

COHEN COMMISSION: Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River – An update from the Secretariat

At the FRAFS Executive Committee (EC) meeting on February 22 2010, the First Nation members of the EC instructed Ernie Crey and Neil Todd to apply for standing at the Cohen Commission on their behalf. “Standing” gives an individual or group the ability to participate in the hearings, to put forward evidence, call witnesses to give testimony, and cross-examine other witnesses. The First Nation members of the EC (“Aboriginal Caucus”, or AC for short) felt that, while they don’t have a political mandate to represent Fraser First Nations, it was important to obtain standing in order to provide a watershed-wide perspective to the Commission.

When looking into preparing the application for standing, it became evident very quickly that we would have to work with a lawyer in order to complete the application. Further, the application would have to include an application for a recommendation for funding as the FRAFS does not have a budget allocation to retain legal counsel for participation in the Inquiry. Ernie contacted Brenda Gaertner of the law firm Mandell Pinder to see how best to proceed. Meanwhile, other groups had been in contact with Mandell Pinder as well.

As a result of a number of phone conversations and a flurry of correspondence, it was decided that the most effective way to proceed would be for Mandell Pinder to act on behalf of a number of First Nation groups (the “coalition”) under one umbrella application for standing. The groups who have agreed to this strategy are: Aboriginal Caucus of the FRAFS EC (AC FRAFS); First Nations Fisheries Council; Fraser Valley Aboriginal Fisheries Society; Chehalis Indian Band; Secwepemc

Fisheries Commission; Northern Shuswap Tribal Council Fisheries; and the Upper Fraser Fisheries Conservation Alliance.

If granted standing, the “coalition” will have to be able to provide the considerable financial resources necessary to support their legal team’s participation. Therefore, in addition to supplying information on their organizations, their relationships with Fraser sockeye salmon, their fisheries, and their potential contribution to the work of the Commission, each group also had to provide an affidavit to support an application for funding through the Commission. Essentially, the affidavits stated that the organization did not have a budget for funding legal counsel work in respect to the Inquiry.

Deadline for applications was 4 p.m. on Wednesday March 10. Results of the applications (accepted or rejected) are expected later on this month. If our “coalition” application is accepted, we will be planning for a workshop to begin organizational and strategic planning to contribute to the Commission’s work on behalf of Fraser sockeye salmon and the people who have depended on them since time immemorial.

Any First Nation that did not apply for standing by the March 10 deadline can still contribute to the Inquiry. Those who wish to comment on any matter related to the policy review may do so in the form of a written submission. The commission will be providing more information on how to enter a written submission on their website later this month. For more info on the Cohen Commission, please visit their website at www.cohencommission.ca.

Meeting Notices

FRSSI Workshop (Fraser River Sockeye Spawning Initiative)

Wednesday, March 17, 2010

Comfort Inn, Kamloops BC

Forum on Conservation and Harvest Planning for Fraser Salmon

Thursday March 18 &

Friday March 19, 2010

Comfort Inn, Kamloops BC

Consultation Workshop & First Nations FSC Sharing Plan Workshop

March 30 - April 1, 2010

Tsleil-Waututh First Nation

Community Centre Gym

North Vancouver, BC

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Would your community like to host the 2010 Visions Workshop?

The Visions Fisheries Workshop is an annual conference hosted jointly by the Fraser River Aboriginal Fisheries Secretariat (FRAFS) and a host community for First Nations and DFO representatives from throughout the Fraser Watershed and beyond. Visions provides an opportunity for First Nations fisheries representatives to share their projects, discuss fisheries issues with other technical folks, and get up-to-date information on programs, funding, and ongoing initiatives related to aboriginal fisheries in the Fraser River and beyond. The 2010 workshop will take place in June.

If you belong to a community in the Fraser River watershed and would like to host Visions, please contact us at FRAFS!