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G/SO 215/51 CANA (18)
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Jakob Th. Möller
Chief, Communications Unit
Division of Human Rights
United Nations Human Rights Committee
Palais des Nations (Room 231)
Geneva, Switzerland

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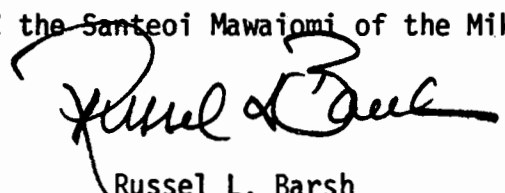
On behalf of Alexander Denny and the Grand Council of the Mikmaq Nationimouw, I beg to inform the Human Rights Committee of recent actions of Canada that bear on the proceedings in Mr. Denny's case.

In its 21 July response to Mr. Denny's original communication, Canada contended that "representatives of the Indians, Inuit and Metis peoples are assured to be involved in the present constitutional review process." As evidence of the success of this policy, Canada identified several provisions of its draft national constitution that refer to the "aboriginal and treaty rights" of "native peoples." Canada suggested that entrenchment of these provisions in the constitution would remove all cause for complaint on our part.

Our 3 October letter argued that provisions of law Canada merely proposes should be disregarded unless and until they actually are adopted and enforced, lest states be encouraged to make such proposals merely to deflect international inquiries. Our concern appears justified by recent events. Last week Canada's Prime Minister and seven of Canada's ten provincial Premiers agreed to delete provisions for "aboriginal and treaty rights" from the draft constitution before placing the draft before Parliament. The only remaining attention to "Indians" in the draft is its requirement that "representatives of native peoples" be permitted to "participate in discussions" of future amendments.

Accordingly, we respectfully suggest that the Committee strike and disregard the third part (pages 7 through 10) of Canada's 21 July response, since it is based on proposals Canada has since withdrawn.

AT SEATTLE, for Alexander Denny, Jikaptén, and the Santeoi Mawaiomi of the Mikmaq Nationimouw, by:



Russel L. Barsh
counsel