

MEDIA RELEASE

FOR IMMEDIATE RELEASE

March 3, 2021



Maw-lukutijik **Saqmaq**
Assembly of Nova Scotia
Mi'kmaq Chiefs

Assembly of Nova Scotia Mi'kmaq Chiefs Respond to DFO Announcement

While today, Minister Bernadette Jordan, Department of Fisheries and Oceans Canada (DFO), has recognized our Moderate Livelihood Fishery, she has also made unilateral decisions and asserted a position with DFO having full control over our Rights-based fishery. This is unacceptable. The Moderate Livelihood Fishery is a constitutionally protected Mi'kmaq Right and must be Mi'kmaq-led. Twenty years after *Marshall* was decided, DFO continues to take a colonial approach to this matter, and it is time that Canada moves beyond this mindset.

Canada emphasizes a commitment to "Nation-to-Nation" discussions, yet DFO continues to assert dominance over our Nation – making announcements and decisions, leaving no room for discussion or consultation. This is negligent of promises of working Nation-to-Nation, Rights affirmation, reconciliation and is in complete disregard of our governance and leadership.

DFO is continuing to impose rules without consultation with, accommodation of, or agreement with, the Assembly. *Marshall II* said that every limitation put on the exercise of our Right must be justified and in consultation with the Mi'kmaq. Minister Jordan's announcement is premature to any discussions with the Mi'kmaq, disregards the work and efforts of our communities, and is disrespectful to any attempt at collaboration and reconciliation.

"DFO continues to dictate and impose their rules on a fishery that is outside of their scope and mandate," said Chief Gerald Toney, Assembly's Fisheries Lead. "The Right to a livelihood fishery is not – and should not be - industry or federal government driven. It is something that needs to come from the Mi'kmaq of Nova Scotia. Imposing restrictions independently, without input of the Mi'kmaq, on our implementation of Rights is an approach that must stop."

Many Mi'kmaq communities have been working to develop Netukulimk Livelihood Fisheries Plans – based on the Mi'kmaq principle of Netukulimk, taking only what you need and being respectful of the land, animals and environment. Some Mi'kmaq communities have included fishing dates outside of commercial seasons both for the safety of their harvesters who are using much smaller vessels than what is used in the commercial fishery, and our science has shown there is no concern for impacts to the species during those times. DFO has not yet provided us with justification for the imposition of the commercial seasons to our Rights-based fishery.

"DFO must consult the Mi'kmaq, justify their decisions by sharing their data with us if they want to have a discussion - especially on seasons," continued Chief Toney. "Our communities will continue to build their livelihood plans, with input from our Rights and Environmental organizations, and there is no evidence that our livelihood fishing activity would have a negative impact on the species."

DFO continues to fail in their duty to consult with the Mi'kmaq and accommodate our concerns. The Assembly is calling on Canada to act in good faith and to meet with us before publicly pushing their agenda any further.

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For more information contact:

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