

DEC 28 1994

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

No. 1240
Ottawa, Canada K1A 0H4

DEC 14 1994

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Mr. John Todd
Minister of Energy, Mines and
Petroleum Resources
Government of the Northwest Territories
P.O. Box 1320
YELLOWKNIFE NT X1A 2L9

Dear Mr. Todd:

Thank you for your letter of October 14, 1994 concerning the devolution of oil and gas and minerals, and the measures taken by your government to involve First Nations in the process.

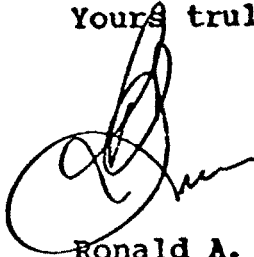
I am pleased that the Government of the Northwest Territories (GNWT) is working closely with all the First Nations' organizations, and that your proposal will incorporate their positions to the extent possible. You indicate that the Metis Nation, the Inuvialuit, the Sahtu Tribal Council, the Gwich'in Tribal Council and the Dogrib Tribal Council have all expressed concern about the impact of devolution on self-government or the formation of new regional governments. In this regard, the intent of devolving oil and gas and minerals is to transfer to the GNWT province-like authority to manage these resources in the interest of all northerners, in all regions of the Northwest Territories, including First Nations. At the same time, First Nations can be assured that this transfer would not abrogate, or derogate from any existing Aboriginal or treaty rights of Canada under section 35 of the Constitution Act, 1982.

I am, however, concerned about your suggestion that if Treaty 8 Chiefs and the Deh Cho Tribal Council continue to oppose devolution to the GNWT, we could exclude these areas from the area of application of the devolution agreement. I cannot support any proposal which would have the effect of transferring these province-like authorities to parts of the territories. I would therefore encourage you to continue your discussions with Treaty 8 Chiefs and the Deh Cho Tribal Council in order to seek their support.

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I look forward to receiving your proposal which has the support of the legislative assembly. I would also remind you that we cannot provide financial incentives or incur additional costs as a result of the transfer. An agreement will be difficult to reach if it creates new fiscal pressures.

Yours truly,



Ronald A. Irwin, P.C., M.P.

c.c.: The Honourable Ethel Blondin-Andrew, P.C., M.P.
Mr. Jack Anawak, M.P.

