



## FIRST NATIONS FISHERIES COUNCIL

of British Columbia

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### FOR IMMEDIATE RELEASE

## First Nations Fisheries Council of BC Congratulates Five Nuu-chah-nulth Nations on Court Decision, Calls on Government to Implement Decision

The First Nations Fisheries Council of BC (FNFC) is today applauding the victory of five Nuu-chah-nulth Nations in the B.C. Supreme Court decision in the *Ahousaht et al v. Canada* case. The decision was released at noon today.

The Judge today found that the Government of Canada was not justified in infringing on the Aboriginal Rights of the five plaintiff First Nations. The Judge has called for changes to government policies within the next year to give effect to the Aboriginal Right.

The FNFC encourages the Government of Canada to work with the five Nations to implement the findings of the Judge. In particular, the FNFC calls for discussions with B.C. First Nations on the following decisions of the Judge:

- (1) The Judge found that the salmon allocation framework cannot be justified and must be changed.
- (2) The Judge found that the Fisheries and Oceans Canada (DFO) policy of giving recreational fishermen priority to Chinook (spring) salmon cannot be justified and must be changed to give effect to the aboriginal priority.
- (3) The Judge found that DFO policy of giving recreational fishermen priority to Coho salmon cannot be justified and must be changed to give effect to the aboriginal priority.
- (4) The Judge found that the plaintiff First Nations have the right to fish for halibut and other ground fish and sell their catch, that was previously not followed by DFO.
- (5) The Judge found that the aboriginal commercial fishing right must be a viable one.

Hugh Braker, Vice-President of the FNFC said today, “This is a win for all First Nations in BC. DFO hadn’t implemented the direction of the Supreme Court of Canada on Chinook and Coho by giving recreational fishermen priority to those species. Today the Judge said that is wrong.”

“DFO has spent millions of dollars fighting the Ahousaht and other T’aaq-wiihak First Nations (*Plaintiffs*) in court and has lost. We are calling on the Minister of Fisheries to stop fighting in Court and negotiate, in keeping with the Government of Canada’s commitment to a nation-to-nation relationship.

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Reconciliation requires meaningful negotiations with the T'aaq-wiihak First Nations," Braker added.

"Today's decision will require changes to DFO policy on salmon and other fisheries resources in B.C." Braker said. "The people of B.C. should not be worried about that. We see this as a win for everyone, including the salmon. Meaningful negotiations with First Nations will ensure that we all fight the good fight of ensuring healthy and sustainable returns of salmon every year. We do this for future generations of First Nations children and we hope Canada negotiates for the future too."

**For more information, please contact FNFC Vice President Hugh Braker  
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**Background:**

The First Nations Fisheries Council was established in 2007 to implement the *First Nations Fisheries Action Plan*, an agenda for action in the Pacific fishery for BC First Nations. The *Action Plan's* vision includes all First Nations in BC working together to address issues of shared concern in the fishery, and to enhance the well-being of communities. The plan calls for maintaining healthy aquatic ecosystems and species and restoring them as necessary while sharing management responsibility based on ownership of territories and the inherent Rights of First Nations. The council works with governments and stakeholders to ensure recognition and respect of First Nations' Title and Rights and to improve the conservation and management of fish and aquatic resources.