

## Wolastoqey Grand Council

### Wolastokuk



We are *Wolastoqiyik*, (**St. John River Indians**) Indigenous to our homeland which takes in both sides of the whole of *Wolastokuk* (St. John River Watershed) - from the mouth of the river; including all tributaries, lakes, streams, brooks, and forests; all that is above the ground and all that is beneath the ground. Our lands and waters were gifted to us by the Great Mysteries - Kci-Montu and Kci-Niwesq and we have never ill-treated that gift, nor surrendered our indigenous titles to lands and waters, nor ceded any trust, or any portion of them to anyone.

Our homeland is that which is named, *Wolastokuk* in our language. All living things in our Homeland - animals, birds, insects, amphibians, reptiles, fish, trees and flora – are our relatives and bear the names given to them in *Wolastoqey* Language. Along *Wolastoq* (St. John River), there are significant village sites where *Wolastoqiyik* gathered together; to name a few; but not limited to; *Menahqesk*, *Eqpahak*, *Kapskuhsis*, *Matawaskiye*, *Mehtaqtek*, *Meqtoqek*, *Neqotkuk*, *Nesuwahkik*, *Acemsek*, *Welamukotuk*, *Mahqapemok*, *Metahsonekiyak* and there are many more. *Wolastoq* is the name sake of our People, who are connected to our homeland physically, geographically, biologically, linguistically, spiritually and continue to this day to enjoy this special relationship. *Wolastoqiyik* are part of the Great *Wabanaki* Confederacy of Nations whose Algonquin language family are spoken in territories that extend throughout the entire Eastern hemisphere of Turtle Island. {North American continent}. We were nicknamed Maliseet. Our traditional stories tell us about the time of prehistoric animals, the ice age, the flooding of our homelands and what caused the changing of the tides. Our stories explain the special spiritual relationship we have with our land, the river, and all of our relations within this great creation.

***We Wolastoqiyik hold the responsibility to maintain and preserve the welfare and liberty of all our people, and we pledge our loyalty and support for each other and implore the guidance of our Ancestors and our Creators; as we reunite our original decision-making structures; and the people of the beautiful river.***

***Whereas;*** we *Wolastoqiyik* and our *Wolastoq* Grand Council reaffirm to the Government of Canada and the Provinces of New Brunswick and Quebec of our inherent, right to the lands & waters of our ancestors by virtue of historical, legal, original and treaty rights, to exercise self-determination, political autonomy and sovereignty over our traditional homeland.

This Declaration is not intended to dissolve the mutually acknowledged, historical Nation to Nation relationship, which has long existed between our Peoples, and which was established when the Peace and Friendship Treaties {1725/26} were negotiated and signed by our traditionally selected Chiefs. This Declaration is intended to reaffirm and redefine our future relationship with Canada on a true Nation to Nation basis. This historical relationship was further recognized and affirmed when on April 17<sup>th</sup> 1982 Queen Elizabeth II and Prime Minister Pierre Elliot Trudeau signed Canada's Proclamation of the Constitution Act.

***"Section 35 (1) The existing Aboriginal and Treaty rights of the Aboriginal Peoples of Canada are hereby recognized and affirmed."***

Section 25 of the Canada Constitution states, ***"the guarantee in this Charter of certain rights and freedoms shall not be construed to abrogate or derogate from any aboriginal or treaty rights or freedoms that pertain to the aboriginal peoples of Canada including;"***

- (a) Any rights or freedoms that have been recognized by the Royal Proclamation of October 7<sup>th</sup> 1763 that *Wolastoqiyik* have always been recognized as '***a distinct People***' independent but an integral part of North America. This status has been affirmed by the signing of Peace and Friendship Treaties with the Crown; and by the signing of the Watertown Treaty of Alliance on July 19<sup>th</sup> 1776, with the newly established United States of America. In both of these historic Treaty making events; the British Crown, and newly formed independent USA and our Ancestral Chiefs signed these international Treaties as Sovereign Nations. Further support that our *Wolastoq* Nation status was not lost after the conclusion of the signing of our Peace and Friendship Treaties of 1725/26 and their ratifications; as well as the signing of the Watertown Treaty of Alliance in 1776. Also, having been affirmed by the United Nations Studies of Treaty Agreements

and other constructive arrangements between the States and Indigenous populations in the final report by the UN rapporteur Miguel Alfonso Martinez, on June 22d, 1999.

**(b)** That the UN special Rapporteur's statement in his final report states: ***"in the case of indigenous peoples who concluded treaties or other legal instruments with the European settlers and or their continuators in the colonization process; the Special Rapporteur has not found any sound legal argument to sustain the argument that they have lost their international juridical status as Nation Peoples.*** Further; the UN Special Rapporteur states on page 18, paragraph 110; ***"In establishing formal legal relationships with Peoples overseas, the European parties were clearly aware that they were negotiating and entering into contractual relationships with Sovereign Nations, with all the legal implications of that term during the period under consideration."***

**Whereby;** this Declaration of sovereignty is not seeking Canada's permission in the exercise of our ancient ancestral right upon our still un-ceded, un-surrendered lands and waters. This Declaration serves as a notice to Canada to honor our *Wolastoqey* Nation Status, established in the 1700's through the Treaty making process with the British Crown and the United States of America, and *Wolastoqiyik*; {St. John River Indians} and was further affirmed by the Royal Proclamation of 1763.

That Canada stop its current deceptive definition of (nation to nation) process with the so-called indigenous rights negotiations with the Assembly of First Nations, and the Indian Act Band Chiefs that threaten to erode our true nationhood status established during our Treaty making in the 1700s. Canada, AFN and Indigenous Rights Framework Agreement is designed to suppress and circumvent our fundamental right to self-determination which is confirmed by Canada's view that Indigenous Nations will be the 4<sup>th</sup> order of Government in Canada below the 3<sup>rd</sup> order of government, which are municipalities.

That this conflict of interest relationship between Canada, AFN, and their federally legislated Band Chiefs cannot legitimize their recognition and implementation of Indigenous Rights Framework Agreement. It has to be legitimized by all the Indigenous Rights holders and their original Ancestral traditional form of decision-making structures throughout Canada; which no consent was ever asked for by Canada, or the AFN, to enter into these discussions on self-government and land claims settlements, and would not meet the criteria required under the

law of contracts. Canada must honor the historical “Nation to Nation” Treaty Partnership established in the 1700s by acknowledging that any land claims or self-government negotiations must be held with *Wolastoq* Grand Council at a duly convened meeting with the free, prior and informed *Wolastoq* Grand Council and all its citizens {the People} who are the collective rights holders of our lands, waters and original Treaty rights; ***with our position being that our un-ceded, un-surrendered lands and waters are not for sale, and our Peace and Friendship Treaties remain intact.***

Therefore; to establish a renewed “Nation to Nation” relationship with Canada; it must be one that understands and recognizes our *Wolastoqey* status established during the Treaty making process in the 1700s with the British Crown, a relationship that is based on the recognition of our original title to our lands, waters and resources, and our original Indigenous/Aboriginal and Treaty rights.

That in our inherent traditional homeland, which we as *Wolastoqiyik* have occupied since time immemorial, we send this notice to Canada and the Provinces of New Brunswick and Quebec that our original Ancestral Grand Council of *Wolastoqiyik*, (***People of the Beautiful River***) who are indigenous of *Wolastokuk*; continue with our hearts and minds now renewed by this Declaration; we most solemnly declare before the Great Mysteries - Kci-Montu and Kci-Niwesq our Ancestors, our People, and our future generations to come, that we are a free and sovereign ***“People.”***

***Whereas;*** the Treaties we concluded, guaranteed promises to our People; which was to ***“have satisfaction and reparation in the event of injury inflicted on them by those subjects.”*** There are a number of unresolved differences and questionable terms with the present negotiations underway with the modern-day Indian Act elected Chiefs.

Listed here are some of those concerns:

- By law INAC Chiefs have jurisdiction only within their respective reserves/Bands.
- By law INAC Chiefs have no decision-making authority. Approval by the majority of their respective council members are required to make a decision within their Band alone, at

a duly convened meeting.

- INAC Chiefs in their positions as employees of the Federal Government of Canada are in a conflict of interest when making decisions outside their jurisdiction on issues pertaining to Indigenous rights, and our rights under the original Treaties.
- By law INAC Bands are not nations; they are incorporated institutions under the authority of Federal/Provincial law. The term '**First Nation**' is deceptive.
- The Indigenous Rights of *Wolastoqiyik* are inalienable collective inherent rights – not communal. Again, this is deceptive, and a contradiction in terms.
- By law INAC Chiefs & Councils are subject to delegated authority of the Federal and Provincial Governments, placing them in a conflict of interest position for any form of negotiations on behalf of our People's traditional inherent rights, responsibilities and/or freedoms.

***Therefore: Any negotiated settlements concluded within the current disingenuous process could never stand up to the Law of Contracts.***

*The Concept of "the rule of law" began to traverse the long path up until today appears towards transformation into the current "law of rulers."*

Therefore; *Wolastoq* Grand Council recognizes and proclaims; in the presence and under the protection of all our relations, and of the Great Mysteries - Kci-Montu and Kci-Niwesq, the following rights of its People.

1. That all *Wolastoqew* men, women and children are by nature equally free, and self-determining. Every *Wolastoqew* man, woman, and child are the **rights holders**; having a certain inheritance, of individual & collective rights, of which when they are born as *Wolastoqiyik* become citizens of their own 'Nation' first and foremost, with all of the

indigenous rights vested in them; that cannot be alienated by any compact, depriving or divesting their prosperity, namely the enjoyment of life, liberty and happiness.

2. That all powers are vested in them, and consequently derives from *Wolastoqiyik*. (People of the Beautiful River) therefore all decision-making processes that affect their lives, and the lives of their future generations require their full free, prior and informed consent.
3. That the modern-day Indian Act was created by Canada and continues to be amended where its only interest is to have control, divide, and disseminate the original Peoples of Turtle Island and to erode and marginalize our original Grand Council systems of governance and decision-making structure.
4. *Wolastoqiyik* have a right to pursue and produce for themselves the greatest degree of happiness and safety, and the most effectual security against the danger of foreign administration and interference in the affairs of our people, and whenever the governments shall be found inadequate, or contrary to these purposes; our People shall have been endowed by our creators as an irrefutable, inalienable and inherent right, to reform, alter or abolish it.
5. The principles of all Sovereignty, resides essentially within *Wolastoq* Grand Council and *Wolastoqiyik* (the Peoples) it represents.
6. *Wolastoqiyik* have a right to their original Ancestral decision-making structures therefore no government separate from *Wolastoq* Grand Council, ought to be erected, supported, or established without the consent of its people.
7. The appointment of Grand Chief of *Wolastoq* Grand Council, Ron Tremblay, was initiated and lifted by *Wolastoq* Grandmothers; installed during an initiation ceremony; which included a large number of extended families, and witnessed by members of the Mik'maq, Penobscot, and Passamaquoddy Nations, according to *Wolastoqey* traditional custom.
8. Therein; any and all final Agreements signed between Canada and AFN, Indian Act Chiefs will have no binding affect upon our still Sovereign People; and that all final Agreements reached and signed by them will be considered ***Null and Void***.

9. As a free and self-determining People; we are the holders of our individual and collective rights to our homelands and waters, our resources, original and Treaty rights. We have a right to require of every Indian Act Band Council official and their agents an accounting of all political and administrative action when negotiating with our creators given rights with Canada and the Provinces for the surrender of title of our traditional homelands and waters, or our original Treaties.
10. No one shall be disquieted on account of her or his opinions; including religious, political or matters of interest, provided their manifestation does not disturb *Wolastoqey* traditional order.

Whereby; we *Wolastoqiyik* declare to all Nations and all peoples, indigenous or non-indigenous that we are united in our defense and support of our inherent Ancestral, original and treaty rights. As we come under one protection, we must strive for a common goal, these common interests as set forth within this declaration. Then and only then, will the *Wolastoqiyik* once again renew our faith, restore our sacred trust and re-establish our sacred alliance between ourselves as *Wolastoqiyik*, as it existed once before.

We therefore; the representatives of our extended families (clans) through *Wolastoq* Grand Council ; do in the name of, and by the authority of our *Wolastoqiyik* (Peoples) of *Wolastokuk* (homeland) do solemnly publish and declare; that we as free and self-determining people are free and responsible to defend our homelands and waters, conclude peace, contract alliances, establish commerce, create our citizenship and membership laws, and to do all other acts and things that independent nations have done before the arrival of the newcomers. We declare that we *Wolastoqiyik* continue to hold our nation status, with all the rights and responsibilities, and the Great Mysteries given powers to do all the things that **TRUE NATIONS** are empowered to do, and that we mutually pledge to each other our lives, our fortunes, and our sacred honor.

**Signed on this 29<sup>th</sup> day, of May, 2019.**

***Wolastoq* Grand Chief Ron Tremblay – *spasaqsit* possesom**