SPECIAL CHIEFS ASSEMBLY
DECEMBER 4, 5 & 6, 2012, GATINEAU, QC

Resolution no. 47/2012

TITLE:	Opposition to Unilateral Changes to Fisheries Management in Canada
SUBJECT:	Fisheries
MOVED BY:	Chief Byron Louis, Okanagan Indian Band, BC
SECONDED BY:	Cliff Atleo, Proxy, Kyuquot/Checleseht First Nation, BC
DECISION:	Carried; 1 opposed, 3 abstentions

WHEREAS:

A. First Nation cultures, livelihoods, economies, and traditions rely on the ability to access, harvest and use fish and aquatic resources.

B. The health of fish is inextricably linked to fish habitat, water quality, water navigability, and responsible environmental management.

C. The Government of Canada has undertaken aggressive unilateral changes to environmental legislation that weakens the overall capacity and mandate for the Government to protect fish, fish habitat, water quality, water navigability and responsible management.

D. The Government of Canada has completely failed to discharge its duty to consult and accommodate on legislative changes within the previous two omnibus budget implementation bills (Bill C-38 and Bill C-45).

E. Legislative changes within omnibus budget implementation bills were not fully considered, discussed or analyzed in committee or public consultation processes.

F. The legislative changes to the *Fisheries Act* and *Navigation Protection Act* within Bill C-38 and Bill C-45 will require new policies and regulations that require consultation with First Nations.

G. Fisheries and Oceans Canada and Transport Canada have failed to release any material for discussion or consideration on these changes contrary to the principles of transparency and accountability.

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SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

H. The Supreme Court of Canada has consistently reaffirmed the Government of Canada's duty to consult and accommodate First Nations when contemplating any action that may impact First Nations rights or title.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Direct the National Chief to notify the Government of Canada that First Nations are opposed to the changes to the *Fisheries Act* and the *Navigable Waters Protection Act* in Bill C-45, and to notify the Government that it has failed to discharge its duty to consult and accommodate on these changes.
2. Call upon the National Chief to meet with the Minister of Fisheries and Oceans and the Minister of Transport to seek a firm commitment for the Government of Canada to consult and accommodate First Nations on any new policies or regulations that are created as a result of Bill C-38 or Bill C-45.
3. Mandate the Assembly of First Nations to seek the immediate release of information and resources from Fisheries and Oceans Canada and Transport Canada to engage in tier-1 dialogue on changes to the *Fisheries Act* and any new policies or regulations that are created as a result of those changes.
4. Adopt a formal position against changes to environmental legislation in omnibus budget implementation bills and direct the National Chief to inform the Government of Canada of this position.

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SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF