

## MAA-NULTH FIRST NATIONS SIDE AGREEMENT SUMMARY

### MAA-NULTH FIRST NATIONS: HARVESTING OF GREY WHALES AND SEI WHALES

#### **Purpose**

The Maa-nulth First Nations Final Agreement (the “Final Agreement”) – Harvesting of Grey Whales and Sei Whales (the “Whaling Agreement”) sets out that the Maa-nulth First Nations agree not to harvest or to propose the establishment of harvest of grey and sei whales for a period of 25 years.

The parties to the Whaling Agreement are Maa-nulth First Nations and Canada.

#### **How the Agreement Works**

The Final Agreement in 10.1.1 provides that each Maa-nulth First Nation has the right to harvest, consistent with the Final Agreement, Fish and Aquatic Plants for domestic purposes in the Domestic Fishing Area. The definition of Fish in the Final Agreement includes marine animals.

The Maa-nulth First Nations are recognized as historic whaling nations. The grey and sei whales have recovered from industrial exploitation and are no longer considered by Canada to be endangered species.

The Final Agreement in 10.1.24 and 10.1.25 provides that the Maa-nulth First Nations have the ability to propose the harvest of unallocated species in annual fishing plans. This means that Maa-nulth First Nations have the ability to propose an allocation for harvest of grey and sei whales in an annual fishing plan.

The Whaling Agreement provides that the Maa-nulth First Nations agree not to harvest or to propose the establishment of an allocation for harvest of grey and sei whales for a period of twenty-five years.

The Whaling Agreement is effective on the Effective Date of the Treaty. The Whaling Agreement expires twenty-five years from the Effective Date of the Treaty and does not provide terms for renewal.