

**COMMITMENT TO ACTION AND RESULTS**

**BETWEEN**

**THE FIRST NATIONS FISHERIES COUNCIL (FNFC)**

**AND**

**DEPARTMENT OF FISHERIES AND OCEANS, PACIFIC REGION (DFO)**

**CONTEXT:**

**In entering into cooperative discussions, the FNFC and DFO (the Parties) acknowledge:**

- The fundamental importance of fisheries and fisheries resources to First Nations peoples in British Columbia.
- That First Nations and DFO share common goals of maintaining healthy ecosystems and promoting sustainable use of fisheries resources;
- That effective working relationships between First Nations and government are important to advancing these goals;
- That the scope of issues relevant to fisheries in BC includes, but is not limited to, legislation, policy, programs and management of fish, fisheries resources, and related social, economic and environmental matters;
- That BC First Nations have developed a *BC First Nations Fisheries Action Plan* that provides a basis for the Parties to begin discussions on collaborative initiatives and priorities for future action;
- That as Section 35(1) of the Constitution Act, 1982 states: "*The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed;*"
- The federal government has a fiduciary relationship with the aboriginal peoples of Canada, the relationship between the federal government and First Nations is therefore different in character than the relationship between the federal government and other stakeholder groups; and
- That FNFC and DFO will work collaboratively to revitalize other agreements that have been negotiated related to fisheries in BC – (e.g. *A Joint Fisheries Dialogue for British Columbia Memorandum of Understanding* and the *Safety and Interaction Protocol*).

## PURPOSE

The purpose of this document is to provide a framework for an effective and respectful working relationship between the Parties with a focus on overcoming barriers and exploring innovative approaches.

Under this document, the Parties seek to collaborate in areas of mutual interest laid out in the *BC First Nations Fisheries Action Plan*.

## PRINCIPLES

The discussions and collaborative efforts of the Parties under this document will be guided by the following principles:

- Respect
- Inclusiveness
- Flexibility
- Sustainability
- Stewardship
- Accountability

## ROLES AND RESPONSIBILITIES

The Parties recognize:

- That DFO, on behalf of the Government of Canada, has responsibilities with respect to developing and implementing policies and programs in support of Canada's scientific, ecological, social and economic interests in oceans and fresh waters;
- That BC First Nations also have responsibilities with respect to aquatic resources and seek to take on greater leadership and stewardship responsibilities;
- DFO is guided by Canada's *Aboriginal Consultation and Accommodation: Interim Guidelines for Federal Officials to Fulfill the Legal Duty to Consult*;
- That the FNFC, on behalf of its affiliated organizations, is responsible for:
  - implementing the *BC First Nations Fisheries Action Plan* in cooperation with DFO;
  - holding regular province-wide fisheries forums and assemblies to increase open dialogue, cooperation and support on fisheries issues;
  - supporting regional or watershed-based forums and processes to deal with local and regional issues;
  - developing collective First Nations fisheries-related strategies and policy perspectives;
  - sharing information on fisheries issues with BC First Nations and support improved data collection and sharing;
  - supporting First Nations in developing and implementing their fisheries and aquatic resource plans; building effective working relationships with First Nations, First Nations organizations (provincial and national), governments, the media, and others; and



- supporting reconciliation amongst First Nations, First Nations and governments, and third parties;
- The importance of supporting local, regional, and sector-specific approaches to, and expertise on, fisheries issues. The Parties will promote effective community engagement, regular communications, and will seek to incorporate the expertise of First Nations and fisheries professionals (from both First Nations and DFO ) into the collaborative work of the Parties; and
- Their shared interest in working together to increase opportunities, as appropriate, for integrated planning between First Nations and third party interests.

## **WORK PLANNING**

As an addendum to this document, the Parties will develop a joint work plan describing joint project areas, timelines, roles, responsibilities and deliverables.

The Parties will establish a schedule of joint meetings. Core work will be accomplished through:

- Ongoing and regular technical work completed through officials of the FNFC and DFO, through a jointly developed, agreed upon work plan; and
- Meetings between the FNFC and the Regional Director General, Pacific Region, DFO.

The Parties will jointly identify when meetings with other levels of DFO, other government departments or other First Nations organizations are required, and will work together in the organization of such sessions.

The Parties will jointly identify when broader dialogue between BC First Nations, DFO, and others (as appropriate) are required, and will work together in the organization of such sessions.

## **EVALUATION & AMENDMENT**

Either Party to the collaborative discussions may request that this document be reviewed, replaced, amended at any time, or terminated by providing three (3) months written notice to the other Party.

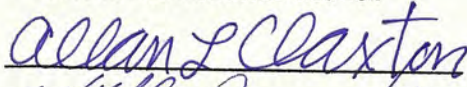
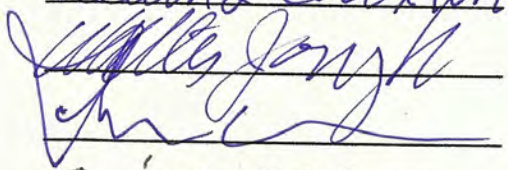
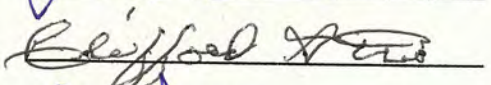
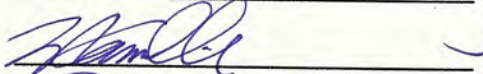

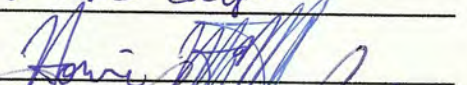
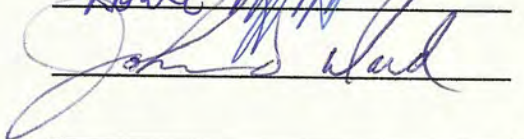
The Parties will work together to define timelines and processes to review the progress of collaborative discussions, and processes for amending, terminating or replacing this document.

Any amendments to this document must be in writing and agreed to by both Parties.

Appendix 1 – Joint work plans to be attached as completed.

Signed on Behalf of:

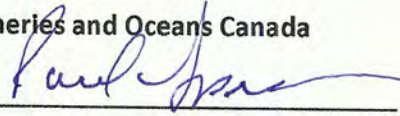
First Nations Fisheries Council

  
  
  
 Russ Jones  
 Ken Malloway  
  
  
 Steve Carpent  
  


Date: May 26, 2010

Signed on Behalf of

Fisheries and Oceans Canada



Paul Sprout,

Regional Director General, Pacific Region

Date: May 26, 2010