

## **PREFACE**

**In the tradition of the Wulustukieg we issue this warning along with a request for our two Council Fires to meet in order to sit as equals in Council so as to discuss and hopefully resolve our differences.**

## **INDIGENOUS INJUNCTION**

**On this day, January 28, 2010, we the Wulustukieg (Maliseet) Nation, original stewards, occupiers and keepers of our Skigineeweekog homeland (New Brunswick) proclaim and extend this Indigenous Notice to the public informing them of our Indigenous Injunction.**

**1) This Indigenous Injunction declares that our Traditional Law of Peace and Respect has never been given up, ceded, surrendered, terminated or compromised in any way shape or form. In short, Aboriginal law is still the law within our homeland and very much in effect.**

**2) That our Wulustukieg Nation through this notice is asserting our great Creator-given power under the Traditional Law of Peace and Respect thereby rendering all foreign enacted laws within our homeland moot, sterile and non-effective.**

**3) That the present day Memorandum of Understanding(s) (MOU) written and agreed upon by two foreign powers (New Brunswick and Quebec) regarding the sale of our peoples' natural resources be deemed illegal and null and void in accordance to *Specific Articles of Rights* contained within the United Nations Declaration on the Rights of Indigenous People (see *Specific Articles of Rights* in attached Appendix)**

**4) This Indigenous Injunction formally places both New Brunswick and Quebec on notice to cease and desist in their efforts to buy and sell what, in fact, does not belong to them. -Nid Layig!**

## **BY ORDER OF**

**Wulustukyieg Traditional Longhouse Council of Tobic**

**Signed:**

**Dan Ennis, Saugam**

**Pat Paul, Saugam**

## APPENDIX

### Applicable Articles Under United Nations Declaration on the Rights of Indigenous Peoples

#### Article 8(2)(b)

8 (2). "States shall provide effective mechanisms for prevention of, and redress for: (b)Any action which has the aim or effect of dispossessing them of their lands, territories **or resources**;

#### Article 18

18. "Indigenous peoples have the right to participate in decision making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision making institutions."

#### Article 26.

26. "Indigenous peoples have the right to the lands, territories **and resources** they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired."

#### Article 28 (1)

"Indigenous peoples have the right to redress, by means that can include restitution, or when this is not possible, just, fair and equitable compensation, for the lands, territories and **resources** which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent."

#### Article 29 (1)

"Indigenous peoples have the right to conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination."

#### Article 32 (1) (2) (3)

"1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

"2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

"3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact."