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SCO RESPONDS TO THE MANITOBA GOVERNMENT'S ATTEMPT TO INFRINGE ON SECTION 35 RIGHTS

Time for an Indigenous Hunting, Fishing, and Conservation Authority

FOR IMMEDIATE RELEASE: October 1, 2020

ANISHINAABE AND DAKOTA TERRITORY, MB — Southern Chiefs' Organization (SCO) is disappointed by the Government of Manitoba's proposed approach to the re-opening of at-risk moose hunting areas in Porcupine Mountain, Nopiming, and Duck Mountain. After consultation in 2011, it was agreed that these lands would be closed for moose hunting for a period of time to allow for the growth of the moose population.

On September 29, 2020, the Manitoba Métis Federation announced that they feel the numbers have increased enough for a conservation-minded re-opening of these lands on October 1, 2020 for Métis hunters to be able to provide for their families and communities.

In response to this, the province stated that "Manitoba created the means to provide a controlled and limited moose hunting opportunity in these areas last fall and Manitoba is in the process of contacting eligible communities and organizations for this interim moose hunting opportunity for the fall of 2020."

However, the province has yet to meaningfully consult with any southern First Nations about this important issue.

"First Nation peoples have been involved in the protection and sustainable harvesting of these lands and natural resources for thousands of years," said SCO Grand Chief Jerry Daniels. "Indigenous rights are enshrined in the foundation of this country via Section 35 of the Constitution Act. The province of Manitoba cannot create their own processes for determining the harvesting eligibility of communities whose rights are federally protected. First Nations have already taken this issue to the Supreme Court of Canada on numerous occasions, and we have had our harvesting rights reaffirmed in cases such as *R v. Sparrow*."

The province cannot unilaterally decide when they can re-open at-risk moose hunting areas or who they will consult with beforehand. The sustainability of future moose populations are in jeopardy, and

the province has a constitutional responsibility to consult with all eligible Indigenous communities that are affected by such important decisions.

“It sets a dangerous precedent when the province thinks they have the authority to pick and choose which First Nations’ Treaty Rights they respect and which they ignore when it comes to harvesting,” continued Grand Chief Daniels. “SCO will be looking to ensure that southern First Nations rights are respected and that we are meaningfully and appropriately included in any formula that is co-developed between First Nations, Métis people, and our provincial Treaty partner to address the re-opening of moose hunting in identified areas. Beyond this situation, I believe the time has come to start paving the way for an Indigenous Hunting, Fishing, and Conservation Authority so that we can ensure that we have a united front to address our issues and protect our rights.”

SCO will be looking to host a meeting with the Manitoba Métis Federation to continue the dialogue about Indigenous harvesting rights and responsibilities.

The Southern Chiefs’ Organization represents 34 First Nations in what is now called southern Manitoba. SCO is an independent political organization that protects, preserves, promotes, and enhances First Nations peoples’ inherent rights, languages, customs, and traditions through the application and implementation of the spirit and intent of the Treaty-making process.

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