



MÉTIS NATIONAL COUNCIL

FINAL REPORT

Mclvor Engagement Strategy

December 31, 2011

OVERVIEW OF THE STRATEGY

The exploratory process was designed to be an Aboriginal-led initiative to examine and discuss the broader issues relating to Indian registration, band membership and citizenship that go beyond the scope of the Bill C-3 amendments. The government did not pre-determine or pre-define the agenda or questions in terms of subject-matters dealing with registration, membership and citizenship. As such, the Métis National Council was able to design its own implementation of the strategy and engage in dialogues and presentations with the Métis community through those Governing Member assemblies and gatherings which fell within the funding arrangement time periods.

DIALOGUE SESSIONS

The Métis Nation exploratory process was designed to be inclusive by encouraging to all members of the Métis community and other Aboriginal groups or organizations in attendance at the public meetings, as well as including individuals at the national, regional and local community levels. Presentations and dialogues took place at the Métis Nation of Alberta general assembly (August 13-14, 2011), the Manitoba Métis Federation general assembly (September 11-12, 2011), Métis Nation British Columbia general assembly (September 23-25, 2011). The Métis Nation of Ontario undertook several discussions as part of their general assembly (August 20, 2011), although those discussions were undertaken prior to the full engagement of the Métis National Council. Dialogues were held at the Métis National Council meeting of the Board of Governors and Métis Rights Panel, where briefing notes and presentations were given (September 28-29, 2011). Finally, citizenship was discussed at the Métis Nation Constitution Workshop (December 12, 2011)

COMMUNICATION MATERIALS

As included in the midterm report from the Métis National Council, briefing notes were circulated at all of these public meetings, included in general assembly materials and provided for the basis of evidence given at the House of Commons Standing Committee on Aboriginal Affairs: Implications of R. v. Mclvor for the Métis (April 15, 2010). As well, a plainspeak document was developed and circulated to the Métis community and broader public which set out the core aspects of the legislative amendments.

RECOMMENDATIONS

The following recommendations and concerns were raised and noted during these dialogues:

- Recommendation 1: As citizenship within an Aboriginal nation touches upon and affects self-determination, Canada's approach to dialogue on citizenship must be undertaken on a nation-to-nation basis. The Métis Nation Protocol Agreement, signed between Canada and the Métis Nation in September 2008, provides a workable mechanism for implementation of this dialogue with the Métis.
- Recommendation 2: Concern was raised for the September 4, 1951 cut off date and the issue of unequal treatment within families. Remove the age discrimination component of Bill C-3 on Mclvor to address the elimination of status for those individuals who would otherwise be entitled to register under the Indian Act pursuant to the Mclvor amendments, but for the 1951 cut-off date. The response from the community to date suggests an issue of age discrimination.
- Recommendation 3: Want to ensure that the distinctness and rights of the Métis Nation is preserved both within the homeland and for those who move outside of the home land that their rights are still protected. A national definition with an accompanying national acceptance process should ensure that individuals are members of the Métis Nation regardless of where they choose to reside. No matter where we live, we are Métis.
- Recommendation 4: Métis people are continually harassed by governments as to who is Métis. It is important that the Métis Nation knows its citizens and stand up for those citizens wherever they reside. We need to work toward equal treatment by governments as that given to all other Aboriginal groups.
- Recommendation 5: Clarity is needed as to how Bill C3 affects the capacity of future generations to register under the Indian Act, including those children whose mother is eligible to register under the Indian Act but decides not to register or for those whose mother registers but the children do not wish to do so.
- Recommendation 6: There is no place for governments to be involved in decisions of Aboriginal identity and citizenship. This is the responsibility of the Aboriginal peoples themselves to sort out any issues arising from this responsibility.
- Recommendation 7: The historic connection to the Métis homeland must be asserted. The mass majority of Métis people will fit into the Métis Nation definition and there may be a few people who fall into both categories. What do we do with these few people? First Nations are currently defined by Canada although there are some capacities regarding band membership. The Métis continue to exercise the right

to define ourselves, recently supported by the Supreme Court of Canada in *Cunningham v. Alberta*, and we have to protect that right. The Métis Nation has to develop policy regarding the treatment of these few people; we don't have to disenfranchise them. The Métis Nation should decide.

- Recommendation 8: We need to conduct research on the Métis Nation people who were born and raised and may continue to reside on the American side of the Canada-U.S. border and cannot prove their Métis ancestry. They are Métis.
- Recommendation 9: The historic Métis Nation is an Aboriginal people. We need to ensure that the efforts of other Aboriginal people, who claim Métis status under the Constitution does not interfere with our rights as Métis Nation. We are an Aboriginal nation. We have to be careful of little M and big M definitions being used to undermine our authority or interfere in our governance.
- Recommendation 10: While the individual citizens of the Métis Nation may have diverse opinions regarding the citizenship issue, we must stand behind our governance decisions. What we are seeing from the Supreme Court of Canada and other lower courts is a recognition and coming together of all past and present struggles and positions. We may have a personal view but we must stand together as Métis with one voice. Governments must also respect our governance decisions.
- Recommendation 11: Establish a means by which individual persons, identifying as Métis Nation citizens, who seek to be removed from the Indian Act registry and regain their status in the Métis community, can seek to do so. This has been a long-standing issue.