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February 13, 2019

National Indigenous Fisheries Institute
PO Box 352
Sydney, Nova Scotia
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By Email

Dear National Indigenous Fisheries Institute (NIFI):

Re: Métis Inclusion in Federal Indigenous Fisheries Programs

The Métis Nation British Columbia (MNBC) represents nearly 90,000 self-identified Métis people in British Columbia. Of that, over 17,000 are provincially registered Métis Citizens of MNBC. Recognized by the Métis National Council, the Province of British Columbia and the Government of Canada, the MNBC is the official governing body of the Métis in BC. MNBC represents thirty-eight (38) Métis Chartered Communities in British Columbia and is mandated to develop and enhance opportunities for Métis communities by implementing culturally relevant social and economic programs and services. MNBC's Ministry of Natural Resources (the "Ministry") is mandated to address natural resource issues on behalf of MNBC's Métis citizens. The BC Métis Assembly of Natural Resources (BCMANR), is comprised of eight regional Captains of the Hunt.

Thank you for taking the time to consider our feedback related to the Indigenous Program Review (IPR).

Since July 2017, the Government of Canada has continuously highlighted its commitment to "achieving reconciliation with Indigenous peoples through a renewed, nation-to-nation, government-to-government, and Inuit-Crown relationship based on recognition of rights, respect, co-operation, and partnership as the foundation of transformative change", which was expressed in the Federal Government's Ten Reconciliation Principles statement. The Prime Minister further solidified this commitment in a speech made in the House of Commons on February 14, 2018 in relation to the implementation of the UN Declaration on the Rights of Indigenous Peoples.

In the spirit of reconciliation, MNBC and the BCMANR would like Métis to be included in any Indigenous-directed programs administered by Fisheries and Oceans Canada. Presently, Métis are not included in any of the programs currently under review by NIFI. In April 2017, the President of MNBC was a signatory to the Canada—Métis Nation Accord, as was the Prime Minister of Canada.

We are especially interested in Métis being included in the following programs:

- The Aboriginal Fisheries Strategy (AFS);



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- The Aboriginal Fishery Guardian Program (AFGP); and
- The Aboriginal Aquatic Resource and Oceans Management Program (AAROMP).

We are also interested in exploring the potential of a pilot project for Métis similar to the Pacific Integrated Commercial Fisheries Initiative (PICFI). However, First Nations are currently only eligible for these programs. We believe that this is the wrong approach, as any program aimed at indigenous/aboriginal peoples in Canada includes Métis by definition. The Métis are indigenous as one of the aboriginal peoples recognized by Section 35 of the Constitution Act, 1982 which states “[t]he existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed”.¹ In this Act, “aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.”² Métis should likewise be included in AFS, AFGP and AAROMP, as they contain the word “aboriginal” in the titles of their programs.

Additionally, one of the principles that Thomas Isaac underscores in his 2016 Report of the Minister’s Special Representative on Reconciliation with Métis: Section 35 Métis Rights and the Manitoba Metis Federation Decision is the principle that “Métis rights are protected equally along with First Nations (Indian) and Inuit Section 35 rights”, as such a principle is “unassailable and fundamental in nature”.³

Métis have had a long history of fishing in British Columbia. Jean Baptiste Boucher, a Métis, who was working for the Hudson’s Bay Company, developed the first commercial fishery in British Columbia alongside James Douglas in the early 1800s. Fishing has always been a vital aspect of Métis culture in this province. Therefore, Métis should be included in any Indigenous-directed fishery program initiated by the Government of Canada. Furthermore, this inclusion would be a step towards reconciliation between Canada and the Métis, as it would be both an economic engine for the Métis Nation and an important acknowledgement on behalf of the Government of Canada of the significance of fishing to Métis culture.

Inclusion in the Aboriginal Fisheries Strategy

As Métis fish for food, social, and ceremonial purposes, inclusion in AFS would be greatly beneficial to us. It would help facilitate Métis participation in the management of their fisheries. It would also give us the capacity to undertake scientific stock assessments and habitat management activities in the field, to monitor catch and fishing activities, and to enforce the rules set for food, social, and ceremonial fishing. Since the AFS began in 1992, there have been 125 agreements signed. Two-thirds of these agreements are reached with indigenous groups in the Pacific Region of Fisheries

¹ *Supra*, s. 35(1).

² *Supra*, s. 35(2).

³ *Ibid*, at 33.



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and Oceans Canada, and 85 agreements in the Pacific Region provided funding for 85 First Nations. This is a missed opportunity to work with the Métis Nation.

Inclusion in the Aboriginal Fishery Guardian Program

Métis would benefit from being included in AFGP for many of the same reasons they would have from being included in AFS.

Inclusion in the Aboriginal Aquatic Resource and Oceans Management Program

Métis would benefit from being involved in a program that would include a team of skilled personnel forming an aquatic resource and oceans management group along ecosystems or watersheds to undertake scientific research activities to support ecosystem-based management, as well as participating in advisory and decision-making processes related to aquatic resource and oceans management. This need is why we would welcome the opportunity to be included in AAROMP. There are presently 35 aquatic resource and oceans management groups under this program, representing 258 Indigenous communities, and some communities belong to more than one group. Therefore, we believe that Métis should be one of the many groups involved in this program.

Métis Pilot Project Similar to the Pacific Integrated Commercial Fisheries Initiative

PICFI currently supports the involvement of First Nations in BC in commercial fisheries by helping them develop sustainable fisheries enterprises and increase their participation in fisheries management decision-making processes. We would like to explore the potential for a pilot project similar to PICFI because such support offered by the program would significantly benefit the Nation. The twenty-five commercial fishing enterprises participating in the program have generated \$40.2 million in gross revenue each year and the program has supported 1,100 local jobs. Therefore, a pilot project for Métis similar to PICFI would carry many potential benefits to Métis.

MNBC and BCMANR are very concerned about Métis exclusion from fishing programs. As Mr. Isaac notes, “[r]econciliation is more than platitudes and recognition. Reconciliation flows from the constitutionally protected rights of Métis protected by Section 35 and is inextricably tied to the honour of the Crown, and must be grounded in practical actions.”



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MNBC and BCMANR will work diligently and in good faith to protect the resources that Métis people in B.C. rely on as a way of life and cultural connection. MNBC's vision is to build a proud, self-governing, sustainable nation in recognition of inherent rights for our Métis Citizens.

We look forward to receiving your response.

Respectfully,

A handwritten signature in black ink that reads "Gary Biggar".

Gary Biggar
Minister
MNBC Natural Resources

A handwritten signature in black ink that reads "Christopher Gall".

Christopher Gall
Director
MNBC Natural Resources

A handwritten signature in black ink that reads "Mark Carlson".

Mark Carlson
Chair
BC Métis Assembly of Natural
Resources