

Some Commercial Fishermen in B.C. Sue Canadian Government

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Some commercial fishermen in B.C. are suing the Canadian government. [They contend](#) that the government has "radically restructure(ed) the commercial fishery," choking off access to publicly owned fish stocks to "confer economic and social benefits on the defendant and particular third parties," such as Native Americans. They allege that the government illegally restructured commercial fishing by imposing vessel quotas on salmon, halibut and roe herring, reducing the number of licensed commercial salmon vessels, and restricting access to certain waters.

Plaintiffs Calwell Fishing, Melvin Calwell, Dale Vidulich, Gerald Warren, Aquamarine Transportation and George Manson say these changes will "deprive the plaintiffs of their businesses as fish packers and to render valueless the assets of those businesses."

"Canada's marine fisheries are a common property resource belonging to all the people of Canada," according to the federal complaint.

"Her Majesty the Queen in Right of Canada is a trustee of these fisheries for the public with a duty to protect and preserve the right of the public to access to [sic] such fisheries and to manage the marine fishery in order to improve the and increase the stock and to ensure that, subject to regulation, all members of the public have access to the fisheries."

But the fish packers say the government has been flexing its muscle over the fisheries "to restrict access to the marine fishery in order to confer economic and social benefits on the defendant and particular third parties," such as aboriginal groups.

The fish packers say this constitutes an unjust taking and they should be compensated for it. They are represented by J. Keith Lowes

TAGS: commercial fishing, fisheries, sustainable, lawsuit, B.C. commercial fishermen, vessel quotas, licences

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