



April 8, 2024

Cabinet of the Citizens' Council
Otipemisiwak Métis Government

RE: Mandate Letter for the President

Dear Provincial Secretaries of the Métis Nation within Alberta:

As set out in the mandate letters of the first elected Citizens' Council of the Otipemisiwak Métis Government (Citizens' Council) as well as the letters provided to members of the first Citizens' Council Cabinet (Cabinet), I look forward to working with all of you to advance the rights, interests, and claims of the Métis Nation within Alberta and improve the lives of our Citizens, families, and communities.

As President of the Otipemisiwak Métis Government, and pursuant to the responsibilities set out in our Constitution and *Self-Government Act*, I, along with appointed Provincial Secretaries form Cabinet. As we move forward on fully implementing our Constitution and making progress on achieving the Otipemisiwak Métis Government's purpose, Cabinet will play a key role in advancing and implementing the priorities and aspirations of our Citizens and communities.

This letter sets out my roles, responsibilities, and obligations owing to the Citizens of the Métis Nation within Alberta as their President. In addition, this letter sets out my portfolio as a member of Cabinet as well as my responsibilities as Chair of the Cabinet. This letter will be publicly released in the interest of fair, accountable, and transparent governance.

As our Constitution reflects, it is the obligation of the Otipemisiwak Métis Government—as the government of the Métis Nation within Alberta—to ensure the rights of all of our Citizens and communities are equally protected. As a province-wide Métis government, one of our goals is to ensure that none of our Citizens, families, or communities are left behind, no matter where they are located in Alberta.

Our Citizens and communities have mandated their Métis government to make sure we do not replicate the *Indian Act* Band model of self-government, which was imposed on First Nations by Canada. We do not want to artificially divide our people or create “have” and “have nots” (i.e., on reserve/off reserve) dynamics across the Métis Nation within Alberta.

In my roles as President and Cabinet member, I must ensure that I consider and advance the rights and interests of all of our Citizens and communities, and the Métis Nation within Alberta as a whole. Our Cabinet must also work to ensure that all of our Citizens and communities have meaningful ways to be consulted and participate in the initiatives we are undertaking. In doing so, we must ensure we work in collaboration with and respect the overall role of Citizens' Council.

Cabinet's Role in the Otipemisiwak Métis Government

I, as President, along with all Provincial Secretaries, collectively form Cabinet.

As set out in Chapter 16.17 of our Constitution, Cabinet “may exercise all executive authority required to oversee the operations of the Otipemisiwak Métis Government and implement Otipemisiwak Métis Government laws.”

As members of Cabinet, it is our Constitutional obligation to exercise our executive authority in a manner “consistent with [our] Constitution, any Otipemisiwak Métis Government laws, direction received from the Citizens' Council, and the proposals of the Citizens' Gathering.”

Additionally, Cabinet has the collective authority to make regulations under various Otipemisiwak Métis Government laws. Our decision-making and work as a Cabinet, both collectively and as individual Cabinet members, should strive to ensure the representation of diverse perspectives in order to make decisions and develop government policy and regulations that are fair, responsible, transparent, and accountable.

Respecting Administration's Distinct Role, Authorities, and Reporting Structures

While this means Cabinet plays a role in the overall political oversight of our government, it is important to emphasize that the day-to-day operations of our government are overseen by our Administration. Cabinet, including individual Cabinet members, cannot interfere with the distinct, impartial, and neutral role our Administration plays in the functioning of our government. Cabinet members also cannot interfere with the reporting structures in place within our Administration, nor can we direct staff.

While we can provide political guidance and make decisions that fall within our political mandates, our Administration (i.e., our public service staff) report up to the Directors of their departments, and ultimately to our Administration's Senior Executive Officer (SEO). Each Cabinet member must respect the distinct roles and responsibilities of our Administration, recognizing our Administration as our government's public service.

In order to ensure our government properly functions, Cabinet members must engage through the SEO's office or through the Director of a given department. Cabinet members should not be directly reaching out to or directing Otipemisiwak Métis Government staff.

Respecting the Distinct Roles of the Other Branches of our Government

As a Cabinet, we must be mindful of and respect the distinct authorities and responsibilities of our government's four branches: the Citizens' Gathering, District Councils, Citizens' Council, and the Judicial Branch. Cabinet is not a distinct branch of our government. We operate as a part of the Citizens' Council, consistent with our mandate set out in our Constitution.

Respecting the Distinct Role of District Councils

In exercising our executive authority, Cabinet must respect that our authority does not extend to dealing with matters assigned to District Council except in cases where a District Council is not yet established, or a District Council has communicated that they do not want to undertake the express matters assigned to it.

The distinct and significant authorities and responsibilities of District Councils are clearly set in our Constitution (sections 15.7 to 15.9). As Cabinet, we must respect the distinct role of District Councils, which form a separate and equal branch of our government. We must not encroach on the constitutional authorities of Districts Councils.

As President, I am committed to ensuring the distinct role of District Councils are respected within the Otipemisiwak Métis Government. As a Cabinet member, I must ensure I am mindful and respectful of these distinct roles and responsibilities of District Councils.

As set out in section 71 of the *District Councils Act*, Cabinet does have the authority to make regulations it considers necessary or advisable for the purposes of the *District Councils Act*. However, adoption of any such regulations cannot be done without consultation with a District Council that would be affected by such a regulation.

Respecting the Distinct Role of Citizens' Council

It is important to remember that our functioning as Cabinet is distinct from our legislative role and decision-making as members of the Citizens' Council. As noted above, Cabinet must consider and advance the Métis Nation within Alberta as a whole, which includes all of our Citizens and communities. Our decision-making as a Cabinet cannot be driven by our personal interests or those of any one Citizen, community, or District.

My Roles and Responsibilities as a Cabinet Member and Chairperson of Cabinet

As President, I am entrusted with a portfolio of specific matters and issues contained in this mandate letter. As set out in section 86.1 of the *Self -Government Act*, as President, I am to act as chairperson and preside over Cabinet meetings.

As a Cabinet member, I am accountable to the other members of the Citizens' Council in relation to my work as a Cabinet member.

In order to fulfill my role as a Cabinet member, I must become knowledgeable in relation to all matters identified in this mandate letter, as well as be knowledgeable with respect to the relevant parts of our Constitution, laws, priorities, decisions of Citizens' Council, etc. that will impact my work as a Cabinet member.

As a Cabinet member, the actions I take to fulfill my duties must be guided by and adhere to the responsibilities and requirements set out below.

Respecting and Engaging with Administration as a Cabinet Member

As set out above and in my previous letter to all Citizens' Council Representatives, the distinct authority and role of Administration must be respected. This applies equally to myself as President, undertaking my role as a part of Cabinet.

As a Cabinet member, I may engage on matters related to my portfolio through the office of the SEO or through the Directors of the departments that are relevant to my mandates set out in this letter.

Cabinet members have no authority to direct any staff member within the departments of the Otipemisiwak Métis Government, within District Councils, or within an Institution of the Otipemisiwak Métis Government. As set out in section 8 of our *Code of Ethics Act*:

Unless authorized under Otipemisiwak Métis Government Law, a public official may not direct an employee in the performance of the employee's duties, without prior approval of the Senior Executive Officer.

As set out above, while we provide political direction and oversight, it is our Administration that is ultimately responsible for the day-to-day operations of our government's departments and Institutions, including providing direction to staff. We must always respect this.

In order to remain in Cabinet, Cabinet members must not direct or be directly engaging with our staff to influence the impartial delivery of our programs and services. Cabinet members also must not assume a supervisory role with staff or make decisions that fall within the roles and responsibilities of our Administration.

As we move forward, we will provide additional training on these matters as well as develop policies and procedures to ensure our public service is able to continue to do the excellent work they do for our government on a day-to-day basis, without political interference.

Respecting and Engaging with our Citizens and Communities

Our ability to make meaningful change as a government is directly linked to our ability to engage with and be responsive to the needs and ambitions of our Citizens and

communities, and in keeping with the Métis tradition of *kapikiskwanaw*, meaning “we will talk.”

With that in mind, it is our responsibility as the Otipemisiwak Métis Government to create an atmosphere that fosters community, collectivity, and shared responsibility. As President, I must find ways to action these principles and the intent of our Constitution.

Responsibility to be a Role Model and Ambassador for Our Government

As President, I am a role model for our youth, Citizens, and communities. I am relied upon to be respectful and professional, as my actions reflect on Cabinet and the Métis Nation within Alberta as whole.

Under section 16.2 of our Constitution, I am also responsible to serve as the chief spokesperson for the Métis Nation within Alberta and the Otipemisiwak Métis Government, and to uphold the purpose, goals, and responsibilities of the Otipemisiwak Métis Government.

In fulfilling my roles within and outside of our government, I must conduct myself with respect and professionalism, and always remain aware that I am a public official that represents our government. Our Citizens and communities are counting on their leadership to represent them in a way that honours our ancestors, our Constitution, the and the hard work of our staff and Administration, in a manner that reflects the best of us.

Code of Ethics and Compliance with Métis Laws

As President, I must also ensure that I am aware of and fully compliant with the *Self-Government Act*, the *Code of Ethics Act*, and the policies and procedures of the Otipemisiwak Métis Government and its Institutions.

Cabinet Confidentiality

It is my duty to ensure that Cabinet discussions and draft documents provided to Cabinet, including those under my portfolio, are kept confidential, unless otherwise agreed upon by Cabinet. This ensures that Cabinet members are empowered to speak freely through open discussions, that solidarity is maintained following final decisions being made and for the effectiveness of the decision-making process.

Regulations passed by Cabinet or specific types of formal decisions made by Cabinet will be made available to Citizens through the Public Registry.

Collaboration with Provincial Secretaries and Citizens' Council

I am also responsible to proactively collaborate and coordinate with Provincial Secretaries where there are areas of overlap or shared interests between my mandate and others.

As a Cabinet member, I am part of a team that will work together to make meaningful change that is in the best interest of Métis within Alberta and in a manner that ensures fair, accountable, and transparent governance.

My Responsibilities as President

As set out in section 16.2 of our Constitution, the President is responsible for:

- (a) providing overall leadership and upholding the purpose, goals, and responsibilities of the Otipemisiwak Métis Government
- (b) serving as the chief spokesperson of the Métis Nation within Alberta and the Otipemisiwak Métis Government;
- (c) leading discussions of the Citizens' Council and attempting to seek consensus;
- (d) providing a President's Report to every meeting of the Citizens' Gathering;
- (e) selecting and mandating Provincial Secretaries from the Citizens' Council; and
- (f) voting at meetings only when required to break a tie.

Under section 75 of the *Self-Government Act*, the President is additionally mandated to cause notices of Cabinet meetings to be prepared and issued and to perform any other duty assigned to the President under Otipemisiwak Métis Government Law. Section 86 of the *Self-Government Act* also requires that the President act as the chairperson and preside over Cabinet meetings.

My Cabinet Portfolio

As set out in the mandate letter that each member of the Citizens' Council received, we have several key priorities that I should always keep in mind as I undertake my work as a Cabinet member and President, and as we come together as Cabinet. Over the next four years, it will be essential for us, as members of Cabinet, to make tangible progress on those overarching priorities and my specific portfolio priorities.

In addition to those overarching priorities, this mandate letter sets out my specific portfolio and priorities within Cabinet. It is our constitutional responsibility, as representatives of the Otipemisiwak Métis Government, to provide fair, responsible, transparent, and accountable governance to our Citizens of the Métis Nation within Alberta. In my role as a Cabinet member and President, I will meaningfully engage with our Citizens and communities to further understand their diverse needs and experiences.

Within my portfolio, the hope is that the following priorities and results can be advanced:

Advancing Métis Rights Recognition, Self-Government Implementation and Redress on Métis Claims

Since our birth as an Indigenous people over two centuries ago, self-determination and self-government has been fundamental to who we are. We are the Otipemisiwak—the people who own themselves. We were born of the land before Canada became Canada.

We have always sought to put in place a nation-to-nation, government-to-government relationship with Canada as well as other Indigenous peoples who we share these lands with today, and with whom we have shared futures.

In recent years, we have made significant gains in advancing our nation-to-nation, government-to-government relationship with Canada, leading to the historic signing of our Métis Self-Government Recognition and Implementation Agreement with Canada in February 2023 (2023 Self-Government Agreement).

Our 2023 Self-Government Agreement immediately recognized our Métis government in its existing form—as an Indigenous government—in a legally binding agreement that commits Canada to respecting and working with us to implement our vision of self-government.

Consistent with the commitments in our 2023 Self-Government Agreement, my Provincial Secretary mandate includes the following:

- Reaching a nation-to-nation, government-to-government agreement with the Crown that is protected by Canada’s Constitution (i.e., a modern-day treaty) that will guide our future relationship with Canada and other governments for generations to come.
- Undertaking consultations with our Citizens and communities on our Otipemisiwak Métis Government Treaty leading to a ratification vote on this historic agreement.
- Negotiating a long-term Fiscal Financing Agreement (FFA) with Canada as well as Tax Treatment Agreement (TAA) with Canada in order to support of self-government for generations to come.
- Support the full implementation of United Nation Declaration on the Rights of Indigenous Peoples, and the United Nations Declaration Act to advance the rights and interests of the Métis Nation within Alberta.
- Support the implementation of the Truth and Reconciliation Commission's Calls to Action, working towards healing, justice, and reconciliation for Indigenous peoples in Canada.
- Working with Canada to co-develop and implement a Métis Claim Process to identify, deal with and ultimately provide reconciliation and redress for the collective harms of of Canada’s past actions towards our people, particularly in relation to Métis Scrip and dealing with issues relating to Métis lands.
- Advocate for and support the advancement of Métis self-government and self-determination, including through recognition legislation to be passed by Parliament.

- Support the ongoing work to fully implement the Otipemisiwak Métis Government Constitution, including, the supporting the work of Citizens' Council, the establishment of District Councils, the creation of Institutions, etc.
- Advance Metis-driven and Métis-centered research as well as evidence-based decision-making grounded on strong Métis rights or related research to inform policy and program development across the Otipemisiwak Métis Government.
- Support the work of Administration to fully implement our internal self-government as well as our negotiations with other governments on Métis self-government related matters.

Crown Consultation and Accommodation

The Otipemisiwak Métis Government Constitution provides that District Councils, once established, will have responsibility and authority for dealing with any and all Crown consultation and accommodation activities within a given District, including, environmental mitigation and address resource development impacts on Métis rights.

In addition, any financial compensation, business opportunities or other benefits that may arise from consultation and accommodation shall reside at the local (i.e., District level) for the benefits of the Citizens and Métis communities must directly impacted by a Crown decision related to resource development or other decisions impacting Métis rights.

While Canada currently recognizes, respects and consults with the Otipemisiwak Métis Government based on a negotiated agreement, the Alberta Government continues to refuse to do so and have implemented a “Métis Credible Assertion Policy” that divides and negatively impacts the Métis Nation within Alberta, including, its Citizens and the Metis communities comprised of those Citizens.

Consistent with the commitments in our 2023 Self-Government Agreement, my Provincial Secretary mandate includes the following:

- Work with Locals who are becoming District Councils and established District Councils to ensure they are meaningfully consulted and accommodated by the Alberta Government in relation to provincial decisions that impact Métis rights.
- Develop strategies, including, various communications, political and litigation approaches to ensure the Otipemisiwak Métis Government—through its District Councils—are ultimately consulted and accommodated by the Alberta Government in relation to provincial decisions that impact Métis rights as well as highlight and detail ongoing concerns with the Alberta Government’s “Métis Credible Assertion Policy” and the recognition of questionable “Métis” organizations under Alberta’s current approach to the detriment of Citizens and the Métis communities comprised of this Citizens.

- Work to update the MNA-Canada Consultation Agreement with Canada in order to align this agreement with the Otipemisiwak Métis Government Constitution, including, the roles of District Councils and related on-the-ground realities related to Crown consultation and accommodation.
- Collaborate across portfolios to ensure Crown consultation (federal and provincial) is considered within all policies, programs, practices, and initiatives of the Otipemisiwak Métis Government.
- Support work across the Métis Nation within Alberta to collect baseline data and research that supports Crown consultation processes undertaken at the local (i.e., District) level or across Districts (i.e., throughout the Territories of the Métis Nation within Alberta) to inform and establish the evidentiary basis for the recognition, assertion, and advancement of Métis rights within Alberta.
- Work to support initiatives that ensure Otipemisiwak Métis Government consultation and accommodation processes undertaken by a District level, by a District Council or across multiple Districts is conducted in a manner that strives to ensure Métis rights are not adversely impacted, that seeks to minimize those impacts which cannot be avoided, that results in appropriate accommodation measures to offset those impacts, and that provides meaningful opportunities for citizens to participate in and inform these processes.
- Continue to build and maintain relationships with industry, government, internal, and other stakeholders that support and promote meaningful Crown consultation and accommodation with the Otipemisiwak Métis Government through its designated and authorities self-government structures.

Intergovernmental Relations

- Engage with and work with other governments across Canada, including, other Indigenous governments, to establish protocols, arrangements, agreements, etc. that advance positive and progress nation-to-nation, government-to-governemnt relationships for the Otipemisiwak Métis Government as well as the Métis Nation within Alberta.
- Continue to participate within the Métis National Council as a member of the Board of Governors, and actively support and participate in meetings of the Permanent Bilateral Mechanism with a focus on ensuring the Métis Nation within Alberta's distinct voice as a part of the larger Métis Nation is heard at a national and international as well as ensure the distinct rights, interests and claims of the Métis Nation within Alberta are protected.

- Collaborate across portfolio areas to ensure that the governance, authority, and right to self-determination and self-government of the Otipemisiwak Métis Government are understood and respected.
- In collaboration with other Provincial Secretaries of the Otipemisiwak Métis Government, support the development of capacity in portfolios where capacity may be limited or non-existent.

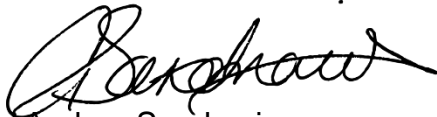
Justice

- Support the work of Administration to secure sustainable long-term funding to develop and maintain the Justice Department and associated programs, including building and retaining staff capacity.
- Engage with Citizens, Citizens' Council and District Councils to determine key needs and priorities in the justice sector.
- Support and inform the development of an Otipemisiwak Métis Government Justice Strategy Justice to support Citizens of the Métis Nation within Alberta by meaningfully addressing systemic racism, barriers, and other unique challenges faced by Métis Citizens across all aspects of the Justice System.
- Actively participate in meetings and working sessions through the Métis National Council to inform the co-development of a Federal Indigenous Justice Strategy with the Government of Canada.
- Work to ensure that the Métis Nation within Alberta is meaningfully involved in the justice system have access to fair and just treatment before the law that is culturally safe and free from racism.
- Ensure that Métis voices are embedded and prioritized in key provincial and federal Government initiatives involving justice legislation or justice related initiatives.
- Advance Métis-specific, distinctions-based legislation, policies, programs, and practices to meet the needs of Métis within Alberta involved in the justice system, including our 2SLGTBQIA+ community.
- Collaborate across portfolios to ensure that justice is considered within all policies, programs, practices, and initiatives of the Otipemisiwak Métis Government.
- Continue to build and maintain academic, government, and other external partnerships that move the justice portfolio forward.

- Develop a letters of intent or other arrangements to pursue a new reconciliation agreement that formalizes a shared commitment to embark on a new relationship with Alberta Justice, Alberta Public Safety and Emergency Services, Alberta RCMP, Alberta Association of Chiefs of Police, and Legal Aid Alberta, as it relates to justice.
- Support the work of Administration to secure sustainable long-term funding to develop and maintain the Justice Department and associated programs, including building and retaining staff capacity.

I look forward to working with Métis leadership, Citizens and communities across the Métis Nation within Alberta to fulfill the mandate and responsibilities that are entrusted to me. I am deeply humbled to have this opportunity to serve and lead with you as we continue to build a strong Métis Nation within Alberta.

Yours sincerely,



Andrea Sandmaier
President
Citizens' Council
Otipemisiwak Métis Government