

# Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2566	Subject: LMG Peace & Friendship Jagejewei Fishery	Originated by:
The Council of the Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D    M    Y 2   8   0   8   2   0	Province Gepeg

**WHEREAS** the Listuguj Mi'gmaq First Nation is a Mi'gmaq community indigenous to Gespe'gewa'gi with a sacred, inherent responsibility for the stewardship of the land, waters, and living things of Gespe'gewa'gi;

**WHEREAS** the Mi'gmaq of Gespe'gewa'gi, including the Listuguj Mi'gmaq First Nation, have inherent, aboriginal, and treaty rights with respect to fisheries;

**WHEREAS** in R. v. Marshall the Supreme Court of Canada affirmed that the Peace and Friendship Treaties of 1760-61 and the Canadian constitution guarantee the Listuguj Mi'gmaq First Nation's right as a Mi'gmaq community to fish commercially in pursuit of a moderate livelihood;

**WHEREAS** on November 12, 2018, the Listuguj Mi'gmaq Government and Canada signed the Framework Agreement on Reconciliation and the Fishery, which established a table to pursue negotiations regarding our fisheries governance and fishing rights, including the recognition and revitalization of the mechanisms and Mi'gmaq laws we use to govern and manage our fisheries;

**WHEREAS**, in order to govern the conduct of our lobster fishery, on June 17, 2019, the Listuguj Mi'gmaq Government Chief and Council adopted the Listuguj Lobster Law, which requires to the Listuguj Mi'gmaq Government to adopt an annual lobster conservation harvesting plan for each fishing year;

**WHEREAS** the LMG is committed to continued collaborations with Canada's Department of Fisheries and Oceans to ensure that our fall lobster fishery is conducted in manner that is safe, responsible, and respectful of our Treaty rights;

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Moved: Calvin Barnaby  
 Seconded: Chad Gedeon  
 Abstain: -  
 Opposed: -  
 Status:  Passed     Defeated      
 Tabled

Quorum 7

Councillor Lloyd Alcon

Councillor Chad Gedeon

Councillor Scott Martin

Councillor Wendell Metallic

*Darcy Gray*  
Chief Darcy Gray

*Calvin Barnaby*  
Councillor Calvin Barnaby

Councillor Gordon Isaac Jr.

Councillor Gary Metallic Sr.

Councillor Sheila Swanson

Councillor Dolly Barnaby

Councillor George Martin

Councillor Sky Metallic

Councillor Marsha Vicaire

Mi'gmaq Nation

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**NOW THEREFORE THE LISTUGUJ MI'GMAQ GOVERNMENT MAKES THE FOLLOWING ORDER-IN-COUNCIL:**

1. Pursuant to the Listuguj Lobster Law, on August 28, 2020, the Listuguj Mi'gmaq Government Chief and Council adopts the Conservation Harvesting Plan (Lobster – Area 21B (Listuguj Mi'gmaq Government) Season 2020-2021, hereby attached.
2. The Listuguj Mi'gmaq Government authorizes a lobster fishery in the fall of 2020 to be conducted for food, social, and ceremonial purposes as well as sale in pursuit of a moderate livelihood in accordance with the Listuguj Lobster Law and the Conservation Harvesting Plan (Lobster – Area 21B (Listuguj Mi'gmaq Government) Season 2020-2021.
3. The Natural Resources Directorate, on behalf of the Listuguj Mi'gmaq Government, will administer and manage the 2020 Conservation Harvesting Plan, including the designation of fishers, registration of vessels, allocation of tags and fishing effort, dockside monitoring, coordination of food distribution, monitoring of commercial sales, and collection of administration fees and engage with the Department of Fisheries and Oceans as necessary regarding the same.