

Natives refuse to sign agreement, vow to fish after meeting minister

MIRAMICHI, N.B. (CP) - The melting ice on Miramichi Bay must make Fisheries and Oceans Minister Herb Dhaliwal nervous.

The minister met with native leaders Sunday to try to reach agreement on the native fishery, but walked away with a pledge from members of the Burnt Church band that they would go fishing regardless

of Ottawa's demands. Dhaliwal insisted he will enforce "an orderly fishery, a regulated fishery with conservation being our priority." That didn't please Burnt Church Band Councillor Brian Bartibogue, who says he'll defy fisheries regulations. "No, we are not going to sign any deals, we've got a mandate from our community not to sign any

deals with DFO," Bartibogue said. "They have not negotiated with us with faith in the past." He said that Ottawa must recognize aboriginal sovereignty and that his community still wants compensation for damage to lobster gear last October.

Bartibogue said Dhaliwal spoke in a "paternalistic" in saying he would allow aboriginals

access to the lobster fishery in the water facing their communities. "That access is not his to provide, it is our right, ratified by the Supreme Court, and we are going to what the Fisheries says," Bartibogue said.

He said that Mi'kmaqs will develop their own fisheries regulations as a sovereign nation.

The lobster season normally opens during the

first week of May. Dhaliwal met about 75 commercial fishermen, aboriginal representatives, and mayors in Miramichi, the last stop on a weekend tour of the Maritimes.

On Sept. 17, the Supreme Court of Canada ruled that a treaty signed in 1760 allowed Mi'kmaqs, Maliseets and other aboriginal nations to earn a "modest living" by

harvesting and selling natural resources. The court ruled that Ottawa has the authority to regulate the treaty right in the interest of conservation, but Mi'kmaqs around the Maritimes immediately took to sea to fish for lobster. This angered commercial fishermen on Miramichi Bay who depend on the lobster as the main part of their living.

Things turned violent last fall, when a flotilla of 100 fishing boats destroyed traps in the fishing grounds off Burnt Church. Dhaliwal said agreements for the coming season would be a first step towards co-management. Three bands in Atlantic Canada and Quebec have signed agreements, but dozens more are still negotiating.