



THE PREMIER OF ALBERTA

403/427-2251

Legislative Building
Edmonton, Alberta, Canada
T5K 2B7

December 3, 1980

Chief Fred Marcel
Athabasca Chipewyan Band 201
P.O. Box 366
FORT CHIPEWYAN, Alberta
T0A 1G0

Dear Chief Marcel:

Thank you for your September 18, 1980 letter in which you expressed your concerns about the lack of discussion with respect to Indian Treaties at the September 1980 First Ministers' Conference on the Constitution.

While we recognize the special responsibilities of the federal government to the Indian people of Canada, I wish to assure you that the rights and interests of the Indian people in the process of constitutional reform are matters of concern to the Government of Alberta. In response to the particular concern which you raise in your letter regarding the status of Treaties in a revised constitution, I specifically raised the question of entrenching Treaty rights at the September Conference. During our discussions on a preamble to the Constitution, I asked the Prime Minister if ". . . it is the federal government's view that it would be desirable to include in the preamble a reference to entrenching the treaty rights of our native people, which is a submission which has been presented to me and which we are passing on to this table".

As you are aware, the September conference concluded with no agreement on a package for constitutional changes. The federal government is now attempting to proceed unilaterally with constitutional change and, to this end, has proposed a resolution for a Joint Address by the Parliament of Canada to the Parliament of the United Kingdom. Alberta, like the majority of other provinces in Canada, is strongly

. . . / 2

opposed to the federal proposal. We believe the proposed resolution ignores the established constitutional convention that the consent of provinces affected will be sought before any constitutional amendment affecting provincial responsibilities and rights is requested of the United Kingdom Parliament. The proposed resolution neither serves the needs of the Canadian people nor meets the prior commitments of governments to work together towards a renewed federal system in Canada.

The Government of Alberta, in conjunction with other provincial governments, has called for a renewal of the constitutional discussions. We believe that a broader consensus for constitutional change is both necessary and possible and that governments must continue to work together to better accommodate the diverse needs and aspirations of all Canadians. Alberta will continue to seek further federal-provincial constitutional discussions to consider, among other important matters, the best method of protecting native rights in the Constitution.

Attached, for your information, is a copy of the Resolution which was passed by the Legislative Assembly of Alberta on November 24, 1980.

Yours sincerely,



Peter Lougheed

PL/hy

Enclosure

cc: Honourable Dick Johnston

RESOLUTION OF LEGISLATIVE ASSEMBLY OF ALBERTA

BE IT RESOLVED THAT, the Legislative Assembly of Alberta support patriation of the British North America Act with appropriate safeguards for the protection of provincial rights, proprietary interests and jurisdiction;

AND THAT there be no amendments diminishing provincial rights, proprietary interests and jurisdiction without the consent of the provinces affected;

AND THAT the Legislative Assembly express its opposition to the unilateral action proposed by the Government of Canada;

AND THAT the Legislative Assembly urge the federal-provincial constitutional discussions be resumed as soon as possible in order to ensure that the federal government and all provincial governments may participate fully and equally in recommending constitutional changes which will decide the future of Canada.

Passed on November 24, 1980
by a vote of 70 to 1.