



Nuu-chah-nulth Tribal Council

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HUU-AY-AHT
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MOWACHAHT/MUCHALAHT
NUCHATLAHT
TLA-O-QUI-AHT

TOQUAHT
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P.O. BOX 1383
PORT ALBERNI, BC
V9Y 7M2
Tel: 250-724-5757
Fax:250-723-0463

NTC Applauds DFO Decision not to Appeal Ahousaht Commercial Fishery Case

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Port Alberni, BC: NTC applauds the Department of Fisheries and Oceans decision to not appeal the Ahousaht case to the Supreme Court of Canada. Since the Court of Appeal decision on the commercial fishery infringement case came down in their favour on April 19, 2021, the Nuuchahnulth Nations have been anxiously awaiting the news of whether there would be an appeal. It is a big relief to know that we no longer have to fight through the courts for the right.

This case has a long complicated history that began in 2003 with all 14 NTC Nations and resulted in the first BC Supreme court decision in 2009 [for 5 Nations](#), which was appealed all the way to the Supreme Court of Canada. When DFO would not negotiate fairly with the 5 Nations – Ahousaht, Ehattesaht, Hesquiaht, Mowachaht/Muchalaht and Tla-o-qui-aht – they commenced another case asking for a declaration that DFO had infringed their right to a commercial fishery. It took the BC Court of appeal 26 months to determine that DFO has infringed on the right that had been established in the 2009 court decision.

President Judith Sayers stated “We call on the DFO to come to the table immediately and begin dialogue with these 5 Nations to determine sufficient allocations. It is past time to do so. Our fishermen have waited long enough to pursue their livelihood and the court has definitively ruled on this right. It is a sad reflection on Canada that they fought the Nuuchahnulth in court for 18 years instead of negotiating.”

Mariah Charleson, Vice President said “our fisherman have long depended on the oceans for their livelihood and have traded in our resources long before the settlers arrived. This is our way of life that has been affected by DFO’s limited policies. These fishermen support their families and communities and must be able to salvage what is left of this fishing season.”

NTC also expects DFO to negotiate fully and fairly with the Maa-nulth Nations who have a “me too” clause in their final agreement regarding the results of this case. NTC also expects DFO to negotiate with the other 4 Nuuchahnulth Nations who started this case in 2003 with the other Nations but had to withdraw from the case due to overlapping territories.

Clearly DFO has accepted this court ruling to a commercial fishery and we look forward to seeing our fishermen out on the water and exercising their full right to a commercial fishery.

Kekinusuqs, Judith Sayers, President, Nuu-chah-nulth Tribal Council
P: 250.724.5757 ext. 231 or 25-720-5621
E: judith.sayers@nuuchahnulth.org

Mariah Charleson, Vice President, Nuu-chah-nulth Tribal Council
P: 250-731-7218
E: Mariah.charleson@nuuchahnulth.org

About Nuu-chah-nulth Tribal Council

The Nuu-chah-nulth Tribal Council (NTC) provides programs and services to over 10,000 registered members. The role of the NTC is to represent 14 First Nations in three regions stretching 300 kilometers of the Pacific Coast of Vancouver Island from Brooks Peninsula in the north to Point-no-Point in the south. The NTC represents Ahousaht, Ditidaht, Ehattesaht/Chinehkint, Hesquiaht, Hupacasath, Huu-ay-aht, Kyuquot/Checklesaht, Mowachaht /Muchalaht, Nuchatlaht, Tla-o-qui-aht, Toquaht, Tseshah, Uchucklesaht and Ucluelet First Nations and provides a variety of programs and services to them.

For more information, please visit www.nuuchahnulth.org.