



FAQs on Going to Court re: Mi'gmaq Title

Why are the Mi'gmaq asserting title in New Brunswick?

- Under the Peace and Friendship Treaties, the Mi'gmaq have never ceded or surrendered ownership the lands or waters in New Brunswick.
- We want the provincial government to recognize that we never gave up title to the lands.
- Since the Mi'gmaq in New Brunswick never ceded these lands, we are entitled to have a say in how our ancestral lands and waters are managed and / or developed. The provincial government cannot continue to ignore this fact.

What is the difference in the title assertion announcement that took place last year and the release today?

- In February 2023, eight Mi'gmaq communities represented by Mi'gmawé'l Tplu'taqnn Inc. (MTI) formally notified government and the public they were asserting title to lands in New Brunswick.
- MTI had hoped this would get the provincial and federal governments to come to the table to talk and negotiate the recognition and implementation of Mi'gmaq Title.
- Over the past year, while the federal government has expressed a willingness to have these discussions, the provincial government has not wanted to come to the table to have any discussions around title with the Mi'gmaq.
- The provincial government has not expressed any willingness to negotiate.
- MTI sent a notice to the Crown in April 2024, that we intend to file our title case in the courts of New Brunswick. MTI again reiterated its willingness to negotiate recognition of title. The Crown did not respond to that request.

Do the Mi'gmaq want to take New Brunswickers homes, cottages, or parcels of land?

- No, MTI communities will not take peoples' homes, cottages, or other private property. This title case will be against the government alone.
- You would continue to pay property taxes to your municipality or the province, as applicable.
- MTI communities will be seeking compensation from government for the loss of lands that have been converted to private property.
- This is about the Mi'gmaq wanting the provincial government to abide by the Peace and Friendship Treaties and correct the wrongs that have taken place.

Are you taking private companies to court in this litigation?

- No. The only defendants listed are the federal and provincial governments, and two crown corporations who hold lands on behalf of the Crown: the Regional Development Corporation and New Brunswick Power.

What about other nations or communities who have filed a title claim in New Brunswick?

- There have and will continue to be discussions with the Wolastoqiyik, Peskotomuhkati as well as other Mi'gmaq rights groups.
- MTI recognizes that there is overlap between our title area and the Wolastoqiyik title claim. Overlap discussions are a normal part of any title assertion, and we will continue to have discussions with the Wolastoqiyik leadership around the overlap and potential areas of shared title.
- MTI also recognizes that other Mi'gmaq communities have asserted title within the province. Mi'gmaq title is vested in the Nation on behalf of all Mi'gmaq, and we do not see these as competing or overlapping claims. Discussions with Elsipotogog will continue regarding the harmonization of our claims.
- This claim also does not limit the ability of First Nation communities in New Brunswick to pursue specific claims for loss of reserve land.

Why are you not asserting title in Nova Scotia, PEI, or Quebec?

- Our occupation predates colonial/provincial boundaries, and our territory extends beyond provincial boundaries. Mi'gmaq Territory extends throughout most of the Atlantic Provinces, and parts of Quebec and the Northeastern United States.
- MTI communities are located within the province of New Brunswick and the current assertion is for the title area within this province.