

MEDIA RELEASE

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

The Right to a Moderate Livelihood - 21 Years & Counting

Today marks 21 years since the Supreme Court of Canada affirmed the Mi'kmaq's Constitutional right to hunt, fish and gather in the pursuit of a Moderate Livelihood in *R v. Marshall*. Despite our rights being affirmed by the highest courts in the country, exercising these rights continues to bring frustrations, conflict and hardships to our people.

This week, the Assembly of Nova Scotia Mi'kmaq Chiefs, along with Potlotek's Chief Wilbert Marshall, sent a formal request for consultation under the *Terms of Reference for a Mi'kmaq-Nova Scotia-Canada Consultation Process* (TOR), to Minister Jordan to inform and discuss Potlotek's Netukulimk Livelihood Fishery Management Plan. Despite the Supreme Court saying the Minister has rather power to regulate, DFO has never proposed or consulted with the Mi'kmaq on justifiable regulations for our livelihood fishery.

"We have been trying to negotiate a long-term plan with DFO for years," said Chief Terrance Paul, Fisheries Lead for the Assembly of Nova Scotia Mi'kmaq Chiefs. "Through consultation, we hope to find a path forward immediately. Our communities are going fishing and we want to ensure that they don't have to be fearful of being harassed or charged".

The consultation request to Minister Jordan included a copy of Potlotek's plan to harvest lobster in exercise of their treaty right to fish for a moderate livelihood.

"Our community members have developed a Livelihood Plan and we want to be open and transparent on our plans with our fellow Mi'kmaq communities and the Federal Government," said Chief Wilbert Marshall, Potlotek. "We have followed the guiding standards set by the Assembly and we have developed plans for management, accountability and sustainability, amongst other things."

While the topic of moderate livelihood has been at the Negotiations table for years, the Assembly of Nova Scotia Mi'kmaq Chiefs and the Mi'kmaq Negotiations Team has been met with obstacles for moving forward, and the options presented by Canada continue to infringe on our treaty rights.

The Mi'kmaq of Nova Scotia is calling on DFO to consult on this process to avoid harvesters' treaty rights from being further infringed upon, and in efforts to maintain a healthy relationship going forward while Potlotek begins the implementation of their Plan.

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