



VUNTUT GWITCHIN GOVERNMENT

Government of Vuntut Gwitchin First Nation

CHIEF AND COUNCIL

P.O. Box 94,
Old Crow, Yukon
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May 5, 2022

Honourable Joyce Murray
Minister Fisheries, Oceans, and the Canadian Coast Guard
Government of Canada
200 Kent Street
Station 15N100
Ottawa, ON K1A 0A6
min@dfo-mpo.gc.ca

RE: Chapter 16 Porcupine River Drainage Nomination to the Yukon Salmon Sub-Committee

Dear Minister Murray:

We write to bring to your attention a matter of fundamental importance to the Crown-Vuntut Gwitchin First Nation relationship.

As you are aware, the Vuntut Gwitchin First Nation (VGFN) Final Agreement is a land claims agreement protected by section 35 of Canada's Constitution. A major achievement in our treaty with Canada is the solemn commitments made towards VGFN's management powers and responsibilities in relationship to fish and wildlife set out in Chapter 16 of the Final Agreement. Importantly, this includes VGFN's power and responsibility to nominate its own members directly to the Yukon Salmon Sub-Committee (YSSC) to participate in the management of salmon in the Porcupine River drainage basin on behalf of VGFN pursuant to 16.7.17.5:

*"For the Porcupine River drainage basin, **the affected Yukon First Nation shall nominate two members to the Sub-Committee who shall sit on the Sub-Committee when it deals with matters affecting Salmon in the Porcupine River drainage basin only.**" (emphasis added)*

In February 2022, Chief and Council of the VGFN made two formal nominations to the YSSC for five-year terms in accordance with our treaty right set out under 16.7.17.5 of the Final Agreement and protected by section 35 of Canada's Constitution. However, in April, we were informed by Fisheries and Oceans Canada (DFO) that VGFN's nominations to the YSSC had not been accepted by Canada and were being subjected to ad hoc DFO administrative requirements and review processes. These included requiring a CV from VGFN nominees that would then undergo a DFO "analysis" and preparing a "recommendation" to the Minister purportedly for executive decision and approval of VGFN nominees.

Porcupine River Chinook and chum salmon are essential to our lifestyle, culture, and support our citizens in addressing serious food security concerns. Knowing this, our Elders fought hard for seats at the decision-making table regarding salmon, pushing for the very creation of a salmon "Sub-Committee" under the Yukon Fish and Wildlife Management Board. This spring our nominee was excluded from



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deliberations leading to critical pre-season salmon management recommendations through the YSSC and associated Yukon River Panel.

As we mutually agreed to as treaty partners, it is a fundamental objective of Chapter 16 to ensure fish and wildlife management processes for our Traditional Territory include our full and equal participation in decision-making. This is a foundational piece of our Nation-to-Nation relationship established in the VGFN Final Agreement, one that ensures our distinct knowledge and experiences are not ignored in fisheries management. The imposition of DFO's unnecessary administrative requirements and ministerial approval of VGFN nominations to the YSSC frustrates the realization of this objective and undermines the very notion of a Nation-to-Nation relationship. The delay and interference in VGFN's nominations to the YSSC is a flagrant breach of 16.7.17.5 of the Final Agreement and infringes upon the exercise of our management powers and responsibilities under Chapter 16 of the Final Agreement.

The imposition of DFO administrative requirements and ministerial approval of VGFN nominees is reminiscent of our experience of colonialism, paternalism and discrimination under the Indian Act where matters that affect us as Vuntut Gwitchin were determined in far away offices in the South. As recognized in section 13 of the VGFN Self-Government Agreement, in leaving the legacy of the Indian Act behind, we have the **exclusive power** over the management and administration of rights or benefits which are realized pursuant to the Final Agreement such as the nomination power under 16.7.17.5. This intrusion on VGFN's self-government authority over its internal affairs will not be tolerated.

Effective immediately our two representatives will be participating in the YSSC and will assume the role of formally nominated and appointed members. We look forward to working with the Government of Canada on these important tables to continue to protect and enhance our rights and relationships with the land.

Mahsi' Choo

Chief Dana Tizya-Tramm

Cc: Honourable Marc Miller, Minister of CIRNAC
Premier Sandy Silver, Government of Yukon
Grand Chief Peter Johnson, Council of Yukon First Nations
Chief Roberta Joseph, Tr'ondëk Hwëch'in
Chief Simon Mervyn, First Nation of Na-Cho Nyak Dun
Chief Amanda Leas, Ta'an Kwäch'än Council
Chief Doris Bill, Kwanlin Dün First Nation
Chief Nicole Tom, Little Salmon Carmacks First Nation

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Chief Darin Issac, Selkirk First Nation
Ha Shaa Du Hen Lynda Dickson, Carcross/Tagish First Nation
Na Shaáde Háni Eric Morris, Teslin Tlingit Council
Dän nátthe äda Steve Smith, Champagne and Aishihik First Nations
Chief Bessie Chassé, White River First Nation
Chief Bob Dixon, Kluane First Nation
Chief Jack Caesar, Ross River Dena Council
Chief Stephen Charlie, Liard First Nation
Stephen Mills, Deputy Minister of Executive Council Office, Government of
James MacDonald, Chair, Yukon Salmon Sub-Committee
Carl Sidney, Chair, Yukon Fish and Wildlife Management Board

