

# MEDIA RELEASE

FOR IMMEDIATE RELEASE

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

## Canada Continues to Fail their Legal Responsibilities

Last week Mi'kmaw communities, *member to the Terms of Reference for a Mi'kmaq-Nova Scotia-Canada Consultation Process*, participated in a formal, on-the-record consultation discussion with the Department of Fisheries and Oceans Canada (DFO) specifically regarding the seasonality of moderate livelihood fisheries.

It was clear from the beginning of the meeting that this consultation discussion would have no bearing on the recent decisions publicly announced by DFO. Minister Jordan's unilateral decision to impose commercial fishing seasons on our Rights-based fishery continues to stand, regardless of her legal responsibility to consult on the imposition of commercial seasons, to limit the exercise of our Right, and to reasonably accommodate our Right.

"This decision is an infringement of our Right and a failure of Canada to meet their legal responsibilities to consultation and justification," said Chief Gerald Toney, Fisheries Lead for the Assembly of Nova Scotia Mi'kmaw Chiefs.

During this consultation meeting, the Mi'kmaq raised several important questions regarding the justification of commercial seasons, however DFO representatives were unable to answer these questions. DFO continues to leave the Mi'kmaq with many unanswered questions despite having a legal responsibility to provide justification and to accommodate and limit any infringement on Mi'kmaw Rights.

DFO did not provide any evidence or scientific data on the potential impacts Mi'kmaq fishing outside of commercial seasons could have on the lobster stocks and it appears that DFO is imposing commercial seasons on our harvesters based on fear of the unknown, rather than specific scientific data or will to reasonably implement our Right.

Mi'kmaw representatives have requested specific data sets, including detailed scientific, economic, and management data, to justify the imposition of commercial seasons, and will not consult with DFO again until we have received and reviewed this information.

"We continue to reject the Minister's unilateral control of our Rights' based fishery and will hold her to account to meet her legal obligations as described in *Marshall* and *Badger*," said Chief Toney.

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For more information contact:

Crystal Dorey  
Communication Manager  
Kwilmu'kw Maw-klusuaqn Negotiation Office  
902-843-3880  
[crystaldorey@mikmaqrights.com](mailto:crystaldorey@mikmaqrights.com)