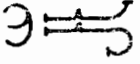




SANTEIOI MAOAIOMI MIKMAOEI

> GRAND COUNCIL MIKMAQ NATION <

2 October 1982

 Jakob Th. Möller  
Chief, Communications Unit  
Division of Human Rights  
United Nations  
CH-1211 GENEVA 10

G/SO 215/51 CANA(18)  
R.19/78

Dear Mr. Möller:

I am pleased to acknowledge receipt of your telegram of 29 September, reminding us to provide you with Enclosure C to our last submission. I trust you have now received it.

We have just this week had an opportunity to obtain and review a copy of a recent decision of the Supreme Court of Nova Scotia, touching our rights under Canadian law. I have taken the liberty of enclosing a copy, and respectfully suggest that it be brought to the attention of the Committee.

This decision is unequivocal evidence that Canadian courts will not enforce the terms of the Treaty of Halifax, or protect the rights of the Mikmaq people to security and self-determination. As such it bears on the issue of whether a municipal remedy exists for the resolution of our concerns.


Leave to appeal this decision to the Supreme Court of Canada was denied.

We are particularly conscious of the persistence, in this decision (pp. 30-31), of the racist notion that treaties made with us are of no force or effect because we are "Indians."

Our copy of this decision is from the Canadian Native Law Reporter, a publication of the University of Saskatchewan's Native Law Centre.

Thank you for your attention to this additional documentation.

Best wishes,

 foreign affairs

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X: RUSSEL L BARSH counsel

I: Jikapter: ALEXANDER DENNY