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Yale Treaty Fatal Blow to Cohen Inquiry?

The Inquiry into the decline of the Fraser River Sockeye fishery was a hopeful sign that the federal government placed a high priority on correcting problems in the management of the fishery.

Mr. Justice Cohen was directed to examine the management of the Fraser River Sockeye fishery and to develop recommendations on "changes to the policies, practices and procedures of the Department in relation to the management of the Fraser River sockeye salmon fishery."

At the very moment that the Judicial Inquiry is set to undertake a groundbreaking evaluation and assessment of fisheries management practices, including monitoring and enforcement, and to recommend to the Prime Minister necessary changes to fisheries management practices, the Minister of Indian Affairs signs a treaty to transfer fisheries management authority to the Yale Indian Band.

The Yale Final Agreement will compromise every conceivable aspect of fisheries management, from monitoring and enforcement to who will have access to Fraser River Sockeye. The Treaty will deal with the very fisheries management issues that the Cohen Inquiry must address and will move them behind a constitutional wall where neither the Inquiry's investigation nor final recommendations can touch them.

If the government were serious about the Cohen Inquiry and its mandate to review fisheries management, the Minister of Indian Affairs would not have signed a Treaty that fundamentally and permanently alters fisheries management before Justice Cohen has yet to hold his first public hearing.

Regrettably the initialing of the Yale Final Agreement compromises the Inquiry and undermines its final recommendation to the Prime Minister.

Fishermen assumed that the Judicial Inquiry represented their last chance to inject common sense into fisheries management. Many will now conclude that the Yale Final Agreement, which expands native fishing in the Fraser Canyon and places in it in constitutional cement, together with the other treaties in the pipeline will interfere with or limit Justice Cohen's work. With the signing of the treaty fishermen believe the government has made clear its intention to continue the very fisheries management practices that have devastated the Fraser sockeye fishery.

British Columbians are left to wonder the extent to which the Yale and other treaties yet to be signed will fetter the work of the Cohen Inquiry and limit the scope and worth of its recommendations.

The initialing of the Yale treaty is certainly not a hopeful indicator for either the Cohen Inquiry or for the government's desire for or commitment to making fundamental changes in fisheries management.

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