

## PRESS RELEASE

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### **Mi'kmaq Have a RIGHT to fish in Nova Scotia Waters**

The Mi'kmaq have a constitutional Right to harvest for a Moderate Livelihood. In the 1999 *Donald Marshall* ruling, the Supreme Court of Canada found that a series of Treaties signed in 1760-61 by Mi'kmaq and the British Crown are still valid, and that there is the Right for Mi'kmaq to harvest and sell fish, wildlife, wild fruit and berries to provide a moderate livelihood.

It has been 18 years since that decision, yet the Department of Fisheries and Oceans (DFO) has still not recognized this Moderate Livelihood Fishery, which is distinct from a commercial fishery.

“The time is long overdue for DFO to recognize the Supreme Court’s ruling on our Right to a Moderate Livelihood Fishery,” said Chief Terrance Paul, Lead of Fisheries for the Assembly of Nova Scotia Mi'kmaq Chiefs. “We have been calling on DFO to work with the Mi'kmaq of Nova Scotia to properly implement this fishery from the moment the *Marshall* Decision came down.”

In 2010, the Assembly of Nova Scotia Mi'kmaq Chiefs (Assembly) commissioned Dr. Fred Wien, Dalhousie University, to conduct *The Fish as Food Study*, which found that in comparing the fish consumption needs to the amount of fish actually provided, the Mi'kmaq of Nova Scotia had an annual shortfall of over 800,000 pounds. As the Mi'kmaq population has grown since 2010, we can only assume, so has this shortfall.

“Mi'kmaq have fished these waters since time immemorial. We practice Netukulimk [a Mi'kmaw concept of responsible co-existence with the Earth’s resources and each other, without jeopardizing the integrity or diversity of the environment] as conservation and management of resources has always been an important part of our culture,” continued Chief Paul. “Yet, the issue still remains that we have a constitutional Right that DFO has not recognized, and a need to feed and to provide a livelihood for our people.”

The Assembly and the Sipekne'katik community want to make it clear that Mi'kmaq harvesting is legal and that there is a constitutional Right to do so; in fact many harvesters are abiding by community management plans that express conservation measures for a safe and sustainable harvest, which we fully support.

“We are prepared to have these crucial discussions, but the onus is on DFO to come to the table to work, in good faith, with the Mi'kmaq of Nova Scotia,” said Chief Paul.

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