

Wula na kinu
THIS IS WHO WE ARE

Questions and Answers

Frequently Asked Questions of the Enrollment Process

QUESTIONS & ANSWERS

Q: WHY DO WE NEED A PROCESS?

Only the Mi'kmaq can say who is Mi'kmaq – before the government tells us who is a Rights-holder in Nova Scotia, the Mi'kmaq developed a process to determine who we are, by our own “rules” and in our own way. This is the first step to self-determination and self-governance.

Q: HOW WAS THE PROCESS CREATED?

Work on the process started in 2001. Under direction from the Assembly of Nova Scotia Mi'kmaq Chiefs, the Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO) started to engage community members on the topic of Mi'kmaq identity in 2008 and work has continued up until now. This information was gathered a number of different ways including through community sessions, youth competitions, think-tanks, symposiums, youth conferences, regional sessions, meetings with the Grand Council, webinars, focus groups, Chief and Council sessions and Nationhood Conferences.

Q: WHO HAS TO ENROLL UNDER THIS PROCESS?

Individuals who are Non-Status or are registered Status Indians on the Atlantic General List (those who do not have a status card to one of the 13 Nova Scotia Mi'kmaq Bands).

Q: WHAT DOES A PERSON NEED TO APPLY?

The criteria for one to apply is based on (1) one's family connection and (2) acceptance as a member of the Nova Scotia Mi'kmaq Nation.

Q: WHO DETERMINES IF ONE IS APPLICABLE?

The Enrollment Committee. Which will consist of five (5) Mi'kmaq representatives including a youth, Elder, single parent, Grand Council member, and off-reserve or urban individual.

Q: HOW DO THEY DETERMINE IF THE PERSON IS ELIGIBLE TO APPLY?

In order to apply, an applicant must be 18 years of age, have been born into a Nova Scotia Mi'kmaw family and have a continuous connection to the Nation, (there are also special circumstances which some may fall under that you can find more details on in The Nova Scotia Mi'kmaq Enrollment Process document).

Q: IF MY APPLICATION IS SUCCESSFUL, WHAT WILL I NEED FOR IDENTIFICATION TO HUNT MOOSE OR OTHER PROVINCIAL RESOURCES?

An issued Harvester Identification Card.

Q: WHAT HAPPENS IF I GET REJECTED?

If an application is denied the applicant has four options:

1. Accept the negative decision of the Enrollment Committee (do nothing); or
2. Request that the Enrollment Committee reconsider its decision; or
3. Appeal the decision of the Enrollment Committee to the Appeals Board, or
4. Reapply after at least two years.

Q: WHAT ABOUT OTHER ABORIGINAL AND TREATY RIGHTS? IS THIS LIMITED ONLY TO PROVINCIAL RESOURCES?

This Application is to enroll as “Mi'kmaw of Nova Scotia” – under the Pilot Process. The Pilot is limited in scope to harvesting renewable resources under provincial jurisdiction (wildlife, freshwater fish, plants and trees). This means that successful applicants can utilize their harvester identification card to exercise their Aboriginal and Treaty Rights to provincially regulated renewable natural resources (by means of hunting, fishing and gathering for food and a moderate livelihood).

Q: WHAT ABOUT MI'KMAQ FROM OTHER PROVINCES?

We share information on our work with the parts of Mi'kma'ki and they look to our process as a potential model. Communities outside of Nova Scotia need to be respected in determining how their own processes will work for them. We also have to be mindful of case law, and current court decisions have said rights are applicable within specific provincial jurisdictions. We know there are Mi'kmaq from other provinces living in Nova Scotia, and we are looking at a process, in conjunction with the other parts of Mi'kma'ki, to address this issue. For now, we advise individuals too look at the Moose Harvester Guidelines for direction when harvesting moose.

Q: WHAT ABOUT OTHER INDIGENOUS PEOPLE?

In order to exercise Mi'kmaq Treaty and Aboriginal Rights in Nova Scotia, a person must be a recognized Nova Scotia Mi'kmaw.

Q: CAN I STILL BRING MY FAMILY WITH ME TO THE HIGHLANDS TO HUNT?

Mi'kmaq taking non-Natives out harvesting is a growing area of abuse, especially with the moose harvest, and includes unfortunate stories of Mi'kmaq men and women being used and abused. We must make a firm effort to stop this. Regarding non-Native spouses, Mi'kmaq women in some communities have started organizing Women Harvester outings where they can help each other without non-Native support. These are encouraged.

Q: IF THIS IS A PILOT WHEN WILL IT END?

The application of the NS Mi'kmaq Enrollment Process for the harvester ID cards will be reviewed after three years with a report back to the Assembly of Nova Scotia Mi'kmaw Chiefs on any changes that need to be made. Throughout this three-year period, we will still be monitoring the process to respond to any technical matters.

Q: WHY ARE WE PILOTING THE PROCESS?

In the last year, Nova Scotia Mi'kmaq and the Assembly of Nova Scotia Mi'kmaw Chiefs have agreed that the criteria and procedural components for the Nova Scotia Mi'kmaq Enrollment Process reflects their thoughts and views. They have agreed that they would prefer to pilot the Nova Scotia Mi'kmaq Enrollment Process ("process") to determine how the process would work at a procedural and practical level. A pilot is critical for creating trust in the work.

Q: WILL EVERYONE EVENTUALLY HAVE THE OPPORTUNITY TO GO THROUGH THE PROCESS?

There has been a lot of discussion on this item by the Assembly and the Mi'kmaq of Nova Scotia. A decision on this has yet to be made. We will take direction from the Band Councils and the Assembly on how best to proceed.