



Thursday & Friday
25, 26 September
2008

Wagmatcook
Culture and
Heritage Centre

10am–5pm

*A gathering of Mi'kmaq
community delegates
to develop the Guidelines
for the Mi'kmaq Moose
Hunt in Unama'ki*

Mawikwamk
W'it T'ia'muk
Mi'kmaq Gathering on Moose



Kwilmuk Maw-klusuaqn
Mi'kmaq Rights Initiative

Our Rights. Our Future.



Unama'ki Institute of Natural Resources
Moose Management Initiative

Mawikwamk Wjit Tia'muk Mi'kmaq Gathering on Moose

Background

The Moose Working Group was mandated to hold community sessions throughout Nova Scotia to canvass community opinion regarding moose management and hunting. In recent years, Mi'kmaq hunters have been complaining to Chiefs and Councils that the state of the Mi'kmaq moose hunt was becoming dangerous and disrespectful. Many were threatening to present demands to provincial authorities that they clamp down on the Mi'kmaq hunt. The Assembly saw this as a chance to pursue self-government and self-management in this area. UINR had been exploring joint management with DNR and Parks Canada for a number of years, but governments were not willing to extend the discussions into governance issues. The Made-in-Nova Scotia Process presented an opportunity to take this discussion further and to expand the role of the Assembly, and thus the governance project, to involve all the Mi'kmaq communities of Nova Scotia.

The conversations at the community level have provided valuable input on future Mi'kmaq management of the resource and they have also provided important good will between community members and the Assembly's community-oriented process. The fact that the Assembly wished to hear from the people has been an important step. Understandably, discussion at the community level can touch upon a number of issues, sometimes in a disjointed and unorganized manner. Therefore, I would like to take this opportunity to summarize the discussion in this report and attempt to categorize the various issues. These issues will form the basis of future Mi'kmaq governance initiatives for moose access and stewardship. Broadly speaking, the issues are as follows:

Certain fundamental principles seemed to be universally accepted. Everyone was supportive of the idea that the community, through self-government, could and should regulate the Mi'kmaq hunt. This was the case even with those hunters who held a strong view of individual rights. There was consistent concern that the hunt was increasingly unsafe and that the notion that respect for the moose was disappearing. There was a consistent view that netukulimk was an appropriate principle or value on which Mi'kmaq governance had been based in the past and should be based upon in the future. Finally, there was a generally held view that for community regulations to work, the vast majority of hunters would have to follow them and promote them on the mountain and within their own communities.

Ultimately, community members attending the meetings were quite enthusiastic about Mi'kmaq driven guidelines protecting and directing the moose hunt. It is evident that most Mi'kmaq have not felt comfortable in the way that the hunt was evolving in the years following Marshall. The delicate balance is to ensure that the hunt is safe and ecologically sound, while also respectful of the heartfelt treaty rights of the Mi'kmaq. It is also clear that the participants feel comfortable when involved in the discussion of future directions. The most telling comment was that a hunter was "blown away" by the fact that the moose, so important to the Mi'kmaq in so many ways, was actually bring self-government back to the people, and therefore any way to return that respect to the animal was a good step.



Conference Overview

The Assembly and Chiefs and Councils have been consistent in their view that future resource stewardship and governance should be a community driven process – that the Mi'kmaq community members should have a real and meaningful say in the development of future Mi'kmaq guidelines and laws.

In this spirit, the Assembly held numerous moose discussion sessions in all Nova Scotia communities including the off-reserve. At these sessions, community members provided important ideas on the future of moose stewardship. They also felt that the next logical step in the process was for community members to help in the creation of guidelines to further this stewardship and that bringing people together in a gathering would be an effective and empowering way to do this.

The objective of this gathering is to reach consensus from community delegates on four topics required for the guidelines that could be controversial:

1. Non-native accompaniment on the hunt;
2. Selling of moose meat and products;
3. The acceptance of a two month no hunting season in the height of the summer;
4. Creation of Hunter Advisory Groups to aid Chief and Councils in the administration and education of community members.

These of course are not all the issues to be addressed in the Guidelines. However, such topics as providing community-based safety and ethics courses, following safety guidelines and providing community representatives with hunter report cards and jaw-bones have not been controversial.

If the gathering can reach consensus on these four topics, technical people will then be tasked to draft the guidelines. Once delegates are satisfied that the draft represents the view of the gathering, the draft will be provided to Chiefs and Councils and the Assembly for discussion and approval. Initially the guidelines will be voluntary and it will be the task of the Assembly, Chiefs and Councils, UINR, KMKNO and hunters to discuss and promote the guidelines in the community. Eventually, the Mi'kmaq will have the ability to turn the guidelines into enforceable Mi'kmaq law.

As we were told at one of the community sessions – the moose has provided so much to the Mi'kmaq through the years and now the moose will once again provide self-government.



Delegate Selection

Responsibilities:

We are looking for delegates that have some experience with various moose hunting issues and have genuine concerns regarding the moose population and harvest and how we can collaborate to instill the concept of Netukulimk.

Netukulimk is the use of the natural bounty provided by the Creator, for the self-support and well-being of the individual and community. Netukulimk simply means achieving adequate standards of community nutrition and economic well-being without jeopardizing the integrity, diversity, or productivity of our environment.

As First Nations, we have long held to the belief that, although it has been established we have an inherent right to access and use of our resources, we also have a responsibility to use those resources in a sustainable way.

The Mi'kmaq way of resource management includes a spiritual element that ties the people to the plants, animals, and the environment as a whole. UINR's strength is in our ability to integrate scientific research capabilities with Aboriginal knowledge, practice, and understanding. Through this two-eyed seeing approach, the practice of Netukulimk can be restored.

We would like delegates that are well respected members of the community who are able to go back to their respective communities and share the thoughts, discussions and consensus of the Moose Symposium in a clear, concise way.

Method of Selection:

At this time we are leaving it up to the communities to determine the method of selection. However, should you require the assistance of our Moose Management Initiative Coordinator, who has traveled to nearly all thirteen bands to hold community sessions on moose, we will be glad to provide any help you might need, or answer any questions you may have.

How to Notify Us and When:

The Moose Symposium is tentatively scheduled for the week of September 22nd. This will be a two day workshop, held at the Wagmatcook Culture and Heritage Center in Wagmatcook, NS. We will be providing accommodations and travel for the participants, our accommodations have been set up in nearby Baddeck, N.S.. The hotels require a guest list of names thirty days prior to the stay, so if possible, as much advance notice as possible will be required. Also, in respect to making out travel cheques, etc., we would like to have the full list of participants on or by the first week of September.



Non-native Accompaniment

This issue often led to spirited debate at the meetings. At every community someone would state that only status Indians should be allowed to hunt. At that point, all of the issues around accompaniment would begin to surface from participants at the meeting. It is clear that community members see the right as one which applies only to the Mi'kmaq and that this right cannot be transferred or sold to a non-Mi'kmaq. There was no stated support for taking non-Native hunters up for money or for involving friends or unrelated non-native hunters. The question of concern involves the participation of one's family in the hunt. Many within the community now have family members who are not status Indians. Many stated that without the aid and companionship of these family members, they as Mi'kmaq hunters could not participate in the activity. Many felt that the core of the value of netukulimk was that a Mi'kmaq person should be allowed to hunt and provide for the well-being of their family and this would have to be respected. This issue will certainly take discussion. The opinions can be categorized as follows:

1. Non-native accompaniment of any kind sets a dangerous precedent; too difficult to enforce unless the criteria is "black and white". This opinion is held by a few on each community, but is not the majority consensus.
2. Companion permits should be issued to non-Natives who can legitimately accompany community members. Many instances were given of families that required help from a spouse, child, son-in-law, etc. to participate in the hunt. At the sessions, participants seemed to have sympathy for these situations. It was clear, however, that participation would be contingent on receiving a permit from the Mi'kmaq authority. The debate that ensued was around the permitted activities of the non-Native participant. Can they actively hunt (pull the trigger) or merely accompany and help with the camp and the processing of the moose once it has been downed? There was not a clear consensus on this last point.



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Selling

Most hunters want to discourage the idea of selling moose. This seems to be based on the practices that were occurring where whole carcasses were being sold, or where non-Native hunters were actually hunting under the “guise” of having a Mi'kmaq hunter claim the moose. Last year, however, DNR clarified their policy on the transfer of meat and have been enforcing a 100 pound possession limit for non-Natives without an appropriate license. This seems to have cut down on some of the more notorious abuses that were taking place. It also allows Mi'kmaq to sell meat within reason. The number of complaints in this area from Mi'kmaq hunters has dropped substantially.

There was much discussion with participants on the Marshall Case and the effect of the livelihood issue on moose. With the current efforts to educate and train hunters on gaining the full benefit of the moose – hide preparation, antler sales and limited meat sales, and discussions over potential guiding opportunities, most hunters are seeing that “renting a status card” to a non-Native is not only contrary to the wishes of the community, but dramatically less value than could be achieved.

Based on the community sessions, some sort of selling is important to segments of the community, if not based on economics than at least based on the principle of exercising treaty rights. Others, however, do not wish to see the harvest turned into a commodity. They feel that this equals the selling of a Mi'kmaq cultural value. It is possible that with the above stated initiatives, we are reaching a bit of a middle ground. In any case, this will be a point of discussion.



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No Hunting Season

Most participants favoured looking at a “no hunting period” during the year. There was considerable discomfort with hunting during the hottest parts of the summer. How to calculate this period varied but most agreed that hunting in July and August was not supportable. The one exception was the need to hunt for ceremonial purposes. This could include community celebrations or spiritual ceremonies where the use of frozen meat would not be appropriate. In this case it was felt that even with a “no hunting season” special community approval could be given to hunters to harvest moose for these purposes, ensuring that proper care was taken to avoid waste. It is clear, however, that there would be a few hunters that feel any “no hunting period” would infringe their rights.



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Hunting Advisory Group

An interesting concept that came from most communities was the idea of a Hunter's Advisory Group that would work in cooperation with Chief and Council to implement any hunting initiatives. It was universally felt that any future moose guidelines would have to be on behalf of all Nova Scotia Mi'kmaq. No one felt that community specific guidelines would be workable or equitable. However, they did feel that individual communities were well placed to administer parts of the guidelines. For example, if permits were required for non-Native family members, a community body would be best placed to know if the application was legitimate. As well, the Advisory Group could be involved with the community education and training components. Many communities have already gone this route to encourage youth hunting. The mandate and parameters of these groups would have to be explored, but as a concept it gave the participants the feeling that they were directly involved in the governance system.



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