



MÉTIS NATION

A Letter from President Chartier to the Members of the Métis National Council General Assembly on Prime Minister Trudeau and the Reconciliation Agenda

April 12, 2019

Over the past several weeks a lot of media attention has been focused on the former Attorney General Jody Wilson-Raybould and the SNC-Lavalin matter. This has led the media, quoting several First Nations leaders and individuals, to conclude that the Trudeau reconciliation efforts with Indigenous peoples are dead, and that Indigenous peoples will not support the Liberal government/party in this year's federal election.

I and Vice-President David Chartrand have gone on record stating that the media is wrong in lumping all Indigenous peoples together in making these broad generalized statements. It is our position that the reconciliation efforts between the Trudeau government and the Métis Nation have been successful and are resulting in substantial progress for the Métis Nation, both in substance and in process, reflected in substantial budget allocations for sorely needed services for our people and through rights reconciliation tables.

In my last letter to you on December 30, 2015, shortly after the election of the Trudeau government, I laid out a path forward which the Métis Nation could take with the newly elected Trudeau government. This was based on my meeting with Prime Minister Trudeau on December 16, 2015 along with the Assembly of First Nations (AFN), the Inuit Tapiriit Kanatami (ITK), the Congress of Aboriginal Peoples (CAP) and the Native Women's Association of Canada (NWAC). Our Métis Nation delegation was composed of myself and the other two members of the Planning and Priorities Committee (Presidents Chartrand and Dumont) as well as LFMO President Melanie Omeniho.

Prior to the meeting, the Prime Minister asked each of us to propose processes and implementation plans to ensure tangible outcomes related to the key commitments made by the Liberal Party during the 2005 election campaign.

Proceeding on that basis, at the December 16th meeting our presentation focused on ways of implementing the specific commitments that were included in the Liberal Party's Métis Nation policy, "Advancing and Achieving Reconciliation for the Métis Nation".





ADVANCING AND ACHIEVING RECONCILIATION FOR THE MÉTIS NATION

The Métis are one of this country's three constitutionally-recognized Indigenous Peoples. Over the last several years, courts have repeatedly recognized that Métis communities possess Aboriginal rights protected by s. 35 of the *Constitution Act, 1982*, and that certain Métis communities have outstanding claims with the Crown.

The unique rights and claims of the Métis Nation require the federal government – in collaboration with Métis people, the provinces, and territories – to meaningfully engage, negotiate, and reach just and lasting settlements with Métis communities. This is essential to how reconciliation will be meaningfully advanced and achieved with the Métis Nation.

A Liberal government will:

- Immediately establish a negotiations process between Canada and the Manitoba Métis Federation in order to settle the outstanding land claim of the Manitoba Métis community, as recognized by the Supreme Court of Canada in *Manitoba Métis Federation v. Canada (AG)*.

- Work with Métis people, as well as the provinces and territories, to establish a federal claims process that sets out a framework 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.

IMPROVING MÉTIS QUALITY OF LIFE REQUIRES DISTINCT AND INNOVATIVE APPROACHES, AND REAL PARTNERSHIP WITH THE MÉTIS NATION, AS WELL AS THE PROVINCES AND TERRITORIES.

- Convert current year-to-year funding – made available to provincial Métis communities for Métis identification and registration – into a permanent initiative. This will provide an ongoing and reliable base of funding for these groups to undertake this important work of identifying Métis rights-holders.

Strengthening economic outcomes and opportunities

Métis individuals and communities face unique socio-economic issues and challenges based on their

ADVANCING AND ACHIEVING RECONCILIATION FOR THE MÉTIS NATION

distinct histories, geographies, and on-the-ground realities. Improving Métis quality of life requires distinct and innovative approaches, and real partnership with Métis people, as well as the provinces and territories. A Liberal government is committed to working with these partners to achieve results for Métis children, youth, families, and communities.

A Liberal government will:

- Undertake a collaborative review, in partnership with Métis communities, of existing federal programs and services available to the Métis Nation, to identify gaps and areas where strategic investments are needed in order to improve Métis quality of life.
- Renew the Aboriginal Strategic Employment and Training Strategy (ASETS), including the continuation of nation-to-nation and distinctions-based approaches. These respect the unique realities of First Nations, Inuit, and the Métis Nation, in the delivery of these programs and services to their communities. We will also expand ASETS funding by \$50 million per year.
- Work with Métis communities and existing Métis financial institutions to develop a Métis Economic Development Strategy that identifies strategic federal investments that can be made to enhance Métis entrepreneurship, as well as Métis participation in business development and economic growth. We will also provide \$25 million over five years to implement this new strategy.
- Fulfill the commitment in the Kelowna Accord to enhance existing scholarships and bursaries available to Métis students, at various colleges and universities across Canada, in partnership with the Métis Nation.



LEARN MORE AT RealCHANGE.ca

Liberal Party Métis Nation Policy During 2015 Federal Election Campaign

These included commitments to a negotiations process with the Manitoba Metis Federation to settle the outstanding land claim of the Manitoba Métis community, to establish a federal claims process to address Métis rights protected by section 35 of the *Constitution Act, 1982*, and to make specific investments in Métis Nation skills and economic development institutions and scholarships and bursaries.

This was contained in a formal Brief which we provided the Prime Minister and the key Cabinet Ministers attending with him. In addition to the Brief we also provided him and his ministers a draft document entitled “An Agreement to Advance and Achieve Reconciliation for the Métis Nation” which was meant to put into place a process or processes to achieve the Liberal Party platform with the Métis Nation mentioned above.

At that meeting I also forcefully made the argument that in future intergovernmental meetings with him and his ministers must be on a distinctions-based approach and only with the three national representatives of Indigenous peoples and nations, and not include advocacy groups. I repeatedly stressed, which I continue to do, that we are not an NIO (national Indigenous organization), but rather, we are the national government of the Métis Nation.

The Prime Minister listened and acted upon this advice and at subsequent First Ministers Meetings, he only invited the Métis National Council, the Inuit Tapiriit Kanatami and the Assembly of First Nations. While he received heavy criticism in the media from numerous Premiers, he did not back down.

During 2016, the federal government moved forward with the Manitoba Métis Federation on an MOU which, subsequently led to a Framework Agreement whereby the two parties would engage in fulfilling the March 8, 2013 Supreme Court of Canada’s decision in *MMF v. Canada* which stated that

the federal government breached the honour of the Crown in its ill-fated attempt to implement the Métis land provisions in section 31 of the Manitoba Act, 1870.



Prime Minister Trudeau and Métis Nation Leaders Sign Canada-Métis Nation Accord

Subsequent MOUs and Framework Agreements were entered into with the Métis Nation of Alberta, the Métis Nation of Ontario and the Métis Nation-Saskatchewan, with an MOU with the Métis Nation British Columbia.

In December 2016, the Prime Minister announced the Permanent Bilateral

Mechanism (PBM) through which he would engage on a distinctions-basis with the Métis National Council, the Inuit Tapiriit Kanatami and the Assembly of First Nations. At our first Crown – Métis Nation Summit on April 17, 2017 we entered into the Canada-Métis Nation Accord which set out subject matters for negotiation which took a lot of forceful negotiations with Minister Bennett before agreement was achieved.

The Accord also set in place a process of engagement at the Ministerial and Senior Officials levels for the purpose of moving forward on the agreed upon priority agenda items. The October 2017 Ministers – Métis Nation Leaders meeting afforded us the opportunity to put forward our budget asks for Budget 2018. The Ministers – Leaders meeting in June 2018 witnessed the presentations for our Budget 2019 asks.

In all we have had two Summits with Prime Minister, with the third one likely to take place in June.



MMF President Chartrand Signing Framework Agreement with Minister Bennett

In terms of the federal budgets, the Métis Nation in 2016 received \$25 million for implementation of our economic development strategy. In budget 2017 we were provided \$84.9 million dollars for MNC and Governing Members' governance capacity, which for the first time included permanent funding for our respective registries. This was a substantial boost as core-funding under the Harper government was capped at \$500,000 for provincial organizations and \$1,000,000 for national organizations. In Budget 2017 we also received \$36.35 million over 5 years for the Urban Aboriginal Strategy.



Métis Nation Veterans at Juno Beach, France

Budget 2018, for the first time in our history, included the Métis Nation in a substantial manner with a budgetary allocation of more than \$1.65 billion for our citizens. That sum encompassed the following: for ISETS (skill development and employment training) \$325 million over 5 years with \$67 million ongoing beginning in year six; for Early Learning and Child Care \$450.7 million over 10 years; for housing, \$500 million over 10 years; for Homelessness \$43 million over 9 years; for health data and a health strategy \$6 million over 5 years; and \$10 million for education endowments.

Budget 2019 provided further allocations to the Métis Nation, including at long last the recognition of the service to Canada and the world by Métis Nation World War II Veterans in the amount of \$30 million. Unfortunately, it took over 30 years to achieve justice for our WWII veterans, with efforts over the last 20 years spearheaded by Minister of Social Development David Chartrand whose portfolio also includes employment and training, housing and the 60s Scoop.

Budget 2019 provided \$50 million over 5 years for our Métis Capital Corporations (MCC), a \$100 million Indigenous Growth Fund which must include our MCCs, and \$362 million over 10 years for financial assistance for our post-secondary students, with \$40 million per year ongoing. There was also an allocation of \$333.7 million over 5 years for Indigenous languages of which the Métis Nation will be eligible for a portion yet to be worked out.

On the policy side, in addition to the PBM and the s.35 rights reconciliation tables with the Governing Members, the Prime Minister on February 14, 2018 announced in the House of Commons his intention to move forward on a Recognition and Implementation of Rights Framework which would be accompanied by legislation. That day I was interviewed by CTV national news and gave my unequivocal support to this most welcomed announcement.

I have been engaged in federal initiatives for over 40 years, including first ministers conferences on Aboriginal rights in the 1980s, litigated in the courts with respect to Métis Nation rights, have taught Indigenous rights courses in universities and colleges and know well that previous federal policies have not served our people and nation. So, this was indeed a very welcomed development.

Unfortunately, many First Nations leaders and organizations do not support this new development which is to replace the 1986 Comprehensive Land Claims Policy and the 1995 Implementation of the Inherent Right of Self-government Policy. The Métis Nation is excluded from the Comp Claims Process as the federal government in 1981 provided us their legal opinion that our Aboriginal title was extinguished by s.31 of the Manitoba Act, 1870 and the Dominion Lands Act scrip process. We were left with no alternative but to use the courts.

The 1995 Inherent Right Policy also did not serve us as we were characterized as being off a land base and basically provided dealing with us through devolution of programs and services (which didn't happen) and through establishing public governments, closing the door on Métis Nation self-government.

With the rejection of this process by many First Nations, who had, and continue to have, full access to both the Comp Claims and Inherent Rights Policies, along with Specific Claims Policy it appeared that the proposed policy was dead. However, on February 25th, Senior Assistant Deputy Minister of CIRNA, Joe Wild, convened a meeting with the Métis Nation leadership and stated that the Prime Minister wants to see a policy in place by June of this year. As it turned out, the Prime Minister is prepared to proceed on a distinctions-based approach with the Métis Nation.

In a phone conversation with him in February, he assured me that the SNC-Lavalin flare-up with the former Attorney General would not affect our reconciliation relationship, to which I responded that he and his government have my full support on keeping the reconciliation process alive. I also expressed my disappointment that the Framework and legislation he announced a year ago was dead, and that it was critical for the Métis Nation to move forward on it, a position that the Métis Nation leadership conveyed to Minister Bennett last fall. At that time, we made it clear to Minister Bennett that if First Nations do not wish to proceed, we would like the process to continue on a Métis Nation specific basis. It looks like our messaging found willing ears.

While we will not have companion legislation, if we work cooperatively we will at least have a policy which is Métis Nation specific and will guide our relationship into the future with whatever government is in power. If the Liberals get re-elected, we can likely get legislation passed. We have in fact been advocating for a Canada-Métis Nation Relations Act since at least 2004.

In the meantime, as stated above the federal government has been engaged with the Governing Members through section 35 rights reconciliation tables. At our meeting Joe Wild acknowledged that these tables with the Métis Nation are proceeding without the benefit of a policy framework which would be helpful in guiding the negotiations and make it easier to process agreements through the system, including in Cabinet and Parliament where legislation could be adopted.



Canada

10 Principles For Canada's Relationship with Indigenous Peoples

In order to seek the adoption of this proposed policy by June, CIRNA, the MNC and Governing Members have established a technical committee which is currently working on a first draft. It is our expectation and hope that this process will culminate with the adoption of the policy by both the Métis Nation and Canada. In order to meet the June deadline, the draft will need to be ready by the end of this month so that it can go to Cabinet for approval.

In order to get further discussion and clarification, as Chair of the Métis Rights Panel I convened a Panel meeting on April 2-3 in order to address some of these matters. In addition to the regular two Panel members, Minister and official from each Governing Member, I expanded the session into a Symposium and invited Governing Member Presidents to select a delegation from their Cabinets or Councils.

On April 2nd Joe Wild joined the Symposium and again provided an overview of the intent of the proposed policy and fielded questions. This initiative of the Prime Minister will likely be an agenda item at our up-coming Crown – Métis Nation Summit.

As you can see, a lot of progress has been made over the past three and a half years, and is proof that a positive working relationship within the leadership of the Métis Nation at the national and Governing Member levels is critical to the success we have achieved to date, and any further success we wish to achieve.

We must never forget, at the end of the day, we are all elected to serve the interests of our citizens, protect the integrity of our democratic institutions, defend our right to determine our own citizenship and ensure the sanctity of our homeland.

Yours for Métis Nation self-determination.



Clément Chartier QC



#4-340 MacLaren Street, Ottawa, ON K2P 0M6
Tel: 613-232-3216 | Fax: 613-232-4262 | Toll Free: 1-800-928-6330
info@metisnation.ca | www.metisnation.ca