

For November 4th Publication

President's Message

The autumn has come quickly this year. The geese are flying and, in some parts of Manitoba, the snow has already fallen. It is the time of the year when many of us are exercising our collective right to harvest for food and hunting to feed our families in our traditional ways. With our rights come responsibilities to our community. Conservation of fish and wildlife has always been a Metis priority.

I want to remind our hunters to have their valid Metis Harvester Identification Card, and management tags if hunting big game, with them at all times when harvesting. Be sure to follow your Metis Laws of the Harvest: Revised Third Edition. These laws are your laws and the result of nearly a hundred consultation workshops between 2001 and 2004 undertaken across our Manitoba Metis Community.

As a result of these consultation workshops, our Community directed, with confirmation by our Elders, the MMF to put in place the Metis Harvesting Initiative based on four principle parts: the Metis Conservation Trust Fund, Metis Management System, and Metis Laws of the Harvest, as well as the Metis Harvester Identification Card. Our First Card was created in September of 2004. Today over six thousand cards have been issued.

Our Metis Harvesting Initiative is flexible and will continue to be developed at policy and administration levels over the coming years. This development will be in response to our experience, needs, traditions, knowledge, and rights as well as the principles of conservation. Recently, at our recent September 2013 MMF AGA, the Metis Harvesting Initiative became a part of our MMF Constitution.

Back in September 2012, the MMF and the Manitoba Government signed the Points of Agreement. Manitoba recognized a Metis Harvesting Zone where our harvesters can harvest without a government permit or license. For the time being, outside the Zone boundaries you will need a permit or license but will be reimbursed for your purchase. We are in negotiations to move the boundaries to include all our traditional lands. Please contact our Natural Resources Department for more information.

This past week while in Ottawa for meetings I was able to attend and listen to the arguments in Daniels v. Canada at the Federal Court of Appeal. Canada was appealing an earlier Federal Court decision. Both the Metis National Council and the MMF were interveners in this appeal. There was a three-judge panel at the hearings and they seemed very positive to our intervener arguments.

Canada had appealed the earlier January 2013 federal court decision that had determined, for the purposes of interpreting section 91(24) of the Canadian Constitution, that the Metis are Indians. As I had explained back earlier this year,

this does not mean that the Metis would be Indians in the way we normally use the term. I like to think of this term, in this section of the Constitution, as having a more general meaning like native, aborigine, aboriginal or indigenous people.

Metis under 91(24) would mean that the federal government would have exclusive legislative authority for the Metis. Canada would no longer be able to hide from its responsibilities to our people by saying they don't have jurisdiction. Metis issues often fall between the cracks and are not addressed because of Canada's denial to accept responsibility. This has been a hot potato and political football for Canada for years.

In court last week, Canada's lawyers first suggested that 91(24) would not be good for Metis. That it would somehow interfere with cooperative federalism and the role of provinces. But, in an apparent concession, Canada said "you don't have to be a weatherman to know which way the wind is blowing" and if Metis are declared to be under 91(24) Canada would prefer a Powley-type framework for determining who is Metis. This recognized our earlier intervener arguments that we are the Metis Nation and not just a hodgepodge or confused mixture of mixed-ancestry or non-status individuals.

Historically the Metis were sometimes called Indians but we were then, and are today, a distinct community. We called ourselves Otepayemsuak or the independent ones, Michif, Métif, Métis, Métisse, the New Nation, and the Métis Nation. If determined by the Courts that we are under 91(24), the MMF will continue to assert and protect our separate, distinct, and unique identity. We have always been and will continue to be the Metis Nation.

If the courts determine the Metis are 91(24) the MMF would oppose any suggestion or action by Canada to put us under unwanted, out-of-date, and arbitrary legislation such as the Indian Act. The Metis are the Founders of Manitoba and Canada's negotiating partners in Confederation. We expect to be recognized and treated as equals. As partners in our country we will continue to exercise our rights of self-definition, self-determination, and self-government.

Remember to mark November 16th on your calendar. Next week is Louis Riel Day. This is the special day when we remember the death and celebrate the life of our great Metis Leader Louis Riel. Please be sure to go to our MMF website over the coming week for more information on this commemoration. It is critically important that we continue to keep him foremost in our minds, in our hearts, and in our actions. He is a leader, a martyr, and an enduring symbol of the heritage, the vision and the strength of our Metis Nation.

Meeqwetch,