

## **MNO Policy #2018-001 Policy on Verification of Candidates for Holding Elected Office in MNO**

**(Effective as of February 3<sup>rd</sup>, 2018)**

### **Effective Date**

This *Policy on Verification of Candidates for Holding Elected Office in the MNO* (the “Policy”) is effective as of February 3<sup>rd</sup>, 2018 (the “Effective Date”). It replaces all previous MNO policies with respect to the verification of candidates for holding elected office within the MNO.

### **Purpose**

The Policy sets out what is required in order for a MNO citizen to be “verified” by the MNO Registrar for the purposes of being eligible to be a candidate under the *MNO Electoral Code: Part A (Provincial Elections)* or the *MNO Electoral Code: Part B (Community Council Elections)*.

### **Applicability**

This Policy applies to the conduct of all elections conducted within the MNO pursuant to the *MNO Electoral Code: Part A (Provincial Elections)* or the *MNO Electoral Code: Part B (Community Council Elections)* from the Effective Date.

### **Background and Context for Policy**

One of the MNO’s key goals—as set out in the *MNO Statement of Prime Purpose*—is to “establish, publish and promote the genealogical documentation of the Métis, and to establish and maintain a registry of the Métis citizens of Ontario.”

In order to advance this goal, the MNO has had a centralized Registry since its creation in 1993. The MNO Registry has been essential to the MNO’s credibility as a Métis government and its ability to advance Métis rights and self-government in Ontario, a critical part of which is the identification of Métis rights-holders.

As a Métis government that represents the Métis Nation and rights-bearing Métis communities within Ontario, the MNO must ensure that important decisions being made on behalf of rights-holders are in fact, being made by other democratically elected rights-holders.

Since the creation of the MNO, successive MNO Annual General Assemblies (“MNO AGAs”) have provided direction to the MNO on this issue, including the requirement to ensure all Provisional Council of the Métis Nation of Ontario (“PCMNO”) councilors are Métis within the meaning of section 4(a) of the MNO Bylaws (see MNO Bylaws, section 23(i)) as well as providing direction to the MNO to establish a verification policy to ensure individuals running for elected office have met certain requirements.

In 1999, the MNO AGA directed that a verification process for MNO citizens who want to be a candidate for elected office within the MNO be established. This direction was based on the principle that Ontario Métis wanted to ensure they are being represented by other Métis people at the local, regional and provincial levels. This principle continues to underlie the MNO's verification process.

Prior to this Policy, the MNO verification process, as implemented by the MNO Registry, has focused on whether the candidate has an administratively—not substantively—complete Registry file (*i.e.*, documents that verify the individual self-identifies as Métis, a completed MNO Registry application form, a completed family tree with some supporting documents, a copy of the individual's long form birth certificate, and up to date contact information).

Verification has not historically required that all MNO citizens meet the MNO's current definition of Métis, since the MNO's requirements for citizenship have changed since the MNO's creation in 1993. Put simply, the verification process has focused on administrative completeness, not whether an individual's file documents Métis ancestry that meets the MNO's current citizenship requirements, as set out in the MNO Bylaws.

The current MNO definition of Métis has been in place since 2004 when it was adopted unanimously at the 2004 MNO AGA. For more than half of the MNO's history, therefore, this definition has not changed. The MNO Registry Policy, however—which sets out what documentation is required to meet the definition of Métis contained in the MNO Bylaws—has only been in place since 2009.

While the MNO definition has been in place since 2004, since this date and before, the MNO has not had the capacity to undertake a citizenship review process or to consult its citizens on such a process. As a result, some existing Registry files may be “incomplete” based on the current requirements for MNO citizenship as set out in the MNO Bylaws and Registry Policy.

In recognition of the need to consult its citizens and communities on these important issues, the 2010 MNO AGA passed a resolution for the MNO to “initiate a province-wide, multi-phased consultation process on Métis identification and registration issues 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.”

The 2010 MNO AGA also provided direction to the MNO that “while these consultations are ongoing the longstanding MNO Registry verification processes for existing MNO citizens to run and hold office will be maintained.”

The previous verification process was intended only to “provide[] clarity to MNO citizens on the longstanding verification process the MNO will continue to use for individuals who want to be a candidate for an elected position within the MNO and hold an elected position within the MNO, while these Métis identification and registration consultations are ongoing.” These consultations were completed in 2011 and a “What We Heard Report” was produced, which is available on the MNO's website.

In light of the consultation work that has been done, and the capacity that has been built in the MNO Registry, in October 2017, the PCMNO initiated the Registry and Self-Government Readiness Process (“RSRP”) to better understand how many Registry files are incomplete, and to issue new MNO citizenship cards to citizens with completed files. Citizens with incomplete files will be notified as to what they are missing and are being asked to complete their files by sending in missing documentation.

This Policy now clarifies the MNO’s verification process for candidates for elected office moving forward, in line with the long-standing principle that the Registry and its processes must objectively verifiable to ground the MNO’s rights assertions and claims. In that same vein, the elected representatives of the rights-bearing Métis communities should be rights-bearers themselves.

The MNO’s definition of Métis contained in section 4(a) of the MNO Bylaws and the Registry Policy sets out the requirements for citizenship in the MNO, and any MNO citizens wishing to run for elected office in the future must have Registry files with documentation that meet this definition.

### **Guideline**

In order to be a candidate for an elected position or to hold an elected position in the MNO, the requirements set out in the *MNO Electoral Code: Part A (Provincial Elections)* and the *MNO Electoral Code: Part B (Community Council Elections)* must be met.

This Policy clarifies what is required for an MNO citizen to be “verified” by the MNO Registrar pursuant to s.6.3(g) of the *MNO Electoral Code: Part A (Provincial Elections)* and s. B7.3(d) of the *MNO Electoral Code: Part B (Community Council Elections)*.

### ***Requirements for verification***

In order to be “verified” by the MNO Registrar pursuant to section 6.3(g) of the *MNO Electoral Code: Part A (Provincial Elections)* and section B7.3(d) of the *MNO Electoral Code: Part B (Community Council Elections)*, an existing MNO citizen seeking candidacy in an MNO election must have the following documentation in their MNO Registry file:

1. A completed MNO Registry Application form (current or older versions are acceptable); **and**
2. Documents sufficient to meet the current requirements for citizenship as set out in the MNO Bylaws and Registry Policy; **and**
3. Up to date contact information (*i.e.*, mailing address, phone number, *etc.*).

***The verification process***

Upon receiving a written request from a MNO Electoral Officer to confirm whether a list of potential candidates for elected positions within the MNO have been verified pursuant to the requirements of the *MNO Electoral Code: Part A (Provincial Elections)* and the *MNO Electoral Code: Part B (Community Council Elections)*, the MNO Registry will determine whether the proposed candidates have already been verified pursuant to this Policy.

Individuals verified under any previous verification policies must be re-verified under this Policy. If the candidates have already been verified under this Policy, the MNO Registry will write to the MNO Electoral Officer informing him or her of this.

If some of the proposed candidates have not yet been verified, the MNO Registry will conduct a review of the proposed candidates Registry file pursuant to the verification requirements set out above. After this review by the MNO Registry, if the previously unverified MNO citizen meets the verification requirements set out above, the MNO Registrar will write to the relevant MNO Electoral Officer that the MNO citizen has been “verified” for the purposes of being a candidate for any elected position within the MNO.

If, upon completion of a review by the MNO Registry, a MNO citizen does not meet the verification requirements set out above, the MNO Registrar will write to the relevant MNO Electoral Officer that the MNO citizen has not been “verified” for the purposes of being a candidate for an elected position within the MNO. At this time, the MNO Registry will also write to the MNO citizen stating that they have not been verified and outlining what documentation is required from them in order to be verified.

It is the responsibility of the MNO citizen who desires to be a candidate for elected office within MNO to provide the MNO Registry will all required documentation needed in order to be verified.

***Verification is not an absolute right to be a candidate***

Verification does not equate to an absolute right for a MNO citizen to be a candidate for an elected position within the MNO. All of the other requirements set out in the *MNO Electoral Code: Part A (Provincial Elections)* and the *MNO Electoral Code: Part B (Community Council Elections)* must also be met.

***Policy does not change existing electoral codes***

Nothing in this Policy changes, alters or amends the *MNO Electoral Code: Part A (Provincial Elections)* or the *MNO Electoral Code: Part B (Community Council Elections)*.

**Approved by the PCMNO on February 3<sup>rd</sup>, 2018**