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FOR IMMEDIATE RELEASE

MTI Communities have no choice but to take provincial government to court over title.

In February 2023, eight Mi'gmaq communities represented by Mi'gmawé'l Tplu'taqnn Inc. (MTI) - Amlamgog (Fort Folly) First Nation, Natoaganeg (Eel Ground) First Nation, Oinpegitjoig (Pabineau) First Nation, Esgenoôpetitj (Burnt Church) First Nation, Tjipōgtōtjg (Buctouche) First Nation, L'nui Menikuk (Indian Island) First Nation, Ugpi'ganjig (Eel River Bar) First Nation and Metepenagiag Mi'kmaq Nation - presented the government with maps and documentation showing the unceded, ancestral lands and waters of the Mi'gmaq within the province of New Brunswick. Our intention was simple: to remind the provincial government the Mi'gmaq never surrendered our title to these lands and waters, and that MTI communities wanted to discuss and negotiate Mi'gmaq title in New Brunswick with the Crown. While the federal government has indicated their willingness to enter into discussions around Mi'gmaq Title, the provincial government has shown no interest in having any sort of discussion on this topic.

This has left communities represented by MTI with no other option but to take our title assertion to court. Today, the eight communities have filed a notice of action in the Court of King's Bench of New Brunswick. This is not the approach the MTI Chiefs wanted to take, and this decision was not taken lightly. The lack of an adequate response from the Province has left us with little choice but to file.

"These have been our lands and waters since time immemorial. Our relationship with these lands and waters is the source of our language, our culture, and our identity. The Peace and Friendship Treaties were signed between nations and never discussed handing over our lands to the Crown. Instead, they dealt with how we could live and work together in peace and friendship and share in the stewardship of the lands and waters in our territory," said Chief George Ginnish, Chief of Natoaganeg.

The Mi'gmaq are looking for the provincial government to accept the law of the land and fulfill the Honour of the Crown. For too long our title and our treaties have been dismissed or ignored. Considering past developments and increased talk of future developments in Mi'gmaq territory, further clarity is needed for the Mi'gmaq in New Brunswick and everyone in this province.

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“We can no longer be treated as second class citizens in our homeland. The provincial government doesn’t want to sit down and discuss our title to our lands and waters, and what our ancestors and those representing the Crown signed and promised each other. This cannot continue. If the court system is the only avenue currently open to us to provide certainty around our title, then that is route we are forced to take,” said Chief Rebecca Knockwood of Amlamgog.

The MTI chiefs reiterated they are not looking to take title to private property.

“The Mi’gmaq have no intention and do not want to take any person’s home, cottage, or property. If this case is ruled in our favour, your life and property will not change. You will still pay property taxes to the Government of New Brunswick,” said Chief Bill Ward of Metepenagiag.

The communities represented by MTI would be seeking compensation from the government over lands in their territory that were taken and used for development without their knowledge or consent. In addition, they want to share in the decision-making process around development in their territory.

Taking the provincial government to court was a last option. This is about seeking clarity and, hopefully, correcting past wrongs and ensuring there are better practices by governments from all sides going forward. The communities represented by MTI remain open to negotiations regarding recognition of Mi’gmaq Title.

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