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Chair: Mr. Ken McDonald



Standing Committee on Fisheries and Oceans

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• (1135)

[English]

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

Welcome to meeting number 93 of the House of Commons Standing Committee on Fisheries and Oceans.

This committee is taking place in a hybrid format, pursuant to the Standing Orders.

Before we proceed, I would like to make a few comments for the benefit of witnesses and members.

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

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

Please address all comments through the chair.

Before we proceed, I simply want to remind members to be very careful when handling the earpieces, especially when your microphone or your neighbour's microphone is turned on. Earpieces placed too close to a microphone are one of the most common causes of sound feedback, which is extremely harmful to our interpreters and causes serious injuries.

Pursuant to Standing Order 108(2) and the motion adopted on January 18, 2022, the committee is resuming its study of illegal, unreported and unregulated fishing.

Before we go to witnesses, I will say that we have until 1:30 for committee business today. That's a dead stop at 1:30. That gives us pretty well 55 minutes with each panel.

I would like to welcome our first panel of witnesses.

Online we have Mr. Morley Knight, who is a fisheries management consultant. Representing Oceana Canada, we have Kimberly Elmslie, campaign director. From the Outlaw Ocean Project, we have Mr. Ian Urbina, director.

We'll start off with five minutes each.

We'll start with Mr. Morley Knight for five minutes, please.

Mr. Morley Knight (Fisheries Management Consultant, As an Individual): Thank you, Chair.

Good day, committee members. Thank you for the opportunity to appear before your committee again and to contribute to your study on illegal fishing.

For most of my time in DFO, I was working in the area of conservation and protection, or C and P. I started as a river guardian and worked at all levels in the organization, as a fishery officer, a supervisor and a manager, and then as director of C and P for the Newfoundland and Labrador region. As director, I was part of the national executive team for C and P and contributed to program development and management across the country. As director in St. John's, I was responsible for Canada's offshore monitoring and compliance program, protecting our 200-mile limit as well as the straddling stocks. While I was the director, we developed and implemented the vessel monitoring system and the leading forensic investigation capacity in the country. Later, as regional director general in Moncton and Halifax, I was responsible for C and P in the maritime provinces.

Illegal fishing is most often driven by the profit motive—to make money—and occurs in the commercial fishery in primarily two ways. The first is to cheat on quotas or enterprise allocations and land more fish than permitted by the licence. This is prevalent in such high-value fisheries as crab and halibut. The second common objective is to avoid taxation. This occurs in such high-value fisheries as lobster. While there is no quota to abide by, there is a significant incentive to not report all catch and to avoid being taxed on the income.

Illegal fishing is also done by people who are not licensed to fish. Sometimes they do that to sell fish, such as salmon, illegally, or it's for their own food. In some cases, people who don't need the food just want to poach salmon, as an example. Perhaps they're just doing it for recreation.

There is also the issue of fishing by indigenous people, to which they feel they have a right. Commercial harvesters see their activities as illegal fishing. This is a very contentious issue in such fisheries as the elver fishery and the lobster fishery in recent years. It has been a problem in other fisheries in other parts of Canada at other times. These situations are very frustrating—for the conservation officers who are caught in the middle, for licensed harvesters and for the indigenous people who feel harassed by both enforcement staff and the commercial harvesters. The frustrations can be mitigated by clearly communicating the rules, having an orderly and regulated fishery, and then providing an adequate monitoring and compliance presence to effectively implement the rules.

While that sounds simple, it is not. While patience is required, action is also required before the situation explodes or stocks are harmed.

The C and P program of DFO has the strategies and capacity to implement a reasonably effective compliance program, but that's if they have a level playing field to start from. That level playing field includes the necessary support from the Coast Guard for them to deliver their offshore compliance programs, clear rules for the commercial fishery and the settlement of rights for indigenous groups. They have effective mechanisms to work with other agencies, such as the RCMP and other federal and provincial agencies. They have, and use, such technologies as satellite monitoring and VMS and forensic investigations. They have the use of the various technologies as much as or more than other agencies.

What needs to be done to address some of the concerns you've been hearing about? Here are five random ideas.

One is presence. The key element in any situation where there is non-compliance is having an effective monitoring presence, which in some cases requires bringing in the necessary staff from other parts of the region or elsewhere in Canada.

Two is leadership. The C and P program sometimes suffers from the lack of strong leaders. Leaders have to be brought in from other organizations, which in many cases doesn't work very well. Effective leadership development has to be a long-term strategy for the C and P program.

Three is to settle the indigenous rights issues. While there is a risk in that, and one side or the other will not like the outcome, the courts may have to be used to settle or clarify the rights of indigenous people who fish. Without that, anarchy will reign and there can be no effective compliance program. The risk is greater than what the courts may decide.

Four is to implement DMP in the lobster fishery. Lobster is the most lucrative fishery in Canada. Almost all quota fisheries have a dockside monitoring program, but lobster does not. Industry will resist, but an effective DMP would resolve most of the current problems in the lobster fishery.

Five is to implement catch certification for all commercial fisheries. More than a decade ago, DFO set up a catch certification office in P.E.I. to meet the EU requirements for government certification that any product going into the EU was legally caught and recorded. A logical next step would be to implement this process for all exports and subsequently require it for all product coming

from a fish buyer or processor, regardless of whether it's being exported or not.

• (1140)

Thank you for the opportunity to present to you today. I look forward to your questions.

The Chair: Thank you, Mr. Knight.

We will now go to Kimberly Elmslie, for five minutes or less, please.

Ms. Kimberly Elmslie (Campaign Director, Oceana Canada): Good morning. Thank you for inviting me to appear.

I'm the campaign director for Oceana Canada. At Oceana, we believe that by restoring Canada's oceans, we can strengthen our communities and reap greater economic and nutritional benefits.

When fish derived from illegal, unregulated and unreported sources enters the Canadian supply chain, it undermines our food safety, cheats consumers and the Canadian fishing industry, thwarts efforts to stop overfishing and contributes to human rights abuses.

In Canada, a lack of traceability in seafood supply chains is allowing fish from IUU sources to enter our marketplace. Without traceability, an endangered species of fish caught by forced labour on a vessel fishing illegally can make its way onto Canadian grocery store shelves with no way for consumers to know the truth about its origin.

To combat IUU, Oceana Canada recommends the following:

Implement a full-chain boat-to-plate traceability system for all seafood sold and caught in Canada.

Require an annual report to Parliament on the status of imported and domestic stocks.

From reported stocks, DFO should identify the origin of catches and verify the legality of all seafood being sold in Canada. For domestic stocks, DFO should report on performance and management decisions for all stocks.

Require labelling on all seafood products sold in Canada to include the scientific species name, the geographic origin and the type of fishing gear used.

Implement DFO's fishery monitoring policy to facilitate international reporting and to help the fishing industry meet import requirements in other countries and ensure that valuable export markets remain in place. The department must accelerate efforts to transition to electronic reporting that records all sources of catch, including bycatch and discards.

Urgently move to enact legislation with the direct purpose of eliminating forced labour in Canada's global supply chains, including the seafood sector.

Combat IUU at the global level by continuing to fund and expand the development of federal government technology programs and organizations, including DFO's dark vessel detection program and Global Fishing Watch.

When implemented, these recommendations will ensure that, ultimately, only legal, sustainable and equitable products are sold in Canada. They will also create safeguards, so that Canadians purchasing seafood are not unknowingly contributing to forced labour or other human rights abuses. Efforts to tackle IUU fishing will also redirect financial contributions back to the legitimate economy.

In a study that we commissioned, researchers estimated that Canada's commercial fisheries sector generates a landed value of approximately \$354 million annually from unreported catches, resulting in an estimated tax revenue loss of almost \$34 million a year. Furthermore, Canadians are spending up to \$160 million a year on imported seafood derived from IUU fishing, including seafood potentially harvested using forced labour.

Since 2017, Oceana Canada has conducted DNA testing on seafood from grocery stores and restaurants across Canada. In the spring of 2021, we found that 46% of the seafood samples tested were mislabelled. Our testing of 472 samples taken between 2017 and 2019 found that a similar 47% of the samples were mislabelled.

Our analysis found several instances of escolar labelled as butterfish or tuna. Escolar is an oily fish that causes acute gastrointestinal symptoms and is banned for sale in several countries. We found Japanese amberjack sold as yellowtail. Amberjack contains a natural toxin that can cause long-term debilitating neurological symptoms. We also found several endangered species of fish being sold.

Canada's seafood supply chain remains opaque, with weak traceability standards. By implementing our recommendations, the government could keep IUU fish out of the Canadian market, protect our health, our oceans, our wallets and our seafood industry, and not contribute to global human rights abuses.

Canadians deserve to feel confident that their seafood is safe, honestly labelled and legally caught.

Thank you.

• (1145)

The Chair: Thank you for that.

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

Mr. Ian Urbina (Director, The Outlaw Ocean Project): Thank you.

My name is Ian Urbina. I'm the director of The Outlaw Ocean Project. We're a journalism organization based in Washington D.C.

I spent two decades at The New York Times, on the investigative unit. The last big investigation I conducted there looked at human rights and environmental crimes on the watery two-thirds of the planet.

After leaving the Times, I created my own shop, if you will. We're a team of 12. We're decentralized, and we do deep-dive investigative projects. We're always reporting at sea and on the fishing vessels, if fishing is the target.

The last four years were spent specifically looking at the Chinese distant-water fishing fleet, which are vessels in foreign waters or high seas. We focused on China in particular. It's of great relevance to Canada in particular, because China is the superpower of seafood by two metrics. One is the number and tonnage pull of vessels on the water around the world. China has more distant-water fishing vessels than the next largest fleet by a factor of 10.

The second reason it's the superpower of seafood is its processing capacity. Fish pulled out of Canadian waters by Canadian flag vessels, out of U.S. waters by U.S. flag vessels—or French, German or Spanish, etc.—are often landed in the home country and then frozen, shipped to China for processing, frozen again and shipped back.

China, for both of those reasons, is really the bottleneck of the global seafood supply chain, so the crimes, be they IUU fishing or human rights on land in processing plants, are of great concern to the rest of the world, including Canada.

What our investigation found was a global fleet that is China, and a processing infrastructure that is, especially, in Shandong province in China, that has myriad deep concerns.

On the fishing vessels themselves, we found widespread problems of IUU. These came in various categories. AIS darkness is when vessels go invisible or go “dark” by turning off their transponders for long periods of time—often weeks and months—which is a violation of Chinese law and other rules. We also see the ramming of other ships; Chinese vessels' incursions into foreign waters—Argentinian waters or West African waters, where they're not licensed—using gear they're not permitted to use; and human trafficking on the vessels. We see high-grading, which is the dumping of fish when they can catch more fish, and fishing in zones where they're not permitted. There is a wide variety of IUU-related crimes by this fleet. There are also severe human rights abuses on the vessels themselves.

On land, we also found things that cause very deep concern, and we continue to report that. There is widespread use of Xinjiang Uyghur labour—state-sponsored forced labour—in processing infrastructure. One of the largest companies that's bringing a lot of seafood into the west is a company based in Canada. It's one of many companies that we found to be importing seafood from processing plants that have widespread use of banned labour—either North Korean state-sponsored forced labour or Xinjiang Uyghur forced labour.

The bottom line is that there's a huge problem and it gets back to import controls, supply chain tracing and a willingness of companies, be they Canadian, American or any others, to reckon with whether they can actually keep track of the conditions on the vessels or in the processing plants. These are the core concerns that the industry and government players are going to have to confront.

I was just in Ottawa a week ago, meeting with folks in your foreign affairs office about some concerns about laws on the books for import controls and the ability under existing law for Canada to stop the import of certain seafood that's been tied to IUU or human rights, but there's a lack of political will and a lack of experience in using those laws. There's growing pressure, I think, partially because of this investigation and the work of others—Morley and Oceana included—to really draw attention to some of these concerns.

One final thing I would mention is that I think there needs to be a reckoning within the IUU and marine community with some of the issues that Oceana just raised and that our investigation has been raising for a while. This is the redefinition of illegal fishing. If we're going to talk about IUU and not actually take into account concerns about sea slavery and human rights concerns in the processing infrastructure, we're going to end up having to solve a problem twice.

If we have a bifurcated, siloed method of tackling IUU that doesn't include the human conditions, these same concerns within the seafood supply chain are going to come up again in a separate form, so I would encourage you folks to actually look at the definition of IUU and really think hard, as the U.S. is already doing, about incorporating new components in that definition.

• (1150)

I'll end it there. Thank you.

The Chair: Thank you for that.

We'll now go to our first round of questioning.

We'll go to Mr. Small for six minutes or less.

Mr. Clifford Small (Coast of Bays—Central—Notre Dame, CPC): Thank you, Mr. Chair, and thank you to the witnesses for taking part in our very important study today.

Mr. Chair, my first question is for Mr. Knight.

I'm wondering if you could explain to the committee how dockside monitoring of lobster catches would resolve the current problems in the lobster fishery.

Mr. Morley Knight: I think the DMP is an essential link with the other tools in place in the fishery. For example, lobster harvesters are required to complete logbooks, and purchasers—whether they're buyers or processors—are required to complete purchase slips and report landings to provincial and/or federal officials. The opportunity to tie that all together comes with the dockside monitoring program, which ensures, through a third party verification system, that all landings are reported and cash sales aren't occurring without the proper documentation. It would allow all of the catch that's currently coming out of the water and not getting recorded or noted for scientific research purposes....

Like I said, I think third party DMP verification is the piece of [*Technical difficulty—Editor*] on a lot of the current concerns, including looking at lobsters that are coming out via sources and being shipped from province to province or out of the country without the proper documentation and receipts.

Mr. Clifford Small: Thank you very much.

I have another question for Mr. Knight.

We've had reports of DFO patrol vessels being out of service this past year, particularly ones that patrol the 200-mile limit.

Should the Coast Guard provide better resources to C and P to make sure the nose and tail of the Grand Banks and our 200-mile limit in that area right there are fully patrolled at all times?

• (1155)

Mr. Morley Knight: Look, I'm not in DFO anymore, but I can tell you from past experience that unless there's a constant presence out there, with our patrol ships guarding our 200-mile limit and beyond, the ships there from all the other countries will be congregating on stocks they shouldn't be catching.

Yes, there needs to be greater accountability to keep ships operational. I think there needs to be a yearly accounting of the patrol days that are actually in the NAFO regulatory area and within our 200-mile limit. Without that, the situation will deteriorate.

Mr. Clifford Small: Again, on that same topic, it's widely anticipated that the northern cod quota is going to be substantially increased in the coming year. As we know, NAFO countries other than Canada stand to get 5%.

Do you think the Department of Fisheries and Oceans should be preparing for the threat of IUU fishing due to the fact that these countries are going to be able to come inside our 200-mile limit and catch 5% of that TAC?

Mr. Morley Knight: I'll give you a slight clarification. They won't be allowed to come inside our 200-mile limit. They will have to catch their 5% in division 3L, outside, where the cod stock is.... It's a straddling stock. It straddles both inside and outside.

However, there is a real risk, as you pointed out, that, if it's not carefully controlled and monitored with regular inspections of vessels, the catches will be under-reported and the fishing efforts will far exceed what they should be by foreign vessels.

Therefore, it needs a constant presence and a regular inspection.

Mr. Clifford Small: My next question is also for Mr. Knight.

We heard testimony about illegal elver fishing in Nova Scotia this past spring.

In your opinion, based on your experience, what does DFO need to do to be ready to stop this from happening again next year?

Mr. Morley Knight: This is a situation that's been getting worse as time has gone on over the past few years.

Before next spring occurs, if we're going to improve the situation, DFO needs a clear plan that is communicated to all parties. There need to be clear expectations of what is permitted and what is not permitted. They need an operational plan and resources lined up to execute their plan, bringing in staff from across the country, if needed.

Also, they have to make it clear that those who don't comply with the rules in place will be arrested, and equipment used in the commission of the offence will be seized, whether it's fishing gear, pickup trucks or what have you. They have to execute that plan. It won't take long before the situation will.... There will be a count-down, and there will be compliance if those actions are taken.

Mr. Clifford Small: I have one quick question, Mr. Knight. If we don't have time to finish it off, you might be able to submit it in writing.

Many in southwestern Nova Scotia feel that out-of-season lobster fishing has been taking place under the watch of DFO.

What does DFO need to do to change that perception?

Mr. Morley Knight: In the interests of time, all I'll say is that you need to do the exact same thing I just described in the elver fishery. You need to have a clear plan. People need to understand the rules and DFO needs to execute the plan and arrest those who

don't comply. It's as simple as that. After a very small number of arrests and seizures are made, compliance will occur.

The Chair: Thank you, Mr. Small.

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

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Thank you, Mr. Chair, and thank you to our witnesses here.

One thing we have to state off the top is that sometimes, in our funding system, politics get in the way of common sense. Over the years we've had cuts to the Coast Guard and votes against Coast Guard funding, most recently a couple of nights ago. It's not helpful. We understand why that happens and what drives it. Sometimes partisanship gets in the way of common sense, and it's not helpful. Let's put it that way.

I want to remind you that you're here as a witness in a parliamentary standing committee, so you have certain privileges to disclose things that would otherwise get you in trouble out in the wide world.

You mentioned that there's a Canadian company that's involved in importing fish from China, I think you said.

Can you name that company?

• (1200)

Mr. Ian Urbina: Sure. I've written extensively about it. It's High Liner Foods, and it's one of the main importers of large amounts of seafood into Canada.

Mr. Ken Hardie: Is this an error of omission or commission when it comes to the possibility of illegally caught fish coming into Canada through that company?

Mr. Ian Urbina: I can speak only of my suspicion that it's an unwitting error. I think the extent to which it's witting is that, when these companies and many others decide to go into China, they opt to play by the rules that exist there. Everyone knows what those rules are, and one of them is that there are fundamental prohibitions against core things that you would need to check your supply chain for.

For example, on the ability to do spot checks on processing plants, you don't show up unannounced to a Chinese processing plant. You need permission, and those folks must know in advance. If you can't do spot checks on a processing plant, you can't get an honest assessment of whether there is forced labour in that processing plant. When companies go into China, they know the rules of engagement, and they make a decision. That's witting; that's not unwitting.

Whether this company or many others knew that they have North Korean or Xinjiang forced labour in the plants, I somewhat doubt, but they didn't know for reasons that they did know, if you understand what I'm saying.

A similar point I would make is that when it comes to on-water crimes, the IUU crimes of the vessels at sea, there is also an industry-wide witting blind eye turned to the fact that spot checks are not done on vessels on the high seas, Chinese or otherwise. When you're getting your catch from vessels, even if you have a certain amount of supply chain traceability and you know roughly what vessels that specific catch is coming from, you don't know what's going on on the vessels. Also, you probably don't know what's going on in terms of where those vessels are fishing and what gear they are using.

Mr. Ken Hardie: I appreciate that background, but I have to get to some other questions.

Mr. Knight, I would not want to be in the shoes of an enforcement officer staring down a couple of dozen people who are doing illegal things alongside of a river or a waterfront somewhere.

I think you're going to say yes, but do you think that we should mobilize Canada's intelligence service to follow the money to get to the people who are enabling or, if you like, encouraging illegal fisheries because there's money in it for them? If we cut off the money, I think we would maybe cut off the problem. Do you agree?

Mr. Morley Knight: I would agree with your first point that you can't have an enforcement officer up against 15 or 20 poachers, but you have to bring in the force to assess that.

What I can tell you is that DFO has partnerships with the necessary agencies, including.... I won't tell tales out of school, shall I say, but that includes all of the federal agencies necessary to collect information. At the same time, you can't always get the required information if the mechanisms aren't in place. I've already mentioned traceability and having all of our catch accounted for through our traceability certification program, so I think the necessary tools have to be put in place.

Mr. Ken Hardie: I remember that years ago there was a bit of a stunt pulled off in New York Harbor by a fisheries minister. I can't remember which one.

A voice: Mr. Tobin.

Mr. Ken Hardie: Was it Brian Tobin, with the net that was scooped from a Portuguese vessel that was illegally fishing? He piled it up on a barge in New York Harbor.

Why isn't that still happening? Why aren't we out there disrupting the bad guys from foreign fishing fleets, who are basically poaching our fish?

Mr. Knight, can you comment on that?

Mr. Morley Knight: I'm well familiar with that incident back in 1994, Mr. Hardie.

What I can tell you is that we've made leaps and bounds and strides of progress, particularly on our east coast, within the NAFO regulatory area. We do not have unregulated vessels there. They're all from contracting parties to the Northwest Atlantic Fisheries Organization regional fisheries management organization.

There has been a suite of rules put in place that now require illegal fishing activity to be sophisticated.... I'll put it this way, as one enforcement officer said many years ago: They're no longer catch-

ing and misreporting in truckloads. They're doing it in bucketfuls. There's still a need for constant surveillance there, but we don't have that complete blatant disregard for the rules on an ongoing widespread basis like we had back in 1994.

• (1205)

The Chair: Thank you, Mr. Hardie.

We'll now go to Ms. Desbiens for six minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, BQ): Thank you, Chair.

I'd like to thank the witnesses for participating in our study. It's courageous of them to testify about illegal fishing.

I'll turn to Mr. Urbina, who's an investigative journalist.

I'd like to take this opportunity to commend your work and that of journalists in general. Without all of you, it would be impossible to shed such a fair and impartial light on the reality that is sometimes experienced on the ground. I know that journalism is currently facing serious threats. It's all the more important to highlight the value of the work you and all your colleagues do, Mr. Urbina.

Now, I'd like to know if you've investigated illegal fishing in Quebec, more specifically in the Gulf of St. Lawrence and on the St. Lawrence River.

[*English*]

Mr. Ian Urbina: Thank you for the kind words. No, I have not.

[*Translation*]

Mrs. Caroline Desbiens: In that case, I'm afraid I'll have to turn to someone else. I may have a question for you at the end.

Mr. Knight, in all of this, I'm thinking about the resource. The last witnesses we met with helped us understand the extent to which illegal fishing, particularly in the case of the glass eel, had a significant impact on resource protection.

Have you been able to gather any data that would provide insight into what's happening in Quebec in terms of illegal fishing, compared to the eastern portions of the Gulf?

[*English*]

Mr. Morley Knight: I'll speak about elvers in the general sense, in that to the best of my knowledge, given my experience, there's no elver fishery occurring anywhere else in eastern Canada. There have been, over the past 20 years, significant reductions in eel fishing in all provinces in eastern Canada. The elver fishery, to the best of my knowledge, occurs only in Nova Scotia, so it's difficult to make any comparison, other than saying that it doesn't happen anywhere else, to the best of my knowledge, so I don't think we can compute illegal activity from one province to the next that way.

[Translation]

Mrs. Caroline Desbiens: I used glass eel fishing as an example, but have you identified other types of illegal catches in Quebec? What impact does this have on the resource in Quebec, whether it's lobster or even other species whose harvesting is prohibited in principle, but which are being harvested anyway?

[English]

Mr. Morley Knight: I'll give you one or two examples.

One is in the crab fishery. I'm aware, based on my history and on working with my colleagues in Quebec over the years, that illegal harvests occur in the crab fishery through the misreporting of catches. In other words, someone has a quota of, let's say, 50 tonnes of crab, but they're able to land 60 or 65 tonnes of crab by a different mechanism that allows them to escape the rules that are in place, land more catch and get more money. I'm aware of that occurring in Quebec, probably on a relative scale compared to how it occurs in the rest of the gulf region and in the province of Newfoundland and Labrador.

When it comes to lobster fishing, I know there's some misreporting of lobster catch for the same reasons I mentioned earlier: People want to catch lobster but not to report all of it, because they want to avoid paying tax on their income. Based on my experience with my colleagues in Quebec, with whom I had very close connections over the time I was director of conservation and protection, unfortunately I believe that people in Quebec are just as likely to break the law as are those elsewhere in Canada, but, I would say, no more likely.

[Translation]

Mrs. Caroline Desbiens: Without a doubt.

What would you say is the priority? Should we increase surveillance, including through technology, strengthen enforcement and impose more penalties? Should more people be deployed locally to raise awareness? Or would it be better to apply both solutions extensively to achieve a concrete solution to the problem?

• (1210)

[English]

Mr. Morley Knight: Yes, I think so.

I've always believed that education and stewardship are key elements of the conservation and protection program and that the C and P program needs to collaborate closely with harvesters on what the priorities are and on how to gain compliance in their area. At the same time, I think one of the things we need to be clear about is that in every fishery, we need a presence. Whether it's in the lobster fishery in Quebec or patrolling our 200-mile limit, we need to have a presence on the ground—it can't be done sitting in front of a computer screen. We need high-tech solutions as well, but in all cases, for an effective compliance program, we have to have a presence.

I would say the greatest thing we can do in Canada today to address the most difficult situations we have is to clarify the rules, let everyone know what the situation is and then carry out the enforcement program to enforce the rules.

The Chair: Thank you, Madame Desbiens.

We'll go to Ms. Barron for six minutes or less.

Go ahead, please.

Ms. Lisa Marie Barron (Nanaimo—Ladysmith, NDP): Thank you, Mr. Chair, and thank you to the witnesses for being here.

I'm going to start with a question for Mr. Knight, and following that I will have questions for Ms. Elmslie.

Mr. Knight, perhaps you can clarify. I completely agree with many of the points you made around the importance of looking at indigenous rights, ensuring that appropriate information and clear information are made available, and ensuring that there are opportunities for indigenous and non-indigenous to understand what the roles are and how to work together. There's a lot of clarity missing, and I'm hearing from people from all the coasts of Canada about the ongoing frustration. This is a theme.

You said something at the beginning, and I want to make sure I provide the opportunity to get some clarification around it and to ensure there isn't any miscommunication. Your words were that indigenous people “feel they have a right”. I want to ask you to clarify why you used the phrase “feel they have a right” in there, just to make sure we're all on the same page.

Mr. Morley Knight: I would say that is a very difficult question.

It is a very contentious situation. In many cases, I think, right now, DFO finds itself in a situation where it's trying to sort out what exactly the right is, and that's particularly true, I believe, in the moderate livelihood fishery in the Maritimes. In the absence of DFO coming out and saying, “Yes, this is permitted,” or, “No, this is not permitted,” I think anarchy is going to reign.

That's why I would say at this point in time, just to put it into parameters, that they feel they have the right. I'm not in a position to make the determination on that, and I believe DFO is struggling. I believe it may require the court to make those clarifications. As I said earlier, the risk of not making those clarifications is probably larger than the risk of going to court to have things clarified for everyone.

Ms. Lisa Marie Barron: Thank you, Mr. Knight. I think, again, it really reaffirms the importance of having clear information available for everybody involved.

Welcome back to you both, Mr. Knight and Ms. Elmslie.

Ms. Elmslie, I wanted to ask you about some previous discussions.... It's interesting to see the many ways in which our previous study on labelling and this study overlap. We spoke quite a bit in our previous study about the boat-to-plate traceability program that was promised in the 2019 ministerial mandate letter. You spoke today about the importance of a full-chain, boat-to-plate process.

In a previous meeting, I asked our assistant deputy minister, Mr. Adam Burns, about what's currently in place around the electronic reporting. I just want you to hear his response, which was that there is an expansion on the electronic logbook program coming up, that it's currently largely voluntary—which is, of course, what we spoke about before—and that they want to “move to a system in which logbooks are entirely electronic so that we have real-time data coming from harvesters to better understand the state of play of a particular fishery and also to make it easier for them to provide us that information.”

I bring this up because it feels like everybody is on the same page around the importance of this. I keep hearing about the importance of it, but I'm not seeing that action happening in the timely manner required. It should have happened a long time ago.

I'm wondering if you could provide some thoughts around the importance of the electronic reporting and what you're currently seeing in place in this capacity.

• (1215)

Ms. Kimberly Elmslie: It's something we also touch on in our fishery audit, and it's something that we refer to as the “implementation gap”. What we're seeing is that DFO often has a lot of very good policies. It makes a lot of commitments to things, but the actual implementation of those things is not happening.

We're seeing this with the fishery monitoring policy. It's an excellent policy, and a lot of work has gone into it, but it hasn't been implemented yet, so that needs to be implemented and expedited.

I think it speaks a bit to one of my recommendations. In the U.S., there is a report to Congress on multiple factors that happen. It's not only the status of stocks, but other things like work plans and where the government work plans are. We don't have a similar accountability system for DFO here in Canada. One of the things that we would call for is a report to Parliament so that there is some accountability from DFO on its commitments and its work plans and whether it's implementing its policies.

We recently saw from the Auditor General's report on monitoring the gaps that exist. Again, there is a response from DFO, but we need to keep that accountability and the follow-up there so that things are implemented and things are moved forward.

Ms. Lisa Marie Barron: Thank you, Ms. Elmslie.

Both you, Ms. Elmslie, and Mr. Urbina spoke about the human rights abuses that are resulting from the illegal, unregulated and unreported fishery. Mr. Urbina spoke quite at length about the human rights abuses on the international stage.

I am unsure whether you can provide further insights into what you're hearing around human rights abuses internationally, but is there anything more domestic that you can share with us about the impacts of this illegal, unregulated and unreported fishing?

Ms. Kimberly Elmslie: Is that for me or Mr. Urbina?

Ms. Lisa Marie Barron: That is for Ms. Elmslie. I'm sorry. Thank you.

Ms. Kimberly Elmslie: We have some research papers that I can submit to the committee that we've looked at before on the global abuses. Certainly, Mr. Urbina can speak to that in more detail.

Without a traceability system.... Right now, we estimate that about 30% of the global catch comes from IUU sources, so it's making it onto Canadian plates. Without a traceability system in place, we can't document when we go back.

We had that issue when we talked to a lot of different restaurants when we did our DNA testing. We've gone into restaurants and asked them the source of their fish, and a lot of those restaurateurs are very frustrated, because they don't know. They'll show us the box of fish that arrives with really no information at all on it.

It's very hard, when you're trying to keep systems in place, to really trace back where it's from. I can find out right now, or most of us can find out, for a beef cow, almost what feedlot in Alberta it came from, but we can't find the same for our fish, even for the vendors who are selling them.

There are some excellent programs, like Skipper Otto and others, that are doing that, and there are some traceability systems that MSC and Metro have put in place, but again, that's piece by piece. We need a full system, so that everybody is aware of that and we can filter out what we don't want to have on our plates.

The Chair: Thank you, Ms. Elmslie.

We have to go now to our next questioner.

We have Mr. Arnold for five minutes or less, please.

Mr. Mel Arnold (North Okanagan—Shuswap, CPC): Thank you, Mr. Chair. I thank the witnesses for being here. Time is short.

Mr. Urbina, in August 2020 a colleague and I wrote to Canada's federal fisheries minister to express our concerns on news reports of 260 vessels from the People's Republic of China's distant-water fishing fleet pillaging fish populations in international waters beyond Ecuador's exclusive economic zone, in a significant fishing migration route between the Galapagos Islands and the Ecuadorian coast. When we received a response from the minister, she mentioned international agreements and discussions but nothing about the actions being taken by Canada or partners to confront China in response to conduct in their distant-water fishing fleet in the Galapagos.

Mr. Urbina, are you aware of any governments or transitional organizations confronting China in response to their pillaging of the Galapagos fisheries in summer 2020?

• (1220)

Mr. Ian Urbina: The 200 to 300 vessels that you're referring to are largely squid jiggers. They go every year, and have been for a decade, to those high seas waters near the Galapagos. We actually boarded those vessels and inspected their conditions, their supply chain, etc. We traced many of those vessels back to the Canadian market, the U.S. market and others.

To answer your question more on point, the Chinese government, interestingly, because of the bad press that began in 2020 but has continued since then about that specific fleet and that specific location, ordered its vessels—that fleet specifically—to back off and stay 50 miles away from the line. Most of the vessels were already outside Ecuador's and Galapagos waters. They instructed them to stay further out.

That doesn't mean that many of those vessels are not still engaging in IUU. In fact, they are, and we've documented them. Many of the same vessels are invading Argentinian waters, Peruvian waters, etc.

In terms of government action, there's been very little. Canadian mechanisms of pressure would be customs. It would be at—

Mr. Mel Arnold: Thank you.

In your view, why aren't governments of countries like Canada and the U.S. confronting China to press them to stop the illegal activities of their distant-water fishing fleet?

Mr. Ian Urbina: The seafood is cheaper.

Mr. Mel Arnold: Did you say it's because it's cheaper?

Mr. Ian Urbina: Yes, for consumers.... Why are all industries, such as textiles, etc., in China? It's because it's cheaper.

Mr. Mel Arnold: We know there are many international agreements aimed at preventing IUU. Is there any international body that actually performs the enforcement of international laws and regulations in international waters?

Mr. Ian Urbina: It depends on the species and the location, to be honest. There are RFMOs in specific places that pertain to tuna, for example. Squid has very few. There is one RFMO in South America that pertains to squid, but it doesn't encompass the region you're discussing. For the most part, the answer is no.

Mr. Mel Arnold: What would it take for international waters to be secured and protected from the Chinese illegal, unreported and unregulated illegal fishing?

Mr. Ian Urbina: It would take a bunch of things. It would take western brands in Canada, the U.S. and Europe to apply pressure on their own companies and foreign companies that are tied.... It would take governments to set aside MPAs on high seas and have mechanisms to do that, such as the High Seas Treaty on biodiversity. It would take enforcement collaboration among many countries to arrest ships when they come in if they have documented abuses.

Mr. Mel Arnold: Thank you. I need to move on now to Mr. Knight.

Mr. Knight, are you aware of any instances in which C and P officers were told or advised to observe and not enforce?

Mr. Morley Knight: Yes, I am. I have to go back over my lengthy career in conservation and protection to say yes to that. There are times when the situation is just so volatile that the action directed and given to officers is that at this point in time they observe and record, and we'll decide what we're going to do with that information later.

Mr. Mel Arnold: In those cases, is it because of the potential danger or risk to the enforcement officers, or are there other reasons?

Mr. Morley Knight: I think it's a combination. Sometimes it's a risk to the officers; sometimes it's the volatility of the situation and the potential for widespread civil disobedience. It does occur. In some cases enforcement action is taken later, and arrests are made.

Mr. Mel Arnold: That's my time.

The Chair: Thank you, Mr. Arnold.

We'll finish up our first hour with Mr. Hanley, for five minutes or less, please.

Mr. Brendan Hanley (Yukon, Lib.): Thank you very much to all three of you.

Mr. Knight, I maybe will continue the questioning with you.

Since Canada acceded to the Agreement on Port State Measures, do you see that in itself as having enabled some positive activity in terms of improving co-operation, monitoring and tracking of illegal activity?

Can you talk about what the effect of that has or has not been?

• (1225)

Mr. Morley Knight: I was the Canadian expert who helped write the first draft of the port state measures agreement, and I was there through all of the negotiations on refining it.

It did take us quite a while to get the treaty ratified in Canada. Notwithstanding that, we had implemented most of the measures in the port state measures treaty through our other treaties, like NAFO and ICCAT and other RFMOs before that.

It didn't change very much of what we do in Canada when foreign ships land here, but it gives us the mechanism to address these things elsewhere in the world. If vessels happen to be fishing in proximity to Canada but outside of our 200-mile limit, then we can make the request that wherever the vessel lands to, it gets inspected according to the measures of the port state measures agreement.

Yes, I think it helps.

Mr. Brendan Hanley: You also referred in various presentations to the need for a more international, collaborative approach regarding transboundary issues.

I wonder if you could briefly describe your advocacy there.

Mr. Morley Knight: This is particularly true for highly migratory stocks. If that's tuna, for example, we have the International Commission for the Conservation of Atlantic Tunas. I believe over 50 countries are party to that.

If we don't collaborate on the management of those stocks wherever those fish swim, then we're not going to effectively manage those stocks. It's the exact same situation that we see in the South China Sea, where mackerel, squid and skipjack tuna are migrating around that sea. If one country sweeps it all up when they're in their jurisdiction, then the stock will collapse.

In Canada, I think we're strong advocates for that. I think we've effectively used the RFMOs, like ICCAT, NAFO and others, to make sure that the rules are being followed, to the extent that we can from our position in the organization.

Mr. Brendan Hanley: Thank you very much.

Ms. Elmslie, thanks also for being here. It's good to see you before the committee again.

You mentioned a 46% mislabelling rate, and I believe that same statistic came up in our labelling study.

I wonder whether you could again clarify what's inside that 46%. Is it about content, origin or both? Can you unpack that a bit?

Ms. Kimberly Elmslie: Sure. That is almost all of those things.

To clarify, it was 40% of the samples we tested, not 46% of all fish. When we tested, it was not what was labelled on the menu, or it was a fish that was not on a fish list...even if the waiter went back to the kitchen to find out the information and provided the wrong information.

We also looked at what was on the label when we were buying fresh fish from a supermarket, for instance, and whether it all matched up. That's what we found, that the labelling was not matching up.

Mr. Brendan Hanley: Thank you.

Since my time is limited, I'll quickly shift to you, Mr. Urbina.

It seems, both from your presentation and your website—which I had a brief look at—that your entire focus is on China.

I wanted to clarify the relative contribution of seafood caught by Chinese vessels in terms of the total global harvest. Are there other significant players that compare to China, either in volume or in practice?

Mr. Ian Urbina: Our focus is not entirely on China. Right before that last investigation, we looked at the Thai fleet; before that, it was the Taiwanese fleet, and before that was the South Korean fleet. We've just recently been turning to China.

To answer your question, I think the largest big players that are IUU-connected are the largest big players. In terms of the high-seas fleets, you'd be looking at Taiwan, South Korea and Thailand as the

next biggest players to be thinking about in terms of imports to Canada.

• (1230)

The Chair: Thank you, Mr. Hanley. Your time is indeed up.

That concludes our first hour of testimony and witness appearance.

I want to say thank you to Mr. Urbina, Mr. Knight and of course Ms. Elmslie for being here again as well. Thank you for your time today and sharing your knowledge with the committee on this study that we're doing right now.

We will suspend for a couple of minutes while we switch out to the second panel.

• (1230)

(Pause)

• (1230)

The Chair: We're back.

I would like to make a few comments for the benefit of the new 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. Please mute yourself when you are not speaking.

For interpretation, for those on Zoom, you have the choice, at the bottom of your screen, of floor, English or French audio. For those in the room, you can use the earpiece and select the desired channel. All comments should be addressed through the chair.

I would now like to welcome our witnesses for the second hour. Representing the Canadian Independent Fish Harvester's Federation, we have Melanie Sonnenberg, president, and Mr. Ian MacPherson, board member. They are both in the room.

By video conference, representing the Maritime Fishermen's Union, we have Carl Allen, vice-president, New Brunswick.

We will start off, of course, with Ms. Sonnenberg and an opening statement of five minutes or less, please.

Ms. Melanie Sonnenberg (President, Canadian Independent Fish Harvesters Federation): Good afternoon.

Thank you to the committee for the opportunity to speak here today on illegal, unreported and unregulated fisheries. This is a complex issue facing our industry.

The federation cannot stress enough the importance of protecting our resource from any illegal and unreported activity. Our coastal communities rely on the sustainability of Canada's resource and must be protected as outlined in the Fisheries Act. Canada needs to clearly define and include the different aspects of what illegal, unreported and unregulated fisheries can pertain to.

The fishery is diverse and complex, taking in many aspects under the banner of IUU. There are examples of foreign ships fishing illegally offshore, with a multitude of issues surrounding that, as well as different types of non-compliance inshore. These are vastly different issues, yet the consequences are equally damaging.

From the federation's perspective, illegal fisheries are when we refer to Canadian commercial independent harvesters as it relates to fishing activities that violate national laws contained in the Fisheries Act and fisheries regulations. It can be more far-reaching with vessels from outside Canada illegally fishing and not reporting. As to the unreported fishing, this refers to fishing that has not been reported through any of the prescribed methods of a fishing plan or has been misreported to the relevant national authority or regional fisheries management organization. Finally, unregulated fishing refers to, in the context of our members, fishing outside regulated zones or out of season, which are inconsistent with efforts under international law to conserve our living marine resources.

It is important not to qualify as illegal or unreported landings of fish all fishing that is done under a fishing licence: If that fish has been caught in an authorized fishing zone, has been properly declared by a harvester to the authorities and has been sold by the fishermen who have received a payment in cash, that does not make it illegal. There's nothing that makes cash sales of fish illegal or unreported, as long as the harvester declares the revenue to CRA for tax purposes and to the governing authority. Whatever the reason for cash sales, this does not render it unauthorized and illegal under the Fisheries Act.

That said, one may need to look at the implication of reporting to the CRA to address the issue of cash sales that are not properly declared, as well as ensuring that it is being correctly reported as per the fishing plan requirements by all harvesters for all fisheries.

We collectively need to determine what the real issues are. Making more rules and regulations will not reduce IUU fishing. Simply speaking, more direct enforcement and deterrents, such as fines and loss of fishing time on the water will begin to address non-compliance. Presently, DFO does not have the capacity to fully enforce the current suite of regulations, and adding more rules and regulations will do nothing to address the problems we are discussing here today.

Across Canada, there are many ways that fishing is being monitored. In some regions, there are video cameras in some fisheries that capture all activity on the deck of a fishing vessel. There are paper logs that the harvester is using. Also, now we are turning to electronic logs, which we heard a bit about earlier. They are being introduced. As well, in some fisheries, there is dockside monitoring.

In most regions, as an example, commercial lobster fishermen must declare all their catches, their hauling coordinates, their by-

catches, etc., in almost real time using DFO-qualified electronic logbooks or by the submission of a paper log within a 48-hour time frame. In addition to electronic declarations, landing activities at the wharf and buyers' purchase slips are being closely monitored by conservation and protection agents throughout the year. In some fisheries, on-board observers are required.

Once again, the need for more DFO enforcement is paramount to deterring IUU fishing. Harvester organizations should be consulted in the development of a suite of deterrents, and DFO requires the appropriate resources.

The federation wishes to note the IUU under the guise of food, social and ceremonial fishing. This hurts our indigenous communities who exercise that right, as well as non-indigenous communities. Consistent enforcement for all harvesters is key. If these fisheries are not fully monitored and protected, the impacts will be far-reaching in the protection of our common resource for all parties.

Generally speaking, illegal, unreported and unregulated fishing is a major concern to the inshore independent owner-operator. The long-term sustainability of our resource is threatened when such illegal and unreported activities are taking place without robust oversight.

• (1235)

I want to, again, thank the committee, and we look forward to your questions.

Thank you.

The Chair: Thank you.

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

Mr. Carl Allen (Vice-President, New Brunswick, Maritime Fishermen's Union): Good afternoon, Mr. Chair and members of the committee. Thank you for the opportunity to speak to you today.

I had hoped to travel to Ottawa in person, but due to a family emergency I was unable to. I have come to know many of the members of the committee over the last few years. I always appreciate the opportunity to have a chat on the sidelines before and after the committee meeting, but at least this format offers me the opportunity to testify.

The Maritime Fishermen's Union is an organization that represents approximately 1,300 inshore fish harvesters in New Brunswick and Nova Scotia. Since its inception in the 1970s, the MFU's mission has been to represent, promote and defend the interests of inshore fish harvesters and their communities.

The issue of illegal, unreported and unregulated fishing is a very important one for our members. One of the first major problems that the Maritime Fishermen's Union tackled head-on, as far back as the 1970s, was resource sustainability. I'll use the lobster fishery as an example. At the inception of our organization in the 1970s, poaching and non-compliance with conservation measures by our own members was a serious obstacle to the path of sustainability. It is only with consistent and effective enforcement efforts, as well as education through collaborative science and awareness projects, that today our fishermen have become some of the greatest stewards of the resource. However, challenges remain.

The following are some areas of concern and some recommendations for the committee from our organization.

Consistent and effective enforcement has been one of the cornerstones of the establishment of a sustainable lobster fishery in the southern Gulf of St. Lawrence, as mentioned above. During this period, commercial indigenous lobster fisheries have also successfully integrated into the traditional commercial fishery after the Marshall resource-access transfers and capacity-building initiatives in the late 1990s and 2000s. This access was transferred to indigenous groups after a voluntary licence relinquishment, or VLR, program was put in place with the objective of not increasing overall effort on the lobster fishery.

However, the same cannot be said for the food, social and ceremonial fishery's access, where, in some areas, effort has been increased outside the VLR process. This fishery is intended to be for small-scale food production for indigenous communities. However, in some cases it is used for commercial purposes outside the conservation rules.

A more stringent, standardized and overarching DFO oversight of all FSC fisheries is needed in order to maintain healthy fish stocks for everyone moving forward. If more commercial access is needed by some indigenous groups, the VLR process has to be used. Furthermore, fish buyers that are procuring illegally accessed resources need to be held accountable and suffer significant consequences for their actions. The provinces, which are responsible for the fish buyers' licences, need to significantly step up fines and licence suspensions for companies or individuals who are found guilty under the Fisheries Act. If not controlled properly—if there's no enforcement—even some non-indigenous people get in on the indigenous FSC fisheries and just hide in the mix.

Moving forward, efficient and effective catch reporting is needed in order to meet growing international food traceability standards, but also in order to access the timely fisheries data that is necessary to better inform fisheries management. The Department of Fisheries and Oceans has been in talks with fishing organizations and app developers for over 10 years with the objective of developing fishermen e-logs that would replace the inefficient paper logbooks. However, fishermen integration will prove difficult if the app experience is too complicated. Since 2022, some trials have been undertaken with approximately 5% of our membership, with mixed results. A more effective system to integrate the e-log system with buyers at the wharf weighing stations would be a good step forward. Even as it stands in my fishery now, if I had to e-log tomorrow, it does not solve the data lag, in that the real data comes from

buying slips, so an e-buying slip may be something to look at as well.

Lastly, a multilateral collaboration process between the Department of Fisheries and Oceans, provinces and stakeholders' rights groups, including buyers and processors, is necessary in order to establish effective IUU fishing controls moving forward.

I thank you for the opportunity today, and I look forward to the questions that you have.

Thank you.

• (1240)

The Chair: Thank you, Mr. Allen.

We'll move right into the question round.

We'll go to Mr. Perkins for six minutes or less.

Mr. Rick Perkins (South Shore—St. Margarets, CPC): Thank you, Mr. Chair. I'll split my time with Mr. Arnold.

Two years ago, in lobster fishing areas 33 and 34, the DFO reported that catches were down 50%. Preliminary reports are that they're down another 50% to 75%. We're talking about, in the space of two years, a drop of perhaps as much as 75% in the most important fishery in Nova Scotia.

There has been poaching going on out of season in the nurseries for at least five years.

I'd like to start with Ms. Sonnenberg.

Is there any other explanation as to why these stocks are declining so rapidly?

Ms. Melanie Sonnenberg: Mr. Perkins, if I had the answer to that question, I probably wouldn't be here today; I'd have a different job.

I do agree that it's most concerning in terms of what's happening in the Bay of Fundy and around into area 33. We see the stocks go down. We know that there are a multitude of things going on that are, I would say, not very well addressed in terms of recognizing some of the poaching and illegal fishing that's happening, as well as other environmental issues that are happening that could possibly be contributing to this. Now we are in a DEFCON-1 situation, and the work that's been done in the lead-up to this seems a bit lacking. I'm not in a position to talk about areas 33 and 34 too intimately, but I certainly recognize, being a neighbour to them, that we have serious issues.

• (1245)

Mr. Rick Perkins: During the study by this committee of the lobster crisis in 2020, we heard testimony from Dr. Dadswell, who is the DFO scientist who put in place all of the LFAs and all of the science for it and then went on to Acadia University. He testified that if you wipe out the breeding stock in the summer in St. Marys Bay and Browns Bank, you're going to wipe out all lobster in southwest Nova Scotia and New England, yet DFO has just given another 7,200 tonnes with no science to Clearwater to fish, and they fish right at the corner of 34; they don't fish that whole area. Could it be that six years, coincidentally, is the time it takes for lobster to grow to the size to be caught, and that is why this is having an impact now?

Ms. Melanie Sonnenberg: I would venture to say yes, it's definitely having an impact. I would go back to my comments in my presentation that we need robust enforcement and a recognition of the rules.

Mr. Rick Perkins: We don't have enough resources for that, obviously.

Mr. Allen, do you have any comments on this?

Mr. Carl Allen: As a matter of fact, at the Maritime Fishermen's Union, we do have a local down in what's called the Acadian shore, Meteghan, in that area of St. Marys Bay. I will tell you that the membership that we have from that area have been bringing this issue to our biannual board meetings for a number of years. Going back probably further than that, six or seven years, this issue has been continuing to build.

Is it the only factor? Maybe yes; maybe no, but I think that part of the problem is that because there is no real data on the amount of lobster that may be coming out of the water, it's hard to know what that effect may or may not be. Even if I was a first nations member who was practising my food fishery in a responsible manner, I would also want that information to prove that I'm not the culprit.

There's a good case to be made that it should be a heavily monitored thing to make sure what the effect is. We can all speculate whether it is the only effect or whether it's one out of 100, but without proper monitoring, no one really knows. For me, that's the fact. We face the same issue with the two FSC fisheries in eastern New Brunswick as well.

Mr. Rick Perkins: Thank you.

Mr. Arnold, you have the floor.

Mr. Mel Arnold: Thank you, Mr. Perkins.

For Ms. Sonnenberg and Mr. MacPherson, Mr. Knight appeared in the previous hour, and I didn't get his exact words, but basically I think he said that illegal fishing is driven by money. Do you feel that it is legal or illegal money that is driving IUU fisheries more than anything else?

Ms. Melanie Sonnenberg: Illegal fishing is always driven by money, in my opinion. There's always something going on behind the scenes that people want to misreport or un-report, which takes us into that realm.

Mr. Knight alluded to the idea that we needed DMP at 100% in the lobster fishery. My esteemed colleagues, I'm sure, will speak to

it, but in the area I come from, that is not the answer, and that is not going to solve anything. People who are fishing illegally are not going to be caught through a DMP process, particularly in a fishery that uses control efforts like the lobster fishery. That won't be our answer, but I think the people who are using illegal methods are trying to hide from something, and usually it's from reporting to CRA. There are other things that are going on as well behind the scenes. From area to area, they differ in terms of the reasoning.

Mr. Mel Arnold: If you have other places where you see that there are voids in traceability or the transfer from the boats at the docks, could you provide that in writing? I think I'm out of time.

Thank you.

The Chair: Thank you, Mr. Arnold. You had about five seconds left.

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

• (1250)

[Translation]

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

I'd like to thank the witnesses for being here today.

[English]

I'll start with Mr. Allen.

We've heard a lot about the illegal, unreported and unregulated fisheries during the last couple of years.

Do you feel that the fisheries officers on the water clearly watch what is happening, or do you think that sometimes they close their eyes to some of those fisheries that are occurring?

We heard some testimony on that at the committee recently. I want to have your thoughts on that.

Mr. Carl Allen: That's a good question.

Some of my members feel that, yes, the C and P officers may, in certain cases with certain groups, turn and look the other way. For whatever reason—you can only speculate—in some cases, if they approach individuals exercising rights-based fishing, they face a lot of hostility. There's a limit; there's only so much that they can or may take. There's speculation that maybe sometimes they're told “hands off”.

At this point, it's like those catches in St. Marys Bay. It's all speculation until you know what the truth is.

My members feel that yes, in some cases, it's a hands-off approach.

Mr. Serge Cormier: Okay. I'm going to go to some different questions.

We've heard a lot about dockside monitoring. We had some chats—you, your association and me—regarding dockside monitoring. A lot of people who are coming to our committee for this study have said that dockside monitoring can be a solution for this illegal, unreported and unregulated fishery.

Do you agree with that?

Mr. Carl Allen: It depends on the fishery. I know that the FSC fishery—

Mr. Serge Cormier: I'm talking about the lobster fishery now.

Mr. Carl Allen: I know the FSCs are under monitoring, but the monitoring programs are very weak. For the lobster fishery as a whole, I don't know if that's the answer or not.

As a harvester, there's some concern about the complexity and challenges we face when we look at the scale of the fishery and the burden that may be incurred by that. We feel on a daily basis that there's something new coming at us.

I don't really feel that it's the silver bullet. I think probably a variety of things can be done to help that.

Mr. Serge Cormier: Can you give examples?

Mr. Carl Allen: To start with, an electronic weight slip may be a helpful thing.

I don't know. I think it's a very complex issue, and you'd really have to take some time to find some workable solutions that are not cumbersome for the industry itself, are feasible, make sense and will be effective.

Mr. Serge Cormier: Mr. Allen, are you still fishing lobster?

Mr. Carl Allen: I'm not today, but yes.

Mr. Serge Cormier: What lobster fishing area are you fishing in?

Mr. Carl Allen: I'm fishing in lobster fishing area 25. That's the central Northumberland Strait.

Mr. Serge Cormier: Okay. You talked about this, and we also hear a lot about managing resources and that in some areas the resources are going down.

Let's say five more licences are added in your fishing area. Will this be a bad thing, or would it have no impact on the resources?

How would you see that, if there were five more lobster licences in your area, for example?

Mr. Carl Allen: If they're pulled out of thin air, it's concerning. It's one thing if we're going to transfer five licences from one group to another, but if you're going to pull five new licences out of one area.... It may sound like a small number in a zone that has 700 licences, but....

I've heard this comment made, especially when times are good. When resources are good—like once we had built the resource up in the southern Gulf of St. Lawrence to a very sustainable resource—it can handle it. What happens when it goes the other way? Do you think LFA 34 could handle five more licences today? Not necessarily.

It's a very dangerous game to play, because it's five today, 10 tomorrow, and then where does it end?

Mr. Serge Cormier: I have a quick one before I go to Ms. Sonnenberg.

What do you think about fishing out of season?

Mr. Carl Allen: We completely oppose it. We've made one-on-one efforts, and we have....

Contrary to some people's opinions, we have a very good working relationship with our neighbour first nations in New Brunswick. The two biggest ones are Elsipogtog and Esgenooetitj. They have the two biggest FSC fisheries that are out of season.

We've made efforts to try to move them right into our season. That would be the most preferable thing. Then we're all on the same page. We're all in this together. We're not opposed to first nations participating in the fisheries. It's just that we were kind of assured 25 years ago that we'd all be on the same page, with the same working, so it's concerning when it goes the other way.

The point I was trying to make was this: If FSC fisheries are not properly monitored, non-first nations will actually get in on that. They'll throw traps out there with no tags on them, because they know that C and P may not enforce. It's just a slippery slope.

• (1255)

Mr. Serge Cormier: Thank you, Mr. Allen.

Ms. Sonnenberg, I have about 30 seconds left. In your testimony you talked about how we have to “define clearly”. I guess you were talking about defining more clearly the rules around lobster fisheries or other fisheries when it comes to a particular group.

Was that what you were saying?

Ms. Melanie Sonnenberg: No, Mr. Cormier. My comment was to define what IUU is to Canada, because it's not just one thing. It's very diverse and complex.

Mr. Serge Cormier: Okay.

I think my time is up. Thank you very much.

The Chair: Thank you, Mr. Cormier.

We'll go to Madame Desbiens for six minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Chair.

Thank you to the witnesses. Their presence here is always valuable.

I'd like to hear Ms. Sonnenberg's opinion, as well as Mr. Allen.

From what I've heard in the field, lack of clarity in the law is a major factor. I'm talking about a lack of clarity in defining ceremonial fisheries, food fisheries or livelihood fisheries, for example.

In your opinion, if laws were worded more clearly and terms were better defined, could regulations be applied that, in turn, would be clearer?

I would invite Ms. Sonnenberg to answer first.

[English]

Ms. Melanie Sonnenberg: I believe the definition is clear, but I think what happens in the next part is that the follow-up on how that catch is being used is not being followed through on. Therefore, sometimes, in some instances—not all, because many first nations communities use it as it's intended—there are fisheries going on outside of that under the guise of food, social and ceremonial, when it's not being used for that.

Therein comes the oversight from the department on the water and the need for some more monitoring on that front, because it's hurting both the indigenous and the non-indigenous communities.

[Translation]

Mrs. Caroline Desbiens: Mr. Allen, would you agree that the law is clear enough?

[English]

Mr. Carl Allen: Certain laws around food, social and ceremonial are clear. Where things really start to get murky is when you talk about “moderate livelihood”. When we talk about moderate livelihood fisheries, what are those? We don't even know what a moderate livelihood is, let alone what that fishery may consist of. Even when you look at that part of that decision, the decision was the right to the pursuit of a moderate livelihood. It was no guarantee of a moderate livelihood.

Where the lack of clarity exists, I think anywhere the government can take the time to clear something up, even one small issue at a time, that will help. It's in the grey. Conflict is more likely to exist when there's confusion.

[Translation]

Mrs. Caroline Desbiens: That confusion is as troubling for non-Indigenous communities as it is for Indigenous ones. Indeed, it can breed frustration on both sides.

You said earlier that you still have good communications with certain Indigenous groups, whose focus is on preserving the resource, just as yours is. The basis for greater harmony between harvesters could therefore rely on clear definitions of livelihood fisheries, for example. Such definitions could include examples or tonnage limits.

Could you tell us what a better definition would be built on?

[English]

Mr. Carl Allen: Well, that's the—

[Translation]

Mrs. Caroline Desbiens: It's complex, but can you give us some idea, so that the Committee can make informed recommendations?

[English]

Mr. Carl Allen: It is a very complex issue. It's a hard one to define. We've struggled with this. We've made efforts with the department.

I am a member of the federation. We've had meetings as such, and we've tried to wrap our minds around that. I'm not even sure.... I think that's beyond my expertise on what it may be. I think, though, that any time we can, we should do that.

Typically, what we've seen with various first nations is you can have a conversation with the leadership, and the leadership, unofficially, may agree with you and understand and whatnot, but it's when they have to deal with their individual members.... As I alluded to in my opening statement, we, as an organization, in the late 1970s and early 1980s, tried to eliminate poaching that was going on among our own membership. That's a tough conversation to have in-house. That's their responsibility as well. They have a responsibility to have that conversation within their own membership, because at the end of the day, with rights comes responsibility. The frustration is not with the right; it's with the abuse of rights.

I believe there is such a thing as an abuse of rights. We have a right to free speech, but you can abuse that right. With that right comes responsibility. I think that's a bit on the part of first nations leadership to take that role, as harvester organizations have done in the past.

• (1300)

[Translation]

Mrs. Caroline Desbiens: To conclude, do you have a recommendation for the Committee in this regard?

[English]

Mr. Carl Allen: Off the top of my head, there are a few things that we've talked about. I think education is a big thing. It's the same thing. We've done this. We have a science and research branch for lobsters: Homarus. We've done stuff with our own membership. We've started to do that with first nations, trying to make some of the individuals understand why you shouldn't fish lobster in July in any given area, let alone St. Marys Bay, the Northumberland Strait, the Gaspé or wherever.

I think that's a big component. It's just education at the ground level, understanding the importance of what it is we're trying to do, why certain conservation measures are in place and why that conservation is important to a stock that....

In reality, I'm here to fish. I'm a fifth-generation fisherman. I hope there are more generations to come behind. I want that for the first nations as well.

The Chair: Thank you, Mr. Allen, and thank you, Madame Desbiens.

We'll now go to Ms. Barron for six minutes or less.

Ms. Lisa Marie Barron: Thank you, Chair, and thank you to the witnesses for being here.

Many of the questions I was going to ask, my colleague Madame Desbiens just asked. I feel there were some really good responses provided to them, so I'm going to switch gears a bit.

One thing that has come up in previous meetings is the technology that can be used to increase accountability and understand what's happening on the open water. I'm just looking at the website right now for Global Fishing Watch. It talks about the open ocean project, which shines a light on industrial human activity at sea and makes it available to the world. It has a vessel viewer.

We had witnesses who came on December 7, Ms. Suchan and Ms. Swartman from MDA, who were also talking about technology to help track what's happening on the water.

To Ms. Sonnenberg first, through the chair, what are you seeing specific to this technology? I know you were talking a lot about the importance of enforcement and accountability. Are you seeing any increased use of technology to help in this work?

Ms. Melanie Sonnenberg: Too often we find ourselves, in the industry, in a position where we're having new things added to the fishery and we haven't actually fully addressed something that might have been implemented five, 10 or 15 years ago.

I'm always very cautious about how we introduce technology. There are shortcomings with technology in some of the coastal areas that we would represent with the federation in terms of being able to have access to some kind of connectivity. A lot of areas in fisheries are simply out of range. Adding something new to them is only going to complicate things for the harvester. It's going to add another layer of complexity for that harvester to comply and be in compliance, so I'm often cautious about this.

The introduction of e-logs is the way we're going, but there are things that need to be addressed. One of them is privacy. I have asked on numerous occasions how the information will be used by the third party. To date, I have yet to receive a satisfactory answer.

Even before we get into the issues of technology and how it would work on board a vessel, we have to know what that third party can do with our harvesters' information. That's a huge issue for the people we represent.

As far as technology is concerned, a lot of the wheelhouses I've been in look nothing short of amazing in terms of the technology they're using, but it has to be introduced in a way that's in collaboration with the industry to make sure that it's doable and workable. We also have to take into account that we're going to have harvesters who cannot use it, and that's something we don't spend a lot of time on either.

● (1305)

Ms. Lisa Marie Barron: Thank you, Ms. Sonnenberg. That's some good information for us to be aware of as a committee.

When I asked the witnesses who were here from MDA about the use of the information and what the next steps were with the information to their organization, they said the information is provided to DFO. Of course, she was unable to speak to what happens with the information from there and how it's utilized.

I realize you're not DFO and cannot speak on behalf of DFO, but do you see any evidence of this information being used to inform communities or to ensure that education, awareness and accountability mechanisms are put into place?

Ms. Melanie Sonnenberg: At the present time, I don't see any evidence by DFO to allay the fears of industry that the information is going to be used for corporations to better understand how to access a fishery for illegal activities to occur. Some of that is paranoia, perhaps, on our part, but on the other hand, some of it is very real.

How that information is disseminated and can be... Outside of what is called the "rule of five", if you have more than five individuals participating in a fishery, then inside the department you can receive the information, because then it's not proprietary.

The concern is if that third party could do that very same thing. So far, I have been given no answer for that. Perhaps we will have somebody come forward after this testimony today, and we will get the answer we have been asking for.

Ms. Lisa Marie Barron: Thank you.

Instead of going on to another question for the last minute of my time, I'm going to ask Mr. Allen if he has any further thoughts on this topic.

Mr. Carl Allen: Yes, I think technology can help in places. I think the problem with technology sometimes is the standards within what the department sets. I think e-log is a prime example of that.

Because of the proprietary information and the harvesters being concerned how that may be used, certain organizations like the RPPSG in the Gaspé, and even the PEIFA, have tried developing their own e-logs, because as member organizations we want to control the information.

Part of the problem and why we don't have e-logs today is that we get just about to the finish line, and then the department changes the standards. Then we go back to square one, even to the point where some third party developers, private companies, have backed away. The department cannot just set a standard, stick with it and maybe say it will go seven years before it changes that standard. We get just about to the finish line, and they change it again. Then we're back to square one. I think some of that will have to be addressed.

Yes, like Melanie alluded to, proprietary knowledge of that data is very important. I'm less concerned about what the department may do with my information than what Vericatch may do with my information. That's just to use one third party company; I don't want to single out Vericatch. They are not the only party out there. They are just the one I know.

How will they use that, and who will they take that information to? There are people in this world who want that information, because they want to know what resources are being fished where. They want to know, if they're going to try to wiggle their way in to control an industry, where they should be going first. That's a major concern on our end.

The Chair: Thank you, Mr. Allen.

We will now go to Mr. Small for five minutes or less, please.

Mr. Clifford Small: Ms. Sonnenberg, are you aware of any IUU fishing in fisheries pursued by your members?

Ms. Melanie Sonnenberg: I'm assuming you're talking about more locally.

Mr. Clifford Small: Yes, say, in the Bay of Fundy.

Ms. Melanie Sonnenberg: In the Bay of Fundy, yes, I am aware of fishing that goes on. I'm not going to say it's necessarily by my members, but it's certainly by people in our communities around the Bay of Fundy.

• (1310)

Mr. Clifford Small: I heard you say that enforcement needs to be consistent for all harvesters. Are there any groups of harvesters or individual harvesters who are not having the law enforced upon them?

Ms. Melanie Sonnenberg: I think sometimes it's a lack of it, Mr. Small, that leads us to have issues. Sometimes we're seeing that it's under-resourced, and there's the inability to get enough officers on the water to properly.... It's not just on the water—it's on the wharf as well—but certainly on the water is where you start.

That presence is a huge deterrent. Boarding a vessel and looking around is a huge deterrent, and we need more of it. Many of the organizations we represent at the federation ask continually for more of it.

I would say it would not necessarily be consistent, although we do know of examples. We heard Mr. Allen speak of it this afternoon, where sometimes there is a blind eye turned to certain things, or sometimes charges are.... I think the enforcement officers hope to lay charges, and then they are told not to, in terms of some of the indigenous fishing, and we've seen that in a variety of examples.

It has to be consistent for all parties, and we need enough deterrents to make people want to be in compliance.

Mr. Clifford Small: Ms. Sonnenberg, who do you think would be giving that direction to C and P?

Ms. Melanie Sonnenberg: I think sometimes it comes from the fact of building a case that is going to withstand the rigours of our judicial system. That is some of the feedback we get.

I can't really speak to who it is or why, but some of the rumblings we've heard are that it has to be able to stand up to that scrutiny inside the judicial system, and oftentimes it won't.

Mr. Clifford Small: Are you confident that that's leading to IUU fishing in the Maritimes?

Ms. Melanie Sonnenberg: I am confident that it's part of it. It's not all of it. Certainly sometimes it's part of it, and then that leads

to other sectors of the fishery thinking it's okay to just have a free-for-all.

Mr. Clifford Small: Thank you.

This is for Mr. Allen. This past summer there was suspected illegal fishing in St. Marys Bay, in area 34, where you have members. Do you know if the minister was made aware of these suspicions?

Mr. Carl Allen: I would like to think that the minister at the time was made aware. I know the department itself was very aware of that specific issue. The department was even made very aware prior to the incident in St. Marys Bay that this potential was there, because, like I said in one of my earlier statements on that, the membership of my local 9 there, which represents that area, had been bringing this issue up for years, and this continued to build.

I think the department was forewarned that there was a potential for a powder keg, as we called it, for lack of a better term, and that something might happen. I think for anybody in the department to say, after that incident at St. Marys Bay, that they didn't see that coming.... They were warned at a very high level that something was going to happen if they didn't step in to try to rein this back a bit. The scale at which that fishery was taking place in those summer months.... Again, we really don't know, but we have an idea, and I can put a lower threshold and an upper threshold, and it's quite a big range. It's not insignificant.

Mr. Clifford Small: Mr. Allen, are you aware of any other bays or areas around the Maritimes where similar things are taking place or similar suspicions are held that there's IUU fishing for lobster?

Mr. Carl Allen: Yes. It's in my own backyard, and this is why I spoke to the two biggest first nations in eastern New Brunswick, Elsipogtog and Esgehoopetitj. Both have FSC fisheries that take place out of the season. Elsipogtog takes place in May to July; for our season, they fish that in August to October. Again, there's a lot of speculation. They're allowed an allocation, but there have been lots of instances where they've watched harvesters come in and weigh off one box of fish, and four boxes have gone into a vehicle. If nobody's there to even verify whether those other four boxes are empty or not, again, the speculation takes over. I think that's the dangerous part in all of this. If we don't have a real handle on what the numbers are, we can speculate on its being way worse than it may be. I think we need to have a clear grasp of what those numbers are for that clarity. If that clarity is not there, then danger fills the void.

• (1315)

The Chair: Thank you, Mr. Allen.

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

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

I have two short questions, and then I'm going to give my time to MP Kelloway.

The first question is for Ms. Sonnenberg.

You're a long-time, credible voice for the fishery in your part of Atlantic Canada. We've heard a number of witnesses reference dockside monitoring as it relates specifically to lobster, so I'll go there. What are your views, Ms. Sonnenberg? Is it a solution?

Be quick, please.

Ms. Melanie Sonnenberg: I would say it could be used as one, but I don't believe it will be met very warmly by the industry until we have a reason to think—in a fishery that's done through effort controls—that it's going to make a difference.

I'm involved with a fishery in an international zone called the “grey zone”, off the back side of Grand Manan, between Maine and New Brunswick. We have dockside monitoring in the lobster fishery. We do it for the purpose of having a clear understanding of what we've landed, so that we can demonstrate at a future time—in a world court, if we were ever put to the test as a country—what that zone means. It's another burden, really, for the industry, and I think that's what we have to be cognizant of, as I said in the presentation. The rules that are made to combat this problem need to be very well thought out in concert with the industry, so we're not putting extra layers on top.

Mr. Robert Morrissey: Okay, so we have some work to do there, if it moves in that direction.

Thank you for your point.

Mr. MacPherson, when you were here before—and I didn't get back to you—we were talking about DFO-issued tags for lobster traps and gear. Not everyone follows those....

Could you elaborate briefly on what is working and what's not?

Mr. Ian MacPherson (Board Member, Canadian Independent Fish Harvesters Federation): Yes. I think we need to get back to audits of the tag distributors and make sure they are following all the proper protocols. We need to get back to standardized colours for an appropriate fishery and what those tags will be for a replacement fishery.

I think it needs to be investigated. When a tag supplier orders tags on their own that aren't authorized by DFO, there should be some consequences.

Mr. Robert Morrissey: Thank you.

The Chair: Mr. Kelloway.

Mr. Mike Kelloway (Cape Breton—Canso, Lib.): Thank you, Mr. Chair.

It's great to have the witnesses here...and the great questions around the table.

I have a couple of questions. I'll make them brief, because I don't think I have a lot of time.

Ms. Sonnenberg, you mentioned that CRA has a role to play. It could be doing more. I think you referenced that. I was wondering whether you could go into a bit of detail as to what that is specifically.

Also, we talked about resources around this table today. We talked about C and P. I think it's absolutely important that we strategically put investments into the right place.

If you had the magic pen tomorrow, where would you put the most immediate resources, in terms of funding C and P and something else?

Ms. Melanie Sonnenberg: I will take the last question first, and then we'll go back to the other one.

I think C and P needs to have more resources. It starts there. Without them being well resourced, we're never going to get to the root of the problem. Having good presence on the water, sound and reliable vessels on the water.... All of that is super important in dealing with IUU.

That's the first question. If I had a pen, I would start there. I truly believe in C and P. They are the face of the department, and they have an opportunity to keep everybody in check.

As far as—

Mr. Mike Kelloway: It's more investment and no cuts—got it.

Go on to the next one, please.

Ms. Melanie Sonnenberg: As far as CRA goes, we hear a lot in the industry about cash sales. It is important to note that sometimes the cash sales are because there's more money involved. I saw in southwest New Brunswick and Nova Scotia this year in the fishery that cash transactions took place. These folks can offer more money to the harvester. If the harvester takes that money and reports it, let's not make a mistake in thinking that's illegal. It is not illegal, as long as everything is reported through the chain.

That also goes to the buyer. This is where CRA comes in. Perhaps there needs to be some auditing where there are hot spots, and there are hot spots—we know of them.

• (1320)

The Chair: Mr. Kelloway, your time is up by 10 seconds.

We'll now go to Madame Desbiens for two and a half minutes, please.

[Translation]

Mrs. Caroline Desbiens: Thank you, Chair.

Earlier, we talked about awareness and communication. The Committee has been hearing about one dramatic event after another from witnesses over the past few weeks. Does it seem to you that, in such a situation, actions that remain to be taken are decisive for what happens next, and that they take on a sense of urgency? We get the sense that many efforts are underway, but that nothing is bearing fruit. Meanwhile, we are all worried about the resource, the future of the fisheries and, above all, the future of harvesters.

In our recommendations, can we raise the urgency of implementing some of the solutions you have presented to us today?

Either Ms. Sonnenberg or Mr. MacPherson could respond.

[English]

Mr. Ian MacPherson: Thank you.

Clarity, I think, is what we need. C and P needs clarity. Non-indigenous harvesters need clarity. Indigenous harvesters need clarity.

That's what we're seeking. That will go a long way to diffusing a lot of the issues we have right now: What are the rules? How are they enforced? Are they enforced consistently?

[Translation]

Mrs. Caroline Desbiens: What do you think, Mr. Allen?

[English]

Mr. Carl Allen: I would say there is some urgency in all of this, and I think Ian kind of nailed it perfectly, in that clarity is needed as much as anything, and we need it yesterday more than we need it today or tomorrow. It's something I hope the department will move on, instead of taking months to respond to or report on it, because time keeps marching on and the issue doesn't go away; in some cases it amplifies.

Yes, I do believe there's a sense of urgency around these issues.

[Translation]

Mrs. Caroline Desbiens: Thank you very much.

[English]

The Chair: Thank you, Madame Desbiens.

Now we'll go to Ms. Barron for two and a half minutes or less.

Ms. Lisa Marie Barron: Thank you, Mr. Chair.

Ms. Sonnenberg, I wonder if you can clarify—I believe you've already touched on it in previous questions, but I'd like you to elaborate a little—that what we need is more enforcement and not more rules and regulations.

Can you expand a bit on what you meant when you said that?

Ms. Melanie Sonnenberg: Too often rules are introduced—in this case by DFO—when we haven't fully addressed a suite of rules that may previously have been introduced. I think we need to take stock of what we have and how we can do better collectively and move forward from there before we start introducing a new suite of things that need to be addressed. I hope that answers the question satisfactorily for you.

Ms. Lisa Marie Barron: Thank you.

Do you have any thoughts on that, Mr. Allen?

Mr. Carl Allen: I think Melanie kind of hit that pretty well.

If you just enforce the rules and regulations you already have as they are, I think you'll be in a good position.

Often we come up with a new regulation to address the fact that we didn't address another regulation, and it's like saying we're going to come up with this whole system because the e-logs aren't working.

Well, if you went back, worked out and fixed the solution of the e-log, you wouldn't need this next step, would you? I think—

throughout the whole process, for any of these—there needs to be sincere consultation with the industry itself, because a lot of times, the department could take five minutes to come and say to the industry, “This is our problem. How do we really solve it?” It's not as though we can come up with things on the spot, but in most cases it's those in the industry itself who will come up with the solutions, because we're the ones who actually understand the industry.

Thank you.

Ms. Lisa Marie Barron: Thank you.

Mr. Chair, do I have only 30 seconds left?

The Chair: Yes.

Ms. Lisa Marie Barron: I'm just going to let it go. I'm not going to ask another question and try to fill in that time.

Thanks for your questions, and thank you to the witnesses.

The Chair: Thank you for that, Ms. Barron, because Mr. Perkins was looking for a couple of minutes before I close it off, so he can have his question.

Go for it, Mr. Perkins.

● (1325)

Mr. Rick Perkins: Thank you, Mr. Chair.

There's another disconnect in this IUU thing, which is that somebody's paying for the stuff that's illegally caught. We have this jurisdictional issue between federal and provincial, because the provinces license the buyers.

How much of the IUU catch do you think is actually being bought by provincially licensed buyers?

I'll go to Ms. Sonnenberg and then Mr. Allen.

Ms. Melanie Sonnenberg: I suspect that some is.

The federation has raised this to the provinces with respect to the licensing regime. It's not necessarily under the IUU, but we are certainly talking about how this is being done, what the consequences can be in a number of ways, and how it all comes together.

I would suspect that, yes, there are buyers. I think you're probably aware in your neck of the woods of some who may be—

Mr. Rick Perkins: I can name them.

Ms. Melanie Sonnenberg: You can probably name them, yes.

The same goes for where I live. Definitely we know that it's out there and that where there's smoke, there's usually fire. I think that's where we need to have an opportunity to have, again, those more robust relationships between the feds and the province, and we also need to be following it backwards into the plants and onto the trucks.

Mr. Rick Perkins: Mr. Allen, go ahead.

Mr. Carl Allen: It's a good question.

We had a southern gulf lobster advisory last week, and I kept throwing things on the buyers. They talk about an e-log, and I think there should be an e-slip. I don't know.

In my previous statement I said we shouldn't add too much complexity, but at the same time maybe anybody buying should have a federal licence as well. Maybe there's a role for the federal government there. Maybe there is; maybe there isn't.

I know, because, as it stands, each province has its own set of rules about how those buyers' licences may be issued and who can access them and who may be buying and who may not be.

In some cases, yes, it probably is licensed buyers who are participating in one part of the IUU, because not every fishery has a problem with all three of those letters, right? It may be just one of the three or all three, and then in some cases there are just fly-by-night or fly-under-the-radar buyers who may be involved in this.

The Chair: Thank you for that, Mr. Perkins.

I want to say a huge thank you to Mr. Allen, Mr. MacPherson and Ms. Sonnenberg for their appearance here before committee today and for sharing their knowledge with us once again.

Mr. Brendan Hanley: I have a point of order, Mr. Chair.

The Chair: Yes, Mr. Hanley.

Mr. Brendan Hanley: Everyone's quaking in their boots, I know, but I just want to recognize Jeremy Harper, Speaker of the Yukon Legislative Assembly, who is here in the audience.

Voices: Hear, hear!

The Chair: Thank you, Mr. Hanley.

I want to remind everybody that there will be no meeting on Thursday. We agreed to cancel Thursday's meeting. We'll resume our study in the new year.

I want to take this opportunity to wish everybody a happy holiday season. Be careful. Of course, don't forget the people who are less fortunate, especially if you're passing by the Salvation Army kettle anywhere. I'm doing about eight or nine shifts over the next few days with that particular entity. Again, keep those people in mind as well.

Mr. Robert Morrissey: How are the donations when you're there? Are they above average or below?

The Chair: It's down this year as compared with last, but I've been surprised with the giving. I was at it on Saturday, and I had a young fellow drop by. He was probably in his early twenties. He shoved a \$100 bill in the kettle, which I thought was pretty good.

The meeting is adjourned.

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