Legislative Recognition of Métis Nation of Ontario Governance: Realizing a Key Goal of the MNO

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• This discussion starts with acknowledging the wisdom of the Métis in Ontario to bind our people together within the Métis Nation of Ontario as a “Peoples” – a Nation. As such, we chose to organize ourselves under one incorporation and we used the best legal tools that were available to us at the time.

• We chose the Community Council Charter system as a means to stay true to the Nation Building approach. However, taking that approach also means that ultimately the MNO is responsible for everything that happens at the local and regional as well as the provincial level. The system we have in place helps to protect the Nation and the communities.

• It likely won’t surprise you that there is currently no legal mechanism in Ontario law to provide for Community Charters in a way that respects the MNO as a Nation of Peoples. The legislation is built for business and non-profits, not for Aboriginal Peoples.

• So, we have 29 Community Council Charters but the councils have no status in law independent from the MNO. We are all one organization – ONE NATION. We have one citizenship registry and one system of government. The alternative would be to organize ourselves as a bunch of smaller groups – which would undermine our assertion of nationhood and divide us.
This problem has been considered within the MNO for several years now and a decision was made to pursue a legislative solution.

In 2009, the AGA passed this resolution which called upon the MNO to pursue discussions with Ontario to pass legislation that would recognize MNO’s unique governance structure at the local, regional and provincial levels in Ontario.
That call for change was reiterated in 2010 when the AGA directed the MNO to pursue a strategy to get an appropriate Métis Nation of Ontario Act tabled in the Legislature.
While the MNO continued to advance this call for action with Ontario, the AGA again in 2014 directed that MNO leadership work with Ontario to develop and secure the passage of an MNO Act.

Since 2009, MNO has continued to make the call for a legislative solution at its relevant tables with the province.
We have been fighting this fight for recognition of our governance structure for the past 20 years. We have fought to have our charter community councils recognized in law as part of the MNO. We held firm and stayed together, asserting our nationhood. At the direction of the AGA, we have worked hard over the last several years to get this change.

All of that effort and the great diplomacy that President Lipinski and others within the MNO have demonstrated has finally paid off.

Late in 2013, President Lipinski was successful in obtaining a commitment from Premier Kathleen Wynne to find a solution and get legislation before the House.

This would not have been possible but for the respect that MNO has earned in its work with Ontario – we have shown true in our efforts, and our leadership has shown strength and integrity.

The work was assigned to a technical table made up of senior MNO officials and our legal team and we’ve made great progress.
After reviewing existing and pending Ontario legislation in detail, we are confident, finally, that we’ve found a solution -- the development of a new piece of legislation specifically for the Métis Nation of Ontario, which would provide room and respect for our governance system and processes.

If you’re familiar with how government works, you’ll know that nothing moves swiftly, however, in government terms, the work to sort out this solution has gone at lightning speed. We are finally at a point where there is sufficient enough direction to be able to let you know that there is some movement here and that we expect to see MNO specific legislation introduced in the Ontario Legislature in the coming months.

This new draft legislation will respect MNO’s governance structures, our terminology, and provide opportunities to Charter Community Councils to become legally recognized as subsidies of the MNO.
So what does this all mean? This is a major step forward for the MNO. This kind of legislative recognition is rare. And it ties in to our rights agenda... Until we get to the point where we get recognized as a government – until we achieve self-government – we need to find ways to give more local control and build capacity there, and yet still protect the whole. We need not be so constrained by the limitations of Ontario law. This new legislation, once passed, will do this.

This is a half-way measure that allows us to move forward with that discussion on how to build up even stronger community councils in a way that fits with the nation building vision as set out in the Statement of Prime Purpose. That means stronger communities, and a stronger Métis Nation of Ontario. Change won’t happen over night – but we will get there and this new legislation will be a major step in that direction.

The Premier committed to working towards getting legislation before the House in fall of 2015 and we are hopeful Ontario will meet that timeline. However, I need to tell you that there are very strict parliamentary protocols that are now in play as the legislation is being drafted and eventually makes its way to the House. We want to ensure that we respect those. This work remains quite confidential at this point which is why I am only touching on some broad points today. Once Ontario has legislation in draft form we are going to be coming out to talk with people about it in more detail – we hope to be in a position to do that this fall. Until then, we ask you to have patience and to keep this information confidential.

So, to conclude, this is a major success for the MNO. The MNO will, if all goes well, soon have our own legislation. Recognition. You should all congratulate yourselves. This is a result of the great work that the MNO leadership and staff have done, and your commitment as citizens and communities of the Métis Nation of Ontario to stick together as the Métis Nation of Ontario.