

FIRST NATIONS LEADERSHIP COUNCIL

News Release

June 24, 2021

FNLC Congratulates Nuu-chah-nulth – Demands more from Canada on First Nations fisheries recognition

(Xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səilwətaʔ/ səilwítulh (Tseil-Waututh)/Vancouver, B.C.) — The First Nations Leadership Council (FNLC) congratulates the Nuu-chah-nulth First Nations of Ahousaht, Hesquiaht, Ehattesaht/Chinehkint, Tla-o-qui-aht and Mowachaht/Muchalaht in their steadfast and ongoing defense of their fishing rights. The Government of Canada recently decided to end more than 15 years of fisheries-related litigation against these Nuu-chah-nulth First Nations.

The First Nations Leadership Council acted as one of several intervenors at the April 19, 2021 BC Court of Appeal, which then re-affirmed that the Nuu-chah-nulth fishing right included the economic component, and priority access to any species to the Nations' fishers. Since 2003, the Nuu-chah-nulth Nations have spent millions of dollars defending their rights to access, benefit from and manage their fisheries resources – all the while Canada has continued to deny their rights and priorities over others, including commercial and recreational interests.

Regional Chief Terry Teegee of the BCAFN stated, "I hold my hands up to the Nuu-chah-nulth for their ongoing defense of their rights to manage their fisheries according to their laws. I also commend Canada for finally taking a step in the right direction. The federal cabinet must prioritize changes to the *Fisheries Act* to ensure alignment with the Nuu-chah-nulth fisheries laws – as they are protected and affirmed under Section 35, and the *UN Declaration on the Rights of Indigenous Peoples*." He added, "The denial by Canada of First Nations rights to manage, access and benefit from their fisheries resources is part of the colonial legacy – DFO has been used like the RCMP were used to take our children away; DFO was designed to limit First Nations' access and management of another important resource: fisheries."

"Canada must stop fighting First Nations in courts when it comes to our Constitutional rights to access, benefit from and manage our resources. The DFO is one of the worst perpetrators of the federal system in limiting and denying First Nations their constitutionally protected Aboriginal rights," commented Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs. He continued, "For far too long, the colonial governments have sought to violate and deliberately obstruct the exercise of our legal rights. I congratulate the Nuu-chah-nulth for continuing to defend their Title and Rights against ongoing Colonialism."

"The courts have been very clear that the priority of s. 35(1) constitutional rights must be taken seriously, must be respected, must be given priority over other users, and must evolve over time. We are pleased that Canada has finally recognized that any further legal challenges in the *Ahousaht* case would be



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futile,” said Lydia Hwitsum of the First Nations Summit Political Executive. “We once again hold our hands up to the Nuu-chah-nulth for their unwavering determination in their lengthy and costly legal battle to fight for recognition of their inherent rights. Governments must recognize this as yet another example of why they should cease trying to use the courts in an attempt to deny our protected rights”.

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The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).

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