



Le Métis



President's Message

This is a monumental and historic time for Manitoba's Métis. After more than 140 years, three decades of court battles and numerous consultations with our Métis Citizens, we have signed a Framework Agreement with Canada that will start the formal negotiations leading to the reconciliation of our constitutional grievance and the renewal of the solemn promise.

The jointly developed Framework Agreement signed in Ottawa on November 15th sets out the process and subject matters for formal reconciliation negotiations to address the outstanding issues raised in the 2013 *Manitoba Metis Federation v. Canada* decision of the Supreme Court of Canada.

During a brief signing ceremony, the Honourable Carolyn Bennett, Minister of Indigenous and Northern Affairs, said Canada was returning to the negotiating table in a spirit of renewal. In her remarks, she said, "This is a truly historic undertaking and we are firmly committed to working in partnership to reach a balanced solution that advances reconciliation for everyone's benefit."

After signing the Framework in Ottawa, I immediately caught a flight home so I could present this signed Agreement to Louis Riel, and Manitoba's Métis, on the 131st anniversary of his judicial murder. During our annual November 16th gravesite ceremony to celebrate the Life and Legacy of Louis Riel, spirits

soared as we stood before his grave. As Canada's Negotiating Partners in Confederation and the Founders of Manitoba, this was an especially auspicious day of celebration for Manitoba's Métis.

In recognition and in honour of Louis Riel, the Canadian Government for the first time ever raised and flew the Métis Nation flag on Parliament Hill. Vice President Denise Thomas and Métis Elder George Fleury were on hand for this historic moment. Métis fiddler Taylor Fleming also played for those gathered as the flag was lifted. This has been truly a momentous week for the Métis. We are all very proud of the progress we are making as a people and as a Nation.

During our celebrations of the signing of our Framework Agreement with Canada, I told the staff and Board of the MMF the next phase of our noble work begins in earnest. Now that we have this Agreement in place, formal negotiations have begun. These negotiations will see us finally secure the lasting place that was promised to our children over 140 years ago. As is my tradition, before presenting the Framework Agreement, I spent time in the Cathedral to say prayers of thanksgiving and to ask for wisdom for the Government of Manitoba's Métis. We have come far, but there is still far to go. We must not let up. We must not quit now. The horizon is bright with possibility and opportunity. We must do all that we can to secure what is rightfully ours.

Among the subject matters we will be negotiating are building and supporting Métis self-government; creation of a 'lasting place' trust for our Citizen's future; supporting a healthy, secure and prosperous Manitoba Métis community; as well as land related issues such as possible selection and management of settlement lands; conservation management; resource development and management; and strategic economic development. These are just a few areas that we will be negotiating. From these subject matters we can see such benefits as having better access to healthcare; increased access to

education; and economic development opportunities. From the trust we will build, we may see such things as opportunity to help our children secure a down payment on a home and assistance for our Métis Citizens in accessing sustainable and appropriate housing. These are just a few areas that we anticipate negotiating.

As was the case with our community consultations leading up to the finalization and signing of our Framework Agreement, we will continue engaging with Métis so what we negotiate is reflective of what you want and need. With this signed Framework Agreement, we will engage our Métis Citizens and Canada through a results-oriented process that will see reconciliation of the solemn promise and the development of a modern-day treaty with Canada.

Friends, this is a great time to be Métis. I want to encourage you once again, if you have not finalized your Métis Citizenship, to do so. Our Citizenship process is an objective and verifiable procedure that will ensure all our rightful Citizens will have access to the benefits we will be negotiating on their behalf. I don't want any of you to miss out on the opportunities that are swiftly approaching us.

In closing, I want to share with you my thanks for your confidence and trust in me and your Métis government. I am honoured to be your President. To those of you who are shut in, sick or have cause to mourn, I send you my thoughts and prayers. May those of us who are healthy and strong, remember our neighbours and our families. Together we can withstand the challenges better than if we are alone. A proverb I once read states, "A person standing alone can be attacked and defeated, but two can stand back-to-back and conquer. Three are even better, for a triple-braided cord is not easily broken." Let us continue to stand together.

Meeqwetch,

∞ *President David Chartrand, LL.D. (hon), O.M.*

The Manitoba Metis Federation Land Claim: Then and Now

A Brief History of the MMF Land Claim

Almost a century and a half ago, a Treaty was made between the Métis of the Red River and the newly formed government of Canada. This agreement was a constitutional compact with solemn promises. It was at this time the Métis became Canada's Negotiating Partner in Confederation and the Founders of Manitoba. The failure of Canada to fulfil their part of this constitutional compact would form the basis for the Manitoba Metis Federation (MMF) Land Claim decades later.

The constitutional compact called the *Manitoba Act, 1870* was negotiated between Louis Riel's Provisional Government (on behalf of the Red River Métis) and Canada, allowing the province of Manitoba to be created and become part of Canada. The 1870 compact included section 31, which outlined a land grant of 1.4 million acres promised to Métis children of the Red River Settlement. This was proposed to ensure the Métis received a "head start" in the newly formed province of Manitoba before an influx of settlers swamped the West. It was intended to secure a "lasting place" and economic land base for generations of Métis to come.

This promise, however, was not implemented consistent with the honour of the Crown. Government delays and inaction, a lack of diligence, and a string of frauds and abuses led to the Métis and their children becoming largely landless, impoverished, and marginalized in the heart of their Homeland.

In 1967, the Manitoba Metis Federation (MMF) formed to act as the collective voice of Manitoba's Métis Community. The MMF began to comprehensively piece together the full history of what happened post-1870 through historical archives research initiatives and interviews with Métis Citizens and Elders.

Armed with research findings, the MMF filed the MMF Land Claim with Canada in 1980, requesting negotiations to correct the injustice and that Canada right the wrongs. At the time, Canada's Minister of Justice rejected the Manitoba Métis Community's submission, stating it held "no valid claim in law" and refused additional research funding for further investigation.

The MMF Land Claim was then filed in the Manitoba Court of Queen's Bench on April 15, 1981, beginning its 32-year legal journey through the courts. With the election of MMF President David Chartrand in 1997, after gathering dust for some years, the MMF Land Claim began to make true progress in the courts. President Chartrand made a promise to the Métis people that he would bring it to court and bring it all the way to the Supreme Court if necessary. During our legal struggle, he committed to ensuring our Métis history – our story – was heard by Canadians.

In 2007, the MMF lost at trial at the Manitoba Court of Queen's Bench and was denied standing. The MMF appealed the decision, but unfortunately lost a second time at the Manitoba Court of Appeal in 2010. The MMF legal counsel used the setbacks at these courts to hone and improve the MMF arguments. They took the evidence available and fully prepared it to be argued in the highest court in Canada - the Supreme Court of Canada (SCC). Here our case would have to be tight and our arguments neat, concise and persuasive.

History was made on March 8, 2013, when the SCC recognized the MMF's claim as "valid in law". The SCC granted the MMF standing in the Manitoba Métis Community's outstanding collective claim and issued a declaration that the "federal Crown failed to implement the land grant provision set out in s. 31 of the *Manitoba Act, 1870* in accordance with the honour of the Crown." The SCC also acknowledged that reconciliation through negotiation and just settlement was required to remedy this "constitutional grievance going back almost a century and a half".



Métis Citizens celebrate 2013 SCC victory at Winnipeg Airport.

Following the SCC decision, the MMF pressed Canada's government for a formal negotiations process. The federal government at that time continued to delay and refused to engage this request. In September 2013, before becoming Prime Minister, Justin Trudeau made a commitment in a video – as the leader of Canada's government in waiting – to the MMF Annual General Assembly saying "the federal government must sit down nation-to-nation and negotiate in good faith to reach a fair and equitable resolution to this historic injustice. And I commit to you, if this government does not, my government will."

After being elected in 2015, Prime Minister Justin Trudeau's government immediately began to engage in discussions with the MMF to advance the MMF Claim.

Recent Developments

A key step was taken on May 27, 2016, when MMF President David Chartrand, on behalf of the Manitoba Métis Community, and the Honourable Carolyn Bennett, Minister for Indigenous & Northern Affairs Canada, signed a Memorandum of Understanding

on Advancing Reconciliation in response to the 2013 SCC decision.

The MOU furthered the steps to address the MMF collective claim and put it on the same trajectory as other Aboriginal peoples, who have used this same path to reach modern day treaties with Canada.

Six months after the MOU signing, following three decades of court battles and a whirlwind summer of community consultations, the MMF and Canada took a monumental step together toward settling the MMF Land Claim by signing the Framework Agreement for negotiations on Nov. 15th, 2016. The jointly developed Framework Agreement sets out a process and subject matters for formal negotiations to address outstanding issues raised in the 2013 SCC decision.

"We are coming together at the negotiating table in a spirit of renewal," said Honourable Carolyn Bennett during the signing ceremony that took place in Ottawa on November 15, 2016. "This is a truly historic undertaking and we are firmly committed to working in partnership to reach a balanced solution that advances reconciliation for everyone's benefit."

One emotion-filled day later on November 16, 2016, President Chartrand brought home and presented the signed Framework Agreement to Louis Riel in a ceremony at the Métis leader's gravesite in Winnipeg, on the 131st anniversary of Riel's judicial murder. On this day, for the first time in history, a Métis flag also flew on Parliament Hill in honour of Louis Riel as a tribute to what he fought for, and what the Métis Nation after him never gave up fighting for.

"This Agreement is the culmination of the hope, hardship and struggle of the Métis," explained President Chartrand, "We never quit fighting for what Riel gave his life for. On behalf of the Manitoba Métis, the relentless dedication and perseverance of the MMF – the Manitoba Métis Government – has been instrumental in achieving the Framework Agreement as a crucial step in the continued forward movement of reconciliation with Canada."

Formal negotiations will now begin in earnest between Canada and the MMF. Both parties are fully committed to working together toward a modern-day treaty and advancing a nation-to-nation, government-to-government relationship. The next step to come will be a self-government Agreement-In-Principle (AIP) and other measures and agreements to protect and advance Métis rights, interests and governance.

The Framework Agreement is anticipated to be presented online within the coming weeks. We invite you to keep an eye on our website at www.mmf.mb.ca and to follow us on Twitter and Facebook for more information on this important and historic time in the Métis Nation.

An Historic Timeline of the Constitutional Promise to Manitoba's Métis

1869 - 2016



1980

- MMF files MMF Land Claim with Canada requesting to correct the unfulfilled promises made to the 'Half-Breed' children in the *Manitoba Act, 1870*.

1967

- The Manitoba Métis Federation (MMF) is formed.

1870

- The constitutional compact called the *Manitoba Act* is negotiated between Louis Riel's Provisional Government and Canada.
- On May 12th, the *Manitoba Act* receives royal assent.
- Manitoba becomes part of Canada on July 15, 1870.
- Canada sends over 1,000 troops to extinguish Riel's Provisional Government, sparking a reign of terror and violence against the Métis. This period lasted until 1972.

1869

- Louis Riel's Provisional Government creates List of Rights that will form the frame of the *Manitoba Act, 1870*.

2007

- The MMF loses trial at the Manitoba Court of Queen's Bench and is denied standing.

2010

- MMF appeals the decision at the Manitoba Court of Appeal. This is the second time the MMF appeal is denied.

1982

- Existing Aboriginal Treaty Rights in Canada is recognized under Section 35 of the *Constitution Act, 1982*.

1981

- Manitoba Métis Community's submission is rejected by Canada's Minister of Justice, stating it held "no valid claim in law". Additional research funding for further investigation is also refused.
- In response to being rejected by Canada's Minister of Justice, the MMF files Land Claim at the Manitoba Court of Queen's Bench on April 15th.

1997

- David Chartrand is elected President of the MMF.

2016

- Memorandum of Understanding is signed between the MMF and Canada on May 27th.
- Framework Agreement is signed between the MMF and Canada on November 15th.
- Signed Framework Agreement is presented on November 16th at Louis Riel's gravesite on the 131st anniversary of Riel's judicial murder.

2015

- Mr. Tom Isaac is appointed to identify options to advance the SCC's 2013 decision and map out a process for dialogue on Métis Section 35 rights.
- (October) Justin Trudeau is elected Prime Minister of Canada and promises to advance MMF Land Claim.

2013

- Supreme Court of Canada recognizes on March 8th the MMF's Land Claim is 'valid in law'. The SCC declares that the "federal Crown failed to implement the land grant provision set out in s. 31 of the *Manitoba Act, 1870* in accordance with the honour of the Crown".

History of MMF Land Claim



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