

MEDIA RELEASE

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Senate Committee presents skewed findings in unbalanced report

HALIFAX, NS – The Unified Fisheries Conservation Alliance (UFCA) is voicing its grave dissatisfaction and frustration over a study released by the Standing Senate Committee on Fisheries and Oceans earlier this week on Indigenous rights-based fisheries, specifically those affirmed in the 1999 *Marshall* decisions. The report dismisses over twenty-two years of work by the federal government to implement Mi'kmaq, Wolastoqiyik and Peskotomuhkati rights-based fisheries and its approach to negotiations and the methods used to gain more access for First Nations.

“The findings are incredibly biased and do not adequately represent the legal realities of the *Marshall* decisions,” says Colin Sproul, President of the UFCA. “It appears to have been written without substantial engagement from those closest to the fishing industry and without legal context to the fishery,” says Sproul, adding that broader consultation with industry and legal experts is required to ensure it reflects the current realities of the commercial fishery.

While the *Marshall* decisions (I & II) affirm the Indigenous Right to participate in the largely regulated fishery, the UFCA argues the study fails to recognize the substantial commercial access that has been granted to, and held by Indigenous communities since this affirmation. The value that the federal government has invested for First Nations impacted by the *Marshall* decision is nearly \$1-billion and per capita, First Nations have more commercial fishery access than non-Indigenous. Furthermore, hundreds of Commercial Communal licences, provided for the pursuit of a moderate livelihood, are controlled and leased by Chief and Council to non-Indigenous commercial fishers for a royalty.

“We support Indigenous fishing access utilized by community members for employment, opposed to a royalty benefit controlled by First Nations government,” says Sproul.

The report also inaccurately refers to the moderate livelihood fishery as a priority access fishery. The Supreme Court of Canada has confirmed, rather, that the treaty right is a right to “equitable access”; a right to participate in the modern, regulated commercial fishery. “If the Senate Committee is serious about understanding this issue, we strongly encourage them to attempt sober second thought; that is to say, unbiased thought that seeks to understand the Right, the participation level, mechanisms of participation and the value of a single fisheries management authority for sustainability and conservation. Our goal is to have Indigenous and non-indigenous fishing side by side again however, advocating expropriation and chaotic change is not a path to “peace on the water”. The report takes into account the input and perspectives of approximately 18 groups representing Indigenous communities across the Maritimes but just two commercial fisheries associations. The absence of non-indigenous experts who live and work in these communities is evident because it’s clear this Senate Committee does not have the appropriate information to have made practical balanced recommendations on this issue.”

About the Unified Fisheries Conservation Alliance

The Unified Fisheries Conservation Alliance (UFCA) represents thousands of independent, multi-species commercial fishermen and women, fishery associations and associated businesses from across Atlantic Canada. The UFCA was formed to bring together many participants in the Atlantic fishery to speak with one balanced, coordinated and moderate voice.

For more information, visit www.ufca.ca

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