



SOUTH SLAVE MÉTIS TRIBAL COUNCIL  
NEGOTIATIONS SECRETARIAT

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March 24, 1999

WITHOUT PREJUDICE

VIA FACSIMILE (867) 873-0385

Hon. Jim Antoine, Premier  
Government of the Northwest Territories  
Yellowknife, NT X1A 2L9

**Re: Appeal from Decision on Electoral Boundaries**

I am calling upon you to instruct GNWT legal counsel to appeal the decision of the Honourable Mr. Justice de Weerd in the *Friends of Democracy et al v. the Commissioner of the Northwest Territories*. I am aware that this issue is presently being discussed among your legislative colleagues. The following may be of assistance to you and your colleagues in reaching your decision:

1. The decision contains fundamental errors in law, particularly with respect to the application of section 25 of the *Charter* and section 35 of the *Constitution Act, 1982* to section 3 of the *Charter*. There are arguable issues on appeal.
2. If you are not inclined to appeal, we wonder whether there may be other motivations. For example, we wonder whether you are concerned that, in your choosing to appeal the decision, you might be concerned about exposing the legitimacy of your government.
3. The re-drawing of electoral boundaries while we are engaged in negotiations strikes at the heart of our inherent right. We have consistently opposed any changes to electoral boundaries until our lands, resources and governance negotiations are concluded. We will regard any legislative action to re-draw the boundaries as an infringement of our aboriginal right to govern ourselves. We are putting you on notice that we will be vigilant in protecting our rights.
4. The fact that this issue is time-sensitive does not in any way discharge you from your duty to consult with our aboriginal government on the issue of electoral boundaries. I suggest that, if anything, it only elevates your duty.
5. We have communicated to you the need to let the negotiations table be the focus for discussions that touch on the inherent right. Any legislative action that infringes our inherent right on your part will force us to reevaluate your government's role in the negotiations, particularly with respect to section 4.2 of the *South Slave Métis Framework Agreement*.

You are probably being exposed to a great deal of rhetoric right now. I do believe that



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you are on the verge of making a historic decision. The credibility of your government's relationship with our Métis government is at stake. I will leave it to your own advisors to advise you on the gravity of the situation. From our perspective, make no mistake: we will remember for a long time the action or inaction which you must soon take.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Harrington", with a horizontal line underneath.

Paul Harrington  
President

Cc: George Kurszewski, Chief Negotiator  
Don Morin, M.L.A. for Tu Nedhe  
Michael Miltenberger, Chair, Western Caucus of MLAs.  
All Métis Councils

