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Subject:FAX FROM CHRIS MONTAGUE, PRESIDENT, LABRADOR METIS NATION, TO PREMIER RE:
LOWER CHURCHILL HYDRO DEVELOPMENT.**Contact:**CHRIS MONTAGUE
PRESIDENT
LABRADOR METIS NATION
P.O. BOX 460, STATION C HAPPY VALLEY
GOOSE BAY, LB
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896-0592
LABMETIS@HVGB.NET OR WWW.LABMETIS.OR**Comment(s):**

Entered By: JGENGE

Date: 11/02/2005

Comment: Hard copy received in PO on Nov. 2, 2005.

Comment(s):

Entered By: CINGS

Date: 11/14/2005

Comment: The Premier viewed this document - November 14, 2005

Comment(s):

Entered By: DPAYNE

Date: 11/21/2005

Comment: Steve advised to file November 16, 2005.

Assigned Date:

10/31/2005

Assigned To:

CHIEF OF STAFF

Task:

FOR INSTRUCTIONS

Assigned Date:	11/21/2005
Assigned To:	REGISTRY
Task:	FILE

Premier

Bonai said a
response has to be
prepared prior to
trip to Labrador

Steve Advise to
file Nov 16/05



LABRADOR METIS NATION

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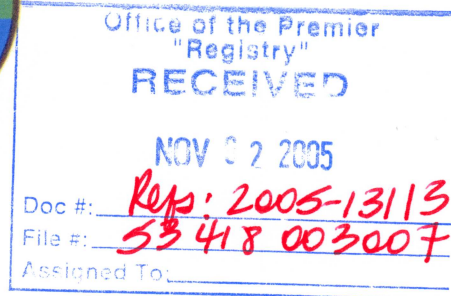
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Hon. Danny Williams, MHA,
Premier of Newfoundland and Labrador,
P.O. Box 8700,
St. John's, NL,
A1B 4J6

October 31, 2005

Sent via facsimile and regular mail

Re: Lower Churchill hydroelectric development

Dear Premier Williams:

I have to begin by mentioning that I do not consider it properly respectful to my office that the three letters specifically addressed to you, with the initial letter sent by registered mail, were responded to by one of your ministers. This approach is disappointing and I consider it to show a lack of respect for Metis people who elected me into my office. I expect to deal with you directly on matters of significant mutual concern.

I would like to point out a nine step process which the Labrador Metis Nation has adopted for consultations with industry and governments;

1. All information on the development is provided in a timely manner.
2. That the company or government does not engage the Metis community without unequivocal written consent of the Labrador Metis Nation.
3. Adequate financial and technical resources are provided.
4. Adequate time is given Inuit-Metis for review and community consultations.
5. A fair hearing is provided and responses are understood by mutual consent.
6. Accommodation is given to Inuit-Metis concerns.
7. A reply to comments is given in writing with reasons for acceptance and refusals.
8. Inuit-Metis consent or refusal to consent.
9. Each step in the process is completed to the satisfaction of the LMN before moving to the next step.

We wish to remind you that the Province has received detailed information in support of its communities' claim to Aboriginal Rights, Aboriginal title and Treaty rights in our materials submitted to you on June 7, 2005, as well as the more recent material filed in the Court File # No. 200508T0060.

I am also attaching to this correspondence a Consultation Declaration issued by the Labrador Metis Nation in the spring of 2005.

We are prepared to enter into a Memorandum of Understanding with the Province to detail how consultation and accommodation issues will be dealt with in the interim, pending a more formal resolution and reconciliation of our Rights, Titles and Interests. We think this would be a most appropriate way to proceed at this time. This process would also serve as a means for us to work together on a mutual approach to the many issues which we face.

Please confirm to me, directly this time, if you could, that your office is interested in creating a relationship of respect with the Labrador Metis Nation and its constituent communities through an interim agreement. Without this, I do not see how the honour of the Crown in dealing with us, which is your constitutional responsibility, can be upheld.

I look forward to a positive response in this regard.

Yours sincerely,

A handwritten signature in black ink, appearing to read "M. Montague", written in a cursive style.

Chris Montague, President

CC LMN Council

cm/gm

**CONSULTATION DECLARATION
LABRADOR METIS NATION
April 4, 2005**

WHEREAS:

We, the Inuit-Metis of Labrador, have Aboriginal Rights and Aboriginal Title in and over our land claim area in South and Central Labrador, which we have never ceded or surrendered.

The Inuit-Metis of Labrador have a special relationship with the lands, air, waters and natural resources of their territory, the bounty of the Creator.

The Inuit of South and Central Labrador, our ancestors, entered into a nation-to-nation Treaty relationship with the Crown in 1765 based on peace and friendship. We are the current constitutional holders and beneficiaries of those Treaty Rights, including our right of self-government and the right of trade to achieve individual and community self-sufficiency.

The communities of the Inuit-Metis of South and Central Labrador have joined together in the Labrador Metis Nation to work together to strengthen our Rights, Titles and Interests and the Treaty relationship for the betterment of our people.

The Supreme Court of Canada has directed that Aboriginal People and the Crown negotiate modern understandings, interpretations and applications of Aboriginal and Treaty rights and Aboriginal Title.

The Supreme Court of Canada has imposed on the Crown the constitutional obligation to consult with and accommodate the rights and interests of the Aboriginal People of Canada.

Both the federal and provincial governments have knowledge of the Aboriginal Title, Treaties and Aboriginal Rights of the Inuit-Metis of South and Central Labrador but continue to contemplate, conduct and implement decisions which do or can be reasonably expected to impact negatively on our Rights, Titles and Interests without consulting with us and accommodating our Rights, Titles and Interests.

The Supreme Court of Canada has said that government can no longer be permitted to run roughshod over Aboriginal Rights, Titles and Interests.

Governments' obligation to accommodate our Rights, Title and Interests include the obligation to "make room" for us in their existing licences, permits and authorizations.

WE THEREFORE DECLARE the following:

1. The Inuit-Metis of South and Central Labrador, through their self-governing body, the Labrador Metis Nation, must be treated with honour and respect by government and industry in any decision-making or implementation process which could negatively impact on our Rights, Titles and Interests.
2. This is our right, recognized and protected by section 35 of the Constitution Act.
3. Consultation by government on matters that affect us can not be simply an information exchange or the participation in mere processes open to the general public. They must involve processes that provide relevant and deep consultation with the decision-maker, aimed at finding accommodation through satisfactory solutions.
4. Consultation is not a one-way process; it is a step towards the constitutional reconciliation and recognition of our Aboriginal Rights, Titles and Interests. Consultation by government requires a true accommodation of the Rights, Title and Interests of the Inuit-Metis of South and Central Labrador, through their self-governing body, the Labrador Metis Nation.
5. The special circumstances of the Inuit-Metis of South and Central Labrador in their relationship with the lands, air, waters and natural resources of their territory requires that we have a meaningful role in ecological, environmental and conservation issues and in the planning, development and utilization of the natural resources of South and Central Labrador and anything that impacts upon our territory.
6. Proposed economic or natural resource development or proposed government resource licence, permit or approval processes within our territory must provide us with clear and timely consultation and accommodation, commencing early on in the decision-making process and continuing throughout.
7. Consultation and accommodation will also be required for any proposed economic or natural resource development or proposed government resource licence, permit or approval processes within our territory that can provide opportunities for us and our communities.
8. The Supreme Court has ruled that governments have the obligation to use their legislative authority over natural resources as a powerful tool with which to respond to their legal obligations to Aboriginal people. Both federal and provincial governments have the constitutional obligation to make room for the exercise of the Aboriginal Rights, Titles and Interests of the Inuit-Metis of South and Central Labrador. Government must recognize their prior and subsisting breaches of their obligations to consult and accommodate our Aboriginal Rights, Titles and Interest and take corrective measures in conjunction with us to seek to find mutually satisfactory ways to address these constitutional breaches.

9. Effective and meaningful consultation requires that we be provided with access to information in the possession of government on an ongoing and timely basis and adequate financial and technical resources to participate in the processes and to develop satisfactory solutions.
10. We have developed consultation systems for our communities. We can assist you in developing a process that will be meaningful and beneficial for all parties. This would result in a written Statement of Intent that would identify with clarity the aims and timeframe of the process, the methods to be used, the resources to be provided, the outcomes anticipated and the evaluation process to be followed.
11. At the conclusion of each process of consultation and accommodation, we would expect to have reached agreement with government on satisfactory solutions. In the event that this does not occur, we will require government to provide us with a written statement of how its positions or policies were impacted and adapted to reconcile our Rights, Titles and Interests and to address the issues, suggestions and solutions proposed by the Labrador Metis Nation, including what steps of accommodation were taken by government in the process.
12. Engaging in proper consultation and accommodation is no assurance that any project you consider will be acceptable to us or legally permitted. However, a failure to abide by the spirit and intent of this Declaration will require us to consider our legal and other options to stop any economic and natural resource development or proposed government resource licence, permit or approval processes within our territory, using whatever means is available to us.
13. This Declaration reserves to the Inuit-Metis of South and Central Labrador all our rights and does not serve to define, waive or limit any of our Rights, Titles or Interests. This Declaration and any actions or processes taken under it do not prejudice our Aboriginal Rights, Titles and Interests.
14. This Declaration may be amended by us from time to time.
15. Questions concerning the implementation of the processes required by this Declaration may be addressed to the Consultation Coordinator for the LMN.

Issued by the LABRADOR METIS NATION this 5th day of April, 2005,

LABRADOR METIS NATION

Per: 