Please find attached a copy of the “What We Heard” report based on the province-wide consultations on Métis identification and registration held between October 2010 and March 2011. The report attempts to identify the themes, issues and suggestions heard throughout Phase I of the consultations, so more focused consultations can take place in Phase II of the consultations.

Ongoing feedback and comments from MNO citizens on this “What We Heard” report are welcome. Specifically, as mandated by the 2010 MNO AGA resolution, this consultation process will span two years, and MNO citizens are encouraged to share their thoughts, questions and comments at all stages of the consultations. If you have input, feedback or comments about the “What We Heard” report please contact: Jane Brennan at the MNO Head Office at 1-800-263-4889 or via email at janeb@metisnation.org.

Pursuant to the 2010 MNO AGA resolution that mandated these consultations on Métis identification and registration, this “What We Heard” report will be tabled with the 2011 MNO AGA for its consideration and review. Phase II of the consultations will begin in the later part of 2011 and continue into 2012. Check out the MNO’s website at www.metisnation.org for updates on the next phase of the consultation process.
Métis Identification and Registry
2010/2011 Community Consultations
What We Heard Report

June 2011
Please note that this document was developed as an internal consultation document only. The input, suggestions and ideas put forward in this paper are without prejudice to the legal positions the MNO the rights-bearing Métis communities in Ontario it represents. It is designed to facilitate internal discussion and should not be used for any other purpose other than the one it was intended for.

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# Métis Identification and Registration
## 2010/11 Community Consultations
### “What We Heard”

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The Métis Nation of Ontario

Prior to Canada’s crystallization as a nation, a new Aboriginal people emerged out of the relations of Indian women and European men. While the initial offspring of these Indian and European unions were individuals who simply possessed mixed ancestry, subsequent intermarriages between these mixed ancestry children resulted in the genesis of a new Aboriginal people with a distinct identity, culture and consciousness in west central North America – the Métis Nation.

This Métis people were connected through the highly mobile fur trade network, seasonal rounds, extensive kinship connections and a collective identity (i.e., common culture, language, way of life, etc.). Distinct Métis settlements emerged throughout what was then called “the Northwest”. In Ontario, historic Métis settlements emerged along the rivers and watersheds of the province, surrounding the Great Lakes and throughout to the northwest of the province. These settlements formed regional Métis communities in Ontario that are an indivisible part of the Métis Nation.

In 1993, the Métis Nation of Ontario (“MNO”) was established through the will of Métis people and Métis communities coming together throughout Ontario to create a Métis-specific governance structure. Prior to 1993, Métis had been involved in pan-Aboriginal lobby groups and organizations. The MNO was not created to represent all individuals and communities that claim to be Métis, but those individuals and communities that are a part of the Métis Nation.

At its original meetings, Métis representatives from communities throughout the province set out the foundational vision for the MNO. This vision is encapsulated in the MNO Statement of Prime Purpose (Annex A). The statement is a seminal document for the MNO and it sets out why the MNO was formed, who MNO represents, and what the MNO wants to achieve. The statement has been central to the MNO’s success over the last 18 years.

The statement also affirms that the MNO was created to represent Métis people and communities in Ontario that are a part of the Métis Nation. Specifically, the document states,

“We, the Métis are a people of the lands which gave rise to our history and tradition and culture. We call these lands the Métis Homelands. The Homelands stretch from the lakes and rivers of Ontario; cross the wide prairies; traverse the mountains into British Columbia and into the far reaches of the Northwest Territories. They include the hills and valleys of the north-central American
States. These are our lands. They are Métis lands. They are the lands of our past which nurture us today and which we value as the precious foundation of our future.”

Some of the goals set out in the MNO Statement of Prime Purpose include:

- Creating a Métis-specific governance structure for the implementation of the nation’s inherent right to self-government in the province;
- Establishing a credible and recognized identification system for Métis people within the province;
- Focusing on ‘nation building’ through working together as a collective in order to support Métis citizens and communities;
- Pursuing a rights-based agenda and proudly asserting the Métis existence as a distinct Aboriginal people within Ontario;
- Protecting and preserving the distinct culture and heritage of the Métis Nation in the province; and,
- Improving the social and economic well-being of Métis children, families and communities throughout the province.

Today, based on the pursuit of the abovementioned vision and principles, MNO has built an impressive province-wide governance structure which includes: an objectively verifiable, centralized registry of over 15,000 Métis citizens;¹ approximately 30 Chartered Community Councils across the province which represent Métis citizens at the local level; a provincial governing body that is elected by ballot box every four years; an Annual General Assembly where regional and provincial Métis leaders are required to report back to Métis citizens yearly between elections; a charitable foundation which promotes and supports Métis culture and heritage; and, an economic development arm.

In addition, the MNO has built an accountable, results-based provincial delivery structure to meet the socio-economic needs of its citizens and communities. Currently, the MNO delivers programs and services to its citizens through these branches: Health Services; Education and Training; Housing; and, Lands, Resources and Consultation. Through these various branches, the MNO maintains 30+ service delivery access points across the province, administers over $20 million annually, and, employs over 150 employees across the province.

The MNO also maintains an Intergovernmental Relations Branch that facilitates its relationship with the provincial and federal government through bilateral and trilateral processes. Notably, on November 17th, 2008, a MNO-Ontario Framework Agreement

¹ Currently, the MNO only registers Métis citizens over the age of 16 years. If children were registered, the MNO’s registry would include approximately 44,000 individuals. As well, the MNO’s registry has approximately 1,900 ‘pending’ applications, which require additional documentation in order to meet the MNO’s application requirements. On average, the MNO has historically and continues to receive approximately 1,000 new citizenship applications each fiscal year.
was executed to strengthen the relationship between Ontario and the MNO, enhance the
capacity of the MNO, recognize the distinct identity and culture of the Métis people, and,
improve the quality of life of Métis children, families and communities in the province.
MNO and Ontario work collaboratively together to honour this agreement and implement
its commitments. As well, the MNO-Ontario-Canada tripartite process enables the MNO
to pursue shared priorities with both levels of government.

The MNO has also built a notable communications network to reach its citizens and
partners throughout the province. The Métis Voyageur, the MNO’s bi-monthly
newspaper, reaches over 12,000 Métis households as well as governmental and non-
governmental partners. The MNO also maintains a website at www.metisnation.org to
keep Métis citizens connected and informed. Finally, the MNO undertakes a robust
public affairs and media relations program to promote and highlight Métis issues and
interests in the province.

On rights-related issues, the MNO has achieved many successes and is a recognized
leader in advancing rights and self-government issues for the Métis Nation. It is
responsible for initiating and supporting the historic Powley case – the first Supreme
Court of Canada case to affirm the constitutionally protected harvesting rights of the
Métis. It is the only Métis government in Canada to negotiate and have in place a
province-wide harvesting accommodation agreement with a provincial government,
based on its own Métis-made harvesting policy. It has also developed an effective
consultation framework to ensure the Crown’s duty to consult and accommodate is
fulfilled.
II Background for Consultations

A. Context for Consultations

Since its creation, one of the things that has set the MNO apart from other ‘groups’ and ‘associations’ has been its centralized registry. The MNO Registry has been fundamental to the MNO’s credibility and successes over the last 18 years. The MNO Registry is essential to the MNO being a Métis government – not just a pan-aboriginal, membership-based association.

Over the last 18 years, there have been many changes within the MNO, as it has developed and evolved. Naturally, there have also been many changes that have affected the MNO Registry over the years (i.e., directions from MNO Annual General Assemblies, changes in MNO membership requirements, legal developments, etc.).

Unfortunately, over the years, the MNO has never had the funding or opportunity to thoroughly engage, consult and communicate with its citizens and communities on these Métis identification and registration issues, as they arose. This lack of consultation and effective communications has often caused and continues to cause confusion and misunderstandings with respect to the MNO Registry.

There are also other issues that have emerged in more recent years that led to increased challenges for the MNO Registry. Some of these include:

- Misunderstandings and a lack of effective communications on the Interim Registry Policy\(^2\) that was adopted in 2009. The Interim Registry Policy was put in place to provide administrative guidelines to MNO Registry staff (i.e., ensuring MNO Registry staff had direction rather than making arbitrary and unilateral decisions), but it was not made clear to all MNO citizens that this policy did not change the MNO definition of Métis that was unanimously adopted by the 2004 MNO AGA.

- A lack of stable and ongoing funding for staff and capacity within the MNO Registry (i.e., only 2 staff at times, limited and fluctuating funding, etc.). This has caused significant backlogs in responding to applications and sending out follow up letters. This lack of predictable and timely funding has also led to a lack of training of MNO Registry staff that has sometimes resulted in inconsistent approaches being communicated by MNO Registry staff to applicants and MNO citizens, and inappropriate communications from the MNO Registry to MNO citizens and applicants with respect to MNO Registry policies.

- Family members of existing MNO citizens applying for citizenship being asked to provide additional documentation because previous MNO Registry files are incomplete (i.e., missing long form birth certificates, missing genealogical documentation). This has led to individuals feeling that their family’s

\(^2\) A copy of the Interim Registry Policy is available at the MNO’s website: [www.metisnation.org](http://www.metisnation.org).
“Métisness” is being questioned, rather than these requests being seen as the MNO attempting to ensure the MNO Registry is as credible as possible.

- An increased number of applications by individuals who previously belonged to other pan-Aboriginal groups that had very different definitions of “Métis” than the MNO as well as applications by individuals who believe anyone who simply self-identifies as Métis should be registered as MNO citizens. These new applicants do not agree with the MNO’s longstanding positions that have been set out since 1993 in the MNO Statement of Prime Purpose, and want the MNO to change to accommodate their broad-based views on Métis identity.

- Upcoming Changes to the Indian Act in Bill C-3 based on the court case *McIvor v. Canada*. These changes will likely pass in the Fall of 2010. These changes may result in some Métis citizens being able to register as Indians if they so choose. There is a need to discuss the potential impacts of the *McIvor* case and Bill C-3 within the MNO.

- Increased importance on having a credible and “objectively verifiable” registration system in order to further advance Métis rights with governments through negotiation and to prepare for future litigation. As well, the MNO Registry and recognition of Métis rights directly correlates to Métis consultation and accommodation opportunities as a part of the Crown’s duty.

Taken together, these issues, combined with others, led to a call for the MNO to have a transparent, open and frank discussion about where the MNO comes from and where it wants to go in the future with respect to the MNO Registry. In response, a multi-year Métis identification and registration consultation process was approved by the 2010 MNO AGA.

The goal of these consultations is to develop consensus-based solutions to move the MNO forward based on its *Statement of Prime Purpose* and the ultimate goal of advancing Métis rights and self-government in Ontario.

**B. Mandate for Consultations**

The 2010 MNO AGA passed the following resolution by consensus:

WHEREAS in 1993, the MNO was founded on the collective will of Ontario Métis wanting to:

1. support Métis culturally, socially and economically,
2. ensure the aboriginal and treaty rights of Ontario Métis were recognized and respected in the province, and,

AND WHEREAS the MNO’s rights-based aspirations and goals are reflected in the MNO Statement of Prime Purpose which includes establishing a credible system for the identification of Métis citizens in Ontario through a centralized registry:
AND WHEREAS the MNO Registry is key to the MNO being a Métis government – not just a pan-aboriginal, membership-based association.

AND WHEREAS the MNO Registry has been fundamental to the MNO’s credibility and rights-based victories over the last 17 years;

AND WHEREAS in R. v. Powley, the Supreme Court of Canada recognized that objectively verifiable Métis identification systems are essential to future Métis rights assertions and claims;

AND WHEREAS over the last 17 years within the MNO, there have been many changes that have affected the MNO Registry (i.e., directions from MNO Annual General Assemblies, changes in MNO membership requirements, legal developments, etc.);

AND WHEREAS there are many current and upcoming issues with respect to Métis identification and registration that need to be discussed within the MNO, including: the MNO definition of Métis; the MNO Interim Registry Policy, the potential impacts of the McIvor Case/Bill C-3 on the MNO Registry; dealing with incomplete registry files; etc.

AND WHEREAS over the years, the MNO has never had the funding or opportunity to thoroughly engage and consult Métis citizens and communities on these Métis identification and registration issues, as they arose and this lack of consultation has sometimes caused confusion or misunderstandings with respect to the MNO Registry.

AND WHEREAS the MNO’s current leadership, including, the PCMNO and MNO Chartered Community Councils as well as this Annual General Assembly have identified a province-wide, multi-phased consultation process on Métis identification and registration issues as a priority;

AND WHEREAS through these consultations, MNO citizens will be able to be informed and discuss how the MNO Registry has evolved over the last 17 years and they will also allow MNO citizens to discuss current and emerging issues that may have impacts on the MNO Registry in the future;

THEREFORE BE IT RESOLVED that the MNO initiate a province-wide, multi-phased consultation process on Métis identification and registration issues (as generally outlined on the attached chart) in order to develop consensus-based solutions to move the MNO forward based on its Statement of Prime Purpose and ultimate goals of advancing Métis rights and self-government in Ontario;

AND FURTHER BE IT RESOLVED that based on the initial consultations to be conducted in the Fall/Winter of 2010/2011 a ‘What We Heard’ report will be tabled with the 2011 MNO Annual General Assembly for its consideration and review.

AND FURTHER BE IT RESOLVED that this Annual General Assembly affirms that no existing MNO citizen will be removed from the MNO Registry other than for the removal provisions that are set out in the MNO bylaws (i.e., on another Aboriginal registry, etc.);

AND FURTHER BE IT RESOLVED that while these consultations are ongoing the longstanding MNO Registry verification processes for existing MNO citizens to run and hold office will be maintained.
III Overview of Consultation Process

A. Overview of Process

The 2010 MNO AGA set out the following timeline for the Métis identification and registration consultation process:

From the end of October 2010 to the first week in March 2011, the MNO held 27 community consultation meetings across the province, as a part of Phase I. These meetings included participation from over 1,000 MNO citizens. These meetings also included representatives from all of the MNO Chartered Community Councils, members of the Provisional Council of the MNO, Senators, Youth, Women’s Representatives, Veterans, etc.


The focus of these consultation meetings was on the MNO Registry and related issues pertaining to Métis identity, as directed by the 2010 MNO AGA. A consultation booklet, entitled, Métis Identification and Registration Consultations, was developed and circulated to all participants, along with other resource materials (i.e., MNO Interim Registry Policy, etc.). This consultation booklet was also posted to the MNO website at http://www.metisnation.org/registry/consultations.aspx.
B. The Structure of the Consultation Meetings

All of the meetings had a common agenda and proceeded in a similar fashion. After an opening prayer, usually given by a Senator, France Picotte, the MNO Chair, welcomed participants and set the context for the meeting. She was usually followed by the President of the MNO Chartered Community Council and in many cases by a Regional Councillor. Seven of the meetings also had Captains of the Hunt present. Other members of the PCMNO Executive Committee (Vice Chair Sharon McBride and Secretary-Treasurer Tim Pile) attended two of the meetings as did several MNO staff members.

At all meetings, MNO President Gary Lipinski gave a short overview of the current state of the MNO followed by a power presentation entitled “Registry Consultations”, given by Jason Madden (MNO Legal Counsel), Melanie Paradis (MNO Director of Lands, Resources and Consultation Branch) or Karen Drake (Métis Lawyer). Following these presentations, Ms. Picotte opened the floor to questions and comments. President Lipinski gave some brief, concluding remarks and the Senator closed the meeting with a prayer. Most of the meetings lasted between 2 to 2.5 hours, but some lasted more than 3 hours due to numerous questions and lively input from attendees. The firm Hunter-Courchene Consulting Group was contracted to provide notes from each of the meetings. At all of the meetings, the MNO also indicated that participants could make their views known through the MNO web site or by writing to the MNO’s leadership.

In some of the meetings, some participants voiced criticisms of the consultation process itself. These criticisms included: the length of the opening presentations; the timing and location of the meetings; and, a lack of clarity on what was expected of participants. In one meeting, there was also controversy around whether the meeting should be videotaped and posted to the Internet. In others, participants believed the length of the opening presentations was important to set the context for many MNO citizens who may not have been as familiar with how the MNO was established and has evolved. As well, many participants indicated a strong interest in being updated on how Métis rights are being advanced in the courts, since these cases have an effect in Ontario.

What now follows is a brief summary of President Lipinski’s opening remarks and the power point presentation that kicked off the consultation meetings.

**President Lipinski’s Opening Remarks**

After indicating his pleasure at attending the consultation meetings, President Lipinski gave an update on the current MNO programs and issues. He noted that the MNO some two years ago had developed a strategic plan to provide a blueprint for moving forward. Specifically, the plan emphasized the importance on building on the successes of the MNO in its Métis rights agenda – in particular on the Supreme Court of Canada’s judgment in the Powley case.

In addition to working on rights issues, the MNO has emphasized the social side of the agenda. Among other things, the President pointed to the establishment of the MNO-
Ontario Framework Agreement with the Ontario Government, an umbrella agreement in which other Ministries can participate. The Ministry of Education and Training was one of the first to come under the Framework Agreement process and discussions with other Ministries are underway.

President Lipinski then proceeded to provide a brief history of the MNO, which was founded in 1993 and since then has gone through a huge growth period. He put particular emphasis on the Statement of Prime Purpose and urged participants to take the time to read it. In addition to establishing the fundamental understandings and directions of the MNO, this statement called for the creation of the MNO Registry.

That historical overview then led to a brief history of the Registry itself and in particular how the Registry has adapted to changing standards since its creation in 1993. Despite this enormous progress, Mr. Lipinski noted that there were still a number of outstanding issues and this was the reason for undertaking these consultations.

**Power Point Presentation on Registry Consultations**

Following President Lipinski’s remarks was an overview of key MNO historical events with a particular focus on the MNO Registry and its evolution. A copy of the powerpoint presentation and consultation booklet that was used for the presentation is available at [http://www.metisnation.org/registry/consultations.aspx](http://www.metisnation.org/registry/consultations.aspx). Some key points in the presentation included:

- The MNO was founded in 1993 to create a Métis-specific government to advance Métis rights and interests. The MNO was not created to represent all people who claimed to be “Métis”. The MNO broke away from other groups and organizations to pursue a Métis-specific agenda for the Métis Nation.
- The MNO Statement of Prime Purpose, which sets out the MNO’s vision and aspirations, established the goal of developing a registry – a critical aspect to advancing Métis rights and self-government and moving past a “membership-based association” to a “citizenship-based government”. This registry was created to include the citizens of the Métis Nation, not other Métis.
- Significant events in the evolution of the MNO Registry included the following: i) the requirement for a genealogy for MNO registration in 1995; ii) in 1997 and 1999 changes to the initial definition (self-identification) to the requirement that an applicant, in addition, have Métis ancestry and be distinct from Indian peoples and Inuit; iii) the Powley decision in 2003 that affirmed the fundamental principle on which the MNO and its registry are based – that rights-bearing Métis people are not just mixed aboriginal ancestry individuals but are descendants of distinctive Métis communities; iv) the adoption in 2004 of the National Definition by all of the MNC’s Governing Members; and v) the adoption in 2009 of the MNO’s Interim Registry Policy, which was designed to clarify how the National Definition would be applied in light of the Statement of Prime Purpose and other MNO governance documents.
Futures events which will continue to influence the evolution of the Registry include changes to the *Indian Act*, upcoming court cases, dealing with appeals, these consultations and other developments that protect and advance Métis rights.

The 1996 Report of the Royal Commission on Aboriginal Peoples affirmed a number of critical MNO principles: that the Nation and not others should decide who are citizens; that Métis Nation includes parts of Ontario; and that the Métis Nation is the most significant Métis collectivity in Canada.

The 2003 Supreme Court decision in *Powley*, in addition to the central point noted above – that Métis are descendants of distinctive Métis communities - stated that the diversity among groups of Métis may mean the existence of Métis “peoples” and that credible registries are needed to assert rights. Further, the Court noted that “…no matter how a contemporary community defines membership, only those members with a demonstrable ancestral connection to the historic community can claim a s. 35 right”.

A brief overview of the fight for Métis rights across Canada included the following highlights: i) the Labrador Métis changing their name to reflect its members’ Inuit heritage, rather than claiming a distinct Métis culture; ii) the findings in several court cases that there are no rights-bearing Métis communities in New Brunswick; iii) the identification in the *Powley* case of numerous historical events across Ontario of Métis collective action or clear assertions of a distinct Métis identity; iv) the development of a Métis Harvesting Agreement between the MNO and the Province of Ontario, the only one of its kind in Canada; v) the finding in *R. v. Goodon*, a Métis harvesting case in Manitoba, that the rights bearing Métis community encompassed approximately 45,000 sq. km; vi) several Métis harvesting cases in Saskatchewan (*R. v. Laviolette, R. v. Belhumeur*) affirming regional rights-bearing Métis communities in that province; vii) Alberta Métis are currently pursuing a test case in that province to address mobility in Métis harvesting rights (i.e., Métis being able to move between locations without losing harvesting rights).

The demonstration of the importance of a credible registry system in asserting Métis rights was borne out in *R. v. Beaudry* in 2006, a case sponsored by the Ontario Métis Aboriginal Association (OMAA). The defendants were found guilty on all counts because of their inability to provide credible genealogical evidence that they met the *Powley* test for a s. 35 right. This case and others make it clear that if a Métis registry has no credibility it cannot be relied upon by Métis to have their rights recognized. This case is in stark comparison to the MNO’s case in *R. v. Laurin* where the court recognized and relied on the MNO Harvester's Card system.

In summary, the MNO Registry is important because it protects and advances Métis rights; ensures the MNO-MNR Harvesting Agreement is maintained; is important for consultation and accommodation; ensures Métis people are representing Métis people; and collects important historical information for future Métis rights claims on lands, harvesting etc.
Consultation Questions

In order to open up discussions, the following questions were suggested to start the discussions, but the discussions were not limited to these questions.

- Why do Métis have rights? Where did historic Métis communities emerge in Ontario? What do you need in order to have a ‘historic Métis community’?
- How do we determine how far the Métis Nation Homeland goes into Ontario? What needs to be done with respect to research on this issue?
- What is the Statement of Prime Purpose? Why do we have a MNO Registry? What would it mean for our rights-based agenda if we didn’t have a MNO Registry?
- What does the National Definition of Métis mean? Why was it developed? How was it developed? What is the Métis Nation “Homeland”?
- What is the Interim Registry Policy? Why was it developed? What does it mean? What changes should be made to it?
- How do MNO Registry staff make decisions? What if people don’t agree with these decisions? What should an appeal process look like? Who should oversee appeals?
- What does the MNO do with existing MNO citizens that have MNO Registry files that are not complete? Should they be required to complete their files like new applicants have to in order to run for office in the MNO?
- Should new applicants, who do not provide the required documentation, be ‘grandfathered’ in because members of their family are MNO citizens? If so, should there be a cut off?
- Should the MNO consider having an independent, arms-length body manage and/or oversee the MNO Registry?
- Why do governments have to consult with Métis communities? Why is the MNO Registry important to Métis consultation and accommodation claims?
IV What We Heard

A. Overview of Section

This section of the “What We Heard” document is based on the consultation meetings, the summaries prepared from those meetings as well as the feedback received from MNO citizen throughout the consultation process, including, some written submissions. The 2010 MNO AGA resolution directed the MNO to produce a collective “What We Heard”. Therefore, individual meeting minutes have not be prepared or circulated, but the points raised in the meetings have been consolidated into this report.

This document attempts to organize the points, issues, questions and suggestions that were made by participants into a format that can assist the next phase of the consultations. It should be noted that the various points of view and perspectives set out in this document do not necessarily reflect the views of the MNO and are without prejudice to legal positions the MNO and rights-bearing Métis communities in Ontario. This document has been developed to solely facilitate internal discussions and consultation within the MNO and should be used for no other purpose.

The input received from the consultations should be viewed as a resource to assist the ongoing consultation process, but it does not provide “answers” or a prescriptive “road map” for what should be done, since the first phase of the consultation process was focussed on introducing these important and complicated issues to all MNO citizens so a transparent, frank and open discussion can be had within the MNO on Métis identification and registration issues.

As outlined below, on some topics there was overwhelming consensus and clarity from MNO citizens on future directions as well as helpful suggestions that could be undertaken while the next phase of the consultation is ongoing. On other consultation topics, there were varying opinions and options put forth, which need to be further explored. As well, the consultations identified additional questions that were not originally considered by the MNO in developing its consultation materials, which require further consideration.

Specifically, this section of the report is divided into three related sections:

1. Section B provides a summary of some of the overarching themes and issues that were repeatedly raised in the consultations and where there appeared to be consensus. It also includes suggestions and recommendations made in relation to those themes and issues.

2. Section C provides an overview of the issues that were raised at various meetings throughout the consultations, but where was not clear consensus, at this time. It also includes suggestions and recommendations made in relation to these issues.

3. Section D includes additional questions, issues and topics that were raised by individuals throughout the consultations, but may not necessarily relate specifically to Métis identification and registration issues.
B. Common Themes and Issues

The points below outline some of the principles, themes and issues heard repeatedly throughout the consultations. They are not in any particular order of importance. Many of these themes and issues appeared to have broad-based support throughout the majority of consultations meetings. However, where there was some disagreement or differing views from a minority of participants in various meetings those are noted. As well, throughout the various consultation meetings, recommendations and suggestions were made by participants with respect these principles, themes and issues, and those are noted too.

This report has been structured in a manner that attempts to find “common ground” in order to constructively move forward on the important, complex and emotional issues of Métis identification and registration. As set out in the MNO Statement of Prime Purpose, the MNO Bylaws and the MNO Rules of Order, the MNO values and attempts to pursue consensus-based decision-making, whenever possible. Consensus-based decision-making attempts to find creative solutions or accommodations that everyone can support by not solely focussing on areas where there are significant differing views. Instead, consensus-based decision-making focuses on trying to find solutions that keep people together and move issues forward, rather than entirely focussing on the issues where there are fundamental disagreements and which will ultimately create “winners” and “losers”.

Consensus does not mean that everyone has to agree on each and every issue. That is simply not realistic in most groups or Aboriginal nation, and nearly impossible in such a large and geographically diverse group like MNO. Notably, even amongst families, people have different perspective and opinions. Instead, consensus tries to find a constructive way through differing views and perspectives, rather than letting those differences create animosity, confrontation and frustration. It focuses on the ideal that people want to find a way to work collaboratively together, and that people who may have differing views on some topics likely still have more in common than they do where they do apart.

Focussing on that “common ground” amongst MNO citizens, so everyone can support ultimately support a decision, is what has made the MNO a successful representative government for the Métis Nation in the province over the last 18 years. The MNO’s value on attempting to find consensus is what underlies the identification of these themes and issues.

MNO citizens believe in and support the MNO

Most participants indicated that are very proud of all the MNO has accomplished over the last 18 years, regardless of whether they have personally supported specific decisions or the MNO’s political leadership - past and present - at the local, regional or provincial levels. MNO’s success is impressive and a source of pride for many.

Some are proud of the vital Métis-specific programs and services it provides to Métis individuals, families and communities. Some are proud of how MNO has won the recognition of Métis rights and how it continues to push on rights issues such as harvesting, historic injustices against Métis (i.e. residential schools, Métis veterans, etc.),
the need for Métis lands, consultation, accommodation, etc. Some are proud of the higher profile it has given Métis in Ontario and allows them to “hold their heads high”. Some are proud of how Métis culture is being revitalized and celebrated more across the province.

Regardless of their specific source of pride or personal politics, participants affirmed there is broad-based support for the MNO amongst its citizens and communities. There was a clear recognition that the MNO has moved the Métis Nation forward, and many people – from throughout the province – have played a role in that, whether through holding elected office, volunteering time to the MNO or simply applying to the MNO for citizenship. It was stressed in some meetings that this “pride in the MNO” and all it has accomplished in 18 short years should be highlighted and celebrated more.

Suggestions related to this issue include:

- Celebrate the MNO’s achievements, rather than focus on divisive issues or negativity.
- Profile success stories of ordinary MNO citizens (not necessarily elected leaders or individuals who are actively involved politically) in the Métis Voyager.
- Create a section in Métis Voyager that includes articles on what MNO means to ordinary MNO citizens (not necessarily elected leaders or individuals who are actively involved politically).

Advancing Métis rights must continue to a priority for the MNO

While there was differing views and disagreements on various issues throughout the consultations, there was universal support for the recognition and advancement of Métis rights. Many participants stressed that this was, in their view, the central reason the MNO was created; namely, to pursue a Métis rights-based agenda. All participants were supportive of Métis rights and saw the rights-agenda as something the MNO must never abandon and must continue to press with governments and in the courts.

Many participants indicated that there was not enough information provided about Métis rights by the MNO. For example, many expressed interest in learning more about the basis for Métis rights, and what is required to meet the “test” set out in Powley for Métis communities. Some participants were surprised to learn about the connection between the strength and integrity of the MNO Registry and the pursuit of a Métis rights agenda. These participants thought it was important for the MNO to better explain this to citizens, so they understand why the MNO has increased the documents required for the MNO Registry over the years.

It was clear that many participants did not want the gains the MNO has made on Métis rights to be lost or damaged by the outcomes of the consultations on Métis identification and registration. However, it was also noted that the decisions made on citizenship and registration must be made by the Métis people and communities the MNO represents –
not the courts or Canada’s laws. It was suggested by some participants that in any future decisions and/or options put forward in the consultations the potential impact on Métis rights be identified. As well, it was urged by some participants that MNO be “strategic” on these issues, rather than falling into traps set by governments who may not want MNO to advance Métis rights sooner.

Some participants noted that too much focus is always placed on Métis harvesting rights, and that other Métis rights should be pursued and discussed within the MNO too. For example, the pursuit of land claims, reclaiming previously used Métis lands, language rights, compensation for Métis veterans, equality with other Aboriginal peoples and recognition of Métis government structures were just some of the other rights-based issues raised by participants. There was also an interest from citizens to be more regularly updated about Métis rights-related developments across the Métis Nation because these issues affect Ontario. Several communities requested more information about the Manitoba Métis Federation’s land claim that was headed to the Supreme Court of Canada.

In one community meeting, participants raised concerns that the MNO “listens too much to lawyers and the courts” on Métis rights-related issues and it should be doing what it wants – not what the lawyers and the courts say. In response, it was highlighted that the MNO has taken strategic approaches to advancing Métis rights issues that rely on the law and the courts, similar to First Nations and Inuit. Other groups like OMAA in the past have taken positions based solely on political rhetoric in the past with absolutely no success, and many Métis individuals were left “holding the bag” when OMAA did not follow through and lost in court. Ideally, a balance needs to be found between “pushing the envelope” on Métis rights, without taking positions that would likely be unwinnable or unsuccessful in the courts.

In other community meetings, participants indicated their support for MNO’s responsible and strategic approach to advancing Métis rights issues because “MNO stood by its harvesters”. Many harvesters in attendance raised concerns that they did not want to see MNO Harvesters Cards or the MNO-MNR agreement negatively affected by the outcomes of these consultations, and that MNO needs to be able to ensure that it can pass an independent review of the MNO Harvester Card system so additional Harvesters Cards can be issued as soon as possible.

Suggestions related to this issue include:

- Ensure Métis rights are protected in any future decisions and/or initiatives related to Métis identification and registration.

- Develop a Métis rights recognition strategy that include expanding Métis harvesting rights, but also looks at other Métis rights (i.e., culture, language, lands, etc.)

- Reinvigorate the Métis Legal Defence Fund so future litigation can be pursued.

- Provide more information to MNO citizens about Métis rights and ongoing
litigation on Métis rights.

**No existing MNO citizens should ever lose citizenship**

In the consultations, there was strong support for the direction from the MNO AGA that no existing MNO citizen would lose their citizenship for their lifetime. However, there was not agreement on issues such as whether all family members of existing MNO citizens should get automatic citizenship, even if there registry files was incomplete. This issue is discussed further in the following section.

Suggestions related to this issue include:

- Incorporate principle that MNO citizenship cannot be taken away (with the exception of registering on another Aboriginal registry or working actively against the MNO) into the MNO Bylaws.

- Develop options for consideration in Phase II of consultations on how to deal with family members of existing MNO citizens who apply to MNO, but do not have completed registry files.

**The MNO’s Interim Registry Policy needs to reflect the Ontario Métis reality**

There were consistent comments at several meetings on the need for the Interim Registry Policy to better reflect the Ontario Métis reality, as a part of the Métis Nation. In various meetings, participants raised concerns that the Interim Registry Policy, as currently drafted, can be distressing and confusing to Ontario Métis communities because they “do not see themselves” in the policy’s overly general language. Notably, the MNO’s desire to be as general and vague as possible in order to leave as much flexibility as possible in the Interim Registry Policy (i.e., not specifically naming any geographical locations or communities) has led to many Ontario Métis communities feeling they were not included in the policy and the language used.

For example, this issue was extensively discussed in the Midland consultation meeting. There was concern that the historically significant and important regional Métis community that spans along the shores and interior of Lake Huron and Georgian Bay was not considered to be a part of the “Métis Nation” and the “Métis Nation Homeland” pursuant to the Interim Registry Policy. In addition, unverified maps (wrongly attributed to the Métis National Council) had been circulated in the community that excluded the Georgian Bay region. Because the Interim Registry Policy does not explicitly state what communities are unquestionably part of the “Métis Nation Homeland”, misinformation, concerns and fear filled the void.

At the meeting, the MNO’s leadership made it clear that it has been and remains the MNO’s position that all of the regional rights-bearing Métis communities identified in the longstanding MNO map that was adopted by the MNO AGA (which forms a part of
the MNO Harvesting Policy) are considered by the MNO to be a part of the “Métis Nation Homeland” for the purposes of the Interim Registry Policy. As well, the MNO’s leadership indicated that this map may be extended in the future based on additional research, and that there is not a steadfast Ontario/Quebec border in making determinations. This lack of specificity was noted as a deficiency and problem with the current policy.

It was suggested that rather than not mentioning any specific geographical areas and communities, the MNO should mention some locations and communities in Ontario, as examples. At the same time, the MNO could stress that the examples provided is not an exhaustive list. This type of approach would at least provide “peace of mind” to many Ontario Métis communities that have nothing to worry about and that have long been recognized by the MNO as rights-bearing, while also stressing that the final boundaries of the “Métis Nation Homeland” have not yet been formally defined. It was also noted that through the MNO being definitive on these Ontario issues, unverifiable maps and misinformation could be contradicted and diffused easier.

There were also criticisms about how the policy was initially adopted and communicated. For example, while it was explained that the policy only provided direction to MNO Registry staff and did not change the MNO Statement of Prime Purpose, the MNO Bylaws or the MNO definition of Métis, the fact that it was not brought out to the communities first or there was not an effective communications plan put in place to explain it led to much misinformation and unnecessary concerns. Related to this point, it was noted by the MNO leadership that one of the reasons this was adopted only by the PCMNO was the fact that federal Powley funding was tied to completing the “deliverable” by the end of the fiscal year. It was identified that in the future any funding received from governments for important and sensitive work such as this should include realistic timeframes to ensure effective consultation and communications can take place throughout the MNO.

Suggestions related to this issue include:

- Update Interim Registry Policy to include specific examples on Ontario Métis communities as well as to ensure that the policy reflects Ontario Métis realities.
- MNO should begin to use examples in its communications related to the MNO Registry rather that vague terms that Ontario Métis may not necessarily see themselves in.
- Increase clarity in Interim Registry Policy of what MNO considers being areas included in the Métis Nation Homeland.

A centralized registry is supported by MNO citizens, but improvements and changes must be made on several fronts.

By and large, participants recognize the need for a Registry and support the MNO’s centralized registration model. It was noted that a Registry is a key objective in the MNO
Statement of Prime Purpose, and the MNO must continue to build on the goal “to research, publish and promote the genealogical documentation of the Métis, and to establish and maintain a registry of the Métis Citizens of Ontario”. Put simply, there was no widespread desire to get rid of the MNO Registry and return to a membership-based model were individuals simply paid a fee and were automatically given a card. It was also noted that other Métis governments have all been moving to a centralized registration model since the Powley decision.

However, the meetings also documented significant dissatisfaction of MNO citizens on many administrative related issues relating to the MNO Registry, and the need for improvements and changes to the Registry in order to become more effective and efficient. Notably, many suggestions for improvements were made in several Registry-related areas (i.e., communications, less delays, customer service, research, stable funding from government, more staff to help, clarity and consistency from Registry, support for applicants, etc.), which are outlined through the report.

Some of these suggestions have financial costs associated with them and will require the MNO to secure significant and predictable funding from other governments in order to complete. However, it was noted by some participants that the point of these consultations was to at least develop a “wish list” on how to move forward, rather than just complaining about the current situation.

The MNO’s leadership also noted at several meetings that these consultations were essential to figuring out how to “get it right”. It was noted that in the past there were many “growing pains” with new MNO branches when they were first established as well as the MNO’s finance and administration, but those were tackled by “identifying the problem, consulting on it, and then taking action”. The MNO’s leadership, through a collaborative consultation process with MNO citizens, is now looking at how complaints about the MNO Registry can be a thing of the past, or at least dramatically reduced.

Participants discussed at many meetings ways in which the MNO Registry could be of more assistance. Indeed, the sessions appeared to produce a consensus on the need to develop a number of tools including at least the following: i) a list of ‘root’ Ontario Métis families that people could simply trace to; ii) a compilation of easily accessible source materials relevant to genealogical research; iii) a guide or workbook on how to conduct genealogical research; iv) visual examples of documents and completed files (subject to privacy issues) so applicants would understand what the MNO Registry is looking for.

It was also worthy to note that in some meetings it was raised that there are no historic documents in Ontario that identify individuals as Métis (i.e., Halfbreed, etc.) because there was no scrip issued in the province. However, it was discussed that there are many documents in Ontario that identify historic Métis ancestor (i.e., Censuses, HBC records, Oblate records, etc.). It was emphasized by some participants that MNO has a role to make people aware of these documents and make them more accessible to people.

It was also discussed that lists of these Ontario Métis ancestors should be published because based on these lists, if an individual is able to ancestrally connect to the root
ancestors listed – they would meet the MNO citizenship requirements. This would alleviate some of the misinformation that there are no documents showing Métis ancestors in Ontario as well as the need for applicants to search for themselves. It was noted that these lists should be constantly updated as new Métis family lines are verified.

Suggestions related to this issue include:

- Creating a list of ‘root’ Ontario Métis families that people could simply trace to.
- A compilation of easily accessible source materials relevant to genealogical research.
- There is a need to explain the distinction between a genealogical connection and an ancestral connection.
- A guide or workbook on how to conduct genealogical research in Ontario.
- Visual examples of documents as well as completed and approved MNO Registry files (subject to privacy issues).
- Providing applicants with funding to do their own research.
- Digitalization of key Ontario Métis historical documents and posting on MNO website.
- Training MNO officials in the regions to provide assistance to applicants.
- Making available to applicants www.ancestry.com or something equivalent
- Establishing satellite MNO Registry offices in the regions.
- Partnering with genealogical societies that could help Ontario Métis complete their family trees for a fee.
- Increase bilingual communications in MNO Registry (i.e., materials and staff).
- Making historic research available to Community Councils as well as posting to MNO website.
- Turn MNO website into more of a resource.
- Provide customer service training to MNO Registry staff and record calls for customer service assessment.
- Develop template letters that do not question whether someone is “Métis”, but simply asks for additional documentation.
- Outline privacy policies and protections on MNO website.
- Develop a research library that MNO citizens can be used.
- Ensure MNO Registry staff are aware of Ontario Métis history.
- Sustained funding for the MNO Registry so staff can be properly trained and retained (i.e., avoid lay offs, constantly new staff, etc.).
- Set timelines for responses to applications, etc.
- Create a Frequently Asked Questions document for the MNO Registry
- Simply and streamline application process, whenever possible.
- Create an appeals process and Ombudsman for MNO Registry.
- Identify the actual staffing requirements for the MNO Registry.
C. Additional Themes and Issues

This section attempts to organize other themes and issues that were raised throughout the consultations. They are in no particular order. They have been included in this section because there were far more varying points of views and perspectives. As well, they include various suggestions that were asked related to these themes and issues.

MNO Harvesters Cards

Issues relating to the issuance of MNO Harvesters Cards and harvesting rights were raised at 24 of the 27 consultation meetings. No other topic engaged as much and as diverse of opinions.

One of the reasons the MNO has increased its documentary requirements for MNO Harvesters Cards is because an independent review of the system is required as a part of the MNO-MNR Four Point Harvesting Agreement. If this review is not positive, there is a possibility that MNR could cancel the agreement and MNO citizens could start being charged again. The importance of a successful review was acknowledged by many. As well, it was recognize that if the review was successful, the current cap could be removed in its entirety.

There was wide-spread frustration about the 1250 cap because many believe constitutional Métis rights should not have caps. This position was reaffirmed by the MNO’s Legal Counsel, but it was noted that the agreement is based on MNO having an objectively verifiable way to identify rights-holders. As such, who gets Harvesters Cards must be verifiable with the appropriate documentation. The MNO Harvesters Card system and the MNO Registry must be credible if it is to be relied upon for rights-based purposes in the future. This was recognized as a reality by most participants.

There was frustration with the MNO Registry about not ensuring files were complete from the start. There was also frustration from some that individuals who currently have MNO Harvesters Cards may not be providing the documentation they need in order to complete their files. At a few of the meetings it was suggested that if these individuals do not comply by a defined time, other people who have been waiting for Harvesters Cards (with completed files) should be able to get those cards. These same participants noted that by not providing this information, the cap remains, so these individuals should be given timelines to complete their files.

Concern was also raised by some harvesters that attempts by some to “completely open up” the MNO definition to anyone who identifies as Métis could jeopardize the MNO-MNR Four Point Harvesting Agreement and future negotiations on Métis rights. It could result in MNO Harvesters Cards not being recognized again. This was a real concern to families that rely on the harvest for food and to support themselves. It was noted in one meeting that these issues could have unforeseen consequences as governments have dealt with MNO on Métis rights specifically because it is not like OMAA or Congress of Aboriginal Peoples organizations.

Dealing with the issue of MNO Harvesters Cards was clearly a priority, but it was unclear on exactly how it should be dealt with. It was suggested that concrete options, based on
the suggestions and questions from the consultation, should be put to MNO citizens in the next phase of the consultations.

Some of these questions and suggestions from the consultation meetings included:

- What was the origin of the 1250 card limit and how could this cap be increased or eliminated
- Why didn’t MNO citizenship always come with harvesting rights
- The issue of mobility of rights - why couldn’t a person holding a harvester card hunt anywhere in the province
- What constituted harvesting rights i.e. fishing, hunting, logging, berry picking etc.
- Could a harvester card be shared among family members
- Could meat from hunting with a card be shared with other Métis, with non-Métis
- Would the MNO support a MNO member with a harvester card in court, if charged
- Should MNO citizens continue to apply for harvester cards, despite the 1250 cap
- What will happen to those with harvester cards who seek to renew them but who have incomplete files
- Why are some of the areas in the map of the province indicating harvester areas in black
- How are Captains of the Hunt named and what are their qualifications
- What are the precise borders to the various hunting sectors in the harvester map
- How can the current areas be changed (i.e., extended, collapsed together, etc.)
- What is the timing for audit of the harvester portion of the registry, part of the agreement that the MNO has with Ontario’s Ministry of Natural Resources
- Would an individual with a harvester card be charged if hunting in another area
- Was the MNO tracking usage of those with harvester cards
- Whether it was useful to develop relationships with neighbouring First Nation communities.

Mobility issues were also raised as a priority for Métis harvesters. For example, what if harvesters moved from another province or moved between regions in Ontario? There was keen interest in following the developments in the Métis Nation of Alberta test case (*R. v. Hirsekorn*), which is dealing with these issues.

Suggestions related to this issue include:

- Continue to press forward in increasing the number of MNO Harvesters Cards immediately.

- Develop options for MNO citizens to consider in Phase II with respect to ensuring existing MNO Harvesters Card holder complete their files.

- Provide more updates to MNO citizens on Métis harvesting rights issues in Ontario and across Métis Nation and other parts of Canada.
• Providing example of completed and approved Harvester Card files (subject to privacy requirements).

Support for and education on the MNO Statement of Prime Purpose

Some participants noted that they believed that one of the reasons the MNO has succeeded where others have failed is because MNO has a clear vision and goals that were initially set out in the MNO Statement of Prime Purpose. This has helped the MNO remain true to its vision and not to “lose its way” over the years like other groups who have successes and new individuals joining constantly who may not be as familiar with the underlying reasons the MNO was initially created.

In several meetings, there was concern that the MNO Statement of Prime Purpose is not highlighted and/or promoted enough throughout the MNO. Notably, some participants indicated they had never heard about or seen the MNO Statement of Prime Purpose. Participants criticized that the MNO Statement of Prime Purpose could not even be easily found on the MNO website.

Some participants raised concerns that because of the MNO’s success and its significant growth in citizenship over the last 18 years, some individuals applying for MNO citizenship or who receive MNO citizenship may not be aware of the MNO Statement of Prime Purpose which sets out who the MNO was created to represent, why the MNO was created, what its goals are, etc. This lack of knowledge about the history of the Métis struggle in Ontario and the creation of the MNO has led some to question “why the MNO does things certain ways” or “why specific decisions have been made over the years”.

It was suggested that an appreciation for the MNO Statement of Prime Purpose might be helpful for individuals in making their decision on whether to apply to the MNO (i.e., whether they see themselves in the MNO Statement of Prime Purpose and support it) and assisting existing MNO citizens in understanding why certain decisions have been made that dictate the MNO’s current policies and procedures.

Suggestions related to this issue include:

• Give the MNO Statement of Prime Purpose more prominence within the MNO (i.e., MNO website, promotional materials, training and awareness “boot camps” for MNO elected representatives, etc.).

• Direct applicants planning to apply for MNO citizenship to review the MNO Statement of Prime Purpose prior to applying for citizenship.

• Require new applicants and individuals running for offices in MNO elections to uphold and work to advance MNO Statement of Prime Purpose.

• Establish a process to review progress MNO has made on implementing the Statement of Prime Purpose.
**Clarity on what is required to prove a “Métis ancestor”**

Some participants raised questions about what the MNO Registry is looking for to find a “Métis ancestor”. For example, was it sufficient to provide documentation of an Indian woman having a child with a non-Aboriginal man – i.e., is that child automatically Métis? It was noted that the Interim Registry Policy defines what a “Métis ancestor” is, but participants emphasized that they did not exactly know what type of document would confirm that in order to satisfy the MNO Registry.

In response at one meeting, the MNO’s Legal Counsel stated that it might be easier to think of the issue based on recognizing that prior to Canada becoming Canada; distinct Métis communities emerged in Ontario and the rest of the Métis Nation Homeland. A Métis community is not just born as soon as a mixed ancestry child is born. A Métis community is created when those mixed ancestry children emerge as their own distinct community. These Métis communities were not simply groups of mixed ancestry people - they developed their own distinct identity, language, culture and traditions, as a part of the larger Métis Nation. The MNO, based on its Statement of Prime Purpose and definition of Métis, represents the descendants of these distinct Métis communities in Ontario that are a part of the larger Métis Nation. MNO does not represent individuals who simply have mixed First Nation and non-Aboriginal ancestry. As such, an individual needs to show an ancestral connection to an ancestor who was a part of one of these Métis communities in the Métis Nation Homeland.

In some consultation meetings, a few participants did not agree with the idea that the Métis Nation has a territory based on the people sharing a common identity, culture, history and way of life. Some explained that they thought the Métis Nation spans all of Canada. Some stated they believed it covered all of North America. They believed that anyone who either had mixed ancestry or who thought they were Métis should be considered Métis and receive MNO citizenship. In some meetings, there was equally strong disagreement to this broad-based concept of the Métis Nation.

It was noted by MNO officials that these positions are actually inconsistent with the MNO’s Statement of Prime Purpose. It would require fundamentally altering all the MNO has been based on for the last 18 years. It would also mean that the MNO no longer represented a distinct Aboriginal people – the Métis Nation, but that it would just be an association of mixed-ancestry individuals that did not possess Aboriginal rights.

As a part of the discussions with respect to identifying a “Métis ancestor”, concerns were also raised that Métis scrip was not issued in Ontario and the MNO Registry should not make it harder for Ontario Métis to register versus individuals with an ancestor who received Métis scrip in the west. The point was that there was a need to recognize the unique realities of Ontario Métis.

It was emphasized several times that the MNO Registry should provide examples of “Métis ancestors” identified in the historic record based on Ontario Métis communities – not the Prairies. There were various criticisms about the lack of research materials made
available to applicants and MNO citizens as well as a complete lack of information on the MNO website.

Suggestions related to this issue include:

- Create Ontario Métis root ancestors database and list that applicants can use and rely on.
- Add additional clarity in Interim Registry Policy on what constitutes a “Métis ancestor” (i.e., provide examples).
- Create a document that identifies the various genealogical sources available for finding your Métis ancestors in Ontario.
- Make the MNO website a repository for information to assist individuals in completing their genealogies.

There is a lack of knowledge and information about the MNO and its history

One of the issues that came out in the consultations is that because of the MNO’s immense growth, many new citizens do not have all the information they need about the MNO. Participants criticized the MNO about the lack of information on the history of the MNO and its foundational documents, key decisions, etc. It was noted that none of this information is on the MNO website or in a readable format. It was also noted that if this information and history was available it might have alleviated some of the current debates and discussions that are ongoing.

For example, in some meetings, some participants were surprised in learning that the MNO Statement of Prime Purpose (which has been in place within the MNO since its creation 18 years ago) generally described the geography of the Métis Nation Homeland (Annex A). Based on this foundational document, the current positions that are set out in the MNO definition and the Interim Registry Policy (i.e., an individual needing to have a Métis ancestral connection to Ontario or the rest of the Métis Nation) are not new. Notably, one of the initial reasons the MNO was formed was because Métis Nation citizens and communities in Ontario did not agree with the more all-inclusive definitions of “Métis” that groups like OMAA and the Congress of Aboriginal People have.

Some participants noted that the MNO has to do a better job in “telling its own story” so new citizens joining the MNO appreciate and understand the struggle Ontario Métis have endured, rather than just criticizing what they see as problems with the MNO. One participant noted that many of the founders of the MNO have passed away recently and some are no longer as actively involved, so there is a need to “write our history down so we are not doomed to repeat past mistakes”. It was highlighted that other nations are very good at writing their own history, but MNO has done little in this area so far.
Others raised issues about how there must be opportunities to discuss or even revisit some of these issues in a way that respects the past but allow for change, if that change is supported by a significant majority of MNO citizens.

Suggestions related to this issue include:

- Publish ‘MNO Fact Sheets’ on MNO’s history, development, current governance structure, etc.
- Commission the writing and publication of the history of the MNO over the last 18 years as a resource.
- Undertake more community consultations where information about the MNO is provided to citizens and Community Councils.

Expanding the areas where MNO claims Métis rights

An issue that was raised in areas where the MNO has not historically asserted or claimed Métis harvesting rights was “what is needed to prove a rights-bearing Métis community”. In some areas where the MNO does not currently assert Métis harvesting rights, this was not an issue because Métis living there do not harvest or harvest in their traditional territories, which are already recognized. However, in some, communities are very interested in undertaking necessary research and genealogy project to see if Métis rights can be claimed in these areas in the future and expand the MNO’s current harvesting territories map (Annex C).

In some of the meetings, it was explained about how the MNO’s current harvesting territories map came to be. It was based on the research and genealogical information the MNO had available to it at the time. This map was approved as a part of the MNO Harvesters Policy, which was adopted by the MNO AGA. It was always explained that if additional research or evidence became available the map might need to be adjusted. However, the MNO took a prudent course by only claiming areas where it believed it had the information (i.e., historic research, genealogical connections to areas dating back to the 1800s, continuity between the historic presence of Métis and modern day, etc.) to support and defend harvesters, if they were charged. The MNO did not want to make false promises to MNO citizens and then not be able to defend them.

It was suggest that terms of reference be developed that outlined what is required to meet the Powley test in these area. Then, communities that are interested could attempt to undertake this work, while communities that were not as interested in this would not need to participate. This would be a community-driven process, but standards would need to be met and credible review of those materials would be required.

Suggestions related to this issue include:

- Provide additional information to Community Councils and MNO citizens with respect to the basis of Métis rights (i.e., why Métis have rights, why Métis have rights in some areas and not others, why First Nations have rights in some areas
and not others, etc.).

- Develop an outline of what is required in order for communities to meet the Powley test that would lead to MNO making credible assertions of rights in areas and regions not current claimed.
- Identify a process through which the current MNO harvesting areas map could be amended based on additional research and information with respect to Métis rights.

**Joining the MNO is a personal choice that should be seriously considered**

Some participants stressed that the choice to join the MNO is a personal one, and it should be based on whether individuals support in and believe in what the MNO was created for. Concerns were raised that some of the issues being raised by individuals as of late with respect to Métis identification and registry are inconsistent with the very foundations of the MNO. For example, the idea that the Métis Nation is “Canada-wide” or “covers all of North America” is inconsistent with the MNO Statement of Prime Purpose, which has been in place since the MNO’s birth 18 years ago.

The question was asked by some participants whether individuals who join the MNO should be trying to fundamentally change what the MNO was created for and who it was created to represent (i.e., solely the Métis Nation within Ontario as a part of the larger Métis Nation). It was noted that if individuals support a “pan-Canada approach to Métis” there may be other groups or organizations that better reflect their views and that they should join those groups and organizations, but they should not be trying to change the core principles the MNO was formed on (i.e., representing the Métis Nation and its communities in Ontario).

Some participants also criticized that the MNO’s citizenship application process does not make these issues clear prior to someone applying for MNO citizenship or when someone receives their MNO citizenship card. It was noted that in order to become a Canadian citizenship a test must be completed and general knowledge about Canada is required. Right now, there are no requirements on the new applicants or new citizens to work towards the MNO’s longstanding goals, rather than working against what the MNO was created for.

**Suggestions related to this issue include:**

- Include the MNO Statement of Prime Purpose in the application for MNO citizenship.
- In the MNO’s citizenship application package explain the MNO’s purpose and who it represents so individuals can consider whether they agree with MNO’s Statement of Prime Purpose and want MNO to represent them based on those terms.
Require applicants to attest that they have read the MNO Statement of Prime Purpose and they agree with it as a part of application process.

Ancestry from Quebec and Eastern Canada

The issue about ancestry from Quebec came up in several consultation meetings. At these meetings, it was pointed out that Interim Registry Policy does not exclude individuals who have some Quebec ancestry from citizenship. Specifically, the policy states,

In applying this policy statement, the MNO recognizes that it’s identified Métis traditional territories are not defined with absolute precision. So, for example, if an applicant has a Métis ancestor who lived just outside one of these identified Métis traditional territories or over the United States or Quebec border the applicant may meet the requirement for demonstrating a Métis ancestor.

It was noted that in some areas such as around Temiskaming, Mattawa, etc., Métis families moved back and forth across the Ontario/Quebec border, and that some parts of western Quebec are extensions of historic Ontario Métis communities, since the border was and continues to be irrelevant to those communities and the family connections that extend into western Quebec. It was clear from several meetings that there was confusion about the Quebec ancestry issue that required better communication.

MNO officials also made a number of points with respect to the Quebec ancestry issue. First, the research about to begin in the Mattawa/Nipissing region would be instructive in determining how Métis communities straddled the now Ontario-Quebec border. Second, there is a current court case in eastern Quebec on the existence of Métis communities in that province, and that case may require the MNO to modify its approaches in the future. Further, with respect to the Maritimes/East Cost, the court cases to date have determined that there are not rights-bearing Métis communities existed in those provinces. Notably, some of the significant aboriginal groups in those regions that used to call themselves “Métis” no longer do so (i.e., Labrador Métis Nation).

It was also acknowledged that many of the ancestors of MNO citizens as well as the Métis Nation originally come from Quebec in the 1700s, and that should not be denied or disrespected. However, it was noted that these ancestors moved westward and then became or had children who became a part of distinct Métis communities within the Métis Nation Homeland. This is why the “Métis ancestor” must trace to the Métis Nation Homeland, not outside of the Homeland. It was also noted that in some Métis communities, individuals from Quebec moved in and became a part of historic Métis communities in Ontario (i.e., the Georgian Bay region). However, consistent with the MNO’s Statement of Prime Purpose, these ancestors from Quebec also have ancestry connecting them to Ontario Métis communities, and that is the ancestry the MNO Registry is looking for.
Some participants asked that these points be explained better within the MNO, and in particular amongst MNO Registry staff. It was stressed that communication and information is important on these issues so rumours are not allowed to swirl. Many individuals who raised this issue also indicated a keen interest in being updated on the progress of the Mattawa/Nipissing research and the Quebec case.

In two meetings participants raised a parallel ‘overlap’ and ‘boundary’ issue with the possibility of a Métis community straddling the Ontario/Manitoba boundary and the Canada/U.S. border.

Suggestions related to this issue include:

- Provide regular updates to MNO citizens on progress of Mattawa/Nipissing region research as well as legal updates from Quebec and East Coast.
- Develop better communication tools to explain that Quebec ancestry does not automatically disqualify an individual from being a MNO citizen, consistent with MNO definition.
- Improve MNO content and communications within the MNO Registry in French with respect to the MNO Registry.

Adoption

The issue of adoption was another important topic raised in several meetings. Currently, MNO has no way to allow the registering of children who were adopted at birth by Métis. This was considered wrong by many mothers, fathers and adoptees. From the discussions where adoptions were raised, there was general support for the idea that MNO needs to allow children who are adopted at birth by MNO citizens be registered as Métis. There was no discussion on whether the adopted child’s children could also register. There was also no discussion on what would be the requirements for proof. It was identified that this is an issue the MNO should move forward on sooner, rather than later.

At one meeting, the MNO’s Legal Counsel indicated that the Supreme Court in Powley already recognized that children who are adopted can be recognized Métis. However, he cautioned that the MNO must develop a policy on this before acting, and the types of adoptions recognized by the courts deal with children – not grown adults. He also noted that the Métis Nation British Columbia has struck a commission to look at this issue in that province and it might be worthwhile for MNO to correspond with that Governing Member on this issue to see what has been done.

Suggestions related to this issue include:
• Find out what other Métis governments do on adoption issues.
• Develop policy options on adoption for consideration by MNO citizens in Phase II of consultations.

Implications of Bill C-3

Participants at several meetings queried MNO officials about the implications of Bill C-3. Officials explained that this Bill was the result from the McIvor case in British Columbia in which the Court ruled that the membership rules outlined in the Indian Act had discriminated against females when Bill C-31 (Bill from 1985 when many children of Indian women were allowed to register as Indians) was introduced. The government estimate is that some 45000 individuals may now be eligible for gaining status under the Act.

MNO officials explained that MNO citizens who are part of this group would have to choose to either remain with the MNO or seek to become a status Indian. Current MNO Bylaws do not allow an MNO citizen to have Indian status because registering as an Indian is considered as self-identifying as Indian – not as Métis. It was also noted that the Supreme Court of Canada is considering these types of issues in Cunningham v. Alberta – a case where an individual was removed as a member of one of the Alberta Métis Settlements because they were registered as an Indian.

There was concerned raised in some meetings that increasingly historic Métis families in Ontario are now being able to register as Indians. This takes these historic family lines out of the Métis community for generations, and First Nations then claim there are no Métis in some areas. It was noted that some of the people who used to be Métis, but are now registered as Indians often then deny the existence of the Métis. It was raised that even though individuals have a choice – it is not a fair choice. For example, Indians status receives tax exemptions, while Métis status does not. It was also mentioned by some that this is a national issue that Métis National Council should do more work on, but it appears nothing has been done.

Suggestions related to this issue include:
• Provide MNO citizens with information on Bill C-3 so any future choices made about registration as an “Indian” is an informed choice.
• Provide information on the Supreme Court of Canada’s decision in the Cunningham case to MNO citizens.
• Push Métis National Council to take a more active role on this issue.

MNO focus should be on Ontario Métis communities
In some meetings, participants raised concerns that a lot of focus and discussion is placed by some on Métis communities in Quebec, the East Coast and Western Canada, but the MNO is created to represent Ontario Métis communities – not others. While this positions was not raised consistently, the point was made that Métis in other provinces are in the best position to advance their own rights claims (similar to what the MNO did) and that individuals elected to represent Ontario Métis should focus on that and advancing Métis rights in this province.

Suggestions related to this issue include:

- Métis leaders should dedicate their efforts to advancing Ontario Métis issues.
- MNO should acknowledge that it may adjust its policies based on court cases in other provinces, if Métis are ultimately successful in those provinces.

D. Other Topics and Issues

A number of other topics, some with little or no connection to Métis identification and registration, also arose during the meetings. These have been listed to potentially provide MNO direction on future consultations in other areas as well as to identify some of the issues being raised by MNO citizens across the province.

- The current status of Métis veterans and Métis education (Seven Rivers) and the need for a registry for Métis veterans (Ottawa)
- Support for the long form census (Ottawa) and the need to participate in the upcoming census (Windsor)
- Revision to charter agreements to include the communities of Iroquois Falls and Smooth Rock Falls (Northern Lights)
- Hydro projects interfering with trap lines (Northern Lights) and obtaining the right of first refusal vis-à-vis trap lines (Kenora)
- The nature of MNO services (Wawa) and the need for services to urban Métis (Toronto and York)
- The status and implications of the Cunningham case in the Métis Settlements of Alberta (Toronto and York)
- The unfairness of the current system for electing the Métis National Council President because MNO only has 5 votes compared to 15 each for the Prairies (Oshawa and Durham, Temiskaming)
- The current status of the MNO Cultural Commission (Oshawa and Durham)
- The potential importance of the lands claim case in Winnipeg (Bruce Mines/Thessalon)
- The use of counterfeit cards in Quebec (Bruce Mines/Thessalon)
- Job opportunities for Métis people (Bruce Mines/Thessalon)
- The importance of including the Rainy River Half Breed Adhesion in the key MNO documents relating to the Registry (Ft. Frances)
- Whether the MNO Legal Defense Fund still exists (Kenora, Georgian Bay)
• The implications of a possible change in the Ontario Government following the next election (Chapleau)
• The reason why the MNO insists on going to provincial courts when Aboriginal peoples are federal responsibilities (Oshawa and Durham)
• The desirability of the Chapleau Métis Council participating in the development of a management plan for the Chapleau Game Reserve (Chapleau)

V Summary of Themes, Issues and Suggestions

The following section lists the various themes and issues discussed in detail above, along with the suggestions and recommendations received on these themes and issues.

Consensus Themes and Issues

Support for the MNO
• Celebrate the MNO’s achievements, rather than focus on divisive issues or negativity.
• Profile success stories of ordinary MNO citizens (not necessarily elected leaders or individuals who are actively involved politically) in the Métis Voyager.
• Create a section in Métis Voyager that includes articles on what MNO means to ordinary MNO citizens (not necessarily elected leaders or individuals who are actively involved politically).

Métis Rights are a Priority
• Ensure Métis rights are protected in any future decisions and/or initiatives related to Métis identification and registration.
• Develop a Métis rights recognition strategy that include expanding Métis harvesting rights, but also looks at other Métis rights (i.e., culture, language, lands, etc.)
• Reinvigorate the Métis Legal Defence Fund so future litigation can be pursued.
• Provide more information to MNO citizens about Métis rights and ongoing litigation on Métis rights.

No Loss of Citizenship for Existing MNO Citizens
• Incorporate principle that MNO citizenship cannot be taken away (with the exception of registering on another Aboriginal registry or working actively against the MNO) into the MNO Bylaws.
• Develop options for consideration in Phase II of consultations on how to deal with family members of existing MNO citizens who apply to MNO, but do not have completed registry files.

Interim Registry Policy Must Reflect Ontario Métis Reality
• Update Interim Registry Policy to include specific examples on Ontario Métis communities as well as to ensure that the policy reflects Ontario Métis realities.
- MNO should begin to use examples in its communications related to the MNO Registry rather than vague terms that Ontario Métis may not necessarily see themselves in.
- Increase clarity in Interim Registry Policy of what MNO considers being areas included in the Métis Nation Homeland.

**Support for MNO Registry with Improvements and Changes**
- Creating a list of ‘root’ Ontario Métis families that people could simply trace to.
- A compilation of easily accessible source materials relevant to genealogical research.
- There is a need to explain the distinction between genealogical connection and an ancestral connection.
- A guide or workbook on how to conduct genealogical research in Ontario.
- Visual examples of documents as well as completed and approved MNO Registry files (subject to privacy issues).
- Providing applicants with funding to do their own research.
- Digitalization of key Ontario Métis historical documents and posting on MNO website.
- Training MNO officials in the regions to provide assistance to applicants.
- Making available to applicants www.ancestry.com or something equivalent.
- Establishing satellite MNO Registry offices in the regions.
- Partnering with genealogical societies that could help Ontario Métis complete their family trees for a fee.
- Increase bilingual communications in MNO Registry (i.e., materials and staff).
- Making historic research available to Community Councils as well as posting to MNO website.
- Turn MNO website into more of a resource.
- Provide customer service training to MNO Registry staff and record calls for customer service assessment.
- Develop template letters that do no questions whether someone is “Métis”, but simply asks for additional documentation.
- Outline privacy policies and protections on MNO website.
- Develop a research library that MNO citizens can be used.
- Ensure MNO Registry staff are aware of Ontario Métis history.
- Sustained funding for the MNO Registry so staff can be properly trained and retained (i.e., avoid lay offs, constantly new staff, etc.).
- Set timelines for responses to applications, etc.
- Create a Frequently Asked Questions document for the MNO Registry.
- Simply and streamline application process, wherever possible.
- Create an appeals process and Ombudsman for MNO Registry.
- Identify the actual staffing requirements for the MNO Registry.
Additional Themes and Issues

MNO Harvesters Card Issues
- Continue to press forward in increasing the number of MNO Harvesters Cards immediately.
- Develop options for MNO citizens to consider in Phase II with respect to ensuring existing MNO Harvesters Card holder complete their files.
- Provide more update to MNO citizens on Métis harvesting rights issues in Ontario and across Métis Nation and other parts of Canada.
- Providing example of completed and approved Harvester Card files (subject to privacy requirements).

The MNO Statement of Prime Purpose
- Include the MNO Statement of Prime Purpose in the application for MNO citizenship.
- In the MNO’s citizenship application package explain the MNO’s purpose and who it represents so individuals can consider whether they agree with MNO’s Statement of Prime Purpose and want MNO to represent them based on those terms.
- Require applicants to attest that they have read the MNO Statement of Prime Purpose and they agree with it as a part of application process.

Proving a “Métis Ancestor”
- Create Ontario Métis root ancestors database and list that applicants can use and rely on.
- Add additional clarity in Interim Registry Policy on what constitutes a “Métis ancestor” (i.e., provide examples).
- Create a document that identifies the various genealogical sources available for finding your Métis ancestors in Ontario.
- Make the MNO website a repository for information to assist individuals in completing their genealogies.

The MNO’s Creation and History
- Publish ‘MNO Fact Sheets’ on MNO’s history, development, current governance structure, etc.
- Commission the writing and publication of the history of the MNO over the last 18 years as a resource.
- Undertake more community consultations where information about the MNO is provided to citizens and Community Councils.

Expanding Métis Rights Assertions in Ontario
• Provide additional information to Community Councils and MNO citizens with respect to the basis of Métis rights (i.e., why Métis have rights, why Métis have rights in some areas and not others, why First Nations have rights in some areas and not others, etc.).
• Develop an outline of what is required in order for communities to meet the Powley test that would lead to MNO making credible assertions of rights in areas and regions not currently claimed.
• Identify a process through which the current MNO harvesting areas map could be amended based on additional research and information with respect to Métis rights.

Ancestry from Quebec Issues
• Provide regular updates to MNO citizens on progress of Mattawa/Nipissing region research as well as legal updates from Quebec and East Coast.
• Develop better communication tools to explain that Quebec ancestry does not automatically disqualify an individual from being a MNO citizen, consistent with MNO definition.
• Improve MNO content and communications within the MNO Registry in French with respect to the MNO Registry.

Adoption Issues
• Find out what other Métis governments do on adoption issues.
• Develop policy options on adoption for consideration by MNO citizens in Phase II of consultations.

Implications of Bill C-3
• Provide MNO citizens with information on Bill C-3 so any future choices made about registration as an “Indian” is an informed choice.
• Provide information on the Supreme Court of Canada’s decision in the Cunningham case to MNO citizens.
• Push Métis National Council to take a more active role on this issue.

Focussing on Ontario Métis Communities
• Métis leaders should dedicate their efforts to advancing Ontario Métis issues.
• MNO should acknowledge that it may adjust its policies based on court cases in other provinces, if Métis are ultimately successful in those provinces.
VI  What’s Next

This “What We Heard” report attempts to record a majority of the issues and questions raised in Phase I of the consultations. As discussed above, it is not a prescriptive “road map” forward, but attempts to identify themes, issues and suggestions, so more focused consultations can take place in Phase II of the consultations.

Ongoing feedback and comments from MNO citizens on this “What We Heard” report are welcome. Specifically, as mandated by the 2010 MNO AGA, this consultation process will span two years, and MNO citizens are encouraged to share their thoughts, questions and comments at all stages of the consultations. If you have input, feedback or comments about the “What We Heard” report please contact: Jane Brennan at the MNO Head Office at 1-800-263-4889 or via email at janeb@metisnation.org.

As set out in the 2010 MNO AGA resolution on the consultation process, this “What We Heard” report will be tabled with the 2011 MNO AGA for its consideration and review. Phase II of the consultations will begin in the fall of 2011 and continue into 2012. Check out the MNO’s website at www.metisnation.org for updates on the consultation process.
Annex A: MNO Statement of Prime Purpose

Where We Got Our Name

"The paternal ancestors of the Métis were the former employees of the Hudson Bay Northwest Fur Companies, and their maternal ancestors were Indian women of the various tribes. The French word “Métis” is derived from the Latin participle mixtus, which means "mixed;" in French "mêle;" it expresses well the idea that is sought to be conveyed. However appropriate the corresponding English expression "Halfbreed" might have been for the first generation of the mixture of blood, now that European blood and Indian blood are mixed in every degree, it is no longer general enough.

The French word “Métis” expresses the idea of this mixture in the most satisfactory manner possible, and thus becomes a proper race name. Why should we care to what degree exactly of mixture we possess European blood and Indian blood? If we feel ever so little gratitude and filial love toward one or the other, do they not constrain us to say: "WE ARE MÉTIS!" - Louis Riel, 1885

Who We are as a People

We, the Métis are a people of the lands, which gave rise to our history and tradition and culture.

We call those lands the Métis Homelands. The Homelands stretch from the lakes and rivers of Ontario; cross the wide prairies, traverse the mountains into British Columbia and into the northern reaches of the Northwest Territories. They include the hills and valleys of the north-central American States.

These are our lands. They are Métis lands. They are the lands of our past which nurture us today and which we value as the precious foundation of our future.

As Métis who live in the Homelands, we hold it to be a fundamental truth that we are one of the Aboriginal peoples of the Americas.

The Métis Nation continues today to be the embodiment of our past, the source of sustenance for our present while giving rise to our hopes and aspirations for the future.

We are a Nation, born of independence, and self-sufficiency whose teachings are founded on the values of honesty and truth. We are proud of our rich heritage. We are inspired by the values and traditions of our ancestors. The strength of our society is based on democracy, freedom, fairness, equality, generosity, justice and the customary and written law of our people. Above all, we cherish harmony and peace.

As Aboriginal people we hold sacred the rights of the individual and of the collective. We have respect for each other, for the land and for the animal and plant life that surrounds us. We are people who honour and respect the family, our elders who hold the key to the past, and our children, who are our future.

Guided by our spiritual values we aspire to attain our highest potential.
Now Therefore We Declare as Follows:

We, the Métis Nation, are a distinct Nation among the Aboriginal peoples in Canada and as such our Aboriginal and treaty rights are recognized and affirmed under Section 35 of the Constitution Act, 1982.

We, the Métis Nation, have the inherent right of self-determination and self-government;

We, the Métis who live within the Métis Homelands of Ontario, desiring to bind our people together to collectively promote our common cultural, social, political, and economic well-being, have founded the Métis Nation of Ontario, to be our representative body with the following aims and objectives:

• to research, publish and promote the genealogical documentation of the Métis, and to establish and maintain a registry of the Métis Citizens of Ontario;
• to establish democratic institutions based on our inherent right of self-government;
• to encourage the full participation of all Métis in the Métis Nation;
• to promote and foster community development;
• to re-establish land and resource bases;
• to develop prosperity and economic self-sufficiency within the Métis Nation;
• to provide care and support necessary to meet the fundamental needs of the citizens of the Métis Nation;
• to promote the improved health and wellness of the individual, the family and the whole Métis community;
• to establish effective means of communication for the Métis Nation;
• to encourage academic and skills development and to enable citizens of the Métis Nation to attain their educational aspirations;
• to promote the history, values, culture, languages and traditions of the Métis Nation and to create an awareness of our proud heritage;
• to promote Métis artistic and cultural achievement;
• to ensure that Métis can exercise their Aboriginal and Treaty rights and freedoms and in so doing, act in a spirit of cooperation with other Aboriginal and non-Aboriginal people;
• to establish good relations with all Aboriginal peoples for the pursuit of our common interests and goals;
• to continue our affiliation with the Métis National Council for the representation of the interests of the Métis Nation in Ontario at the National and International levels; and
• to gain the recognition and respect of the Métis as a Nation and a people.
Annex B: Listing of Consultation Meetings

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<thead>
<tr>
<th>Métis Council</th>
<th>Date</th>
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<tbody>
<tr>
<td>Niagara Region Métis Council</td>
<td>October 29, 2010</td>
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<tr>
<td>Hamilton-Wentworth Métis Council</td>
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<td>Northern Lights Métis Council – Cochrane</td>
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<td>North Bay and Mattawa Métis Council</td>
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<td>Kenora Métis Community Council</td>
<td>February 27, 2011</td>
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<tr>
<td>Windsor Métis Community Council</td>
<td>March 8, 2011</td>
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3 Also in attendance were participants from the Superior North Shore Métis Council and Greenstone Métis Council.