



Otipemisiwak Métis Government

OUR SELF-GOVERNMENT JOURNEY SO FAR

UPDATE TO 2024 CITIZENS' GATHERING

Our History as a Self-Governing Indigenous Nation in Alberta

- The Métis Nation—an Indigenous People—emerged in what was often referred to as the historic North-West or the ‘Old North-West’ (also known as the Historic Métis Nation Homeland) with its own collective identity, language, laws, territory, national symbols, culture, customs, way of life, and relationships to the land and other Indigenous Peoples.
- Before Alberta was created in 1905, distinct Métis communities made up of inter-related Métis families (often referred to as “Halfbreeds” in records) emerged in various regions surrounding the North Saskatchewan River, the Lower Athabasca River, the Peace River, Slave Lake, and throughout the Plains located south of the Battle River. These Métis communities are a part of the larger Métis Nation, but many have their own histories and distinctive traits.
- Within these regional Métis communities, inter-connected and inter-dependent settlements emerged in locations such as Fort Vermilion, Fort Dunvegan, Cadotte Lake, Fort Chipewyan, Little Red River, Conklin, Lac La Biche, Athabasca Landing, Victoria Settlement, St. Albert, St. Paul des Metis, Lac Ste. Anne, Jasper House, Fort Edmonton, Rocky Mountain House, Fort McLeod, Cypress Hills, amongst many other locations in what is now Alberta.
- Today, the Métis Nation within Alberta—as a self-governing Indigenous Nation—is comprised of over 68,000 registered Citizens and Métis communities comprised of those Citizens who are the descendants of Métis who applied for and received Métis Scrip in Alberta, and Métis Nation Citizens who have been accepted by the Métis Nation within Alberta.
- The Métis Nation within Alberta—as a Métis collectivity and a province-wide Métis community—is one of the successors to the Historic Métis Nation. The Métis collectivity exclusively mandates the Otipemisiwak Métis Government as its government.
- Our Métis Government (i.e., the Otipemisiwak Métis Government)—as set out in our [Constitution](#)—includes four branches: (1) the Citizens’ Gathering, (2) District Councils that represent Citizens and Métis communities comprised of those Citizens at the local level, (3) the Citizens’ Council, and (4) the Judicial Branch.
- At this time, the Otipemisiwak Métis Government is the only Métis government in Alberta with a negotiated self-government agreement with Canada. It is also the only Métis government in the province that is currently negotiating a Self-Government Treaty with Canada.



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The Creation and Evolution of Our Métis Government in Alberta

- Beginning in the early 1900s, like-minded Métis communities throughout what is now Alberta—now known as the Métis Nation within Alberta—began to come together and organize in order to address the devastating effects of the [Métis Scrip System](#). This distinct Métis collectivity believed—and continues to believe—we were stronger by working together as a united Nation.
- Bringing our people and communities together—as a self-governing Indigenous Nation—has been fundamental to the Métis Nation within Alberta’s purpose. For generations, our ancestors have fought to reclaim our traditional lands, improve the health, education, and quality of life of our people and communities, and finally put in place a respectful nation-to-nation, government-to-government relationship with Canada through negotiations.
- In 1928, L’Association des Métis d’Alberta et les Territoires du Nord-Ouest was established as a Métis self-government structure to bring our people and communities together. This self-government institution evolved into the Métis Association of Alberta, the Métis Nation of Alberta, and ultimately, the Otipemisiwak Métis Government.
- For almost a century, a Constitution—developed by our Citizens and communities and for our Citizens and communities—had always been the “[missing piece](#)” in our self-government. We no longer wanted to be governed by corporate bylaws, but by Métis law adopted by our people and communities based on our inherent right to self-determination and self-government as recognized in the [United Nations Declaration on the Rights of Indigenous Peoples](#), as well as section 35 of the [Constitution Act, 1982](#) (“**Section 35**”).
- In November 2022, the Métis Nation within Alberta held a [province-wide ratification vote](#) and adopted our Constitution. Over 97% of voters voted in favour to adopt our Constitution. This was the largest ratification vote ever conducted by an Indigenous Nation in Canada. Our Constitution is the highest law within the Métis Nation within Alberta.
- In September 2023, the first [province-wide election](#) for our Citizens’ Council was held under the authority of our Constitution. On September 29, 2023, upon the certification of the election results for our first [Citizens’ Council](#), our Constitution came into full force and effect.
- Based on the will of our Citizens and the Métis communities comprised of those Citizens, we are now fully implementing our Constitution, including transitioning from our previous structures to new ones, as well as building democratic, transparent, and accountable self-government structures and institutions that are stable, credible, and will last for generations to come.



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Historic Denial of Our Métis Government and Métis Rights in Alberta

- Despite the Métis Nation having an inherent right to self-government, Canada has a long history of denying or failing to recognize this right and other Métis rights.
- While Canada negotiated Treaties with First Nations and recognized some aspects of their self-government (while also imposing the *Indian Act* onto their traditional governments), similar recognition was provided to the Métis and we organized our own governments. As the Federal Court recently recognized,

Because Parliament did not enact comprehensive legislation regarding the Métis and did not impose membership criteria and local political structures as it did for First Nations, the Métis were left to organize themselves politically. They did so at the local, regional and provincial level and, beginning in 1983, at the national level.¹

- Canada also now acknowledges it required our Métis Government “to incorporate the Métis Nation of Alberta Association [a Society under Alberta’s *Societies Act*] to facilitate funding arrangements and intergovernmental relationships through an entity that had legal status and capacity as recognized in Canadian law.”²
- Over the years, the reality of needing to rely on a “society” as our legal and administrative arm has allowed some governments, the courts, and third parties to demean us and take positions that we are nothing more than a “club” or an “association” with membership versus a self-governing Indigenous Nation with inherent and constitutional rights.

Our Self-Government Negotiations and Agreements with Canada

- Following express inclusion of the Métis—as a distinct Indigenous People—in Section 35 in 1982 and failed political negotiations in the late 1980s and early 1990s to recognize our Section 35 rights, our people and communities began to turn to the courts for justice.
- Over the last 20 years, successive Supreme Court of Canada cases like [R. v. Powley](#) (2003), [Manitoba Métis Federation Inc. v. Canada](#) (2013), and [Daniels v. Canada](#) (2016) have confirmed we are a distinct Indigenous People with our own rights, interests, and claims.

¹ [Metis Settlements General Council v. Canada \(Crown-Indigenous Relations\)](#), 2024 FC 487 at para 17.

² [Métis Government Recognition and Self-Government Implementation Agreement](#), Chapter 7.



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- Following the election of a new federal government led by Prime Minister Justin Trudeau in 2015, Canada finally began meaningful discussions and negotiations with us. Since 2017, we have negotiated and signed the following [important agreements](#) with Canada:
 - a Memorandum of Understanding for exploratory discussions on January 30, 2017;
 - a Framework Agreement for a formal negotiations process on November 16, 2017;
 - a Consultation Agreement on July 19, 2018;
 - a Parks Canada Open Door Program Agreement on July 31, 2018;
 - a Métis Government Recognition and Self-Government Agreement on June 27, 2019;
 - an Interim Fiscal Financing Agreement on February 19, 2021; and
 - a Métis Government Recognition and Self-Government Implementation Agreement on February 24, 2023 (“**2023 Self-Government Agreement**”).
- In particular, the 2023 Self-Government Agreement was a turning point for us because:
 - it immediately recognized us as a Métis Government and as the Indigenous Governing Body of the Métis Nation within Alberta;
 - it confirmed our Métis Government’s law-making power (i.e., jurisdiction) for citizenship, elections, its internal operations, child and family services, etc.;
 - it committed Canada to negotiating a Self-Government Treaty with us, along with a Fiscal Financing Agreement and a Tax Treatment Agreement;
 - it confirmed Canada owes us a duty to consult and accommodate when Métis rights are potentially adversely impacted; and
 - it sets out a process to begin to address outstanding Métis claims in Alberta.

Bill C-53: An Upfront Legislative Framework for Our Self-Government Treaty

- Based on commitments in our 2023 Self-Government Agreement, Canada introduced [An Act Respecting the Recognition of Certain Métis Governments in Alberta, Ontario, and Saskatchewan](#) (“**Bill C-53**”) into Parliament in June 2023. This legislation includes our Métis Government, the Métis Nation-Saskatchewan (“**MNS**”), and the Métis Nation of Ontario.
- Bill C-53 is an innovative and reconciliation-based legislative approach that was developed in order to meet the unique realities Métis face. If passed, it would have provided an upfront legislative cradle for our future Self-Government Treaty to sit within.
- Unfortunately, following the introduction of Bill C-53, misinformation and misconceptions about who we are as a distinct Indigenous People, Métis rights, and our unique self-government were spread by some. As such, Bill C-53 has faced significant delays.



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- In April 2024, because of these ongoing delays and other factors, the MNS has now [withdrawn its support for Bill C-53](#) and is pursuing the standard practice for modern-day treaties (e.g., finalize a treaty and then have federal implementation legislation passed).
- The future of Bill C-53 is uncertain at this time. If Bill C-53 is not ultimately passed, our Métis Government, like others, will simply proceed with finalizing and ratifying our Self-Government Treaty with Canada. Canada will then introduce implementation legislation specific to our Métis Government that will give legal force to our ratified treaty.
- It is important to emphasize that the recognition and commitments in our 2023 Self-Government Agreement to reaching a Self-Government Treaty are not dependent on Bill C-53 passing. Our 2023 Self-Government Agreement is binding on Canada without Bill C-53.

The Recent Federal Court Decision on Our 2023 Self-Government Agreement

- On March 28, 2024, the Federal Court released its decision in [Metis Settlements General Council v. Canada](#). In this litigation, the Metis Settlements General Council and the “Fort McKay Métis Nation” challenged Canada’s failure to consult with them.
- The Federal Court rejected the request of these two groups to cancel our 2023 Self-Government Agreement. The Court, however, did find that our agreement was overly broad and included these two groups within it. As such, Canada owed them a duty to consult with respect to our agreement. Canada did not consult with either of them.
- Based on Canada’s failure to consult, the Court quashed (i.e., struck down) the definition of “Métis Nation within Alberta” and Chapter 6 in our 2023 Self-Government Agreement. The Court sent these sections of our agreement back to the Minister for reconsideration; however, the vast majority of our agreement remains in place and legally binding on Canada today.³
- Canada has initiated consultations with these two groups and is engaged in negotiations with us to update our 2023 Self-Government Agreement to comply with the Court’s decision, including ensuring our agreement does not include others or stop Canada from recognizing others. It is anticipated an updated agreement will be in place by 2025.

³ For example, the recognition of our Métis Government’s jurisdiction (e.g., law-making authority) in the areas of citizenship, elections, and internal operations remains in place. Canada’s commitments to negotiate a Fiscal Financing Agreement, Tax Treatment Agreement, and a Self-Government Treaty with us also remain in place and are legally binding on Canada.



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Next Steps in Our Self-Government Journey

- As set out above, the next steps in our self-government journey are to update our 2023 Self-Government and reach a Self-Government Treaty with Canada in 2025. The infographic that is attached to this update provides a visual representation of these next steps.
- In addition, and just as important as our self-government negotiations with Canada, our Métis Government continues to move forward on fully implementing our Constitution through the implementation of our [Métis Government Laws](#), the establishment of [22 District Councils across Alberta](#), building our various self-government institutions (e.g., the Ombudsman, Judicial Tribunal, etc.), and continuing to meet the needs of our Citizen and communities.
- Based on the above, the Otipemisiwak Métis Government—as the government of the Métis Nation within Alberta—remains on track to finally achieve the dreams of our ancestors by putting in place a nation-to-nation, government-to-government relationship with Canada through a Self-Government Treaty with Canada in 2025.
- For more information about our journey to self-government, visit www.AlbertaMetis.com or contact the Citizens' Representative in your District. Information about and contact information for your Citizen's Representative is available [here](#).



Otipemisiwak Métis Government / Government of Canada Co-Developed Way Forward on Métis Self-Government

Update to 2023 Self-Government Agreement

On February 24, 2023, Canada and the Métis Nation of Alberta (now Otipemisiwak Métis Government) signed the Métis Nation within Alberta Self-Government Recognition and Implementation Agreement (“2023 Agreement”). On March 28, 2024, the Federal Court refused to cancel the 2023 Agreement, but struck the “Métis Nation within Alberta” definition in and Chapter 6 of the 2023 Agreement based on a breach of a duty to consult owed to other Métis groups as a result of their inclusion in the agreement. The Court remitted those parts of the agreement back to the Minister for reconsideration. The vast majority of the 2023 Agreement remains in place and legally binding on Canada today, but will be updated to respect the Federal Court’s decision.

Changes to the 2023 Agreement

An updated 2023 Agreement will clarify that it does not include other Métis groups or prevent Canada from recognizing the rights or self-government of other Métis groups that may claim to have these rights. The “Métis Nation within Alberta” definition will be updated to reflect that this Métis collectivity that holds a s. 35 right to self-government is comprised of its Citizens and Métis Communities comprised of those Citizens. This Métis collectivity mandates the Otipemisiwak Métis Government, which includes its Citizens’ Council, District Councils, and Institutions, as its government.

Summer/Fall 2024: Updated 2023 Agreement initialed by negotiators.

Fall 2024: Consultations on initialed agreement with various groups.

Winter 2024: Approvals sought for signing of updated 2023 Agreement.

Early 2025: Signing of an updated 2023 Agreement.

Métis Nation within Alberta Self-Government Treaty

Chapter 12 of the 2023 Agreement, which remains in place and legally binding, commits to negotiations “with a view to reaching a Métis Nation within Alberta self-government Treaty within two years...”. As the process to update the 2023 Agreement is undertaken, the Otipemisiwak Métis Government and Canada will continue to work towards the goal of finalizing a Métis Nation within Alberta Self-Government Treaty in 2025.

Self-Government Treaty (“Treaty”)

Based on Chapter 12 of the 2023 Agreement, the Parties will continue to negotiate on a Treaty. This process will include the following steps: (1) Internal Consultations on Treaty, (2) Initialing of Treaty by Parties, (3) Consultations on Treaty, (4) Ratification of Treaty by Citizens, (5) Signing of Treaty by the Parties, and (6) Treaty Implementation Legislation.

Fall 2024: Consultations with Citizens and the Métis Communities comprised of those citizens on the Treaty, as well as ongoing negotiations with Canada based on the 2023 Agreement.

Early 2025: A draft of the Treaty is initialed by negotiators for the Parties and consultations on the initialed Treaty with potentially impacted groups begins.

Fiscal Financing Agreement (“FFA”)

The Parties will reach an FFA that addresses the “Expenditure Needs” of the Otipemisiwak Métis Government based on the requirements and criteria set out in the 2023 Agreement (Ch. 12), as well as the Canada’s Collaborative Self-Government Fiscal Policy, including developing a Métis Annex to this policy.

Spring/Summer 2025: Following consultations on the Treaty and potential changes to it based on those consultations, the Otipemisiwak Métis Government undertakes province-wide ratification vote on the Treaty. All Citizens over 16 years old of age are eligible to vote.

Tax Treatment Agreement (“TTA”)

The Parties will reach a TTA dealing with the tax treatment of the Otipemisiwak Métis Government, including its District Councils, Institutions, and any other tax related matters agreed to by the Parties.

Summer/Fall 2025: The Parties sign the ratified Treaty.

Treaty Implementation Plan (“Implementation Plan”)

The Parties will reach a Treaty Implementation Plan setting out the respective actions and activities following the effective date of the Treaty.

Next Parliamentary Session: Legislation to give legal force and effect to the Treaty and make it binding on all governments and third parties is introduced in Parliament.

Treaty Implementation Legislation (“Legislation”)

Following approval and ratification of the Treaty by both Parties, the Minister will recommend Legislation to Parliament to give legal force and effect to Treaty.