotia, but it could be the same anywhere in Quebec or in Canada.

[English]

Mr. Bernie Berry: I think Mr. Morrissey brought up earlier that over the years DFO has its their budget cut drastically. At times, they have very little presence on the water. Their working platforms are old and antiquated...the boats. There needs to be a huge cash infusion, on the C and P side in DFO, because they do not have the tools to do the job that is asked of them. There's a lack of equipment and a lack of officers. There need to be some budgetary changes here, and certainly the DFO C and P needs to be [Technical difficulty—Editor]

• (1620)

[Translation]

Mrs. Marilène Gill: Mr. Chair, I completely lost track of time.

I don't know if I perhaps have a few seconds left?

[English]

The Chair: You have about half a minute if you want to try to get a quick question in.

[Translation]

Mrs. Marilène Gill: I heard Mr. Williams suggest reducing the number of guardians, as this might resolve the situations between individuals.

Can he explain his thinking?

[English]

Mr. Richard Williams: C and P coverage fisheries officers are important, but they're not the solution to the problems we're dealing with today. We have to move forward on negotiations to resolve the questions around moderate livelihood and to establish a basis on which harvesters in first nations and non-first nations communities can start working together to develop a successful fishery. Yes, C and P is a part of this picture, but the real priority has to be on moving forward quickly and effectively with the negotiation of a new treaty on aboriginal fisheries.

The Chair: Thank you.

I do apologize for the mix-up in translation for our witness. I did allow for extra time to capture back what was being lost. I hope I was fair on that.

We'll now go to Mr. Johns for six minutes or less, please.

Mr. Gord Johns (Courtenay—Alberni, NDP): Thank you, Mr. Chair, and thank you to all the witnesses for your really important testimony today.

Back in December 1999, this committee presented a report on the Marshall decision and its implications for the management of the Atlantic fisheries. The report found that DFO was caught off guard and didn't have a contingency plan, knowing that the Mi'kmaq fishers would be on the water and threatened by commercial fishers.

Here we are in 2020 and the Mi'kmaq fishers have been threatened and intimidated, traps have been cut and a building has been burned down. In the last 21 years, do you get the impression that DFO has developed a plan to keep the Mi'kmaq fishers safe when they're on the water, or do you feel that DFO has been caught off guard again?

Maybe I'll start with you, Mr. Clarke, because you talked about DFO staff not even having gas in their tanks and about the cuts. Do you feel they're adequately resourced to protect those fishers from their boats being rammed and from the confrontation that's taking place on the water when they're exercising their treaty and constitutionally protected right?

Mr. Alan Clarke: I think there are two particular issues with the problem.

First of all, I wouldn't even try to comment on present-day realities, but I've heard from some of my colleagues who are still with the department. That's why I recommended that the standing committee should listen to them, in the field, today, and not look for advice from a has-been who was there 20 years ago, talking about what problems I had.

I've talked to the officers now and there's a lot of frustration within the field staff. I've talked to one recent supervisor, you probably have heard of him, Gary Hutchins from Meteghan, the area that included the complex in St. Marys Bay. He took early retirement because he and his staff were told through the chain of command to stand down their enforcement activities in St. Marys Bay after the minister made her announcement on September 17. I think it would be appropriate for this committee to talk to fishery officers in the field now, and I mean in the field. I don't mean the director general in Ottawa, or the regional director in Halifax. They're part of the problem, in my opinion.

When I was in fisheries, the chain of command was very clear. You had to progress from a fishery officer to a supervisor to a detachment supervisor to an area chief to a regional director and then to the director general of C & P.

Mr. Gord Johns: I really appreciate that.

Mr. Williams, I really appreciate that you talked about the economic benefits. The Sipekne'katik we know is the second-largest Mi'kmaq community in Nova Scotia and the community has been affected by centralization, oppression under the Indian Act, and the intergenerational effects of the residential schools. Basically, given these colonial oppressions that have kept their people from entering the middle-class society in Canada, do you support that they must determine themselves what a moderate livelihood is?

And Mr. Williams, I do appreciate that you did speak clearly about the economic benefit and the growth in terms of indigenous participation in the fishery. Can you also speak about what that economic impact has been also on the communities where they live?

• (1625)

Mr. Richard Williams: The economic impact on the community has been, in a few cases, huge in terms of employment. There are bands like the Elsipogtog in New Brunswick where they have almost 80 fishing boats fishing in the crab and lobster fisheries and 300 people earning more than moderate livelihoods as active fishermen.

There are other communities where, for one reason or another, those kinds of employment opportunities and engagement as harvesters on the water haven't taken place. I think Sipekne'katik is one instance but several other first nations in Nova Scotia have followed different paths in pursuing their objectives.

I hesitate to pass judgment on the choices made by any particular first nation, but I think it is wise at this stage for people in your position and my position to stand back and wait for clear and constructive leadership to develop directions to emerge across the collectivity of first nations in Nova Scotia and in the Maritimes. I think—

Mr. Gord Johns: Do you believe that this committee shouldn't be undermining any discussions that the nation is having currently on a nation-to-nation basis with Canada?

Mr. Richard Williams: No, I think we should be accelerating and supporting moving forward as quickly as possible. I worry about the most militant voices in some instances calling the shots. I think wiser heads really need to prevail in this situation, without passing judgment on anyone.

Mr. Gord Johns: Mr. Berry, you talked about equality. Before Marshall, the Mi'kmaq weren't included in conversations about access to fisheries. Given that there was no equal access for generations, what does equality look like to you now that they're exercising their constitutionally and treaty-protected right?

Mr. Bernie Berry: It's going to take a while. It has taken 21 years to this point to get first nations involved in the commercial fishery through the Marshall initiative and some other programs.

Moving forward, I think the first nations will get more access, but there are a couple of nuances there. There can only be one regulator here.

What you pointed out earlier about St. Marys Bay and the Shubenacadie band.... That fishery is not recognized. The DFO—the minister—did not issue those licences. This is not an authorized fishery as of yet. There have to be negotiations ongoing to determine what that type of fishery looks like.

I can't see how you can have, in this case, two regulators. Other first nations want to regulate their own fishery also. That simply isn't going to work, because you have 35 first nations in Atlantic Canada. Everybody's going to want at some point to regulate their own fishery.

That's not going to work. You must have one regulator and one set of regulations concerning conservation and stuff like that.

The Chair: Thank you. We have gone way over time.

We'll now go to Mr. Williamson, for five minutes or less, please.

Mr. John Williamson (New Brunswick Southwest, CPC): Thank you, Mr. Chairman.

I have a couple of questions. I think I'll start with Mr. Williams.

You gave some of these figures on the growth of indigenous fisheries, and the minister alluded to it as well by talking about how the landings have grown from the Marshall decision to today from about \$3 million to \$120 million. We see, then, increased activity, which obviously would bring about increased economic opportunity and some level of prosperity.

You mentioned that there would be an impact upon the non-indigenous fishing community and fishing families from the changes that are being contemplated.

Could you talk to us about what you think some of those impacts are going to be? I think you were suggesting they would not all be positive.

• (1630)

Mr. Richard Williams: Fisheries management today, within a conservation regime, is a zero-sum game. If new entrants come into the industry or new fishing effort is brought into the industry, then effort has to be taken out—and maybe people are going to have to be taken out—somewhere else.

Much of the anxiety and the reaction we are seeing happening at the community level right now is because there is no clear direction on that; there's no clear policy or understanding of how this is going to be managed. If we're going to maintain conservation and bring a whole new set of actors into the industry, what is the process for it to take place?

In 1999, in the initial Marshall process, the process was that licences were purchased from retiring harvesters and transferred into first nations communities. People thus understood, as things settled out, how it was going to happen and that the net effect was going to be neutral or beneficial.

In the current environment there is no clear direction or understanding. There's a great deal of rumour and concern about an aggressively expanding new fishery, and no understanding at all about how it's going to take place without severe impacts upon people who are caught in the backlash from it.

That's the lack of current policy and direction that I think needs to be addressed as a priority.

Mr. John Williamson: I think you're potentially right about that. I tried to get some answers from the minister last night on managing the change DFO is considering.

Do you have any recommendations on how it should happen? When you use terms such as that people are going to have to be “taken out”, they suggest...it's pretty dark. You can understand why people are concerned about these decisions, when they're getting so little information from the minister and DFO.

Mr. Richard Williams: What's missing is a coherent approach. We need to move forward on three different initiatives. One is moving forward with negotiations on moderate livelihood and a new treaty. The second one is creating a structure where non-native industry stakeholders are part of that process and have a way to be at a certain table. They're not part of the nation-to-nation negotiation but they have to be feeding into it. The third thing is that we need to create structures where non-native and native harvesting leaders are working together to answer the kinds of questions you're raising: How would we work together in this new environment, and how would we manage the transition in this new environment?

It's not enough to just push forward on the negotiations. It's certainly not enough just to put more fisheries officers on the water. We need a comprehensive, clear, fast-track approach on all three levels.

Mr. John Williamson: Do you think the Government of Canada, DFO, Crown-Indigenous Relations, one of these entities, should be

involved in negotiating what a moderate livelihood means? Is that subject to negotiation, do you think?

The Chair: You have 20 seconds.

Mr. Richard Williams: It has to be negotiated. That's the great lack of clarity in the Marshall decision—what that means in practical terms. People in the commercial industry would greatly prefer to see first nations pursue moderate livelihoods through integrating into the commercial fishery rather than creating a separate, siloed, self-managed fishery. That's what has to be resolved.

The Chair: Thank you.

We'll now go to Mr. Cormier for five minutes or less, please.

Mr. Serge Cormier (Acadie—Bathurst, Lib.): Thank you, Mr. Chair.

I will start with you, Mr. Williams. If I'm not mistaken, you wrote a book called *A Future for the Fishery: Crisis and Renewal in Canada's Neglected Fishing Industry*. Is that right?

Mr. Richard Williams: That's correct. Thank you for the plug.

• (1635)

Mr. Serge Cormier: Good.

How do you see the future of the fisheries in, say, Atlantic Canada but also in Canada? In terms of what's going on right now and also what's happened in the past couple of decades, how can we make sure that the fishery we have in Canada is not only sustainable but is there for the younger generation, the first nations and everybody who lives in this country?

Mr. Richard Williams: This fishing industry today is booming. There's every reason to believe that we can sustain that dramatic growth into the future. We are managing most of our commercial fish stocks now on a sustainable basis.

As I mentioned in my introduction, the biggest challenge in many ways is going to be finding the people to keep this industry going in its current structure. You just passed a new Fisheries Act that clearly identifies a policy objective to retain ownership and control of access rights within communities and within the harvesting sector. The really interesting question for me now is this: To the extent that the expansion and development of indigenous fisheries will help meet some of our human resources needs, people in our fishing communities, how do we ensure that it all happens within a framework of a community-based, independent, owner-operated driven fishery?

Mr. Serge Cormier: You're talking about managing the resources and managing the fishery. We've talked a lot about the conservation aspect of this whole situation that we are in. Commercial fishermen and first nations communities are talking about the importance of conservation.

If we talk about lobster, we all know that for lobster there is no dockside monitoring where we have an approximation of what the resource looks like. What are your thoughts on having dockside monitoring in the lobster fishery?

Mr. Richard Williams: I think we are moving gradually; we're slowed down now by the pandemic, but I think we are moving toward full monitoring and coverage in the lobster fishery. Electronic monitoring on small vessels may be a big part of that solution, rather than observers. Dockside monitoring is clearly going to be part of it.

That's part of the infrastructure that will make it easier to integrate first nations into the community. I agree with Bernie on the need to have an integrated system where everything is coming through the same monitoring process.

Mr. Serge Cormier: Thank you.

Mr. Berry, what are your thoughts on the managing aspect of the resource in terms of maybe having a bit of control over the resource? You know, with lobster dockside monitoring, maybe we'd get a better price for it. Maybe we'd get a better demand for lobster if we controlled the amount of lobster in the market. As we all know, lobster is flooding the market right now.

Mr. Bernie Berry: I think that, at this point, we do not need dockside monitoring. We have enough things in place, like log-books and checks and balances. Even from a provincial standpoint, there are some checks and balances there with buyers and how much product they're buying.

We have a good idea of how many lobsters are coming ashore. Yes, there are a lot of lobsters, but we have facilities now that can hold hundreds of thousands of pounds of lobsters and basically play to the market as the market needs them. It's not like we're landing all our lobsters today and have to get rid of them today. These facilities allow us to hold lobsters for four, five, six months. That also helps us get a better price because we're not flooding the market at any one point.

I think, at least at this point, a dockside monitoring program is simply not needed in the lobster fishery.

Mr. Serge Cormier: Thank you.

The Chair: We'll now go to Madam Gill for two and a half minutes, please.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair.

My question is for Mr. Williams, Mr. Berry or Mr. Clarke.

I will continue in the same vein. I know that where I come from, on the North Shore, the indigenous communities would like to have indigenous fishery officers.

Do you believe that could also be part of the solution, even if many factors are involved?

• (1640)

[*English*]

Mr. Bernie Berry: Madam Gill, having aboriginal fisheries officers is a good idea. The key is that they're enforcing the same, one regulatory regime. Again, I know it sounds redundant, but you can only have one regulatory regime.

Thank you.

[*Translation*]

Mrs. Marilène Gill: I have asked my question to several individuals and the others are not answering, and because I need the interpretation, it takes me longer. I apologize.

I have one more question to ask. That being said, no, I don't feel that Mr. Berry was repeating himself.

With respect to decentralization, Mr. Clarke was just saying that he wanted to see people on the ground.

Do you feel that Fisheries and Oceans Canada and Canadian Coast Guard operations are too centralized and that the communities would benefit from decentralization?

[*English*]

Mr. Alan Clarke: I think it's long overdue that the Department of Fisheries has direct-line reporting similar to the RCMP. I don't believe that you should be hiring directors general—supervising conservation, protection and enforcement in Ottawa—or regional directors in Halifax who have never been trained as fisheries officers, who have never done fisheries officer duties, who are bureaucrats who don't know the people they're directing and how they're trained, or how they should function in potentially very dangerous situations.

I think there should be direct-line reporting from the area, perhaps to the regional director, but direct-line reporting similar to what the commissioner is in the RCMP. I've made this argument many times. How would we react as citizens if the commissioner of the RCMP had never been trained as a recruit at RCMP depot, had never progressed up the chain of command, and all of a sudden was put in charge of the whole organization? Would we expect any police force in any major city to have a police chief who was a bureaucrat and who was never trained as a police officer supervising a city police department?

The Chair: Thank you.

We'll now go to Mr. Johns for two and a half minutes, please.

Mr. Gord Johns: I want to thank the witnesses again for their important testimony today.

Several non-indigenous fishers' associations have appeared at this committee and talked about tensions, the lack of communication, and the desire for everyone to be on the same page when it comes to operations.

Mr. Berry, maybe you can speak about the outreach effort work that your association has done in order to bridge that communications gap between your fishers and indigenous fishers, and also maybe about education, about the understanding of the treaty and the constitutionally protected rights of those communities.

Mr. Bernie Berry: I may have the time frame a little bit wrong, but we were engaged in dialogue with first nations from the local area of southwest Nova about two years ago for about a year trying to talk this through. It was very slow going. We didn't come out of it with any agreements or anything like this, but we were talking.

That table kind of elevated to other first nations in Nova Scotia. For example, Chief Terry Paul was there, and we were having conversations with them and KMKNO for maybe six to eight months. Again, it was very slow moving. Then we're not sure what happened. It just seemed to fall off the rails, and we haven't gotten back together.

Mr. Gord Johns: Do you feel it's the role of the federal government to shape and foster that community building that's required to build the trust between the indigenous and non-indigenous fishers?

Mr. Bernie Berry: I think it could help. At some point, indigenous and non-indigenous people have to reach out to one another also. Certainly, DFO has a part to play.

At some point, we have to get to a point where we can all talk about how we move forward with this and be at the same table. I'm not talking about a rights table, but when it comes to things about the fishery—

• (1645)

Mr. Gord Johns: The communication.

Mr. Bernie Berry: Yes, the communication. We simply have to be there to put our views forward and have them fully vetted. Will there be disagreement? Absolutely. You can't ignore the fishing industry or any other industry when it comes to these kinds of talks when you're changing the landscape on what...or how a fishery or an industry is looked upon.

The Chair: Thank you, Mr. Johns.

Two and a half minutes passes by quickly when you're having fun.

We'll now go to Mr. Arnold for five minutes or less, please.

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Thank you, Mr. Chair.

Mr. Clarke, how does the enforcement branch determine what level of enforcement to apply to a situation over the years? Was the direction ever received from higher-ups or from the minister's office?

Mr. Alan Clarke: I can only speak to my own situation prior to my retirement.

At the time we completed something that was called the integrated fisheries management plan that included conservation, protection and enforcement as part of the model. It was run primarily by the areas.

Just to give you some of my own experience, I had disagreements in the past from some of my masters at regional headquarters who had a different idea of how enforcement should have been conducted. At one time I said to them, "If you don't agree with what we're doing, please put it in writing. I want your direction in writing. Unless I get it in writing, I'm going to continue to do what I'm doing", but I never received it in writing.

If I had received something that I disagreed with or thought was illegal or immoral, I would have resigned, and I would have made it widely known why I was resigning.

Mr. Mel Arnold: You referred to a recent resignation. I believe it was a Mr. Hutchins, because they were basically told to stand

down on the enforcement after the minister made her announcement.

Can you elaborate further on that?

Mr. Alan Clarke: That's my understanding.

I wouldn't call it a resignation. I would call it an opting for early retirement, because he was frustrated with the decisions that were being made for him to stand down his unit in St. Marys Bay.

Mr. Mel Arnold: Pardon me. I didn't mean to use the term resign; I meant to use the term retired. Thank you for clarifying that.

Mr. Berry, we repeatedly asked the minister if she was open to the idea of having two separate fisheries, and yet she seems to deny that this is a possibility. She also says that she can't speak about what is being negotiated. It leads us to wonder if that is what's being negotiated.

Can you outline to the committee whether this is something commercial fishers have asked for or if they think it would be helpful?

Mr. Bernie Berry: Mr. Arnold, you're talking about having the one regulatory regime. I know we've had numerous talks with the minister even over the last three months. We've had maybe five or six calls, and at every call that is one of the linchpins that is always talked about, one regulatory system. There only can be one regulator, meaning DFO, and the minister has certainly the power and the wherewithal to issue licences and do whatever else. Two regulatory regimes or three is simply a non-starter for the industry. It has to be one regulator, period.

Mr. Mel Arnold: You indicated earlier that you didn't feel that dockside monitoring was necessary. Can you elaborate on how the catch is accounted for, basically, at either the vessel level or the purchasing or selling level within both the indigenous and non-indigenous fisheries?

• (1650)

Mr. Bernie Berry: Well, at least in the commercial season it's the same. Every commercial fisherman, whether it's a communal commercial licence or a commercial licence, has to fill out a daily logbook. Logbooks have to be turned in once a month and the data is entered and so on and so forth. As I pointed out, on the provincial side, it also requires a certain percentage of lobster buyers to give them...how much product they have bought, where, when and stuff like that. It's not 100% coverage, but they do have to enter some stuff.

Mr. Mel Arnold: Do both indigenous and non-indigenous report the same way?

Mr. Bernie Berry: In the commercial season, yes.

Mr. Mel Arnold: And in the non-commercial season?

Mr. Bernie Berry: This I don't know. Again, we don't agree with this. There is no accountability here. Certainly I don't think DFO is involved in the monitoring of the catch rates. This creates, as I pointed out earlier, a big problem. There's no accountability for what's coming out of the water.

The Chair: Thank you, Mr. Arnold.

We'll now go to Mr. Battiste for five minutes or less, please.

Mr. Jaime Battiste (Sydney—Victoria, Lib.): I would like to start off my questions with Mr. Berry.

I'm wondering how many different lobster associations and unions there are in Nova Scotia.

Mr. Bernie Berry: I'm not sure. There are numerous organizations and, again, if I give you a guess, it's just approximate. I simply don't know—15, 20 possibly. Some are multispecies associations and some are just lobster associations. I simply don't know the number.

Mr. Jaime Battiste: What is the mandate of the associations for lobsters and fisheries?

Mr. Bernie Berry: Really, it's just to be accountable to members, try to provide the members with information and maybe bring forth some ideas, try to engage in science, dependent on the availability of money and such, especially on the science side.

Mr. Jaime Battiste: How many Mi'kmaq members are there in these associations?

Mr. Bernie Berry: I'm not sure. I know our association—

Mr. Jaime Battiste: Would there be many?

Mr. Bernie Berry: Well, our association has, I think, seven or eight from the Native Council of Nova Scotia.

Mr. Jaime Battiste: You talked about the good relationship that was determined between Acadia and places like Bear River. I'm wondering what they are doing well in terms of communicating with fisheries associations that Shubenacadie isn't doing well.

Mr. Bernie Berry: I'm not sure if it's communication. I just think it's the level of activity that's taken place. Certainly, what's happened up at St. Marys Bay particularly with Shubenacadie is a large amount of product in pots in the water, a large amount of product being taken out. The other two first nations you speak of are certainly fishing out of season, but the level of removal is nowhere near what Shubenacadie is taking. That still doesn't make it right. In our view, unless you have a licence from the Department of Fisheries and Oceans there should be no removal out of season.

Mr. Jaime Battiste: You said there are several associations and several different unions that are talking about the fisheries, but you say there can be only one regulatory regime.

Can you give me your opinion on why there can be only one regulatory regime? Is this a legal thing, or is this an economic thing? Tell me about this.

Mr. Bernie Berry: I think it's just for the continuity of the fishery. I'll just look at southwest Nova. You have seasons, you have pot limits and you have certain conservation tools being used, whether they be escape hatches or size limits, and so on and so forth.

It's all being run by DFO. The continuity is there.

• (1655)

Mr. Jaime Battiste: It's what you're used to. Is that correct?

Mr. Bernie Berry: Yes, it's what we're used to because it's been in place. I believe you just cannot have two, three or four—or even just two—different regulatory regimes.

This is a tried and true regulatory regime. Sometimes we disagree with it, too, but this has been developed over 50, 60, 70 and 80 years.

Is it perfect? Probably not. Everybody's still trying to improve on it, but I don't think you improve on it by all of a sudden starting another regulatory regime.

Mr. Jaime Battiste: Even if it were transparent and all the regimes were transparent, do you think that would still be unacceptable to fishermen?

Mr. Bernie Berry: I think so. My opinion is that it would be unacceptable. There's one law, if I can put it—

Mr. Jaime Battiste: There are three laws in Canada. There are indigenous laws, the French civil law and the English common law. There's a wide variety of legal pluralism in Canada. I'm wondering why that can't exist within the fisheries.

Mr. Bernie Berry: Mr. Battiste, I'm not a lawyer like you. Still, the one regulatory regime in this industry works best. I think it would just add to confusion and stuff like this.

I don't know why you'd actually want another regulatory regime to be developed, unless you're going to make massive changes. What is wrong with the existing regulatory regime?

The Chair: Thank you, Mr. Battiste. Your time has expired.

That brings us pretty well to the close of the public session with witnesses before we do a little bit of committee business to clew up.

Mr. Gord Johns: Mr. Chair, do we not have enough time for another quick round?

The Chair: No, Mr. Johns, we don't. I have to get this information done and looked after during this committee meeting. We are not permitted to go overtime today because of the other committees.

I will say thank you to our witnesses for enlightening us with their knowledge here this evening.

We'll let them leave the meeting now while we go into committee business. I won't be suspending.

I have just a couple of things for the upcoming meetings that we need discuss. First off, I will say that, as everybody knows, Monday, November 30 is our normal committee meeting, but it falls into the timeline that's up against the fall economic statement by the finance minister.

Some members have mentioned to me that they would like to be able to attend it, be a part of it or watch it. If we do that, it's right in our committee time. We have to decide to either go ahead with the committee on Monday, November 30 or to just cancel that meeting. I'm open to suggestions. I'll go with whatever the majority suggests we should do.

Are there any comments?

Mr. Williamson.

Mr. John Williamson: I think we should proceed with the meeting, certainly in light of the concerns from our last meeting where many committee members were urging the committee to move on to its next study. I would like to have some more time on the current one. If time is of the essence, let's take advantage of every second of it.

I think this is an economic update. It's not a budget, which normally has everyone in the House. If people feel strongly about it, they could always sub out and go to the other event instead, should they choose to.

Thank you.

The Chair: Does anybody else want to speak to it?

Mr. Robert Morrissey: I agree with Mr. Williamson. If somebody wanted to follow the economic statement, they could sub out.

We want to wrap this up. We've been hearing very good testimony from witnesses, and we do have to move on to the salmon one.

• (1700)

The Chair: Mr. Johns, you had your hand up.

Mr. Gord Johns: Yes. Is there any chance we can schedule the FOPO meeting a little bit later and that way we could have a chance to hear the opening at least? It's at four o'clock. It's just that a lot of us are carrying many critical files, so it's important to be present, or at least understand—

The Chair: Okay. I'll ask Nancy what the schedule looks like on Monday, Mr. Johns. She will probably be able to give us some information on that.

[*Translation*]

The Clerk: Thank you, Mr. Chair.

I am looking at the calendar and, if I'm not mistaken, after Monday's meetings, two committees are meeting after us. The Special Committee on Canada-China Relations and another one. Normally, when votes are held, the committee has the right to extend its meeting a little bit and the others start theirs shortly after that. However, for something other than votes, I believe the agreement is to vacate the room for other committees.

I will look into it.

[*English*]

Mr. Gord Johns: We're okay. We're with everyone then.

The Chair: Okay, so hearing nothing else, we'll say that the committee will go ahead on Monday as per normal.

Some hon. members: Agreed.

The Chair: Good.

Mr. Mel Arnold: I saw Ms. Gill had her hand up in the participant line.

[*Translation*]

Mrs. Marilène Gill: Yes, I had raised my hand.

The Chair: Mrs. Gill, you have the floor.

Mrs. Marilène Gill: Yes, I did want to speak, but since I agreed with the solution, I lowered my hand.

Mr. Chair, I'd like to know if I can always raise my hand on the side. If not, I will raise it on-screen if I want to be heard.

[*English*]

The Chair: Either works for me.

[*Translation*]

Mrs. Marilène Gill: Perfect.

[*English*]

The Chair: It's just that I didn't have the participants up at that particular time, but I do now.

[*Translation*]

Mrs. Marilène Gill: Thank you.

[*English*]

The Chair: In the restarting of the Pacific salmon, we need to establish how many more meetings we need to have with witnesses. Of course as I mentioned two days ago, the House calendar ends on December 11 with regard to our committee. That leaves us Monday's meeting, which is November 30. We then have Wednesday, December 2; Monday, December 7 and Wednesday, December 9. We actually have four meetings.

We need to know if we want one more full meeting to finish up the witnesses on the moderate livelihood. We put one more meeting towards that, so we'll do that on Monday, November 30 if we can get witnesses to agree to come.

Then we have three meetings left. Are we going to do our drafting instructions for the moderate livelihood study, or will we just go into salmon for the last three meetings?

Seeing no comment, I guess we'll leave it up to the chair to decide and notify you accordingly as to what we'll do.

Some hon. members: Agreed.

The Chair: I see people actually nodding to that, and thumbs up. Okay. I'm in charge. That's wonderful.

I'll discuss that with the clerk.

As well, if we're going to start the Pacific salmon study, we need to set a deadline for witnesses for that particular study. I believe Nancy has issued an outline of witnesses and whatnot for the Pacific salmon Big Bar study. Does everybody have their copy of that?

We have to know when to start. If we wait until Monday, December 7, that means that on Wednesday, December 2 we could deal with clearing up the drafting instructions.

No? Okay. Then we will start that on the Monday.

All right. We'll start with witnesses for Wednesday, December 2, so we need a very quick deadline in order to get those witnesses presented to the clerk. What if I say 5:00 p.m. Eastern time on Friday this week, November 27? Is everybody okay with finishing up with the witnesses for the Pacific salmon on Friday, November 27?

Some hon. members: Agreed.

The Chair: Other than that, is there any other business anybody wants to raise? I didn't think this was going to go as quickly and as smoothly. [English]

Madam Gill.

• (1705)

[Translation]

Mrs. Marilène Gill: Mr. Chair, forgive me, sometimes I have trouble keeping up due to the time lag. Were you hearing all the motions? If we have reached the one about seals, great.

I'm ready to present it. Did you want me to do it now?

[English]

The Chair: I would presume it's in both official languages.

[Translation]

Mrs. Marilène Gill: Yes, it was sent to the Clerk in both official languages.

[English]

The Chair: Okay.

On that, the last meeting we held, we discussed it, because Mr. Morrissey has a very similar motion. I don't know if the two of you have talked. I see both of you nodding your heads, so I guess—

Mr. Robert Morrissey: Mr. Chair, I agree with the motion that Madame Gill is about to move.

The Chair: Go ahead, Madame Gill.

[Translation]

Mrs. Marilène Gill:

That the Standing Committee on Fisheries and Oceans undertake a comprehensive study of seals that would examine the ecosystem impacts of seal overpopulation in the waters of Quebec, Eastern and Western Canada, international experience in seal stock management, the domestic and international market potential for various seal products, social acceptability, and the socio-cultural importance of developing the seal hunt for coastal and First Nations communities with access to the resource, and that the committee strongly consider travel to countries such as Scotland, Norway and Iceland, either virtually or physically, which acted to conserve fish stocks as a result of seal population.

The Chair: Thank you, Madame Gill.

We've all heard the motion. Is there any discussion? Not seeing any, Nancy will call for the vote.

(Motion agreed to: yeas 11; nays 0)

The Chair: Thank you, Nancy. It was passed unanimously. That's excellent.

Again, Monday is the last meeting on moderate livelihood and hopefully we'll have time at the end of the meeting to do drafting instructions. The next three meetings, December 2, December 7 and December 9, we'll dedicate to Pacific salmon. Maybe on the Wednesday, December 9, we might also have an opportunity to do drafting instructions for that study to give the clerk something to do over the Christmas recess, I guess you'd call it. I'm sure that's just what they're looking forward to.

Is there other new business? Hearing none, I call this meeting adjourned.

Thank you, everyone.

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