



Peskotomuhkati Nation at Skutik
Office of the Sakom
People of the Skutik River

Press Release

Qonasqamkuk (St. Andrews, NB)—March 14, 2018

Recent comments, circulating on social media speculating on a potential Peskotomuhkati (Passamaquoddy) fishery in the Quoddy region, have been raising concerns among all those interested in local fisheries. The Peskotomuhkati Nation at Skutik hopes to quell some of the concerns, to the extent that we are able to comment publicly at this time.

The Peskotomuhkati were participants in the same 1725 and 1760 treaties that protect Mi'kmaq and Wolastoq fishing rights. The Supreme Court of Canada recognized that in the 1999 Marshall decisions. "Recognition" under Canada's Indian Act is not the legal issue: treaty rights are not dependent on that status. Fisheries have been an aspect of Peskotomuhkati negotiations with the Government of Canada for over a year, as part of a broader and more comprehensive set of negotiations.

To both sides, "fisheries" begins with conservation measures. The Peskotomuhkati, the Government of Canada and other partners are working together on the restoration of fish habitat and passage in waterways throughout the territory, including on the Skutik (St. Croix) River.

The next priority is a Peskotomuhkati food fishery. To the Peskotomuhkati Council, this means an effective means of getting high-quality protein to their people: their area is among the least economically advantaged in Canada and the US. Last winter, an agreement with New Brunswick resulted in the taking and distribution of six moose to the community. The same community emphasis will apply to the food fishery.

"We are not going to be lured into having a commercial fishery in food-social-ceremonial clothing," said Sakom (Chief) Hugh Akagi. "Food means food."

The commercial fishery is a more complex issue. One conversation between the Peskotomuhkati and the Department of Fisheries and Oceans flows from the Peskotomuhkati conviction that the right to harvest brings with it the responsibility to protect.

Hiring Peskotomuhkati people as fishery officers and managers could be one means of fulfilling the spirit of the treaties. A negotiated enforcement protocol would allow Canada and the Peskotomuhkati Council to resolve concerns and disputes about commercial fishing before they went to court.

While negotiations with the Government of Canada are at early stages, the Peskotomuhkati have been meeting with local commercial fishermen for over two years.

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“Local fishers are our neighbours,” added Sakom Akagi. “Long after the federal negotiators go back home, we have to live here together.”

There are three Peskotomuhkati communities: two along the western shore (Sipayik and Motahkomikuk) and one on the eastern shore (Skutik) of the Skutik River (River of Fire), which runs through Peskotomuhkati territory. Qonasqamkuk (St. Andrews) is the traditional capital of the Peskotomuhkati Nation.

Many of the families in Sipayik and Motahkomikuk have ancestors who were driven out of Skutik when their reserves were sold off by the Crown, their fishing locations (like the famous Salmon Falls at St. Stephen) were dammed, and they were prosecuted for exercising their treaty harvesting (hunting, fishing and gathering) rights.

The Peskotomuhkati say that all their people share their treaty rights. The recent Desautels decision in British Columbia supports the principle that the people of an indigenous nation have Aboriginal rights to their entire traditional territory, regardless of which side of the boundary they live on. The United Nations Declaration on the Rights of Aboriginal Peoples also calls upon states to work closely with Indigenous peoples through whose territories international borders pass.

Sakom Akagi attends United Nations working group meetings to maintain a Peskotomuhkati presence in the implementation of the Declaration. To him, the challenge is not whether all the people have the rights.

“The challenge is how the rights can be implemented in ways that respect the need for conservation and restoration, all the while maintaining the respectful relationships, between neighbours, that the treaties call for,” concluded Sakom Akagi.

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