



**Nisga'a Lisims Government**

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**FOR IMMEDIATE RELEASE**

**Nisga'a Nation Commences Dispute Resolution Proceedings against Canada  
to Protect Nisga'a Treaty Rights**

**September 11, 2019 – New Aiyansh, B.C.** – Nisga'a Lisims Government has commenced dispute resolution proceedings against Fisheries and Oceans Canada ("DFO") in order to ensure the proper implementation of the Nisga'a Final Agreement (the "Nisga'a Treaty") and protect Nisga'a treaty rights and interests.

The proceedings, commenced under the Dispute Resolution Chapter of the Nisga'a Treaty, aim to address the effects of an unauthorized approval by DFO that resulted in damage to Nisga'a Lands and resources.

While the Nisga'a Treaty provides for public access to Nisga'a Lands for some purposes, only Nisga'a Lisims Government has the power to authorize the use or occupation of Nisga'a Lands and use of resources on those lands. DFO improperly issued an approval that purported to grant access to Nisga'a Lands by non-Nisga'a persons for commercial fishing purposes. This action by DFO resulted in damage to Nisga'a Lands and resources, and required Nisga'a Lisims Government to incur costs addressing the unauthorized use and occupation of its lands.

"Nisga'a Lisims Government will always take steps to protect the Nisga'a Nation's rights under our Treaty," said Eva Clayton, President of the Nisga'a Nation. "There is no doubt that DFO made a decision they did not have the authority to make which resulted in trespass to our lands, and damage to our lands and resources. Nisga'a Lisims Government made numerous requests to have DFO revoke the improper authorization and address the situation, but DFO took no action. Regrettably, we were forced to commence dispute resolution proceedings against Canada to help put an end to this trespass and remedy the damage, and most importantly, to protect the Nisga'a Nation from any future decisions that would lead to a reoccurrence of this unfortunate situation."

The Dispute Resolution Chapter sets out processes to address breaches or the improper implementation of the Nisga'a Treaty. Nisga'a Lisims Government is utilizing these processes to address DFO's improper authorization. The proceedings will follow the stages set out in the Dispute Resolution Chapter, starting with informal collaborative negotiations.

"This is not a step Nisga'a Lisims Government takes lightly," said President Clayton. "But we saw that it was necessary, and we are confident it will ensure that DFO decision-making going forward respects our Treaty."

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