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## News Release

For Immediate Release:  
September 24, 2013

### BC First Nations leaders sign Fisheries MOU with Canada

**Coast Salish Territory, Vancouver, British Columbia** – Leaders of the BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs met this morning with the Hon. Gail Shea, Minister of Fisheries and Oceans to sign a *BC First Nations Fisheries Memorandum of Understanding* (MOU).

The MOU (attached) *“establishes and defines a collaborative relationship to achieve concrete outcomes that are mutually beneficial to all Parties, and supports the aspirations of First Nations in BC, through establishing a joint dialogue process regarding general and specific issues related to fisheries and aquatic resources in BC.”*

“We are pleased that we have finally signed this important MOU, which has been in development for more than a year”, said Grand Chief Edward John of the First Nations Summit political executive. “Fisheries issues are critical to First Nations in BC. This MOU provides a much needed mechanism that will provide opportunities to discuss key fisheries and aquaculture issues and will hopefully lead to collaborative efforts to achieve concrete outcomes that are not only mutually beneficial, but also address the aspirations and needs of First Nations in BC.”

“First Nations in BC, concerned about the health and vitality of fisheries, continue to look for opportunities to work jointly with other governments on improved fisheries management. Unilateral legislative development is not acceptable. First Nations and indeed many Canadians stood together last year in opposition to unilaterally developed omnibus Bills C-38 and C-45”, stated BCAFN Regional Chief Jody Wilson-Raybould. “Past Fisheries Ministers have committed to “robust” consultation with First Nations and I am encouraged by this step towards improved relations. DFO’s commitment to high level political engagement with First Nations is critical to work jointly through the challenging issues, including legislative and regulatory changes, facing our communities.”

“It has been nearly one year since the Cohen Commission final report was tabled and we have yet to see an official response to the report’s recommendations from Canada”, Chief Bob Chamberlin, Vice-President of the Union of BC Indian Chiefs. “Commissioner Cohen made 75 recommendations with respect to the protection and conservation of wild salmon. We fully expect that, under this MOU, we will finally be able to engage in a meaningful dialogue with DFO and the federal government on how they intend to make the necessary investments in

the protection of wild salmon as prescribed in Commissioner Cohen's recommendations."

Under the three year term of the MOU (September 2013 – September 2016), the Parties agree to hold meetings involving political representative(s), and officials where appropriate at least twice annually to identify priority issues and establish a mutual agenda; discuss the effective implementation of relevant court decisions; determine and direct follow-up work to be jointly undertaken regarding the priority issues and to advance the mutual agenda; and discuss any other issues related to the implementation of the MOU.

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**For more information please contact:**

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Director of Operations  
BC Assembly of First Nations



Canada

Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

## FIRST NATIONS FISHERIES MEMORANDUM OF UNDERSTANDING

BETWEEN

THE UNION OF BRITISH COLUMBIA INDIAN CHIEFS

AND

THE FIRST NATIONS SUMMIT

AND

THE BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

(collectively referred to as the "FIRST NATIONS LEADERSHIP COUNCIL")

AND

HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTED BY THE MINISTER OF

FISHERIES AND OCEANS

(collectively referred to as the "Parties")

### Whereas:

- A. The First Nations Leadership Council has a mandate from First Nations in British Columbia to work together to improve the socioeconomic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal title, rights and treaty rights with the assertion of Crown sovereignty.
- B. The First Nations Fisheries Council has a mandate from the First Nations Leadership Council to work with, and on behalf of British Columbia First Nations to advance and protect Aboriginal title, rights and treaty rights related to fisheries and aquatic resources. The First Nations Fisheries Council provides technical support to First Nations and the First Nations Leadership Council on fisheries matters.
- C. Fisheries and Oceans Canada is responsible and has legislative authority for developing and implementing policies and programs in support of Canada's scientific, ecological, social, and economic interests in oceans and fresh waters.
- D. Existing Aboriginal and treaty rights are recognized and affirmed in section 35(1) of the Constitution Act, 1982.

- E. The Parties share common goals of establishing a strengthened, long term relationship based on mutual respect and recognition and developing capacity of First Nations for efficient and effective fisheries management in British Columbia.
- F. The Parties recognize the fundamental importance of fisheries and fisheries resources to First Nations peoples in British Columbia and share common goals of maintaining healthy ecosystems and promoting sustainable use of fisheries resources.
- G. The Parties seek to establish a formal relationship to engage in dialogue on issues relating to fisheries and aquatic resources.
- H. The Parties seek to work constructively together to achieve concrete outcomes that are mutually beneficial, and that support the aspirations of First Nations in British Columbia.
- I. It is recognized that there are existing political accords, strategies and reports, such as the BC First Nations Fisheries Action Plan: Preparing for Transformative Change in the BC Fishery (2007) and the Commitment to Action and Results (2010) that will assist the Parties in their work under this Memorandum of Understanding (MOU).

## **1.0 Purpose:**

- 1.1 The purpose of this MOU is to:
  - a. Establish and define a collaborative and constructive relationship to achieve concrete outcomes that are mutually beneficial to all Parties, and support the aspirations of First Nations in British Columbia, through establishing a joint dialogue process regarding general and specific issues relating to fisheries and aquatic resources in British Columbia.

## **2.0 Implementation**

- 2.1 The Parties agree to hold meetings involving political representative(s), and officials where appropriate, of each Party at least two (2) times annually to:
  - a. identify priority issues and establish a mutual agenda;
  - b. discuss the effective implementation of relevant court decisions;
  - c. determine and direct follow-up work to be jointly undertaken regarding the priority issues and to advance the mutual agenda; and
  - d. discuss any other issues related to the implementation of this MOU.
- 2.2 The pre-existing Joint Executive Committee and Joint Steering Committee ("the Joint Committees") established by the First Nations Fisheries Council and Fisheries and Oceans Canada will serve as a technical table to carry out the direction under Clause 2.1.

- 2.3 In addition to the two meetings identified under Clause 2.1, the Joint Committees will each meet at least four (4) times per year (for a total of eight (8) meetings) and will establish a meeting schedule. Meetings may also be convened as needed, or at the mutual agreement of the Parties.

### **3.0 Term and Review**

- 3.1 This MOU shall take effect from the date that this is signed by the Parties.
- 3.2 This MOU and activities associated with it will be reviewed annually by the Parties.
- 3.3 This MOU may be amended at any time by agreement in writing between all of the Parties.
- 3.4 A Party may withdraw from this MOU by providing ninety (90) days' notice in writing to the other Parties.
- 3.5 This agreement has a term of 3 years and can be renewed by agreement in writing between all of the Parties.

### **4.0 General**

4.1 The Parties agree that this MOU:

- a. does not and is not intended to be legally binding or to create legally enforceable rights or obligations between the Parties;
- b. does not and is not intended to displace, any legal duty that the Crown may have to consult directly with First Nations;
- c. does not and is not intended to, define or extinguish any Aboriginal or treaty rights and is not evidence of the nature or extent of any Aboriginal or treaty rights;
- d. is made without prejudice to the positions taken by any Party with respect to Aboriginal or treaty rights;
- e. shall not be interpreted in a manner that implies endorsement or acceptance of federal legislation or policies by First Nations; and
- f. is not a land claims agreement or treaty within the meaning of section 35 of the Constitution Act, 1982.

In witness whereof the parties have executed this Memorandum of Understanding this 24<sup>th</sup> day of September 2013.

**On behalf of the GOVERNMENT OF CANADA**

**On behalf of the BC ASSEMBLY  
OF FIRST NATIONS**

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS  
REPRESENTED BY THE MINISTER OF FISHERIES AND  
OCEANS, Minister Gail Shea

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Jody Wilson-Raybould  
Regional Chief

**On behalf of the FIRST NATIONS SUMMIT**

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Grand Chief Edward John  
Task Group Member

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Cheryl Casimer  
Task Group Member

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Robert Phillips  
Task Group Member

**On behalf of the UNION OF BC INDIAN CHIEFS**

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Grand Chief Stewart Phillip  
President

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Chief Bob Chamberlin  
Vice President

**ORIGINAL SIGNED BY**

\_\_\_\_\_  
Councillor Marilyn Baptiste  
Secretary-Treasurer