

First Nations seeks class-action suit against B.C. fish farms

BY SUZANNE FOURNIER, THE PROVINCE APRIL 14, 2010



Chief Bob Chamberlin of the Kwikwaka'wakw/Ah-Kwa-Mish First Nation says government-approved fish farms have devastated wild Pacific salmon runs.

Photograph by: Nick Procajlo, PNG, The Province

Aboriginal leaders asked the B.C. Supreme Court Tuesday to certify a class-action lawsuit to stop the "devastation" of wild salmon stocks by fish farming.

Dressed in button blankets and regalia on the courthouse steps, more than 20 leaders spoke against open net-cage salmon farms in the Broughton Archipelago, off northeast Vancouver Island.

"We have had firsthand experience with the salmon fishery for thousands of years and we can see the devastation of our marine resources caused by fish farms," said Bob Chamberlin, chief of the Kwikwaka'wakw/Ah-Kwa-Mish First Nation.

"We don't take this step lightly, filing a class action against both the B.C. and federal governments, but we have tried negotiation and it is still just delay, deny and distract."

Chamberlin said the eight First Nations, representing about 6,000 people, hope a class-action lawsuit will be a quicker way to save wild salmon and at the same time, assert their rights to the salmon fishery.

"We can point to many court decisions that say there is a duty to consult with us due to our aboriginal title and rights on land and sea, but the talks are going nowhere and the wild salmon are disappearing."

In court, federal government lawyer Harry Wruck attacked a report by Dr. Fred Whoriskey on behalf of the First Nations, arguing he is an expert on Atlantic salmon, not the five species of wild Pacific salmon.

Chamberlin responded outside court that there is "an ever-increasing body of peer-reviewed, published

