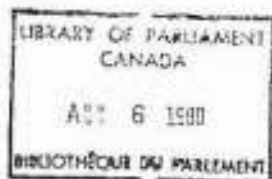


MEETING OF THE CONTINUING COMMITTEE  
OF MINISTERS ON THE CONSTITUTION

FISHERIES

Statement by  
The Honourable Jean Chrétien



Montreal, Quebec  
July 8-11, 1980

Montreal, July 8, 1980

STATEMENT BY  
THE HONOURABLE JEAN CHRETIEN  
CONTINUING COMMITTEE OF MINISTERS ON THE CONSTITUTION

FISHERIES

Fisheries was placed on the agenda at the request of the provinces. We will be ready to look at the proposals that any province may wish to bring forward on this subject, and will be interested in the reactions of other provinces to those proposals.

I am very much aware of the controversy which tends to surround the making of management decisions concerning the fisheries. This controversy is perhaps inevitable when we consider that fisheries management has to involve decisions regarding the allocation of fishery resources between competing groups, sometimes coming from different provinces. Other aspects of management relate to protecting the rights of Native Peoples and their interests in the fisheries resources, and protecting the habitat of the fishery resource base, particularly in freshwater areas. Moreover, fisheries management has an international dimension involving negotiations with Canada's neighbours as well as with more distant countries whose fishing fleets frequent our waters.

At the same time, the circumstances of the various fisheries and fisheries resources across the country vary widely, and the jurisdictional regime must take this into account. For instance, some fish stocks are harvested by fishermen from two or more provinces; some overlap the 200-mile boundary; some occur in areas claimed by the USA or France; other fish stocks occur in both fresh waters and marine waters at different stages of their life history. For some fisheries, habitat protection is crucial; in others, market development is particularly important. In most cases, the fish stocks are migratory or widely distributed, and this fact is compounded by the mobility of fishermen as well.

For all of these reasons, we believe that under the complex circumstances applying to fisheries and fisheries resources across the country, jurisdiction most appropriately rests with the federal Parliament and that no change to section 91(12) of the BNA Act relating to seacoast and inland fisheries is necessary.

While I believe that the justification for federal jurisdiction over the fisheries is clear, it may be that some new, practical arrangements might be appropriate in order to better take into account provincial views in fisheries decision making. We are certainly prepared to look at such a possibility.