

# Assembly of First Nations

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# Assemblée des Premières Nations

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**ANNUAL GENERAL ASSEMBLY**  
**July 14-15-16, 2026, Ottawa, ON**

**Resolution no. 44/2026**

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**TITLE:** Upholding First Nations Fisheries Rights in Salmon Allocation Policy, and  
Opposition to Racist Misinformation Campaigns

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**SUBJECT:** Fisheries

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**MOVED BY:** Chief Dalton Silver, Sumas First Nation, BC

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**SECONDED BY:** Chief Jerry Jack, Mowachaht / Muchalaht First Nation, BC

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**DECISION** Approved by the AFN Executive Committee by consensus.

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## WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
- 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.
- iii. Article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources;

B. The *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA) was proclaimed on June 21, 2021, and affirms, among other matters, that the Government of Canada is committed to taking effective measures—including legislative, policy and administrative measures—at the national and international level, in consultation and cooperation with Indigenous peoples, to achieve the objectives of the UN Declaration.

C. In keeping with the UNDA, the Government of Canada published the National Action Plan on June 21, 2023, as the main strategy to achieve the objectives of the UN Declaration.

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*Cindy Woodhouse*

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- D. First Nations hold inherent title and rights, laws, jurisdiction, and responsibilities with respect to fisheries and aquatic resources within their territories, which are protected and affirmed by Section 35 of the *Constitution Act*, 1982, and arise from the original laws and governance systems of First Nations.
- E. Salmon are of profound cultural, spiritual, economic, and sustenance importance to First Nations who continue to exercise stewardship and governance responsibilities over salmon since time immemorial.
- F. The federal Pacific Salmon Allocation Policy (SAP), first released in 1999 and currently under review by Fisheries and Oceans Canada (DFO), establishes the framework and principles used to guide the allocation and management of Pacific salmon harvests among First Nations, recreational, and commercial fisheries.
- G. The SAP review began in 2018 with the aim of ensuring that First Nations fishing rights and allocations are properly recognized and upheld by DFO, including in light of the *Ahousaht et al.* decision and other Section 35 jurisprudence.
- H. The SAP review process has been accompanied by organized misinformation campaigns and public opposition to the recognition and implementation of First Nations fishing rights, including rhetoric that undermines First Nations' title and rights, and jurisdiction, and contributes to racism towards First Nations.
- I. The Supreme Court of Canada has repeatedly affirmed that First Nations fishing rights are constitutionally protected under Section 35 of the *Constitution Act*, 1982, and that conservation is the first priority in fisheries management, followed by First Nations food, social, ceremonial, and rights-based fisheries.
- J. In Resolution 22/2025, *Implementation of the Supreme Court of Canada's Sparrow Decision*, the First Nations-in-Assembly have called for the protection and restoration of wild salmon, the upholding of First Nations fishing rights and stewardship responsibilities and increased First Nations participation and leadership in salmon governance, management, and conservation initiatives.

**THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:**

1. Fully support the recognition and implementation of First Nations inherent and constitutionally protected fishing rights within the federal Salmon Allocation Policy review process and any future fisheries management and allocation decisions.
2. Unequivocally condemn all racist rhetoric, misinformation campaigns, and fearmongering directed at First Nations peoples, communities, and organizations in relation to fisheries resource allocation and the exercise of First Nations inherent and constitutionally protected title and rights.
3. Direct the Assembly of First Nations (AFN) to call upon Fisheries and Oceans Canada (DFO), in conjunction with other federal agencies, to publicly denounce racist and discriminatory misinformation campaigns targeting First Nations fishing rights and to ensure that future fisheries engagement processes are conducted in a manner that is transparent, respectful, and free from racism and intimidation.
4. Direct the AFN to call upon Canada to prioritize First Nations access, allocation, stewardship, and economic participation in salmon fisheries in a manner that supports the continuation of First Nations cultures, intergenerational knowledge transfer, food security, livelihoods, and long-term salmon sustainability for future generations.

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5. Direct the AFN to call upon the Minister of Fisheries and Oceans to expeditiously review the briefing package prepared by their own department and choose a decision as to the policy proposals contained therein to avoid another fishing season that unjustifiably infringes upon the rights of First Nations.
6. Direct the AFN to call upon DFO to work collaboratively with affected First Nations to co-draft the final Salmon Allocation Policy to uphold their commitments under the *United Nations Declaration on the Rights of Indigenous Peoples*.

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