

TABLED DOCUMENT NO. 26-13147 TABLED ON JAN 27 1997



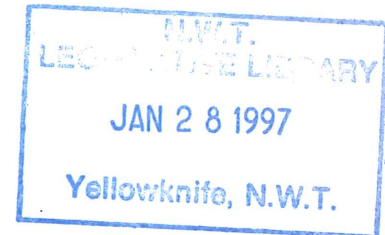
## Memo

To: Don Morin  
David Krutko  
All MLAs

From: Robert A. Alexie  
Non-MLA  
Fort McPherson NT

Date: January 24, 1997

Subject: Roberta Vaneltsi



Roberta Vaneltsi is a Gwich'in from Fort McPherson who lives in Whitehorse.

She is the daughter of William and Joanne Snowshoe of Fort McPherson.

In 1994, she and her former spouse Petr Cerny, were awarded joint custody of their two children (Roman and Petra) by a Court Order of the Supreme Court of the Northwest Territories.

The Court Order stated that Mr. Cerny was to have custody of the children from July 15, 1994 to July 15, 1995, and contained a special provision that allowed Mr. Cerny to take the children to the Czech Republic during this time.

On July 15, 1995, he failed to turn the children over to Roberta in accordance with the provisions of the Court Order and informed Roberta that he has no intention of bringing the children back to Canada.

The children are descendants of the Gwich'in Nation and are Canadian Citizens.

Roman is 10 years old and Petra turned 7 years old on January 20, 1997.

The Czech Republic has not ratified the Hague Convention on Civil Aspects of International Child Abduction and the Court Order is not recognized by Czech authorities.

Roberta has written to Audrey McLaughlin who wrote to the President of the Czech Republic on December 21, 1995. There has been no reply.

Roberta also wrote to the Hon. Lloyd Axworthy, Minister of Foreign Affairs and International Trade, on January 15, 1996, and was told that the Court Order has no legal force in the Czech Republic. Mr. Axworthy's department provided Roberta with a list of lawyers in Prague who specialize in family law.

On July 25, 1996, the Supreme Court of the Yukon Territory awarded Interim Sole Custody of the children to Roberta and directed the RCMP, or their agents, to locate, apprehend and deliver the children to Roberta.

On August 15, 1996, the former Premier of the Yukon, John Ostashek, wrote a letter to Prime Minister Jean Chretien suggesting options that can be considered by Canada in this matter. There has been no reply to date.

Roberta has written to Prime Minister Jean Chretien requesting his support and intervention by contacting the President Vaclav Havel of the Czech Republic, but she has not had a reply as of this date.

There does not appear to be any legal or diplomatic way that Canada can intervene in Roberta's case.

The only legal option available to Roberta is to take the matter to the Czech courts to see if she can gain custody of her children based on the Canadian Court Orders.

Roberta has engaged a lawyer in the Czech Republic and she has indicated that Roberta's case may be going to court in February or March and that her attendance is required.

Roberta needs financial assistance to get to Prague in the Czech Republic in order to present her case before the courts.

If you would like to make a donation, please see Robert A. Alexie at the Gwich'in offices in Fort McPherson or call him at 403-952-2330.

It would also help if you can write to the Prime Minister of Canada requesting Canada's intervention at the highest diplomatic level to assist Roberta Vaneltsi in her quest to gain custody of her children.



**David/Don**

**I don't know how much we need, but I am assuming \$10,000.00 for travel, hotel, lawyers, meals, etc.**

**\$10,000.00 / 24 MLAs = \$416.67 each or even \$250.00 from each of yer constituent funds... this would amount to \$6,000.00 which would go a long way to...**

**Robert A. Alexie**

A handwritten signature in black ink, appearing to be 'Robert A. Alexie', located in the bottom right corner of the page.

