

Métis Nation of Alberta Commends Work of Ministerial Special Representative on Métis Section 35 Rights

Report Sets Stage for Nation-to-Nation Discussions with the Federal Government

(July 21, 2016) — Today, Métis Nation of Alberta (“MNA”) President Audrey Poitras offered her thanks and appreciation to Mr. Thomas Isaac—Canada’s Ministerial Special Representative (“MSR”) on Métis Section 35 Rights—for his helpful and thorough report on how to advance reconciliation with the Métis Nation.

Mr. Isaac’s report, entitled, “A Matter of National and Constitutional Import” was publicly released today and comes after he was appointed in June 2015 to meet with the MNA, other Métis Nation governments, provinces, territories and other interested parties in order to assess the current state of affairs and provide independent advice and recommendations on a “way forward” on Métis Section 35 Rights. A copy of the report is available at www.albertametis.com.

Mr. Isaac’s report makes 17 recommendations and includes key findings that should guide future federal action on Métis Section 35 Rights issues, including, the need for:

- the development of a Section 35 Métis Rights Framework that will be implemented with Métis governments such as the MNA who represent Métis rights-holders that meet the legal framework set out in the Supreme Court of Canada’s *Powley* case. (Recommendation #16)
- Métis inclusion within existing federal claims processes available to other Aboriginal peoples or the development of a new Métis-specific claims process to address unresolved Métis claims flowing from the “the Cold Lake Air Weapons Range and its effects on Métis harvesting activities, ... the implementation of Dominion Lands Act [Métis] scrip commissions ... and various claims against governments for the failure of the Crown to consult with Métis” (Recommendation #9 and MSR Report at p. 30)
- a ‘whole-of-government’ approach for improved information and knowledge about the Métis Nation and Métis Section 35 Rights amongst federal officials and Indigenous and Northern Affairs Canada regional offices, including improving federal Crown-Métis consultation processes through negotiated agreements. (Recommendations #1, 4, 5, 10, 11)
- timely, stable and long-term federal funding to support Métis governments like the MNA, including permanent support for the MNA’s centralized Registry that has registered over 35,000 Métis citizens and Section 35 Métis Rights-Holders throughout Alberta since 2004. (Recommendations #2, 6)

- a comprehensive review of existing federal programs and services available to Indigenous peoples as well as all future federal initiatives to ensure they deal with the Métis distinctly and equitably, including avoiding lumping the Métis in with non-status Indians or dealing with Métis through pan-Aboriginal or urban Aboriginal policies. (Recommendation #3)

In addition to his recommendations to the Government of Canada, Mr. Isaac noted the ongoing “irritation” the previous Alberta Government’s policy on Métis harvesting rights continues to have on Crown-Métis relations. Specifically, Mr. Isaac wrote:

The 2004 interim Métis Harvesting Agreement (2004 Agreement) between Alberta and the MNA recognized the Métis right to harvest for food by members of the MNA at all times of the year on all unoccupied Crown lands throughout Alberta without a licence. In 2007 this agreement was terminated by Alberta and replaced unilaterally with a policy that recognized 17 Métis communities north of Edmonton to harvest generally within a 160km radius of the community. The termination of the 2004 Agreement is a significant irritant for the Métis in Alberta. This in turn affects who Alberta consults with regarding potential adverse effects to Métis harvesting rights. Alberta, the MNA and the Métis Settlements General Council should discuss and attempt to resolve the termination of the 2004 Agreement so that the ultimate framework to manage Métis harvesting rights in Alberta is based on Mutual agreement, as the 2004 Agreement contemplated.” (MNR Report, p. 23)

President Poitras commented, “I am very pleased that Mr. Isaac’s report, which recognizes the MNA’s ‘comprehensive citizenship registration system’ as well as our ‘well-developed program and service delivery systems’ for all Alberta Métis. What is apparent in his report, however, is the need for progress with the MNA on Métis rights, Crown consultation and self-government issues. We look forward to working with the Government of Canada as well as the Alberta Government to advance these issues of fundamental importance to Alberta Métis.”

The MNA is the representative government of Métis Nation citizens and Métis in Alberta. For more information, visit www.albertametis.com.

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