

PRINCIPLE #13: **CITIZENS LIVING OUTSIDE OF THE MÉTIS COMMUNITIES TRADITIONAL TERRITORIES**

FAQs

Principle #13: Citizens Living Outside of the Métis Communities Traditional Territories

Citizens who live outside of the traditional territories of the Métis Communities in Ontario are—and will continue to be—a vital and valued part of the Métis in Ontario. They will continue to be entitled to participate within and be represented by the MNO and future Métis Government, as citizens.

13. ...The Constitution will provide for, among other things, these citizens having:

- (a) effective processes to ensure their distinct perspective and concerns are heard as a part of decision-making or actions that may affect their rights as citizens;
- (b) opportunities to build, maintain, and strengthen the deep and enduring relationships with and fulfill their responsibilities to the Métis Community in Ontario to which they belong;
- (c) avenues to participate in processes or decisions that affect the collectively-held rights, claims, or interests of the Métis Community in Ontario to which they belong; and
- (d) opportunities to come together with other citizens where they live, access locally-available programs or services, celebrate their distinct Métis culture and heritage, build social connections, and foster contemporary relationships.

BACKGROUND / CONTEXT FOR THIS PRINCIPLE

Métis have always been a highly mobile Indigenous people. This is true for Métis in Ontario who, as part of the fur trade and in roles as interpreters, guides, and diplomats between European and First Nation peoples, often traveled far distances for work, education, and to maintain relationships.

Today, Métis in Ontario continue to move for various reasons including work, education, family, etc. Despite the distances, these Métis citizens continue to be a part of the rights-holding Métis community to which they belong, and are a valued part of the MNO. They will continue to be part of and represented by the Métis Government going forward.

It is important therefore that the Constitution include ways for citizens who live outside of the traditional territory of their Métis community to continue to participate in the MNO, as their Métis Government.



Other Indigenous governments also have citizens that live outside of the traditional territories of their communities. Increasingly, as more and more Indigenous individuals move out of their communities, their governments have struggled with how to include their distinct perspectives and voices within decision-making and, sometimes, within their government structures.

One such struggle was recently heard by the Supreme Court of Canada, where an individual citizen from Vuntut Gwitchin First Nation challenged the Vuntut Gwitchin Constitution and the requirement that elected leaders live on their traditional territory. A large number of Vuntut Gwitchin citizens live outside of their community's traditional territory and the citizen who challenged their Constitution wanted one seat reserved on Council for someone who lived away from the community to reflect these views. Ultimately, a majority of the Supreme Court of Canada upheld the Vuntut Gwitchin First Nation's Constitution, but this case shows that this is a live issue that many Indigenous governments are still grappling with today.

EXAMPLES FROM OTHER INDIGENOUS GOVERNMENTS

The [Tlicho Constitution](#)¹ does not include any provisions specifically dealing with how citizens who live outside of the Tlicho lands are able to participate in its governance structures. It does include sections that outline how various key government structure, such as the Tlicho Assembly and Annual Gathering, are open to all citizens regardless of residence (s.8.7 and 7.1(a)).

The [Nisga'a Constitution](#)² has a specific section about the representation of Nisga'a citizens in urban areas where there are large numbers of Nisga'a people. Their Constitution establishes specific governance structures to represent those citizens (e.g., "Nisga'a Urban Locals"), and outlines the responsibilities of those structures as being a liaison and point of contact between citizens in urban areas and the Nisga'a Government:

26(1) There is a Nisga'a Urban Local in each Nisga'a Urban Local Area.

- (2) Subject to a Nisga'a Law made under subsection 26(5), there are Nisga'a Urban Local Areas in: (a) Vancouver; (b) Terrace; (c) Prince Rupert/Port Edward; and (d) any other Nisga'a Urban Local Area determined in accordance with Nisga'a law.
- (3) The Nisga'a Nation recognizes that Nisga'a citizens ordinarily residing within each Nisga'a Urban Local Area have organized themselves in Nisga'a Urban Locals to, among other things:
 - (a) provide liaison and contact between Nisga'a Government and Nisga'a citizens ordinarily residing within the Nisga'a Urban Local Area; and
 - (b) inform Nisga'a Government about the views of Nisga'a citizens within the Nisga'a Urban Local Area.
- (4) Nisga'a citizens ordinarily residing within a Nisga'a Urban Local Area are entitled to elect at least one individual to serve as a representative from that Nisga'a Urban Local to Nisga'a Lisims Government.

¹A copy of the Tlicho Constitution is available at:

<https://tlicho.ca/sites/default/files/documents/government/tlichoconstitution.pdf>.

²A copy of the Nisga'a Constitution is available at:

<https://www.nisgaanation.ca/wp-content/uploads/2024/07/Constitution-of-the-Nisga-Nation-1998-10-01-1.pdf>.



- (5) Wilp Si'ayuukhl Nisga'a [Nisga'a legislature or law-making body] must make laws establishing:
- (a) the number of representative to Nisga'a Lisism Government to which each Nisga'a Urban Local is entitled;
 - (b) the boundaries of each Nisga'a Urban Local Area; and
 - (c) procedures to be followed before a Nisga'a Urban Local is established, changed or dissolved.

Notably, while representatives of the Nisga'a Urban Locals are included in the central Nisga'a Lisims Government they do not have the same responsibilities as the Nisga'a Village Governments which represent rights-holding Nisga'a communities. For example, Nisga'a Urban Locals do not have independent law-making powers and have administrative boundaries rather than Nisga'a Village lands (e.g., the traditional territory of each Nisga'a Village community).

The draft [Heiltsuk Constitution](#)³ illustrates a different way that Heiltsuk citizens living outside of their community's traditional territory are included in their governance structure and decision making. Unlike the Nisga'a Nation that established separate structures, the Heiltsuk Constitution includes sections that reflect the whole government is responsible for finding ways to include citizens who live outside of Heiltsuk traditional lands:

- 14 The Heiltsuk government will, through the enactment of legislation, establish processes and procedures in respect of the election of the Tribal Council, including considerations for fair and equitable representation for those who live away from the *wáxv:wuísaxv* [the territory of the Heiltsuk Nation].
- 35(4) To the extent reasonably practical, the Heiltsuk government will allow for remote participation in the People's Assembly...

The [Tla'amin Constitution](#)⁴ includes yet another different example of how citizens living outside Tla'amin traditional lands are included in their government. The Tla'amin Constitution outline that they can establish an advisory council that the Government must consult with:

49. The Tla'amin Government may create one or more bodies that represent the collective interests of Tla'amin Citizens that live outside Tla'amin Lands.
50. A body established under section 49 of this Constitution will provide advice to and inform the Tla'amin Government about the view of Tla'amin Citizens living outside Tla'amin Lands.
51. If the Tla'amin Government creates a body under section 49, the Tla'amin Government will:
- (a) develop procedures for establishing, changing or dissolving a body referred to in section 49. Procedures will include setting the qualifications for participation on an advisory body, the term of participation, resourcing of the advisory body and any other matters that may be necessary;

³A copy of the draft Heiltsuk Constitution is available at:
<https://www.heiltsuknation.ca/heiltsuk-constitution>.

⁴A copy of the Tla'amin Constitution is available at:
<https://www.tlaaminnation.com/wp-content/uploads/2017/08/Tlaamin-Constitution-April-5-2016-consolidation.pdf>.



- (b) develop procedures for reporting requirements between that body and the Tla'amin Government;
- (c) determine the geographical boundaries of the area that body represents; and
- (d) determine the structure, function and authority invested in that body.

The Tla'amin Constitution also includes requirements that the Tla'amin Government "establish procedures to inform and receive comments from Tla'amin Citizens on proposed laws" (s. 58) and must consult with Tla'amin Citizens on issues that may affect their collective rights and interests (s.34(e)). While not specifically about citizens living outside of Tla'amin lands, this commitment to all citizens would necessarily include citizens on, and off, Tla'amin traditional territory.

WHAT WE'RE DOING NOW / EXISTING MNO EXAMPLES

Many of the MNO's existing governance structures and processes already include ways for citizens who live outside of the traditional territory of one of the Métis communities in Ontario to be included and participate in the MNO's governance.

For example, the MNO has always represented Métis citizens who voluntarily choose the MNO as their government, no matter where they live in Ontario. In 2019, MNO removed the requirement that citizens must live in Ontario, meaning that even Métis from outside of the province can voluntarily register and choose the MNO as their Métis Government.

The MNO Annual General Assembly, as the highest decision-making body within the MNO's governance structure, is open to all citizens and allows for all citizens to hear, vote on, and shape the priorities of their Métis Government.

The MNO also has Regional Councilors and MNO Chartered Community Councils in Regions 6, 8 and 9 where there are not rights-holding Métis communities so that citizens in these areas are able to have local and regional representation in the MNO's government.

DISCUSSION QUESTIONS

- What important governance services do citizens need to continue to be able to access locally, near where they live?
 - o For example, local voting locations for MNO elections? Local support for applying for citizenship or accessing MNO programs and services? Etc.
- Should citizens have more opportunities to participate in and be informed about matters that are going on in the Métis communities in Ontario that they ancestrally connect to?
 - o For example, access to information through virtual open-houses, ability to vote on matters that affect their collectively-held Métis rights, etc.?
- Are province-wide plebiscites or all-citizen votes a way that the MNO can ensure all citizens, no matter where they live, have a say over important decisions?
- What other processes would support Métis citizens living outside of the traditional territory of the Métis communities in Ontario being able to participate in governance matters?