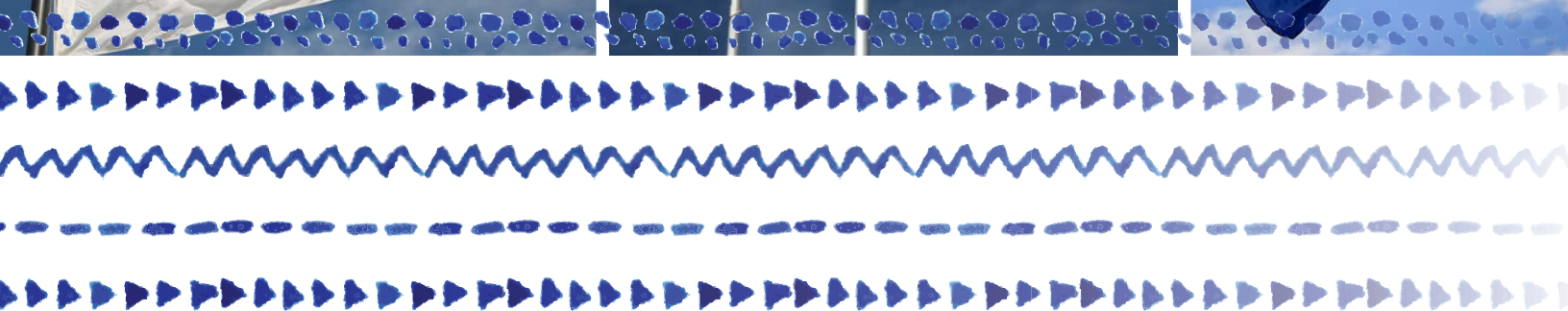
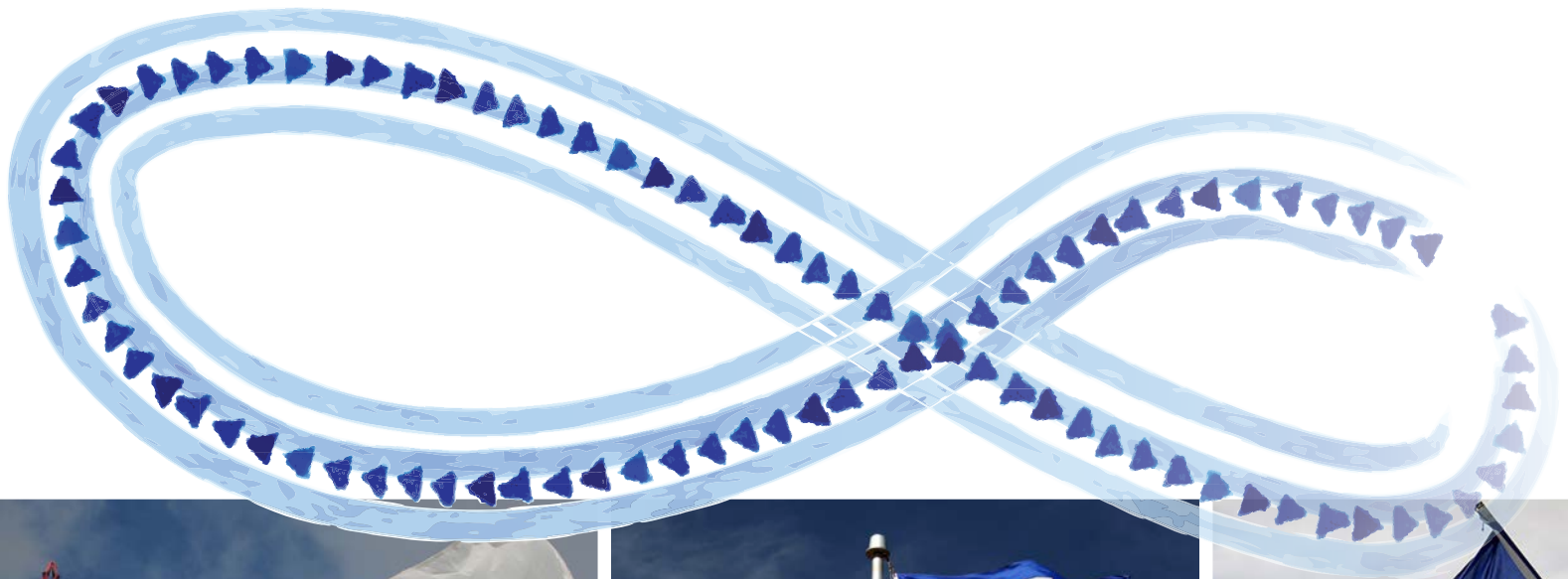




# MEMORANDUM:

RECENT AGREEMENTS WITH  
CANADA AND ALBERTA



# MEMORANDUM



TO: All Members  
FROM: Audrey Poitras, MNA President  
DATE: February 27, 2017  
RE: Recent Agreements with Canada and Alberta

As many of you have likely already heard, the Métis Nation of Alberta ("MNA") has recently signed two important agreements with both the federal and provincial governments. Both of these agreements are now publicly available and can be found on the MNA's website at [www.albertametis.com](http://www.albertametis.com). Copies of these agreements can also be obtained by contacting the MNA Head Office or our Regional Offices throughout the province.

These two agreements consolidate many of the positive developments we have been making politically here in Alberta as well as at the federal level in over the last year or so. These agreements also begin to strategically put the pieces into place to meaningfully implement our historic victory in the Harry Daniels case from April 2016 (the "Daniels Case") as well as the recommendations of Mr. Tom Isaac, Canada's Ministerial Special Representative on Métis Section 35 Rights, whose report was released in July 2016 (the "Isaac Report").

In the upcoming months, the MNA will be initiating province-wide community consultations to update members on these agreements as well as to talk about our priorities for future negotiations with both Canada and Alberta. In the meantime, I wanted to provide this update to highlight some important aspects of these agreements as well as outline how they fit together and complement each other. As I stated at the signing of these two agreements, the "stars are aligning for Alberta Métis" to make some significant advances on our rights-based agenda in the near future.



From the positive relationships we have built with Premier Notley and her government, including the commitment in our new Framework Agreement to finally begin work with us on a nation-to-nation basis, to Prime Minister Trudeau's commitment to finally put into place the nation-to-nation, government-to-government relationship the Métis Nation has sought with Canada for generations, I believe we have the wind at our backs and we must seize upon the once-in-a-generation opportunities that are before us.

## MNA-Canada Memorandum of Understanding on Reconciliation



This first agreement—the MNA-Canada MOU on Reconciliation—establishes a bilateral exploratory discussions process between ourselves and Canada in order to see if we can reach a formal Framework Agreement for negotiations on Métis rights and claims in Alberta by September 2017. This is a momentous development for Alberta Métis!

Exploratory discussion processes are an important step in Canada's six stage Indigenous "claims" resolution processes. In the past, Métis south of the 60th parallel were completely excluded from these types of federal negotiation processes. Clearly, the direction from the Daniels Case and the Isaac Report; namely, that Métis can no longer be on the outside looking in at the federal level, is slowly taking hold. For more information on the MOU and answers to frequently asked questions visit: <http://albertametis.com/2017/01/20612/>.

As set out in the MOU, these exploratory discussions will be focused on dealing with our Aboriginal rights and outstanding claims here in Alberta. More specifically, this process will include rights-based discussions on Métis self-government, Métis lands and redressing the failings of the federal Métis scrip system. We will also be talking about how to address the inequities our children, families and communities face because of discriminatory and colonial federal policies.

As I previously mentioned, in order to fully develop and prioritize subject matters for future negotiations, we will be undertaking province-wide consultations in the upcoming months. We want to hear from *all* of our members on what are the key issues we should incorporate into any future Framework Agreement with Canada. Rather than being stuck with a top-down national agenda, these exploratory discussions allow us to craft a 'made-in-Alberta' approach.

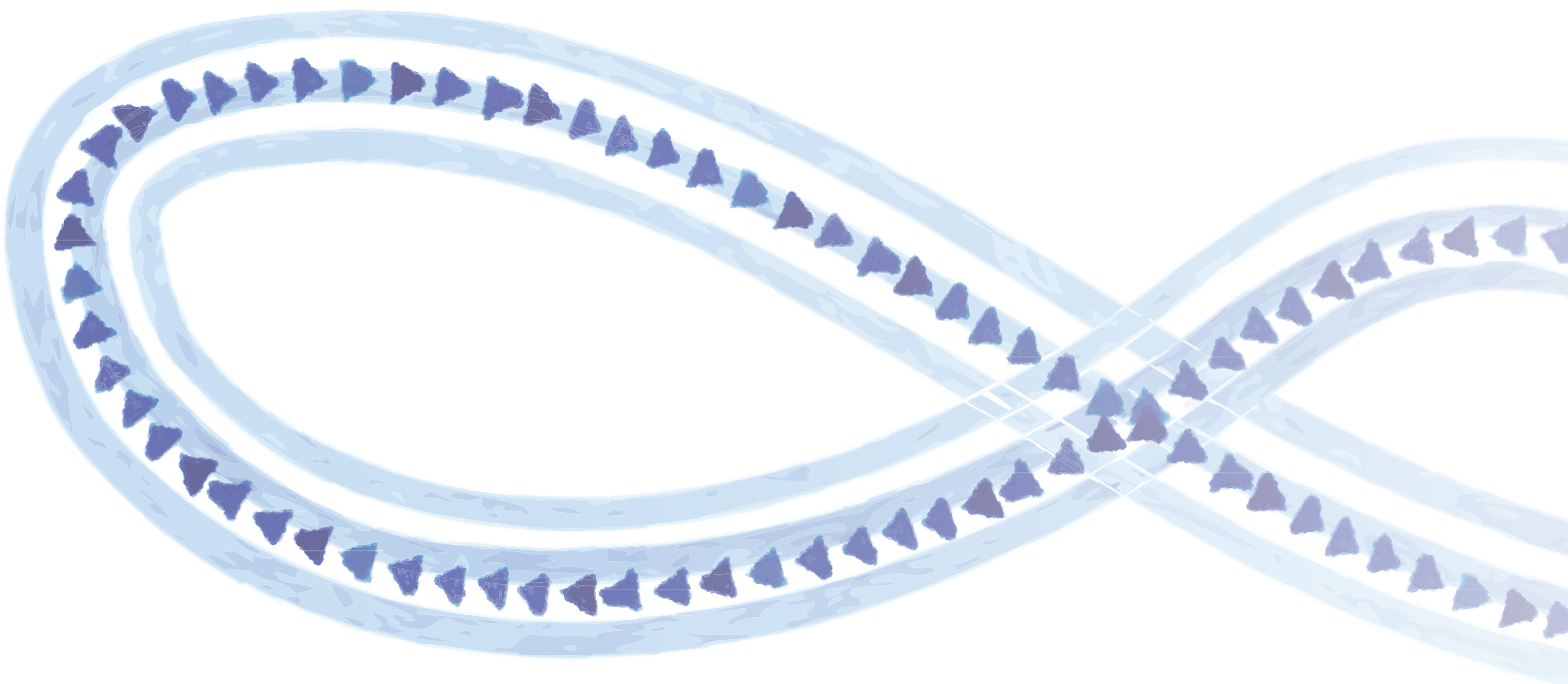
Related to this, it is also important to note that the Prime Minister's commitment to working with the Métis Nation on a nation-to-nation, government-to-government relationship will be *through* bilateral negotiations with the MNA—not through any national process. Specifically, the MOU states,

**AND WHEREAS** Canada is committed to working, on a nation-to-nation, government-to-government basis with the Métis Nation, through bilateral negotiations with the MNA, in order to advance reconciliation and renew the relationship through cooperation, respect for Métis rights, and ending the status quo; [*Emphasis added.*]

This aspect of the MOU is consistent with the recent direction received from the 2016 MNA Annual General Assembly, which added the following important objective to the MNA Bylaws:

[for the MNA] to negotiate, on behalf of the Métis in Alberta, a modern day treaty relationship with the Crown through a "land claims agreement" or other arrangement as called for and contemplated within the meaning of section 35(3) of the *Constitution Act, 1982*."

While we have much more work to do and a long road ahead of us, this MOU puts us on the right track. I look forward to our upcoming community consultation to provide further updates on what is happening at the federal level.



## MNA-ALBERTA FRAMEWORK AGREEMENT



For over 30 years, our various MNA-Alberta Framework Agreements have guided our relationship with the province. Over these decades, we have seen many gains and successes by working collaboratively with the province. Our Framework Agreement provides the foundation for our relationship with Alberta.

It is a well-known fact that the last version of our Framework Agreement was whittled down by the previous provincial government with respect to language that recognized the Métis Nation and the MNA's representative role. While this was disappointing, we persevered and tried to make the most out of what was a challenging period of MNA-Alberta relations.

With that era behind us, I am very pleased that our new Framework Agreement goes further than any of our previous agreements with Alberta. This is a testament to the commitment of Premier Notley and Minister Feehan to building relationships. As I have often said, I believe that if we get the recognition and relationship right, we will be able to make things happen. This agreement sets the course for us to finally get that foundation right.

Notably, this agreement also includes the following important additions:

- The agreement is between the Métis Nation of Alberta and the Government of Alberta. Previous versions of the agreement constantly added “Association” to our name in order to diminish the reality that we represent a distinct Indigenous people—the Métis.
- The agreement includes explicit commitments to pursue discussions on key rights-related issues such as harvesting and a Métis consultation policy. The success of this Framework Agreement will be measured on progress being made on these commitments.
- The agreement is for a 10 year period. In the past, the re-negotiation of the agreement every 3 or 5 years were distractions to keeping momentum under the agreement going.

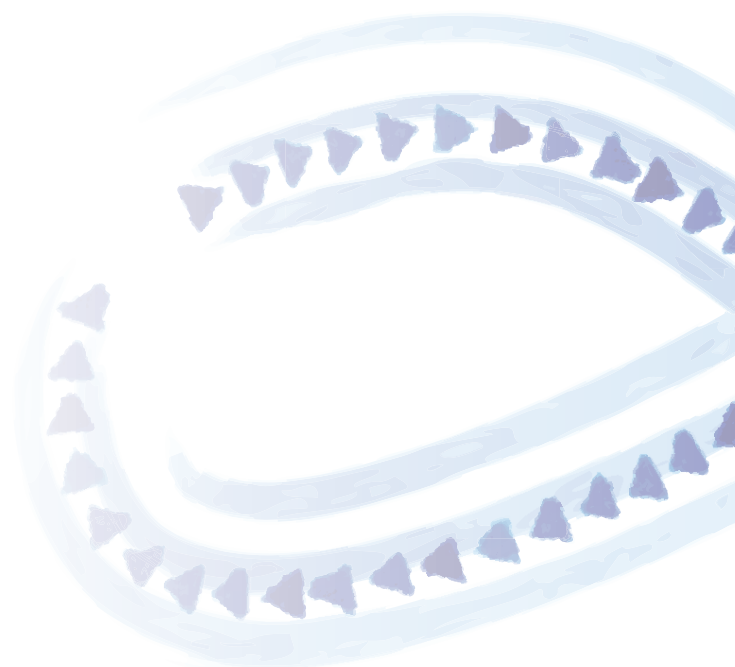
Most importantly, the agreement commits to working with us on a “nation-to-nation” basis to advance Métis rights and reconciliation. Specifically, the Agreement states,

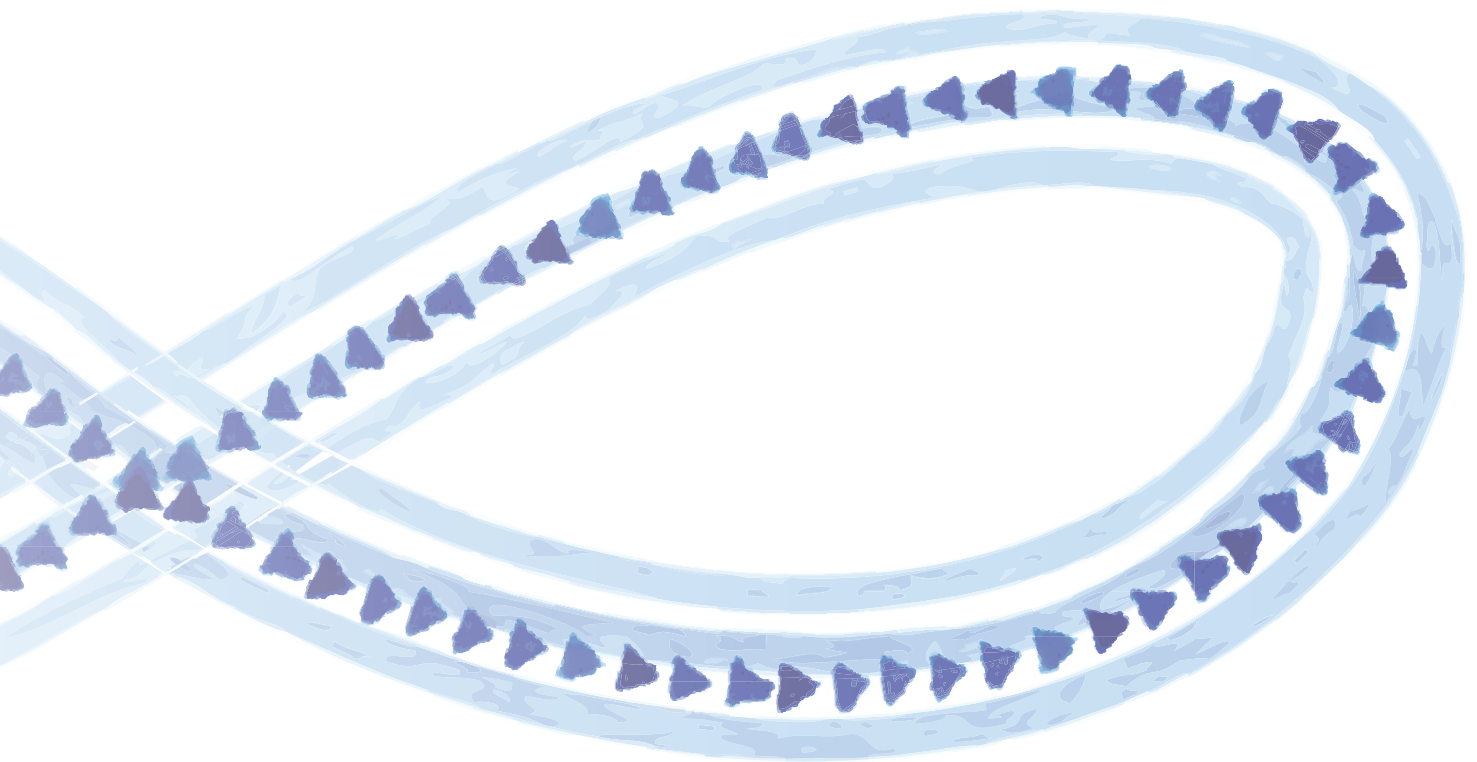
**AND WHEREAS** Alberta recognizes the MNA’s representative role on behalf of its Citizens and is committed to working with the MNA, on a nation-to-nation basis, through this Framework Agreement, in order to advance reconciliation and enhance the MNA-Alberta relationship through recognition, collaboration, respect for Métis rights and working towards the advancement of Métis self-government and self-determination;

Flowing from this overall intent, the agreement explicitly commits to “discussing options for the legislative recognition of the MNA and its governance structures.” As noted above, for far too often, the fact that our Nation’s legal and administrative arm is incorporated as an ‘association’ under Alberta’s Societies Act has been used against us to diminish the fact that we are a government for Alberta Métis. This commitment will allow us to explore other options with Alberta.

The agreement also commits Alberta to engage with us and Canada on the “implications of the Supreme Court of Canada’s decision in Daniels v. Canada for Alberta Métis.” We see this commitment as ensuring that Alberta will participate in our discussions with Canada, where required. It is important to note that while the Daniels Case affirms Métis are within federal jurisdiction, the province was and remains a key partner in making progress on some of our rights-related issues, in particular dealing with lands.

In closing, I want to thank the MNA Provincial Council, including our Co-Ministers for Métis Rights (Karen Collins and Bev New) as well as MNA staff and legal counsel for getting us here. Now the hard work begins! Ultimately, these two agreements will be measured by what they achieve for our children, families and communities here in Alberta. I am confident that through hard work and determination, we will see real results from these agreements for Alberta Métis.









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