

Algonquin Nation Secretariat

24 Algonquin Avenue
Timiskaming Reserve
Notre Dame du Nord, QC J0Z 3B0



Tel: 819-723-2019
Fax: 819-723-2345
Email: info@algonquinnation.ca



PRESS RELEASE

Algonquin Nation in Solidarity with Elsipogtog Mi'kmaq Right to Free Prior Informed Consent over Fracking Exploration or Development on their Traditional Territory

(Algonquin Territory/October 18, 2013) On behalf of their member communities, the Grand Chiefs of the **Algonquin Anishinabeg Nation Tribal Council** and the **Algonquin Nation Secretariat** joined together to denounce the Government of New Brunswick's failure to obtain the Free Prior Informed Consent (FPIC) of the Elsipogtog Mi'kmaq before authorizing SWN Resources Canada exploration activities within the Elsipogtog Mi'kmaq traditional territory.

FPIC is in the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)**, which contains a number of provisions that address FPIC as follows:

Article 10. "Indigenous peoples shall not be forcibly relocated from their lands and territories...without the free, prior and informed consent of the indigenous peoples concerned..." [emphasis added];

Article 11. "Indigenous peoples have the right to...maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites...[and] States shall provide redress...with respect to their cultural...property taken without their free, prior and informed consent..." [emphasis added];

Article 19. "States shall consult and cooperate in good faith with the indigenous peoples concerned...in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them." [emphasis added];

Article 29. "Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources...[including] no storage or disposal of hazardous materials...in the lands or territories of indigenous peoples without their free, prior and informed consent." [emphasis added];

Article 30. "Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with...by the indigenous peoples concerned." [emphasis added]; and

Article 32. "States shall consult and cooperate in good faith with the indigenous peoples concerned...in order to obtain their free, prior and informed consent prior to the approval of any project affecting their land or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources." [emphasis added].

Clearly, SWN Resources Canada was permitted by the federal and provincial governments to explore for the Fracking potential on lands that are subject to the Aboriginal and Treaty rights of the Elsipogtog Mi'kmaq without first obtaining the free prior informed consent of the Elsipogtog Mi'kmaq.

It is our understanding the Elsipogtog Chief and Council have been asking for a meaningful consultation and accommodation process for the last three months without success. Instead of negotiating through a proper consultation process with the Mi'kmaq government the government of New Brunswick let a conflict develop over the past few months on the ground between the local community and SWN Resources Canada.

The company then sought and obtained an injunction against the protesters, or protectors of the land, as we prefer to call them, and then a day after the federal Throne Speech the RCMP moved in on the unarmed local people, including women and children, using excessive police force with dogs, snipers and guns drawn. We understand about 40 people were charged as a result of yesterdays' police operation.

In his concluding statement during his Canada visit Professor James Anaya, UN rapporteur, stated *"It is my hope that the provincial and federal governments in Canada, as well as the country's courts, will aspire to implement the standards articulated by the Declaration."*

We agree along with the right to self-determination, the UNDRIP standard that needs to be implemented in Canada is obtaining the Free Prior Informed Consent of Indigenous Peoples before resource development is considered or takes place affecting lands and resources subject to the rights of Indigenous Peoples.

The Mi'kmaq territory of Elsipogtog is a good place for FPIC to be implemented.

We call on the governments of Canada and New Brunswick to request that SWN Resources Canada cease and desist from extending the court injunction and keep the police in check while moving quickly to negotiate with Elsipogtog the setting up of a proper consultation process consistent with the Mi'kmaq right to FPIC over Fracking exploration and/or development.

Otherwise, we see a repeat of a land use conflict at Elsipogtog that will draw in First Nations across Canada. As First Nations we won't allow Elsipogtog's rights to be overridden by federal or provincial governments or the energy industry.

We stand with our brothers and sisters at Elsipogtog and if they call upon us the member communities of our Algonquin Nation will do what we can to help support them to get fairness and justice!

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FOR MORE INFORMATION CONTACT:

Grand Chief Alice Jerome
Algonquin Anishinabeg Tribal Council
Telephone: 819-449-1225

819-462-0198

Grand Chief Allen McLaren
Algonquin Nation Secretariat
Telephone: 819-723-2019