

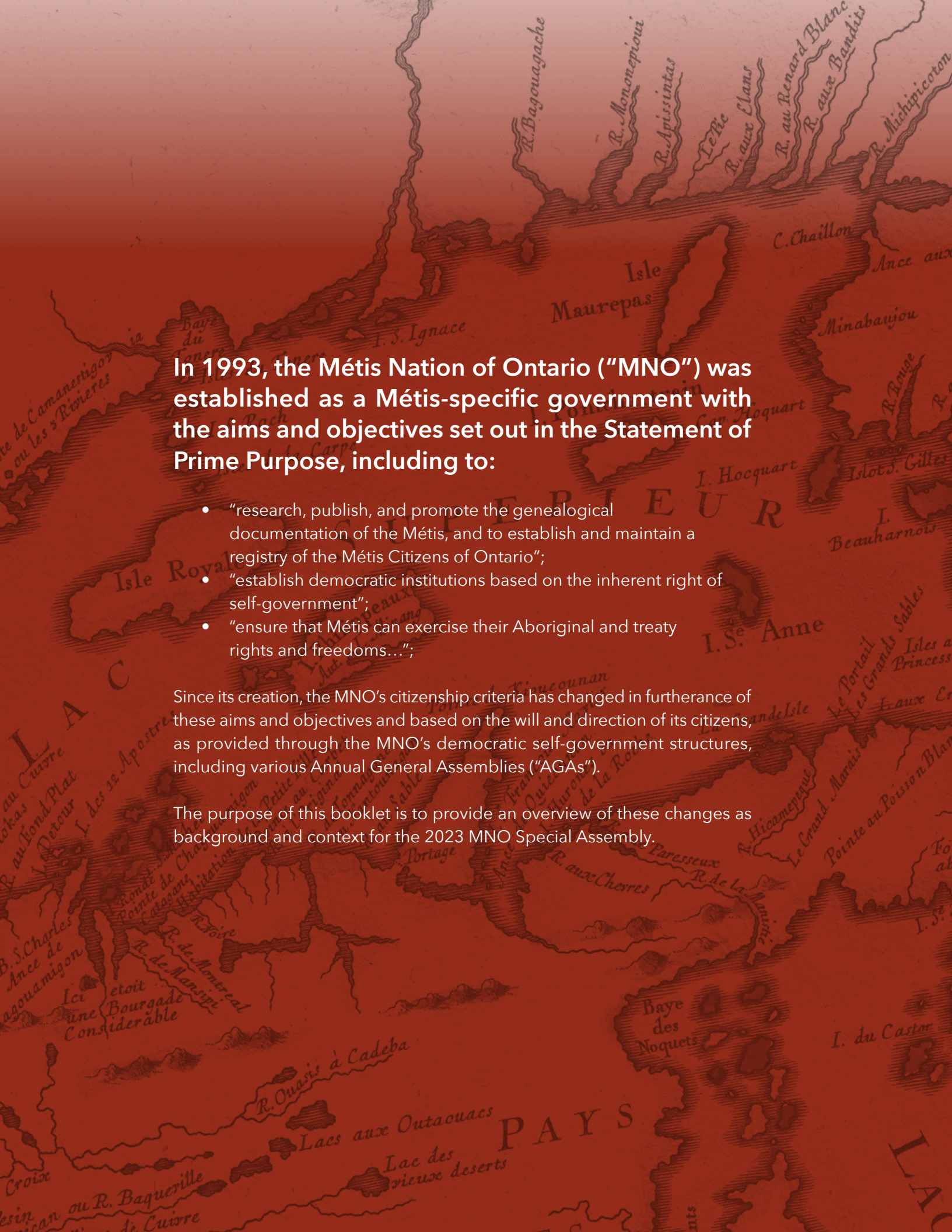


# SPECIAL ASSEMBLY

JUNE 17, 2023 • TORONTO • DELTA HOTEL

Métis Nation  
of Ontario 





**In 1993, the Métis Nation of Ontario (“MNO”) was established as a Métis-specific government with the aims and objectives set out in the Statement of Prime Purpose, including to:**

- “research, publish, and promote the genealogical documentation of the Métis, and to establish and maintain a registry of the Métis Citizens of Ontario”;
- “establish democratic institutions based on the inherent right of self-government”;
- “ensure that Métis can exercise their Aboriginal and treaty rights and freedoms...”;

Since its creation, the MNO’s citizenship criteria has changed in furtherance of these aims and objectives and based on the will and direction of its citizens, as provided through the MNO’s democratic self-government structures, including various Annual General Assemblies (“AGAs”).

The purpose of this booklet is to provide an overview of these changes as background and context for the 2023 MNO Special Assembly.



## Distinct Métis Communities Emerge Prior to Canada Becoming Canada

**Beginning in the late 1700s**, distinct Métis communities emerged in various regions surrounding the Upper Great Lakes and along waterways and fur trade routes of what is now Ontario.

These Métis communities in Ontario, along with other Métis communities that emerged in the historic North-West, developed their own shared customs, traditions, and collective identities rooted in their special Aboriginal relationship to the land, and a distinctive culture and way of life.

## Métis Push Back on the Denial of Métis Rights

**In the 19th Century**, Métis communities in Ontario asserted their collective rights, interests, and claims through political action and advocacy, including uprisings, petitions, and the negotiation of a collective adhesion to Treaty 3.

**In the 20th Century**, and prior to the MNO's establishment in 1993, Métis communities in Ontario created their own local or regional bodies and participated in various pan-Aboriginal organizations to advance their rights, interests, and claims.

However, distinct Métis aspirations, rights, and self-government were often frustrated since the agendas of these pan-Aboriginal organizations were not solely focused on Métis issues.

**In the late 1970s and early 1980s**, Métis communities in Ontario participated in processes that ultimately led to the inclusion of section 35 in the *Constitution Act, 1982*, which expressly includes the Métis as one of the three "aboriginal peoples of Canada."

**In the early 1990s**, Métis communities in Ontario also participated in the development of the Métis Nation Accord, led by the Métis National Council ("MNC"), as a part of the Charlottetown Accord process. As a result of the Charlottetown Accord being defeated in a national referendum, the Métis Nation Accord was ultimately not signed or implemented.





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**IN *POWLEY*, THE MNO SUCCESSFULLY SUPPORTED STEVE AND RODDY POWLEY, MÉTIS HARVESTERS AND CITIZENS CHARGED WITH HUNTING WITHOUT LICENSES OUTSIDE OF SAULT STE. MARIE, ALL THE WAY UP TO THE SUPREME COURT OF CANADA.**

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## **MNO is Established as a Métis-specific Government and Advances *Powley* as Part of its 'Hunt for Justice'**

**In 1993**, a distinct group of Ontario Métis established the MNO as a Métis-specific government to advance Métis self-determination and self-government, with the aims and objectives set out in the Statement of Prime Purpose.

In the same year, the MNO also identified *Powley* as a "test case" for Métis rights in Ontario.

*Powley* was advanced as part of the MNO's 'hunt for justice' strategy focused on advancing Métis rights at a time when Ontario did "not recognize any Métis right to hunt for food, or any "special access rights to natural resources" for the Métis whatsoever."

In *Powley*, the MNO successfully supported Steve and Roddy Powley, Métis harvesters and citizens charged with hunting without licenses outside of Sault Ste. Marie, all the way up to the Supreme Court of Canada ("SCC").

*Powley* remains the first and only SCC decision to affirm Métis rights protected by section 35 of the *Constitution Act, 1982*.

**In 1994**, in order to secure government funding, the MNO incorporated the MNO Secretariat to act as its "corporate and administrative arm" until such time it was able to negotiate full recognition of its self-government on a nation-to-nation, government-to-government basis with Canada. In the same year, the MNO also became a governing member of the MNC.



## MNO Develops an Objectively-Verifiable Process for Identifying Métis Rights Holders

**In 2002**, prior to the release of the SCC's decision in *Powley*, the MNO, as a part of the MNC, participated in and supported the adoption of a national definition for citizenship within the Métis Nation through a MNC General Assembly.

**In 2003**, in *Powley*, the SCC ultimately supported the MNO's position that the identification of members of Métis communities is a decision to be made by those communities based on the following guidelines: (a) self-identification, (b) ancestral connection to the Métis community, and (c) community acceptance.

The SCC also directed governments and the Métis to negotiate on Métis rights and work together to develop a **"systematic method of identifying Métis rights-holders" based on "[objectively verifiable] proof of self-identification, ancestral connection, and community acceptance" to ensure that "the difficulty of identifying members of the Métis community must not be exaggerated as a basis for defeating their rights under the Constitution of Canada."**

In *Powley*, the SCC was also clear that **"[a]s Métis communities continue to organize themselves more formally and to assert their constitutional rights, it is imperative that membership requirements become more standardized so that legitimate rights-holders can be identified."**

**Since 2003**, the MNO and other Métis Nation Governments have worked with Canada to develop a federal response to *Powley*, which included the development of national standards for Métis government registries.

**In 2004**, the MNO AGA amended the MNO Bylaws as well as adopted a new definition of "Métis" and process for the registration of its citizens that was consistent with the national definition and the *Powley* criteria.

**Also in 2004**, the MNO and Ontario reached an interim harvesting agreement that recognized a limited number of MNO Harvester Card holders until an independent review of the MNO's Harvester Card system could be performed.



**In 2009**, the MNO adopted a Registry Policy on an interim basis to enhance the standardization, reliability, and credibility of the MNO Registry by providing further clarity on the requirements for MNO citizenship.

**In 2010**, by way of an ordinary resolution, the MNO AGA directed all existing MNO citizens be “grandfathered” at that time and that province-wide consultations be undertaken on the MNO Registry. These consultations resulted in a “What We Heard” report that included a series of recommendations the MNO has acted on over that last decade.

**In 2012**, in order to advance Métis rights and the goal of negotiating a new harvesting agreement with Ontario, the MNO AGA directed all MNO Harvester Cards with “incomplete” files be canceled.

**In 2014**, the MNO AGA formally adopted the Registry Policy.

**In 2017**, after over a decade of collaborative work with Ontario, and based on the “framework” set out in *Powley*, the MNO and Ontario publicly announced the identification of six historic Métis communities in Ontario, in addition to the community recognized in *Powley*:

- **Rainy River/Lake of the Woods Historic Métis Community;**
- **Northern Lake Superior Historic Métis Community;**
- **Sault Ste. Marie Historic Métis Community;**
- **Abitibi Inland Historic Métis Community;**
- **Killarney Historic Métis Community;**
- **Georgian Bay Historic Métis Community; and**
- **Mattawa/Ottawa River Historic Métis Community;**

**In 2018**, the Independent Review of the MNO Harvester Card system was completed, and confirmed the reliability of that system for identifying Métis rights-holders consistent with the *Powley* criteria.

**Also in 2018**, and based on the results of the Independent Review, the MNO and Ontario signed a new harvesting agreement that removed the previous cap on Harvester Cards as well as recognizes and accommodates Métis harvesting rights in various areas throughout the province.



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**AS OF MAY 2023, THE VAST MAJORITY OF THE MNO'S OVER 31,000 CITIZENS HAVE "COMPLETE" CITIZENSHIP FILES, MEANING THEY MEET ALL THE CURRENT REQUIREMENTS FOR MNO CITIZENSHIP AND HAVE BEEN VERIFIED AS MÉTIS RIGHTS HOLDERS.**

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# Registry Review Launched to Further Statement of Prime Purpose Aims & Objectives

**In October 2017**, in order to advance the MNO's negotiations with Canada, the Provisional Council of the Métis Nation of Ontario ("PCMNO") initiated the MNO Registry and Self-Government Readiness Review ("Registry Review") to, among other things:

- a) assess the "completeness" of all citizenship files based on the MNO's current citizenship requirements set out in the MNO Bylaws and Registry Policy;
- b) provide the MNO with a clear understanding of "who" it represents for the purposes of self-government negotiations and Métis rights claims; and
- c) ensure that MNO citizens in elected leadership positions who represent Métis communities with respect to Métis rights, are Métis rights-holders themselves.

**In May 2021**, the Registry Review was completed. The final report and two supplemental reports (July and September 2022) were publicly released and made accessible to all citizens.

**As of May 2023**, the vast majority of the MNO's over 31,000 citizens have "Complete" citizenship files, meaning they meet all the current requirements for MNO citizenship and have been verified as Métis rights holders.

About 5,300 citizens have "Incomplete" files and another ~1,000 citizens could complete their files by signing a form or providing a missing document. These citizens do not meet the current requirements for MNO citizenship and have not been verified as Métis rights holders.

The Registry Review (and below implementation steps) have always been—and continue to be—directed at advancing the democratic will of the distinct Métis collective represented by the MNO, in furtherance of the aims and objectives in the Statement of Prime Purpose.

This was explicitly recognized by the Ontario Superior Court of Justice in the *Green* case, which held that the Registry Review and adjustments to the MNO's citizenship criteria "**do not, nor are they intended to, target specific individuals or families but to advance [the MNO's] collective "aims and objectives" so as to better position itself to establish Métis s. 35 rights and ultimately negotiate a self-government agreement.**"





**A CLEAR MAJORITY (i.e., 71% OR 5,898 MNO CITIZENS) OF THE 8,270 MNO CITIZENS THAT VOTED IN THE PLEBISCITE, VOTED IN FAVOUR OF REMOVING CITIZENS WITH INCOMPLETE FILES FROM THE MNO REGISTRY.**

**VOTER TURNOUT IN THE PLEBISCITE WAS MORE THAN DOUBLE THE VOTER TURNOUT OF ANY PREVIOUS MNO PROVINCE-WIDE ELECTION.**







# Citizens Provide Clear Direction to Remove Incomplete Citizenship files

**Through the six-year Registry Review process**, the MNO has been advancing the collective will of MNO citizens and communities, including listening to their voices and direction as provided:

- at numerous MNO AGAs, including the 2022 MNO AGA (resolution no. AGA220820-02) that directed the MNO to conduct a province-wide plebiscite (“Plebiscite”) and, depending on the results of the Plebiscite, call a Special Assembly;
- through the 2020 province-wide election where the issue of incomplete citizenship files was campaigned on;
- during extensive province-wide consultations open to all MNO citizens (June 2021 to May 2022), the results of which are summarized in a publicly available “What We Heard” report; and
- through an 82-day Plebiscite (December 8, 2022 to February 28, 2023) that provided all citizens over the age of 16 with the opportunity to have their voice heard on the following question: *Should all existing members/citizens of the Métis Nation of Ontario (MNO) and the MNO Secretariat, whose files do not meet the current requirements for citizenship as set out in the MNO Bylaws and Registry Policy, be removed as members/citizens?*

A clear majority (i.e., 71% or 5,898 MNO citizens) of the 8,270 MNO citizens that voted in the Plebiscite, voted in favour of removing citizens with incomplete files from the MNO Registry.

Voter turnout in the Plebiscite was more than double the voter turnout of any previous MNO province-wide election. No MNO citizen filed a valid objection to the Plebiscite.



## **MNO Calls a Special Assembly to Implement the Province-wide Plebiscite Results**

Despite the clear democratic will of citizens provided through the Plebiscite, the current MNO Bylaws do not allow for a Plebiscite to immediately end someone's citizenship within the MNO.

To do this, the MNO must comply with its bylaws and Ontario's Not-for-Profit Corporations Act, which require the MNO to amend the MNO Bylaws and Registry Policy by holding an assembly and passing a special resolution. This is, in part, why the PCMNO called the Special Assembly.

Once the MNO adopts its own Constitution—as Métis law—it will no longer be constrained by these limiting corporate law requirements.

The current PCMNO is united in implementing the democratic will of MNO citizens as demonstrated through the Plebiscite, and will work to ensure this will is implemented in some way if it is not given effect through the Special Assembly.





## Successes Tied to the MNO's Advancement of the Statement of Prime Purpose

Based on the above-noted work, over the MNO's 30+ year history, the MNO has successfully negotiated self-government and harvesting related agreements with the Crown:



MNO-Canada-Ontario Framework Agreement for Advancing Reconciliation



Agreement on Advancing Reconciliation with the Northwestern Ontario Métis Community



MNO-Ontario Framework Agreement on Métis Harvesting



Métis Government Recognition and Self-Government Agreement



Métis Government Recognition and Self-Government Implementation Agreement

In addition, the MNO has also been able to sign various MOUs and agreements, including related to consultation, education, training, fiscal financing, economic development, etc.





# TIMELINE

Distinct Métis communities emerge in various regions surrounding the Upper Great Lakes, waterways and fur trade routes of what is now Ontario

late  
**I700s**

Prior to establishment of MNO, Métis communities in Ontario create local or regional bodies and participate in pan-Aboriginal organizations to advance rights and claims

**I900s**

Métis communities in Ontario participate in the development of the Métis Nation Accord

early  
**I990s**

MNO incorporates the MNO Secretariat to act as its corporate and administrative arm until such time it was able to negotiate full recognition of its self-government

MNO becomes a governing member of the MNC

**I994**

SCC releases landmark *Powley* decision, affirming that Métis community in Sault Ste. Marie have Métis harvesting rights in their traditional territory protected by section 35 of the *Constitution Act, 1982*

**2003**

**I800s**

Métis communities in Ontario assert collective rights, interests, and claims through uprisings, petitions, and negotiation of collective adhesion to Treaty #3

**I970s-80s**

Métis communities in Ontario participated in processes that ultimately led to inclusion of section 35 in the *Constitution Act, 1982*

**I993**

A distinct group of Ontario Métis establish the MNO as a Métis-specific government to advance Métis self-determination and self-government

**2002**

Prior to release of SCC's decision in *Powley*, MNO, as a part of the MNC, participated in and supported adoption of a national definition for citizenship within the Métis Nation

MNO identifies *Powley* as a "test case" for Métis rights in Ontario

**2000**

MNO and Ont reach an inter harvesting agree recognizing a lin number of MI Harvester Car  
MNO AGA ad a new definitio  
"Métis" consist  
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and *Powley* cri



MNO adopts a Registry Policy on interim basis to enhance standardization, reliability and credibility of MNO Registry by providing further clarity on the requirements for MNO citizenship

2009

In order to advance Métis rights and the goal of negotiating a new harvesting agreement with Ontario, MNO AGA directs all MNO Harvester Cards with "incomplete" files be canceled

2012

MNO and Ontario announce identification of historic Métis communities in Ontario

∞  
PCMNO launches Registry Review

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MNO and Ontario sign framework agreements on advancing reconciliation

2017

MNO and Canada sign a self-government agreement

2019

MNO AGA directs MNO hold a province-wide Plebiscite

2022

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2010

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2014

MNO AGA formally adopts the Registry Policy

2018

Independent Review of MNO Harvester Card system is completed, and confirms reliability of system for identifying Métis rights-holders

∞  
MNO and Ontario sign a new harvesting agreement removing the previous cap on MNO Harvester Cards

2021

Registry Review is completed - final report and two supplemental reports (July and September 2022) publicly released and made accessible to all citizens

2023

Plebiscite results confirm a clear majority (i.e., 71%) of citizens support removing citizens with incomplete files from the MNO Registry  
∞  
MNO and Canada sign an updated self-government agreement

Métis Nation  
*of* Ontario 

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