

NOOAITCH INDIAN RESERVE

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P.O. Box 188
Merritt, B.C.

November 21, 1980

Joint Clerk
Special Joint Committee
On the Constitution of Canada
P.O. Box 1044
Ottawa, Ontario



Dear Sir/Madam:

As the spokesman for the Nooaitch Indian Band, the Band of Indians from the Nooaitch Indian Reserve in the Nicola Valley I have been instructed to request an audience with you or with your Special Committee on the Constitution. We request that our Chief and Councillors be able to speak to the Committee regarding the number of concerns we have about how our membership may or may not be able to live in this country following the repatriation of the British North America Act and an ammended Constitution Act.

We have heard at a number of meetings that the proposed actions of the Government of Canada will completely wipe out any enjoyment of life here, in this country, as Indian people. We have heard that we will no longer be able to enjoy the shelter and the jump off state of our Indian Reserves. We have heard that our enjoyment of the Bounty of the Land in terms of hunting, fishing, and trapping (where there is anything left) will be abolished. We have heard that it is only English and French speaking people who will enjoy the protection of the constitution in the normal use of their languages. Although we take the issue of the Governments inability, to date, to explain its actions efficiently. In order to prevent our hearing the foregoing comment will bring a great deal of compliance to us. We are interested in hearing your Committee's reaction to this.

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We would like to speak with you on a number of issues that would, in our minds, bring some measure of confidence by our Band Membership, in this country when the constitution is enacted.

- We would first speak to you about is safeguarding our present Indian Reserves and resources thereon.
- We would secondly speak of our wish to control our membership role at our Band level (Indian Act).
- We would thirdly speak to you of our belief that the only authority we would deal with in matters that relate to our land and the affairs of our membership is the Federal Government of Canada.
- The fourth point that cuases us a great deal of concern is the way the Provincial Government of British Columbia has dealt unfairly with us in the past and in the present.

The proposed constitutional resolution of October 2, 1980 discusses the mobility of citizens in the land, discusses points of discrimination, and discusses how citizens at large may be able to input through their respective Provincial Government amendments to a patriated constitution. We are seriously concerned that the interests of Indian people, particularly our band, will never ever be taken seriously by the Government of British Columbia in this regard. In other words we would strongly recommend that the Special Committee on the constitution for our cuase by doing everything in their power to insure that Indian people have an avenue protected by the Federal Government in any future constitutional amendment.

We take this position because of one reason and one reason only. This is that, although the Federal Government (BNA Act) does have a responsibility to Indian people and lands reserved for Indian people, we have not yet been able to fully participate in the development of this country. What rather has happened is that non-Indians have, with the assistance of all levels of Government, expanded their jurisdiction from one or being assisted by Indian people in their very early examination and exploitation of this country to one of an ever increasingly dogmatic point of view that Indian people do not have a right to any of the public resources or social amenities of Canada situate off-reserve. We feel we are now more prepared to state how this country should be able to allow ourselves (Indians)

a place in the governing structure, and wish to take the opportunity to do so.

Yours sincerely,



you:

Michael Shackelly
Chief

MS/cd