

Bay St. George Mi'kmaq Bands Demand Recognition, Self-Governance, and International Investigation into Canada and Newfoundland & Labrador

Bay St. George, Newfoundland & Labrador —

The traditional Mi'kmaq governing bodies of Bay St. George — including the **Three Rivers Mi'kmaq Band Inc.**, the **Benoit First Nation**, and surrounding Indigenous communities — have united to demand **recognition, self-governance**, and a **formal international investigation** into Canada's and Newfoundland's ongoing violation of Indigenous rights.

For over **76 years**, the true hereditary and community-based Mi'kmaq governments of Western Newfoundland have been **denied recognition, funding, and consultation**, while the federal and provincial governments have instead empowered a **landless administrative entity**, the **Qalipu First Nation**, to act as a substitute for genuine Indigenous self-determination.

This imposed system has resulted in **systemic discrimination, cultural erasure, and economic exclusion** — leaving Mi'kmaq communities in the Bay St. George region among the poorest and most neglected in the province.

Key Facts

- The **Supreme Court of Newfoundland and Labrador** ruled in *Benoit v. Federation of Newfoundland Indians* (2023 NLSC 90) that the Qalipu enrolment process was **oppressive**, unfairly excluding thousands of Mi'kmaq applicants.
- Despite this judicial finding, **Qalipu First Nation and its Chief, Jenny Brake, appealed the decision — effectively appealing against their own people**, further deepening divisions within Mi'kmaq communities and prolonging the denial of justice to those excluded.
- Governments continue to rely on the **Drew (2003)** precedent — a case involving a different region — to deny Bay St. George Mi'kmaq their constitutional rights.
- **Modern Supreme Court of Canada rulings**, including *Daniels v. Canada* (2016), *Tsilhqot'in Nation* (2014), *Vuntut Gwitchin First Nation* (2024), and *Musqueam Indian Band v. Canada* (2025), have confirmed that Indigenous rights exist

independently of Indian Act recognition and include the **right to self-determination, membership control, and governance**.

Our Demands

1. **Immediate International Investigation** into the Governments of Canada and Newfoundland & Labrador for failing to recognize and protect Mi'kmaq rights.
2. **Formal Recognition** of the **Three Rivers Mi'kmaq Band**, the **Benoit First Nation**, and surrounding **Bay St. George Indigenous communities** as rightful Indigenous governing authorities.
3. **Restoration of Self-Governance** and community control over membership and citizenship.
4. **Free, Prior, and Informed Consent (FPIC)** before any development or agreements on our lands.
5. **Socio-Economic Equity** — immediate funding parity for unrecognized Mi'kmaq bands consistent with Canada's UNDRIP obligations.

Legal & Historical Context

The Mi'kmaq of Bay St. George have continuously lived, governed, and maintained cultural and kinship networks across Western Newfoundland for centuries. The bands have never surrendered or extinguished their rights and continue to uphold their inherent responsibilities over lands, waters, and kin.

All **bands of Bay St. George** — including **Three Rivers Mi'kmaq Band**, **Benoit First Nation**, and surrounding Indigenous communities — have issued **Cease and Desist letters** to Qalipu First Nation and the Governments of Canada and Newfoundland, directing them to halt any consultation, development, or representation within traditional territories without the **Free, Prior, and Informed Consent** of the rightful rights holders.

These communications form part of a collective **Assertion of Rights and Land Claim**, affirming that the Mi'kmaq of Bay St. George have **never ceded, sold, or surrendered** their lands, governance, or authority, and remain the lawful stewards of their ancestral territory.

Background

The **Three Rivers Mi'kmaq Band Inc.** and the **Benoit First Nation** represent the traditional Mi'kmaq communities of Bay St. George, Newfoundland and Labrador. Both maintain independent governance structures, councils, and resolutions separate from the federally created Qalipu First Nation. These communities continue to assert their rights under **Section 35 of the Constitution Act, 1982** and the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**.

Call to Action

The Mi'kmaq Bands of Bay St. George call on:

- The **United Nations Permanent Forum on Indigenous Issues**,
- The **UN Office of the High Commissioner for Human Rights**,
- The **Special Rapporteur on the Rights of Indigenous Peoples**, and
- The **Organization of American States (OAS)**

to **intervene, investigate, and recognize** the inherent rights, self-governance, and territorial authority of the Bay St. George Mi'kmaq people.

“This is not reconciliation. This is continued colonization under a new name. We demand recognition, consultation, and self-governance now.”

— *Benoit First Nation, Council of Elders Statement*