NunatuKavut Wins, NL's Highest Court Throws out Injunction : NunatuKavut

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| NunatuKavut | NunatuKavut Wins, NL's Highest Court Throws out Injunction |
| Infrastructure | NunatuKavut Wins, NL's Highest Court Throws out Injunction |
| Program | FOR IMMEDIATE RELEASE, DECEMBER 4, 2014 |
| Click Here for Info | (Happy Valley-Goose Bay, Newfoundland and Labrador). NunatuKavut Community Council Inc. (NCC) is celebrating its victory today. The aboriginal group has been vindicated in its peaceful protest of Nalcor Energy's Muskrat Falls and |
| | Transmission Line projects, which are significant parts of the Lower Churchill Project. Members of the NunatuKavut Community Council and supporters held a protest in October 2012, which led to Nalcor seeking an injunction. Subsequent to the injunction, several other protests resulted in protesters, including Elders, being arrested, jailed and charged with an |
| WE CAN HELP YOU | alleged breach of the injunction. |
| Apply for Membership | The Newfoundland and Labrador Court of Appeal, by unanimous decision, struck down the perpetual or permanent injunction that a lower court had granted Nalcor Energy, Newfoundland and Labrador's monopoly energy company that owns the |
| Find a Form or Application | projects. |
| Find a Document | The injunction, which was one of the most pervasive and far-reaching court injunctions the country has ever seen, prevented NunatuKavut members and others from going within 50 meters of the "Site" which included any areas of land that Nalcor is authorized to use, or shall be authorized to use in the future. The injunction also prohibited the people of NunatuKavut from |
| Find Education & Training | carrying out traditional activities and accessing their traditional lands. |
| PRESS RELEASES | The NCC consistently asserted that the projects are an unjustified infringement of its peoples' constitutional and aboriginal rights, title and treaty rights and are taking place without sufficient consultation and accommodation. |
| December 17, 2018 Statement: Nunatukavut says Province of NL's Lack | "Our members have been prosecuted for exercising their valid rights, and now we see that the Province and its agent, Nalcor, have engaged in illicit and unwarranted behavior in suppressing the rights of our people", says Todd Russell, President of NCC. "We fully expect the Province to drop all the charges laid against our elders and other protesters in this matter". |
| of Response to the Independent | The Court of Appeal agreed that there was no factual or legal basis for Nalcor to be granted even an ordinary injunction when all NCC had done was engage in the peaceful exercise of its Charter right of Freedom of Expression. The Appeal Court also referred to the NunatuKavut defense of its aboriginal and treaty rights as a valid basis for their protests. The Court of Appeal rejected the perpetual nature of the injunction, a kind of injunction that has rarely – if ever – occurred in cases of industry |
| NunatuKavut Newsletter | efforts to suppress valid Aboriginal opposition to the disruption of aboriginal, title or Treaty rights. |
| Our Partners & Affiliates | "NCC has been completely vindicated, a second time, by the Court of Appeal", says Russell. "We have been asking for a process of dialogue, discussion and negotiations for decades, only to be continually denied." |
| Useful Links | The NunatuKavut Inuit, the last Inuit group in Canada with an outstanding land claim, won a major case in 2007 when the Appeal Court of Newfoundland and Labrador upheld that the people represented by NCC have a very strong and credible claim and was held as the modern manifestation of the historic Inuit of south and central Labrador. |
| | "We continue to ask, 'What are they waiting for?'", says Russell. "We have now won twice at the most senior court in this province, and both times on the basis of our people having a land claim that the courts regard as serious. It is time for St. John's, or Ottawa to sit down and negotiate." |
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| | For Information: Tara Howse, Executive Assistant to the President, NCC Tel: 709-896-0592 ext. 225, Cell: 709-899-2831 Email: thowse@nunatukauvut.ca |
| | NCC Website: www.nunatukavut.ca To view the Court of Appeal decision, click here. |
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