



Kwilmu'kw Maw-klusuaqn
Mi'kmaq Rights Initiative

Our Rights. Our Future.

JANUARY 2021



DIGGING DEEPER - ARCHAEOLOGY

Despite COVID-19 trying to bring us all to a halt, KMK's Archaeology Research Department (ARD) continues to work, not just on files, meetings and research, but we even get onsite a few times with COVID precautions in place! Much of our field time has been spent at various Nova Scotia Power (NSP) hydroelectric projects like Lake Mulgrave, Tusket Main Dam, and Mersey in Kespukwitk. Our work on these projects, in the field, on virtual meetings and doing background research involves ensuring that the right methods are used in the right areas to protect Mi'kmaq archaeological heritage from destruction or loss. KMK's Mi'kmaq Community Liaison, Tanya Johnson-MacVicar, calls on us frequently to answer questions and support our Mi'kmaq community working groups on the NSP projects. We are always happy to help however we can.



Our Staff Archaeologist, Kait MacLean, spends a lot of her time working throughout Kespukwitk. While the last few months have slowed visits to Parks Canada places, through our Collaborative Archaeology Technical Team with Parks Canada, we have been keeping very busy. We are working to implement better ways to detect, protect and honour Mi'kmaq archaeological heritage in positive, respectful and inclusive ways. The most active place for this work has been at Kejimkujik, where planned infrastructure upgrades have found some previously unrecorded Mi'kmaq sites. These discoveries increased our understanding of the landscape changes that ancestors witnessed and lived with, and also demonstrated the importance of both collaborative planning and taking more time to understand these places. The extra time taken allowed Mi'kmaq community members to participate in the archaeological excavations. We look forward to creating more opportunities across all Parks Canada places in the future!

Working with Mi'kmaq Organizations

In October 2020, our Senior Archaeologist, Dr. Heather McLeod-Leslie, held an Introductory Archaeology Workshop for UINR's Land Guardians in Unama'ki to help support this aspect of their work. The two-day workshop introduced the basic concepts of archaeology and the importance of protecting context in a classroom environment on the first day. On day two, we used the new skills to identify artefacts that were laying on the surface of an archaeological site that has been used for at least 5000 years. To respect the sanctity of the place and the story that the Mi'kmaq archaeological heritage can tell today and future generations, nothing was taken and everything remains at the site.



Recently we have also begun working with Mi'kmaq Kina'matnewey and other Mi'kmaq experts, thanks to the direction of Culture, Heritage and Archaeology Portfolio Lead Chief and the KMK Governance Advisory Committee on the development of Mi'kmaq names for archaeological sites and artefacts. We are excited to see our Mi'kmaq language reclaim Mi'kmaq heritage in this way.

Photo above courtesy of UINR

Working with the Mi'kmaq Grand Council

In 1999, an MOU was signed by the Grand Council, Assembly, NS Museum, the (now) Canadian Museum of History, and Parks Canada. This MOU committed to "recognition of the sacred nature of all Aboriginal human burial sites, and agreement that there be no archaeological excavations of such sites unless expressly requested and/or supported by the Nova Scotia Mi'kmaq...". Last February, the Grand Council identified Tom Sylliboy as the contact person for KMK's ARD when issues relating to the Assembly's Ancestral Remains Protocol arise. This protocol is only ever used if remains are accidentally encountered by non-L'nuk because the MOU guarantees that, unless Mi'kmaq direct it, no Mi'kmaq burials will be knowingly disturbed. Keptin Tom, along with Kji Saqmaw, have provided both planning advice and ceremony in this past year to ensure implementation of the MOU and Protocols. We thank them for their guidance and wisdom.

**KMKNO'S
 FROM THE
 GROUND UP**

**Be sure to check
 out our ARD
 Podcast!**

Highlights from your KMK departments

Maw'Kleyu'kik Knijannaq Update

Most recently, the Maw'Kleyu'kik Knijannaq (MKK) team has been working on the Band Designate Common Policy and supporting AFN Regional Chief Prosper on researching Bill C92 as we are working towards the Mi'kmaq building jurisdiction and governance over Mi'kmaw child welfare, by way of section 35 inherent rights versus C92 Coordination Agreements.

Research has continued on a number of things, including: privacy law and standards; trauma to help inform a review of the SAFE Assessment; and on identifying Mi'kmaw stories, principles, values, and traditions around children and child rearing to be used in decolonizing assessments for the Mi'kmaw Child Welfare Regime. We're excited to be reviewing the first draft of a decolonized assessment in February, and the second Systemic and Structural Barriers working group meeting is taking place this month.

Work continues on the draft Mi'kmaw child welfare law and the MKK Technical Committee will hopefully soon be able to start the review of the draft law to date.



Livelihood Fisheries Update

The communities that we worked with as they implemented their Right to a Livelihood Fishery are now focussed on their season recap, UINR science, governance collaboration and moving forward into other fisheries.

Looking back on 2020, 2021 will continue to bring challenges implementing our Aboriginal and Treaty Rights, primarily stifled by Nation-to-Nation relations with a government that is reluctant to provide "two eyed seeing" opportunities to forward discussions in a productive manner. Our work at KMK will continue to support the Mi'kmaw communities as they take steps in developing sustainable and conservation-based livelihood fisheries plans, ensuring that as a community they are providing a defensible legal position, not only protecting their harvesters, but also protecting the established court decisions, Treaties and Rights of all the Mi'kmaq.

Supporting First Nation communities taking in their efforts to take responsibility, and authority over Mi'kmaq harvesting activities and Mi'kmaq rights-based fisheries we continue to be our focus and primary objective moving forward.

GIS Update

Our Geographic Information System (GIS) Specialist has been working to georeference and digitize past Consultation Parks and Lands projects. This process involves gathering location information (PIDs, maps, addresses).

KMK has also been working to develop a program to collect Mi'kmaw Knowledge Holder information on traditional and current land use. We are currently in the testing phase of this program and building items to help improve the user experience and accessibility before launching.

Emergency Management

Our Teams has continued to support the Chiefs in their weekly AFN COVID-19 National Taskforce Meetings, as well as their Bi-Weekly Tripartite Health Calls, and regular COVID-19 meetings between the Chiefs and the federal and provincial governments.

Our focus has been to ensure that all our Chiefs are up to date on COVID restrictions in Nova Scotia.

Cultural Tourism

Cultural authenticity is at the heart of cultural tourism, and yet it is a very difficult concept to define. *Authentic Mi'kmaw Cultural Tourism Guidelines for Nova Scotia* have just been drafted. The Elders and wisdom holders who participated in this study noted that authenticity comes from the heart, mind, and hands of the Mi'kmaw, stemming from Mi'kmaw traditions, ceremony, language, and stories. We are looking forward to sharing these guidelines with community and having some open discussions and feedback about how to ensure we can share our culture with tourists in a way that is respectful and protects our cultural identity.

Energy and Mines Update

In Summer 2019, the Federal and Provincial governments announced \$14 million in energy efficiency funding for Mi'kmaw communities over four years. Residential energy efficiency work temporarily stopped due to COVID-19, but has since restarted. KMK is working to set up a meeting with provincial reps to discuss how they can work with community Housing Managers and Employment Officers to build capacity in the Mi'kmaw communities to participate and guide the project.

Earlier this month, KMK received funding from Energy and Mines through the Low Carbon Community Fund to pay for solar design for solar systems in each of the 13 Mi'kmaw communities. The solar design work will help strengthen the case for the 12 solar systems proposed through the Investing in Canada Infrastructure Program (ICIP).

Our Energy Advisor has also been looking into and monitoring various projects, including: Reviewing the environmental documents from the Bay du Nord project, which is a proposed oil development project offshore NFLD; Looking into opportunities for the Mi'kmaq to participate in research about the ecology of George's Bank - relative to the current oil and gas exploration moratorium; Working with NS Energy and Mines to have Mi'kmaw monitoring on the East Coast Energy project, just outside of New Glasgow; and Participating in the Consultation process concerning Atlantic Gold's proposed mines: Fifteen Mile Stream, Beaver Dam, and Cochrane Hill. KMK is working with nearby Mi'kmaw communities to identify concerns and potential impacts to Mi'kmaw rights from these proposed mines.

HERBICIDE SPRAY PROGRAM

Has Nova Scotia's herbicidal spray programs impacted your ability to harvest vegetation or wildlife?

If so, please let us know!
info@mikmaqrights.com



Forestry Update

KMK continues to work with CMM and UINR on the Mi'kmaq Forest Advisory Committee and they meet regularly to discuss an array of land and forestry matters. The committee has been looking at the biodiversity of Ingram River, and KMK is working with our Archaeology Team for input on this sensitive area.

KMK is also in the process of developing a strategy for efficient and effective harvest reviews that are sent to our office regularly by the NS Department of Lands and Forestry. Discussions are also being had on how the Province and the Mi'kmaq can work together with respect to archaeology in Forestry and we can work together to properly manage it in NS.

Our office, alongside CMM, and UINR have also organized a working team to focus on spruce budworm, understanding, of course, that operations surrounding this forest pest may impact Mi'kmaw rights, land, and title and there is a great ecological importance around species to be impacted by spruce budworm. Together the three Mi'kmaw organizations are collaborating on how we can work together to look at this important issue.

We are also working with Parks Canada on Mi'kmaq co-management and opportunities for Mi'kmaq employment in the forest sector, specifically in Kejimikujik National Park. The Forestry Advisory Committee is now working with community members to get a sense of interests in this type of work.

Wildlife Update

These days, the Wildlife file has been relatively quiet. There has been a lot of behind the scenes work on the moose file, on how the population is doing and discussions on the Mi'kmaq and Non-Mi'kmaq hunt.

This past fall, we had a good turnout at the moose check stations that we run in partnership with UINR and the Nova Scotia Department of Lands and Forestry. This season, based on the surveys received, we collected 106 samples from 62 participants. Of these participants, 52 were Mi'kmaq and 10 were regulated hunters. We thank all those who have stopped by the moose check stations, as you have helped us to monitor and manage the health of this important species.

Work is also being done through the Wildlife Department on Atlantic Salmon. We've been working with UINR and others to actively discuss species counts, seasons, and zone statuses for salmon. We will have more meetings in the months ahead to also discuss our Mi'kmaq Salmon Management Plan.



Mi'kmaw Harvester who brought a sample to a check station to help our Mi'kmaq science

Benefits Update

The Benefits Department works to ensure Mi'kmaq inclusion and participation in projects happening in Nova Scotia.

The Goldboro LNG project is an example. In 2019, the Assembly signed a Benefits Agreement with Pieridae, under which the Mi'kmaq of Nova Scotia will benefit economically from the development, construction and operation of the project.

The camp construction and operation has been awarded as a Mi'kmaq set-aside. This is the largest inland scope of the project with many subcontracting and employment opportunities. We are in discussions with several key industry leaders, in various sectors, that will be involved in the supply chain for Goldboro.

Community visits (virtually or in person) to better inform the Mi'kmaq on employment and procurement/subcontracting needs specific to the worker lodge will be happening over the next few months. We hope that you



VIRTUAL COMMUNITY SESSION

WEDNESDAY, JANUARY 27TH
6:30pm - 7:30pm

Link to join Webinar - <https://zoom.us/j/91548548694>

In-person gatherings have been heavily impacted by COVID-19 and we want to keep community members informed about our work at KMK. Starting January 2021, we will be hosting a virtual community session each month featuring a different department at KMK with a question period to follow related to the department. We hope to see you at our first session with our Archaeology department! Sessions will be recorded for viewing at a later date and time.



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Nova Scotia Power - Smart Metres

Last year Nova Scotia Power began the work of installing Smart Meters across Nova Scotia. We heard that many Mi'kmaq community members had questions about the Smart Meters.

Just as we had started to host community sessions to answer questions, the COVID pandemic hit, and our sessions had to be put on pause.

In September we did a session, where NS Power reps presented virtually and we were able to record that session. KMK included all the questions that we've heard and took questions from the community members who were able to join us that day. Keep an eye out for that session's recording as we should be posting that on our YouTube page very soon!



Governance Work

For the Assembly, KMK has begun the development of community-based Moderate Livelihood fisheries management system. In Fall 2019, communities began to implement their Treaty right to harvest for a moderate livelihood. One area that has arisen since the launch of the Livelihood Fisheries, is the need to ensure the Mi'kmaq of NS have a common understanding and a shared mechanism in place that speaks to how we are to respectfully harvest together and share the resources of Mi'kma'ki.

After discussing the process used for the Moose and Salmon management projects, it was agreed that the best approach to this work is to model the process used in the development of those Management Plans. Phase one of this important work will begin soon and, in this phase, we will be talking to harvesters, Elders, Traditional Knowledge Holders and community members to hear their thoughts.

We have also recently submitted a proposal to further the development of a culturally-appropriate governance system for the Mi'kmaq of Nova Scotia and to guide the development of Mi'kmaq laws, policies and standards required to fully achieve the goal of Mi'kmaq governance. The project will engage Mi'kmaq leadership on the development of a NS Mi'kmaq Constitution. To begin this important work, we will be working with Chiefs, Councils, Grand Council, Youth, Elders and our Mi'kmaq Legal Review Committee.

History Matters: Mi'kmaw Generosity

Mi'kmaq are generous people. When settlers moved into Mi'kma'ki, Mi'kmaq made sure their new neighbours could survive. Our Research Department has provided us some interesting facts about our ancestors!

When the French returned to Port Royal in 1610, the Mi'kmaq provided the new settlers with moose and caribou to carry them through the winter.



When Loyalist Caleb Lewis arrived in Nova Scotia about 1780, he settled about 10 miles inland from Parrsboro. Lewis and his companions found Mi'kmaq near them "who were very kind to them and supported them by fishing and shooting the first winter."

Captain Burt Ross's grandparents who were among the first non-Mi'kmaw settlers in New Ross, around 1816. The Mi'kmaq bonded with their new neighbours over Ross's grandfather's fiddle playing. When his grandfather died, leaving a widow with young children, Ross said, "one time provisions in our house had given out and there was nothing to eat. The children were laid out when she was wondering what to give them she heard a knock on the window. There were Indians (the Penalls) there with four or five salmon."

In Cape Breton, Carlie MacNeil of Iona, told a story of relations between the Mi'kmaq and incoming Scots settlers:

But I remember it was Catha Jankowski that told me one time; always treat the [Mi'kmaq] with respect...

Because when everybody came around here the [Mi'kmaq] showed everybody how to survive the cold winters ... and feed yourself... And always respect the [Mi'kmaq]. Because they're the backbone that helped the Scottish people.

In Pictou County, when the Scots settlers on the Hector came ashore, the Mi'kmaq ensured the survival of the incomers. As George Patterson stated in his history of Pictou County, "It is just to say that the [Mi'kmaq], as soon as the mutual terror had subsided, treated them with much kindness. From [the Mi'kmaq] they learned to make and use snow-shoes, to call moose, and other arts of forest life. From them they often received supplies of provisions. One old man used to say that the sweetest meal he ever ate was provided and prepared by [Mi'kmaq] ...from the time of the arrival of the Hector, they never gave the settlers any serious molestation, and generally showed them real kindness..."



Unfortunately for the Mi'kmaq, the kindness and generosity they showed their new neighbours was not always reciprocated. Quoting Jankowski, Carlie MacNeil summed up the relationship between Mi'kmaq and settlers: "and after that, she said, the people didn't treat the [Mi'kmaq] very well. She said, now the [Mi'kmaq] were way worse off, after them treating everybody else so well..."

CHECK OUT OUR NEW WEBSITE!

www.mikmaqrightrights.com

*Photos from the Nova Scotia Museum
Mi'kmaq Portrait Collection.*

*Left: 1900-1910 ca in East Wentworth.
Right: 1899 in Digby County.*