

## **WITNESS SUMMARY**

### **Guujaaw**

#### **Witness Background**

Guujaaw is the President of the Haida Nation. The Council of the Haida Nation (“CHN”) is the governing body of the Haida Nation. The Council’s mandate is to protect the land and sea of Haida Gwaii, restore Haida Title, and ensure that the Haida relationship with Haida Gwaii continues in perpetuity.. The national governance structure of the CHN includes representatives of the people, Hereditary leaders, and Village Councils, but ultimately it is driven by the people who are the law making authority.

#### **Nation**

The territory of the Haida Nation includes the land and surrounding waters of Haida Gwaii as well as part of southern Alaska. The Haida Nation are a people with a long history and a culture that is the relationship to the land and sea

#### **Traditional participation in the fishery**

Guujaaw explains that the Fraser River salmon run starts and finishes at the spawning beds but also includes all of the river and oceanic voyage including Haida Gwaii where the Haida people also rely on the health of salmon run, and that the Haida have a place at the table when it comes to participation in the Fraser fisheries. Adams River fish are clearly identifiable to Haida people, as they have different eyes and sizes than Haida Gwaii salmon. Traditionally, Haida people caught Fraser sockeye as they came through the west coast of Haida Gwaii. Often, the fish would be caught for food fishing, and distributed throughout the villages. Guujaaw describes how his own people were heavily involved in the commercial fishery in the early years of that industry, and they were a big part of supplying the canneries with fish.

In pre contact times, the Haida developed specialized trolling gear to catch salmon offshore and certain individuals owned trolling gear and would lease it out to other people who wanted to fish out offshore. Archaeological digs confirm that offshore fishing was prevalent.

Fishing on local rivers was done using weirs or gaffs. His uncle fished salmon with a weir in Pallant Creek and described how the weir was set up. People were assigned to monitor how many males and females would enter the weirs and ensure the escapement levels were met. Haida people exchanged fish for other goods, and also traded with and for speciality items with the mainland First Nations and early explorers.

#### **Observation of historic abundance levels and the decline**

Guujaaw explains that unlike the Fraser or Skeena, Haida Gwaii does not have large river systems. There are at least ten sockeye runs which all need a lake and special conditions. However, most of those systems have been heavily damaged by logging and over fishing over the last 50 years. His people mainly fish two rivers, the Copper and the Yakoun. The Copper River run had dropped from historical

numbers of around 30,000 fish – estimated using best known methods – to almost nothing by the early 1980s. Logging took place around lakes and feeder creeks where the fish spawn, so the stock plummeted. The Haida people have long since lost any respect for the Department's ability to manage any fishery. At Copper Bay, our people took it into their own hands to restore the stocks. Now his people do not get permits at all, but instead manage their own systems. They have set up a target of 10,000 escapement and have a counting fence, all of which is done in the river. Stocks are still not as productive as they once were and that is due to the long term effect of logging. Similarly, the Yakoun River had also been heavily damaged. Spawning gravel was taken out of the river and used to make roads for logging in Graham Island, which almost killed that river's salmon runs.

Guujaaw explains that what fisheries now call "over-abundance" are small runs compared to what existed in the past. It is difficult to tell now with the lack of history, lack of record and lack of memory in the management systems. In historical times, they knew exactly what was coming in so they would be able to predict what was coming in the following cycle. Now with industrial fishing it is hard to know what is happening out in the deep sea. One of those drift nets or a single seining boat could take out a whole stock of salmon returning to a particular river.

### **Aboriginal perspective / worldview**

Guujaaw points out how the history of his people goes back to a time before the salmon systems known today existed. There is now science that corroborates what was previously considered myth.

For example, his people talk about a time when Hecate Strait was dry and before there were trees on Haida Gwaii. At least one Haida clan has the crest of a pine tree to document that their witnessing of the arrival of the first tree. There was a debate regarding whether continental ice was on Haida Gwaii. It has now been determined that the weight of the ice caused the edges to bulge, and Haida Gwaii is out on the edge. There were local glaciers so the people lived on what was more like tundra and mainly lived off of caribou. That evidence is mainly underwater now and would appear a mere guess, but underwater archaeologists have found spear-points and other artefacts. It is now known that there was a time when Haida Gwaii did not have trees and the arrival of the first tree—a pine tree – happened between 10,000 and 14,000 years ago. Cedar arrived only 6,000 years ago. Now we also know that the ice age came quicker than was once believed and disappeared quicker than was once thought.

Guujaaw explains how their stories refer to people of the sky, people of the forest and people of the undersea. The salmon people were one of the people from the undersea, and are described in stories as people. It is difficult to figure out when these stories are talking about an animal or a human because they are all described in a similar way. Whether a killer whale or octopus or salmon, they are talked about as if they are people.

Guujaaw tells the story of the genesis of his people, who came from the sea and are sea people:

The story begins at the time when the whole earth was covered by water and was full of supernatural beings as the first occupiers. The next land was held by Sea Foam Woman. She dominated the rock and other supernaturals hung around outside of it. She had the power to

blink and blast them off the rock with her powers. So the story is that she had ten breasts and from that each came the female ancestors of all the raven clans of Haida Gwaii.

That story places the Haida as a people evolving directly from the ocean. Guujaaw highlights a couple of “myths” world-wide myths that fit that theme. The name “sea foam” shows up again in Peru and Egypt and in a different way in Greek mythology with the origin of Venus. Also, in the story of evolution, the sea foam is where life most likely started, since it contained the chemicals and enzymes necessary to produce life.

Guujaaw describes the importance of canoes to the Haida. For a long time the Haida could not get over to the mainland until they developed the canoe. Their story is that the canoe was taught to their people by the supernatural beings. The canoes helped them to fish further offshore, and to develop marine technology. The Haida people carve the canoes in a particular way to serve particular functions, and then steam them in a way that the whole canoe can bend and be manoeuvred with a level of stability. Where a modern boat might be thrown into the trough of the sea, these things would cut into a wave as they were approaching so that the boat would not be thrown. The flares provided better displacement, manoeuvrability and speed. Early schooners had round prows, but later ones were built with flared bows that were inspired by the canoe, and that became the standard for ships by World War II.

He explains that the story about the canoe and its relation to modern technology is not unimportant, because the relationship with the supernaturals is a vital part of their development as Haida. People often mistakenly describe totem poles and the songs and dances to be the culture, but in fact the culture is their relationship to the land and sea, which is made visible and described through totem poles, songs and dances.

Significantly, their systems of laws never made the Haida superior; they never had the edict that they could control the earth. Instead, in all their histories and lessons people are said to be equal to all other creatures on earth, including bugs. They consider animals as having families as well. So, if one kills a bug, for example, then her family will be without a mother.

Although Guujaaw views science as an important part of our understanding of the earth, he thinks there is a problem with how it has been continually used to justify mismanagement. He provides a few examples.

During the 1940s and 1950s, the standard way of estimating the abundance of salmon stocks was to tow a piano wire, weighted by lead with someone holding it. The government considered the herring inexhaustible, and same with the salmon, and did not see them as something that could be wiped out. But of course in the land there are finite resources.

Another example is in the way pink salmon has been devalued because it was so plentiful, even though it has all the same nutrients as the sockeye or spring salmon, only with a little less oil. Similarly, the hemlock is devalued because it was plentiful.

Guujaaw explains how his people will have a ritual and prayer when they take a tree to build a canoe or house. In fact, they still have rituals and prayers for the first salmon, in spite of a lot of effort by the colonial and powers of the church to end that sort of thinking.

The matter of the supernatural beings is something that the Haida people consider to be as normal as nature. As an elder once said, nowadays just because we have television and computers doesn't mean that the supernatural beings have gone away. They are all still integral to the earth and the sky. Guujaaw does not consider methods that have no understanding of the supernatural to be science. He predicts that a few of the "scientific" methods used for determining stock today are going to look like piano wire in a few years. In his view, the continual demise of salmon and every other species has been based on what others consider to be science.

Guujaaw mentions how there are a lot of stories about taboos over playing with food or playing with life. Respect and similar values are ingrained in the Haida people. He explains how their understanding is that there is a supernatural woman at the top of every creek, regulating the occurrence of the salmon. There was one who gave birth to all of the eagle clans and went up to the top of Pallant Creek, where the Haida now have a hatchery. So, each creek has a Creek Woman and respect must be paid to her before any salmon are taken from her creek.

With respect to sports fishing where they laugh and jeer about the big catch, Guujaaw says that the notion of playing with and disrespecting fish in that way is totally opposite from the Haida people. There are taboos on how you take a life. The sports fishery is a large problem, and most of the fish they catch are passing stocks, including Fraser River sockeye.

### **Traditional knowledge**

Guujaaw describes how the Haida have a name for the sockeye, including a separate name for the ones passing by and for the ones coming back, since they are unique. Their name for blueback sockeye from the Copper River was "taxiid". "sGwaagan" is the name for the sockeye salmon.

According to Guujaaw, their people have always been concerned with the fish stocks, and never assumed that there were so many that they would always come back. For example with herring, it is still the Haida way that one cannot gather spawn on kelp until a particular elder woman says that it is time to pick. They must wait until the spawning is done and the herring clear the area. Similarly, to determine what to take from the river, the people would look at how many fish made it up the river.

### **Collaborative processes with other First Nations**

The Haida have a history of representation with some collaborative panels. With fish moving through all the First Nation territories, a common voice might sometimes be useful. However, Guujaaw observes that when the Haida do combine forces with other First Nations they quite clearly represent their own interests and concerns.

## **Visions for involvement in management of the Fraser sockeye**

At present, Guujaaw sees DFO as the primary menace to the marine eco-systems, whereby its management system focuses on how many fish are caught as opposed to how many fish remain in the waters.. Most fisheries are effectively managed by the fishermen themselves leading to the depletion of one stock after another. He believes that management of the fishery will only improve as First Nations become involved because they live with the consequences of management decisions.

Guujaaw's points out that in every case where the Haida have negotiated cooperative management or joint or shared management, the management of the resource has improved, again because the Haida are closer to the issue - in the same way that the people on the Fraser River are closer to the issue and have a vested interest in the survival of the stock.

With respect to the idea of a 'terminal' fishery, the Haida people could be left out of the equation for Fraser sockeye, whereas this was an important source of fish for the Haida. If the health and well being of the stock is ever the issue, Haida people would put preservation first as they have done in the past including the recent past with voluntary abstaining from fishing to allow free passage for Fraser River sockeye.

### **Gwaii Haanas: example of co-management**

Gwaii Hanaas has a management board with two Haida and two Federal government representatives who oversee management issues and determine what projects will go ahead and which ones will be put aside. The board makes recommendations to Haida and Federal governments, but is not the ultimate decision maker (except where the two higher authorities agree that the board will have a specific power). The Haida and Federal governments set out priorities and limits to guide the management board, which then performs certain tasks (such as issue permits) in accordance with the criteria that have been provided.

However, under no circumstances does the Federal government hold the ultimate authority alone. When there is a disagreement, the issue will be "bumped upstairs" to each of the Haida and Federal governments as separate authorities. That has not occurred very often. Where there has been disagreement, the management board has tended not to pursue that option or project.

When the Gwai Hanaas Agreement was signed for the terrestrial area, there was a commitment made to include the marine area going out ten kilometres. This marine agreement was signed earlier this year, and the marine area will also be managed by the same joint body that manages the terrestrial area.

With all of the species in various states of depletion or decline, and the oceans imperilled by climate change and biological havoc brought on by human activities, continuation of old management regimes cannot be perpetuated into the future.