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## **Gutting of federal *Fisheries Act* remains in legal limbo at 1 year C-38 anniversary**

### ***Opponents credit public, scientific and First Nations pushback***

VANCOUVER –One year ago in an unprecedented attack on nature and democracy Canada passed Bill C-38, which made sweeping changes to environmental protection laws to ease the way for industrial developments like oil pipelines. However, faced with massive and persistent citizen opposition and First Nations' legal challenges, a year later the federal government has yet to bring into force some of the most controversial C-38 changes –amendments to the *Fisheries Act* that would weaken legal protections for fish and their habitat.

The situation leaves new rules about impacts to fish and fish habitat in legal limbo as legal argument on the Enbridge Northern Gateway tankers and pipeline project draws to a close.

“Legal changes in Bill C-38 were aimed at silencing the voices of citizens, but they have done anything but,” says Jessica Clogg, Executive Director and Senior Counsel, West Coast Environmental Law Association. “In just a few hours since we launched a new social media campaign to safeguard strong legal protections for fish, thousands of citizens have written to the Prime Minister.”

The social media campaign “[No Habitat = No Fish](#)” calls on the federal government not to bring into force C-38 and C-45 *Fisheries Act* amendments that would weaken protection for fish, which government officials have indicated could occur as soon as July.

“To date the federal government has failed to offer any compelling evidence or legal argument for its assertions that changes to the *Fisheries Act* were required, or that they will protect fish,” says John Fraser, Conservative fisheries minister in 1984-5.

Last year four former fisheries ministers, Tom Siddon, David Anderson, John Fraser and Herb Dhaliwal, who served in both Progressive Conservative and Liberal governments, wrote an open letter to the Prime Minister expressing their alarm about proposed changes to the *Fisheries Act*.

“The continued survival of BC icons like migratory salmon and steelhead would be put at risk if proposed amendments to the *Fisheries Act* are brought into force,” states Fraser. “These budget bills were bad for fish and bad for Canadian democracy. The federal government has been wise to delay implementation of Bill C-38 and C-45 *Fisheries Act* amendments but now it is time to shelve these changes for good.”

The “No Habitat=No Fish” social media campaign builds on last year’s Black Out Speak Out/ Silence on parole initiative which saw over 600 organisations representing millions of Canadians darken their websites and speak out in a nation-wide day of action to protest the federal

government's attack on nature and democracy through Bill C-38. Gutting of environmental laws in last year's C-38 and C-45 'budget bills' was also an important spark that ignited the First Nations' Idle No More movement.

"C-38 amendments that would gut legal protections for fish strike at the heart of the relationship between First Nations and the federal government, and should never be brought into force," said Grand Chief Stewart Phillip, President, Union of BC Indian Chiefs. "Last year's so-called budget bills embody a vision of Canada that is unacceptable to First Nations and non-Aboriginal Canadians alike. The Idle No More Movement has been a powerful reminder of the consequences of this."

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