



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

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January 29, 2025

The Honourable Diane Lebouthillier  
Minister of Fisheries, Oceans, and the Canadian Coast Guard  
House of Commons  
Ottawa, Ontario K1A 0A6  
Via Email: [diane.lebouthillier@parl.gc.ca](mailto:diane.lebouthillier@parl.gc.ca)

**RE: Renewed support for continued implementation of the right to fish in pursuit of a moderate livelihood**

Minister Lebouthillier,

On December 3, 2024, the Mi'kmaw communities in Nova Scotia were disappointed to receive your letter concerning our Treaty livelihood fishery in Atlantic Canada. We are reminded of earlier initiatives from the 2000s and the Rights Reconciliation Agreements previously presented, all of which failed to respect and uphold our inherent Rights. As was echoed by leadership during the 2000s, we continue to assert that our Rights are not for sale.

You continue to propose the “willing buyer-willing seller” framework, an approach that prioritizes commercial fisheries over our Treaty-based fisheries. Over the past four years, Mi'kmaw communities have risen to the challenge of developing their own sustainable, species-specific community-based harvest plans. These arrangements are showing growing success and community support. The Mi'kmaq now require that DFO meet its obligations by providing adequate resource allocations to continue this success. The “willing buyer-willing seller” approach has failed to address this obligation – devolving a failed approach to the Mi'kmaq to satisfy Canada's obligations is contrary to the Honour of the Crown.

Mi'kmaw communities and representatives in Nova Scotia have, through Consultation, repeatedly indicated that it is the obligation of Canada to provide adequate resource access to Treaty-Rights holders to participate in communally developed and managed fisheries plans based on Mi'kmaw law and principles. The “willing buyer-willing seller” approach has been employed by DFO for decades and has not come close to meeting adequate access. The “renewed support” that DFO has proposed is simply devolving this failed strategy from DFO to Mi'kmaw communities.

*“Confidential, without prejudice and under the protection of the February 23, 2007  
Mi'kmaq-Nova Scotia-Canada Framework Agreement.”*

While your correspondence talked about “renewed support” for the Treaty fishery, the recognition of Mi’kmaw self-determination and the need for flexibility, we are significantly concerned about the implications of the funding framework proposed, including the suggested use of the Atlantic Integrated Commercial Fisheries Initiative (AICFI).

The Treaty Right to fish for a livelihood is separate and unique from the commercial fishery and must be recognized as such. The AICFI is a program that supports communal commercial fishers – not Rights-based fisheries.

Canada has a legal responsibility to engage with us in a collaborative manner that respects the Nation-to-Nation relationship with the Mi’kmaq. It is unacceptable for plans to be developed independently by DFO and presented to the Mi’kmaq without proper consultation. Your proposed approach goes against the *United Nations Declaration on the Rights of Indigenous Peoples Act*.

The Assembly of Nova Scotia Mi’kmaw Chiefs on January 22, 2025, collectively agreed to reject your offer. We urge you to move away from trying to force our rights-based fishery into your commercial licencing regime.

The Mi’kmaq of Nova Scotia have constitutionally protected rights to fish. Our communities hold sacred these Rights and will continue to protect and implement them in a manner that ensures those Rights are respected for future generations.

Yours in Recognition of Mi’kmaw Rights and Title,

*Signatures withdrawn in online version for security purposes*

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Chief Gerald Toney  
Annapolis Valley First Nation  
Fisheries Co-Lead  
Assembly of Nova Scotia Mi’kmaw Chiefs

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Chief Wilbert Marshall  
Potlotek First Nation  
Fisheries Co-Lead  
Assembly of Nova Scotia Mi’kmaw Chiefs

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Chief Carol Potter  
Bear River First Nation

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Chief Leroy Denny  
Eskasoni First Nation

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Chief Sidney Peters  
Glooscap First Nation

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Chief Robert Gloade  
Millbrook First Nation

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Chief Terrance Paul  
Membertou First Nation

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Chief Cory Julian  
Paqtnkek First Nation

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Chief Tamara Young  
Pictou Landing First Nation

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Chief Michelle Glasgow  
Sipekne'katik First Nation

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Chief Norman Bernard  
Wagmatcook First Nation

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Chief Deborah Robinson  
Wasoqopa'q First Nation

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Chief John Leonard Bernard  
We'koqma'q First Nation