



**Métis Nation of Ontario**  
Office of the President

June 11, 2024

Margaret Froh  
MNO President

**RE: Provincial Secretary Appointment for Justice**

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In addition to my democratically elected role as the President of the Provisional Council of the Métis Nation of Ontario (“**PCMNO**”) and pursuant to the foundational direction and vision set out in the MNO *Statement of Prime Purpose* and the authority set out in the MNO bylaws,<sup>1</sup> I am writing this letter to set out my mandate as the Provincial Secretary for Justice.

In this role, I will work together with the other Provincial Secretaries and all PCMNO, to provide leadership, represent the MNO, and advance the responsibilities for this portfolio (as further set out below).

Since it’s inception in 1993, the MNO has been guided by the *Statement of Prime Purpose* that affirms that we, as Métis, have the inherent right of self-determination and self-government and calls upon the MNO, as the representative body of Métis citizens and communities in Ontario, among other things, to:

- “establish democratic institutions based on our inherent right of self-government”;
- “ensure that Métis can exercise their Aboriginal and Treaty rights and freedoms and in so doing, act in a spirit of cooperation with other Aboriginal and non-Aboriginal people”;
- “gain the recognition and respect of the Métis as a Nation and a people.”

Based on this foundational mandate, as well as our inherent right to self-government and self-determination, MNO has built a strong, province-wide Métis government to represent our 28,500+ MNO citizens.

Today, the MNO has established governance structures at the Provincial (PCMNO), Regional (Regional Councilors, Regional Consultation Committees, and Regional Implementation Committees), and local levels (Chartered Community Councils) to represent MNO citizens wherever they live in Ontario. These governance structures all consist of Métis leaders that are democratically elected by the constituency of MNO citizens they represent. The MNO also has established a Métis Women’s Council, Métis Youth Council, Métis Veterans Council, Two-Spirit Working Group, Captains of the Hunt, and Senators as a part of our Métis government.

In addition, the MNO has established well-run arms length institutions to deliver programs and services to our citizens and advance economic development interests and goals (Métis Voyageur Development

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<sup>1</sup> MNO bylaws, section 15: “Provisional secretaries may be appointed from the PCMNO and for each appointment the term of office, responsibilities and removal shall be determined by the president and ratified by the PCMNO. Provincial secretaries shall report to the president. Provincial secretaries shall support the management of the MNO by providing leadership in the area of their portfolio responsibility and shall advocate, advise and represent their respective portfolios to MNO management, MNO citizens and outside agencies.”



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Fund and Métis Infinity Investment LLP). The MNO administration currently includes over 400 staff, located in over 30+ offices throughout the Province.

As we move forward with implementing the objectives in the MNO's *Statement of Prime Purpose*, and advancing recognition and respect of our rights of self-government and self-determination, Provincial Secretaries will play a key role in advocating for and advancing the priorities and aspirations of our citizens and the Métis communities in Ontario.

I am pleased to outline in this mandate letter the role and responsibilities that I will take on as a Provincial Secretary within the MNO. As a Provincial Secretary, the actions I take to fulfill these duties must be guided by and adhere to the responsibilities and requirements set in this mandate letter.

### **Role and Responsibilities of Provincial Secretaries within the MNO**

#### **1) Respecting the Governance Structures and Administration of the MNO**

As a government, the MNO must work to ensure that all MNO citizens and all the Métis communities represented by the MNO have meaningful ways to be consulted and participate in the province-wide initiatives that we are undertaking. In doing so, we must respect the different roles, responsibilities, and functions of the MNO's various governance structures, including the Annual General Assembly ("**AGA**"), PCMNO, the Executive Committee, the Chief Strategy Officer ("**CSO**"), Chief Operating Officer ("**COO**"), Chief Financial Officer ("**CFO**"), and MNO administration.<sup>2</sup>

Importantly, in my work as a Provincial Secretary, I recognize that I must also always respect the MNO bylaws, the MNO *Statement of Prime Purpose*, and the distinct authorities and responsibilities of the MNO's various branches and administration.

#### ***MNO Annual General Assembly***

The AGA is the highest authority in the MNO. The AGA is composed of all MNO citizens who are 16 years of age or older and is the forum for MNO leadership and administration to provide updates to MNO citizens on progress to achieve priorities, receive feedback, and set direction for the year ahead.

As a Provincial Secretary, I recognize that I will be responsible for providing updates to the AGA on my work to advance the priorities in this portfolio (as further set out below).

#### ***PCMNO and Executive Committee***

The composition, responsibilities, and authority of PCMNO is set out in the MNO bylaws and includes that "the PCMNO shall make decisions and act in a manner consistent with upholding and advancing the *MNO Statement of Prime Purpose* and shall take its direction from and shall report to the General Assembly."<sup>3</sup>

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<sup>2</sup> This will also include respecting the distinct role of the Chief Executive Office, or "CEO", at such point in time as the joint MNO President/CEO role is separated into two positions.

<sup>3</sup> MNO bylaws, section 14.



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MNO bylaws also outline that PCMNO has the collective authority to make decisions, manage the property and business of the MNO, and do all such other things as the MNO is authorized by law to do. This includes that PCMNO has the power to authorize expenditures, invest funds, or make financial decisions for the purposes of furthering the objects of the MNO.<sup>4</sup> These functions continue to reside with PCMNO, who has the collective responsibility for fair, transparent, and accountable governance of the MNO as a whole.

PCMNO includes the Executive Committee, who have responsibility for “the day-to-day management and administration of the MNO and shall ensure that resolutions and motions passed by the General Assembly and the PCMNO are carried out.”<sup>5</sup> This means that the Executive is responsible for providing direction and management of the MNO, consistent with the MNO’s legal framework, policies, and procedures.

Importantly, I recognize that my role on PCMNO is distinct from my responsibilities as a Provincial Secretary. In the role as a Provincial Secretary, I acknowledge that I must ensure that I consider and advance the rights and interests of all MNO citizens and all Métis communities represented by the MNO, not only those in a particular Region or community.

Specifically, Métis citizens and Métis communities in Ontario have built the MNO as a province-wide Métis government to ensure that none of our citizens, families, or communities are left behind, no matter where they live in the province. We do not want to artificially divide our people or create “have” and “have not” (i.e., the on versus off reserve dynamics at play in First Nations) distinctions between our citizens.

As a Provincial Secretary, and as President of the MNO, my role includes advocating for and listening to MNO citizens across the province, including those MNO citizens who are today located in MNO Regions where MNO does not assert that there is a section 35 rights-holding Métis community (e.g., MNO Regions 6, 8, and 9) and ensuring that MNO citizens in those Regions have equitable opportunities to participate and be heard.

### ***MNO Community Councils and Regional Consultation Committees***

The MNO, as a Métis government, includes the MNO Community Councils that have been established across Ontario through the MNO Community Council Charter Agreements. These Community Councils form the “local” level of our government and are key to providing programs and services and representing MNO citizens in their local areas.

In addition, the MNO has developed MNO Regional Consultation Committees through MNO Regional Consultation Protocols. These Committees are the structures through which duty to consult and accommodate related discussions take place, and are an integral part of the MNO’s governance processes.

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<sup>4</sup> MNO bylaws, sections 32-35.

<sup>5</sup> MNO bylaws, section 37.



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In my role as a Provincial Secretary, I acknowledge that I must always respect the authority of the MNO Community Councils and MNO Regional Consultation Committees, as set out in the MNO Community Council Charter Agreements and MNO Regional Consultation Protocols respectively.

### ***CSO, COO, CFO and the MNO Administration***

All of PCMNO, including myself as President and all Provincial Secretaries, must respect and empower the MNO's administration as our Métis government's civil service. It is our obligation to ensure we support and protect a safe, positive, and healthy workplace for all of our government's employees.

As such, the direction and oversight that MNO's elected leadership provides must respect the distinct role and authority of the CSO, COO, and CFO. The CSO, COO, and CFO are responsible for overseeing the day-to-day operations of our Métis government and are who our administration and staff are ultimately accountable to through the organizational structure of the MNO. This organizational structure includes our Directors, who are responsible for the various branches of our Métis government.

While Provincial Secretaries may provide direction and oversight consistent with this mandate letter by engaging with senior management and Directors, members of PCMNO, including Provincial Secretaries, must not directly interfere with the responsibilities of our administration. For example, Provincial Secretaries cannot approve or commit to expenditures that they are not authorized to do, nor can they direct staff. Senior management and Directors are solely responsible for providing direction and oversight of MNO's administration and staff.

As President, I am committed to ensuring the distinct role and authorities of the CSO, COO, CFO, senior management, and Directors are respected within the MNO to ensure stable, effective, and accountable governance. We will work to ensure that all PCMNO members uphold a framework of neutrality by respecting the distinction between politics and the day-to-day operations of administration.

In order to continue as a Provincial Secretary, I recognize that I must respect the distinct roles and responsibilities of our CSO, COO, CFO, senior administration, and Directors, as well as ensure that I do not inappropriately interfere with our administration as they undertake their important work on behalf of our government. As a Provincial Secretary, I may provide direction and oversight to our senior administration and management to advance the priorities set out in my mandate letter, but I recognize that I do not have a role in the day-to-day operations of our government's branches and institutions.

Our ability to protect and maintain the integrity of our administration is why our government has been so successful in the past. This is why we have been able to retain excellent senior management, Directors, and staff, including many of our Citizens who are proud to work for their government. The MNO strives to be one of the best employers in Ontario and Canada.

In order to ensure this is maintained, Provincial Secretaries must engage with our administration through the MNO senior administration and management (i.e., through the CSO, COO, or C-Suite) or through engaging with the Directors of our government's various branches to which your mandate letter has relevance.

Provincial Secretaries have no authority to direct any staff member within a Region (e.g., Regional Managers) or within a branch or institution of the MNO. This is to ensure proper lines of communication



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between employees and senior administration and management are maintained without interference from elected representatives.

As we move forward as a Métis government, we will provide further training and will be developing policies and procedures that explain how this works as well as highlight best practices to ensure that our administration is able to continue to do the excellent work they do for our government on a day-to-day basis, without political interference.

### **2) Respecting the Distinct Rights and Authority of Métis Communities Represented by the MNO**

Over the last 30+ years, the MNO has advanced considerable work for the recognition and respect of Métis section 35 rights held by distinct Métis communities in Ontario. Harvesting rights is one key example. After decades of denial and fruitless negotiations, the MNO turned to the courts and advanced the *Powley* case all the way to the Supreme Court of Canada. In 2003, this country's highest court recognized section 35 Métis rights for the first time in Canada and 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)"<sup>6</sup> which the court found was part of the Métis "special relationship to the land."<sup>7</sup>

Using the total victory in the *Powley* case, the MNO worked with Canada to develop a federal response to the *Powley* decision, which included the development of national standards and ongoing federal capacity funding to the MNO for the development of an objectively verifiable system for the identification of Métis rights-holders, consistent with *Powley*.

The MNO has also worked collaboratively with the provincial government in response to *Powley*. In 2017, after over a decade of negotiations based on the framework set out in *Powley* for identifying Métis communities in other areas of the province, the MNO and Ontario publicly announced the "identification of historic Métis communities located throughout Ontario." These include:

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

In exercising our authority, PCMNO must always respect the section 35 rights, claims, and interests that are held by these distinct rights-holding Métis communities. This includes recognizing that matters

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<sup>6</sup> *R v Powley*, 2003 SCC 43 at para 53 [*Powley*].

<sup>7</sup> *Powley* at para 41.



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affecting the rights, claims, or interests of those communities must be decided by the members and democratically elected representatives of those communities.

For example, our 2023 *Métis Self-Government Recognition and Implementation Agreement* with Canada included the following commitment to not encroach on the authority and autonomy of the Métis communities represented by the MNO: “The Métis Government is committed to ensuring that any processes, discussions, or negotiations related to a specific Métis Right, interest, or claim collectively held by any one or more of the Métis Communities Represented by the MNO will include the Governance Structures Representing those Métis Communities.”<sup>8</sup>

As President, I am committed to ensuring the distinct role of the rights-holding Métis communities represented by the MNO is respected within our Métis government. I recognize the importance of being mindful and respectful of the distinct role and responsibility of the Métis communities represented by the MNO, as part of fulfilling my mandate as a Provincial Secretary.

### **3) Responsibility as an Ambassador for the MNO**

As a Provincial Secretary, and as President of the MNO, I recognize that I am a role model for our youth, citizens, and Métis communities in Ontario. MNO relies on its elected leadership, including those in a Provincial Secretary role, to be respectful and professional as our actions reflect on the MNO as a whole.

In fulfilling my roles within and external to the MNO, I acknowledge that I must be professional and remain aware that I am a public official that represents the MNO, as a Métis government, and our citizens and Métis communities in Ontario. Our citizens are counting on their leadership to represent them in a way that honours our ancestors and the hard work our staff and administration do every day.

While negative comments on social media or from elsewhere are realities that all elected leaders face in today’s society, I must ensure to always respond professionally to constructive criticism and engage with others in a respectful way. I also recognize I should not engage with individuals who are being abusive or threatening. If those types of situations emerge, I recognize they should be reported to ensure my safety and that of other citizens is maintained.

MNO continues to develop appropriate policies, procedures, and further guidance on how to best engage and deal with difficult situations if and when they arise. The vast majority of our citizens strongly believe in and support the MNO. We want our citizens to always know that we strongly support them while we fulfill our duties, regardless of different views that may emerge on specific issues.

### **4) My Role as Provincial Secretary for Justice**

As set out in the MNO bylaws, the President has the authority to appoint Provincial Secretaries from the PCMNO, and each Provincial Secretary “shall support the management of the MNO by providing leadership in the area of their portfolio responsibility and shall advocate, advise and represent their respective portfolios to MNO management, MNO citizens and outside agencies.”<sup>9</sup>

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<sup>8</sup> *Métis Self-Government Recognition and Implementation Agreement*, section 14.06.

<sup>9</sup> MNO bylaws, section 15.



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As President, I am exercising this authority to set out the following portfolio which I will have responsibility for and which has been approved and ratified by PCMNO.<sup>10</sup>

### ***Accountability and Term***

As set out in the MNO bylaws, Provincial Secretaries shall report to and are accountable to the President and PCMNO in relation to the work as a Provincial Secretary.<sup>11</sup> I anticipate serving as Provincial Secretary for Justice for a term of four years, ending upon the next PCMNO election unless terminated earlier.

With that said, as elected officials, we are all ultimately accountable to the Métis citizens and communities we serve, and providing an update on my work to advance my portfolio to all citizens at the AGA is a key part of how I will be held accountable for delivering results within my Provincial Secretary portfolio. I recognize that as an elected official, it will be important that citizens see progress related to this portfolio.

### ***Collaboration***

As a Provincial Secretary and member of PCMNO, I am part of a team that is responsible for working together for the best interests of Métis citizens and Métis communities in Ontario, in a manner that ensures fair, accountable, and transparent governance. I recognize that I am therefore responsible for proactively collaborating and coordinating with the other Provincial Secretaries or PCMNO members where there are areas of overlap or shared interests between my mandate as a Provincial Secretary and others'.

### **Support**

In order to provide support for the functioning of the Provincial Secretaries, the MNO will designate an individual as the Chief of Staff to the Provincial Secretaries. The Chief of Staff will work with and coordinate the functions of myself as MNO President and the Provincial Secretaries.

### ***Knowledge***

In order to fulfill my role as a Provincial Secretary, I recognize the importance of being knowledgeable in relation to all matters identified in this mandate letter, as well as be knowledgeable with respect to the relevant parts of the MNO's constituting documents, including the MNO *Statement of Prime Purpose*, *Métis Nation of Ontario Secretariat Act*, MNO bylaws, MNO policies, priorities, decisions, etc. that will impact my work as a Provincial Secretary.

Further, I recognize I must also be familiar with MNO's policies and procedures, including those around conflict of interests, ethics and accountability, confidentiality, and communications. Failure to follow or abide by any of these legal or policy requirements may result in my removal as a Provincial Secretary.

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<sup>10</sup> PCMNO Resolution #XX.

<sup>11</sup> MNO bylaws, section 15: "Provisional secretaries may be appointed from the PCMNO and for each appointment the term of office, responsibilities and removal shall be determined by the president and ratified by the PCMNO."



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### ***Portfolio Priorities***

In the mandate letter provided to all PCMNO members, I outlined several key priorities for the MNO as a whole. Over the next four years, it will be essential for us, as members of PCMNO, to make tangible progress on those overarching priorities.

In addition to those broader priorities, this mandate letter sets out my specific portfolio and priorities as Provincial Secretary for Justice.

Within this portfolio, I hope the following priorities and results can be advanced:

- Engage in discussions with MNO citizens and Region and Community Council leadership to develop a plan for decentralized, Métis service delivery model(s) that will support MNO citizens to be better able to access MNO services, programs, and support in their Regions.
  - Work together with the Provincial Secretary for Finance and Records and PCMNO Secretary-Treasurer on the financial aspects of this plan, to ensure the overall health and financial viability of any decentralized options considered or brought forward for PCMNO approval.
- Support the implementation of the MNO-Wide Self-Government Consultation Plan to educate and inform all MNO citizens about our self-government rights and work towards building our Constitution and Métis laws.
- Advocate, together with all of the PCMNO, for the advancement of MNO's overarching priorities on Métis rights, including:
  - self-government and reaching a modern-day treaty with Canada recognizing the self-government and self-determination rights of the Métis communities represented by the MNO;
  - passage of federal recognition and implementation legislation by Parliament (i.e., Bill C-53);
  - establishment of a Métis historic grievance or claims process for the resolution and redress of outstanding Métis claims against the Crown, including research funding and capacity supports similar to those available to First Nations;
  - developing a renewed fiscal relationship with Canada, including robust, core governance funding through a long-term fiscal financing agreement; and
  - reaching an updated consultation protocol and funding to support MNO Regional Consultation Committees engaging in consultation with the Crown or industry.
- Participate in all provincial, federal, or national (e.g., Métis National Council) roundtables, working groups, or other discussions related to justice and policing matters, in order to advance the MNO's priorities and goals.





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As President, I am committed to continuing to advance the objectives in the MNO *Statement of Prime Purpose*, advance our Métis rights of self-government and self-determination, and improve the lives for Métis children, families, and communities in Ontario.

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Margaret Froh,  
President  
Métis Nation of Ontario