

NORTH SLAVE MÉTIS ALLIANCE

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Re: NSMA request for ruling: ENR proposal to limit aboriginal harvest illegal under NWT Act.

The North Slave Métis Alliance is of the opinion that it would be illegal for the WRRB to approve the portions of ENR's proposal which limit or restrict caribou harvesting for food by the indigenous Métis.

According to section 18 (3) of the Northwest Territories Act, aboriginal harvesting of game for food cannot be restricted unless that game is declared to be game in danger of becoming extinct (S.18.(3) NWT Act. R.S.C. 1985). The Governor in Council has not, yet, to our knowledge, declared barrenground caribou to be game in danger of becoming extinct.

The NSMA requests that the WRRB determine whether or not a proper, legal declaration has been made.

If it is determined that no such declaration has been made, the NSMA requests that WRRB require ENR and the Tlicho Government to amend their so-called "joint proposal" (which in fact is not "joint" with respect to this important issue) to remove all proposed restrictions of aboriginal harvesting for food.

Alternatively, the NSMA requests that the WRRB rule those aspects of the proposal that restrict aboriginal harvesting for food to be "ultra vires" the WRRB's jurisdiction, and therefore not within the scope of the public hearing.

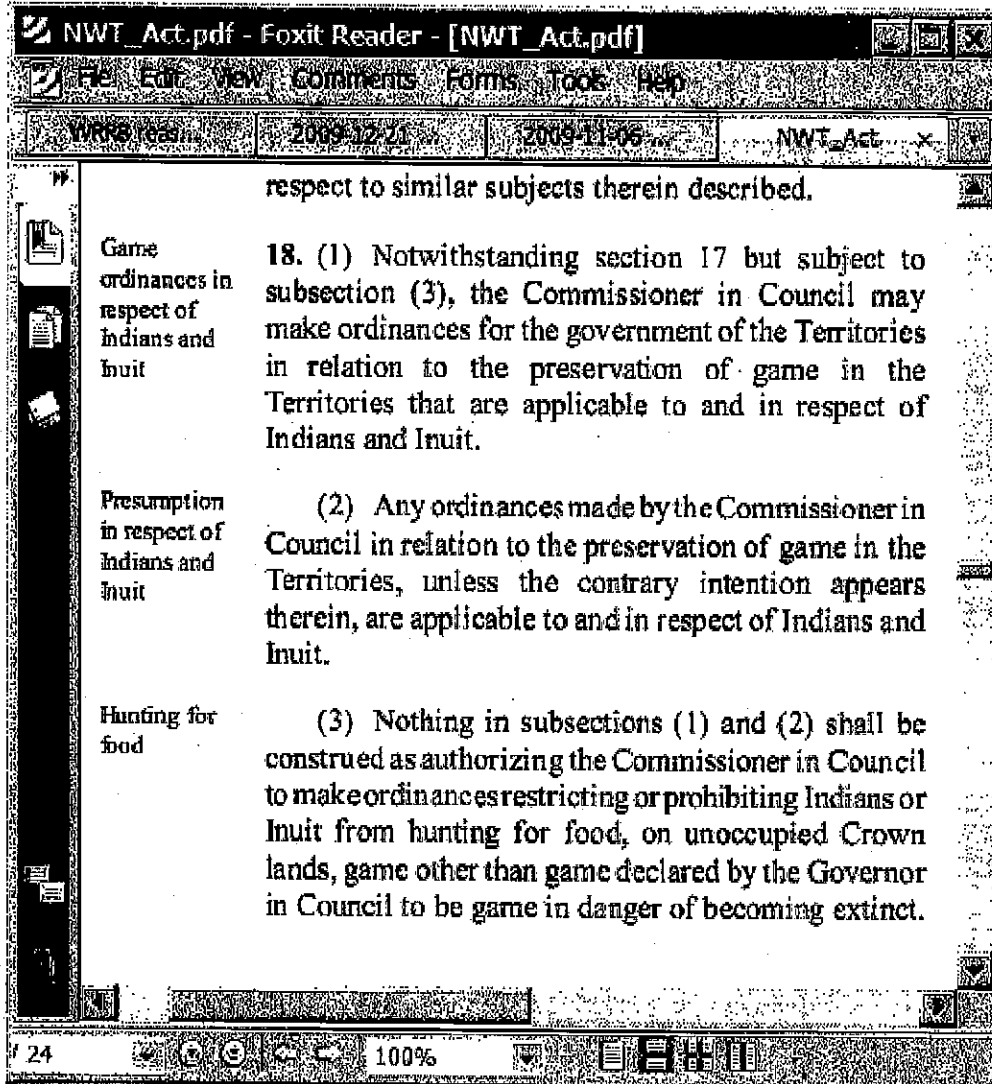
Respectfully submitted by,

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<http://www.canlii.org/en/ca/laws/stat/rsc-1985-c-n-27/latest/rsc-1985-c-n-27.html>