



Statement

Minister Jordan issues statement on a new path for First Nations to fish in pursuit of a moderate livelihood

March 3, 2021

Ottawa, Ontario

Fisheries and Oceans Canada

“As we approach the 2021 fishing season on the East Coast, I am focused on solutions that protect Indigenous rights, and all those who work in our fisheries in order to provide everyone an opportunity to thrive.

We have never stopped working with First Nations to reach agreements and implement their right to a moderate livelihood. That is why effective this season, we will introduce a new path for First Nations to fish in pursuit of a moderate livelihood, one that addresses much of the feedback we’ve heard over the past year. This plan will support individuals, their families, and their communities. It’s a path that is flexible, adaptable, and based on three key principles: implementation of First Nations Treaty rights, conservation and sustainability of fish stocks, and transparent and stable management of the fishery.

We have engaged earnestly with industry associations and their members. We have appointed a Federal Special Representative to try and help mend broken relationships in communities. And we are increasing our communication with the public, being open and transparent about what lies ahead.

We can absolutely have a fishery that is peaceful, productive and prosperous, one that upholds the *Marshall* decisions and ensures First Nations are able to exercise their Treaty rights, in a way that is reflective of their Nation’s vision, needs, and wishes.

First, we will work with *Marshall* communities to develop Moderate Livelihood Fishing Plans (MLFP) that may be unique to each community or collective, are authorized and licensed by my department, and will enable fishing this season. These plans can be used ahead of reaching a Rights Reconciliation Agreement, can be long term or yearly, and will be achieved through a collaborative governance process. As Minister, I am prepared to license activities under these fishing plans, opening up the ability for First Nation harvesters to fish and sell their catch, and the opportunity to earn a moderate livelihood. These plans are a fundamental shift to how the Government has approached this issue, and are representative of the conversations we’ve had with our First Nations partners.

Second, fishing effort will not increase. The Government of Canada will balance additional First Nations access through already available licences and a willing buyer – willing seller approach, protecting our stocks and preserving the industry for generations to come.

Third, these fisheries will operate within established seasons. Seasons ensure that stocks are harvested sustainably and they are necessary for an orderly, predictable, and well-managed fishery. In effort-based fisheries such as lobster, seasons are part of the overall management structure that conserves the resource, ensures there isn’t overfishing, and distributes economic benefits across Atlantic Canada. In *Marshall II*, the Supreme Court clearly stated “treaty rights are subject to regulation provided such regulation is shown by the Crown to be justified on conservation or other grounds of public importance.” That is what we are implementing.

Conservation underpins everything we do at DFO, it is our primary mandate and I know it is a shared priority between First Nations, commercial harvesters, and the Government. Lobster stocks are healthy on the East Coast and have remained that way in part because my department works to monitor biomass and determine appropriate fishing limits and practices year after year. This work is vital to the success of the fishery and will continue with all harvesting.

Lastly, safety must always remain a priority. For our part, all harvesters will see an increased and coordinated federal presence on water and on land this spring, including fishery officers, supported by Canadian Coast Guard vessels. Fishery officers have the difficult job of enforcing the *Fisheries Act* equally to all harvesters, in very complex and evolving conditions. They are hardworking members of our communities – they are our neighbours. Some actions taken last year by individuals inhibited the work of fishery officers. We must all give them the space and respect to do their job.

As Fisheries Minister, but also as a coastal Canadian, I am committed to upholding and implementing the rights of Mi'kmaq, Maliseet, and Peskotomuhkati harvesters to see the full benefits that the fishery can bring to their families and communities, and to consider Indigenous perspectives when developing these fisheries. To do this, we need an orderly fishery. Fishing does not end when the catch comes in. There's processing, provincial regulations around buying and selling, catch reporting and stock monitoring, and so much more. All harvesters – including First Nations – benefit when these systems work together.

With the spring season starting soon, Atlantic Canadians have an opportunity to show the rest of the country what the fishery truly is – a community. People genuinely trying to work together to reach a solution. It's up to all of us to work together, to come together, and ensure a peaceful, productive season this spring. We owe it to everyone involved, to rights holders, to our coastal communities, and to all Canadians to get this right.”

- 30 -

For more information:

Jane Deeks
Press Secretary
Office of the Minister of Fisheries, Oceans
and the Canadian Coast Guard
343-550-9594
Jane.Deeks@dfo-mpo.gc.ca

Media Relations
Fisheries and Oceans Canada
613-990-7537
Media.xncr@dfo-mpo.gc.ca

Stay Connected

- Follow the Department of Fisheries and Oceans Canada on [Twitter](#), [Facebook](#), [Instagram](#) and [YouTube](#).
- Follow the Canadian Coast Guard on [Twitter](#), [Facebook](#), [Instagram](#) and [YouTube](#).
- Subscribe to receive our news releases and more via RSS feeds. For more information or to subscribe, visit <http://www.dfo-mpo.gc.ca/media/rss-eng.htm>.