

18th ANNUAL GENERAL ASSEMBLY RESOLUTIONS DATE: August 20-22, 2011 MÉTIS NATION OF ONTARIO

Resolutions of the 18th Annual General Assembly of the Métis Nation of Ontario held August 20-22, 2011, at Bobby Orr Community Centre, Parry Sound, Ontario.

Special Business Resolutions

Resolution #: AGA-SPECRES11-01

Title: TO AMEND MNO HARVESTERS POLICY

Mover: Louise Goulding (#94-0099) Seconder: Richard Sarrazin (#99-6133)

WHEREAS the MNO Captains of the Hunt met on March 26, 2011 and approved proposed changes to the MNO Harvesting Policy based on their discussions and consultations with Métis harvesters:

AND WHEREAS the PCMNO met on June 27, 2011 and also approved the proposed changes to the MNO Harvesting Policy based on the recommendations of the MNO Captains of the Hunt;

AND WHEREAS the exact wording of the proposed changes to sections 2.1 (d) [footnotes 10 and 12], 3.1 (b) [footnote 15], 3.4 [footnote 17], 4.5 [footnote 28] of the MNO Harvesting Policy is attached:

THEREFORE BE IT RESOLVED THAT THE 2011 MNO AGA adopts the changes to the MNO Harvesting Policy date June 27, 2011, which is attached to this resolution.

RESOLVED BY CONSENSUS (AGA-SPECRES11-01)

Resolution #: AGA-SPECRES11-02

Title: TO AMEND s. 5.3; s. 6.8 and s. 6.8 (e) of the MNO ELECTORAL CODE

Mover: Janine Landry (#08-1690) Seconder: Ginny Gonneau (#05-0384)

WHEREAS it is important that the Métis Nation of Ontario Youth Council be referred to in a way acceptable to the Métis Nation of Ontario Youth Council;

AND WHEREAS the current electoral code refers to Regional Youth Representatives as Regional Youth Councilors and this should be changed to Regional Youth Representatives;

THEREFORE BE IT RESOLVED that s. 5.3, s. 6.8 and s. 6.8 (e) of the MNO Electoral Code be changed to read as follows:

Change s. 5.3 of the electoral code to read "Only electors who are between the ages of sixteen (16) and twenty-nine(29) years of age may vote for the youth representatives on the PCMNO or for the Regional Youth Representatives on the MNOYC."

Change s. 6.8 of the electoral code to read "All nominations for youth representative on the PCMNO and MNOYC Regional Youth Representatives shall include the following:"

Change s. 6.8 (e) of the electoral code to read "candidates for MNOYC Regional Youth Representatives require seven (7) signatures from electors who are under the age of 29 from the region in which are seeking election."

RESOLVED BY CONSENSUS (AGA-SPECRES11-02)

Resolution #: AGA-SPECRES11-03

TO AMEND s. 6.8 (e) OF THE MNO ELECTORAL CODE Title:

Mover: **Janine Landry (#08-1690)** Seconder: **Ginny Gonneau (#05-0384)**

WHEREAS it is important that the Métis Nation of Ontario Youth Council Regional Youth Representatives be elected rather than appointed;

AND WHEREAS the current electoral code states that Regional Youth Representatives require seven (7) signatures from electors who are under the age of 29 from the region in which they are seeking election and this should be changed to four (4) signatures;

THEREFORE BE IT RESOLVED that s.6.8(e) of the MNO Electoral Code be changed to read as follows:

Change s.6.8(e) of the electoral code to read "candidates for MNOYC Regional Youth Representatives require four (4) signatures from electors who are under the age of 29 from the region in which they are seeking election."

RESOLVED BY CONSENSUS (AGA-SPECRES11-03)

Resolution #: AGA-SPECRES11-04

Title: TO AMEND s.1.3(a); s.2.1(b); 2.1(m); s.5.3; s.6.3(e); s.6.8; s.6.11;

s.9.1(c); s.13.4(b); and, s.18.1 of the MNO Electoral Code

Mover: **Janine Landry (#08-1690) Ginny Gonneau (#05-0384)** Seconder:

WHEREAS it is important that the Métis Nation of Ontario Youth Council be referred to in a way acceptable to the Métis Nation of Ontario Youth Council;

AND WHEREAS the current electoral code refers to the Council as the MNOY and this should be changed

THEREFORE BE IT RESOLVED that s.1.3(a); s.2.1(b); 2.1(m); s.5.3; s.6.3(e); s.6.8; s.6.11; s.9.1(c); s.13.4(b); and, s.18.1 of the MNO Electoral Code be changes to read as follows:

Change s.1.3(a) of the electoral code to read "Part A of the MNO Electoral Code shall contain the rules governing the elections for the PCMNO, MNOYC and the MNOVC;

Change s.2.1(b) of the electoral code to read "candidate" means a person whose name is posted on the list of the candidates for office in the PCMNO, MNOYC, and the MNOVC;

Change 2.1(m) of the electoral code to read " "MNOYC" means the Métis Nation of Ontario Youth Council";

Change s.5.3 of the electoral code to read "Only electors who are between the ages of sixteen (16) and twenty-nine (29) years of age may vote for youth representatives on the PCMNO or for regional youth councilors on the MNOYC";

Change s.6.3(e) of the electoral code to read "if seeking to be a youth candidate in the PCMNO and the MNOYC regional council is 26 years of age or younger on the day of elections";

Change s.6.8 of the electoral code to read "All nominations for youth representatives on the PCMNO and the MNOYC regional councilors shall include the following";

Change s.6.11 of the electoral code to read "A candidate may not accept a nomination for more than one position on the PCMNO, MNOYC or the MNOVC";

Change s.9.1(c) of the electoral code to read "notwithstanding Article 9.1(a), the Annual Summer Assembly election process for filling vacancies in the MNOYC shall be established by the chief electoral officer in consultation with the MNOYC";

Change s.13.4(b) of the electoral code to read "immediate relatives of candidates for MNOYC or MNOVC may not be appointed as election officers in the same region"; and,

Change s.18.1 of the electoral code to read "There shall be three ballots, one for the PCMNO, one for the MNOYC and one for the MNOVC. Every ballot shall contain the name of the candidates which shall be arranged alphabetically in the order of their surnames and if there are two (2) or more candidates with the same surname, then in order of their given name".

RESOLVED BY CONSENSUS (AGA-SPECRES11-04)

Resolution #: AGA-SPECRES11-05

Title: TO AMEND s.6.4 (c) of the MNO Electoral Code

Marc Laurin (#00-7972) Mover: Seconder: Maurice Sarrazin (#99-6346)

WHEREAS the Métis Nation of Ontario has provincial elections every four years;

AND WHEREAS the majority of the nominees for PCMNO election are volunteers;

AND WHEREAS the majority of MNO citizens live in any of the Five Regions collectively;

THEREFORE BE IT RESOLVED that s.6.4(c) of the MNO Electoral Code be changed to read as follows:

- 6.4 Subject to Article 6.10,47 all nominations for the executive shall include the following:
 - written acceptance of the nomination by the candidate: (a)
 - (b) a statement that the candidate has read the MNO Electoral Code and MNO Bylaws and is eligible to be nominated as a candidate in the MNO election;
 - a minimum of seven (7) signatures of electors in each region; and (c)
 - a non-refundable deposit in the sum of one-hundred dollars (\$100.00) which shall (d) be deposited into the MNO electoral fund.

Change Article 6.4 to read as following:

Subject to Article 6.10, all nominations for the executive shall include the following:

- written acceptance of the nomination by the candidate: (a)
- (b) a statement that the candidate has read the MNO Electoral Code and MNO Bylaws and is eligible to be nominated as a candidate in the MNO election;
- a minimum of seven (7) signatures of electors in five of the nine regions; and (c)
- a non-refundable deposit in the sum of one-hundred dollars (\$100.00) which shall (d) be deposited into the MNO electoral fund.

RESOLVED (AGA-SPECRES11-05)

AGA-SPECRES11-06 Resolution #:

Title: TO AMEND s.6.3 of the MNO Electoral Code

Marc Laurin (#00-7972) Mover: Seconder: Richard Sarrazin (#99-6133)

WHEREAS the Métis Nation of Ontario Community Councils are integral to the governing structure of the MNO:

AND WHEREAS retaining volunteers to sit on Community Councils remains difficult:

AND WHEREAS the Community Councils depend on their current council volunteers to collectively operate the council;

AND WHEREAS any situation that causes a vacancy on council interrupts the council operations;

THEREFORE BE IT RESOLVED that in order to fill any vacancy on council due to a councilor seeking nomination in the PCMNO Elections in a timely manner that s.6.3 subsection of the MNO Electoral Code be changed to add the following:

In section 6.3, this resolution should be added:

(k) If seeking to be a candidate for PCMNO, persons holding current community council positions must resign from their position at least 1 month prior to being nominated for PCMNO elections and if a candidate is unsuccessful in the election process this person cannot/may not reassume his or her position or any other position at the community council level until elections are held for that respective council.

DEFEATED (AGA-SPECRES11-06)

SIMPLE RESOLUTIONS

Resolution #: AGA-RES11-01

Title: MÉTIS CHILDREN AND FAMILY SERVICES

Mover: Theresa Stenlund Seconder: Wendy Landry

WHEREAS Métis children and the Métis family are the heart and soul of Métis communities across the entire province of Ontario;

AND WHEREAS the protection of Métis children and raising them in Métis homes and ensuring they have opportunities to participate in Métis culture is fundamental to the continuation and preservation of Métis communities;

AND WHEREAS Métis governments in other provinces across the Métis Nation Homeland participate in the provincial child welfare system in order to protect the interests of the Métis child and the Métis family;

AND WHEREAS Ontario's current child welfare system largely ignores the unique realities and needs of Métis children and Métis families in this province;

AND WHEREAS pan-Aboriginal approaches to child welfare services are dominated by First Nations and non-Aboriginal peoples and do not understand or serve the unique interests of the Métis child or Métis families:

AND WHEREAS the recently tabled *Children First: Report on the Status of Aboriginal Child Welfare in Ontario* completely ignores the welfare of the Métis child and the perspectives of the Métis Nation and its communities in Ontario;

AND WHEREAS on August 15, 2011, the MNO President has written to the Ontario Minister for Children and Youth Services criticizing the Children First report for its complete exclusion of the Métis perspective as well requesting an urgent meeting to discuss and remedy this exclusion;

THEREFORE BE IT RESOLVED THAT THE 2011 MNO AGA:

- 1. Rejects the Children First Report because it does not provide the Ontario Minister for Children and Youth Services any information on the Métis perspective with respect to the child welfare system in Ontario;
- 2. Supports the MNO President's letter to the Ontario Minister for Children and Youth Services dated August 15, 2011 and directs the MNO to work with the Ontario Government in order to attempt to secure funding in order to prepare a supplemental report to the Children First report that addresses the unique rights, realities, interests and perspectives of Métis children, families and communities in relation to Ontario child

welfare system;

- Authorizes the MNO to explore and identify legal options, including, the use of the Ontario Human Rights Commission, the Ontario Ombudsman or the courts to ensure that Métis children and Métis families are considered and protected in relation to Ontario's child welfare system; and
- 4. Directs the MNO initiate a fundraising campaign, as part of the Métis Legal Defense Fund, in order to litigate for the protection of the interests of Métis children and Métis families, if the Ontario Government refuses to consider and include the Métis perspective in the child welfare system.

RESOLVED BY CONSENSUS (AGA-RES11-01)

Resolution #: AGA-RES11-02

Title: DEVELOP POLICY ON ADOPTION

Mover: Pauline Saulnier Seconder: Joanne Wass

WHEREAS the Métis child and the Métis family are the heart and soul of Métis communities and the Métis Nation;

AND WHEREAS Métis have customs, practices and traditions of adopting children without Métis Nation ancestry and raising them in Métis homes and in Métis culture and traditions;

AND WHEREAS these adopted children are raised as Métis and may self-identify as Métis like the rest of their family;

AND WHEREAS the Métis National Council's National Definition of Métis and the MNO's Definition of Métis, which is consistent with the National Definition of Métis, does not provide for the ability of individuals who are adopted as children and raised in Métis homes to register as MNO citizens;

AND WHEREAS the issue of adoption was identified as a priority within Phase I of the MNO's consultations on Métis identification and registry and there was broad-based support that individuals who have been adopted as children and raised in Métis homes should have the ability to register as MNO citizens, if they self-identify as Métis and as a part of the Métis Nation;

AND WHEREAS other Métis Nation governments such as the Métis Nation British Columbia have moved forward on the adoption issue already;

AND WHEREAS the Supreme Court of Canada in the Powley case has recognized that individuals can be ancestrally connected to Métis communities through birth or adoption;

THEREFORE BE IT RESOLVED THAT THE 2011 MNO AGA

1. Direct the PCMNO to develop a policy and required by law changes that allows for

individuals who have been adopted as children and raised in Métis homes to be able to register as MNO citizens based on specific requirements being met, and that this policy and associated bylaws changes be brought to the next MNO AGA for consideration; and,

2. Direct the MNO leadership to bring this position forward to the Métis National Council for discussion and action by the Métis Nation as a whole.

RESOLVED BY CONSENSUS (AGA-RES11-02)

Resolution #: AGA-RES11-03

Title: DISCRIMINATION AGAINST MÉTIS BY ONTARIO'S MINISTRY OF

NATURAL RESOURCES

Mover: Louise Goulding Seconder: Larry Duval

WHEREAS Métis communities emerged, as a part of the larger Métis Nation, throughout what is now known as Ontario and the historic Northwest prior to Canada becoming Canada;

AND WHEREAS these Ontario Métis communities had land interests and a special relationship to the land, along with traditional territories that sustained their identity, culture and way of life;

AND WHEREAS these Métis communities are a fundamental part of the history and fabric of Ontario and have exercised their rights on their traditional territories for generations;

AND WHEREAS Ontario Métis have been recorded in Ontario's history and have asserted and pushed for the recognition of their rights through civil disobedience, petitions, litigation, etc. with just some examples of this including:

- The Mica Bay Uprising that led to the Robinson Superior and Robinson Superior Treaties around the Great Lakes:
- Petitions from Métis for lands in and around Lake Huron, Georgian Bay and Penetanguishene;
- Petition for lands to be provided to Métis as part of the creation of Treaty #9;
- Requests for the recognition of Métis rights and equality in the Mattawa/Nipissing region;
- Petitions and demands for Métis recognition in the Lake Superior/Nipigon/Michipicoten region;
- The Halfbreed Adhesion to Treaty #3.

AND WHEREAS both levels of government were largely indifferent to the identity and rights of Ontario Métis and ignored their duties owing to Métis that flow from the honour of the Crown;

AND WHEREAS based on the Métis Nation's ongoing push for justice the Aboriginal and Treaty rights of Métis were finally protected within Canada's Constitution in 1982;

AND WHEREAS s. 35 of the Constitution Act, 1982 was meant to be a turning point, but was largely ignored with respect to its protections to the Métis until the historic Powley case;

AND WHEREAS for much of this 200+ year period the Ontario Ministry of Natural Resources (MNR) has denied the existence of any Métis rights and interests with respect to access to lands and resources in Ontario, and has continuously harassed, bullied and prosecuted Métis for exercising their traditional customs, practices and traditions;

AND WHEREAS this MNR denial has resulted in Métis being criminalized while exercising constitutionally protected rights, Métis traditional economies being decimated, and to many Métis commercial fisheries, trap lines and other resource based businesses being lost to other Aboriginal and non-Aboriginal peoples;

AND WHEREAS even in the face, of the honour of the Crown, the Constitution, the Powley case, the MNO-MNR Harvesting Agreement, the Laurin case, historic research and a continuing willingness for the MNO to meaningfully negotiate, the MNR continues to deny Métis rights and harass, bully and prosecute Métis hunters, fishers, trappers, commercial fishers and traditional resource users;

AND WHEREAS this modern day MNR indifference can be seen Métis exclusion from the benefits of most of its policies that purport to include all "Aboriginal communities", including, the Waterpower Site Release Policy, trapping policies and procedures, commercial fishing policies, consultation and accommodation policies and processes (i.e., Forest Management Plans, River System planning, Mattagami Extension Coordinating Committee, etc.);

AND WHEREAS MNR continues to harass and bully Métis people and communities by charging Métis and hoping they do not have the financial resources or perseverance to defend themselves, as can be seen in the recent Lepage family trial where MNR refused to drop all of the charges against the Lepage family commercial fishery until the trial began and the weaknesses of the MNR's case began to be examined under the light of justice;

AND WHEREAS the MNR continues to operate as "business as usual" despite:

- Being directed by the Ontario Court of Appeal in Powley to incorporate Métis rights into its regulatory regimes;
- Being criticized by the Ontario Ombudsman in 2007 for its "ad hoc" approach to dealing with Métis commercial fisherman fairly and equally to other Aboriginal peoples;
- Being directed by the Ontario Court of Justice to uphold the spirit and intent of the 2004 MNO-MNR Harvesting Agreement, but refusing to increase the 1250 cap that was to be on the agreement for the first year only and charging Métis harvesters who make use of incidental cabins; and
- Having actual and constructive knowledge of Métis Aboriginal rights claims throughout the province, but refusing to include Métis in Aboriginal committees and calling Métis communities "unsubstantiated".

THEREFORE BE IT RESOLVED THAT THE 2011 MNO AGA:

 Authorize the MNO leadership to formally demand a provincial or federal judicial inquiry into the MNR's harassment and discrimination against Métis in Ontario, if real and meaningful progress cannot be made on Métis land and resources related issues with the MNR over the next 6 months;

- 2. If progress is not made with the MNR in the next 6 months and Ontario and Canada refuse to initiate a judicial inquiry, that the MNO meet with the Ontario Ombudsman as well as the Ontario Human Rights Commission to outline the situation Ontario Métis face and request that these institutions initiate a full scale review of the MNR's actions against Métis in Ontario; and,
- 3. Direct the MNO to re-engage the Métis Legal Defense Fund and begin fundraising for it in order to initiate litigation against the MNR for its failure to uphold the honour of the Crown and s. 35 of the Constitution Act, 1982 in relation to Métis rights and interests in the province.

RESOLVED (AGA-RES11-03) One abstention

Resolution #: AGA-RES11-04

Title: DEVELOPING AN MNO ECONOMIC DEVELOPMENT APPROACH

Mover: Art Bennett Seconder: Marcel LaFrance

WHEREAS the MNO Statement of Prime Purpose identifies economic development and selfsustainability as a priority for the Métis Nation and its communities;

AND WHEREAS the MNO wants to promote economic development at the local, regional and provincial levels in order to achieve the goals and aspirations of the MNO Statement of Prime Purpose;

AND WHEREAS the MNO and its Communities Councils are increasingly being presented with economic development opportunities at the local, regional and provincial levels;

AND WHEREAS MNO wants to create a consistent, effective and transparent economic development model to ensure:

- Assistance, facilitation and supports for Métis economic development at the local, regional and provincial levels;
- Local, regional and provincial economic development can be pursued in an efficient manner that limits the legal liabilities of those entities as well as all MNO citizens and the MNO Secretariat;
- · Assets and profits from community economic development remain at the local level and are reported in a transparent manner;
- Assets and profits from local, regional and provincial economic development remain collectively held and are used for the benefit of the collective (i.e., cannot be transferred to specific individuals);
- · Assets and profits at the local, regional and provincial levels are identified and reported in a transparent manner to MNO citizens:
- The MNO Secretariat is aware of and can ensure appropriate corporate and tax filings are completed by provincial, regional and local economic development entities so it does not become liable for failures to make corporate filings and/or file and pay required taxes that are outside of its control;

Protect the MNO's not-for-profit status and makes effective use of tax planning.

AND WHEREAS other Aboriginal groups have developed economic development approaches for their nations at the local, regional and provincial levels that might be of assistance to the MNO:

THEREFORE BE IT RESOLVED THAT THE 2011 MNO AGA:

- 1. Directs the PCMNO to review the current economic development approach the MNO in order to identify needs, challenges, gaps, etc. as well as other Aboriginal economic development models used across Canada:
- 2. Directs the PCMNO to develop a consistent Métis economic development approach that is aligned with the principles identified above in order to improve, assist and facilitate Métis economic development at the local, regional and provincial levels across the MNO.

RESOLVED BY CONSENSUS (AGA-RES11-04)

Resolution #: AGA-RES11-05

Title: MÉTIS REPRESENTATIVES ON SCHOOL BOARDS

Mover: Marlene Davidson Theresa Stenlund Seconder:

WHEREAS the education of Métis students is vital to Métis Nation;

AND WHEREAS the inclusion of the Métis perspective in the current education system is important;

AND WHEREAS the current Education Act does not include Métis representatives on school boards throughout the province;

THEREFORE BE IT RESOLVED that the 2011 Annual General Meeting directs the MNO to lobby the Ministry of Education to amend the Education Act to include a Métis representative on each school board in Ontario.

RESOLVED BY CONSENSUS (AGA-RES11-05)

Resolution #: AGA-RES11-06

Title: **AMENDMENT TO MNO POLICY #2011-02**

Ginny Gonneau Mover: Seconder: Nick Callaghan

WHEREAS the 2011 MNO AGA adopted MNO Policy #2011-02;

AND WHEREAS that policy currently requires the mover and the seconder of a special business resolution to be present at the AGA in order for the submitted resolution to be brought before the floor of a MNO AGA:

AND WHEREAS sometimes due to extenuating or emergency circumstances a mover and the seconder who have submitted a special business resolution may not be able to attend the AGA;

THEREFORE BE IT RESOLVED that section 3 of MNO Policy #2011-02 be amended to allow multiple movers and seconders to sign a submitted special business resolution;

AND FURTHER BE IT RESOLVED that section 4 of MNO Policy #2011-02 be amended to allow for a special business resolution that meets all other requirements of the policy to be brought to the floor if at least one of the movers and seconders that signed and submitted a special business resolution prior to the required deadline is present at the MNO AGA; and

AND FURTHER BE IT RESOLVED that the movers and seconders can choose from amongst themselves which individual mover and seconder in attendance at an AGA will stand to bring forward the special business resolution.

RESOLVED BY CONSENSUS (AGA-RES11-06)

Resolution #: AGA-RES11-07

Title: MNO FOUNDING PRESIDENT COSTS PAID FOR MNO AGA

Mover: Senator Reta Gordon Seconder: Sharon McBride

WHEREAS the MNO Founding President played an important part in the MNO's history;

THEREFORE BE IT RESOLVED that the MNO Founding President be invited to all future MNO AGAs as one of the dignitaries and that the MNO pay for all costs associated with the Founding President's travel, accommodations and food.

WITHDRAWN (AGA-RES11-07)