



Algonquins of Ontario

Fish Harvesting demonstrated to be sustainable within the four zones of Algonquin Park identified in the Agreement-in-Principle

December 1, 2016 (Pembroke, ON) – The Algonquins of Ontario (AOO) and the governments of Ontario and Canada, who are the parties to the Algonquins of Ontario treaty negotiations, agree that conservation is a fundamental principle underlying the management of all renewable resources, including wildlife, fish, birds, plants and trees.

Conservation concerns associated with certain brook trout and lake trout populations in four zones within the interior of Algonquin Provincial Park, including 41 lakes, were raised by the public and stakeholders during public consultation on the Preliminary Draft Agreement-in-Principle in late 2013 and early 2014 to the governments of Ontario and Canada.

At that time, information on the status of these brook trout and lake trout populations, and the effects of fish harvesting on them, was incomplete. As a precautionary measure in support of conservation, the parties to the negotiations agreed that these fish populations should be studied in order to determine whether the concerns were warranted, and also to determine the effects of fishing at all times of the year on those populations.

A clause was included in the proposed non-binding Agreement-in-Principle (Section 8.2.9 (a)) that provided that Algonquins would not harvest fish in the four zones from December 1 to March 31, until such a time as Ontario, the AOO and Canada determine how fish harvesting, including winter fish harvesting, affects those fisheries or there is a fisheries management plan for Algonquin Provincial Park or fisheries management plan that will apply to those zones.

Within the context of the Supreme Court of Canada's decision in *R. v. Sparrow* (1990) a decision making framework was also developed and approved by the parties to determine how fish harvesting, including winter fish harvesting, affects those fisheries.

The Ontario Ministry of Natural Resources and Forestry, with support from the AOO, has completed the collection and analysis of data to determine how the harvest, including the winter harvest, affects the brook trout and lake trout populations in the four zones.

The information gathered clearly establishes that fish harvesting, including winter fish harvesting, has not affected the sustainability of the brook trout and lake trout populations in the four zones, and that there is no scientific basis for any winter fishing restriction within those zones. Consequently, there is no need for any voluntary curtailment on winter fishing in the four zones of Algonquin Park as referred to in section 8.2.9 (a) of the Agreement in Principle.

The Agreement-in-Principle (Section 8.2.6) also states that Ontario and the AOO, and where appropriate Canada, will make every effort to develop fisheries management plans for all fish harvesting in the Settlement Area, including provisions for the conservation of brook trout in Algonquin Provincial Park. With the signing of the Agreement-in-Principle on October 18, 2016, these discussions can now begin in earnest.

During the development of fisheries management plans, including for Algonquin Provincial Park, consultation with Algonquin communities, the public, fish and wildlife organizations as well as other interested parties will take place.

Further Background Information:

- The Agreement-in-Principle (AIP) is not a legally binding document. Rather the AIP is a statement of the main elements of an Algonquin Treaty, clarifying and defining the rights of the AOO and outlining the obligations of all three Parties: the AOO, Canada and Ontario. It provides the foundation for negotiations and is a major step towards the Final Agreement that once approved by all parties will have the legal status of a modern-day Treaty.
- Algonquin traditional practices of hunting, trapping, fishing and gathering flora for medicinal, food and other purposes reflect the history of Algonquins as a hunting and gathering society. These practices embody an inherent respect for the environment and a fundamental commitment to the sustainable management of resources which has been passed from generation to generation.
- The rights of Aboriginal peoples in Canada to engage in traditional activities that are fundamental to their unique histories, cultures and spiritual beliefs are recognized by the Constitution Act, 1982 and upheld by the Supreme Court of Canada. Under this legal framework, the Algonquins of Ontario (AOO) currently possess the right to harvest wildlife, fish, migratory birds and plants for domestic purposes throughout the year, and the exercise of this right is subject only to measures that can be justified for conservation or public health and safety.
- As such, an Algonquin Treaty will not create Aboriginal rights for the AOO but rather, it will clearly articulate what these rights are and how they may be exercised. As stewards of the land and resources within their Traditional Territory, the AOO recognize the fundamental importance of protecting viable populations of flora and fauna for generations to come.

For more information contact your Algonquin Negotiation Representative or the Algonquins of Ontario Consultation Office Toll Free at 1-855-735-3759 or 613-735-3759 or by email at algonquins@tanakiwin.com.