



Métis Nation



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Crown-Métis Nation Summit Postponed Due to Quebec City Tragedy



The Crown-Métis Nation Summit scheduled for January 30, 2017 has been postponed due to the tragic shootings in Quebec City. The Summit is being rescheduled and is expected to be held soon.

The Métis National Council Board of Governors did spend the morning of the 30th engaged in discussion with a number of federal Ministers who will join the Prime Minister and the Métis Nation at the Summit. Treasury Board President

Brison, Indigenous and Northern Affairs Minister Bennett, Health Minister Philpot and Employment and Workforce Development Minister Hajdu put forward their thoughts on key Summit issues as did Métis Nation leaders.

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The Crown–Métis Nation Summit will be the first of the three permanent forums to which the Prime Minister committed on December 15th, 2016. These will include annual meetings with the Prime Minister and semi-annual meetings with key Ministers to monitor progress on key issues.



President Chartier expressed the condolences of the Métis Nation for the Muslim community in Quebec City:

“Coming as it did a year after the devastating shootings in the Métis community of La Loche, the tragedy in Quebec resonates strongly with the Métis Nation”, said Chartier. “While the atmosphere was sombre this morning, I did appreciate the determination of the federal Ministers to work with us and advance an understanding of our key issues. This bodes well for the upcoming Summit with the Prime

Minister.”

Later in the day, President Audrey Poitras of the Métis Nation of Alberta and Minister Bennett signed a Memorandum of Understanding on Advancing Reconciliation. This agreement will set the stage for an exploratory table that will launch the process

promised by the Trudeau government during the last federal election to address Métis rights protected by s. 35 of the Constitution Act, 1982, recognize Métis self-government, and resolve outstanding Métis claims against the Crown.





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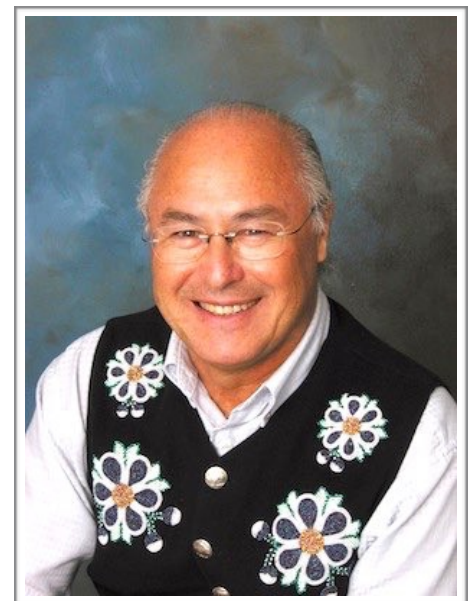
Message from the President

A year ago I wrote that the inherent right of self-government possessed by Aboriginal peoples by virtue of s.35 of the *Constitution Act, 1982* must be recognized and acted upon by the federal and provincial governments. In particular, I pressed firmly (as I have been doing over the past decade and more) that in inter-governmental forums, such as the Council of the Federation (COF) and First Ministers Meetings (FMMs) that the legitimate representatives of the First Nations, the Inuit and the Métis Nation, being the Assembly of First Nations (AFN), the Inuit Tapiritt Kanatami (ITK) and the Métis National Council (MNC) must be the only Indigenous leaders at the table.

This I say is because we collectively represent the governments of our respective peoples who are

vested with the inherent right of self-government as peoples and nations, which right is recognized and affirmed in Canada's Constitution, and now in the United Nations Declaration on the Rights of Indigenous Peoples and the newly adopted American Declaration on the Rights of Indigenous Peoples by the Organization of American States (OAS). If we are ever to move forward with the recognition, negotiation and implementation of this inherent right, it must be on the basis of a distinctions-based approach by our governments or national representatives of our respective governments.


I am pleased to say that Prime Minister Trudeau in his wisdom has accepted, not only in theory but in practice, this undeniable truth. In 2016, the Prime Minister invited the AFN,



ITK and MNC to both of the FMMs on Climate Change in March and December in the face of heavy criticism by several Premiers.

Further, on December 15th, 2016, the Prime Minister invited the MNC, ITK and AFN to a meeting with him in marked departure from the meeting a year earlier when he had also invited the

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Congress of Aboriginal Peoples (CAP) and the Native Women's Association of Canada (NWAC). At that meeting in 2015, I once again had pressed the need to move past the need to meet with "organizations" and to move to meetings with the "national representatives of Indigenous governments". This example by the Prime Minister will hopefully be followed by the Premiers in their annual Council of the Federation (COF) meetings.

This does not mean that CAP and NWAC as advocacy organizations do not have a role to play in promoting the interests of their respective membership, simply that they are not national representatives of Indigenous governments or nations. Governments of course are free to meet with them as such, as did the Prime Minister with CAP in early January.

The December 15th meeting witnessed the decision by the Prime Minister and the national Indigenous leaders to move forward on a

distinctions-based approach to reconciling s. 35 rights as well as related governance matters, including programs and services to our respective peoples. The creation of a Permanent Mechanism was jointly announced which will engage our respective constituencies in specific and comprehensive processes, each tailored to deal with our respective realities.

For the Métis Nation, our new engagement process will begin with a Métis Nation – Crown Summit.

We must once again step back and reflect on how we arrived at this particular juncture on our road to self-determination. It is because we are a nation, a distinct Indigenous people, in a defined geographic homeland/territory, exercising our right to determine our own citizenship and registering our people that we have been successful (one people/one nation/one homeland).

While our homeland was dismembered by provincial boundaries beginning in 1870

and our modern day organizing centered within the respective provinces in western Canada, we cannot now continue further dismemberment in practice as we move forward in a manner which erodes the existence and vibrancy of the Métis Nation as a whole. Moving forward, it is incumbent on the Métis Nation leadership, while negotiating self-government arrangements, including programs and services within the respective Governing Member jurisdictions (by modern day provincial boundaries) not to weaken the existence to the Métis Nation.

I cannot but once again state, or perhaps overstate, the important and pressing need for us to adopt a national political constitution which addresses these fundamental issues, as well as adopting the In-Principle Acceptance Process of 2002, along with a central registry which would be a repository for all Governing Member registries.



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Section 35 Métis harvesting rights trial continues in Meadow Lake



From left to right: Oliver Poitras, Billy Myette, Warren Boyer

In the January/February 2016 issue it was reported that the harvesting rights trial of *R. v. Poitras*; *R. v. Myette* and *R. v. Boyer* was underway with seven days of trial to that point and some 45 witnesses from Manitoba,

Saskatchewan, and Alberta testifying with respect to Métis Nation rights.

While the trial had been scheduled to continue with expert witnesses in June 2016, the Crown prosecutor filed a

motion with the court to have parts of the defendants' Notice of Constitution Question amended. In particular, the Crown asked the court to strike out the Métis Nation homeland approach and narrow the

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issue to northwest Saskatchewan only, and to also strike out the potential paragraph 12 of the Natural Resources Transfer Agreement (NRTA) 1930 defence (that Métis fall within the term “Indians” in that constitutional hunting and fishing rights protection provision).

After written and oral arguments were made, the Judge in the case made a ruling which narrowed the issues and rejected the broader Métis Nation homeland approach. In this case, the Judge limited the issues to a determination as to whether or not Rush Lake, Chitek Lake and Jackfish Lake (Cochin) are part of the regional rights-bearing Métis community of northwest Saskatchewan as determined in *R. v. Laviolette* (2005). The Judge also ruled that the defence could not argue that Métis Nation citizens can take their rights with them, from one Métis rights-bearing community to another, that is, from the rights-bearing Métis community of southern

Saskatchewan as determined in *R. v. Belhumeur* (2007) to the rights-bearing Métis community of northwest Saskatchewan as determined in *R. v. Laviolette* (2005). In other words, that the rights of the Métis are not portable.

On the other hand, the Judge ruled that the defendants can raise the potential defence of para. 12 of the NRTA, and that the Supreme Court of Canada’s 2003 *R. v. Blais* decision, which concluded that Métis did not fall under the term “Indians” in the NRTA 1930 between Canada and Manitoba, would be binding in this trial, as new evidence and argument, particularly in light of the *Daniels* decision may produce a different result.

The calling of witnesses continued on January 3-4, 2017 with one further community witness and two of the four proposed experts, Dr. Brenda Macdougall and Laura Hanowski, providing testimony. The Crown decided not to recall Dr. Tough and John Thornton for further cross-examination

from their previous testimony in the *Laviolette* case. All previous testimony and exhibits from *Laviolette* introduced at the beginning of this trial were made part of the evidence. This marked the end of the defence portion of the trial.

The trial has now been adjourned while the Crown prepares its rebuttal witnesses, including an expert witness who previously testified for the prosecution in the *Goodon* case in Manitoba and the *Langan* case in Saskatchewan. This part of the trial will likely take place in October. It is estimated that final arguments will be made sometime in the spring of 2018, with a potential decision in late 2018.

Defence counsel, Kathy Hodgson-Smith, Dwayne “Trudeau” Roth and Clem Chartier of the Métis Legal Research and Education Foundation feel satisfied with the evidence put in and are looking forward to seeing what the Crown’s expert has to say.





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PM and Indigenous leaders Meet to Advance reconciliation



On December 15, 2016, Prime Minister Trudeau met with Métis National Council Vice-President David Chartrand, Assembly of First Nations National Chief Perry Bellegarde, and Inuit Tapiriit Kanatami President Natan Obed in Ottawa to set in place “Kelowna-like” distinctions-based reconciliation talks for the Métis Nation, First Nations and the Inuit.


In his press statement, the Prime Minister elaborated on an earlier commitment to meet each year with each of the Indigenous peoples on advancing section 35 rights reconciliation and establishing a new relationship with Canada:

“First, we will create permanent bilateral mechanisms with the Assembly of First Nations (AFN) and First Nations, the Inuit Tapiriit Kanatami and the four Inuit Nunangat Regions,

and the Métis National Council and its Governing Members. In this Kelowna-like process, every year, we will meet to develop policy on shared priorities, and monitor our progress going forward. Similar meetings with key Cabinet Ministers will take place at least twice each year.”

The first of those summits with the Prime Minister and the Métis Nation is being planned for January 2017. It is expected that senior officials from the

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government of Canada and the Métis Nation will work between meetings of Ministers and Métis Nation leaders to make progress on substantive issues.

A number of those key Ministers accompanied the Prime Minister to the talks today including Treasury Board President Scott Brison, INAC Minister Carolyn Bennett, Justice Minister Jody Wilson-Raybould and Health Minister Philpot.

Vice-President Chartrand was accompanied by fellow members of the MNC Board of Governors, MNO President Froh, MNA President Poitras and MNBC President Morin Dal Col. He stated: "Today's meeting between Canada's National Indigenous Leaders, the Prime Minister and a



number of his Ministers was productive. I am encouraged and commend this positive approach to renewed government-to-government relationship with the Métis Nation by Canada. Many doors have been opened for us, but we still face systematic and structural discrimination in our relationship with the federal government. We need a government wide distinctions based approach and a Métis Nation policy that addresses and meets our needs. I am confident, however, that this government under Prime Minister Trudeau is fully committed to fulfilling their promises and to creating a strong,

sincere nation-to-nation relationship with the Métis Nation."

MNC President Chartier was also pleased with the outcome of the meeting.

"It is good that the Prime Minister is now confirming the structure of the bilateral talks between Canada and the Métis Nation as we move forward on section 35 rights reconciliation," said Chartier. "This will help ensure a positive outcome for our upcoming summit with him and after that will make for a robust process involving his ministers and our leadership on an ongoing basis to deal and finally resolve long outstanding issues. I applaud the Prime Minister's leadership on this."





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Canada and Métis Nation Join Forces to Support Clean Growth and Combat Climate Change



In keeping with their nation-to-nation relationship, Canada and the Métis Nation have arrived at an agreed upon mechanism to address climate change at a meeting of First Ministers and the

three National Indigenous leaders on December 9, 2016 in Ottawa.

The implementation plan for the Pan-Canadian Framework enables the full

inclusion of all the Métis Nation governments to participate effectively. Through senior level officials tables and appropriate working group efforts, the Métis Nation has designed a

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respectful and effective mechanism to address climate change impacts at the regional and community levels while advancing Métis Nation engagement in the changing Canadian economy.

“The Métis Nation continues to focus its efforts to maintain a healthy Métis Nation and to protect our traditional territories. The Pan-Canadian Framework, along with the Process for Ongoing Engagement with the Métis Nation, represent the plan and the means to achieve this plan”, said MNC President Clément Chartier. “I appreciate the Prime Minister’s involvement of the Métis Nation and look forward to implementing this plan in partnership with the Government of Canada on a Nation-to-Nation basis.”

President Chartier and fellow members of the MNC Board of Governors have been working with the Government of Canada to develop the Pan-Canadian



l-r: Métis Elder Oliver Boulette, MNO President Margaret Frob, MNA President Audrey Poitras, MNC President Clément Chartier, MNBC President Clara Morin-Dal Col, MMF President David Chartrand, MN-S Vice President Gerald Morin

Framework on Clean Growth and Climate Change and the Process for Ongoing Engagement of the Métis Nation.

“This is a significant step in moving forward on addressing the issues of climate change and I am very pleased with the inclusion of the Métis Nation in this framework,” said Métis

Nation British Columbia President Clara Morin Dal Col. “In British Columbia, the state of the environment and the impacts of climate change are very important to Métis people, and this framework lays out a plan to ensure our interests and concerns are addressed, and that Métis people are involved in the process.”

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“This framework is an historic and important step in solidifying the government to government – Nation to Nation relationship between the Métis Nation and Canada,” said Métis Nation of Alberta President Audrey Poitras. “The Métis Nation of Alberta is looking forward to working with Canada and Alberta to ensure that the impact of climate change can be appropriately addressed.”

“I applaud the Prime Minister in the inclusion of ensuring the Métis Nation will not only be included by name but will have a chance to participate in the greatest challenge that this country and the world faces” said Métis Nation – Saskatchewan Vice-President Gerald Morin. “We want to do our part as the Métis Nation in achieving and setting that goal.”

“I am pleased with the emphasis this Prime Minister is placing on the importance of balancing the effects of climate change with the need for sound economic development strategy,” said MNC Vice-President and

MMF President David Chartrand. “The planet is sending us a message and a challenge that we as leaders must meet. The actions we take now are not only for today, but will also form all our tomorrows. We cannot change what has been done, but we can set a better path for the future. The Métis Nation is ready to be a part of a cleaner, healthier environment. We are ready to walk with the Prime Minister and the rest of Canada towards this goal.”

According to Métis Nation of Ontario President Margaret Froh: “For Ontario Métis, the lands and waters of our Homelands are the heart, soul and lifeblood of our communities, identity and culture. Climate change puts at risk the living systems that nurture and sustain the health and well-being of all peoples and it transcends political, geographic, societal, and biological divides. The Métis Nation of Ontario welcomes this historic Framework agreement, and looks forward to working on a nation-to-nation basis with all those with which we share

these lands to address the challenge before us. We will work with a view of forging collaborations and partnerships, consistent with our traditional alliances and the aspirations set out in the MNO Statement of Prime Purpose. We will also work with our Métis youth, women, veterans, Elders, Captains of the Hunt, knowledge holders, elected leadership, and all interested MNO citizens toward areas of common concern on land and water protection issues, including climate change.”

This First Ministers Meeting with the Indigenous Leaders is part of the follow up to the commitments made by Canada on climate change in Paris last year. According to Prime Minister Trudeau: “Meaningful engagement and partnership with the Metis Nation to support the implementation of this historic Framework is another step toward reconciliation and will result in a cleaner and more sustainable environment today, tomorrow and for future generations.”





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United States Embassy Staff Visit Métis Nation Office



On January 18th two officials from the United States Embassy, Nathan Doyel, Political Officer and Wendy P. Williams, Political Specialist, met with President Chartier to become better acquainted with the Métis Nation.

President Chartier provided them an overview of the history of the Métis Nation, its struggles and aspirations along with current developments with the Canadian government.

President Chartier also discussed with them a letter he sent to President Obama and Secretary of State Hilary Clinton in 2009 for which he did not get a response although he approached several US representatives at various United Nations and Organization of American States meetings who assured him that a response would be solicited and provided to him.

President Chartier also discussed the border crossing

issues faced by the Métis under the Jay Treaty, which enables “Indians” to cross the border into the US without needing to get a Green Card for employment, or at least cross freely into the US. The officials stated that they would be prepared to follow up on these matters and encouraged President Chartier to continue a dialogue with them.



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La Loche: One Year Later



One year after the tragic shooting at the La Loche High School and a community residence, the community of La Loche marked the anniversary with a private community commemoration, with no media or elected officials invited to attend. In particular, the community politely requested the media to refrain from attending but did host a press conference on January 9th in La Loche.

The day started by a mass at the High School officiated by

Archbishop Murray, which was then followed by a community lunch and then an unveiling of the architectural design of a planned memorial to the shooting victims.

Other cultural and memorial events followed throughout the day and evening.

Since the shooting, the Métis of La Loche have been active in revitalizing the Métis community. An organizing committee was established in February 2016 to re-

organize the Local, with the Interim President, Robert St. Pierre, successfully winning the Mayor's position in October's municipal election. With assistance from Minister Bennett's office and department, financing was provided to the Friendship Centre and fiscal assistance is being provided to the Local to get re-established through a targeted project.



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UPCOMING EVENTS

- The 5th National Aboriginal Women's Summit 2017 March 6-8 Toronto, ON

DECADE OF THE
2011-2020
MÉTIS NATION

2017: Promoting Métis Nation Families





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