



## **Métis Nation of Alberta Statement: Métis Nation Identity, Citizenship and Homeland February 2020**

The following are affirmations of the principles of the MNA and direct responses to misleading and false claims made recently by MNC and others:

1. There is only one Métis Nation. We are a distinct Indigenous people that was born in the historic Northwest. We have our own shared history, language, culture, laws as well as a special relationship to the land as well as other Indigenous peoples in our Homeland. The MNA will stand up for this principle.
2. The Métis Nation holds the inherent right to self-determination and self-government, along with all other rights recognized in the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”). Our self-determination and self-government as a part of the Métis Nation – here in Alberta – may be different than what is adopted elsewhere. This will be the choice made by our citizens and our communities – here in Alberta. The MNA will stand up for this principle.
3. Our historic Homeland includes the three Prairie Provinces and extends into parts of Ontario, British Columbia, the Northwest Territories and the northwest United States. Our history shows our historic Homeland has never extended into Quebec or the East Coast. Our historic emergence – as a people – grounds our historic Homeland. Only the Métis Nation can decide who its modern day citizens are and what communities are a part of us today. The MNA will always stand up for this principle.
4. While a significant part of our nation’s history is anchored in the Red River Valley, our history and communities – here in Alberta – are just as important. Our pre-existence as a people of the land grounds our Métis rights. We will never let a single national narrative undermine our rights here in Alberta. We will never let others stop us from finally dealing with Métis lands and the sorry legacy of Métis scrip. The MNA will always stand up for our Métis lands and our rights here in Alberta.
5. The MNA is the modern day expression of the Métis Nation’s inherent right of self-government here in Alberta. Louis Riel did not negotiate a single or centralized government for all Métis in 1869/70. If he did, there would have been no need for our second resistance in 1885 to try to negotiate again. The events of 1885, along with our organizing efforts here in Alberta in the 1900s (that led to the creation of the MNA and the Alberta Métis Settlements) show the will of our people—throughout the various regions of our Homeland – to secure their lands and self-government. The MNA will always fight for the recognition of our self-government here in Alberta.

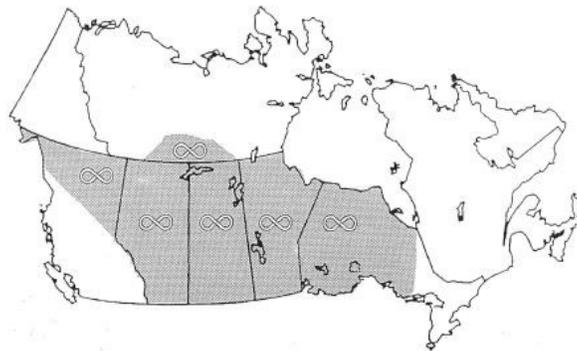
6. The MNA is already a Métis government. We only incorporated an “association” under Alberta’s *Society Act* in 1961 to act as the legal and administrative arm until Canada finally recognized us. Our Métis Government Recognition and Self-Government Agreement (“MGRSA”) with Canada provides immediate recognition of our right to self-government here in Alberta. It also sets out a clear process to finally have our self-government recognized on our own terms and on a government-to-government basis. These are the actual clauses in the MGRSA:

“The overall purpose of this Agreement is to support and advance the inherent right of self-determination and self-government of the Métis Nation within Alberta as recognized and affirmed by section 35 of the *Constitution Act, 1982* in a manner that is consistent with the *United Nations Declaration on the Rights of Indigenous Peoples* through a constructive, forward-looking, and reconciliation-based arrangement between the Parties that is premised on rights recognition and implementation.”

“Notwithstanding the recognition provided for and the processes set out in this Agreement, the MNA maintains its position that it is already a Métis government that is mandated by the Métis Nation within Alberta based on the inherent right of self-government. Nothing in this Agreement will be interpreted, used, or relied upon to undermine the position held by the MNA on this issue.”

“The Jurisdiction set out in this Agreement is not intended to be definitive of or conclusively define the inherent right of self-government or any other inherent right or jurisdiction that may be recognized or implemented through further negotiations between the Parties or how the inherent right of self-government may ultimately be defined at law.”

7. The MNC was created by the MNA, MNS and MMF in 1983. The MNC is not a Métis government. It’s a national body mandated by democratically elected Métis governments. The MNC cannot interfere in the democratic will of our citizens and our self-government here in Alberta. The MNA’s leadership will stand on this principle.
8. When the MNC was created in 1983, the Métis Nation Homeland map below was used. This map was submitted to Canada for negotiations. Our past leaders were not “traitors” to the Métis Nation when they used and relied on this map. Current Métis leaders who ask questions about why this map is being changed are not “traitors” to the Métis Nation today.



9. In 2002, after extensive and multi-year consultations with our citizens across our Métis governments, the National Definition for Citizenship within the Métis Nation (the “National Definition”) was adopted at a MNC General Assembly by consensus. The fact that the National Definition was adopted by consensus, as opposed to passing by the narrowest of margins, shows that if consultations are undertaken properly, we can come together – in unity – on significant and complex issues.
10. The 2002 National Definition did not include a new map. In it, the “Métis Nation Homeland” was defined as “the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-breeds as they were then known.” The full National Definition reads,
- 10.1 “Métis” means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of Historic Métis Nation ancestry, and is accepted by the Métis Nation.
- 10.2 “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland.
- 10.3 “Historic Métis Nation Homeland” means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-breeds as they were then known.
- 10.4 “Métis Nation” means the Aboriginal people descended from the Historic Métis Nation which is now comprised of all Métis Nation citizens and is one of the “aboriginal peoples of Canada” within the meaning of s.35 of the *Constitution Act 1982*.
- 10.5 “Distinct from other Aboriginal peoples” means distinct for cultural and nationhood purposes.
11. The 2002 National Definition had absolutely no legal effect on the bylaws or constitutions of our respective Métis governments until our own citizens ratified it through our assemblies. This process, like the MGRSAs, demonstrate that ultimately our citizens must ratify these fundamental decisions, not just 55 people sitting in a room at a MNC meeting. The MNA is committed to holding a province-wide referendum on our constitution and the MGRSA that will allow all of our citizens to have their voices heard, not just a select few.
12. In the late 1990s, the MNC supported *R. v. Powley* (“*Powley*”), which was the Métis harvesting rights test case advanced by the Métis Nation of Ontario (“MNO”) about the Sault Ste. Marie Métis community. The Powley’s were represented by Métis lawyer Jean Teillet. The MNC intervened at the Supreme Court of Canada. Métis lawyers Clem Chartier and Jason Madden represented the MNC. The MNC’s factum stated:
- “The [MNC] agrees with the conclusions of the RCAP Report that the Sault Ste. Marie Métis community is one of the oldest and well-recognized Métis communities within Canada. Dr. Ray described the community as “... a strategic spot on the east/west flow of people across the Upper Lakes area and so as the fur-trade is pushing westward, Sault Ste. Marie was strategically important.” Dr. Ray also testified that the community was regarded as “home base” for many families who moved throughout the Métis Nation as part of the back and forth movement of the fur trade. The flow between the Sault Ste. Marie Métis community and the west (i.e. Red River) was on-going. The Intervener submits these factors demonstrate the Sault Ste. Marie community’s connection to the territory, existence and history of the Métis Nation.”*

13. In September 2003, when the Supreme Court of Canada's decision in *Powley* was released, I was the Interim MNC President. Based on the direction I received from the MNC Board of Governors, which, at the time, included MMF President Chartrand and Clem Chartier as the President of the Métis Nation-Saskatchewan ("MNS"), I proudly declared on national television: "We Won! We Won!" No one suggested that I go out and say: "They Won! They Won!" or declare that the Métis community recognized in *Powley* was not a part of the Métis Nation.
14. As a result of *Powley*, Canada finally started to provide dedicated funding to our Métis governments to develop objectively verifiable registries to identify Métis Nation citizens and legitimate Métis rights-holders. In Alberta, we negotiated our Interim Métis Harvesting Agreement with the province that was in place from 2004 to 2007. Other Métis Nation governments went to court and have negotiated harvesting agreements based on the *Powley* case. Our new harvesting arrangement that was reached with the Alberta Government last year is based on the legal framework in the *Powley* case.
15. In Alberta, we used our *Powley* funding to create the largest registry of Métis Nation citizens that currently exists in Canada. In 2013, based on a resolution passed by our Annual Assembly, we cancelled all MNA membership cards that did not have completed citizenship files. Our citizenship criteria is public, objectively verifiable and consistent with the National Definition: <http://albertaMétis.com/registry/application-guidelines/>. MNA citizenship cards are secure, used for our self-government and are relied on by other governments for identification, harvesting, programs, scholarships, etc.
16. Similar to Métis governments who have negotiated the implementation of *Powley* with provincial governments, I understand that the MNO began to negotiate with Ontario. In 2004, it reached an interim harvesting agreement with Ontario. In 2018, it reached another harvesting agreement that recognizes seven historic Métis communities. Since 2004, the MNO's harvesting areas map has been shown at MNC meetings and publicly available. All of its harvesting agreements are publicly available for all to scrutinize: <http://www.Métis.nation.org/registry/harvesting/harvesting-policy-documents/>.
17. I can only assume that MNO's negotiations with Ontario were challenging like our negotiations with Alberta. It's been my experience that no provincial government recognizes Métis rights easily. It's MNO's jurisdiction to explain its negotiations and agreements to others, however, from what I understand, the seven (7) recognized Métis communities from 2018 include:
  - a. One (1) that is located in northwestern Ontario, which has long been recognized as a part of the historic Métis Nation Homeland;
  - b. Four (4) of these communities surround the Upper Great Lakes, which was the region addressed in the *Powley* case, including, one (1) of these four communities being Sault Ste. Marie;
  - c. Two (2) of these communities include parts of northeastern Ontario that may be included in the MNC's original Homeland map.

18. Beginning in 2015, resolutions began to be brought to MNC meetings by some that began to narrow and re-interpret the National Definition as well as the previous MNC Métis Nation Homeland map. The MNA had no advance notice of these resolutions. Our Métis government had no opportunity to consult our citizens on these resolutions or understand their implications. These resolutions passed by the narrowest of margins. Unlike the National Definition that was passed by consensus and was brought back to Alberta for adoption by our citizens through our assembly, these MNC resolutions had no legal effect on the MNA or other Métis governments that make up the MNC.
19. In 2018, these resolutions culminated in a report being solely prepared by the MNC President. The report, along with a new Homeland map, was only provided to MNC General Assembly delegates the night before. The report is not factual in many parts. Our Métis governments and registries were not engaged. No historians were engaged. Our Métis lawyers, who have represented us in the courts on these issues, were not engaged. The report was passed by a narrow majority and the leadership of entire Métis governments that make up the MNC voted against these resolutions.
20. The “adoption” of this report and the new Homeland map has since been used to justify not having MNC Board of Governors meetings for over 14 months as well as the unilateral suspension of the MNO, which is not supported by the MNC Bylaws or direction from the MNC General Assembly. In addition, the MNA’s ongoing concerns about the MNC’s financial management practices have not been addressed, even though they have been repeatedly raised.
21. The background set out above led to the MNA, MNS and MNO meeting held in Edmonton in January 2020. We made no “backroom deals”. All the documents we signed are online and available for all to read. The MNA is still a Founding Member of the MNC. We will make no final decisions about our future participation in the MNC, or its reform, until we consult with our citizens and get direction from our Annual Assembly. However, no one else will make this decision for Alberta Métis or force a certain result that our people have not had an opportunity to consider themselves.

**The MNA has made no decision about whether some or all of the Métis communities identified by the MNO are a part of the historic Homeland or the modern day Métis Nation. As explained above, these are decisions that only the Métis Nation – as a whole – can decide. These decisions need to be based on historic facts, honest information as well as discussion and consultation with our citizens and communities.**

Unlike other Métis leaders who now frame this as a black and white issue, the MNA’s leadership need to understand – and be able to explain to our citizens here in Alberta – why we changed the map the MNC previously used and why we now take the position that that Métis community recognized in *Powley* is not a part of us. MNA leaders don’t have as easy of a time sweeping our past actions and words under the rug. If we made a mistake or our past leaders were wrong, we can accept that. We believe our citizens will as well, but we need to provide them with factual information and consult with them on these issues.

The legitimacy of our Métis Nation governments rest on our democratic principles and our credibility in the eyes of our own people. If the elected leadership at the provincial level cannot explain why the MNC is acting this way, how can these actions be seen as legitimate by our people? It is also clear from our history – and who we are as a people – that on significant decisions our people need to be deeply engaged and a part of decision-making.

When you look at the facts set out above, the process that has been followed to date has not meaningfully engaged our citizens and communities. This is why the majority of the Métis governments that mandate the MNC are not accepting these reports and decisions made by a few. The MNA will always stand up for Métis Nation identity, citizenship and our Homeland. We will, however, ensure our future decision-making will be guided by our citizens and communities having facts so they can provide their leadership informed direction on these important issues.