



## **GOVERNMENT OF ONTARIO – MÉTIS NATION OF ONTARIO FRAMEWORK AGREEMENT**

**THIS AGREEMENT** is made in duplicate this 17<sup>th</sup> day of April, 2014.

### **BETWEEN**

HER MAJESTY THE QUEEN, in right of the Province of Ontario, as represented by the Ministry of Aboriginal Affairs (hereinafter referred to as “Ontario”)

### **AND**

THE MÉTIS NATION OF ONTARIO (hereinafter referred to as “the MNO”)

**WHEREAS** a Métis people emerged in west central North America with their own language (Michif), culture, traditions, and way of life;

**AND WHEREAS** these Métis people collectively refer to themselves as, and are referred to by others as, the Métis Nation;

**AND WHEREAS** Ontario recognizes and respects the unique history, identity, customs, practices, traditions and rights of Métis communities in the province;

**AND WHEREAS** Ontario is committed to recognizing the Métis and enhancing their survival as distinctive communities;

**AND WHEREAS** the MNO was created to represent and advocate on behalf of its citizens with respect to their rights, interests and aspirations;

**AND WHEREAS** the MNO maintains a centralized registry of citizens who have applied for and have been accepted by the MNO as citizens of the MNO;

**AND WHEREAS** the MNO represents its citizens through various MNO governance structures and institutions at the local, regional and provincial levels, including MNO Chartered Community Councils, the Provisional Council of the MNO and the MNO Annual General Assembly;

**AND WHEREAS** based on the 2005 *New Approach to Aboriginal Affairs*, Ontario works with all its Aboriginal partners, including the MNO, to build stronger relationships, improve the quality of life of all Aboriginal peoples in Ontario and advance reconciliation;

**AND WHEREAS** section 35 of the *Constitution Act, 1982* recognizes and affirms the existing Aboriginal and Treaty rights of the Aboriginal peoples of Canada and provides that the Aboriginal peoples of Canada includes Indian, Inuit and Métis peoples of Canada;

**AND WHEREAS** in 2003, the Supreme Court of Canada, in *R. v. Powley*, held that members of the Métis community in and around Sault Ste. Marie have an Aboriginal right to hunt for food under s. 35(1) of the *Constitution Act, 1982*;

**AND WHEREAS** Ontario and the MNO are committed to implementing the *Powley* decision in a manner consistent with the principles established by the Supreme Court of Canada;

**AND WHEREAS** in November 2008 the MNO and Ontario signed a five-year Framework Agreement to build upon their existing bilateral process, 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;

**AND WHEREAS** subsequent to the 2008 Framework Agreement, separate memoranda of understanding were signed between the MNO and the Ontario Ministry of Education and the Ontario Ministry of Training, Colleges and Universities; furthermore a number of Ontario Ministries and agencies have been willing to undertake mutually beneficial relationship building activities with the MNO;

**AND WHEREAS** on November 15, 2013 the Ontario Minister for Aboriginal Affairs and MNO President committed to renewing the Framework Agreement for another five years in order to build upon and enhance the existing MNO-Ontario relationship as well as make progress and achieve results on mutually agreeable objectives and activities;

**AND WHEREAS** Ontario and the MNO have worked together to arrive at the purpose, objectives, strategies and priority activities for this Framework Agreement;

**NOW THEREFORE** Ontario and the MNO agree as follows:

## **1.0 PURPOSE**

The purpose of this Framework Agreement is to promote and facilitate the recognition and advancement of Métis people in Ontario by providing a framework for the Parties to work together in order to develop, coordinate and implement mutually acceptable measures to: strengthen the relationship between

Ontario and the MNO; recognize and support the MNO's structure, institutions and administration; improve the well-being of Métis children, families and communities; and jointly protect and promote the distinct culture, identity and heritage of the Métis people in Ontario.

The further purpose of this Framework Agreement is to: recognize and respect the section 35 rights of Métis communities, as a means of advancing reconciliation between the Crown and the Métis people; provide a framework for meeting Ontario's constitutional obligations towards Métis people consistent with the honour of the Crown and decisions of the courts; strengthen, clarify and further define the relationship between Ontario and the MNO; and ensure transparent and responsible financial and other arrangements between the MNO and Ontario.

## **2.0 OBJECTIVES**

In order to achieve the purpose of this agreement and consistent with Ontario's *New Approach to Aboriginal Affairs*, the Parties agree to working on the following objectives:

- 2.1 Recognize and support the MNO's structures, operational capacity and financial management. In support of this objective, the Parties agree to:
- negotiate a mutually agreeable multi-year arrangement to provide core operational funding to the MNO in order to support its administration, financial management and overall organizational capacity,
  - explore supports for the MNO's Registry,
  - discuss options for the legislative recognition of the MNO and its Chartered Community Councils,
  - support increased involvement of MNO Chartered Community Councils in achieving the objectives of this Framework Agreement,
  - other initiatives mutually agreed to by the Parties.
- 2.2 Recognize and preserve the distinct history, identity and culture of the Métis people and their contributions to Ontario. In support of this goal, the Parties agree to:
- discuss initiatives and opportunities to recognize the historic and ongoing contributions of the Métis in the province,
  - identify activities which promote cross-cultural awareness and understanding among the Métis and other Ontarians, including cultivating Ontario Public Service awareness of Métis history, culture and rights,
  - explore initiatives to protect and preserve the Michif language in Ontario,

- develop a self-sufficiency plan for the Métis Nation of Ontario Cultural Commission, and
- other initiatives mutually agreed to by the Parties.

2.3 Enhance the individual and community well-being of Métis with a view to closing the socio-economic gap that exists between Aboriginal peoples and other Ontarians, as well as increase economic opportunities for Métis people and Métis communities. In support of this goal, the Parties recognize the need to:

- improve academic achievement levels and learning outcomes, employment opportunities and to support adequate and appropriate training,
- improve the health and well-being of Métis people,
- improve housing conditions and access to housing,
- improve access to justice and increase Métis access to restorative justice measures,
- improve the access that Métis people have to provincial services, including health, education and social supports,
- advance initiatives that support Métis children and youth to be the best that they can be,
- develop the capacity of Métis communities, individuals and businesses to participate in economic opportunities,
- improve effective participation in the development of Ontario policies which significantly affect Métis people, and
- other initiatives mutually agreed to by the Parties.

2.4 Facilitate the recognition and respect of Métis rights in Ontario consistent with the honour of the Crown and decisions of the courts, as part of the reconciliation process. In support of this goal, Ontario and the MNO agree to:

- undertake where appropriate collaborative historic and contemporary research on Métis communities in Ontario,
- explore developing supportable policy-based approaches to Métis rights recognition and related issues,
- develop mutually acceptable terms of reference for an independent review of MNO's Harvesters Card Registry,
- discuss collaborative initiatives for ensuring the fulfillment of the Crown's duty to consult and, where appropriate, accommodate Métis rights in the province,
- pursue discussions with the Government of Canada on Métis rights issues and the Crown's consultation duties, where appropriate,
- other initiatives mutually agreed to by the Parties.

### **3.0 STRATEGIES, ACTIONS AND PRIORITY ACTIVITIES**

#### **3.1 Political Meetings and Coordinating Committee**

- The Premier of Ontario and the MNO President will meet annually to discuss mutually agreeable subject matters and the progress achieved through the Framework Agreement.
- The Minister for Aboriginal Affairs and the MNO President will meet, at a minimum, twice annually, in order to assess the progress being made through the Framework Agreement.
- Ontario and the MNO will each appoint representatives to a Coordinating Committee to oversee and manage the Framework Agreement's implementation.
- Ontario and the MNO will develop mutually acceptable terms of reference setting out the structure, role, responsibilities and objectives of the Coordinating Committee.

#### **3.2 Engaging the Government of Canada**

- Ontario and the MNO agree to continue to engage the Government of Canada through the Ontario-Canada-MNO tripartite process as well as on other mutually agreed to trilateral initiatives.
- Ontario and MNO agree to work together to leverage funding from the Government of Canada to support and advance the objectives and activities under this Framework Agreement.

#### **3.3 MNO Strategic Plan**

- The MNO will develop a 5 year strategic plan which will include strategies to achieve the goals and objectives of this Framework Agreement.
- The MNO will update its strategic plan annually and will provide copies to the Ministry of Aboriginal Affairs as well as to other relevant Ontario ministries and agencies.
- Taking into account federal contributions, Ontario will provide support to the MNO for its 5 year strategic plan development as well as the annual updates to the plan.

#### **3.4 Promoting Joint Planning, Collaboration and Action**

- The MNO and Ontario Ministries, willing to participate in the Ontario-MNO Framework Agreement process, may jointly enter into arrangements through bilateral processes and/or memoranda of understanding which may provide for:
  - The identification of interests common to the Parties;
  - The MNO's input into the development of policy and the delivery of programs and services, which significantly affect Métis people;

- The pursuit of strategies and actions which increase the cultural, economic and social well-being of the Métis people in Ontario.
- Where the MNO and Ontario Ministries have entered into such arrangements, the relevant Ministry/Ministries and the MNO may jointly develop a mutually agreeable sectoral work plan that supports of the goals and objectives of this Framework Agreement.

#### 3.5 Priority Activities

- The Coordinating Committee shall, as part of its yearly work plan, identify 2-3 priority activities each year aimed at supporting the goals and objectives of this Framework Agreement.

#### 3.6 Capacity Support

- The Parties will identify the capacity requirements necessary to develop and implement the actions referred to in paragraphs 3.1, 3.2, 3.4 and 3.5 of this Framework Agreement.

### **4.0 FRAMEWORK AGREEMENT REVIEW**

- 4.1 A review of the operation of this Framework Agreement will be conducted mid-way through the agreement term by the Coordinating Committee.
- 4.2 The purpose of the review is to assess progress and identify successes and challenges with respect to the operation of the Framework Agreement.
- 4.3 Based on this review, the Parties will jointly develop and implement strategies designed to address the challenges, along with mutually agreed upon specific targets and deliverables.

### **5.0 EVALUATION**

- 5.1 The Parties will develop mutually agreeable terms of reference for the evaluation of the Framework Agreement.
- 5.2 Based on these terms of reference, an independent evaluation of the Framework Agreement will be conducted in 2018.
- 5.3 The purpose of the evaluation will be to assess the progress, strengths and weaknesses of the current Framework Agreement and recommend changes that will enhance the effectiveness of the Framework Agreement going forward.

## **6.0 FUNDING**

- 6.1 The MNO and other Government of Ontario Ministries, departments and agencies may, if they so agree, enter into additional funding arrangements to support specific, mutually agreed objectives that may be identified in the strategic plan of the MNO or by specific Government of Ontario Ministries, departments and agencies.
- 6.2 The Parties agree that the Coordinating Committee will annually review the funding which supports the goals and strategies of the Framework Agreement.
- 6.3 An annual contribution towards the Ontario-MNO bilateral process and the core funding of the operations of the MNO will be provided by Ontario.
- 6.4 Reasonable efforts will be made for multi-year contribution agreements to be achieved.
- 6.5 All funding arrangements contemplated under this Framework Agreement are subject to appropriations by the Ontario Legislative Assembly, provincial policies and funding criteria, including transfer payment directives and guidelines where applicable.

## **7.0 EXISTING AND FUTURE FUNDING AGREEMENTS**

- 7.1 Government of Ontario Ministries, departments and agencies with existing funding relationships with the MNO will be encouraged to ensure that renewals or changes will be consistent with the objectives of this Framework Agreement.
- 7.2 Nothing in this Framework Agreement shall be construed so as to limit or restrict access by the MNO to other sources of potential provincial support and funding consistent with applicable policies and program and services criteria.

## **8.0 NON-DEROGATION**

- 8.1 Nothing in this Agreement affects, abrogates or derogates from, or recognizes, affirms or creates any rights of the Métis people or Métis communities in Ontario.
- 8.2 Nothing in this Framework Agreement shall be construed so as to limit the responsibilities and authorities of Ontario Ministries, departments and agencies in relation to their respective mandates.

8.3 The language and terms employed in this Framework Agreement are not intended to have legal meaning or affect or connote the legal positions of either the MNO or Ontario.

**9.0 GENERAL**

9.1 The term of this Framework Agreement shall be from April 1, 2014 to March 31, 2019.


9.2 The progress evaluation referred to in paragraph 5 of this Framework Agreement will provide one of the bases to determine whether or not the Framework Agreement should be renewed.

9.3 This Framework Agreement may be amended from time-to-time by the mutual written consent of the Parties.

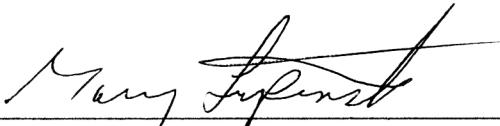
9.4 This Framework Agreement is not a legally binding contract.

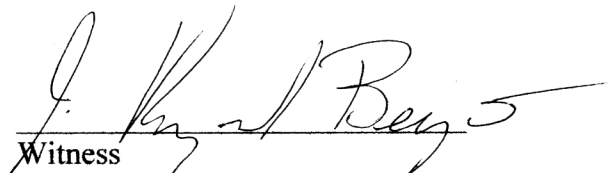
9.5 Either party may terminate this Framework Agreement by providing 90 days written notice to the other party.


**IN WITNESS WHEREOF** this Framework Agreement has been executed as of the date first written above.

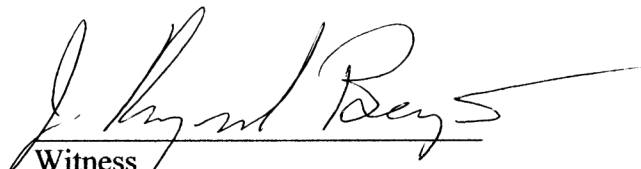
  
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Honourable David Zimmer  
Minister of Aboriginal Affairs

  
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Witness

  
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Gary Lipinski  
President  
Métis Nation of Ontario

  
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Franée Picotte  
Chair  
Métis Nation of Ontario

  
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