



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

45th PARLIAMENT, 1st SESSION

Standing Committee on Fisheries and Oceans

TÉMOIGNAGES

NUMBER 010

PUBLIC PART ONLY - PARTIE PUBLIQUE SEULEMENT

Thursday, October 30, 2025

Chair: Patrick Weiler



Standing Committee on Fisheries and Oceans

Thursday, October 30, 2025

• (0820)

[*Translation*]

The Chair: Welcome to meeting number 10 of the Standing Committee on Fisheries and Oceans.

[*English*]

I want to start by acknowledging that we're gathered on the ancestral and unceded territory of the Algonquin Anishinabe people and express gratitude that we're able to do the important work of this committee on lands they've stewarded since time immemorial.

Pursuant to Standing Order 108(2), the committee is meeting to continue its study on the review of the Fisheries Act during the first hour and then to continue the study on the attribution of redfish quotas and exploratory lobster licences during the second hour.

[*Translation*]

Today's meeting is taking place in a hybrid format. Pursuant to the Standing Orders, members are attending in person and remotely using the Zoom application.

[*English*]

Before we continue, I would like to ask all in-person participants to consult the guidelines written on the cards on the table. These measures are in place to help prevent audio and feedback incidents and to protect the health and safety of all participants, particularly the interpreters. You will also notice a QR code on the card, which links to a short awareness video.

Pursuant to our routine motions, I would like to advise committee members that all witnesses appearing virtually today have successfully conducted their required technical testing, for both the first panel and the second panel.

I would also like to make a few comments for the benefit of the witnesses and members.

Please wait until I recognize you before speaking. For those participating via video conference, click on the microphone icon to activate your mic and please mute yourself when you're not speaking.

[*Translation*]

For interpretation, for those on Zoom, you have the choice at the bottom of your screen of floor, English or French. Those in the room can use their earpiece and select the desired channel.

[*English*]

I would remind you that all comments should be addressed through the chair.

[*Translation*]

For members in the room, please raise your hand if you wish to speak. For those attending via video conference, please use the "raise hand" icon on Zoom. The clerk and I will manage the speaking order as best we can. We appreciate your patience in this regard.

[*English*]

With that, I'd like to welcome our witnesses.

Appearing in person, we have Michael Barron, president of the Cape Breton Fish Harvesters Association.

Joining by video conference, we have Bernie Berry, senior fisheries adviser, Coldwater Lobster Association.

[*Translation*]

We also have Claire Canet, project manager with the Regroupement des pêcheurs professionnels du sud de la Gaspésie, appearing by video conference.

[*English*]

We're going to start with the opening statements of the witnesses for five minutes, beginning with Mr. Barron.

Michael Barron (President, Cape Breton Fish Harvesters Association): Good morning, honourable Chair and members of the standing committee. Thank you for the opportunity to be here.

My name is Michael Barron. I'm the president of the Cape Breton Fish Harvesters Association and a member of the Canadian Independent Fish Harvesters' Federation.

The decisions made in this room will shape the future of hundreds of coastal communities and a vital part of Canada's economy. If we want a fishery that is sustainable, fair and resilient, we must protect in law what is currently vulnerable in policy.

Today is personal for me. For the first time, I'm here with my son who works alongside me in our own independent, family-owned fishing enterprise. When you look at us, you're not just seeing industry representatives, you're seeing generations who lived this life and whose future depends on your decisions. As decision-makers, maybe you can put his face in your memory bank as you make decisions based on the future of Canada's fisheries.

I'm sorry for my voice, I'm a basketball coach, and we had a pretty intense practice the other day, so it's very raw. I apologize for that.

Why are we concerned? We are concerned because important decisions are being made behind closed doors, and the people who are most affected are being left out. That is not only concerning, it is unacceptable.

What must be done? One is to protect the owner-operator and fleet separation policies in law. These policies are the backbone of coastal Canada. They ensure that the wealth from our fisheries stays with the people who are actually fishing, not corporations, not distant investors. They keep small wharves open, businesses alive and communities thriving. Right now, these protections only exist as departmental policies. They can be changed or removed without public debate or accountability.

Our request is simple and urgent. Enforce the current Fisheries Act to legally protect owner-operator and fleet separation principles. Licences and quotas must be held by people who are actively fishing, with boots on the boat, and who live in the communities sustained by the resources. This is how we protect independent family enterprises and secure long-term coastal resilience.

Two, clearly define ministerial powers. We need a transparent framework that guides ministerial discretion. Decisions should be consistent, accountable and based on fairness, not confidential agreements.

Three, improve transparency and consultations, with no more decisions made behind closed doors. Agreements impacting fisheries must involve coastal communities, provinces and industry, not exclude them.

Four, strengthen science and knowledge in the decision-making. Science must guide fisheries management alongside local knowledge. That means better support for industry-led science and consistent application of precautionary principles.

What happens if we don't act? Since 2019, meaningful consultation has declined. Provinces are facing economic consequences they did not create. Some small fishing enterprises, families like mine, are at risk. In Nova Scotia, for example, moderate livelihood agreements have used banked licences and latent traps under the guise of conservation or buyback programs while violations of controlling agreements are ignored. Science is applied inconsistently when it supports a decision, pushed aside when it doesn't. This is eroding trust, eroding policy and eroding the foundation of the owner-operator fishery.

In closing, from harvesters waking before dawn to members of Parliament to officials at DFO, we share a responsibility for Canada's fisheries. We aren't asking for special treatment. We're

asking for fairness, accountability and for rules that exist to be enforced, not sidelined for political convenience or job security. Our coastal communities are not statistics, they're people, they're families, they're history and future standing on the wharf, teaching their children and hoping their government will stand with them. You have the power to protect the future. Thank you.

The Chair: Thank you very much, Mr. Barron.

We'll now go to Bernie Berry for five minutes or less.

Bernie Berry (Senior Fisheries Advisor, Coldwater Lobster Association): Good day.

My name is Bernie Berry, and I am the senior fisheries adviser for the Coldwater Lobster Association located in Yarmouth, Nova Scotia.

Our association represents the interests of independent lobster fishermen within LFA 34 along with some additional members from the adjacent LFA 33 and LFA 35.

I would like to thank the members of the fisheries standing committee for the opportunity to speak today concerning the review of the Fisheries Act.

Today I will speak to the owner-operator and fleet separation policies and how they are applied and enforced. The small boat sector and, in particular, the lobster fleet of independent small business owners still face pressures from corporate entities attempting to gain more access and control of the commercial fishery.

Independent lobster fishermen, who are all small business owners, are the economic backbone of nearly all of our coastal communities throughout eastern Canada. The lobster fishery is a limited entry fishery, meaning that the number of licences is essentially frozen; therefore, anytime a lobster licence is lost or the control of that licence is lost to a corporation, that is one less small business in the community contributing to the growth and development of that town or village. These small businesses are replaced by salaried workers working on company platforms with most of the profits going back to the company instead of being distributed and invested in the communities.

The independence of the lobster fishery must remain in the hands of fishermen. Their communities need every independent licenceholder to contribute to the economic viability of that area. Fisheries and Oceans Canada must ensure that all lobster licences are entrusted to independent fish harvesters. There can be no corporate control of any of these valuable licences.

To achieve this, a vigorous regulatory regime must be established to review all licence transfers and to evaluate all licence renewals. Over the last several years, DFO has intermittently made some attempts to investigate who has control of the licences. Unfortunately, these efforts are sporadic and not thorough enough. There needs to be a much more robust and consistent system applied to stop the leakage of licence control to corporate interest. Without it, this will lead to the demise of the independent fishermen in our coastal communities over time. Policy changes must twin with regulatory changes to put in place real enforcement capabilities concerning the owner-operator and fleet separation policies.

Everyone must be held accountable in this fraudulent transfer of licences to corporations. It starts with the companies that use monetary enticement to independent fishermen to sell their licences to them. Once that financial temptation is presented, the corporations then draft a misleading paper trail that gives the false impression that the licence is controlled by the fisherman who, by now, is no longer independent.

Such corporations then have their legal firms draft documents that appear to show that the licence is still controlled by the formerly independent fisherman. These legal firms are able to do this, as there is a grey area in the policy and there are no real penalties in the regulations that will hold these lawyers accountable. The legal firms know that the documents they're drafting are fraudulent, because fish companies are not permitted to own inshore lobster licences.

Fishermen knowingly sell their licences to fish companies for a few extra dollars in comparison to what is offered on the open market. The formerly independent fisherman will then possibly keep the licence in his name as part of the sale agreement and then fish the boat for a share of the catch. This type of agreement gives the impression that nothing has changed about ownership of the licence. Nothing could be farther from the truth.

Another example of where the owner-operator and fleet separation policies are failing to meet their intended purposes is tied to the use of a substitute operator. The former licence-holder will keep the licence in his or her name and allow the fish company to designate a substitute operator to fish the licence on their behalf. This is achieved by the former independent licence-holder's obtaining a medical certificate from his physician stating that the patient, the fish harvester, is unable to go aboard the boat for medical reasons. It's a policy that allows each fish harvester up to five years to assign a substitute operator. The substitute operator is an area where an independent, DFO-approved medical professional opinion should be in place.

The owner-operator policy is also problematic when it comes to boat brokers, because they are aware of the type of sale that is not permitted but, when an inshore lobster licence comes up for sale, they have numerous fish companies' contact information on speed-dial to try to facilitate a quick sale to the company. While the boat brokers know this type of transaction is not permitted, they help to facilitate the purchase simply for a commission cheque and leave the details to the company's lawyers to give the appearance that the transaction is legitimate.

• (0825)

This type of activity is perpetuating fraud, and everyone should be held responsible and accountable. To do this, penalties must be put in place through the regulations to deter this type of activity by all participants. Penalties should range—

The Chair: Mr. Berry, I'm afraid I'm going to have to interrupt you very briefly. Could you wrap it up? You're over the five minutes for your opening statement. I'm sorry.

Bernie Berry: I'll just finish this paragraph.

Penalties should range from the cancellation of the fishing licences, the forfeiture of monies gained in a fraudulent illegal scheme and the cancellation of licences for brokers who participate in activities against the regulations to investigating legal firms that are developing agreements circumventing policy and regulation that could have ramifications from the law societies if these allegations were proven.

Thank you. I welcome any questions.

• (0830)

The Chair: Thank you very much, Mr. Berry.

[*Translation*]

Ms. Canet, you have the floor for five minutes or less.

Claire Canet (Project Manager, Regroupement des pêcheurs professionnels du sud de la Gaspésie): Thank you, Mr. Chair.

Good morning, honourable members.

Thank you for the invitation to testify before this committee on such an important issue as the review of the Fisheries Act. My name is Claire Canet, and I've been the project manager with the Regroupement des pêcheurs professionnels du sud de la Gaspésie since 2017. I'm a board member of the Canadian Independent Fish Harvesters' Federation and the Coalition of Atlantic and Quebec Fishing Organizations. I also have a bachelor of laws and a bachelor's degree in conflict resolution.

Fisheries management is a complex undertaking that requires consideration of a variety of factors to ensure fisheries resources are managed by the Minister of Fisheries in the interest of all Canadians. I'd like to remind the committee that these resources do not belong to the Minister of Fisheries or the Crown or a specific group of Canadians. These are common, public, strategic resources that are key to the economic, social and cultural vitality of our coastal communities. Fisheries resources change and grow within complex and evolving ecosystems where our knowledge is still developing. Any fisheries management decision based on insufficient scientific data and very limited facts could have a dramatic impact in a few years' time on stock, the balance of marine ecosystems, and the lives of those who depend on our oceans. Fisheries management and access cannot be a subjective art—as we've heard—left entirely to the discretion of one individual or one administration without that discretion being objectively framed by fundamental principles. Otherwise fisheries management and access will become politicized and will be based on shifting and subjective criteria.

The Regroupement des pêcheurs professionnels du sud de la Gaspésie notes that since the Fisheries Act was amended in 2019, fisheries management has become more political, marked by a failure to apply fundamental principles, such as the protection of owner-operators and the principle of adjacency. We have also observed that the socio-economic impacts of the Department of Fisheries and Oceans' fisheries management decisions on coastal communities are being overlooked, and the variable place of science in decision making.

Following last-minute amendments to the act in 2019, a number of agreements signed in confidence by the Crown established a new framework governing the exercise of the Minister of Fisheries' regulatory obligations and responsibilities without any consultation with Canadians and individual fishers and without notifying Parliament. This new framework has facilitated the establishment of opaque advisory processes described by the federal court as unfair and inequitable and the multiplication of specific fishing plans for the same species, creating social tensions within our coastal communities.

To address this and ensure fishery resources are managed for the benefit of all Canadians in a fair, sustainable and prudent manner, the submission we sent the committee last week contains recommendations for amendments to the Fisheries Act that would affirm that fishery resources are strategic, public and common resources; introduce or reintroduce clear definitions of key terms; clarify the purpose of the act to create conditions conducive to the profitability, sustainability and adaptability of Canada's various fisheries in the interest of all Canadians and coastal communities; clarify the framework for the exercise of the minister's discretionary power; improve transparency regarding the agreements that may be signed by the minister and strengthen the consultation process; and strengthen the role of science and knowledge for sustainable fisheries management.

Among our proposed amendments to the Fisheries Act contained in our brief, we wish to draw your attention to proposed amendments to section 2.1, Purpose of Act; proposed amendments to section 2.4 on Duty of Minister; and proposed amendments to sections 2.5—we have heard a lot about these sections in recent

days—and 34.1 on factors that the minister must take into account in making a decision. I also call on the committee to look at proposed amendments to sections 4.1, 4.2 and 34.2 on transparency of the minister's actions and consultations. Lastly, I'd like to point out proposed amendments to subsection 43(1) and to sections 61.1 and 61.2 on the confidentiality of information and knowledge acquisition.

• (0835)

I'll be happy to take any questions you may have.

The Chair: Thank you very much.

[English]

We are going to start our first round of questioning, the six-minute round, starting with Mr. d'Entremont.

Chris d'Entremont (Acadie—Annapolis, CPC): Thank you very much, Mr. Chair, and thank you to the three witnesses who are here today. Mr. Barron is in the room with his son and his son's Danish friend who are taking in these proceedings.

I also want to thank Bernie and Claire for being here, because they've always responded when we've had challenges in districts 33 and 34 and overall with fishery issues in the Atlantic. I do want to thank Bernie directly for all the work that he does on behalf of the Coldwater Lobster Association along with Heather and the gang.

This is important when it comes to the fishery that we have, and the uncertain fishery that we're having in St. Marys Bay. The ongoing partnership that we've had with that organization has been instrumental in trying to move certain things forward. I don't know how far we've gotten forward on some of these things, but, ultimately, the input has been tremendous in moving a number of issues forward.

Today, we're here to talk about the act, and more specifically, from the first two presentations, owner-operator and fleet separation.

My first question will be to Bernie. In districts 33 and 34, we're talking about licences and licence transfers. We're not putting a number on that, but for the benefit of the committee, what is a licence and enterprise worth in districts 33 and 34?

Bernie Berry: It'll vary. In district 34, the value of a licence is somewhere between \$700,000 and \$800,000. That's not counting the value of the boat and gear. In LFA 33, it's somewhere between \$450,000 and \$500,000, again, not counting the value of the boat and gear.

Chris d'Entremont: Right, so if we add the value of the boat and gear, we probably could add another million dollars on top of that, depending on the age of the vessel and the amount of gear you're going to be having on it. Quite honestly, you're at \$1.5 million to \$2 million with the purchase of one of these vessels.

I'll ask the same question to Mr. Barron. What is the value of an enterprise in your districts?

Michael Barron: Actually, over the last two to three years, the catch rate in our LFA has increased, so the value of the licences went up. We're teetering pretty much between \$750,000 and \$900,000 for a licence alone. That does not include the vessel or traps. The one thing about LFA 27, where I harvest, is that we definitely have a smaller fleet of boats. However, you're still going to be looking at about \$1.2 million to \$1.3 million to get into an enterprise now with vessel and gear.

Chris d'Entremont: At this point, what are the mechanisms to get the funding for something like this, because that's the challenge we're having right here.

Are the banks and credit unions able to lend this out, or are these purchasers having to go out and find funding from other places?

Michael Barron: Actually, the provincial loan board does lend to all new entrants. It's a little more of a relaxed process, but the board is starting to get a little stricter in its lending process because of the value of licences. In my LFA, it's a two-month season. If you're financing someone between \$1.2 million and \$1.3 million, and you're harvesting a natural resource, the risk is very high. The board wants to make sure it is well protected when it's lending money.

Banks are definitely a little stricter. It's usually around a seven-year term, so your payments are significantly higher, when you're financing through the bank. The loan board is a term anywhere from 15 to 20 years.

• (0840)

Chris d'Entremont: Mr. Berry, when it comes to our district—I'll say “our”, because it's also where I live—what are the challenges in getting funding for enterprises at this point?

Bernie Berry: One of the biggest stumbling blocks is actually the down payment. The chartered banks probably require, depending on the bank, 30% to maybe 35% or even higher, and you have to have a down payment based on the overall value of the purchase. If it's a \$1.5-million purchase, some folks are going to have to come up with \$500,000 or \$600,000 as a down payment. It's totally unachievable at this point.

The loan board is a little lower; I think it's about 10% or 15%. They have different variances between what they want for a down payment for a licence as opposed to the boat, but still, that's a huge number. You're talking about a couple hundred thousand dollars for a down payment. That's one of the main stumbling blocks for the young entrepreneurs trying to get into it.

Chris d'Entremont: Basically, the rules that we have today were changed around 2019, I believe. Are they being acted on? Does it make these things easier, or does it make them more difficult?

I'll continue with Mr. Berry on that one.

Bernie Berry: In some instances, it makes it harder because the young individual trying to get into it is still competing against corporations for the same outfit; the door hasn't been closed on these corporations. It actually inflates the overall price of the licence and the outfit that's being asked for. It could be a lot better. The stuff that was initiated in 2019 still could close a lot of doors. The big thing there is to take all this stuff out of policy and make it part of

regulations, along with much stiffer penalties when some of this fraudulent activity is proven.

Chris d'Entremont: I would like to get into foreign ownership of these things, but I'm getting stared at by the chair, so maybe I'll get a second round.

The Chair: You'll have to wait until the next round, I'm afraid.

[*Translation*]

Mr. Cormier, you have the floor for six minutes.

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

[*English*]

Mr. Berry, I'm going to continue with you. Thank you.

Mr. d'Entremont already asked some of my questions, but when it comes to corporate entities taking control of lobster licences or any other kinds of licences, I'm seeing some of the same thing here. Just like Mr. d'Entremont said, some lobster licences here in my region can be sold from \$1.5 million to maybe \$2 million.

You were talking about the Fisheries Act. In your opinion, as we speak, there's not enough protection to make sure these things do not happen anymore. Is that right?

Bernie Berry: Yes, that is correct. Again, there have been attempts over the last several years, or even decades, to slowly but unsurely enforce the owner-operator and fleet separation. It just seems like folks are reluctant to actually lower the hammer, if I can describe it like that, and take out a lot of this stuff that's in policy. Anything that's in policy certainly can be circumvented very easily by lawyers. It's a gray area. There are really no penalties involved.

If you take a lot of this stuff that's in the owner-operator and fleet separation and put it into regulations, then it becomes the law. Then the onus becomes a lot higher on the legal firms because they'd actually be circumventing the law. They could be held accountable right there, along with all of the other participants in this type of activity.

Folks just have to be willing to finally say how serious this is and put forward a very strong response. That's the only way you're going to stop it.

Thank you.

Serge Cormier: Do you think the penalties or the fines, for example, are high enough for people who are caught doing these types of transactions?

• (0845)

Let me put it this way.

For example, let's say a fish plant has some transactions to buy a licence, and a guy goes to the fish plant and the fish plant gets involved. They do some deposits for him without anybody knowing. It's all well done and nobody can see it, and then, all of a sudden, there's an investigation and—oh my God—the fish plant gave like \$500,000 to this guy to buy a licence, but it's tied to him right now.

Do you think the fines and penalties are high enough? Do you think we should maybe revoke the permit for the fish plant in this example? As you know, fish plant operation permits are given by the provinces. Is there a way to make sure that, with stricter fines and stricter penalties, we could stop this problem once and for all?

Bernie Berry: Yes, I think you do. In actuality, I'm not sure if there has ever been an instance where a licence has actually been cancelled or taken back because of this.

There have been a lot of investigations and changes made and stuff like this. The only case that's on record, I think, is a case out of Newfoundland: the Elson case. If I can be very frank, that was just a case put forward by some of the companies there as a trial balloon to see if they could set a floor for what they could get away with. That gentleman, I think, ended up losing that licence.

Outside of that, there has been no real enforcement in terms of loss of licence or penalties—monetary penalties—but there should be. Again, it takes numerous people to put together this kind of fraudulent act, as I keep calling it. You have the lawyers and even the fishermen who are selling the licences to these corporations. They know full well that they're participating in something that they should not be doing. They're simply selling the licence to the corporation for a few extra dollars, based on the market value. Corporations can certainly afford more money.

Again, until folks are made examples of...unfortunately, it's going to take something like that, somebody to be made an example of, whether it's a cancellation of a licence or loss of money and stuff like that, or lawyers' firms being held accountable, as I pointed out in my presentation, or even the brokers. They know the rules, yet they still send.... When something comes up, instead of trying to find a young gentleman within their community to sell the licence to—yes, I know it's hard to find financing and all that—the first call the brokers make is to a company. They know it's a quick transaction for them. The companies have the money, and they get a cut.

There's a lot of this stuff. A lot of people have to be held accountable.

Serge Cormier: That's perfect.

Mr. Berry, I have a quick question before I go to Mr. Barron. Do you think organized crime is in this business as we see it right now?

Bernie Berry: I'm not sure about the buying of the licences. I think there is possible involvement of that type in other instances, but not in the buying of the licences.

Serge Cormier: Okay. That's perfect.

Mr. Barron, quickly, because I don't have too much time, if I understand it, you're a fisherman. You were talking about an agreement that was made between different kinds of groups, maybe more on the side of first nations.

We're talking a lot about agreements being done nation to nation, and I understand that. I know that we have to respect the rights of first nations. We all understand that. If we want to make a better future for all fisheries, don't you think that if we all sit down together at the table and talk about those issues we all have—first nations, commercial—we will be more successful in advancing fisheries?

The Chair: Mr. Barron, if you'd like to provide an answer to that question afterwards in writing, the committee would much appreciate it, but I'm afraid we're going to have to move on at this point.

[*Translation*]

Mr. Deschênes, you have the floor for six minutes or less.

Alexis Deschênes (Gaspésie—Les Îles-de-la-Madeleine—Lis-tuguj, BQ): Thank you, Mr. Chair.

Good morning, everyone.

I'd like to thank all the witnesses for their great presentations.

I have a question for you, Ms. Canet, as you speak to us from Chandler.

Thank you very much for your brief, which features a number of strong and targeted proposals for amendments to the Fisheries Act. I understand the general idea is to provide a framework for the Minister of Fisheries' discretionary power and also to consider socio-economic factors in decision-making. You've shared a lot of insights on allocation.

Can you expand on your idea for the committee? What amendments would you like to see to the Fisheries Act?

● (0850)

Claire Canet: You've defined the goal of our proposal to provide a framework for the minister's discretionary power perfectly.

Currently, we have a situation where some Canadians have superior constitutional fishery access rights and the wording of the Fisheries Act does not require the minister to take the socio-economic and cultural needs of all coastal communities into consideration because section 2.5 does not constitute an obligation. The same applies to section 2.4 and the purpose of the act. The minister is not required to consider the socio-economic and cultural importance of access to fisheries for all coastal communities, groups and Canadians, and this creates an imbalance in terms of access, but also in terms of consideration of the various factors in the impact of management decisions.

That's why we're proposing that the purpose of the act be clearly refocused on fisheries management that benefits all Canadians and not one group in particular. Section 2.5 must require the minister to consider socio-economic impacts on coastal communities and those who depend on fishery, including independent fishers and our coastal villages, and this framework must be clarified in the purpose of the act and in subsection 34(1) of the act, as I recall.

The goal here is to restore a balance so that the fundamental principle of fishery management for the benefit of all Canadians is fully considered, which is not the case now. The current wording of the act does not accomplish that goal. We have seen that in various aspects in recent years in agreements and consultations. Distribution of access across various communities clearly shows that at present, the resource and access are not managed for the benefit of all Canadians.

Alexis Deschênes: You also have proposals on transparency. Could you clarify your proposal?

Claire Canet: The issue of transparency mostly has to do with knowledge. Fishery management should be based on all knowledge, whether that knowledge is from indigenous peoples, scientists, or fishers. As a group, Canadian independent fish harvesters spend thousands of hours observing conditions at sea. It's worth noting that this knowledge is not taken into consideration and that indigenous knowledge is confidential, which means that fisheries managers rely only on partial factors to properly understand activity in our oceans and to make informed management decisions.

The other part is on—

Alexis Deschênes: I'm afraid I'm going to have to interrupt you, but I'm running out of time and I only have a few seconds left.

Over the past few weeks and days, the Standing Committee on Fisheries and Oceans has heard a lot of testimony that either fisheries officers are terrified at the thought of taking action or they will not take action.

What's your point of view on that?

• (0855)

Claire Canet: I've had occasion to personally witness instances where proceedings for acknowledged offences—whether in public or courtrooms—were dropped under circumstances that strike me as rather unusual.

While fisheries officers do their work as best as they can even though they are understaffed, they cannot monitor the entire province of Quebec. Fisheries officers do successfully carry out their duties, only for some court cases to be discontinued.

The Chair: I'm afraid I'm going to interrupt you. We're out of time.

We'll now begin our second round.

[English]

Mr. Small, go ahead for five minutes or less.

Clifford Small (Central Newfoundland, CPC): Thank you, Mr. Chair.

I welcome the witnesses to this very important study today.

There have been requests, in this study, by various ENGOs, to modify subsection 6.1(1) of the act. The effect it would have is that 65% of Canada's fish stocks would not be fishable, because it recommends that fisheries could only take place when stocks are in the healthy zone.

First to you, Mr. Barron, do you agree with that recommendation that some other groups have made before this committee?

Michael Barron: As a harvester, it's hard to be told when you can fish and when you can't fish, according to what the stock assessment is.

I'm going to go back to Ms. Canet's statement. When industry-based knowledge is being overlooked, but you're using ENGOs knowledge to help determine some of what the stock assessment should be, or should actually be harvested at, it's very disheartening because they do not have the same amount of time on the water, or for a lack of a better term, skin in the game.

The harvesters that are invested in this are not looking to abuse it to the bitter end. We want to make sure that it's sustainable and that it's fished as economically as possible. No, I don't really agree with them having too much input.

Clifford Small: Thank you.

Mr. Berry, just quickly, do you agree with having the precautionary approach changed or strengthened?

Bernie Berry: I certainly don't agree with the ENGO approach. Again, because we have three zones—the healthy zone, the cautious zone and the critical zone—to Mr. Barron's point, as long as you have fishermen putting in their points of view, along with science, once you get into the cautious zone, fishermen know how to manage a stock.

If you had to have the proper science advice, they could do that.... Again, they just simply have to be brought to the table, together, maybe not with ENGOs because I'm not sure what they bring to the table. Fishermen, though, are the ones with the knowledge and stuff like that. You can manage a stock, properly, below the healthy zone.

Clifford Small: Thank you, Mr. Berry.

Mr. Barron, I heard you reference transparency versus confidential DFO agreements. Would you like to elaborate a bit on that?

Michael Barron: I'll go back to my example of where they're using banked licences that were bought back through a government buyback in 2009 and, I think, in 2013. I may be wrong about 2013. When that came out, we were told that it was being done under the guise of conservation for the stocks to remain healthy and to be harvested. Then, lo and behold, no new access was going to be granted, so they turned around and used these banked licences that were bought out of this buyback program, and not only that, but also latent traps from a partnership licence. In my LFA, if you stack two licences together, you're allowed to fish 413 traps instead of 550. Therefore, for those traps that are not being used, the department decided to take those traps that are unused and put them in use for the moderate livelihood agreements.

For me, if I were someone with a stacked licence who made that investment to purchase that second licence, I'd be pretty upset if the government were to turn around and use some of my investment to help someone else make a living. To be honest, with the way the loan board is set up and the banks are set up, first nations can go through the same process as I can. They can go to the bank, and they can finance a licence and purchase a commercial licence to become an actual harvester.

• (0900)

Clifford Small: Thank you, Mr. Barron.

Mr. Berry, do you think there's foreign ownership of fishing licences in Atlantic Canada through these various controlling agreements?

Bernie Berry: Yes. For example, over the last, we'll say, 10 years, there's been quite a presence now, especially in southwest Nova Scotia and in other portions of Atlantic Canada, where Chinese entities have bought local companies, lobster-buying companies. These companies, the local companies, do have some of these agreements in place, fraudulent agreements, so basically, they're just swept up in part of the purchase agreements for some of these Chinese companies.

It basically guarantees a certain amount of product by doing this. Yes, absolutely, and it's not only foreign ownership but also private equity firms—

The Chair: I'm going to have to step in here. We're over time again.

If there's more that you'd like to add to that answer, please do submit that in writing to the committee, Mr. Berry.

Next, we go to Mr. Morrissey for five minutes.

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

My first question is to Mr. Berry.

Do you have documentation or evidence to provide to this committee to verify the fraudulent transfers of licences? You've referred to it a number of times. Could you provide the committee with any documentation to back up what you're telling the committee?

Bernie Berry: No. Basically on the shore, you know when a transfer's taken place, when an independent fisherman has sold his licence and his boat out. Certainly we're not privy to any of the paperwork.

Robert Morrissey: Thank you, Mr. Berry.

I agree. It's a practice that should stop, but often you hear the rumour—I get these comments from time to time—but the department can only act on evidence. I thought if you did have the information, you could provide it to the committee, but you don't.

Mr. Barron, do you recall the question Mr. Cormier asked you that you didn't have the chance to answer. It was on commercial versus first nations.

Michael Barron: We were asked whether it would be a valuable option if industry, first nations and government could all sit at the same table.

It would be a valuable option, 100%, because right now as an industry, we're feeling like we're being left out in the dark. We're going to be the ones who bear the brunt of the decision that's made behind these closed doors. Why would we not be involved in part of the decision-making process?

Robert Morrissey: Thank you.

Could you recommend to the committee ways that you feel the act could be strengthened that would compel the department to be more transparent when it's making decisions around quota allocations?

If you can't think of it now, you could provide the committee, in written form, how you feel the act could be strengthened that would compel the department to provide all the background information into making decisions.

Michael Barron: To answer that as fairly as possible, I think it would definitely have to be in writing, because I believe the chair will pull the time for us if I try to explain that.

Robert Morrissey: Okay, that's fair.

If you go back to the owner-operator...you made a comment. You referred to the regulations not being tight enough. I thought it was relatively clear. Do you have recommendations on how the act could be changed to more clearly define or protect the owner-operator so that there would be no room for interpretation or discrepancy?

• (0905)

Michael Barron: I don't know if it necessarily needs to be strengthened, it just needs to be acted upon. There's stuff in place in policy that.... Like I mentioned in my statement, just enforce it by law. It's not being done.

I think it might have been you who asked Bernie about a list of infractions and stuff. I know there are several people who testified previously and have given company names of violators, and nothing has been done. If we're providing you with this information, it should be acted upon.

, I don't know if too much strengthening needs to be done; you just need to act on what's in place right now.

Robert Morrissey: You're referring to the transfer of a licence. Am I correct?

Michael Barron: Yes, it's the transfer of licences and the controlling agreements.

Robert Morrissey: You are correct. That's an area that should be upheld.

In the time I have left, I want to go back to the science. You made the comment that science must guide decisions, but then we often get the conflicting view from fisher input. Any time the quota is going up, when the minister announces it, nobody criticizes the decision; it's only when it's going down.

How do you square the two? The minister of the day, regardless of who it is, is saying they're making the decision based on science. I would expect a minister to make a difficult decision for the future of the stock to protect the two people sitting behind you that you referenced when you came in.

Could you give your opinion?

Michael Barron: Yes, I knew I was going to get a question on this.

What I meant by my statement is that the science that's being used sometimes is outdated. It should be modernized, whether it's from a trawl survey maybe or...to the time of year.

There should be more marrying of the on-board science that associations like mine and Mr. Berry's group do. Most of the associations do a lot of at-sea science. Sometimes it's overlooked because they consider it to be biased.

I could not argue with that more because we are proponents and we want all fisheries to continue to be successful. We put everything we can into the science we do. We're very fortunate in my LFA that DFO relies very heavily on the science that we do for our lobster, so—

The Chair: I'm afraid I'm going to have to step in here. We're over time.

Mr. Barron, if there's anything you'd like to add, please do so in writing.

[Translation]

Mr. Deschênes, you have the floor for two and a half minutes.

Alexis Deschênes: Thank you very much, Mr. Chair.

I have a question for you, Mr. Berry.

In your presentation, you stated that you had come across cases where owner-operator licences have been transferred to corporations.

Have you or any of the people you know filed complaints about this with Fisheries and Oceans Canada?

[English]

Bernie Berry: Yes, this type of information has been passed on to the department probably over the last five, seven, eight or 10 years. To Mr. Barron's point, in some instances, there have been companies named and stuff like this and the attempt.... It's been acted on, but not to the degree it should have been.

Yes, it's been brought to the attention of the department and stuff like that, with names and everything else.

[Translation]

Alexis Deschênes: Do you know whether Fisheries and Oceans Canada took any action? Are there things that have been done?

[English]

Bernie Berry: Yes, they've taken some steps, but like I pointed out in my presentation, it's been sporadic. For a year or 18 months, it seems like DFO will do a lot of inquiries and investigations into certain transactions. It will try to do something and then, all of a sudden, there's nothing.

It seems like they make a show of stuff like this and then they just—

[Translation]

Alexis Deschênes: I'm sorry for interrupting you, but I only have so much time.

Are there instances where Fisheries and Oceans Canada investigators have cancelled licence transfers?

[English]

Bernie Berry: I don't think they cancelled licences. I think they gave the opportunity to the company and the fishers in question to become compliant with the act. I think, instead of cancelling the licence, they went through a process to do that.

Even some of that stuff is still questionable. DFO gave the approval on some of these changes to have these agreements set up.

Again, I go back to this: If the stuff in policy was in the regulations—if all of it was in the regulations—it would simply make it harder to make the initial transaction. It gets really hard once the transaction has been completed. You get a lot more people involved. If people, because of the threat of severe penalties, would not even attempt to do the transaction.... That's where the focus should be.

● (0910)

[Translation]

Alexis Deschênes: How prevalent is this problem?

The Chair: I have to stop you there, Mr. Deschênes. You're already over your time.

[English]

Looking at the time here, we have enough time for two minutes each for the next two questioners.

We'll hand the floor over to Mr. d'Entremont.

Chris d'Entremont: Mr. Berry, when it comes to foreign ownership, the fishery in southwest Nova Scotia has changed dramatically over the last number of years where we've seen lots of foreign ownership pop in. I think what those foreign nationals would want is to have consistent access to our fishery.

Do you have any good examples of that?

Bernie Berry: There are several Chinese entities, especially in southwest Nova, that have invested in the lobster fishery by buying existing lobster facilities.

When the Chinese companies first came here, it was kind of a godsend because it really boosted the shore price and stuff like that, but there seems to be more and more Chinese ownership and foreign ownership. There's American ownership on our shorelines now. There's a possibility—I know, having had discussions with provincial ministers in the past—that our shoreside industry could be as much as 50% to 60% foreign owned right now. That will create a bottleneck over time.

Chris d'Entremont: Whether we open the act or don't open that act, there are a number of rules and regulations within the current act that have not been enacted.

Mr. Barron, should we open the act or should DFO enforce what's already there?

Michael Barron: I think DFO should just enforce what's already there.

Chris d'Entremont: I'll ask the same question of Mr. Berry.

Bernie Berry: There are the tools there, but I think they have to be enhanced. I don't know if you have to change the act, but put more of it in regulations, and the penalty part has to be enhanced.

The Chair: Thank you very much, Mr. d'Entremont.

Finally, we will go to Mr. Klassen for two minutes.

Ernie Klassen (South Surrey—White Rock, Lib.): Thank you very much to all the witnesses.

We heard from several witnesses the other day as well. I remember that one of the witnesses from the west coast, when we were looking at west coast modernization, suggested that we not go to owner-operators on the west coast.

Mr. Barron, you mentioned that licences should only go to owner-operators. Would you not see that there is a way that both kinds of licences can work side by side?

Michael Barron: If I understand your question correctly, you said that B.C. doesn't support owner-operators.

Ernie Klassen: No, there was one witness who did not.

Michael Barron: I was fortunate enough to have attended some meetings in B.C. to see the situation they're in because of not having owner-operator licences and the corporate concentration that's out there. That is the last thing I want to see on the east coast, because that would be the absolute destruction of all coastal communities in Atlantic Canada.

Ernie Klassen: My question was: Do you not see that there is a way that both—

Michael Barron: I don't see a way, because those corporations are going to come in, and they're going to worry about their bottom dollar. They're going to modernize their fleets and push small businesses like mine out of and off the water. I don't believe there's a spot for them to coexist.

Ernie Klassen: Thank you very much.

Ms. Canet, you mentioned that, in the courts, prosecutors sometimes drop cases for strange reasons. There has been a lot of innuendo around things like that.

I'm curious whether there have been any cases where these strange reasons have ever been justified.

• (0915)

[*Translation*]

The Chair: Ms. Canet, if you could provide a brief answer, that would be appreciated.

[*English*]

Claire Canet: Yes, they have been justified. Whether they are appropriate justifications...it is a subjective way to approach it. That said, given the gravity of the infractions being dropped, and when you see that there are two types of approaches, you're wondering what the real reasons are behind dropping some cases for very serious infractions for some people and why less important infractions are being managed in a very hard way. Whether it is justified—

The Chair: I'm afraid I'm going to have to jump in here, Ms. Canet.

If you have any additional testimony you'd like to provide, we're going to have to ask you to do so in writing, because we are over time for our panel here.

I want to thank all of our witnesses today. I especially thank Mr. Barron and the whole Barron family for being here in person for this meeting. The testimony you've given us has been really helpful for the report we're putting together and will filter into the recommendations that will be forthcoming. Thank you very much for all of your help.

We are going to briefly suspend now while we prepare for our next panel.

• (0915)

(Pause)

• (0915)

[*Translation*]

The Chair: Before we continue, I'd like to make a few comments for the benefit of the new panel of witnesses.

Please wait until I recognize you by name before speaking.

For those participating by video conference, click on the microphone icon to activate your mike, and please mute yourself when you are not speaking.

For interpretation, those of you who are on Zoom have the choice at the bottom of your screen of either floor, English or French.

As a reminder, all comments should be addressed through the chair.

With that, I'd like to welcome our witnesses. We have two witnesses appearing by video conference, representing Agence Mamu Innu Kakussesh, namely Mr. Daniel Malec, director, economic development and Mr. Guy Vigneault, director, Shipek Fisheries.

We'll start with your opening statements for five minutes or less. The floor is yours.

● (0920)

Guy Vigneault (Director, Shipek Fisheries, Agence Mamu Innu Kakussesh): Mr. Chair and members of the committee, good morning.

My name is Guy Vigneault. Today, we'd like to underscore how important it is for the Mamu Innu Kakussesh communities to share their views on the allocation of lobster fishing licences in zones 17 and 18. Some remarks have been made about Innu communities. We are here to share our perspective.

Two years ago, we received licences to operate on the Côte-Nord. We wanted to tell the committee that we carried out exploratory tests even before the lobster fishing licences were issued; lobster is a species that is not new to science.

We had a number of meetings in different communities before the licences were issued. I'm on approximately eight indigenous and non-indigenous fishery-related committees. I'd like to point out that we've been made aware of reports suggesting that indigenous peoples may be using their licences to let other people fish in their stead.

I'd like to point out that Shipek Fisheries has 15 active vessels for fishing different species, including scallop, lobster, crab and whelk. In addition, 85% of our fishery members are from indigenous communities. We also have a few non-indigenous members.

Both indigenous and non-indigenous communities in the Côte-Nord work together a lot in harmony. Interventions by the Innu resulted in the issuance of fishing licences. That's the region's engine. We did some extensive work with scientists and the Department of Fisheries and Oceans to make things fair and equitable for everyone.

We are satisfied with the processes implemented on the Côte-Nord. We have fishing licences adjacent to our areas. We are working collaboratively, and we continue to develop our region.

Unfortunately, there are those who have a hard time understanding why a licence is issued for one area and withdrawn from another area. We've had a lot of lobster in our sectors as a result of climate change, and in a way, it's turned out to be a lucky break.

We need to be careful when it comes to the number of licences issued. We're talking about some 30 licences or so, which is a drop in the bucket given that our regions have kilometres of coastline. The Côte-Nord has 800 km of coastline and eight commercial licences and 25 exploratory licences. Fishers using binoculars have difficulty discerning their fellow fishers, and can't even see them in some sectors.

There's still room to secure more licences. In fishing zone 17 around Anticosti, which has 1,500 km of coastline, there are 12 fishing licences and 6.... I wouldn't want to go too far on this subject, but the fact remains that hardly any licences have been issued around Anticosti or on the Côte-Nord compared to Nova Scotia and Îles de la Madeleine, which has received 325 licences. If we do the math per square kilometre, our 30 or so licences are really not a lot.

We've received a few licences. There are efforts to involve indigenous communities a bit more.

On the Côte-Nord, we collaborate effectively in a harmonious environment. Don't try and break that. I do understand that some regions may have had more difficulties, but in our case, we've worked collaboratively and have developed a great economic sector in the Côte-Nord.

I'll let my colleague Daniel Malec continue.

Daniel Malec (Director, Economic Development, Agence Mamu Innu Kakussesh): Good morning. *Kwe kwe.*

Mr. Chair, thank you for giving us an opportunity to represent the voice of indigenous peoples.

I'm Innu myself, from the Nutashkuan community, which is located 400 kilometres east of Sept-Îles. I'd like to briefly sum up everything that's been said about the committee's study.

I'd like to introduce our group, Agence Mamu Innu Kakussesh, or AMIK, which represents a group of Innu commercial fishing communities that catch crab, lobster, whelk and other species.

AMIK is presenting today at the request of the seven member communities along the Côte-Nord of the St. Lawrence. We help Innu communities protect and conserve aquatic and ocean resources, as well as develop sustainable fisheries.

Within our group are seven member communities: the Innu communities of Essipit, Pessamit, Uashat Mak Mani-Utenam, Ekuanitshit, Nutashkuan, Unamen Shipu and Pakua Shipi. These communities hold community and exploratory lobster licences in zones 15, 16, 17 and 18. Each of these communities is represented on AMIK's board of directors by its fisheries coordinator, myself and my colleague Guy Vigneault.

While we understand that the committee wanted to study this issue in order to respond to certain fishers' groups, we are deeply disappointed that none of the political parties on the committee saw fit to call officials from the Innu nation who have obtained exploratory licences in zones 17 and 18 as witnesses. At no time were our communities' representatives consulted or questioned before undertaking the review of the process and proportion of exploratory lobster licences issued to first nations. We took it upon ourselves to demand to be heard by the committee.

This committee's work is important to us. However, if its studies are based on partial facts and an incomplete understanding of the issue, this adds to mistrust and division in Quebec's fisheries sector.

Even so, Innu and non-indigenous fishers on the Côte-Nord have been collaborating for decades, both scientifically and operationally, to advance knowledge in the field of fishery resources and to develop sustainable fisheries.

Issuing exploratory licences to Innu communities did not just happen overnight and was the result of a long process. Looking at growth, as my colleague said....

Since 2013, Innu communities have been working with Fisheries and Oceans Canada to obtain new lobster fishing licences in zones 17 and 18. From 2021 to 2023, my community of Nushkuan conducted scientific fisheries in subzones 18G and 18H in collaboration with a private firm, funded in part by my community. That did add up to a significant amount of money.

• (0925)

In 2018, Agence Mamu Innu Kakussecht, or AMIK and Créneau Côte-Nord formed a joint committee with indigenous and non-indigenous members to discuss developing scientific lobster fishing initiatives in fishing zone 18.

In 2023, AMIK helped establish scientific fisheries in subzones 8E and 18F by investing money belonging to the group.

• (0930)

The Chair: I'm sorry, I have to interrupt you so we can move on to the round of questions. You can use the time to expand on your ideas.

[English]

We're going to have a chance for just one round of questioning here, the six-minute round.

We'll be starting with Ms. Anstey first.

Welcome to the committee.

Carol Anstey (Long Range Mountains, CPC): Thank you so much.

Thank you to the witnesses.

I represent a riding in Newfoundland and Labrador that has several coastal communities, and the fishery is very important.

I just want to pick up on something that Mr. Vigneault mentioned: the principal of adjacency. This is something that I hear a lot about in my coastal communities. Can you just expand on the importance of following that principle as it relates to the viability of coastal communities?

[Translation]

Guy Vigneault: There are seven coastal communities in my region. We obtained licences in zones adjacent to our zones. This enables businesses, such as processors and processing plants to function effectively and contributes to the sustainability of our villages. We are very pleased with the issuance of new licences, which covered the employment insurance spring gap. The plants start working with snow crab, followed by lobster, and this has helped a lot.

Some licences have been issued, but we must be cautious because there are not many. We can't even see our fellow fishers using binoculars. I think the Department of Fisheries and Oceans took a very prudent step based on science when it decided to issue licences.

That's a major concern from an economic standpoint.

[English]

Carol Anstey: Thank you.

The same applies in the coastal communities where I live. Often, that's part of the frustration—that decisions are made and that they don't often see this principle of adjacency applied.

Can you just speak briefly—and then I'm going to pass it off to my colleague, MP Small—about what the impacts to the community are when the principles of adjacency aren't followed? What are the impacts to the people living in those coastal communities?

[Translation]

Guy Vigneault: The impact is that businesses and neighbouring wharves face very significant economic challenges. As I said earlier, indigenous and non-indigenous people work collaboratively. Adjacent villages have non-indigenous residents, and so we try to work together.

If someone who is not from these communities has a licence, that represents an economic challenge. Fishers are likely to face challenges securing fair wages and we will have difficulties maintaining our vessels and keeping them in safe operational condition.

[English]

Carol Anstey: Thank you.

I will pass it to Mr. Small.

Clifford Small: Thank you.

Mr. Vigneault, I assume you're fairly familiar with the unit 1 redfish quota and the way it was divided up. Are you familiar with that recent decision?

[Translation]

Guy Vigneault: I know a little bit about it, but I'm not within the redfish area because that's a bit far from our area. Fishing redfish requires travelling a considerable distance from our communities. We try to focus on our sectors. Our people seek employment opportunities within their own villages or in nearby villages. We're not really concerned with redfish on the Côte-Nord.

[English]

Clifford Small: Thank you very much.

That leads into my next question with regard to adjacency. You indicated that you're not so adjacent to the unit 1 redfish, but we have quite a large fleet in 4R, off the west coast of Newfoundland, that is very adjacent. It's within 10 or 12 miles of the shore, off the west coast of Newfoundland.

When you talk about the equity and the fairness that were in the distribution of those lobster licences to your group, how would you describe how fair the unit 1 redfish decision was for the harvesters of the west coast of Newfoundland and Labrador, given how close they are to the resource?

• (0935)

[Translation]

Guy Vigneault: I can't give a specific answer to that question because I've not dealt with the redfish matter closely. One of my colleagues had access to the resources in connection with shrimp. I'm afraid I really can't speak to this subject.

Personally, I manage fishing for 15 vessels and 112 indigenous and non-indigenous employees, 85% of whom are Innu. We catch crab, lobster, scallop, whelk, halibut and groundfish, but we don't have redfish in our area, and so I can't really speak to that subject.

[English]

Clifford Small: Thank you.

If a group of harvesters were heavily impacted by the predation of one species on another, such as the redfish consumption of shrimp, to a point at which the shrimp fishery in 4RST was basically not viable for many enterprises, do you think those harvesters should have been the ones to gain from the growth in redfish because it resulted in the demise of their shrimp livelihood?

The Chair: I'm afraid I'm going to have to step in here because we are over time.

It's a very important question. If you could, please, provide an answer to the committee in writing, it would be much appreciated.

With that, we move to Mr. Cormier for six minutes or less.

[Translation]

Serge Cormier: Thank you, Mr. Chair.

Good morning, Mr. Vigneault and Mr. Malec.

Mr. Vigneault, I'll start off with you.

Earlier, you said you work well with the other fishing communities and commercial fishers.

Some conflicts seem to drag on and escalate in other Atlantic regions and other parts of Canada. I'm taking the example of Nova Scotia, where conflicts related to lobster fishing have dragged on. There are periods where indigenous and non-indigenous fishers have a hard time co-existing.

It sounds as if you're saying that everything's going well in your corner. Is that correct?

Guy Vigneault: Yes, that's right. Things are going very well in our corner.

As I said earlier, I'm on eight fishery-related committees and vice-president and president of various joint committees that bring together indigenous and non-indigenous peoples. A number of non-indigenous fishers have reached out to me to start the process of trying to obtain lobster licences. We have agreements with groups of fishers on the Côte-Nord to try and secure licences with 50% indigenous and 50% non-indigenous involvement.

Serge Cormier: Okay.

Mr. Malec, do you see that in your communities? Do the different groups work well together?

Daniel Malec: Yes, we've worked with various associations for many years. We've always had a positive relationship and have co-existed harmoniously with Fisheries and Oceans Canada, fisheries officers and fishers.

As a community, our foremost priority is collaboration on marine safety and resource conservation. Nevertheless, we have two collaborative visions.

Serge Cormier: Mr. Vigneault and Mr. Malec, you said that when the time to issue licences came, there were a number of meetings with committees and probably with officials from the Department of Fisheries and Oceans.

Did commercial or non-indigenous fishers attend these meetings with you?

• (0940)

Daniel Malec: Yes, often. We definitely had meetings between communities and Fisheries and Oceans Canada to discuss strategy and quotas. The work took place over many years.

There's excellent collaboration between crab, lobster and scallop fishers. We support each other. This mutual support and friendship are a lived reality on the Côte-Nord.

Serge Cormier: I see.

Mr. Vigneault, there are conflicts with different groups in other places. I'm well aware that when these conflicts involve treaty rights, the argument is always that the government ought to have nation-to-nation discussions about these agreements.

We get that, but I think that most people understand how these decisions were made and they understand that it's important to respect the decision-making process behind that. However, people can all sit down together as indigenous and non-indigenous people when conflicts drag on for various reasons. Would you not agree that this would provide a better way to resolve issues and a better understanding of individual groups?

Daniel Malec: As you said, we had a series of meetings. Keep in mind that we've only been involved in commercial fishing for 25 years as a result of the Marshall and Sparrow decisions. We were spectators before that, before cod fishing and the extinction of cod. There were no jobs.

At present, community members within the Agence Mamu Innu Kakussesht, or AMIK, have created 400 to 450 direct jobs, 85% of which are occupied by indigenous people and 15% by non-indigenous people. However, expert skills are needed, and we have to look for that—

Serge Cormier: I'm sorry to interrupt you, but I only have a minute of speaking time left. That being said, I appreciate your comments, Mr. Malec.

Mr. Malec, do you think the process of issuing licences was properly followed? Please give a yes or no answer.

Daniel Malec: Yes, and we're very grateful to the officials as they did an excellent job. We'd like to thank Ms. Lebouthillier for working with us effectively, and fishers as well. Thank you for the ongoing efforts to catch up economically.

Serge Cormier: Thank you.

Mr. Vigneault, would you agree with that?

Guy Vigneault: For sure. That's a strong yes from me.

Serge Cormier: Were you contacted by members of the committee prior to today's meeting?

Guy Vigneault: Yes.

Serge Cormier: Who contacted you?

Guy Vigneault: The honourable member sent us emails to try and ensure we did not take part in this meeting. That was Mr. Alexis Deschênes.

Serge Cormier: He emailed you? I'm trying to get a clearer picture here—

Guy Vigneault: He sent us a message indicating that we should submit a brief instead. He said we were not required to participate in this meeting, but we really wanted to participate to present our point of view.

Serge Cormier: Okay.

Did you watch earlier testimony from our committee meetings [*Technical difficulty—Editor*]?

Guy Vigneault: I didn't watch all of it because my family is dealing with some medical issues.

Serge Cormier: Okay—

The Chair: Mr. Cormier, I'm sorry to interrupt you, but your time is up. We have to move to our last member.

Mr. Deschênes, you have the floor for six minutes.

Alexis Deschênes: Thank you, Mr. Chair.

Mr. Malec and Mr. Vigneault, thank you for being here.

Mr. Malec, I noticed that you did not finish your opening remarks. I'll give you time to do so, but first, I'd like to clarify some of the things that have just been said, to retrace history, so to speak.

After the first committee meetings, we had a meeting with you, members of AMIK and me. Is that correct?

Guy Vigneault: Yes, that's correct.

Alexis Deschênes: Okay.

During that meeting, I suggested you provide a written submission, but I also said that I'd make representations for you to come and testify before the committee in person. Is that correct?

Guy Vigneault: Yes, but you said that this would probably not be accepted. However, we demanded to be heard.

• (0945)

Alexis Deschênes: Yes.

You know that I'm the one who asked for more time for you to provide evidence and it was during debate in this committee, with support from the Conservatives, that we managed to get more time to hear you.

Guy Vigneault: I don't know that. I can't speak to that. I think pressure from other quarters resulted in today's appearance.

Alexis Deschênes: The motion that was moved, Mr. Vigneault—

Serge Cormier: I have a point of order, Mr. Chair.

The Chair: I'm going to stop the clock.

Mr. Cormier, you have the floor on a point of order.

Serge Cormier: I'll move quickly because I want the witnesses to speak to the issue at hand.

It's my understanding that Mr. Deschênes has just disclosed discussions that took place in camera. I believe that is prohibited, and he should know that because he's a lawyer by training.

When we make decisions in camera, be it to pass motions or to add witnesses, the substance of these discussions cannot be disclosed publicly. I don't want to take up speaking time from the witnesses here today, but what Mr. Deschênes has just done is unacceptable and should be looked at very closely in the next meetings so that this matter can be clarified.

The Chair: Thank you for that point of order, Mr. Cormier.

Mr. Deschênes, you have the floor.

Alexis Deschênes: I want to respond very briefly.

This study is a Bloc Québécois initiative and I'm the one that moved a motion for people from the Côte-Nord to come and testify. Mr. Cormier's questions are misleading everyone because they suggest that I wanted to gag the very people that I personally invited. We can take time to clarify that later so that we hear the people who are here today.

I'd like to give the floor to Mr. Malec because he didn't have time to wrap up his original presentation.

The Chair: Thank you, Mr. Deschênes.

Serge Cormier: I have a point of order, Mr. Chair.

The Chair: Go ahead.

Serge Cormier: It seems that Mr. Deschênes does not understand that it was a breach of parliamentary privilege. Mr. Deschênes is talking about discussions that took place in camera. I'd like the clerk of the committee to look into what happened and for the situation that just transpired to be clarified at the next meeting. We'd like to hear witnesses because their evidence is important to the committee, and we have a limited amount of time to hear a number of witnesses, but what has just transpired is unacceptable.

The Chair: Thank you, Mr. Cormier.

I'll consult with the clerk and get back to that at the next meeting, but for now, let's get back to the witnesses who are here today.

Mr. Deschênes, you have the floor for approximately five minutes.

Alexis Deschênes: Mr. Malec, I suggest you wrap up your opening remarks, which you didn't have time to complete.

Daniel Malec: The discussions we've had pretty much sum up my presentation.

Thank you for giving us time to represent the voices of the Innu from the Côte-Nord. Reconciliation and economic catch-up are very important issues for us. For many decades, indigenous peoples could not participate in commercial fishery in Nitassinan. We've been making submissions for the past 45 years and no government, whether Conservative, Liberal or of any other party, was prepared to make changes. It took 30 years for indigenous peoples to participate in commercial fishery thanks to the Marshall and Sparrow decisions.

Thank you very much, Mr. Deschênes, and Mr. Chair.

● (0950)

Alexis Deschênes: How did the discussions you had with fishers and the Department of Fisheries and Oceans on the attribution of new exploratory licences on the Côte-Nord, including the quotas allotted to Innu and quotas allotted to non-indigenous people, go?

Daniel Malec: As my colleague Mr. Vigneault noted, there were a number of meetings with fishery groups.

The Côte-Nord context is different from the Gaspésie or the Maritimes context. Indeed, fishing activity on the Côte-Nord is fairly limited, and this was a major boost for us. We agreed on a fifty-fifty allocation to achieve economic reconciliation. That was important to us.

With respect to the demographic share, the indigenous birth rate is rather high. On the Côte-Nord, there is a growing presence of indigenous peoples in cities and villages such as Sept-Îles, Havre-Saint-Pierre, and Baie Comeau.

That is what formed the basis of the reconciliation. The discussions took place over several years.

Alexis Deschênes: How did the discussions evolve? Initially, were they between non-indigenous fishers and Innu fishers, with the Department of Fisheries and Oceans coming onside later?

Daniel Malec: There were meeting with fishers. My colleague Guy Vigneault is on a number of committees. There were a great deal of discussions.

The department was determined to have meetings with fishers and with us. There were many meetings, and that's how the agreements with the department came about.

Alexis Deschênes: If I understand correctly, these agreements were reached by consensus. Were the discussions smooth?

Guy Vigneault: They went very smoothly. The Department of Fisheries and Oceans was asked for many things. There were several meetings with different committees. One of the biggest committees on the Côte-Nord is the Regroupement des pêcheurs professionnels de la Haute et Moyenne Côte-Nord, of which I'm a member. I attended many meetings with various fishers and the Department of Fisheries and Oceans to express our views and secure licences.

We heard different perspectives from indigenous peoples, the Regroupement, and existing lobster fishery groups. We had many discussions and decided to move a recommendation for a fifty-fifty distribution. Nonetheless, the Department of Fisheries and Oceans made the final decision. The department consulted us and then made the decision to grant licences on a fifty-fifty basis.

The Chair: Thank you, Mr. Deschênes. That brings us to the end of the second panel.

I'd like to thank the witnesses for coming here today and for their important insights on the topic of our study. Their testimony will help us formulate recommendations to the government.

[*English*]

Before we briefly suspend, Mr. Arnold wants to mention something.

Mel Arnold (Kamloops—Shuswap—Central Rockies, CPC): Thank you, Mr. Chair.

Before we go in camera for this meeting, I note that there was a motion duly passed on October 21, which included that we also call the former fisheries ministers Dominic LeBlanc and Diane Lebouthillier, to testify for one hour. For the public record of this request and resulting communications, can you please advise the committee of the progress of that request?

● (0955)

The Chair: Yes, absolutely, Mr. Arnold. The requests have been sent by the clerk. I'll turn it over to the clerk to speak to it.

The Clerk of the Committee (Maxime Ricard): An invite was sent to the former minister, Minister LeBlanc through Global Affairs last week, which was acknowledged, but I have not received a yes or a no yet.

[*Translation*]

It appears that Ms. Lebouthillier's contact information is not publicly available. I've reached out to a number of different people within the government, and I'll send her an invitation once I have her contact information.

[*English*]

Mel Arnold: As vice-chair and the mover of the amendment to that duly passed motion of this committee, I'd like to repeat the request that former ministers LeBlanc and Lebouthillier appear before the committee and explain why the commitments that were made to harvesters were not honoured. I believe they are the only ones who may know the reasons. Canadians and those harvesters who were affected deserve accountability.

The Chair: Thank you very much, Mr. Arnold. That is duly noted.

Mr. Morrissey wanted to speak on the same issue.

Robert Morrissey: Chair, could you advise the committee—not at the moment—if there has been a past practice of former ministers appearing before this committee? The conventional tradition is that when a minister leaves, a new minister is appointed and that minister today is responsible for speaking to all of the decisions that got us there. I would just like to know if former ministers have appeared before this committee to speak to decisions they made in the past.

The Chair: My understanding, after speaking with the clerk here, is that the current files are dealt with by current ministers. This is not something that I'm aware of happening in the past. That is something we would have to do more research on.

Robert Morrissey: Thank you, Chair.

I would like that, because, yes, parliamentary precedent is that ministers occupying the office at the time are responsible for speaking for the department present and past.

The Chair: Thank you very much, Mr. Morrissey.

Mr. Deschênes on the same point.

[*Translation*]

Alexis Deschênes: Mr. Chair, since we're publicly discussing a motion that was passed in camera, I'd like to ask that you read that motion and tell us how it was passed.

[*English*]

The Chair: Mr. Cormier, please go ahead.

[*Translation*]

Serge Cormier: I'll wait, Mr. Chair.

The Chair: Mr. Deschênes, we can't discuss matters that were heard in camera. We can only talk about the motion that was passed.

Alexis Deschênes: Can you tell us who moved that motion?

The Chair: I'm afraid I can't.

Mr. Cormier, you have the floor.

Serge Cormier: Thank you, Mr. Chair.

First, could we dismiss the witnesses?

The Chair: Yes. I think the witnesses can leave.

We have time to discuss other matters in camera if we don't have other presentations on this subject.

[*English*]

We're going to have a brief suspension while we move in camera.

[*Proceedings continue in camera*]

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>