

s.16(1)(c)

s.21(1)(b)



## Conservation & Protection / Conservation et Protection

National Fisheries Intelligence Service  
Service national de renseignements sur les pêches

PROTECTED B

343 Ave Université Ave, Moncton, NB, E1C 9B6  
E-mail / Courriel: NFIS-SNRP-Eastern@dfo-mpo.gc.ca

### Situation Report

#### MAINTAINING PEACE ON THE WATER

2020.09.18

2020-E-G-SR-002

#### Issue

There is currently an unauthorized Lobster fishery taking place in St. Mary's Bay, Southwestern Nova Scotia (SWNS) that has sparked unsettling disputes between Indigenous and non-Indigenous fishers. [REDACTED]

[REDACTED] Some Chiefs and Band Councils from the Gulf region showed support to the unauthorized Lobster fishing activities in SWNS using social media platforms. It is unknown at this time if Indigenous fishers or members from the Gulf region will partake in the activities in SWNS or initiate similar activities in their community.

Fishery Officers (FOs) in the Gulf and Maritimes regions are currently being directed to observe, record and report (ORR) until further notice.

#### Background

##### Officer Safety

- Uncorroborated information suggests that there may be Indigenous members from different communities participating in the current SWNS [REDACTED] It is unknown how many individuals are travelling to SWNS and if there are travelling from New Brunswick (NS) or Nova Scotia (NS) to attend;
- As of 2020.09.18, the Assembly of Nova Scotia Mi'kmaw Chiefs has declared a State of Emergency due to the current events and violence unfolding in SWNS related to unauthorized Lobster fishing activities.

##### Rallies

- A social media post circulated online suggesting possible rallies at Fisheries and Oceans (DFO) area offices and detachments scheduled for Monday, 2020.09.21. [REDACTED]
- It is currently unknown if members from Indigenous organizations in the Gulf or Maritimes region will participate in those potential upcoming rallies.

##### Indigenous Organizations

- Information received suggests that First Nations feel that the government is not supporting the Mi'Kmaq to attain a moderate livelihood through negotiations. [REDACTED]

- [REDACTED]

- [REDACTED]
- The Pictou Landing Chief has expressed on social media her

*Third Party Rule applies to all information/intelligence shared between agencies. No further dissemination without the consent of the originator. This information/intelligence is not to be used for court purposes.*

s.16(1)(c)  
s.16(2)(c)  
s.21(1)(b)



## Conservation & Protection / Conservation et Protection

National Fisheries Intelligence Service  
Service national de renseignements sur les pêches

343 Ave Université Ave, Moncton, NB, E1C 9B6  
E-mail / Courriel: [NFIS-SNRP-Eastern@dfo-mpo.gc.ca](mailto:NFIS-SNRP-Eastern@dfo-mpo.gc.ca)

PROTECTED B

### Situation Report

#### MAINTAINING PEACE ON THE WATER

2020.09.18

2020-E-G-SR-002

support with the SWNS event,

- Based on observations, Esgenoôpetij First Nation started their fall Lobster Food, Social and Ceremonial (FSC) fishery on 2020.09.09.

- 2019.09.17 was the 20-year mark of the Marshall Decision. An event was hosted in Membertou, NS, to celebrate the 20th anniversary and discuss the meaning of moderate livelihood;
- On 1999.09.17, the Supreme Court of Canada (SCC) affirmed that 34 Mi'kmaq and Maliseet First Nations in New Brunswick, Prince Edward Island, Nova Scotia and the Gaspé region had a "Treaty right to hunt, fish and gather in pursuit of a moderate livelihood". The meaning of a moderate livelihood initiated many discussions over the years between the Government of Canada and Indigenous Organizations.

#### Current Status

- NFIS continues to work with Enforcement Operations and to liaise with local police of jurisdiction;
- The RCMP- Special Project Unit (SPU) in NB has been made aware of the situation in SWNS.

#### Next Steps

- NFIS will continue to liaise with local FOs and Intelligence partners to ensure that the information collected is documented in a manner that can be used to create intelligence products to inform decision-makers of any suspicious and/or unauthorized fishing activities affecting the resource and that could potentially threatened officer safety;
- The NFIS-Eastern Zone IAs will work closely together and liaise with the IAs from the RCMP;
- C&P Enforcement Operations will continue to liaise with local police of jurisdiction for enforcement action and officer safety.