



BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road
Prince George, BC V2K 5S3
Website: www.bcafn.ca

BCAFN 17th ANNUAL GENERAL MEETING

November 17 & 18, 2020

Online via Zoom

Resolution 09/2020

SUBJECT: SUPPORT FOR THE MI'KMAQ FISHERS AND PROTECTING THEIR RIGHTS,
SAFETY, AND LIVELIHOODS

MOVED BY: CHRIS LEWIS, PROXY, SQUAMISH NATION

SECONDED BY: KUKPI7 WAYNE CHRISTIAN, SPLASTIN

DECISION: CARRIED

WHEREAS:

- A. We are sovereign Indigenous Nations who enjoy the right to protect, manage, and derive social, cultural, and economic benefits from our lands, waters, and resources, including from fisheries that are integral to the prosperity of First Nations throughout BC;
- B. Non-Indigenous fishermen have organized dangerous and provocative illegal protests meant to hinder and deny the fishing activities of the Mi'kmaq, including the Sipekne'katik Band's self-regulated lobster fishery, and there are currently ongoing attempts by non-Indigenous fisherman to intimidate, threaten, and prevent Mi'kmaq fisher men and women from exercising their unextinguished and constitutionally affirmed fishing rights;
- C. The Assembly of Nova Scotia Mi'kmaq Chiefs declared a State of Emergency on September 18, 2020 in the wake of violence, threats, and human rights discrimination erupting over Mi'kmaq fisheries across Nova Scotia;

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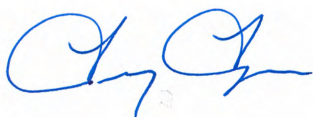
Terry Teegee, BC Regional Chief

- D. The *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of BC, committed to implement, affirms:
- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and their resources and to uphold their responsibilities to future generations in this regard.
 - ii. Article 26 (1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired; (2) Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired;
- E. The criminal actions of non-Indigenous fisherman, including the cutting of traps, the destruction of property, and the intentional ramming and shooting of flares at Mi'kmaq boats, aim to de- legitimize the Mi'kmaq right to earn a moderate living from fishing that is recognized in the 1999 Marshall Decision of the Supreme Court of Canada, as well as their inherent fishing and trading rights recognized in the Mi'kmaq Treaties and protected by s.35 of the Canadian Constitution;
- F. Despite their recognized fishing rights, First Nations across BC continue to experience frustrations, conflicts, and hardships when exercising and defending these rights, including confronting the challenges associated with the catastrophic decline in salmon stocks and the government's unsustainable and outdated approach to fisheries; and
- G. BCAFN has a strong mandate for protecting the self-determination, jurisdiction and Title and Rights of First Nations against violence and extinguishment.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly condemn any acts of violence and aggression committed against the Mi'kmaq fishers and attempts to hinder Mi'kmaq members exercising their legal fishing rights;
2. The BCAFN Chiefs-in-Assembly direct the Regional Chief and staff to work with likeminded organizations to advocate in support of the Mi'kmaq Nation and to ensure that government

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inaction and indecision does not bolster and condone the infringement of Mik'maq rights and further acts of hostility and violence;

3. The BCAFN Chiefs-in-Assembly call upon all relevant federal and provincial Ministers and government agencies to safeguard the unextinguished and constitutionally affirmed fishing rights of the Mi'kmaq Nation and to prosecute any illegal protest or criminal behavior from those seeking to undermine these rights.

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