

Fisheries Act

that it and it alone has the knowledge to express the will of the people. That is manifestly not so.

We have another related issue. The Progressive Conservatives apparently have decided to privatize the fishing vessel insurance plan and have set the target date as April, 1986. Looking at some of the press clippings, we can see that the Government, by tabling this legislation, is basically trying to go around the courts that have said that the Government does not have total powers over the industry. It does not have the unilateral right to determine all the variables that govern success or failures in fishing. There has been no proposal made that that sort of power without review or appeal should only be exercised by a board or commission that is fully representative of all the parties involved in this industry.

● (1650)

Let us consider the matter of the tradition in the industry that has grown up over decades. I do not suggest that all of those traditions are operable in the 1980s, but they certainly should be considered in the determination of what powers the Government should exercise through the Minister of Fisheries and Oceans (Mr. Fraser) over the fisheries on Canada's coasts.

There are traditions and expectations in this industry. There are traditional user groups for the various areas. They have an expectation—I believe that it is a legitimate expectation in a democratic society—that the historic and traditional patterns of the industry be observed and the informal allocations that have grown up over the years be given attention in determining the allocation process.

The Minister has intimated that there is a pressing need to have these amendments passed quickly. User groups who have been consulted feel that there is no great rush to implement these changes. The other factor we must consider is that if these amendments are passed before a judgment is sought in the Supreme Court of Canada, one or more of the groups representing fisheries on the West Coast will challenge those amendments in the Supreme Court of Canada, which process I do not believe will operate in the long-run interests of anybody involved.

Most of those user groups want some sort of guarantee or floor under their participation in the industry. They want some assurance from the Government that the traditional fisheries and the traditional divisions in the fisheries will be respected. They want fair play. After all, fair play was one of the best selling themes in the election of last year. We in the New Democratic Party know that our emphasis and advocacy of fair systems in economics, in justice and in social relations was something that brought us back from the predicted brink of extinction to which we had been consigned by Canada's supposedly all-powerful media interests as recently as last February.

Frankly, I suggest that fair play has to be a major consideration in any allocation process of the fishery stocks, be it on the Atlantic, the Pacific or any freshwater lake in the country. There must be a recognition of that need and there must be a

recognition of the historical patterns of usage of the resource by the people who have grown to depend on that resource.

I say that the legislation is flawed in its concept as it is flawed in its execution. It envisages powers that would fundamentally endow the Minister of Fisheries and Oceans with the right to say, "Sheep, goat; sheep, goat", in other words, "This group, this person will be successful in the industry; that group, that person will fail in the industry". The legislation is barbed with hooks. It is baited for the unwary. It will leave an entire way of life beached and gasping for air if it is allowed to pass in its present form.

Mr. Hovdebo: Mr. Speaker, the Hon. Member indicated a certain interest and knowledge about the relationship between the Indian community and the fishing industry. What protection would native people want contained in this Bill with respect to their traditional fishing rights?

Mr. Parry: Mr. Speaker, I believe I could offer some of the mechanisms that might go a long way to satisfying the need for protection of the traditional fishery that Indian people feel. I believe that they would want to be consulted in any form of allocation process.

Second, in the formulation of advisory councils, as we suggest, for the regulation and development of Atlantic and Pacific fisheries, I am sure that native people would be seeking representation on any such advisory board and commission.

From experience in my own riding I could offer examples of the sort of tragic consequences that can occur and would derive inevitably from the deprivation of the Indian people of traditional fishing rights and their traditional fishing resource. I met very recently in Ottawa with the Chief of Shoal Lake Band No. 40, who told me that whereas as recently as seven years ago there were 15 families in his reserve depending on commercial fishing as a very large part of their livelihood, because of the reduction in quotas the number had gone down to two families three years ago and now there are no families fishing in Shoal Lake. Those families are either on welfare or they are engaged in some other form of industry, mostly off the reserve, because they were deprived of this access to the fishery.

I am sure that if the Chief of Shoal Lake Band No. 40 were here to answer the question, he would say that representation in the decision-making process would have been a key mechanism for those people to protect their very valid and significant interest in the fishery. After all, that has been exercised by them since time immemorial.

Similarly, if I talked to members of the band council of Grassy Narrows and asked them to trace the causes of the tremendous social damage that has been done to that community, I know that they would have given instances of the destruction of their fishery by mercury pollution, which rendered fish dangerous to eat and has led to terrible consequences that have been very well documented. They would have said that had they been allowed to protect their fishery and indeed been in a position to determine where they might go to seek a substitute fishery, that would indeed have averted