

COMMUNITY NOTICE

June 3, 2019

Working as a Nation on Moderate Livelihood

In the 1999 *Marshall* decision, the Supreme Court of Canada affirmed that the Mi'kmaq have a Treaty Right to hunt, fish and gather for the purpose of earning a “moderate livelihood” under the 1760-61 Peace and Friendship Treaties. The court in *Marshall*, directed that the process of determining what is required to implement the Treaty Right to fish for the purpose of earning a moderate livelihood may best be resolved in consultation and negotiations.

“It is important that we do this together, as a Nation, not have rules imposed upon us by DFO,” said Chief Terry Paul, Assembly’s Fisheries Portfolio Lead. “We want all community members to be able to participate in our Constitutional Right for a moderate livelihood fishery – one that is free of harassment and charges. Together, as a Nation, we need to define what that means, what it will look like, and the rules that we want to see put in place.”

There has been much fishing activity on our waters, and the Assembly supports those who want to pursue a moderate livelihood. “A moderate livelihood includes such basics as ‘food, clothing and housing, supplemented by a few amenities’, but not the accumulation of wealth....” (*Marshall 1*, para.59)

“It is clear that we have the communal right to a Moderate Livelihood fishery, but we want to hear more from our people on what needs to be included and considered for the Mi'kmaq to have a legitimate livelihood fishery – one that ensures the safety of our people, the conservation of the resources and one that is governed and managed by the Mi'kmaq,” continued Chief Paul.

The Assembly of Nova Scotia Mi'kmaq Chiefs will continue to work on a Moderate Livelihood fishery and look forward to working with community fishers to gain their insight and input.

For additional information, please contact:

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