

February 27, 2007

BACKGROUND

CPAWS Position on Bill C-45: A Proposal to Amend Canada's Fisheries Act

Canada's Fisheries Act was written in 1868 and is dire need of updating to take into account the current crisis in Canada's and the world's fisheries and oceans. A revised modern Fisheries Act, Bill C-45, was introduced into the House of Commons in December 2006 without meaningful consultation with environmentalists, First Nations, many sectors of the fishing industry, and other stakeholders.

The Minister of Fisheries and Oceans has introduced Bill C-45 for a second reading in February 2007.

CPAWS Position

The proposed new Fisheries Act does not legislate adequate measures for the identification, restoration or protection of fish stocks and fish habitat. CPAWS is calling on the federal government to refrain from passing Bill C-45 through second reading before changes are made that address the ecological realities of the 21st century.

CPAWS recommends that Bill C-45 be revised so that it:

1. acknowledges the current threats to fish stocks and the marine environment;
2. includes clear provisions to address these threats;
3. requires Fisheries and Oceans Canada to proactively seek out and protect critical fish habitat;
4. sets clear environmental standards and criteria;
5. allows for citizen engagement and consultation.

Specific Concerns about Bill C-45

1. Ecosystem-based management principles are disregarded

Several Application Principles, including the ecosystem approach and the precautionary principle are not reflected in the provisions of the Bill. Bill C-45 does not create mandatory requirements for an ecosystem-based approach to the

management of Canada's fisheries. It allows for economic considerations to override conservation concerns.

2. Fish habitat won't be protected

There is no requirement for the Minister to seek out critical fish habitat, such as spawning and nursery areas, or to protect it from destructive fishing practices.

3. Aquaculture leases could be granted without public consultation

There is no provision for public consultation on issuing of aquaculture leases, nor is there a provision for considering an ecosystem-based approach when issuing leases.

4. Specific environmental standards and criteria are not included in legislation

Bill C-45 fails to set clear environmental standards. They are put off to a future time when regulations may be written. Allowing oceans and fisheries to be governed by DFO-drafted regulations, rather than by legally binding legislation subject to Parliamentary scrutiny, will result in weaker protection and enforcement.

5. Allocation Provisions are irresponsible

Bill C-45 allows percentage of fishable stock to be allocated for up to 15 years at a time. This does not reflect the state of our depleted fish stocks nor the reality of annual fluctuations in fish stock.

View media release at www.cpaws.org.

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