



MÉTIS NATION OF ONTARIO - FACT SHEET

The Independent Review of the MNO's Harvest Card System

Background

- In 2004, the MNO and the provincial Crown (Ontario) entered into an agreement that recognized—on an interim basis—a limited number of MNO Harvesters Cards until “an independent evaluation of the system ... based on mutually agreeable terms of reference” could be performed.¹
- The purpose of the “independent evaluation” (known as the “Independent Review”) was to validate that MNO Harvesters Card holders meet the constitutional requirements set out in *Powley*:
 1. the Métis harvester **self-identifies** as Métis, and
 2. the Métis harvester **ancestrally connects** to a historic Métis community, and
 3. the Métis harvester is **accepted** by the modern day Métis community that is the successor to the historic Métis community.
- Until the Independent Review was completed, the number of MNO Harvesters Cards recognized by Ontario was limited to 1250 because Ontario could not “verify” that all MNO Harvesters Cards met the Powley test and were Métis rights-holders.
- Repeated MNO Annual General Assemblies indicated that removing the “cap” was a priority so the MNO embarked on a multi-year process to ensure all MNO Harvesters Cards were complete. This included cancelling some MNO Harvesters Cards because people did not complete their files.

An Objective Verifiable Review of the MNO Harvesters Card System by an Independent Third Party

- In order for the Independent Review to be objective, the MNO and Ontario first needed to identify “where” there were historic Métis communities in Ontario and then “who” was a part of those communities (i.e., the identification of “Métis Root Ancestors” as a part of “Métis Family Lines”).
- Once agreement on these preliminary issues was achieved, an independent third party could objectively verify that the MNO Registry files for Harvesters Card holders document that these individuals ancestrally connect to historic Métis communities and meet the requirements of *Powley*.

¹ The 2004 Points of Agreement on Métis Harvesting between the MNO and Ontario is available online at: <http://www.metisnation.org/media/138041/points%20of%20agreement.pdf>

I. Step One: Identifying the Historic “Who” and “Where”

- As noted above, to get to the Independent Review of the MNO Harvesters Card system, MNO and Ontario came to common understandings on where there were historic Métis communities in Ontario that met the evidentiary requirements of the *Powley* test.
- Through a collaborative process, six historic Métis communities in Ontario, in addition to the community recognized in *Powley*.² This included reviewing the evidentiary record to see if there was “a group of Métis with a distinctive collective identity, living together in the same geographic area and sharing a common way of life,” which is how the Supreme Court of Canada defined a “Métis community” in *Powley*.
- To meet the *Powley* test evidence that shows a Métis community had a distinct collective consciousness (i.e., asserted their rights as Métis), unique cultures traits, customs, traditions, were recognized by the Crown, other individuals or groups, including, other Indigenous peoples, were a collective (not just mixed ancestry families living together was required. The outcome of this work was announced on August 21, 2017. These historic communities were identified as including:
 1. Rainy River / Lake of the Woods Historic Métis Community
 2. Northern Lake Superior Historic Métis Community
 3. Abitibi Inland Historic Métis Community
 4. Sault Ste. Marie Historic Métis Community
 5. Mattawa/Ottawa River Historic Métis Community
 6. Killarney Historic Métis Community
 7. Georgian Bay Historic Métis Community
- As a part of identifying the historic Métis communities, Verified Métis Family Line (VMFL) documents that identified some of the families who made up these historic Métis communities were also prepared, and, ultimately publicly released by the MNO as well. These documents show what Métis families made up these historic Métis communities at relevant times and how these families had ancestral connections (i.e., kinship) to show they were a community, not just mixed ancestry families living beside each other. This genealogical information needs to be put together with the historical evidence.
- It is important to note that genealogical evidence of mixed ancestry individuals alone is not enough to establish a historic Métis community. This genealogical information needs to be put together with the historical evidence describe above. This is the difference between rights-bearing Métis communities in Ontario and westward and those groups claiming to be “Métis” in Quebec and the East Coast. Those groups have no historic evidence of collective identification and assertions as being Métis with rights until very recently. Their claims are opportunistic; not grounded in history.

II. Step Two: Verifying that MNO Harvesters Card Holders are the Descendants of the Historic “Who” and “Where”

² Descriptions of these communities are available online at: <http://www.metisnation.org/registry/citizenship/historic-m%C3%A9tis-communities/>

- This identification of the “who” and “where” set out above provided the foundation for the Independent Review of the MNO Harvesters Card system, which was carried out by an independent third-party consulting firm called Inter Group Consultants. The Independent Review had two parts:
 - a. Using objective criteria base on the *Powley* test that was agreed to by the MNO and Ontario and set out in a detailed MOU, InterGroup “verified” that the MNO Verified Métis Family Lines (VMFL) were a part of one or more of the Historic Métis Communities jointly identified by the MNO and Ontario. These objective criteria included the Métis Root Ancestors for the family: being self-identified or identified by others as Métis; being present in the Historic Métis Community prior to effective European/Canadian control of the area; and the evidence that the Métis Family Line remained in the Historic Métis Community for at least two generations.
 - b. Using objective criteria, InterGroup reviewed statistically significant sample of MNO Harvesters Card files to “verify” that the file had documentation sufficient to meet the requirements of *Powley* (i.e., they self-identify as Métis, ancestrally connect to a historic Métis community—through a connection to a Verified Métis Family Line—and are accepted by the modern day Métis community). InterGroup also assessed files to ensure that they met the MNO’s other requirements: a copy of photo identification, a completed Harvesters Card application, and a signed declaration of self-identification as Métis.
- **Based on the above, 100% of the 88 Métis Family Lines submitted by the MNO were “verified” as being part of Historic Métis Communities. 100% of the randomly selected 328 Harvesters Card files reviewed were “verified” as meeting the criteria set out in *Powley*.**
- The results of the Independent Review validated that the MNO has a reliable system for identifying Métis rights-holders.³ It was on this basis that the MNO and Ontario negotiated to remove the cap on the number of MNO Harvester Cards and signed the new MNO-Ontario Framework Agreement on Métis Harvesting in April 2018.

³ The Final Report of the Independent Review is available online at: <http://www.metisnation.org/media/654736/final-report-of-inter-group-without-appendix-c.pdf>