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

Resolution no. 48/2012

TITLE:	First Nations Fisheries Habitat Protection
SUBJECT:	Fisheries
MOVED BY:	Chief Byron Louis, Okanagan Indian Band, BC
SECONDED BY:	Grand Chief Ken Malloway, Proxy, Kwaw Kwaw Apilt First Nation, BC
DECISION:	Carried; 1 opposed, 3 abstentions

WHEREAS:

A. The Government of Canada has unilaterally legislated away its powers and mandates to protect fish habitat and the waters in which fish live through amendments to the *Fisheries Act, Canadian Environmental Assessment Act,* and the *Navigable Waters Protection Act.*

B. Healthy fish habitat is essential to the continued enjoyment of the right to access and harvest fish by First Nations.

C. First Nations traditional laws and practices mandate the protection of fish and fish habitat.

D. The Government of Canada is failing to act as a responsible steward of natural resources.

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

1. Call upon the Government of Canada to amend the *Fisheries Act* and the *Navigation Protection Act* to legislate the prevention, repair, or compensation of any damage to fish habitat.
2. Direct the Assembly of First Nations to facilitate a national dialogue on measures that First Nations can undertake to better protect fish habitat in Canada.
3. Direct the Assembly of First Nations to seek requires resources to further analyze and discuss changes to the *Fisheries Act* and the *Navigation Protection Act.*

Certified copy of a resolution adopted on the 5th day of December, 2012 in Gatineau, Quebec

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

4. Seek a commitment from the Department of Fisheries and Oceans that it will continue to implement the No Net Loss of Habitat Policy.

Certified copy of a resolution adopted on the 5th day of December, 2012 in Gatineau, Quebec

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF