



**Committee of Advisors  
to the  
Great Lakes Fishery Commission**



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**Resolution 22-02: A RESOLUTION IN SUPPORT OF GOVERNANCE BEST PRACTICES ATTAINED BY TRANSITIONING THE COMMISSION'S MACHINERY OF GOVERNMENT (FIDUCIARY) RESPONSIBILITIES TO GLOBAL AFFAIRS CANADA**

**WHEREAS**, the Great Lakes Fishery Commission (Commission) was formed in 1955 under a binational treaty between Canada and the United States of America, to address the long-term degradation of the Great Lakes fishery and ecosystem caused by inadequate cross-border collaboration, siloed policy development among Ontario and the eight Great Lakes States, and inward facing problem solving;

**WHEREAS**, despite past and current successes and general progress, the Commission's mandate remains relevant (verified by the Government of Canada in Budget 2022), given the evolving, dynamic and complex needs for binational collaboration on invasive sea lamprey control, aquatic invasive species (AIS), fishery management and scientific research;

**WHEREAS**, Canada is a party to the Convention on Great Lakes Fisheries, which establishes a legal responsibility and commitment to adhere to the terms and spirit of the Convention, which includes an acceptance of the Commission's operational independence and a clear need for impartial and ethically rooted engagement on all matters relating to the Commission;

**WHEREAS**, ongoing governance challenges such as excessive delays in Governor in Council appointments of commissioners, historic funding shortfalls, and blending of sea lamprey control with fiduciary oversight responsibilities within Fisheries and Oceans Canada (DFO), and a failure to observe contemporary ethical best practices enjoyed by other similar bodies (i.e., the Roosevelt Campobello Commission and the International Joint Commission are both budget line items within the department and/or in the Public Accounts of Canada as a fiscal accountability measure), are symptoms of a fraught governance interface;

**WHEREAS**, for some 40 years the Canadian governance of collaboration has been focused on sea lamprey control and not the other responsibilities of the Commission;

*The opinions expressed here are those of the independent committee of advisors and not necessarily those of the Great Lakes Fishery Commission. The Committee of Advisors consists of both U.S. and Canadian representatives, from indigenous, commercial, recreational, academic, agency, environmental, and public fishery interests in the Great Lakes Basin. Advisors provide advice to the Great Lakes Fishery Commission; U.S. advisors are nominated by the State Governors, and appointed by the commission. Canadian advisors are appointed by the commission.*

**WHEREAS**, the Commission is committed to the ongoing partnership with DFO and its regional employees as the Commission's selected sea lamprey control agent;

**WHEREAS**, establishing clear guidelines and a distinct separation of the sea lamprey control functions (as noted in the MOA between the Commission and DFO) and the responsibilities associated with the fiduciary;

**WHEREAS**, the United States' governance of fiduciary responsibilities has been more sensitive to the full range of treaty commitments; and

**WHEREAS**, This approach has been actively advocated for in certain legislative proposals (i.e., M-91) in the 43<sup>rd</sup> Parliament of Canada.

**THEREFORE BE IT RESOLVED**, that the Canadian and U.S. Advisors to the Great Lakes Fishery Commission call upon the Government of Canada to move the Commission's fiduciary functions from DFO to Global Affairs Canada. It is critical to understand that the sea lamprey control functions, covered by the MOA between the Commission and DFO, are not part of the fiduciary role and therefore should remain in the regional sea lamprey control centre with DFO as the primary partner; and

**THEREFORE BE IT FURTHER RESOLVED**, that this transition should be undertaken with the primary objective of re-establishing and entrenching balance, accountability, and ethical best practices in the overall relationships between the Commission and the Government of Canada, while also respecting the well-established need for the Commission's operational independence as part of its core treaty functions.

Passed unanimously by the U.S. and Canadian Committee of Advisors  
June 1, 2022