

FORMAL LETTER OF REBUTTAL

Re: "Voice, Truth and Treaty" Frameworks

From:

[Name of Nation / People]

[Country / Traditional Lands]

Date: _____

To:

The Governor-General of Australia

Government House

Dunrossil Drive

Yarralumla ACT 2600

The Prime Minister of Australia

Parliament House

Canberra ACT 2600

The Premier of Queensland

1 William Street

Brisbane QLD 4000

Queensland Minister for Aboriginal and Torres Strait Islander Partnerships

1 William Street

Brisbane QLD 4000

Queensland Treaty Advancement Committee / Interim Truth and Treaty Body

Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts

1 William Street

Brisbane QLD 4000

Local State Member of Parliament (Electorate Representative)

[Electorate Office Address]

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To Whom It May Concern,

We, the undersigned, acting as the lawful representatives of our respective Nations, Clans, Family Nations, and Moieties, issue this formal Letter of Rebuttal in response to the frameworks and processes described as “Voice, Truth and Treaty” as stipulated in the “ STATEMENT FROM THE HEART”

1. POSITION OF SOVEREIGNTY

We assert that our sovereignty is inherent, unceded, perpetual, continuous, and without termination. It exists forever and is not subject to extinguishment, limitation, or expiry.

Our Law, Culture, and Governance systems existed prior to the Parliament and the Crown of the United Kingdom and continue to exist independent of them.

We are the owners of our lands, inherited by the Creator Spirit.

We assert ourselves as living men and women made by the Creator Spirit, holding responsibility over our lands, waters, and all that inhabits them according to our own Law and custom.

We do not consent to any process that:

- Presumes jurisdiction over our Nations without lawful agreement
 - Redefines our political status as a minority within a settler state
 - Seeks to incorporate or absorb our Sovereign identity into foreign governance structures
 - Reframes our political status within a subordinate administrative structure
 - Seeks to incorporate or absorb our identity into external governance systems, including corporate entities or State-created bodies
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2. CONSTITUTIONAL AND REFERENDUM CONTEXT

We refer to the Commonwealth Constitution, including section 51(xxvi) (the “race power”), under which the Commonwealth Parliament shall make no laws for the aboriginal race.

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We also refer to section 109 of the Constitution, which provides that where State law is inconsistent with Commonwealth law, the Commonwealth law prevails to the extent of the inconsistency.

We further note the 1967 Referendum, which amended constitutional arrangements relating to Nations, Clans, Family Nations, and Moieties within Commonwealth legislative authority.

These provisions are understood as constitutional and statutory mechanisms only and do not establish:

- **consent between Sovereign Nations and the Crown or the Commonwealth**
- **treaty relations**
- **extinguishment or replacement of pre-existing laws, governance systems, or rights**
- **any lawful conciliation or agreement between Sovereign Nations and the State**

No conciliation, treaty, or lawful settlement was made between Sovereign Nations and the Crown or Commonwealth through these instruments.

3. REBUTTAL OF “VOICE” MECHANISMS

We reject advisory or representative “Voice” structures that:

- **Operate under Commonwealth or State constitutional authority**
- **Restrict Nations to advisory status without binding decision-making power**
- **Do not recognise Nations as independent political entities**

Such mechanisms do not constitute recognition of Sovereignty, nor do they transfer authority over land, governance, resources, or decision-making power.

4. CONTEXT OF HISTORICAL AND LEGAL LIABILITY

We note that within the historical and administrative record, there exist systems, policies, and legislative instruments associated with Aboriginal Protection regimes and Stolen Generations-era administration affecting Nations, Clans, Family Nations, and Moieties, which remain subject to ongoing historical, legal, and moral unjust genocide.

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We further note that such systems are often described as having operated under purported authority, and their validity and effects remain contested.

We also note that doctrines historically relied upon in relation to land and sovereignty, including terra nullius (purported application), are subject to continuing legal and historical contestation.

We further note that where agreements, arrangements, or negotiable instruments are expressed with certainty of terms or vague, issues may arise regarding coercion under general principles of contract law, including uncertainty as to:

- **terms**
- **consideration**
- **mutual intent**
- **operative meaning**

Where certainty of agreement cannot be established, such arrangements may be characterised as unenforceable due to uncertainty.

We also note that various corporate entities have operated within governance, service delivery, and administrative systems affecting Nations, Clans, Family Nations, and Moieties under statutory frameworks, which remain subject to scrutiny regarding authority, accountability, and consent.

5. REBUTTAL OF “TREATY” PROCESSES UNDER CURRENT FRAMEWORKS

We do not accept Treaty processes that:

- **Are designed, controlled, or limited by the State or corporate entities**
- **Define scope, eligibility, or outcomes without equal standing of Nations**
- **Require participation as stakeholders rather than sovereign Nations**
- **Operate as administrative frameworks rather than Nation-to-Nation agreements**

We note that within current legal and administrative systems, many Native Title determinations and related arrangements are treated in practice as purportedly conditional or constrained agreements, formed within statutory frameworks rather than free-standing Sovereign Nations.

A valid Treaty must be:

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- **Freely entered into between sovereign entities**
 - **Negotiated without coercion or predetermined limitation**
 - **Based on full recognition of authority over lands and waters**
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6. NOTICE OF NON-CONSENT

We hereby give formal notice that:

- **We do not consent to representation by any body, organisation, or corporate entity claiming authority under “Voice,” “Truth,” or “Treaty” frameworks without explicit mandate**
 - **We do not consent to limitation, extinguishment, or redefinition of Sovereignty through legislative or administrative mechanisms**
 - **We do not consent to the disenfranchisement of the original peoples of their Nations, Family Nations, Family Clans, and Moieties**
 - **We do not consent to any process that removes, denies, or undermines the standing, rights, identity, or authority of the original peoples within their Nations, Family Nations, Family Clans, and Moieties**
 - **Participation in consultation processes does not constitute agreement or consent**
-

7. AFFIRMATION OF SELF-DETERMINATION

We maintain the right to:

- **Govern according to our own Law and custom**
- **Determine our own political status**
- **Engage in Nation-to-Nation relations on equal standing**

Any engagement must occur:

- **With free, prior, and informed consent**
 - **On equal footing between sovereign entities**
 - **Without prejudice to inherent rights**
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8. RESERVATION OF RIGHTS

All rights are reserved.

Nothing in this document shall be interpreted as:

- Waiver of Sovereignty
- Consent to jurisdiction
- Agreement to any framework not expressly accepted

Sovereignty is perpetual, continuous, and without termination, and is not subject to expiry or extinguishment.

9. SERVICE AND NOTICE

This document is issued as formal notice.

Notice to Agent is Notice to Principal. Notice to Principal is Notice to Agent.

Service is effective upon delivery to the listed offices by lawful means, including registered post.

10. EXECUTION

Executed by the lawful representatives of the following Nations:

Nation: _____

Representative Name: _____

Position / Authority: _____

Signature: _____

Date: _____

END OF DOCUMENT

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