

* MINISTERIAL LETTER

APR - 2 1996

Policing - BASIE
- IPPERWASH
PROV. PARK (H7)

Mr. Roland LaPratte
P.O. Box 25, R.R. No. 2
FOREST ON NON 1J0

"OFF IS MONITORING THE SITUATION"

Dear Mr. LaPratte:

This is in response to your letter of October 25, 1995 concerning the situation at Ipperwash Beach. I regret the delay in responding.

In addressing your comments, it is important to appreciate that Aboriginal peoples were the first inhabitants of Canada. In the thousands of years before the arrival of Europeans they had developed a variety of systems of government which reflected their different cultures and spiritual beliefs, as well as their particular economic social and geographic circumstances. Since the arrival of European colonists, however, Aboriginal peoples have had to struggle against governmental assimilation policies.

I can assure you that the federal government does not agree with the use of illegal activity or violence to achieve political or social ends. The occupation of the land at Camp Ipperwash was by a small group of dissidents and was not supported by the Chippewas of Kettle and Stony Point First Nation.

Aboriginal people are subject to laws of general application, as are all other Canadians, including the application of the Criminal Code of Canada. Enforcement of the Code is a provincial responsibility and, therefore, the approach taken during incidents of infractions of the Code, by either Aboriginal or Non-Aboriginal individuals, is determined by the relevant local police force.

Your letter makes reference to my trip to the Chippewas of Kettle and Stony Point First Nation community on September 13, 1995. I would like to clarify that on that occasion, I did not meet with the occupants of

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Canada

Ipperwash Provincial Park as it falls within provincial jurisdiction. The purpose of my trip was to see what I could do to assist in resolving some of the outstanding issues surrounding the return of the Camp Ipperwash land to the First Nation. While there, I met with the First Nation Chief and Council and signed a Memorandum of Understanding which, among other things, commits the federal government to negotiating the return of the Camp Ipperwash land to the First Nation as reserve land. I also met with a family representing the Stony Point locatees at Camp Ipperwash on the same day.

On September 21, 1995, the federal government appointed the Honourable Robert F. Reid as special federal representative to report back to the Honourable David Collenette, Minister of National Defence, and to me on the full range and scope of issues surrounding this matter. The purpose of this exercise was to provide Mr. Collenette and me with an up-to-date view of the problem so that we could provide the federal negotiator with a sufficient mandate.

Mr. Ralph Brant was recently appointed to represent the federal government in the negotiations with the First Nation for the return of the Camp Ipperwash land. These negotiations have now begun. Mr. Reid will continue as special federal representative in order to fulfil the key role of liaison with third parties in the surrounding Non-Aboriginal communities, and will also act as a liaison between these groups and individuals, the federal negotiator and the federal government.

I am aware that the situations at Camp Ipperwash and Ipperwash Provincial Park have been unsettling to people, and I can appreciate the difficulties being faced by the local community. However, the federal government cannot assume responsibility for the costs associated with damages caused by blockades and/or vandalism in the area. I would also like to point out that Ipperwash Provincial Park and local law enforcement fall within the jurisdiction of the Province of Ontario. I understand that the Ontario Provincial Police is monitoring this situation closely, and the federal government is prepared to co-operate with the provincial government in any way it can.

With respect to the West Ipperwash Beach litigation to which you are a party, I wish to assure you that the Crown has made repeated efforts to assist the property owners and expedite the litigation. In an effort to minimize the impact of the litigation on the property owners, the Crown has assumed the

burden of the historical research and has shared all documents with legal counsel for the property owners. This has had the effect of reducing the potential legal costs of the defendant property owners. Further, and perhaps on a more positive note, on November 1, 1995, the court awarded costs in the summary judgment motion to the defendants. This means that the property owners should be able to recover at least some of the costs they have incurred to date.

Both First Nations and the federal government recognize that confrontation is not the answer, and it is only through negotiations and discussions that mutual concerns can be resolved. The government's objective is to reach settlements that are fair to all Canadians. I want to assure you that the Canadian system does not differentiate between Aboriginal peoples and other Canadians, but applies equally to all Canadians.

With regard to Aboriginal land claim settlements, land claims often deal with longstanding grievances. As a result, the Government of Canada is fully committed to addressing and resolving outstanding Aboriginal claims in a timely manner, requiring thoughtful negotiations to achieve fair and equitable settlements.

In closing, I would like to offer the observation that Aboriginal rights, their definition and implementation, are complex matters that are being given serious attention by governments, Aboriginal peoples, as well as by other Canadians. I believe that the goals and objectives of First Nations are honourable, and I have great respect for the peaceful and patient manner in which most Aboriginal people express their grievances. These grievances affect all Canadians and must be resolved by Aboriginal and Non-Aboriginal people working together in a spirit of co-operation and goodwill.

I trust that this response satisfactorily addresses your concerns.

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Irwin', written in a cursive style.

Ronald A. Irwin, P.C., M.P.