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PEI Mi'kmaq Leaders Call on the Federal Government for Action on the Treaty Right to Fish for a Moderate Livelihood

The Epekwitk Assembly of Councils has expressed its support for Mi'kmaq lobster fishers in Nova Scotia and is calling on the federal government for immediate action to finally implement the Mi'kmaq right to fish for a moderate livelihood. In September of 1999, the Supreme Court of Canada released its decision in the *Donald Marshall* case. In that case, the Supreme Court confirmed that the Mi'kmaq (and the Wolastoqiyik and Peskotomuhkati) have a constitutionally protected Treaty Right to harvest and sell fish to provide for a moderate livelihood. "This is different from our other fisheries – our Rights-based food, social and ceremonial fishery, as set out in the *Sparrow* decision, and our commercial fishery. Our increased commercial access happened as a result of the *Marshall* decision and it has been very valuable for our communities, but it is not the moderate livelihood fishery we have been fighting to have implemented since *Marshall*.", said Chief Darlene Bernard.

"For years we have been fighting with the Federal Government to negotiate with us in good faith to support our communities in implementing our moderate livelihood fishery, which is guaranteed to us under the Constitution. We support negotiations as the best way to resolve this issue but it takes two committed parties to make negotiations successful, and 21 years after *Marshall* we are still waiting on Canada to commit to working meaningfully with us on the implementation of our livelihood fishery.", said Chief Junior Gould.

Chief Gould, the co-chair of the Epekwitk Assembly of Councils, travelled with a group of Mi'kmaq individuals from PEI to Nova Scotia to show their support for the Nova Scotia fishers. Other Epekwitk Mi'kmaq will be travelling to show their support this week. Fundraising initiatives and other shows of solidarity among the Mi'kmaq community in the region have been growing since the protests began last week. "We share the frustrations of our people and our brothers and sisters in Nova Scotia right now. We have waited long enough for the good faith process that we have been requesting from Canada for over two decades now." added Chief Darlene Bernard.

The Supreme Court of Canada rendered its decision in *R. v. Marshall* on September 17, 1999. In the decision, the Court affirmed the Mi'kmaq Constitutional right to hunt, fish and gather in pursuit of a moderate livelihood.

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L'nuey is an initiative focused on protecting, preserving, and implementing the constitutionally entrenched rights of the Mi'kmaq of Prince Edward Island.