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VIEWS FROM PEOPLE OF THE METIS NATION

"The strength within our Metis nation is growing stronger every day. There is no doubt that our nation will play a more pro-active role in Canadian politics in the future. It is our intention to use every political process available to address our rights as an Aboriginal People."

"In supporting the work of the Commission, we are cognizant of the fact that our recommendations may not be supported by the Commission or the federal government. We recognize that Metis positions must be understood to be supported at the highest Canadian political level."

"In order to gain recognition of our rights, we must become more aware of the positions taken by governments and they must become more aware of our positions. This is the only means of building the relationship we all know must exist if we are serious about making any progress."

"It is often difficult for Metis to understand the rationale for decisions of governments. Our land claims is an example - governments have told us they were willing to work towards settling our claims but they have not been willing to negotiate with us and even went to the limit of instructing their officials to put road blocks in the path of our legal processes."

"Governments must recognize that for our communities to become strong and self-sufficient we need strong individuals. This can only come from training in human resource development. We must begin to prepare our people to cope with the challenges of everyday life in their communities. Until this issue is addressed, training in the technical fields which seems to be a priority of governments, will continue to only attain marginal success."

"Our single greatest obstacle as an Aboriginal People is to instill our vision of the future into the minds of other Canadians and, in particular, those who control the social and political institutions in our country."

"We have found in our negotiations with governments that bureaucratic rather than political processes have been often our biggest hurdle. Many of our priority issues are turned back by officials before they reach the level of decision makers."

"Governments in Canada must be willing to go the extra mile in negotiations with our people. It is imperative that they look deep into their conscience for the wisdom required for such an undertaking. Political leaders representing the federal and provincial governments must stop hiding behind their political institutions and doing only what is expedient for them in the short term."

"I believe that Aboriginal Peoples and governments in Canada must establish an intensive public relations campaign to make more Canadians including our own people more aware of the issues that stand in the path of positive results."

INTRODUCTION

The Royal Commission on Aboriginal Peoples in its mandate has a critical role to play in forwarding policy recommendations to the Federal Government. Recommendations respecting Aboriginal issues will be based on testimony from both Aboriginal and non-Aboriginal intervenors. It is with this view in mind that the Manitoba Metis Federation has been a willing and active participant in the Commission's hearings throughout Canada. It is our belief that all Canadians must witness the view of intervenors to fully appreciate and understand the importance of rebuilding the relationship between the Aboriginal and non-Aboriginal community.

Our greatest challenge as Metis is to bring a broader and deeper understanding of our history to non-Aboriginal Canadians. The Royal Commission on Aboriginal Peoples assists us in accomplishing this objective in a number of ways. First, it creates a forum in which the Metis are able to publicly state their positions individually or as a nation of people. This process will bring greater appreciation and recognition of the aspirations of Metis people. Second, it will provide an outlet for Metis people to advance specific recommendations which will hopefully accompany the overall policy recommendations of The Royal Commission. Clarity on Metis issues is important in this process to dispel any illusions that may be held by Canadians in general. Third, Metis people themselves in this process are given an opportunity to

listen publicly to the views of other citizens of Canada, both Aboriginal and non-Aboriginal. A clearer understanding by Metis of other citizens and others of Metis will benefit dialogue between them in the future.

So far, the Metis of Manitoba have participated in seven RCAP hearings in Manitoba in the three rounds held to date.

Metis intervenors represented a number of segments of the overall community. Because the Commission visited rural Manitoba, local representatives from communities were given an opportunity to present their views. In the larger centres in Winnipeg, Brandon and Thompson, urban Metis took part in the hearings.

The Manitoba Metis Federation is represented nationally by the Metis National Council. Reports by the Metis National Council to the IPP will place much greater emphasis and detail on the subject of constitutional issues than will be presented by the MMF. As a provincial association, it will serve no purpose for the MMF to duplicate efforts by MNC. Our organization participates actively in MNC with other member associations in the direction respecting constitutional and political issues. The MMF will dialogue closely with MNC in the preparation of their presentation.

Metis people in Manitoba have had political representation by the Manitoba Metis Federation since its formation in 1967. The early years of the organization primarily devoted its efforts on building a political representative structure for Metis throughout the Province. Its objective

was to provide a political lobbying arm for Metis with the purpose of addressing the socio-economic needs. Particular emphasis in the beginning was on areas of housing, education and employment. The MMF almost exclusively focused on what was considered by Metis then to be fundamental needs. Although some progress was made over the years in certain areas, legal, political and historical circumstances of the Metis have prohibited the achievement of any significant progress. Except for sporadic and minimal successes, Metis of today are still struggling for the same basic needs. Goals and aspirations over the years for Metis have not changed to any measurable degree. It is not the intent to deny that new expression of needs and aspirations have not been forthcoming from the Metis because they have through political processes both of a constitutional and non-constitutional nature. This especially has been the case since the patriation of the Canadian Constitution in 1982 when Metis were included as one of the Aboriginal peoples.

Since their recognition in the Canadian Constitution in 1982, the MMF has been active in the political process on a number of fronts. The first of which was the Section 37 constitutional process involving four first ministers conferences from 1983 to 1987. Though this process achieved very little success, if any at all, the Metis acknowledged this exercise largely as an opportunity to gain recognition in the Canadian political arena. In recent years, the MMF has participated in constitutional processes

through the Section 37 process, Joint Committee of Parliament and the more recent Charlottetown Accord. Each of these processes allowed Metis in Canada to advance positions respecting their rights as an Aboriginal people. The last two constitutional exercises, while being more successful than the former, were also seen by Metis as a forum for educating Canadians at large through this highly visible public process. Raising the consciousness of Aboriginal and non-Aboriginal Canadians on the plight of Metis people were seen as the product of constitutional processes to date.

The MMF, since 1977, has been engaged in political negotiation processes on specific issues with both the federal and provincial governments. Three areas in particular have been on the MMF agenda consistently for a number of years. The areas are:

1. The Manitoba Act 1870

Provisions respecting the land rights of the Metis were never honoured under this Act. Land claims research conducted by the Manitoba Metis Federation from 1977-1979 has proven the Metis never received the land to which they were entitled. Based on this research, the Manitoba Metis Federation initiated a lawsuit against the Governments of Canada and Manitoba in 1981. It was temporarily withdrawn and was reintroduced in 1986.

The Court challenge was initiated by the MMF as a response to the lack of progress and recognition of Metis issues by governments in political negotiations.

2. The Canadian Constitutional Process

Although previous processes in this forum have not brought forward any constitutional provisions for Metis, it is still considered a critical initiative. Metis realize that recognition of their rights will not be complete until they become entrenched in the Canadian constitution. Metis have consistently argued that they should fall within Section 91(24) of the Canadian constitution along with the Inuit and Indians. This would eliminate the jurisdictional limbo whereby neither the federal or provincial government accepts responsibility for Metis. The MMF joined the Metis National Council in seeking to entrench Metis rights into the constitution. A Metis Nation Accord was agreed to by Canada, Manitoba, Saskatchewan, Ontario, Alberta, British Columbia, Northwest Territories, the Metis National Council and Metis provincial organizations. The Accord was designed to specify implementation negotiations on Metis issues. The Metis Nation Accord was a parallel accord to the constitution, that would be legally

binding and requiring federal and provincial enabling legislation.

It would be possible for the Metis Nation Accord to proceed independently of a new round of constitutional negotiations.

Metis Self-Government

Tripartite Negotiation Process

Negotiations between the MMF and the federal and provincial governments have been ongoing since 1987. The purpose of this initiative is to attempt to negotiate agreements respecting self-government institutions. Metis self-government tripartite negotiations involve negotiations respecting:

- The population and/or geographic area over which the self-government institutions will have jurisdiction.
- The devolution of authorities to and the powers, responsibilities and nature of self-government institutions.
- Programs and services to be provided by the self-government institutions.
- Financial and fiscal agreements for the support of self-government institutions.

The following areas have been identified by the three parties as agenda items for negotiations:

1. Economic development
 2. Education/Louis Riel Institute
 3. Housing
 4. Child and family services
 5. Data base/enumeration
 6. Other agenda items may be added to the negotiations
-

Elders, Women and Youth

The MMF also recognizes the special considerations which must be given to our elders, women and youth. Wisdom of elders must become an integral part of the political thrust of the Metis Nation. More now, than at any other time in our history, it will be imperative to call upon the elders to give guidance and support based on their unique contributions to society over the years.

Metis women in Manitoba have recently set up their own organization and are now seeking their rightful place in future Canadian political forums to convey the views of their membership. The President of the Metis Women is also a member of the MMF Board of Directors. This position is provided through Board resolution and not through the MMF constitution. In particular, Metis women are active in attacking the problems of family violence. However, their issues encompass all socio-economic concerns which must be addressed by Metis women themselves.

Youth historically have not been actively involved in the affairs of our organization.

It is only recently that participation by youth has increased in the MMF. Initial response by Metis youth within our Province indicate that severe problems exist in the areas of alcohol and drugs and physical and sexual abuse. They are proposing that preventative programs and services must be given priority to overcome the problems. Youth have also highlighted the shortage of education and training available to them. Present government policies deny them access to educational institutions.

In spite of the many challenging and frustrating circumstances encountered by Metis over the years, there is a strong desire to forge ahead. Political processes in which they were involved, especially in the past ten years, have created a unifying bond among Metis people in Manitoba. Future accomplishments in the Canadian political processes will be determined largely through the cohesive thrust of Metis as a nation of people.

HISTORICAL OVERVIEW OF THE METIS

The Rights of the Metis

We are Metis!

Our cultural distinctiveness and our common political consciousness developed long before the establishment of the Canadian federation. For contemporary Canadians who are descendants of immigrants to Canada, it is easy to forge an identity and a national consciousness which focuses on the Canadian State. For the Metis people, there are good reasons why identification with Canada is not as readily acceptable. The Metis people ante-dates the State and the union with Canada which came later was based on a bargain that Canada and Manitoba reneged on after 1870. The Metis are one of the "founding" peoples of Confederation but have been denied their rightful place in the constitutional scheme of things.

In this regard the Metis struggle for last place with the other Aboriginal peoples has not gone unnoticed. A recent commentator was moved to write:

"Any discussion of just where the native peoples of Canada fit within the various schemes of things confronts one immediate and overriding problem: the native peoples simply do not fit.

Attempts to make them fit have failed constantly but still they continue. An indisputable fact of Canadian life is that about one citizen in twenty has almost no place in that life. What is even more tragic is that the native peoples are the direct descendants of those who settled the land ages before the "ethnic" groups and even the two "charter" groups arrived. They are at the same time Canada's original people and her national shame, one that has not gone unnoticed in the court of world opinion."¹

The constitutional and political plight of the Metis should be well appreciated by our Francophones Compatriots, "les nègres blancs de l'Amérique" (The "White Niggers" of America).

Our identity as a distinct people has been, at times, forged upon the battlefield. "Falcon's Song" (La chanson de Pierrich Falcon) is part of our cultural testimony to one of the early victories against "les Anglais" who came "pour piller not' pays".² (The English who came to steal our land.)

We would hope to improve today the relations between our peoples, compared to those expressed by our ancestors on the occasion of that battle; "Mr. Robertson said that we were blacks, and he shall see

that our hearts will not belie the colour of our bodies!"

Although our ancestors were children of the unions between North American Aboriginal (Indian) mothers and European fathers, they developed into a separate people with the necessary group consciousness to promote their cause collectively. A Metis was not a French-Canadian, or "Canadien", nor a Scotsman. Neither was he an Indian. Accordingly, we sometimes waged war against our maternal relatives, as we did against our paternal kin. Canadian historians have recorded the last great battle between the buffalo hunters of Saint-François Xavier and the Sioux on the Grand Coteau of the Missouri River south-east of Minot in present-day North Dakota. That battle, fought in July 1851³ was only one event in the series of battles and peace treaties that marked the forging of our destiny as a people.

We did not choose to assimilate either as European-Canadians or as Indians but decided to fight to maintain the dual heritage born, as we were, of the European-Canadian commitment to the Aboriginal peoples of this land.

Who will now come to denounce us as illegitimate aspirants to our identity as a distinct people?

And by 1869, when Canada tried to force a premature delivery of its illegitimate offspring in Red River, the Metis were there to resist "les Anglais" by force. Our small arms ammunition mattered then,

when Anglo gunpowder was distanced from our homeland by nearly impenetrable forests, lakes and swamps, the homeland of the Ojibwa and the scourge of the new nation nurtured by a culture that required rail lines, steam power and telegraph poles. It was the Metis people, under the leadership of the young Louis Riel, who rallied the diverse elements of Red River to repel the Canadian attempt to sell us part of a real estate deal to a company of adventurers based in London.

President Riel, head of the provisional government, sent delegates to Ottawa to negotiate the terms of entry into Confederation. That included our own special delegate, Abbé Ritchot, who was sent to represent the Metis interests in particular and who subsequently did most of the negotiating. It may be thought, perhaps, that our interpretation of the events of 1869-70 is coloured by our political ambitions; let then, the words of an "Anglo-Protestant" historian who depicted the Metis as a band of primitives describe the circumstances leading to the province's entry into Confederation. W.L. Morton described the Metis as a new "nation", a unique ethnic and political reality, whose sense of nationhood underlies a proper understanding of the Resistance of 1869.⁴

Morton asserts, "The Canadian government ... had no idea it was dealing with a corporate entity, a "nation" by sentiment and by their own claim ..."⁵ As to the objects of the Metis people, Morton wrote:

"Underlying all the Red River Resistance was the question of title to land. Fur had been the source of livelihood and wealth under the old order. But the new order that was coming was agricultural and wealth would be land."⁶

And further, Morton emphasized that the reason Riel's people wished to enter Canada as a province was to:

"... make such terms with Canada as would enable the people of the North-West to control its local government ... and as would allow them to possess, as individuals and as a people (emphasis added) enough of the lands of the North-West to survive as a people, and to benefit by the enhancement of the wealth of the North West that settlement would cause."⁷

We claim all the rights of "peoples", under international law and according to all the high principles which promote the cause of peoples everywhere. The dynamics of self-determination exist as a world-wide phenomenon, notwithstanding some apparently irreconcilable pronouncements of the United Nations.

Section 31 of the Manitoba Act, 1870 represents special recognition, in the

constitution of Canada, of the distinct, corporate character of the Metis people. That section provided for a grant of lands from the public lands, for the purpose of extinguishing the Indian title of the Metis.

Indian title is, in its nature, a collective interest and represents the legal interest recognized by Canadian law deriving from the use and occupation of public lands prior to the establishment of the settler system. The special grant of lands was agreed to by Canada after elaboration by Abbé Ritchot of the special, national interests of the Metis. The failure of the governments to perform their obligations derived from S. 31 is well documented. Because of that failure, the obligations of government to provide a land base for the continued survival of the Metis people are outstanding.

But the Manitoba Treaty was more than an agreement that Canada was to recognize the particular right of the Metis to land. It was a Confederation pact. It was the basis upon which the Metis agreed, at a time when we held the upper hand in the balance of power, to join the fledgling federal state. The Manitoba Treaty was a bargain between peoples, a bargain between the Metis and the French and English Canadian Confederation. The Manitoba Treaty was essential to the creation of this province. In 1870 Red River was Metis territory held under the acknowledged sovereignty of the British Crown. No transfer of nearly a third of a continent to Canada would have been possible without agreement of the Metis. That is so because the British Parliament would not contemplate permitting a

transfer without Canadian officials first coming to terms of agreement with the local Red River population. And the Red River population was, by numbers, by culture, and by power, Metis!

The Manitoba Treaty was a pact between peoples, only a portion of which was reduced to provisions of the Manitoba Act, 1870. The most important element of that pact, for us, was the promise of an amnesty to all, including Riel and Lepine.

The promise was well understood to be a condition precedent to the agreement of the Council of the Provisional Government. Once agreement was secured, Canada turned its back on political honesty and integrity and treated two Metis leaders as criminals! By doing so, Canada failed to abide by the conditions precedent agreed to between itself and Abbé Ritchot. By treating Riel and Lepine as criminals, Canada shattered the prospect of political legitimacy for the Manitoba Act. Since then, that Act remains as the bare, legal, but illegitimate offspring that was aborted by Canada's hidden agenda to grant legal rights in the Manitoba Act but to disdain the Manitoba Treaty and to send rabid troops to terrorize the Metis population and forever to condemn the province to the role of an imposter. And the province has done well in this role, by actions ranging from special legislation to defraud Metis children out of their Manitoba Act lands, to unconstitutional amendments of the language rights secured by the Metis for nearly one hundred years in the face of judicial pronouncements on the invalidity of the provincial measures.

We are well aware of this bitter lesson from our history about the value of constitutional guarantees in the hands of renegade governments. It is for this reason that we shall continue to strive for the entrenchment of justiciable rights that are not subject to unilateral amendment by the province.

The onus is upon the government parties to show us that a new deal can be struck. Sections 23, 31 and 32 of the Act of 1870 can be injected with new life. The status of S. 23, it is to be noted, requires that representatives of the Francophone people of Confederation participate in the elaboration of its contemporary constitutional significance.

Because of Canada's refusal to grant an amnesty to Riel and Lepine, the Manitoba Act, 1870 and the Constitution of Canada generally, have no legitimacy. Nevertheless, we continue to strive to find in Confederation what Louis Riel sought even after Canada's breach of faith, namely, "that personal security and that public liberty which we require and is our undoubted right".

Even if the Manitoba Act were supposed to be valid, the Canadian and Manitoba governments have been guilty of actions and omissions which amount to a fundamental breach of their obligations contained in that Confederation pact. Consequently, the Metis as a people cannot in justice be bound by its terms.

The breaches of faith by the governments were such as to shock the conscience of reasonable men. It was William Leggo, an officer of the Manitoba courts, who said in giving testimony at an 1881 provincial Commission to inquire into the frauds and abuses which attended land alienations from Metis infants to land speculators: "I never suspected for a moment that a system which turned out to be so vicious could possibly exist in any civilised country!"

The powerlessness of the Metis, and the audacity of the new rulers of Manitoba, are revealed by the facts that the system Leggo referred to was the court system and that the response of the Legislature was to retrospectively validate all the "irregular" transactions it had uncovered!

All the rights of the Metis are not limited by the terms of the Constitutional provisions of Canada. Some are supraconstitutional in nature. We are human beings and as such we claim all the human rights recognized by domestic and international law. It is not trite to make these statements, in light of the vigorous opposition we have encountered in seeking these basic rights which are not dependent upon any action of the State. Some individual human rights cannot be enjoyed unless the group with which the individual chooses to associate has the collective right to establish institutions necessary for the exercise of those rights.

The existence of our collective human rights posits a corresponding duty of the government parties to act so as to permit

the exercise of those rights. It is not a political concession but a sense of duty, then, that must motivate the government parties in the negotiations for the establishment of Metis institutions of self-government. It has been observed that the individual at the core of human rights concerns is, "... man in his national, cultural and spiritual environment" and "stripped of his environmental, national and cultural characteristics, spiritually adrift from his past and loosed from his traditional moorings, man loses his essential humanity". For the Metis person, his culture can define his whole being, as a source of standards of conduct and self-esteem.

The Universal Declaration of Human Rights declares that "All human beings are born free and equal in dignity and rights ..." and, further, that, "Everyone is entitled to a social order in which the rights and freedoms set forth in this Declaration can be fully realized."

Article 27 of the United Nation Covenant on Civil and Political Rights provides for the recognition of collective rights to, inter alia, enjoyment of culture and use of language. The languages of the Metis have been eroded by the educational systems of the province and practices of cultural genocide are still felt by the uprooted Metis children who were sold to foreigners by the Province's child "welfare" system. Such practices, as well as the continued refusal of Canada and Manitoba to remedy their effects, are incompatible with the norms declared in the Canadian Bill of Rights, that

acknowledge the dignity and worth of the human person.

We are determined to work towards the attainment of conditions in which our individual and collective human rights can be exercised. Some of these collective rights are entrenched now in the Constitution of Canada, including the Aboriginal rights of the Metis recognized in S. 35 of the Constitution Act, 1982 and S. 31 of the Manitoba Act, 1870. That title has not been extinguished and there remains an outstanding constitutional obligation to provide a land base in the province.

One of the rights referred to in S. 35 of the Act of 1982 that has been recognized by both government parties is the right of self-government. If the right of self-government is to be defined by agreement in such a way as to accommodate the existing constitutional framework, it will be necessary to reach agreement respecting institutional and other arrangements to rectify the historical inequalities which have placed the Metis in a disadvantaged position in the distribution of goods and services. Canada and the province have, by their actions and omissions, irretrievably damaged the shape of Confederation as envisaged by the "founding peoples" in 1870. Nevertheless, we are encouraged by the commitment of the former Prime Minister to do "constructive damage" to the status quo. That constructive damage must occur in the context of national endeavours respecting the entrenchment of all Aboriginal peoples' rights and must,

accordingly, damage the myth of two or three founding peoples.

Sections 25 and 35 of the Constitution Act, 1982 require the Prime Minister to acquiesce to constructive damage to the status quo. The Constitution recognized the existence of rights of Aboriginal peoples and must consequently recognize at least the right of Aboriginal peoples to have their rights as peoples accommodated within Canada. Although the particular rights are not expressly identified, the rights of peoples must be recognized in the penumbral emanations from those constitutional provisions.

History evidences the fact of our non-participation in the life of Canada, in the sharing of its wealth. As a colonized people, we have a particular right recognized at international law:

"The struggle of peoples under colonial, alien domination and racist regimes for the implementation of their right to self-determination and independence is legitimate and in full accordance with the principles of international law."⁸

Circumstances and our concern still to search for a balance between our rights as a people and the rights of other Canadians in 1987 have brought us to the negotiating table to consider what accommodations the new State now offers us. We are a small people and we cannot contemplate a

resort to the military confrontations of long ago. We seek a better deal for our people, we seek a legacy of pride to pass onto our children. We do not yet accept ~~that the process of constitutional~~ discussions have failed because failure connotes a genuine attempt at success by all participants.

So we will try again. We will try to establish a system under which our children can become better educated and better able to forge their own destiny in the homeland where we have become outcasts. But in making accommodations to damage the status quo we owe it to our children to maintain our honour as a people - and to accept our place in Canada only on the basis of the rights that we have as a people and as an equal partner in Confederation. The Canadian response to this "unfinished business" and the final solutions it offers will reveal the values the present governments wish to assert!

STRUCTURE OF THE MANITOBA METIS FEDERATION INC.

The objectives of the MMF are carried out under the direction of a 23-member elected Board of Directors. The Board of Directors consists of a President who is elected provincially, seven Vice-Presidents who are elected regionally and one member of the Metis Women of Manitoba. Each director holds office for a three-year term. Metis Women hold the Board position by resolution, not by the constitution.

The President is the Chief Executive Officer of the MMF and has direct control over provincial office staff and operations. Each regional Vice-President is responsible for the regional office staff and regional operations.

The MMF is incorporated as a non-profit company. Its organizational structure consists of a provincial office in Winnipeg and seven regional offices. Office locations are:

- Thompson
- The Pas
- Dauphin
- Brandon
- St. Laurent
- Powerview
- Winnipeg

Figure 4 illustrates the structure of the Manitoba Metis Federation Inc.

Purpose

The Manitoba Metis Federation is a political organization formed in 1967 to promote the social, economic and cultural aspirations of the Metis people in Manitoba. The objectives of the MMF, as set out in its constitution, are as follows:

- To promote the history and culture of the Metis people and otherwise to promote the cultural pride of its membership.
- To promote the education of its members respecting their legal, political, social and other rights.
- To promote the participation of its members in community, municipal, provincial, federal, Aboriginal and other organizations.
- Generally, to promote the political, social and economic interests of its members.

Membership

It is estimated that there are approximately 100,000 Metis in the Province of Manitoba. The MMF, as of July 1993, has registered 24,000 members. Registration will continue until all Metis in the province are registered. Membership in the MMF is open to all

persons of Aboriginal ancestry, aged 18 years of age and over, who are not registered as Indians under The Indian Act. ~~MMF members vote at annual meetings and in elections for the MMF Board of Directors.~~ Membership definition of the MMF constitution is as follows:

(a) "*Aboriginal person*" means any person who declares himself to be an Aboriginal person on account of descent or a personal relationship with a family of Aboriginal persons and who is accepted as an Aboriginal person by an Aboriginal community in accordance with the procedures established in this article.

(b) "*Metis*" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit and:

(i) is a descendant of those Metis who received or were entitled to receive land grants and/or Scrip under the provision of ~~the Manitoba Act, 1870, or the Dominion Lands Acts, as enacted from time to~~
time;

or

(ii) a person of Aboriginal descent who is accepted by the Metis Nation.

(c) "Children" includes all natural or adopted children, whether legitimate or illegitimate under Canadian law.

(d) "Membership Appeal Tribunal" means a tribunal of three Aboriginal persons, including at least one Metis, which shall be appointed by the Board to hear appeals of membership decisions by the Board. The terms of office shall ~~be five years, renewable at the~~ discretion of the Board as confirmed by the members at a general meeting.

(e) "Metis Nation" means the community of Metis persons in subsection (a), which is represented nationally by the Metis National Council and provincially by the Pacific Metis Federation, Metis Nation of Alberta, Metis Society of Saskatchewan, Manitoba Metis Federation, Ontario Metis Aboriginal Association and the Metis Nation-Northwest Territories, acting either collectively or in their individual capacity, as the context require, or their successor organizations, legislative bodies or governments.

MMF Locals

In each region, there are community-based locals. Nine members

of a community are necessary to form a local. The executive of a local includes a Chairperson, Vice-Chairperson and Secretary-Treasurer. All locals are of a voluntary nature. The executive of locals attend regional and provincial assemblies concerning the MMF's business affairs. There are about 140 locals affiliated with the MMF.

MMF Initiatives

Housing

The provincial housing department operates its headquarters out of MMF Head Office in Winnipeg. Housing staff are also located within the MMF regional offices.

Housing Development Officers from each of the six rural MMF regional offices assist families in obtaining housing, renovations and emergency repairs from CMHC and other government programs.

Child and Family Services

MMF support workers are available to assist your community in:

1. Helping Metis families in Child and Family Services matters;
2. Developing ongoing service and programs;
3. Establishing regional and locally controlled Child and Family Service agencies.

Education

The MMF advocates the recognition of Louis Riel, provides assistance, advice and information to Metis people and communities and does research and development of Michif languages and history.

Economic Development

The MMF can assist local residents in obtaining information and completing application forms for a variety of federal and provincial programs, grants and loans.

Metis Self-Government Tripartite Negotiations

Tripartite negotiations involve three parties (federal, provincial and the MMF) who negotiate, in good faith, the nature, powers and establishment of Metis self-government institutions in Manitoba, pursuant to a Process Agreement, etc. ratified by the three parties.

Land Claims

The MMF continues to pursue the land claims issue from both a legal and political perspective. Working towards a fair and just settlement of outstanding land claims is a priority of the MMF.

Constitution

As the political representatives of the Metis people in Manitoba, the MMF will continue to press for constitutional amendments which will recognize the political and legal rights of Metis people and which will help achieve economic and social benefits for Metis communities.

Le Metis

Le Metis is a newspaper that is sent to the MMF regions on a regular basis. It is a forum for providing information to the local membership on issues and activities of the MMF.

Other Initiatives

In addition to its own programs, the MMF has also been responsible for initiating and sponsoring independent, Metis-owned and controlled organizations.

Louis Riel Institute Inc.

This is a new initiative by the MMF in education. The Louis Riel Institute is designed to give Metis more control over the design and delivery of education

programs throughout the province. Currently, the Louis Riel Institute is incorporated and has a charitable tax number from Revenue Canada. It receives donations and disburses education grants to Metis students.

Metis Pavilion - Folklorama

The MMF is a member of the Folk Arts Council of Winnipeg Inc. Along with more than 40 other cultural pavilions, the MMF holds its Metis Pavilion for one week (evenings) every year in August, in Winnipeg. (Volunteers are most welcome.)

Manitoba Metis Community Investments Inc.

Manitoba Metis Community Investments Inc. is a province-wide Metis economic development corporation which was established to promote Metis economic development and Metis-owned and controlled businesses.

Louis Riel Capital Corporation

LRCC was established in 1992 as a lending agency to support Metis business development. Its primary objective is to provide loan and loan guarantees to those Metis individuals and businesses who do not qualify through existing banking institutions. LRCC operates on a 5-year budget of 8.2 million dollars.

Pemmican Publications

Pemmican Publications Inc., a subsidiary of the MMF, publishes books and educational materials written by Metis and Native authors.

Me-Dian Credit Union

Me-Dian Credit Union was established by the Manitoba Metis Federation Inc. It now operates as an independent body. It provides financial services to Metis and Native organizations, businesses and individuals.

**TRIPARTITE NEGOTIATION
PROCESS TO ESTABLISH
INSTITUTIONS OF
SELF-GOVERNMENT FOR
METIS**

***MANITOBA METIS FEDERATION
TRIPARTITE NEGOTIATIONS***

The Manitoba Metis Federation in 1987 entered into a tripartite forum with the Governments of Manitoba and Canada to pursue self-government negotiations, the intent being to develop agreements respecting the establishment of Metis self-government institutions.

This initiative evolved from discussions respecting Aboriginal self-government in Canadian constitutional processes which have taken place between governments and Aboriginal peoples since 1982.

Working Structures

In 1989 a Metis Self-Government Tripartite Negotiation Process Agreement was agreed to by the federal government, the provincial government and the Manitoba Metis Federation. This agreement was ratified by the Federal Minister of Justice, on behalf of the Government of Canada, the Provincial Minister of Northern and Native Affairs, on behalf of the Government of Manitoba, and the President of the Manitoba Metis Federation. It is only under the authority

and unanimous agreement of the three above parties that decisions can be made. Political authorities drive the negotiations process. Each of the three parties have responsible agencies that are given the task of conducting negotiations under a tripartite management committee which is at the officials level.

Federal Privy Council Office - Office of
Aboriginal Affairs

Provincial Native Affairs Secretariat

MMF Officials of the MMF

The tripartite management committee meets on a quarterly basis. The purpose for the meetings is to undertake negotiations and review progress of negotiations. Positions in which consensus is reached are forwarded from the management committee to the political level authorities for final negotiation, review and action.

Technical groups are set up under the management committee and consist of designated officials from federal and provincial agencies and from the Manitoba Metis Federation. Technical group meetings are usually held on a bi-monthly basis. The role of the technical groups is to provide support and advice to the management committee, according to the mandate established by that committee. Included in the roles of technical groups are: carrying out studies, examination and development of policy options and the gathering of related information.

The MMF role in this process is conducted through the tripartite committee members which are appointed from the MMF Board of Directors. Officials of the MMF are designated by the President to participate in the Tripartite Management Committee and technical groups. The MMF develops positions on institutions of self-government and presents them to the technical groups. Once consensus is reached at the technical group level on technical issues related to positions, it is forwarded to the management committee.

The Tripartite Management Committee undertakes negotiations on matters related to the establishment of Metis self-government institutions, including sectoral agreements and multi-sectoral agreements which go to Cabinet (Federal and Provincial) for policy change and/or legislation.

The three parties have agreed to participate in discussions respecting the nature, powers and establishment of self-government institutions in Manitoba, such being directed towards the enhancement of the following general objectives:

1. To establish Metis-controlled institutions to permit the management and control of matters affecting the Metis people of Manitoba;
2. To address Metis participation in the design and delivery of services and programs directed towards

their particular needs and circumstances;

3. To assure the protection and enhancement of Metis culture and heritage;
4. To promote Metis economic development, education, housing, child and family services and data base/enumeration.

There is little doubt that these broad issues will result in intensely complex negotiations as there are numerous factors of clarification with respect to jurisdiction, Aboriginal rights, mitigation respecting historical actions, legislative flexibility and the like. These must be addressed in the course of developing manageable arrangements which will achieve the overall objectives of the participating parties. This process is seen by the MMF as supporting their position of achieving institutions of self-government through the incremental approach and on a non-constitutional basis.

The MMF envisages the tripartite process as the mechanism to enhance and intensify efforts to achieve their objectives of developing self-governing institutions. Metis of Manitoba also consider the tripartite process as a serious commitment by governments to negotiate agreements respecting Metis institutions of self-government.

The MMF recognizes that Metis self-government tripartite negotiations

could more effectively accomplish the objective of self-government if changes to the existing agreement were made. Presently, the process agreement relies on the goodwill and consensus of participants for decision making. This scenario is always in favor of governments who under this process have full control. Tripartite negotiations in their present form are in some cases viewed as one sided in favor of governments - two against one. There is no provision built into the tripartite negotiation process to ensure meaningful progress for Metis towards self-government. Metis in Manitoba see the need to build two significant components into the present Tripartite Negotiation Process Agreement.

First, an independent arbitration process must be set up as a dispute resolution mechanism to eliminate stalemates which are often to the detriment of the Metis. Arbitration will be seen to provide fairness to all parties of the negotiation process. Second, there must be time frames established for reaching agreements so that all parties will recognize the need to make progress. Absence of reasonable time lines result in protracted negotiations and has hampered progress in present negotiations. The MMF is hopeful that governments will recognize that fairness demands a process that will serve all parties in the negotiations in the future.

Indeed, the present Process Agreement has provision for the negotiation and ratification of a framework agreement which could contain, in the MMF's view, both elements referred above, namely a

dispute resolution mechanism through independent arbitration and fixed time lines for concluding agreements.

Process Agreement on Metis Self-Government Negotiations (1989)

Subject

Metis self-government tripartite negotiations

Purpose

To provide a tripartite forum in Manitoba, involving the Government of Canada, the Government of Manitoba and the Manitoba Metis Federation, for the negotiation of agreements respecting Metis self-government institutions, which may also serve to advance Aboriginal constitutional objectives.

Principles

Each party to these tripartite negotiations acknowledges and accepts that the other parties are participating without prejudice to their respective positions on constitutional and other matters.

Objectives

The parties shall negotiate in good faith the nature, powers and establishment of Metis self-government institutions in Manitoba which shall be directed, pursuant to negotiated tripartite

agreements, towards the following objectives:

1. Metis people exercise, through their own governmental institutions, management and control over matters directly affecting them;
2. Metis people participate in the design and delivery of services and programs directed towards their particular needs and circumstances;
3. Metis culture and heritage is protected and enhanced;
4. Metis economic development is promoted.

Metis self-government tripartite negotiations may involve negotiations respecting:

- The population and/or geographic area over which the self-government institutions will have jurisdiction;
- The devolution of authorities to, and the powers, responsibilities and nature of self-government institutions;
- Programs and services to be provided by the self-government institutions;
- Financial and fiscal agreements for the support of self-government institutions.

Authorities

Final authority and decision-making within the tripartite negotiations is vested as follows:

Province of Minister responsible
Manitoba for Native
Affairs, with final
authority resting with
Cabinet and the
Manitoba Legislature.

Canada Minister of Justice, with
final authority resting
with Cabinet and the
Parliament of Canada.

Manitoba Metis President, with final
Federation authority
resting with the Board
of Directors, the
Annual Assembly and
the Manitoba Metis
Federation
membership.

Responsible Agencies

Government of Minister responsible
Manitoba for Native
Affairs, as represented
by officials from the
Native Affairs
Secretariat.

Government of Minister of Justice, as
Canada represented by
officials from the
Office of Aboriginal
Constitutional Affairs.

Manitoba Metis President of the
Federation Manitoba
Metis Federation, as
represented by
officials of the
Manitoba Metis
Federation.

The parties shall endeavour in utmost good faith to resolve issues which may arise during negotiations at the level of the Tripartite Management Committee. However it is also recognized that nothing in the tripartite negotiations process precludes Federal or Provincial Ministers or the President of the Manitoba Metis Federation from meeting to discuss matters arising from the tripartite negotiations, including discussions to resolve disputes arising from the deliberations of the Tripartite Management Committee.

Agenda Items

The following areas have been identified by the three parties as the agenda items for negotiation; other agenda items may be added from time to time with the concurrence of all parties:

1. Economic development
2. Education/Louis Riel Institute
3. Housing
4. Child and family services
5. Data base/enumeration

Framework Agreement

It is recognized that the Tripartite Management Committee shall discuss the need for and, if necessary, negotiate the nature and the definition of a Framework Agreement pursuant to the Process Agreement.

Bilateral Agreements

All parties recognize that nothing in this document precludes the Manitoba Metis Federation from negotiating bilaterally matters of mutual interest with either government.

Structure

The tripartite negotiations will have a two-tier structure comprised of a negotiating management committee at one level and technical groups at the second level.

Tripartite Management Committee

The Tripartite Management Committee will consist of senior officials designated by the three parties as follows:

Province of Officials of the Native
Manitoba Affairs
Secretariat

Canada Officials of the Office of
Aboriginal
Constitutional Affairs

Manitoba Metis Officials of the
Federation Manitoba
Metis Federation

The management committee will require the consent of the three parties to reach decisions on matters under its responsibilities.

The management committee shall be responsible for managing the agenda agreed to by the three parties, including, where appropriate, the following:

1. Establishing technical groups in the sectors identified in the agenda.
2. Approval of the agendas and the terms of reference for the technical groups and the communication of the agreed to agendas and terms of reference to the technical groups.
3. Request and review written reports from the technical groups and arrange for the presence of representatives at management committee meetings as necessary.
4. The negotiation of agreements respecting self-government institutions, including the responsibility for implementation and funding arrangements.
5. Discussion of self-government agreements by other Aboriginal peoples in Canada once such agreements have been approved, ratified and disclosed by the concerned parties. The tabling of these agreements in the tripartite process would be for information purposes only.

6. The consideration of all matters in tripartite negotiations that are not delegated to technical groups.

It is understood that any draft agreement and/or document prepared by or for the benefit of either the management committee or a technical group does not constitute any prior commitment to enter into an agreement.

The management committee meetings shall be held approximately once a month but there shall have sufficient flexibility to allow meetings to be held more or less frequently as required. The Chair and the location of meetings shall be rotated among the three parties. The Chair shall be responsible for preparing a Record of Conclusions which shall be circulated prior to the next meeting, the acceptance of which shall constitute the first business of the meeting.

Technical Groups

Technical groups, as established by the management committee, shall be made up of appropriate designated officials from the Federal and Provincial departments and agencies with responsibility in particular subject areas identified in the agenda. The Manitoba Metis Federation shall designate its officials to participate on the technical groups.

The role of the technical groups will be to provide support and advice to the management committee, according to the mandate established by that committee, including by means of carrying out

technical studies, examination and development of policy options and the gathering of related information.

The technical groups will, from time to time, be requested to submit reports to the management committee with recommendations for issue resolution.

It is understood that the initial proposal respecting the design of self-government institutions will be developed and brought forward by the Manitoba Metis Federation to the technical groups.

The technical groups may address issues of jurisdiction, legislative authority, powers, fiscal resources and devolution of authority. Specifically, the technical groups may address issues related to: the nature and powers of institutions of self-government, the responsibilities of and programs and services to be provided by institutions of self-government, the fiscal resourcing required to adequately support institutions of self-government, the legislative authority that will be required to enable the operation of the institutions of self-government. The technical groups shall address the specific issues referred by the management committee.

Sectoral Terms of Reference for Technical Groups

Economic Development

1. Identification of economic development programs and policy

initiatives that have relevance to Metis economic development in Manitoba;

2. Identification of fiscal and human resources devoted to economic initiatives relevant to Metis economic development, subject to the availability of data;
3. Identification of organizational structures for Metis self-government institutions in economic development matters;
4. Identification of the jurisdictional issues involved in and the legislative adjustments required for the devolution of authority to Metis self-government institutions in economic development matters.

Education

1. Identification of education programs and policy initiatives that have relevance to the education of Metis people in Manitoba;
2. Identification of fiscal and human resources devoted to education initiatives relevant to Metis people, subject to the availability of data;
3. Identification of organizational structures for Metis self-government institutions in education matters;
4. Identification of the jurisdictional issues involved in and the

legislative adjustments required for the devolution of authority to Metis self-government institutions in education matters;

5. The first task of the technical group shall be the consideration of issues relative to the establishment of the Louis Riel Institute as a Metis self-government institution.

Child and Family Services

1. Identification of child and family service programs and policy initiatives that have relevance to the circumstances of Metis children and families;
2. Identification of fiscal and human resources devoted to child and family initiatives relevant to Metis children and families, subject to the availability of data;
3. Identification of organizational structures for Metis self-government institutions in child and family matters;
4. Identification of the jurisdictional issues involved in and the legislative adjustments required for the devolution of authority to Metis self-government institutions in child and family matters;
5. The first task of the technical group shall be the consideration of issues relative to the establishment of mandated Metis child and

family service agencies as Metis self-government institutions.

Housing

1. Identification of housing programs and policy initiatives that have relevance to the housing needs of Metis people in Manitoba;
2. Identification of fiscal and human resources devoted to housing initiatives relevant to Metis people, subject to the availability of data;
3. Identification of organizational structures for Metis self-government institutions in housing matters;
4. Identification of the jurisdictional issues involved in and the legislative adjustments required for the devolution of authority to Metis self-government institutions in housing matters.

Data Base/Enumeration

1. Identification of the statistical program and policy initiatives that have relevance to the socio-economic data and enumeration of Metis people in Manitoba, including an assessment of the availability of data on Metis and, if necessary, the development of options to improve statistical data on Manitoba Metis;

2. Discussion on and definition of eligibility criteria for Metis beneficiaries of Metis self-government agreements;
3. Discussion of mechanisms for ratifying self-government agreements negotiated in the context of the tripartite process.

TRIPARTITE PROCESS - ECONOMIC DEVELOPMENT

In the early 1980's, the MMF began the process of seeking detailed economic initiatives for the Metis people of Manitoba. The MMF in response to requests from their membership began to examine new approaches to Metis economic development. Prior to this, Metis on an individual basis, attempted to access financing from government-sponsored programs to enter into the mainstream of economic development. In 1984 a capital accessibility study was undertaken to examine areas in which the Metis could enhance their economic standing. The study revealed serious weaknesses in programs targeted for Aboriginal people. Weaknesses identified in the study were as follows:

- Development of support systems are lacking particularly in the form of advisory services to aspiring and existing Aboriginal entrepreneurs.
- There is a serious shortage of equity, wealth and assets within the

Aboriginal community. Many entrepreneurs cannot meet the equity requirements of funding programs.

- The small size and remoteness of many Aboriginal communities produces many additional problems such as the hiring of professional management and obtaining cost effective access to markets and suppliers.
- In Manitoba, a limited pool of management skills exists within the Aboriginal community from which to draw as support to new business enterprises.

The Concept of an Economic Development Institution

At a March 1988 Self-Government Assembly, the Manitoba Metis Federation conducted a workshop on economic development. Representative views were taken from the MMF participants to gain a consensus of direction with respect to the essential issues. The results were clear in that any perceived economic institution must embody the following:

1. It must be controlled and managed by the Metis people, and above all, must be representative of and accountable to the constituents.
2. It must be given the authority and mandate to operate as a self-governing institution.

3. It must have new financial inputs to meet its mandate, those being sufficient to provide a meaningful capital base in addition to unconditional funds to address current economic inequities. These funds, in conjunction with other jurisdictional initiatives, will provide the basis for an effective self-governing institution.

Historically, the MMF has had little in the way of a direct role in economic development initiatives. The senior governments have, and do provide, a wide range of programs to induce activity in various economic sectors and regions through investment incentives, special loan funds, infrastructure improvements, human resource development, advisory services, subsidies, etc. These programs are largely of a universal nature although some are directed at specific regions and/or target groups such as Aboriginal peoples.

The rationale for such specialized Aboriginal initiatives is directly linked to the widening disparity in socio-economic conditions between this group and Canadians at large. Furthermore, there is an underlying motive to amend the historical injustices which deprived the Aboriginal peoples of their lands and heritage. However, past initiatives have paid little recognition to the need for autonomous Aboriginal mechanisms and only in recent times have senior governments demonstrated a positive response to such concepts.

In recent years, the MMF has taken steps to secure some control of its long-term economic objectives. The establishment of the Manitoba Metis Community Investments Inc. is an initial step towards the formation of a financial base and improved delivery of economic development programs. Furthermore, the formation of the tripartite negotiation process provides some encouragement and the MMF is optimistic that the senior governments will now address the long standing issues of Metis self-determination.

The MMCII serves as a holding company in respect of its investment activities and, as such, does not in itself employ any full-time staff in the management of the operating companies. Direct staffing is limited to those activities associated with the delivery of economic development programs and related extension services.

MMCII has recently initiated activity in the area of advisory services. Through the Aboriginal Business Development Program, a component of the Canadian Aboriginal Economic Development strategy, the MMCII is involved in a pilot project to deliver selected aspects of the program to the Metis community in Manitoba. The following is allowed for in the agency agreement:

1. To provide Metis people and organizations with information on the capacities and requirements of the Aboriginal Economic Programs and Industry, Science and Technology Canada.
2. To assist applicants seeking AEP/ISIC programming in the development of proposals and to undertake pre-analysis, write-up and other ongoing support duties as may be required to establish and maintain viable economic projects.

Regardless of the degree of autonomy, no institution is likely to achieve real self-governing status without first accessing some degree of self-sufficiency with respect to financial resources. To this end, a Metis Economic Development Institution must pursue an economic base which will provide ongoing revenues to support its mandate.

1. The first objective of the economic development institution is to derive a sound financial and advocacy arrangement with the senior governments.
2. The second objective is to procure a capital base and to place the same in sound, strategic investments. The investments will provide a revenue stream for further growth and will make available additional funds to promote self-government activities.
3. The third objective is to develop and deliver a suitable economic development strategy which will encourage entrepreneurial activity, investment and job creation amongst Metis people. (An

Economic Strategy for the Manitoba Metis Federation - Thunderbird Consulting, May 14, 1992)

Let us examine the concept in a little more detail. The schematics attached provides an overview of the potential options open for negotiation. Figure 1 illustrates a conceptual overview of a self-governing organization which can assume varying levels of authority depending on the extent of powers granted and base of revenue generation attained. These transfers can be devolved over time, but at each level there must be evidence of self-governing powers and the financial resources to support the same.

Figure 2 illustrates the concept of a capital investment institution. The primary objective is to generate self-perpetuating income through long-term investments. This provides for revenue to support further growth and to finance Metis institutional activities and other transfer arrangements.

Figure 3 specifically outlines the economic development objectives which are directed at enhancing the self-sufficiency of Metis people. The concepts provide for the evolutionary transfer of control to permit for expanded self-governing activities in economic development endeavours.

The proposed financing concept and the establishment of capital investment and economic development institutions can achieve the goals of all parties. These

self-governing entities can be representative and accountable and need not present any jurisdictional problems. Selective agency agreements can and will result in improved delivery mechanisms, increased cost efficiencies and higher cost/benefit ratios. Unconditional block funding will "fill the gaps" and provide for a more integrated approach to the economic development process. These combined with the capital investment vehicle will provide the necessary means to address the current economic disparities which prevent the Metis people from accessing the universal programming and commercial institutions with their restrictive eligibility requirements. The package will permit the formulation of an integrated economic development program which can address the need for seed capital, debt financing, support services, human resource enhancement, joint ventures, infrastructure development and the like. The format can be responsive to the needs of the constituents and through co-ordination with other self-governing institutions can direct the MMF's resources to achieve a less dependent and more productive effort. (An Economic Strategy for the Manitoba Metis Federation - Thunderbird Consulting, May 14, 1992)

Louis Riel Capital Corporation

In 1992 an Aboriginal Capital Corporation (Louis Riel Capital Corporation) was set up under the

Manitoba Metis Community Investments Incorporated. The LRCC is run by a Board of Directors composed of eight people, of which 4 members are appointed by its parent MMCII. The other 4 Board members are appointed by the first four members. Its mandate is to assist and further the development of Manitoba Metis businesses through the provision of financial and related services on an ongoing commercial basis. LRCC is funded through the Aboriginal Capital Corporation, a component of the Canadian Aboriginal Economic Development Strategy. The CAEDS program is administered by Industry, Science and Technology.

The goals of the LRCC are intended to achieve the following:

- To establish Manitoba's first Metis-owned ACC to provide commercial financial services to businesses owned by persons who are eligible to be members of the Manitoba Metis Federation.
- To initially provide loans, loan guarantees, bridge financing and related advisory services on a commercial basis and to examine future expansion of such services to include venture capital, equity financing, leasing, surety bonding, and/or similar commercial financial services as may be desirable.
- To establish a self-sufficient financial institution founded on the principles of sound portfolio

management and cost effective delivery.

- To generally promote viable economic development through the formation and maintenance of Manitoba Metis business enterprise, to the extent that such activity is consistent with the mandate and policy of the ACC.

Objectives/Strategies

More specifically, the ACC will endeavour to pursue the following objectives:

- (a) *The management of the ACC in a prudent manner to ensure long-term self-sufficiency and capital growth.*
- By financing projects which demonstrate profitability and a reasonable expectation of loan repayment;
 - By providing commercial loans on a repayable basis at rates of interest that can reasonably be expected to cover operating costs, bad debts and some acceptable allowance for capital growth in the portfolio; and
 - Through participation in other eligible profit-making endeavours, to the extent that such activities are complementary to the mission of the ACC.
- (b) *To minimize the financial risks to the ACC.*

- Through operating in accordance with the principles of prudent financial management;
- Through monitoring loan performance on an ongoing professional basis;
- Through broad diversification of the portfolio in terms of clients, industry sectors and loan size; and
- Through establishing an ongoing relationship between the ACC and the target group to foster co-operation and support for the ACC mandate.

(c) *To maximize the availability and distribution of loan capital to meet the needs of the target group.*

- Through the prioritization of smaller business loans with short to mid-term amortization periods;
- Through encouraging and assisting clients to access complementary funding sources; and
- Through enhancing access to loan capital where current conventional sources are lacking.

The MMF believes that the LRCC is an incremental step toward Metis self-government. It is one sector along with other economic initiatives currently being developed by the MMF. Negotiations by the MMF through the tripartite process will continue to advance positions which will hopefully lead to

greater participation for Metis in the economic community.

Principles Upon Which Metis Economic Development Must be Based.

Removing the barriers toward economic development

The options must be workable, effective and capable of long lasting effects.

Therefore, the options must be developed through a careful analysis of all the barriers which actually prevent or discourage Metis people from assuming responsible and productive roles in society. This encompasses social, educational, training, accessibility to financial, physical and human resources amongst the many other existing barriers.

Meeting the needs of Metis people

The options must be consistent with the aspirations of Metis people. There must be a real understanding of what Metis people need and want and support systems must be capable of recognizing and taking such needs and aspirations into account in the time frames in which they can respond.

Acceptance by Metis people

The options of program development must be credible to Metis people. Metis people must have reasons for believing that the development system is actually intended to provide real benefits to them.

Fair and just outcome

The options must also provide real hope for fair and just outcomes. The possibilities must be such as to provide an actual opportunity for significant economic improvement, decreased dependency, improved communities and greater self-respect with effective appeal mechanisms in place which are also perceived to be fair and honest.

A joint approach

Metis economic development projects will require the co-operative involvement and support of a number of different government agencies and departments as well as other organizations and institutions to be successful.

Recommendations to Promote Active Participation by Metis in the Area of Economic Development

Training in the areas of finance and management must be implemented to suit

the needs of Metis entrepreneurs. Training must be applicable and sensitive to the real needs of Metis people and not solely determined by institutions who do not fully understand training priorities of Metis people. Too often Metis have had to accept training which they had no input in developing.

The human resource factor must be given a high priority in the overall component of training for Metis people. In the past, there has been a neglect by governments to recognize the importance of the "soft skills" development. Attempting to convince governments to change their views in this area is like swimming upstream; they always seem to think there are other more pressing issues in achieving success in economic development. It seems that governments are pre-occupied with instituting short-term priorities. It is important for them to realize that for economic development to succeed a solid foundation must be a prerequisite. Governments must re-evaluate their training priorities to include legitimate input of Metis people. Human resource development must become a prominent part of any future training strategy.

Special emphasis and resources must be channelled toward the training of Metis women. A large percentage of Metis women are not given recognition through training programs presently developed and designed by governments and institutions. It is especially important to design training for Metis women that targets higher level employment in

management and other executive positions.

Over the years Metis youth have been virtually locked out of training institutions. The reason for this is that as an Aboriginal people Metis have not had training contributions earmarked specifically for them unlike other Aboriginal peoples. Metis youth have always had to compete with other Canadians for limited training contributions of governments. As a result, Metis youth have fallen behind in upgrading their skills to meet future employment challenges. Training contributions must be allocated specifically for Metis youth to combat the critical shortage in their participation in the labour force.

In economic development, governments must begin to do their share in assisting Metis to assume a more prominent role. It has been clear from studies and reports respecting the Metis that they have not been treated fairly. Governments have acknowledged that as an Aboriginal people Metis have not been given proper recognition by way of resource distribution.

Metis are proposing that governments can begin to address their economic issues by entering into an agreement with them to set aside government contracts specifically for Metis businesses and individuals. This initiative would give Metis an opportunity to create employment within their own community. Set aside contracting is an area

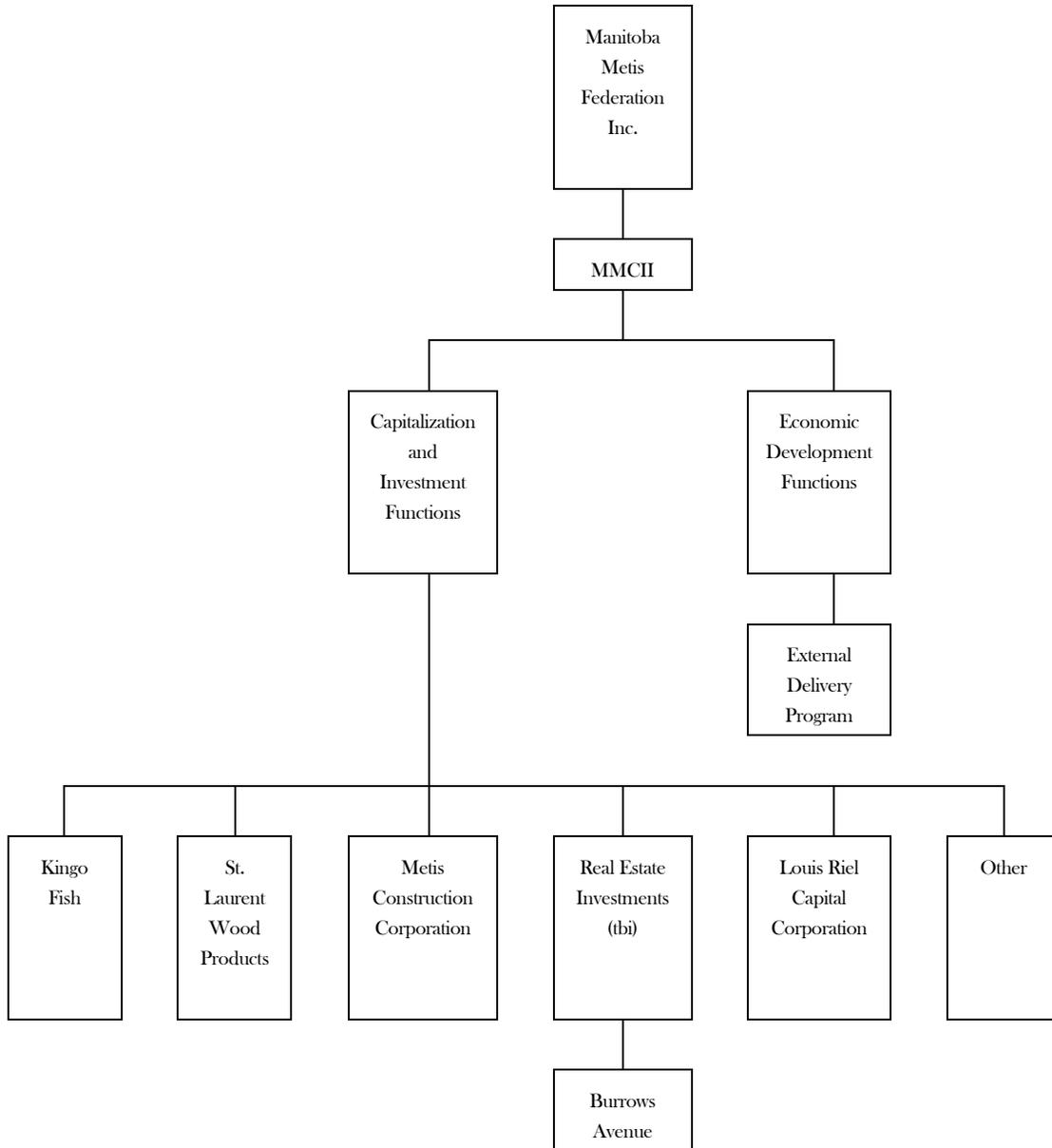
governments can facilitate immediately. It is no longer appropriate for governments to argue that by doing this places other Canadians at an unfair advantage.

For Metis to compete economically with other Aboriginal peoples and other Canadians, it is imperative that government contributions be earmarked specifically for Metis people. Existing programs and services of governments in economic development have clearly not met the needs of Metis. Program criteria and guidelines over the years have consistently denied Metis equal consideration with that of other Aboriginal groups. In particular, the major impediment for Metis to existing government-funded programs is the equity requirement. In many cases, this provision has eliminated Metis applicants with the result being Metis not accessing their equitable share of contributions. The Metis recommend that an equity pool or venture capital fund be established as an instrument that would be part of existing and future economic development contributions of governments.

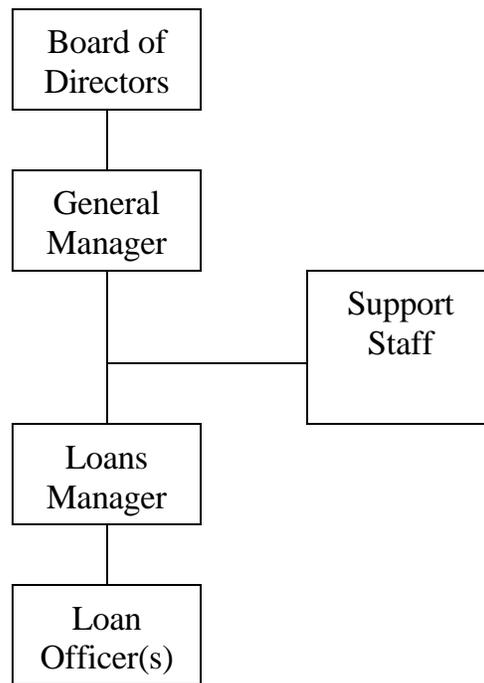
The MMF with the help of governments must seek ways to become pro-active in private sector economic ventures. Partnerships and joint ventures with the private sector must become a priority for the future. Governments must be the catalyst in bringing Metis and private sectors together to plan and initiate joint economic programming.

Metis businesses and individual entrepreneurs have not had adequate ongoing technical support especially in the crucial early stages of their ventures. Contributions towards their enterprises did not allow for this support to ensure greater chances for success. The MMF is proposing that a business incubator be set up to support new ventures and become part of future and existing government programs on economic development. This initiative will maximize the overall effectiveness of Metis economic development funding.

Current Structures and Ownership - Economic Development



Organizational Structure for the Louis Riel Capital Corporation



EDUCATION - THE LOUIS RIEL INSTITUTE AND MMF EDUCATION POLICY

The term "Institute" can refer to "an educational institution". In its broader sense, an institute means "an organization for the promotion of a cause".

Although it is expected that in time there will be a Louis Riel educational institution, the MMF is now concerned to promote the "cause" of the educational needs of the Metis people of Manitoba by means of an organization which it chooses to call the LRI.

The LRI, then, is to be the organizational vehicle through which MMF education policy is developed and implemented.

Purpose Statement for the LRI

To foster the advancement of literacy and education of the Metis people in Manitoba.

General Goals of the LRI

1. To influence the educational systems in Manitoba to better the educational circumstances and opportunities of the Metis.
2. To work towards the attainment of significant decision-making power

by Metis people respecting educational matters that directly affect them.

3. To conduct research in education, history, language and other areas which relate to the educational circumstances of the Metis and the survival and enhancement of Metis culture and language.
4. To provide input which leads to significant changes in teacher training and curriculum development for the promotion of educational programs that provide for Metis needs and that better reflect the significant historical role of the Metis in western Canada.
5. To promote the professional and academic education of Metis people and to provide professional help to Metis people in the field of education.
6. To promote the education of Metis people in technical, business and other fields.
7. To establish a publishing house as a part of the Institute.
8. To provide a suitable literary resources centre for the support of the objectives of the Institute.
9. To promote the study of the Metis people and of other Aboriginal peoples of Canada and the world.

10. To retain Metis culture by the establishment of museums, historic sites and other means.

Compiling of information on Metis language and history.

11. To carry on all other activities which will foster the implementation of the education policy of the MMF.

Promotion of awareness of Metis culture and language by means of community workshops, courses, theatre and other suitable means.

Examples of Implementation of the Specified Goals

1. To provide information, develop position papers, make presentations and otherwise help MMF political leaders to promote beneficial change for the Metis in Manitoba in respect of literacy and education.

4. Advise Faculty of Education and Department of Education respecting content of curriculum in schools and in teacher education programs.

To develop and publish materials suitable for teacher education and curriculum development.

2. To provide models for effecting more significant decision-making by Metis people.

5. To publicize the availability of suitable educational programs among Metis people.

To seek, acquire and disburse scholarships and bursaries.

To provide, by means of workshops or other suitable means, support for persons in Metis communities who have an interest and a stake in the advancement of Metis education.

6. To publicize the availability of suitable educational programs among Metis people.

To seek, acquire and disburse scholarships and bursaries.

To co-ordinate the activities of all Metis persons, groups and communities who desire this service for the better promotion of Metis literacy and education.

7. To publish curriculum materials for schools and teacher education programs.

To publish materials in Metis history, Michif language and other areas.

3. Research in Michif, oral history.

8. To house oral history tapes and provide professional staff for data collection, storage and retrieval.

To house suitable materials to support Institute's objectives.

To acquire a collection of art and literacy materials related to the Metis.

9. By acquiring and disbursing grants for writers, etc.

By offering post-secondary courses for University or other credit.

Louis Riel Institute

There is no precedent for the Louis Riel Institute. The use of advocacy to make the existing education system sensitive to Metis interests in itself can be found in no other Aboriginal movement. Collaboration with organized interest groups external to the Manitoba Metis Federation underscores the desire of the Metis to deal with broad concerns shared with the greater Manitoba community.

The Institute is neither a building, nor a program. The LRI simply is a tool for Metis people to strive for a better condition within the education system. Research and practice both demonstrate the critical importance of involvement of members from minorities in the improvement of education for their

people. That participation is critical to the LRI.

Critics could claim that the proposed organization in self-government is too cautious. Perhaps they are correct. There is no demand to take over existing powers of Federal and Provincial governments. Constitutional change is not mentioned. Yet, this paper proposes a way for Metis people to express their needs. As their needs are expressed, alternatives suggested, institutions respond, the form and functions of the LRI will change.

The problems inherent in the education of Manitoba Metis are monumental and pervasive. The solution must rise above rhetoric and empty promise. Hopefully governments and relevant interest groups can demonstrate a commitment to the LRI and resolve to address a problem that has, heretofore, resisted the traditional remedies that are short-term and band-aid.

The Mission Statement

Every program has a basic purpose and philosophy - a mission - to guide its operations. The mission is the why that underlies what the program does. Since we cannot fully understand what the LRI education institute does without some understanding of why it is doing it, it seems appropriate to illustrate the base forthwith.

Education has a value greater than itself, i.e. more than graduation from high school. Education is a means to a larger end - the ability to better control one's own life or to contribute to the life of the community.

This emphasis for a broader social purpose concentrates on the whole learner. Learners are helped to develop "human", "social", "economic" and "political" skills, as well as completion of traditional courses.

The statement of purpose originally presented to the Province of Manitoba respecting an Interim Funding Arrangement, 1988-1989, simply stated "to foster the advancement of literacy and education of the Metis people in Manitoba".

A broader mission statement for the LRI should include:

- To improve the quality of life for Metis families;
- !To create a new economic context for Metis communities within their environment;
- To empower the Metis in the communities in which they live and to advocate effectively for themselves;
- To develop education as a part of providing education, economic and cultural development for the Metis community.

One should remember the unique nature of advocacy by the LRI. The central thrust lies in making existing systems more sensitive to Metis education needs. Current programs and structures can reallocate existing resources. Thus, LRI advocacy necessarily does not demand significant "add-ons" or the creation of another system of education.

The LRI would emphasize developing capacity to advocate within the Metis community, rather than forming an instrument, or mouthpiece. The intent would be to push education organizations to what is appropriate.

Goals and Objectives

The LRI likely could concentrate upon four operational goals: (The Louis Riel Institute Inc. - A Metis Education Institute [A Model for Self-Government], August 1990)

1. To maintain an effective agency which will provide direct and indirect services to Metis residents of Manitoba.
2. To provide a vehicle for the participation and involvement of members in the education and training developments in their respective communities and in the public/private sector of the community at large.

3. To encourage education development and planning alternatives, both short-term and long-term for the Manitoba Metis Federation.
4. To enhance linkages with public/private agencies and other groups so that the needs of the Metis community are adequately addressed.

Assumption One: Individual and community empowerment

Advocacy is an independent movement of consumers to monitor and change human service agencies. For the purpose of this presentation:

1. Independent - the LRI is divorced, separated, from the formal education system (i.e. school boards, colleges); however, co-operative arrangements on single issues can be established with educational bodies and other non-governmental agencies (i.e. the Association for Community Living, the Franco-Manitoban Society).
2. Consumers - the recipients of training and education programs; the intent is to promote more producers of education services among the Metis.

3. Monitor - to assess the record of public institutions in their contribution to Metis students.
4. Change - is applied through many strategies, as membership on boards of public institutions, lobbying, information to members, and so forth.
5. Human service agencies - education and training are provided by many groups outside traditional education institutions, including government departments, agencies receiving short-term training grants and so forth.

Advocacy activities would be held within the parameters set by existing provincial legislation. The LRI would not assume authority held by existing education institutions. Advocacy would attempt to push them to deliver what is appropriate to meet Metis interests.

Assumption Two: A community-based program has a local base and focus.

Community based is defined as meaning that a program serves an identified constituent community within a limited geographical area, using indigenous staff and volunteers whenever possible (i.e. the seven regions of the MMF). The concept of a local base and focus has an importance that goes far beyond mere location within a given community. A community is a "community of

like-minded people" rather than a locality and that a "local focus" must, therefore, be seen as an emphasis on meeting the expressed needs of that community.

A locally-based program is one created by and controlled by the community, emerging from its members in response to a perceived need. A "local focus" also represents not so much a narrowing of the program's sphere of educational emphasis to the local level as a broadening of its emphasis to encompass the community as a whole - in other words, community as well as individual development. Although definitions of what is meant by "community based" or "locally based" may vary greatly, concern for the community served is a strong unifying feature.

Therefore, LRI operations must reflect the expressed needs of Metis people, but at the same time, provide the people with ideas about what things can be done to improve the present condition.

Assumption Three: A community-based focus serves those learners more; traditional programs do not reach.

Study findings indicate that community-based programs are indeed reaching and serving the interest of the less advantaged in education. Their appeal to non-traditional learners is in their programs: the programs are accessible and affordable; the setting is non-threatening and familiar; teachers are

chosen for their rapport with students; students' own needs are taken into account; learners are able to proceed at their own pace; and a non-competitive environment is set up.

Application into learning approaches and techniques illustrates this assumption in another way. The classroom-based model presents major problems for persons with a history of oral learning traditions. Many adult Metis simply stay away; youth quickly drop out. In contrast, the LRI will continually urge programs with: an emphasis on learner-centred methods; an emphasis on developing control over one's personal and social reality; use of ancillary activities and experiences to promote program objectives; and respect for learners' abilities, experiences and goals.

Assumption Four: A community-based program is independent - not part of the formal education establishment.

The LRI will attempt to work in collaboration with mainline education and training institutions. Collaboration can easily translate into co-operation in program design and delivery.

All too frequently the Metis now are blamed for their failure in schools and colleges. The existing organization of these traditional institutions emphasizes a prescribed curricula; an emphasis on meeting the needs of the mainstream majority rather than the non-traditional

minority; and a reluctance to experiment. Community-based institutions are set up specifically to provide a flexible, experimental alternative.

Participatory, learner-centred approaches should be the norm. Concern for group process is essential. Participants can and do learn with and from their peers. Constant, active participation is typically more easily generated in a group environment.

Objectives

The LRI represents effective and tested answers to problems that have plagued education for decades. It will advocate for meaningful educational services to many Metis disenchanted with or unable to use the conventional system. It will promote diverse approaches to learning tailored to the specific needs of the student. The LRI is structured to be accountable to the people in the communities within which they operate; it is responsive to community aspirations, maintaining an active commitment to a mission of community development; it encourages strong linkages with the community, integrating learning with it encourages the life and work experiences of the learner; and the LRI is accessible to community people because of its existence within the community.

Recommendations to Support the Principles of the Louis Riel Institute

1. Advocate community-based Metis education interests

As financial pressures upon programs grow, co-operation among various minority groups concerned with education issues is essential. Community-based programs should be included in coalitions and their efforts should be more widely recognized within the education field as a whole. A provincial organization, LRI, could advocate effectively by:

- Representing local education interests in provincial level coalitions and task forces;
- Contributing to the development of federal and provincial policies;
- Sponsoring meetings that bring together practitioners from local programs, Metis teachers and other interested groups.

2. Develop networking and information sharing opportunities among community-based programs serving Metis

Usually there is little opportunity to share information with innovators, community leaders and affected students in education. A

provincial organization could promote networking and information sharing by:

- Sponsoring meetings that bring practitioners together;
- Disseminating information about existing innovative programs and relevant services;
- Facilitating development of jointly sponsored projects;
- Identifying conferences and other opportunities for information sharing;
- Making presentations at such conferences or arranging for presentations to be made by exemplary practitioners.

3. *Increase the amount of information available regarding community-based programs and practices*

A problem faced by innovators is lack of information regarding what has worked for other programs. A provincial organization could increase the body of information available by:

- Creating a data bank of information regarding the structure and operation of novel programs;
- Building a file of community-based program practices that would be available for review by any program interested in learning specific

"how-tos" regarding a given area of program operation;

- Providing in newsletter columns or features that provide regular updates on Manitoba education as well as Aboriginal activities elsewhere.

4. *Provide assistance in areas of program weakness*

There are clear needs for improvement in testing participatory-learning techniques, materials and evaluation. A provincial organization could help by:

- Developing standards or guidelines of practice (both in existing programs as well as the innovative);
- Creating technical assistance materials focused on methodology;
- Publicizing successful approaches discovered in programs to resolve problems;
- Creating or publishing bibliographies of effective learning materials;
- Providing or brokering direct technical assistance to local programs.

Consistently, the importance of Metis culture must be stressed in all the above activities. Culture is elusive - arts and crafts, Michif languages, values and beliefs handed down through the generations. When the Metis begin to lose their shared sense of

culture, they also begin to lose their pride as a people.

5. *Direct a provincial needs assessment*

The urgency to develop a provincial plan about Metis education requires an accumulation and analysis of a data base. Recommendations have been made about Metis education in isolation, both in time and in subject matter. Priorities need to be established by:

- Gathering needs statements from a number of hearings and reports on Metis education;
- Designing a questionnaire(s) edited and summarized from needs statements;
- Establishing the highest priorities, local and provincial, with a likely focus upon the role of parents in the education of Metis children, parent and community involvement in the schools, an emphasis on access to basic skills, career education and the development of Metis professional staff;
- Defining procedures for implementing immediate objectives without losing sight of long-range goals.

The needs assessment will increase the awareness of different Metis communities about their needs and rights in education as well as promoting their acceptance of

advocacy principles. The assessment also will determine the extent to which the particular education needs of Metis are met and determine what further resources are required.

Specific Activities

1. *School staff in-service training*

There is a need for school personnel to have training in how to improve communication between teachers and Metis students. All school personnel including teachers, counsellors, social workers should be required to periodically attend workshops related to Metis education. There is a need for more Metis teachers. There is a need to encourage and recognize teachers who demonstrate special initiatives in serving Metis students.

2. *Inter-agency co-operation and Metis student needs*

There is a need to recognize the joint and mutual responsibility of parents and community organizations along with schools in responding to the needs of Metis youth and for schools to co-operate with other agencies in providing for the needs of these youth. There is a need to identify areas where Metis students are not receiving services and educational opportunities they are

eligible to receive and for parents to have a fuller understanding of the education services available to their children. There is a need for a greater sharing of ideas and innovations between Alternative Schools and progressive public schools.

Special attention must be given to assisting Metis students to understand and deal with negative peer pressure, to provide for the education needs of young single Metis parents who wish to finish high school (particularly the needs of teenage mothers) and to provide for the special adjustment needs of young Metis people who have discontinued their education.

3. *Curriculum and education program*

There is an urgency in the schools' curriculum to meet the needs of Metis children and to incorporate materials and information about Metis people into the general curriculum. School districts need to conduct local assessments and to determine and incorporate Metis parent views and recommendations into the education program for the Metis child. Metis parents need to be active in curriculum decisions affecting the entire school division. Schools need to be conducive to learning what is consistent with the cultural life-style of Metis people.

There is a need for school districts to develop standards regarding the inclusion of the Metis in the curriculum of public schools.

4. *Teacher training programs*

Teacher training programs in Universities need to be improved so that graduates are more sensitive to and professionally able to provide for unique and special needs and to recognize in their curriculum the need to prepare students for teaching Metis children and incorporating relevant and related student teaching assignments into the experience of students who will be or desire to be teaching Metis. A focused effort related to Metis teacher training is needed.

5. *Broad-based collaboration*

The LRI could serve to bring business and education leaders, legislators, government officials and various experts together to discuss major educational policy issues. The Institute could function to develop and provide for a series of meetings on topics of contemporary importance affecting educational policy. The Institute could serve as a centre for research in education facilitating the conduct of research of importance to the Metis which provides stipends for senior scholars to study a full year as well as doctoral candidates to work on dissertations

and short-term summer projects. In offering fellowships based on proposals for research, the Institute could set the tone and direction of education research in Manitoba through its sponsorship.

6. *Anticipated changes in education*

It is certain that adopting the proposed advocacy role in LRI will require education institutions to redefine and restructure their present ways of functioning to benefit the Metis.

New services and new roles may be established. They might include:

- Involvement of families as an integral part of school life;
- Re-education of professional staff to work with the LRI on behalf of Metis students;
- Fundamental changes in curriculum planning, school organization and in instructional approaches.

Expectations for all services and agencies must be made clear and responses from publicly-funded education institutions must be forthcoming. The specifics of how particular schools must change will depend on the unique characteristics of each community and the unique patterns of advocacy and of implementation developed by individual communities.

Specific Recommendations

Financing of Education and Research must be a Priority.

- The Metis people of Manitoba have consistently stressed the development of history materials and curriculum that reflect the role of the Metis in the development of Western Canada. This is to be taught to all students in Manitoba schools. Currently, history is taught as an option in the Social Studies curriculum at grades 6, 9 and 11. This has always been the first priority and the research produced thus far by the Manitoba Metis Federation, both jointly with institutions and alone, has not received the financial support necessary to ensure success. The demands of the education system on the Manitoba Metis Federation to provide curriculum would be more appropriately met by structured collaboration and co-operation between the Manitoba Metis Federation and the curriculum branch of Manitoba education. This goal is reflected in the Louis Riel Institute and requires financial support to ensure success.
- Current trends by government and the private sector tend to support academic research by scholars of

Canadian education institutions. Research carried out by the Metis receives little or no financial support. Avenues need to be pursued to accommodate research and development being done by the Metis. This is one priority of the LRI.

- The academic advancement of Metis graduates from local high schools, colleges and universities is also a priority. Currently, Metis graduates are not progressing. Few, if any, Metis have advanced to the academic level of a Master's degree and PhD. Apprenticeship and employment also remain ~~underdeveloped and linkages in the~~ current education system are a major problem. There appears to be little co-ordination and communication between the different levels of the education system, i.e. elementary, secondary and post-secondary. The current education system is legislated and structured with the notion that only 20% of the population will advance to institutions of higher learning. The basic philosophy that the LRI operates on is that "Education is a right" of all people including the Metis. There is a financial obligation of the provincial government to support the advancement of the education of the Metis. Metis insist that statutory authority legislation is required to empower the LRI.

- !In the short term, a sound scholarship program supporting both Metis students and Metis scholars would fast track progress in already mentioned areas. A Metis bursary program developed as a separate program would alleviate pressure in the needs-based areas where education costs tend to be lesser. Current financial assistance trends tend to give lesser financial support to the Metis simply because the majority are participating in programs that are less expensive.

TRIPARTITE PROCESS - HOUSING

Housing has been a priority issue expressed by Metis since the formation of the MMF in 1967. MMF provincial and regional assemblies over the years continuously received strong mandates from the membership to advance a housing policy to address their needs. Effective lobbying by the MMF shortly after its formation brought about the Rural and Native Housing Program. This program was not only available for the Metis but also to all rural and native residents. The advantage of this program was that it provided subsidized housing to those with the greatest need. Although the RNH was available to Metis and did meet the needs of some -its limitations were in the numbers of housing units available for delivery. Over the years, a number of changes were made to the housing program that allowed for an

expansion of services. In particular, programs were added to allow for repair of existing homes owned by Metis and other rural and native people. The MMF for the past 25 years has been instrumental in the delivery of housing for the Metis. Housing programs available to the Metis were not always satisfactory but were the product of negotiations between them and housing agencies of the federal and provincial governments.

Prior to 1979, the housing for Metis in Manitoba was delivered by the Rural and Native Housing Corporation of Canada which was formed in 1969. The MMF Housing Branch was formed in 1979 and ~~has delivered a number of programs to~~ Metis and other rural and native residents.

For the past seven years, the MMF delivered housing programs through a tripartite management committee with Canada Mortgage and Housing Corporation and Manitoba Housing and Renewal Corporation. Programs delivered by the MMF Housing Branch through this arrangement are: Section 79, Residential Rehabilitation Assistance Program, Emergency Repair Program and the MMF/CMHC Property Management Agreement. This arrangement allowed the MMF an opportunity to negotiate ~~changes and lobby for new programs.~~ Since its formation the MMF Housing Branch has provided delivery of the programs that fall within the RNH

Recently, however, CMHC announced that its programs would in their present form be terminated in 1994. This announcement was very disturbing to the

Metis of Manitoba considering that adequate affordable housing is still a priority. The MMF still endorses earlier positions that housing programs must not only continue in the future but must be improved to meet the real needs of Metis people. All the information in this presentation including recommendations are advanced on the basis that the RNH programs will continue in the future in some form or another to meet the demands that continue to exist. The following is a brief overview of the four programs delivered by the MMF:

The Section 79 Program

This program is new home ownership, lease to purchase and rental available through an application and qualification process. It is open to applicants of rural Manitoba living in communities with a population less than 2,500. It is available to low income applicants with payments adjusted according to their income. This program has always been in high demand by rural and native people. Records at the MMF Housing Branch show a continuously long waiting list for new housing applicants.

Residential Rehabilitation Assistance Program

The RRAP is available to applicants who own their own homes. It is intended to improve existing homes and add significantly to their life span. RRAP is

now delivered throughout Manitoba with the exception of Winnipeg. Like the Section 79 Program, RRAP is open to low income applicants. This program also has been in high demand with a steady increase in applicants each year. The MMF Housing Branch as an example delivered 247 loans in RRAP in 1992 and expects this figure to rise in 1993.

Emergency Repair Program

This program is available on an emergency basis only. It is only open to low income persons living in the rural areas. The intent of the ERP is to repair the home until it can be replaced with a new unit. ERP has been in high demand as many existing homes in need of repair do not qualify for RRAP.

MMF/CMHC Property Management Agreement

This is an agreement through the tripartite management committee which provides for the MMF Housing Branch to take over responsibilities for administration, maintenance and repairs of all CMHC-administered RNH units. MMF Housing has proposed a four-stage takeover strategy. Stage I began in April 1992 with Stage II presently under negotiations. This arrangement has been very effective so far and its effectiveness will increase with the advancement of the remaining stages.

Structure and Functions of the MMF

The MMF has divided the Province into seven regions but, since the Winnipeg Region is not currently engaged in housing delivery, the current housing delivery system consists of six regions with the administrative centre in

Winnipeg. The six regions are listed below:

NUMBER	REGION	REGIONAL OFFICE
1	Thompson	Thompson
2	The Pas	The Pas
3	Dauphin	Dauphin
4	Southwest	Brandon
5	Interlake	St. Laurent
6	Southeast	Powerview

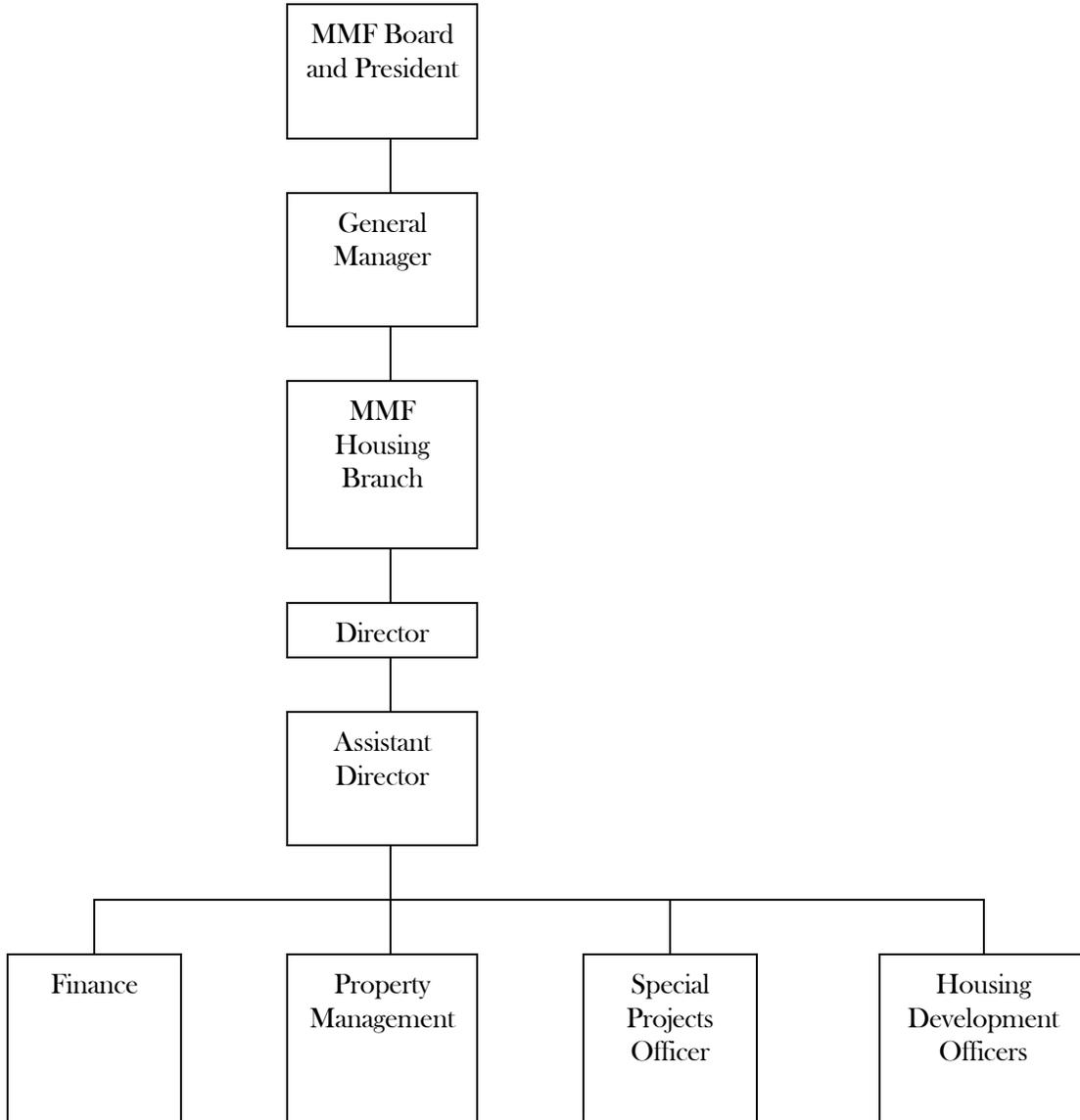
Each MMF Region has a Vice-President, elected for a three-year term, and a Regional Secretary funded by Secretary of State-Core Funding. In addition, there are currently provisions for a Housing Development Officer (HDO) and a Housing Counsellor in each region, paid for out of housing program funds. The HDO's report to MMF Housing in Winnipeg, while the Housing Counsellors report to the regional VP.

In 1989, the Housing Branch developed new strategies for improving its efficiency and effectiveness in housing delivery. These changes are now being implemented and offer the prospect of improved quality control and efficiency, while respecting the increasingly decentralized political structure of the MMF.

One consequence of the reorganization is that HDO's now report to MMF Housing in Winnipeg, while the Housing Counsellors report to the Regional VP's. The change is meant to emphasize the technical/administrative function of the HDO and to maintain a separation between the VP and the HDO.

The typical regional office now consists of a VP, a secretary, one or more HDO's and one or more Housing Counsellors. VP's now have a mixed political/administrative role, but attempts are being made to shift administrative functions to the regional secretaries, to provide a better distinction between administrative and political functions.

MMF Housing Branch Structure



Present Activity of the MMF Housing Division

Under current agreements with Canada Mortgage and Housing Corporation, the Manitoba Metis Federation delivers certain federal housing programs through its Housing Branch on a fee-for-service

arrangement. MHRC has withdrawn from delivery of many of the programs resulting in the MMF Housing Branch becoming much more active in the delivery component. Presently, Section 79, RRAP and ERP are all funded by CMHC.

MMF HOUSING DELIVERY - FEE STRUCTURE		
PERIOD	PROGRAM	FEES
January - December 1992	Section 79	\$1,452,490
January - December 1992	RRAP	\$206,704
January - December 1992	ERP	\$72,051

The fee-for-service is based on a Maximum Unit Price (MUP) set by CMHC for a dwelling in the area in which it is built and is taken at 5% of MUP in the south and 7% in northern areas. The annual income from this source was estimated at \$1,731,245 in 1992. Funds raised in this manner are used to run the MMF Housing Branch's operation. The agreement provides for fees on the following programs:

- Emergency repair (ERP)
- Residential rehabilitation assistance program (RRAP)
- Rural and native home ownership, rental program and recycles (Section 79)

These programs are applicable to communities with populations of less than 2,500. Because they are limited in application, the availability of these programs depend on the size of the budgets allocated to this work by the senior levels of government.

Metis Self-Government in Housing

Metis housing institutions will be required to carry out the responsibilities for housing under self-government.

The purpose is to develop a Metis housing institution which will make decisions with

and for the Metis people in relation to their housing and community needs while contributing to their social, economic and political aspirations.

Four objectives can be identified that appear to be essential to this goal: (The Development of a Metis Housing Institution - Larsson Consulting, March 31, 1989)

1. *To establish a housing institution that is capable of operating independently.*

It must be emphasized that a housing institution operating under self-government is one that is capable of designing, funding and delivering its own housing programs. Such a capability assumes a certain critical threshold of staff, skills and resources and also requires a capacity to design, finance and deliver self-initiated programs without reference to senior governments. This implies a broader range of powers than would be the result of an extension of the current activities of delivering housing on behalf of other governments. The ability to operate independently is, however, not incompatible with a role that consists primarily of acting as a delivery agent.

2. *To deliver housing that is suited to Metis needs.*

The achievement of this objective may require the development of new programs, the modification of existing ones, as well as the delivery of current CMHC and MHRC programs that are now suitable. It must also be noted that the range of housing needs include rural as well as northern/remote areas, and possibly urban areas as well. None of this excludes the continuation of delivery of government programs under agency agreements.

3. *To develop a housing agency that is effective and efficient.*

If the MMF is to deliver housing effectively, the institution must contain the skills required to develop policies, administer programs and provide a full range of delivery. This, in turn, will necessitate an organization of sufficient scale to attract and retain skilled staff. A larger-scale organization with a higher level of activity will also be consistent with the larger resource base required to fund the MMF's own housing initiatives.

4. *To achieve a transition that does not impair the effective delivery of existing programs and activities.*

It will take time for MMF to develop staff skills and to increase its scale of operation. The modification of existing programs and the development of the MMF's own programs will also require considerable time and consultation. All these considerations lead to conclusion that the first three goals are more likely to be achievable through a process of transition, rather than a drastic reconfiguration of existing roles and activities.

A review of all these objectives leads to the conclusion that the best way of achieving the goal is for the MMF to gradually increase its level of current activity as agent for government housing programs and to embark on a number of other housing-related activities, all of which will result in a gradual increase of numbers of staff, an upgrading of skills and an increase in corporate resources.

Proposed Activity Goals

A housing institution geared towards MMF interests does not preclude it from delivering CMHC or MHRC housing programs as an agent. The role as agent is currently the main activity of the Housing Branch and we see its continuation and expansion as providing a logical transition to a full status as a housing institution.

It is further apparent that a housing institution does not need to operate in a way that excludes delivery to other client groups. Although there might be housing programs aimed specifically at Metis clients, such an organization could continue the current activity of delivering CMHC and MHRC programs to anyone who CMHC or MHRC considers to be qualified. A possible scenario might include all of the following arrangements:

- The housing agency could design, fund and deliver its own programs to Metis people with special needs that cannot be logically addressed by a CMHC or MHRC program. Such a program might be funded out of the Agency's own revenues or, if it serves a recognized social purpose, block funding might be available from CMHC.
- The organization may co-deliver CMHC and MHRC programs that have been modified to meet certain unique needs of Metis and other native people in Manitoba.
- The organization can continue to act as sole delivery agent for CMHC and MHRC programs that are delivered to Metis, native and non-native people as per program requirements.
- !There will also be cases and areas where it might be impractical for economic or other reasons for

the MMF to be delivering housing at all; for example, in areas where there are few Metis people and where the F/P partnership is currently providing complete services.

In addition to these activities, the MMF may find the provision of management and technical consulting services to other native organizations to be a profitable and useful activity. The activity options can best be understood in a tabular form:

SCHEMATIC OF FUTURE ACTIVITIES AND CLIENT GROUPS				
CLIENTS/ACTIVITY	SOLE DELIVERY OF OWN PROGRAMS	CO-DELIVERY W. CMHC/MHRC	AGENT FOR CMHC/MHRC	CONSULTANT TO GROUPS
Metis	!	!	!	
Other native		!	!	!
Non-native			!	!

An Implementation Strategy

Increase Current Levels of Activity

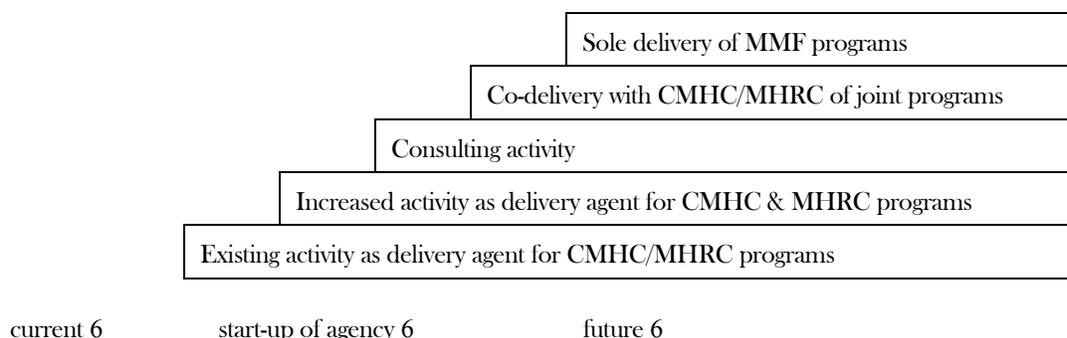
The wide variety of new housing initiatives that could be undertaken by MMF under self-government will require autonomous financial resources, a large organization and specialized staff skills; conditions which are not currently being met.

In view of these factors, a major thrust of MMF strategy in the short term will be to take on more program delivery tasks on a fee-for-service basis, while continuing to implement the organizational improvements that have already been begun.

The strategy has several purposes. More work will increase revenues and place the

organization in a better position to initiate independent programs. A higher workload will require more skilled staff, which will strengthen the technical and administrative capabilities of the total organization. Finally, a higher level of activity at the regional office level will strengthen the technical and administrative orientation of these offices. When the organization has grown in size and skills, it will be in a better technical and financial position to initiate and deliver its own programs, should this prove necessary and desirable.

SCENARIO OF ACTIVITIES OVER TIME



Expand Delivery Agent Activities

The MMF has recently begun an initiative to take over the property management of all 1,300+ CMHC-administered RNH units in Manitoba. MMF proposes the involvement of Head Office, the seven regions and local communities in the process. Head Office would implement policy, control records and monitor all functions, while regions would be responsible for all day-to-day administration, training and liaison with local communities. Housing Boards have been established with representation from the MMF, the municipality and the occupants and it is the MMF's intent that the Housing Boards will carry out all of the "hands-on" functions.

Within the current MMF organization, the task would be overseen by the Housing Branch, with a Housing Officer responsible to the Director of Housing. This initiative calls for a transfer of

responsibilities to occur in a 4-stage process. Stage I includes physical tasks, such as maintenance, emergency repairs and surveillance, while Stage II would include financial administration tasks currently carried out by the active party as well as greater financial authority for repair contracts. Stage III would include responsibilities extending to all administrative tasks related to RNH units in rural areas. Stage IV would consist of rent collections, utility payments and preparation of lease agreements. Stage I has been operational for the past year. Stage II is expected to begin in the very near future.

Initial response by CMHC and MHRC is positive, subject to the working out of a detailed implementation plan, initial implementation limited to one region and evidence of community support. It should be noted that the concept of a staged implementation by regions has previously been identified by the MMF as a judicious method of introducing self-government in housing.

Establish New Programs under Self-Government

The considerable enlargement of MMF's agency activity is intended to place the housing agency in a position to be able to design and deliver its own housing programs. In the context of CMHC's efforts to make its own programs better suited to regional needs, it can be argued that it will be unnecessary for the housing agency to deliver its own programs. It is safe to assume, however, that there are housing situations amongst the Metis people that will most logically be addressed by a custom program designed and operated by the housing agency, rather than a heavily-modified CMHC program.

Establish a Housing Institution

An essential part of the strategy will be the establishment of a new MMF housing agency or corporation that will provide a structure appropriate for the expanded range of tasks. A Board of Directors with majority control by MMF, but with representation by Metis professionals and other outside expertise from other organizations or groups, will provide a balance between a long-term political sensitivity and a day-to-day professional and administrative orientation. The agency should control its own operational budget and financial resources, while the central MMF resource base will act as a financial backstop.

Establish a Lending Institution

Although we have already suggested that a new housing agency should control its own budget and financial resources, a trust company will be required if the agency wants to engage in housing loans, independent of current CMHC programs.

An expanded Manitoba Metis Community Investments corporation might serve the purpose. It could serve the interests of non-profit corporations as well as the new housing agency.

Although a schedule of activities is highly dependent on outside factors, such as the availability of capital for start-up and the speed with which agreement is reached on the takeover of property management tasks, a rough scenario can be established:

- 1991 Expand junior and mid-level training activities; design senior management training course and begin; finalize design of new housing agency; consider Metis housing needs in context of new RNH program structure.
- 1992 Start-up property management activities in one region; complete senior management training; obtain initial capitalization, establish new housing agency, develop new program ideas if needed.
- 1993 Expand property management activities to more regions; start-up consulting and other services, start-up new programs if needed.

Scope and Objectives of a MMF Housing Institution

objectives will be contributing to the following:

General Objectives

1. To carry out housing-related programs (consistent with those of a Canadian private corporation) for the social and economic advancement of the Metis people of Manitoba.
 2. To develop, with an initial capital base, the construction activities and housing policies which will be sufficient to sustain the growth of the association's housing initiatives and its service on a long-term basis.
 3. To source capital for the funding of viable housing and economic development projects to be undertaken by the Metis people of Manitoba.
 4. To provide professional, technical and management services to existing and new Metis housing businesses.
 5. To promote the contribution that the Metis housing business can make to the Manitoba communities, particularly in the area of skills development and equitable job creation for the native and non-native people in the Province of Manitoba.
 6. The Manitoba Metis Federation by implementing the above-stated
- (a) Creation or expansion of viable Metis-controlled and operated businesses.
 - (b) Creation of Metis individual, co-operative, corporate and community wealth.
 - (c) To return to the Metis people the responsibility for providing adequate housing for its own people.
 - (d) The training necessary for Metis people of Manitoba to take their rightful place in Manitoba and Canadian society.
 - (e) The development of portable and appropriate employment skills in the Metis work force.
 - (f) To establish long-term housing policies in conjunction with governments, that will allow the Metis people of Manitoba to live in pride and dignity.
 - (g) Generally, to increase both the standard of living for the Metis people and their participation in all segments of the Manitoba economy.

Specific Objectives

1. To promote and assist in the development of real property businesses and industrial concerns and undertakings; to engage in and carry on in all or any of their prospective branches, all or any of the businesses of financial, industrial, planning and management and, without limiting the generality of the foregoing, the business of municipal planning consultants, to engage in and carry on the business of general contractors and builders; and to supervise the construction of buildings, roads, ways, bridges, tramways, wharves, work and structures of all kinds.
2. To investigate, examine, report and advise on the standing, prospects, business affairs and condition of any person, firm or corporation, and to investigate, examine, report and advise on any real estate, lands or tenements or chattels or on any persons, firm or corporation or the circumstances of any business concern or undertaking and generally on any asset, property or rights.
3. To manage and operate any and all kinds of real and personal property wheresoever situate.
4. To purchase, receive, hold, own, sell, assign, transfer, mortgage, pledge and otherwise acquire or dispose of shares, bonds, mortgages, debentures, notes and other securities, obligations, contracts and other evidences of indebtedness of any person, firm or corporation or association, or of any government, stage, municipality or body politic; and to receive, collect and dispose of interest, dividends and income upon, of and from any of the shares, bonds, mortgages, debentures, notes, securities, obligations, contracts, evidence of indebtedness and other property held or owned by the association; and to exercise in respect of all such shares, bonds, mortgages, debentures, notes, securities, obligations, contracts, evidence of indebtedness and any other property any and all the rights, power and privileges of individual ownership thereof, including the right to vote thereon.
5. To buy, sell, exchange or lease real estate and immovable property.
6. To carry on the business of general contractors, both public and private, in all its branches either as principal or agent and, in particular, without limiting the generality of the foregoing:
 - (a) To contract and to construct buildings, works projects of every kind, class and description.
 - (b) To contract and to produce, manufacture, import,

export, buy, sell and otherwise deal in goods, wares and merchandise of every class and descriptions.

(c) To contract to make and carry out industrial, business, technical and scientific surveys and experimental research and development work in construction therein.

(d) To subcontract any of the above activities.

7. To lay out, develop and construct building subdivisions and sites, including the preparation and filing of plans, the dedication of streets, roads and other lands, the improving, grading and surfacing of lands, the construction, alteration, improvement and maintenance of roads, streets, water mains, sewers, sidewalks and other utilities and services.

8. To develop and construct parks, playgrounds and recreational areas and to erect, construct, equip and maintain recreational facilities thereof.

9. To arrange for the financing of the construction of houses and other buildings for persons, firms and corporations and generally to render technical, financial and other services to persons, firms and corporations engaged in businesses

similar in whole or in part to that which the corporation is authorized to carry on business as mortgage brokers.

10. To conduct and carry on the business of builders and contractors for the purposes of building, erecting, altering, repairing or doing any work other in connection with any and all classes of building and improvements of any kind and nature whatsoever and locating and laying out and construction of roads, avenues, docks, slips, sewers, bridges, walls, wells, canals and power plants and generally all classes of buildings, erections and works, both public and private, or integral parts thereof, and generally to do and perform any and all work as builders and contractors, and with that end in view to solicit, obtain, make, perform and carry out contracts covering the building and the contracting business and the work connected therewith.

11. To acquire by purchase, lease, exchange, concession or otherwise city lots, farmlands, mining and vegetable lands, town sites, grazing and timber lands and any description of real property to any interest or rights therein, legal or equitable or otherwise howsoever as principal or trustee; to take, build upon, work, develop, hold, own, sell, lease, exchange, improve or otherwise deal in and dispose of such lot, lands, sites, real estate and

- real property or any interest therein as principal or trustee, to deal with any portion of the lands and property so acquired sub-dividing the same into building lots and street and building sites for residential purposes or otherwise and to construct streets thereon and the necessary sewage and drainage systems and to build upon the same for residential purposes or otherwise.
12. To purchase, lease, take-in, exchange or otherwise acquire lands or interest therein, together with any buildings or structures that may be on the said lands or any of them as principal or as trustees and to sell, lease, exchange, mortgage or otherwise dispose of the whole or any portion of the said lands and all or any of the said buildings or structures that are now or may be deemed necessary.
 13. To take or hold mortgages for any unpaid balance of the purchase price on any of the said lands, buildings or structures so sold, and to sell, mortgage or otherwise dispose of the said mortgage.
 14. To manage, decorate, furnish, equip and maintain houses, dwellings, flats, offices, factories, warehouses and other buildings.
 15. To deal in building materials.
 16. Subject to The Professional Engineers Act, to carry on the business of engineering.
 17. To enter into, make, perform and carry out contracts of every kind and with any person, firm, association, corporation, private, public or municipal or body politic and with the Government of Canada or any province thereof or any foreign government.
 18. To purchase, lease, take in, exchange or otherwise acquire, or develop lands or interests therein, together with any buildings or structures that may be on the said lands or any of them; lease and mortgage the whole or any portion of the lands and all or any of the buildings or structures that are now or may hereafter be erected thereon.
 19. **PROVIDED** however that it shall not be lawful for the Federation directly or indirectly to transact or undertake any business within the meaning of The Loan and Trust Corporations Act. This latter section will remain the sole responsibility of the Manitoba Metis Community Investments Inc. which has as its mandate wide-ranging authorities in the area of lending and mortgaging. (The Development of a Metis Housing Institution - Larsson Consulting, March 31, 1989)

Recommendations - Metis Housing Program

Recommendations are presented with the view by the Manitoba Metis Federation that programs in RNH will continue. The federal government announced that its housing programs will be terminated in 1994. It may be possible that the Manitoba Metis Federation may only be involved through the MMF/CMHC Property Management Agreement. The MMF finds it very difficult to comprehend the possibility of having the Section 79, RRAP and ERP programs terminated without any other strategies for replacing them.

- That CMHC continue to sponsor programs through the RNH program. Needs of housing services for Metis continue to be a priority and require effective delivery of the various programs. Any changes that are made to existing programs must reflect the needs expressed by Metis and other rural and native peoples. Any changes by federal and provincial housing agencies which decrease the housing services now provided will be considered by Metis people to be serious neglect of their responsibility.
- That the federal government through its political representatives work toward the development of a program that will be responsive to

the real needs of rural and native people. It must begin by eliminating all the unnecessary functions of its bureaucracy. Housing delivery agents find that the endless channels of government bureaucracy are a hindrance and create ineffectiveness within the program. Any funding cutbacks to the RNH budget must be made by decreasing its bureaucracy and not to program delivery. Program areas must continue to be improved and delivered to rural and native people. However, positive changes to the RNH Program will only come about through the increased awareness of federal and provincial politicians and their willingness to make changes to the housing program in Canada.

- That the MMF be supported in its effort to fully implement the Tripartite Management Committee approved plan for the property management of all CMHC-administered RNH housing units in the Province of Manitoba. The tasks involved in property management include administration, maintenance and repairs. This program is run by the MMF Housing Branch at Head Office. However, the MMF regions and community housing boards are active participants in the delivery of the property management housing program. Property management delivered through the Metis Housing Branch

is more responsive to the needs of clients within the program. In particular, at the community level, local housing boards provide direction respecting specific housing priorities.

- That policies respecting the affordability of homes for Northern and Native peoples be changed to meet their needs. Presently, many potential clients, the majority of them native living in sub-standard housing, cannot afford the RNH mortgage payment structure. Many of these potential applicants, especially those living in the north, are earning wages which excludes them from subsidy and prohibits them from applying to the program through lack of affordability. This is especially troubling to the MMF for the reason that it penalizes those persons earning marginal incomes. The existing RNH program is far more suited to those applicants on social assistance than it is for the working poor. This rational assertion has been argued with federal and provincial politicians for years. They cannot, however, bring themselves around to advocating program changes in RNH that they feel will give advantages to rural and native people and not be available to other Canadians.
- That the present policy of the Rural Rehabilitation Assistance Program be changed to make it

more accessible to those applicants who need it most. The criteria of this program eliminates clients through scope of repairs and the required funding equity arrangements. Clients in order to meet the criteria of the program must agree to repairs which in their view are too costly and often unnecessary. Rather than the scope of repairs being determined by the client, the decision is made by the RRAP Program. Client equity requirements and debt ratio positions also contribute to locking out potential applicants many of whom are native. Federal and provincial bureaucrats must become sensitive to the real needs of clients. They must become more practical in the understanding of client priorities respecting the repair of their homes.

BILATERAL PROCESS - CHILD AND FAMILY SERVICES

Metis people throughout the MMF have expressed serious concern since the early 1980's respecting the welfare of Metis children. It had become evident in the past few years that existing child care agencies in Manitoba were not responsive to the needs of Metis families. Subsequent studies and reviews of Metis in the child care system revealed statistics which were much worse than the Metis expected. A Review Committee established by the Province of Manitoba and headed by Associate Chief Family Court Judge Edwin Kimelman completed a review of the child care services in 1985. This report provided the information necessary for the MMF to develop their own strategy for a position on Metis child care services. The issue foremost disturbing for the Metis was the apprehension and exporting of Metis children from their homes to non-Aboriginal adoptive parents outside the Province of Manitoba. In many cases, they were sent to homes in the United States. It wasn't until 1982 that the Province agreed to impose a moratorium on the exporting of Metis children. However, much of the damage to the social fabric of the Metis community had already been done. Many of the children adopted out at a young age begin the search for their natural parents as they reach adult age. Children and parents who have been victims in this process for years now approach the Metis Child and Family Services for assistance.

Further examination of the provincial child care agencies also revealed a severe weakness in the system to relate to the

Metis and other Aboriginal peoples. Their concepts of child care were not sensitive to Metis culture and values. In a report by the MMF in 1989 it stated that:

"The result is that a disproportionate number of Metis children are taken into care, many for no other reason than the real life Metis situation of living in poverty and overcrowded conditions. In effect, Metis children are being alienated from their families, their communities and their culture for economic reasons. Such children often are condemned to a succession of foster homes thus creating a terrible instability in their lives which defeats the reasons for taking them into care in the first instance."

In 1982 the MMF established a Board Committee which was to be responsible for the operation of the Metis Child and Family Support Program. The MMF also submitted a position paper to the provincial government calling for local control over child and family services for Metis people. The MMF immediately established local community-based Metis child and family services committees. The committees assumed responsibility for: (MMF Ryant 1988)

- (a) Developing community awareness of needs of children;
- (b) Assessing community needs and currently available resources;
- (c) Developing resources and participating in training;
- (d) Conjoint planning with social workers from mandated agencies in order to reach decisions on child and family service issues respecting the community;
- (e) Strengthening Metis families in the community;
- (f) Reviewing and recommending changes to relevant legislation, standard policies and practices to more properly reflect the needs of Metis children, families and community.

In 1987 the MMF negotiated a bilateral agreement with the Province. The agreement provided funding for the MMF to serve in a supportive and advisory role to existing child care agencies. Its purpose is to facilitate a more effective dialogue between the agencies and Metis people. Metis people envision this as a necessary step in assuming more control over child care services. For the past ten years the MMF has attempted to increase their role in the delivery of child care services to Metis people. Attempts by the MMF to gain greater control over this program have met with stiff provincial government resistance.

In spite of the dismal performance in the services provided to Metis through existing mandated child care agencies, the Province has not supported more control for Metis. In a 1989 submission to the Aboriginal

Justice Inquiry in Manitoba, the MMF developed an analysis which clearly demonstrated that the many factors which interact to produce the over-representation of Metis people as offenders (with high reinvolvement rates), the single most highly-weighted root factor was the treatment of Metis children within the child and family service system. In addition, all of the factors noted above interacted to make Metis people more susceptible to victimization.

The operant conditions for the perpetuation of this cycle are as follows: (Report by Barkwell/Longclaws/ Chartrand 1989)

1. There has been a historical repression of Metis customs, social structures and support systems;
2. The Metis have little discretionary time or money available to respond as a community to the problems of child welfare and crime;
3. Official responses to social problems within the Metis community are usually framed in terms of social control rather than social development;
4. Aboriginal people as a visible minority have been denigrated and their history has been conveyed in a distorted way. This leads to self-derogation, feelings of helplessness and alienation in young people;

5. The intended child welfare remedies have not worked for Metis children;
6. Official justice system interventions have been culturally alien and/or irrelevant and poorly understood by the Metis community;
7. Participation in lawmaking and the administration of laws, particularly family law, has been effectively denied to the Metis;
8. The official justice system has acted in ways which engender disrespect and cynicism within the Metis community;
9. In many instances child welfare, correctional and other related services have been denied or not made available to the Metis.

An observation in a report by the MMF Tripartite Department (Ryant 1988) stated:

"Over the years child care agencies mandated by the provincial government have not been very helpful to the Metis community. First, their location is often distant from the people served and they usually only provide itinerant social work service delivered on a crisis basis. Second, preventative services such as parenting courses and teen treatment

groups are seldom offered.

Third, the intervention of these agencies is culturally alien and few workers speak the languages common to the Metis population. Thus, the service offered is little more than physical removal of the child from the home community. Apprehension of Aboriginal children was exemplified in the period between January 1988 and October 1989 which showed that 43 Metis children were adopted and over half of them went out to non-Aboriginal homes."

Research studies respecting the child care agencies have clearly illustrated that Metis were not well treated. However, the provincial government continues to deny the Metis their right to the control of a Metis child care agency. The MMF justifiably argue that for this service to be effective it must be delivered by Metis people themselves. A Metis child care agency would operate on the same principle as that of current Aboriginal child care agencies run by First Nations peoples.

This was alluded to in the Aboriginal Justice Inquiry Report (Manitoba 1989):

"The Indian and Metis have never considered themselves as part of the same culture. The Metis people have distinct problems and

aspirations that require distinct solutions. The uniqueness of their culture and society should be recognized. Like the Indian people, the Metis want and need to receive services from separate institutions - developed, administered and controlled by them. While Indian agencies do not oppose the provisions of services to the Metis, they recommend that Metis run their own separate agencies. This is certainly the wish of Metis themselves."

It has been the position of the Metis Child and Family Support Program to work towards an incremental approach with the ultimate goal of full control. Since 1987 the MCFSP has gained invaluable experience through working closely with provincial child care agencies. Many of the staff of the program have received the necessary training to enhance their capabilities in assuming greater roles within the MCFSP.

When the MMF signed the bilateral agreement with the Province of Manitoba in 1987, it was with the intention of working towards full control of child care services for Metis. The Metis believe it is now time for them to assume greater control of their own child care agency. It is realized, however, that to gain full control of a child care agency much work

still has to done. However, it is the view of the Metis of Manitoba that governments must recognize and be committed to working toward this objective.

Recommendations

The MMF fully supports the recommendations made by the Manitoba Aboriginal Justice Inquiry respecting Metis Child and Family Services.

! Principle 11 of The Child and Family Services Act be amended to read "Aboriginal people are entitled to the provision of child and family services in a manner which respects their unique status and their cultural and linguistic heritage". (Manitoba Aboriginal Justice Inquiry Report 1991)

! The Province of Manitoba in conjunction with the Manitoba Metis Federation develop a mandated Metis child and family service agency with jurisdiction over Metis and non-status children throughout Manitoba. (Manitoba Aboriginal Justice Inquiry Report 1991)

TRIPARTITE DATA BASE/ ENUMERATION

The Manitoba Metis Federation in conjunction with the Metis National Council have embarked on an enumeration initiative to determine the

numbers of Metis persons within their homeland. This effort is in response to requests and challenges by governments to the Metis to define their membership and provide population statistics. It is the practice of governments to rely on numbers when deciding on levels of programs and services for Aboriginal peoples. It is largely for this reason that Metis, unlike the Inuit and Indian, are excluded from many of those programs and services. Presently, because of this dilemma, Metis fit in with the general population of Canada and must compete with them for existing resources. Metis are not given the recognition that other Aboriginal peoples receive.

Attempts by Census Canada 1986 to include Metis as part of their enumeration was not very successful. It was difficult under the format in that census to produce an accurate count of Metis persons. As a result of this, the Metis National Council and Census Canada have entered into discussions in an attempt to arrive at a mutually acceptable strategy for conducting a census for the Metis throughout their homeland. Metis have consistently presented an enumeration position as a priority issue in past constitutional discussions. Many Metis have argued that the issue of enumeration is an excuse by governments to deny services to them. The MMF for their part strongly acknowledge the importance of working towards the resolution of this issue. Although the MMF will continue to work towards an enumeration in their own province, it is realized that a complete census of Metis must be conducted

through a national strategy. To this end, the MNC submitted a proposal to the Federal Government in 1991 to fund an enumeration for the purposes of accomplishing the following objectives:

- Develop entitlement criteria as a means of determining who can claim Metis status and be eligible to benefit from Metis lands and resources, hunting and fishing rights, claims settlement compensation, access to special programs or to any other rights that may be conferred in the future through a political settlement, by the Canadian Constitution or the Courts.
- Introduce a demographic/statistics function which will provide a comprehensive and accurate profile of the Metis population, facilitate analysis of socio-economic conditions, impacts and trends and provide a database to support recommendations for specific kinds of remedial or corrective measures.
- Undertake genealogical research, where necessary, to verify claims to Metis status, establish an appeal procedure to balance the verification process and introduce confidentiality rules where required by provincial and federal legislation.
- Develop training courses, procedure manuals, operational policies and administrative controls

to ensure that the Metis Registry Program evolves into a resource that will effectively support and reinforce collaboration and joint planning by federal, provincial and Metis authorities.

- Put in place the necessary computer hardware and software data systems to capture existing and future Metis demographic data.
- Undertake a community-based data gathering exercise including appropriate educational material and communicating the process to Metis people.

The MMF has begun the first stages of the enumeration process through a membership registration exercise. This is an initiative which branches out to members and potential members of the MMF with the expectation that over time the majority of Metis persons of Manitoba will be registered members of the organization. Application criteria for membership is based on the definition of Metis as per the MMF constitution as follows:

"Metis" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit and:

- Is a descendent of those Metis who received or were entitled to receive land grants and/or scrip under

provisions of The Manitoba Act, 1870 or The Dominion Lands Acts, as enacted from time to time; or

- A person of Aboriginal descent who is accepted by the Metis Nation.

The terms and conditions for the application for membership into the Manitoba Metis Federation are as follows:

- (a) All memberships except honorary memberships, shall be admitted in accordance with the provisions of this article.
- (b) Applications for membership shall be made in a form established from time to time by resolution of the Board of Directors and shall be submitted to the "local" of the organization in which the applicant resides. For purposes of this article, "residence" shall bear the meaning established by resolution of the Board of Directors.
- (c) All applications for membership shall be submitted to the Regional Committee by the receiving "local". The Committee shall consider each application and in accordance with such procedures as may be laid down by the Board, shall recommend acceptance or rejection of the application, or shall return the application to the applicant along with a request for

further specified information respecting the application.

- (d) Recommendations by Regional Committees in accordance with Clause 3 shall be made to the Board of Directors who shall decide whether to accept or reject such applications. The Board's decision shall be forthwith delivered by registered post or personally to the applicant.

Information gathered from this exercise will be invaluable for two reasons: first, it will give the MMF a more accurate number of their membership and second, it will reach out continuously for new members. In the future, this information will be useful in seeking out other Metis persons as the enumeration process reaches more advanced stages. The MMF will continue to work with MNC and Statistics Canada in developing a strategy to complete the Metis enumeration. Presently, enumeration/data base is a sector in tripartite at the technical group level. The MMF has pushed this issue to the national level for discussion between the Federal, Provincial and Metis governments.

**PRINCIPLES OF
SELF-GOVERNMENT
(CONSTITUTIONAL ISSUES)**

***MANITOBA ACT - SECTIONS 31
AND 32***

***Metis and The Manitoba Act 1870 - A
Treaty Agreement with the Half-Breeds***

The Metis of Manitoba are one of the Aboriginal peoples of Canada. Their unique history is embedded in the history of Manitoba. Recent reviews and historical accounts of the Metis and their role in Canadian developments is becoming more prominent. Metis have always claimed that they were never given the recognition they deserved as nation builders. It was always evident from early historical accounts of Metis that their contributions to Canada were denied. We can only assume the reason for this would be to discredit the importance of the role played by the Metis Nation of Manitoba in the building of this Province and of Canada.

Recently, we have seen the emergence of a new generation of scholars who are more willing to take a comprehensive and objective review of historical materials. It seems that they are more open to challenging the interpretation of history written by scholars earlier. This is an enthusiastic welcome by Metis of Manitoba who recognize the importance of their role as nation builders in Canada. It is this interpretation of history that has magnified

the meaning of The Manitoba Act of 1870 and its provisions respecting the Land Rights of the Metis.

In comparing the histories of early writers with those more recently respecting Metis and their relationships with governments, we find the following interpretations. Earlier accounts of history seem to be satisfied to justify that government's treatment of Metis was fair and that present socio-economic circumstances were brought on by Metis themselves. Recent academic research has examined more thoroughly the action of governments in the course of events respecting the relationship between them and the Metis. It has been through research compiled recently that land promises made to Metis under the terms of The Manitoba Act of 1870 were taken up as a legal issue by the Manitoba Metis Federation.

Land claims research by the Manitoba Metis Land Commission from 1977-1979 provided the basis upon which the legality of The Manitoba Act respecting the land rights of Metis were questioned. Research compiled during this period showed clearly that the provisions in the Act to give land to Metis were never honoured. Without reviewing the full scope and meaning of The Manitoba Act, it is necessary to state the case argued by Metis respecting Sections 31 and 32 which conveys their right to land.

Provisions of The Manitoba Act Which Applied to Metis of Manitoba

Section 31 Provided for 1,400,000 acres of land for the benefit of the families of the half-breed residence.

Section 32 Provided that the Metis heads of families residing on river lots would have ownership to their lots under this provision.

The legal and political claim of the Metis is that approximately 2.5 million acres of land to which they were entitled was denied to them through unconstitutional measures passed by the Federal and Provincial governments. It is clear from the legal and historical research conducted by the MMF that governments deliberately denied Metis their land rights. Metis assert that governments were negligent in denying them their rights under Sections 31 and 32 of The Manitoba Act of 1870.

In 1981, the Metis of Manitoba frustrated by the lack of progress through political negotiations, initiated a Court challenge respecting their land rights. The Court case, presently still active, is against the Federal and Provincial Governments for their role in the implementation of Sections 31 and 32 of The Manitoba Act. This action was necessary in the view of Metis to gain recognition for their claim from the courts, governments and the Canadian society at large. In February

1990, in *Dumont v. A.G. Canada and A.G. Manitoba*, the Supreme Court of Canada affirmed the right of the Metis to seek a declaration that Canada and Manitoba had, by unconstitutional measures, undermined the rights intended to be conferred on them by The Manitoba Act of 1870. Some progress has been made to date in gaining recognition of their claim. However, governments continue to lack the political will necessary to respond in a positive way to Metis land claims.

Metis Declaration Upon Which Their Rights are Based

- Metis have Aboriginal rights by virtue of their share in Indian title.
- Metis have special rights under a treaty between their 1870 Provisional Government and Canada (Manitoba Act, 1870).
- Metis have special rights as Aboriginal people because of the constitutional provisions applicable to them.
- Metis have a right of self-determination in international law.
- Metis are a founding people having brought the West into Confederation.
- Metis have rights by being included in The Constitution Act 1982

requiring that government negotiate with them to settle their rights.

MMF Response to the Illegal and Immoral Implementation of The Manitoba Act Provisions - Sections 31 and 32 by Federal and Provincial Governments

The MMF has attempted to convince governments through political negotiations of the validity of their land claims. Metis of Manitoba have consistently argued that in spite of the legal and historical evidence supporting their claim, governments are in denial of this recognition. Political negotiations for Metis have been a series of frustrations in their attempt to address the socio-economic needs that this treatment has brought on them. Metis today see governments as neglecting their duty in failing to respond to the damages caused by previous governments. The MMF will continue to seek redress for the damages inflicted upon them by governments. Political and legal processes will continue to be the direction of the MMF until satisfactory settlement of their outstanding land claims is complete. Metis believe that their land claims would significantly enhance their standing in society from a socio-economic standpoint.

Government's Response to Metis Land Claims Based on the Illegal Implementation of The Manitoba Act Provisions - Sections 31 and 32

Provincial and Federal governments since the Court case was introduced in 1981 have denied that any legal claim exists respecting Metis land rights. It has been the government's position to use all of the legal means available to them to put obstacles in the path of the Metis Court case. Although governments have declared that Metis historically have been considered Canada's forgotten people, their claims have not been recognized. Governments contend that the political negotiation process is open to the Metis but to date no substantive progress has been made. Governments take the position that it is not politically necessary yet to enter negotiations toward a settlement with the Metis. As governments often do, they continuously use the delaying tactics which are expedient for them but are disastrous for Aboriginal people.

between three parties: the Manitoba Metis Federation, Federal Government and the Provincial Government. Attached is a copy of the recommended agreement.

Recommendation for the Purpose of Facilitating a Negotiations Process Through a Metis Comprehensive Land Claims Agreement

In view of the fact that political negotiations have not been productive for the Metis, it is this process they believe must be pursued. Metis are advocating that land claims negotiations between them, the federal and provincial governments must begin in the near future to settle this outstanding issue. It is on this basis that the Metis Comprehensive Land Claims Framework Agreement is presented. This agreement, proposed by the MMF, will be

**METIS
COMPREHENSIVE
LAND CLAIMS
FRAMEWORK AGREEMENT**

This agreement dated for reference the 1st day of September, 1993.

BETWEEN:

Manitoba Metis Federation
representing the Metis of Manitoba
(hereinafter referred to as MMF)

AND:

*Her Majesty the Queen in Right of Canada
as Represented by
The Minister of Constitutional Affairs*
(hereinafter referred to as Canada)

AND:

*Her Majesty the Queen in Right of the
Province of Manitoba as Represented by
the Minister of Native Affairs*
(hereinafter referred to as Manitoba)

Whereas the Metis are one of the Aboriginal peoples of Canada;

Whereas pursuant to The Manitoba Act, 1870, certain lands were to be provided to the Metis;

Whereas the Metis did not enjoy the use of said lands;

Whereas in 1981 the MMF launched an action in the Manitoba Queen's Bench against Canada and Manitoba;

Whereas in 1982 the Metis were formally recognized as one of Canada's Aboriginal peoples;

Whereas Canada believes that there should be a settlement of Metis claims;

And whereas under the proposed Charlottetown Accord, Canada and Manitoba affirmed their belief in Metis self-government;

Now therefore the parties agree as follows:

Purpose of this Framework Agreement

1.1 Statement of principles as to objectives

1.2 This framework agreement will govern the conduct of these claims negotiations towards an agreement in principle between the parties and it sets out the subjects, process and target dates for land claims negotiations.

Scheduling and Timing

2.1 The parties will use their best efforts to reach an agreement in principle with respect to the subjects listed in paragraph 4 within one year from the date of execution of this framework agreement.

2.2 After the parties ratify the agreement in principle they will negotiate in good faith towards a final land claims agreement based upon the agreement in principle.

Parties

3.1 The only parties to the agreement in principle will be the MMF, Canada and Manitoba, and, unless the parties agree otherwise, the only parties to the final land claims agreement will be the MMF, Canada and Manitoba.

Subjects for Negotiation

4.1 The following are subjects which the parties intend to address in claims negotiation. The list is not intended to be restrictive and each of the parties may raise a broad range of topics for negotiations under each subject. Other subjects may be added with the agreement of the parties.

4.1.1 Lands

4.1.2 Renewable resources, including fish and wildlife

4.1.3 Non-renewable resources

4.1.4 Housing and education

4.1.5 Environmental issues

4.1.6 Access by Metis to social and economic programs made available by Canada to other
Aboriginal peoples

4.1.7 Availability to Metis of immunities enjoyed by other Aboriginal peoples

4.1.8 Cultural artifacts

4.1.9 Historic sites, including Batoche and Ste. Madeleine

4.1.10 Economic development

4.1.11 Metis government

4.1.12 Amendment procedure

4.1.13 Certainty and finality

4.1.14 Eligibility and initial enrolment procedure

4.1.15 Principles for enumeration of Metis eligible to participate in a final agreement

4.1.16 Compensation

4.1.17 Approval and ratification process

4.1.18 Implementation

4.1.19 Dispute resolution process

4.2 The final land claims agreement will receive constitutional protection under Section 25 and Section 35 of The Constitution Act, 1982.

Cost of Settlement

5.1 Canada and Manitoba will determine, as between themselves, the proportionate share of the cost each will bear of the settlement.

5.2 In paragraph 5.1 "cost" means the cost of any or all consideration provided to the Metis under the final agreement and without restricting the generality of the foregoing may include land, resources, monetary compensation, the administrative and programme costs of management regimes and Metis government.

The Negotiation Process

6.1 The main negotiation table is responsible for the conduct, co-ordination and orientation of all claims negotiations. This includes the authority to establish ad hoc working groups to research and report on specific issues or concerns as it may see fit. The existing working groups will be maintained as long as required.

6.2 All working groups will report to the main negotiation table for purposes of co-ordination and integration.

Funding the Land Claims Negotiations

7.1 Canada undertakes to fund the MMF their cost of claims negotiations, subject to yearly appropriations of funds by Parliament for this purpose. The budget will be established by agreement between the MMF and Canada each year and the schedule set out in paragraph 2.1 will be adjusted to support a level of activity allowed for by each budget.

Interpretation of this Agreement

8.1 The purpose of this agreement is to improve the effectiveness of the negotiation process and nothing in this agreement is to be interpreted as creating, recognizing or denying rights. These negotiations are without prejudice to the legal positions taken by any of the parties in Court or otherwise.

Legal Nature of the Final Agreement

9.1 The final agreement shall constitute a land claims agreement within the meaning of Section 25 and Section 35 of The Constitution Act, 1982.

SECTION 91(24)

The Manitoba Metis Federation supports the position of the Metis National Council that Metis are included under Section 91(24). This position has been advocated by the MMF for the past few years brought on by failure of governments to accept jurisdiction for Metis. Metis of the Metis Nation have not received the recognition given to other Aboriginal peoples. The jurisdictional limbo Metis people find themselves in has prompted the position of seeking legal recognition by being included within Section 91(24) of The Constitution Act of Canada. Although academics have studied this issue, they are divided in their interpretation of this section; Metis assert they are legally entitled to fall within the provision. It has been the position of the Metis that by being included within that provision will clarify the recognition and jurisdiction responsibility of governments.

The Manitoba Aboriginal Justice Inquiry reported that:

"The Metis have argued consistently that they are "constitutional" Indians for the purposes of federal jurisdiction. The Government of Canada has disagreed consistently, asserting that it has no special authority or relationship with the Metis as it does with Indians and the Inuit. The federal government, therefore,

states that the Metis are subject to provincial jurisdiction like all other Canadians. The Government of Alberta agrees with the federal position and it has maintained special legislation for Metis lands and communities since the 1930's. All other provinces, including Manitoba, disagree with the position and support the Metis contention that they fall within federal jurisdiction by virtue of Section 91(24). This is not entirely altruistic since this debate involves the question of primary financial responsibility for the advancement and well-being of a significant population, especially in Manitoba."

It was a major disappointment for Metis when after being included as one of the Aboriginal peoples under Section 35(2) of The Constitution Act, 1982, they learned that the federal and provincial governments believed that this provided no recognition of rights. Metis insist, however, that Section 35(2) does imply a full box of Aboriginal rights exists for them under that provision. This is an issue that must be resolved. In the meantime, Metis assert that they are included under the provision of Section 91(24) and this view was supported by the Manitoba AJI Report.

Recommendation

The MMF fully endorses the recommendation made by the Manitoba AJI Report:

"The federal and provincial governments, by resolution of their respective legislative assemblies, specifically acknowledge and recognize the Metis as coming within the meaning of Section 91(24) of The Constitution Act, 1867 and that the Government of Canada accept that it has primary constitutional responsibility to seek to fulfil this mandate through devising appropriate initiatives in conjunction with the Metis people in Canada."

ROLE OF THE MMF IN THE NEGOTIATIONS OF THE METIS NATION ACCORD

The MMF has been affiliated with the Metis National Council since its formation in 1983. MNC was formed as the national representative arm of the provincial Metis organizations throughout the Metis homeland. In particular, MNC has been the voice of the Metis Nation in political and constitutional affairs over the past ten years. The Metis Nation has functioned especially during that period in a spirit of

nationalism. Provincial associations realized that in order to progress it must consider options from a national perspective. In the past ten years, the Metis Nation has been successful in bringing together and supporting national positions. During the deliberations of the Charlottetown Accord, the MMF was party to the development of the Metis Nation Accord through the MNC nation. Although the Metis Nation Accord was defeated as part of the Charlottetown Accord, Metis believe that its provisions should and will still be supported by provinces within the Metis homeland. The Metis Nation Accord is an agreement which reflects the legal, political, social and economic aspirations of Metis throughout their homeland. The MMF will continue to place a high priority on the provisions of the Metis Nation Accord in political negotiations with the federal and provincial governments.

It is the intent of the MMF to work towards entrenching the Metis Nation Accord into the Canadian Constitution. However, the only avenue open at this time is the political negotiation process.

Substantive Elements of the Metis Accord as it was Proposed as Part of the Charlottetown Accord. (The Charlottetown Accord was Defeated in a Referendum Vote on October 26, 1992.)

Signatories

Parties to the Metis Nation Accord include the Government of Canada, provincial governments in the traditional Metis homeland - Ontario, Manitoba, Saskatchewan, Alberta, British Columbia together with the Metis National Council and the provincial member organizations in these provinces and in the Northwest Territories. While the government of the Northwest Territories was initially included as a signatory, it was subsequently decided that they would not sign the agreement.

Legal Status

Unlike a political accord, if entrenched, the Metis Nation Accord would be a legally-binding, enforceable and justiciable agreement. It was expected that the federal and provincial governments would be required to enact legislation to make it legally binding and enforceable. Final legal language of the Metis Accord is being drafted to ensure consistency with Section 35 dealing with self-government and other financial provisions contained in the Aboriginal constitutional package.

Definition of Metis

Essentially, the definition includes the descendants of those Metis who emerged as a distinct people and national community in Ruperts Land. It also includes those people who have been absorbed by the Metis Nation. The Accord recognizes the MNC as the national representative of the Metis Nation and each of the MNC provincial affiliates and the Ontario Metis and Aboriginal Association and Metis Nation Northwest Territories as the provincial and territorial representatives of the Metis Nation. The Accord calls for the establishment of a central registry and enumeration process.

Metis Land and Resource Base

One of the most significant features of the Metis Nation Accord concerns a commitment by governments to negotiate a land base with the Metis Nation. The Accord specifically commits governments, except Alberta, to make Crown lands available to Metis self-governing institutions and to provide Metis individuals and self-government institutions with access to lands and resources. The value of the transfers will be taken into account in self-government negotiations. Canada and the provinces further agree to hash out the process for negotiating lands. To bolster these commitments, governments have also agreed to constitutionally entrench a commitment to negotiate land with the Metis.

Financing Arrangements

The Accord also sets out cost-sharing arrangements between the federal and provincial governments to enable Metis institutions to operate and deliver programs. These cost-sharing arrangements commit Canada and the provinces to provide Metis institutions with "transfer payments" to enable Metis institutions to establish similar types of programs and services to those enjoyed by other Aboriginal peoples. This will be accomplished without a reduction of services by either level of government to the Metis.

Other elements of the agreement to be ratified at the upcoming First Ministers' Conference include:

- A commitment by governments to enter into tripartite self-government negotiations with the Metis (this parallels the commitment in the constitution);
- A commitment by governments to transfer control over the portion of Aboriginal programs and services currently available to Metis to Metis institutions; and
- A commitment not to reduce funding for status Indians.

In addition to the Accord and amendment to Section 91(24), an agreement in principle has also been reached to entrench Metis settlement lands in Alberta.

This marks an historic milestone for the protection of Metis settlement lands in Alberta.

These gains have been achieved alongside the proposed entrenchment of the inherent right to self-government, guaranteed representation in the Senate, the establishment of an ongoing constitutional process and recognition of a third order of government in the Canada Clause. There has also been significant progress on a political accord which would commit Parliament to undertake consultations on guaranteed representation in the House of Commons and secure greater Metis input into the selection of Supreme Court justices.

Metis Nation Accord

Whereas in the Northwest of Canada the Metis Nation emerged as a unique Nation with its own language, culture and forms of self-government;

And whereas historically the Metis Nation has sought agreements with Canada to protect its land and other rights;

And whereas Metis were formally recognized in the Manitoba Act, 1870 and the Dominion Lands Acts;

And whereas the existing Aboriginal and treaty rights of Aboriginal peoples including the Metis are recognized and affirmed in the Constitution Act, 1982;

And whereas the Metis Nation, Canada and the Provinces agree that it is just and desirable to recognize the contribution made by the Metis to the Canadian federation and further agree that measures are necessary to strengthen their place within the Canadian federation;

And whereas the Metis people of Canada have contributed and continue to contribute to the development and prosperity of Canada;

And whereas the Metis Nation, Canada and the Provinces agree that it is necessary and desirable to set out their respective roles and obligations to each other;

Now therefore the representatives of the Metis Nation, Canada and the Provinces hereby agree to enter into an Accord with the following terms:⁹

1. Definitions

For the purposes of the Metis Nation and this Accord:

(a)"Metis" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit and is a descendant of those Metis who received or were entitled to receive land grants and/or scrip under the provisions of the Manitoba Act, 1870, or the Dominion Lands Acts, as enacted from time to time.

(b)"Metis Nation" means the community of Metis persons in subsection (a) and persons of Aboriginal descent who are accepted by that community.

(c)"Incremental program delivery costs" means those costs for the new or enhanced programs intended exclusively for Metis and delivered by Metis self-governing institutions, additional to the costs of programs which are replaced by those new or enhanced programs.

(d)"Transfer payments" means financial transfers provided to Metis self-governing institutions by Canada or the Provinces, whether in the form of block grants, cost-sharing, formula finance or like methods and intended to help defray the costs of Metis self-governing institutions.

(e)"Direct costs of Metis self-governing institutions established as a result of self-government agreements" means the start-up and operating costs of structures established to direct Metis self-government, including boards and legislative bodies, but excluding the operating costs of

organizations intended to deliver programs.

(f)"Provinces" means the provinces of British Columbia, Alberta, Saskatchewan, Manitoba and Ontario and the Northwest Territories.

(g)"Metis self-governing institution" means an institution established pursuant to a self-government agreement.

(h)"Self-government negotiations" means negotiations within the context of Section 35.2(1) of the Constitution Act, 1982.

2. Enumeration and Metis Registry

Canada and the Provinces will contribute resources to the Metis Nation to conduct an enumeration of the Metis Nation including the costs of administering and maintaining a Metis Nation controlled national registry. This process, which will include a right of appeal, will be determined through multilateral negotiations among the parties to this Accord.

3. Self-Government Negotiations

(a)Without altering the obligations of the Government of Canada and the Provinces under Section 35.2 of the Constitution Act, 1982, the Government of Canada, the representatives of the Metis Nation and the Provinces agree to negotiate in good faith the implementation of the right of self-government, including issues of:

(i)Jurisdiction; and

(ii)Economic and fiscal arrangements with the objective of concluding tripartite self-government agreements elaborating the relationship among the Metis Nation, Canada and the Provinces.

(b)For the purposes of the Northwest Territories, negotiations will be conducted through comprehensive land claims, treaty or self-government negotiations and will include both Metis and Indians as parties.

(c)Notwithstanding Subsection (b), Subsection (a) shall apply in the Northwest Territories:

- (i) In geographic areas where an Indian band proceeds to treaty land entitlement negotiations and where Metis in that geographic area are ineligible or decide not to be participants in said negotiations; and
- (ii) One year following the effective date of this Accord, except for those parts of the Northwest Territories covered by comprehensive land claims, treaty or self-government agreements that include both Metis and Indians as parties or where such negotiations are in progress.
- (b) Where land is to be provided, Canada and the Provinces, except Alberta, agree to make available their fair share of Crown lands for transfer to Metis self-governing institutions;
- (c) The value of the transfers and access referred to in this section shall be taken into account in self-government negotiations; and
- (d) Canada and the Provinces agree to enter into discussions with representatives of the Metis Nation on the establishment of a land negotiation process.
- Consistent with the above, it is acknowledged that Alberta has negotiated and transferred the fee simple in 1.28 million acres of land to the Metis in Alberta and has committed to spending \$310 million over 17 years, pursuant to the Alberta-Metis Settlements Accord.

4. Land and Resources

Within the context of self-government negotiations:

- (a) Canada and the Provinces agree, where appropriate, to provide access to lands and resources to Metis and Metis self-governing institutions;
- (a) Canada and the Provinces agree to contribute adequate resources to enable representatives of the Metis Nation to participate in tripartite self-government negotiations.

5. Resourcing of Negotiations

Canada and the Provinces agree to contribute adequate resources to enable representatives of the Metis Nation to participate in tripartite self-government negotiations.

6. Devolution

In self-government negotiations, Canada and the Provinces will negotiate the transfer to Metis self-governing institutions the portion of Aboriginal programs and services currently available to Metis.

7. Cost of Institutions

Canada agrees to provide a substantial portion of the direct costs of Metis self-governing institutions established as a result of self-government agreements. The Provinces and the Metis Nation will provide the remaining portion of the costs. The Metis Nation share of the remaining portion of the cost will be determined in self-government negotiations taking into account the capacity of Metis governments to raise revenue from their own sources.

8. Net Incremental Program and Delivery Costs

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Canada agrees to provide its share of the net incremental program and delivery costs deriving from self-government agreements. The Provinces and the Metis Nation will provide the remaining portion of the costs. The Metis Nation share of the remaining portion of the cost will be determined in self-government negotiations taking into account the capacity of Metis

governments to raise revenue from their own sources.

9. Transfer Payments

Within the context of self-government negotiations:

(a) Canada and the Provinces agree to provide Metis self-governing institutions with transfer payments to enable them to establish and deliver programs and services to Metis.

(b) These transfer payments shall assist Metis self-governing institutions to establish similar types of programs and services as those enjoyed by other Aboriginal peoples.

10. Preservation of Existing Commitments

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(a) Canada will not reduce funding or services to the Aboriginal peoples of Canada as a result of the signing of this Accord or the coming into force of Section 91A of the Constitution Act, 1867.

(b) Canada and the Provinces will not reduce funding or services to Metis as a result of the signing of this Accord or the coming into force of

Section 91A of the
Constitution Act, 1867.

11. Alberta Metis Settlements

Without derogating from the Metis Nation's right of representation on general matters, this Accord recognizes that the Alberta Metis Settlements' General Council has the sole right to negotiate, conclude and implement intergovernmental agreements respecting the lands, members and self-government of the Metis Settlements in Alberta.

12. Gender Equality

The rights and benefits referred to in this Accord are guaranteed equally to female and male persons.

13. Non-Derogation

(a) Nothing in this Accord shall be construed so as to abrogate or derogate from any Aboriginal, treaty or other rights or freedoms that pertain to the Aboriginal peoples of Canada.

(b) Nothing in this Accord is intended to apply to any other Aboriginal people who are not within the ambit of this Accord.

14. Nature of Instrument and Legal Certainty¹⁰

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Upon a proclamation issued by the Governor General under the Great Seal of Canada of amendments to the Constitution of Canada, which include an amendment to the Constitution Act, 1982 recognizing the inherent right of self-government of the Aboriginal peoples of Canada and the coming into force of Section 91A of the Constitution Act, 1867, clarifying that all of the Aboriginal peoples of Canada are included in Section 91(24), the Government of Canada shall recommend to Parliament and the Governments of the Provinces shall recommend to their Legislative Assemblies legislation or take such other steps as are necessary to confirm that this Accord is approved, is legally binding on Her Majesty and is both enforceable and justiciable. The Accord shall be included as a schedule to the legislation.

15. Application of Political Accord Relating to Aboriginal Constitutional Matters

The provisions of the Political Accord Relating to Aboriginal Constitutional Matters and the proposed "Negotiations Processes Accord" shall apply to the Metis Nation. Where the provisions of the Metis Nation Accord are more

specific or relate to matters not addressed in the Political Accord Relating to Aboriginal Constitutional Matters and the proposed "Negotiations Processes Accord", the provisions of the Metis Nation Accord shall prevail.

concerned including, for greater certainty, duly mandated representatives of Metis Nation communities;

16. Representation of the Metis Nation

(a)The Metis Nation is represented nationally by the Metis National Council. Provincial and territorial representation of the Metis Nation includes the Pacific Metis Federation, Metis Nation of Alberta, Metis Society of Saskatchewan, Manitoba Metis Federation, Ontario Metis Aboriginal Association and the Metis Nation - Northwest Territories, acting either collectively or in their individual capacity, as the context requires, or their successor Metis organizations, legislative bodies or governments.

(ii)The preferred means for resolving issues with respect to the representation of Metis for the purposes of participation in self-government negotiations, is to use procedures internal to the Metis Nation; and

(iii)If requested by a group of Metis, the Federal and Provincial governments concerned may participate in an informal, mutually agreed upon process with the Metis Nation to resolve a representation issue that is not resolved internally.

(b)The parties agree that:

(i)Self-government agreements referred to in this Accord shall be negotiated only by duly mandated representatives of the Metis Nation directly

17. Ratification Procedure

This Accord shall be considered adopted by the Metis Nation upon the passage of a duly authorized motion by a special assembly of elected Metis representatives of the Metis Nation as defined herein.

METIS WOMEN OF MANITOBA INC.

The Metis Women of Manitoba Inc. is the reformation of the Metis Women's Association of Manitoba.

Metis Women of Manitoba were given a mandate in August 1991 at the Annual General Assembly of the Manitoba Metis Federation Inc. to form and address issues pertaining to Metis women. Metis Women of Manitoba Inc. was incorporated on December 5, 1991 in response to this need for special representation. The Metis Women of Manitoba Inc. held a conference in Brandon, Manitoba in December 1991; at that time, seven women were added to the executive to complement the President's position.

The structure of the Metis Women of Manitoba Inc. follows the demographic boundaries of the Manitoba Metis Federation Inc. The provincial MWM is divided into seven regions. The regions being: Thompson region, The Pas Metis Cultural Centre, Northwest Metis Council, Interlake Metis Association, Southeast Regional Corporation, Southwest Regional Corporation and Winnipeg Metis Association.

The objectives of the Metis Women of Manitoba Inc. are carried out under the direction of the eight-member Board of Directors. The Board of Directors consists of a President who is elected

provincially and seven Directors who are elected regionally. Director positions are voluntary. Elections for the Board are held in conjunction with the Manitoba Metis Federation Inc. elections. President of the Metis Women of Manitoba Inc. sits ex-officio, as one of the Provincial Directors of the Board of the Manitoba Metis Federation Inc.

Metis Women of Manitoba Inc. goals are to improve the social and economic situation of Metis people and to preserve and revitalize our Metis identity. MWM have lobbied for housing, employment, education, health and welfare improvements. MWM is continuing to work for the constitutional recognition of Metis people, Metis governments and institutions.

Metis Women of Manitoba Inc. is also affiliated with the National Metis representatives, Metis National Council of Women and the Metis National Council.

Goals of the Metis Women of Manitoba

To represent the legal, political, social and economic issues of the Metis Women of Manitoba.

Objectives

- To provide opportunities for Metis women to meet and discuss

common issues, thereby promoting unity, awareness and leadership.

- To raise Metis Women of Manitoba issues to the forefront of the provincial and national agenda.
- To promote Metis culture and history.
- To establish a Metis women's support group.
- To provide a forum of development for Metis women.
- To promote the education of Metis women respecting their legal, political, social and economic rights.
- To better represent Metis Women of Manitoba needs and concerns.
- To develop an action plan to address Metis Women's issues.

Recommendations by the Metis Women of Manitoba will be forwarded to the Intervenor Funding Program by Metis Women themselves.

**MANITOBA METIS
FEDERATION REPORT ON
THE PATHWAYS TO
SUCCESS INITIATIVE**

On December 17, 1990 a Memorandum of Understanding was signed between Canada Employment and Immigration, Manitoba Region and the Manitoba Metis Federation. The objective of the agreement was as follows: "To establish a framework for the design and implementation of a joint consultation process for labour force development activities relevant to Metis people in Manitoba".

The agreement recognizes and acknowledges that:

1. The Manitoba Metis Federation represents the political interests of the Metis people in Manitoba in their relations with the federal government; and
2. Government policies in relation to labour force development that pertain to Metis people ought to be developed jointly with the legitimate political representatives of the Metis people; and
3. Labour force development activities ought to be designed to accommodate the particular interests of the Metis people who live in Manitoba.

The Manitoba Metis Federation, because of the close relationship it has with the ~~Metis Women of Manitoba, the Manitoba Association of Centres (Friendship Centres) and the Northern Association of Community Councils (NACC)~~ is able to ensure that Metis representatives of these organizations have appropriate input into ~~the decision-making process respecting the~~ establishment and implementation of policy under the new Pathways to Success initiative

For four months beginning in January 1991, the MMF held consultations throughout its seven regions to solicit feedback from members respecting labour force development. The consultations were based on the following principles:

Principle One - Consultation Process and Local Control of Decision-Making

That this partnership be solidified through the establishment of national, regional and local consultation, management boards to ensure that the needs and priorities of the Aboriginal community are addressed and are reflected in the design, development and implementation of Employment and Immigration Canada policies that affect them.

Principle Two - Delivery Mechanisms

That employment and training programs services be managed, operated, conducted and arranged through Aboriginal infrastructures.

Principle Three - Funding Mechanisms and Institutional Development Capacity

That a funding mechanism be developed which recognizes the planning and operational needs of Aboriginal delivery machinery and develops a capacity as described above, reflecting the level of need in Aboriginal communities. Such a mechanism could be based on existing successful models.

Principle Four - Employment Equity

That Employment and Immigration Canada aggressively undertake pro-active measures to improve recruitment, training and employment of Aboriginal people both internally and externally to Employment and Immigration Canada.

Principle Five - Program Eligibility

That, consistent with the principles enunciated above, the Aboriginal delivery machinery be given the discretion to determine a person's eligibility for

programs and services and that, more generally, there be a reliance on counselling for determining eligibility rather than strict eligibility criteria as in the past.

The Manitoba Metis Federation, in accordance with the above agreement and without prejudice to any Aboriginal rights, is pleased to make the following recommendations based upon its consultation process with the Metis in Manitoba:

Principle One - Consultation Process and Local Control of Decision-Making

- That regional and local consultation and management boards be established under the auspices of the Manitoba Metis Federation for the provision of services to the Metis people in Manitoba.
- That representation of the Metis people at the national level be determined in consultation with the Metis National Council.
- That local management boards be established to serve Metis clients in accordance with a selection process at the Manitoba Metis Federation local level that is developed by the Manitoba Metis Federation and ratified by its annual general assembly.

- That a regional board be established to serve the interests of the Metis people in Manitoba in a manner determined by the Board of the Manitoba Metis Federation and in accordance with the proposition that local management board membership comprise a significant proportion of the Board members.
- That the details of the structures and functions of the boards be determined by a committee of the Board of the Manitoba Metis Federation in consultation with Employment and Immigration Canada officials and in light of the various recommendations made by the constituents in the consultation process. These details would include the proposed terms of reference, boundaries of the area serviced by the boards, membership, roles as well as the functional relationships with Employment and Immigration Canada structures.

Principle Two - Delivery Mechanisms

- That the Manitoba Metis Federation undertake the role of working with Employment and Immigration Canada for the purpose of carrying out principle two and that the object be to establish, in due course, structures within the institutions of Metis

self-government now under discussion between the Manitoba Metis Federation and Manitoba and Canada to carry out this same function. The delivery mechanisms are to be established in light of the following considerations:

1. Accessibility and efficiency of delivery of services must be a priority in designing delivery mechanisms.
 2. Metis representatives ought to have a significant capacity to assess and critically evaluate the delivery of government services.
 3. Metis representatives must avoid being placed in a disadvantaged position in relation to Employment and Immigration Canada staff and structures wherever actual delivery services are undertaken.
 4. Efficient delivery mechanisms permit the maximum proportion of funds to be allocated for actual services to clients rather than on costs associated with administration.
- The Manitoba Metis Federation and Employment and Immigration Canada should endeavour to involve the provincial education and other relevant provincial and federal authorities in initiatives designed to promote better quality training programs for Metis people.

Principle Three - Funding Mechanisms and Institutional Development Capacity

- That the national funding allocation to the regional boards reflect the existence of uniquely Metis boards and delivery structures in Manitoba.
- That the regional funding allocations in Manitoba reflect the higher costs of service delivery in the northern part of the province.
- That the funding allocations at the regional and local levels reflect the costs of Metis administrative structures and operations and also the value of the services that are transferred from Canada Employment Centre and Employment and Immigration Canada centres of operation.
- That, where local needs require, Canada Employment Centre and Canadian Job Strategy Operations Centres provide resources or services for projects and for individual clients in addition to any national Metis funding allocation.
- That the funding allocation at the Metis regional level reflect the need for building the institutional capacity of Metis administrative and delivery structures, in a manner that conforms with the Manitoba Metis Federation's development of Metis institutions of self-government.

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- That training schemes be established for the people involved in all aspects of administration and service delivery, as required. To the extent possible, this training should be arranged through the self-government institutions established by the Manitoba Metis Federation in its education sector.

Principle Four - Employment Equity

- That Employment and Immigration Canada be encouraged to pursue an employment equity strategy in conjunction with the Manitoba Metis Federation and its eventual relevant self-government institution. This strategy is to be assisted by the Pathways program but is to be funded separately from Employment and Immigration Canada budgets.
 - That Employment and Immigration Canada's joint employment equity strategy be developed upon a basis which includes recognition of the positive value of education in reducing exclusionary racial employment practices and which also includes recognition of the value of Metis control over Metis education as a significant factor in reaching the same object.
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Principle Five - Program Eligibility

- That training and employment criteria be flexible in respect to eligibility and that local management boards establish the parameters of these criteria.
 - That the criteria above be reviewed periodically to attempt the elimination of possible new barriers to training and employment.
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- That current Canada Employment Centre training course length limits be removed in respect to Metis clients and that new guidelines be established by the regional board in consultation with Employment and Immigration Canada/Canada Employment Centre officials.

The Manitoba Metis Federation has worked for three years in developing a "Pathways to Success" implementation proposal that compliments and supports the existing governmental structures of the Metis. It also compliments current federal government initiatives in support of Aboriginal self-government.

Although the Manitoba Metis Federation and Canada and Employment and Immigration Commission have engaged in lengthy negotiations, the agreement has not been signed. Negotiations between the MMF and the CEIC, Manitoba Region, have succeeded in developing a Manitoba Region position. However, the position

developed by the MMF and supported by CEIC in Manitoba is not supported by bureaucrats in Ottawa. CEIC national office continues to assert its stand that there be one labour force development strategy for all regions in Canada. The opposing views of senior officials in Ottawa has caused lengthy delays in implementing a Manitoba strategy. It has been necessary on a number of occasions for the MMF to meet with the Minister of CEIC in an attempt to overcome the obstacles to an agreement created by his officials. The MMF is hopeful that this dilemma will be settled in the very near future.

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¹Ronald Wardhaugh, Language and Nationhood: The Canadian Experience, Vancouver, New Star Books, 1983, p. 219.

²(La chanson de Pierrich Falcon) par Paul Navallee de Saint-Ambroise, dans Chansons à répondre du Manitoba par Marcier Ferland, Saint-Boniface. Les Editions du Blé, 1979, p. 206.

³W.L. Morton, "The Battle at the Grand Coteau, July 13 and 14, 1851" in A.S. Lussier and D.B. Sealey The Other Natives: The Metis, Vol. I, Wpg., MMF Press, 1978, p. 47.

⁴W.L. Morton, (ed.) Alexander Begg's Red River Journal, Toronto, The Champlain Society, Introduction, p. 3.

⁵Ibid.

⁶W.L. Morton, Manitoba: The Birth of a Province, Vol. I, Man. Record Society, 1984, p. xv.

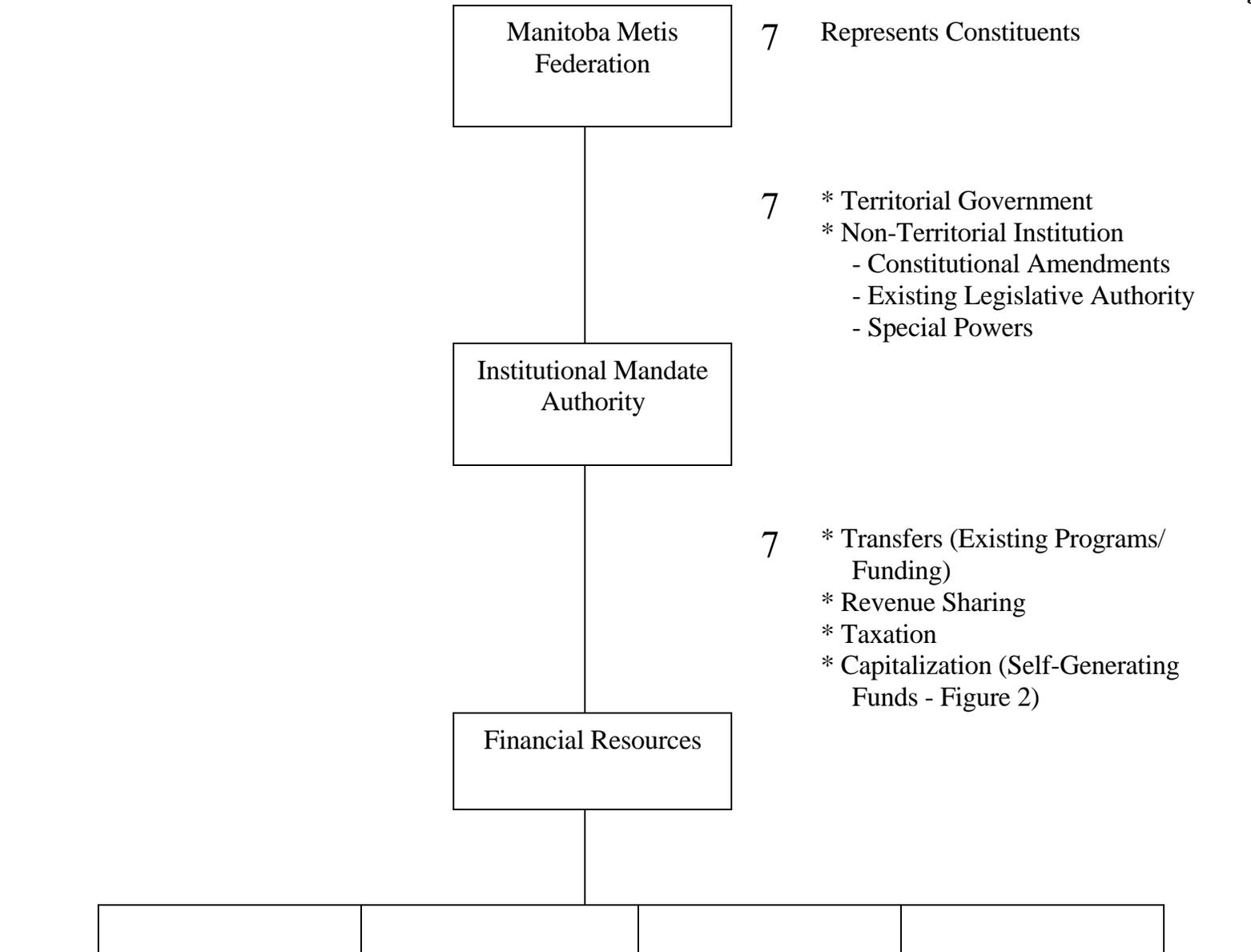
⁷Ibid.

⁸Article 1, U.N. General Assembly Resolution 3103 (xxvii), adopted 12 Dec. 1973.

⁹Provisions referring to the proposed constitutional amendments are under consideration pending finalization of the legal text and the general Political Accord.

¹⁰Canada and British Columbia have indicated that legislation will be introduced.

Figure 1



Economic
Development
Institution

Housing
Institution

Child and
Family Services
Institution

Education
Institution

Other

Figure 3

Figure 2

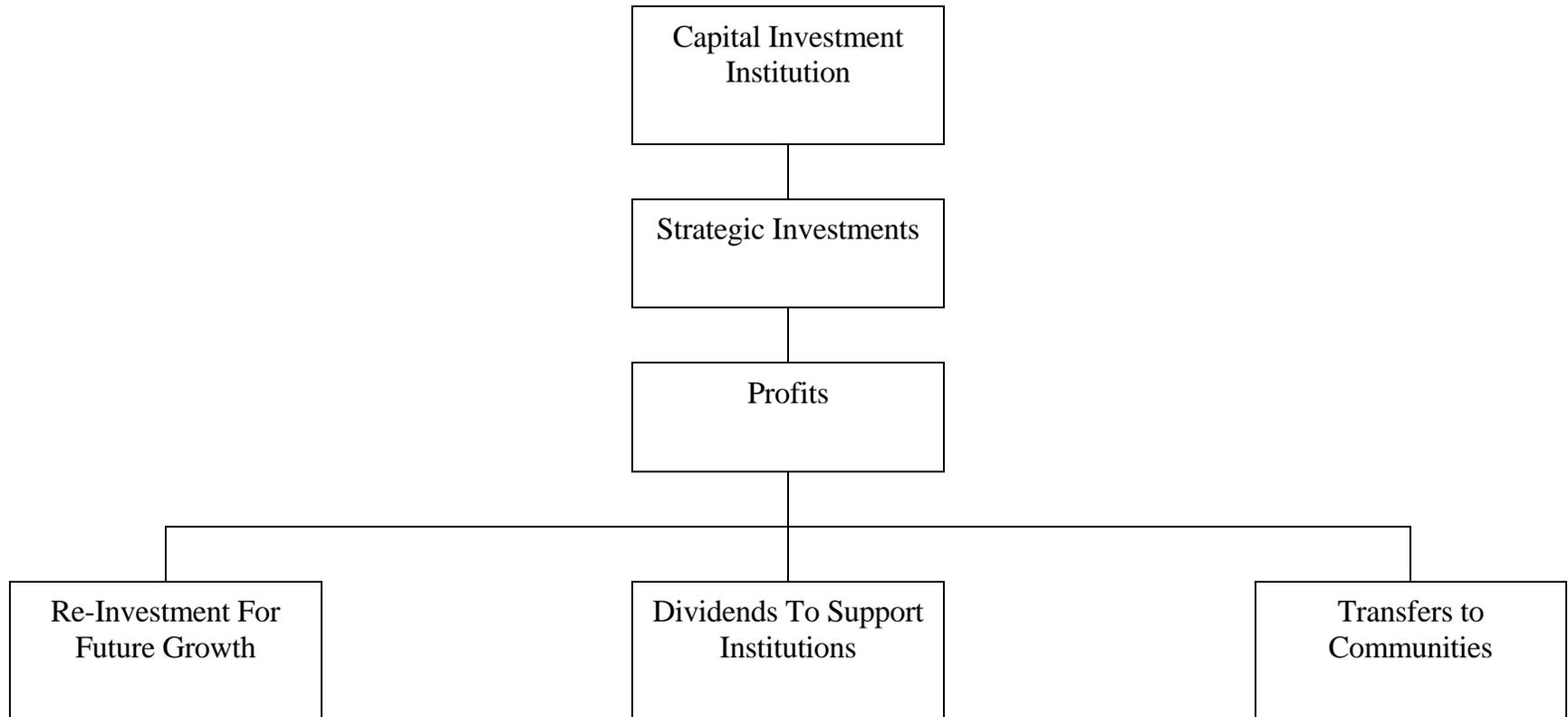


Figure 3

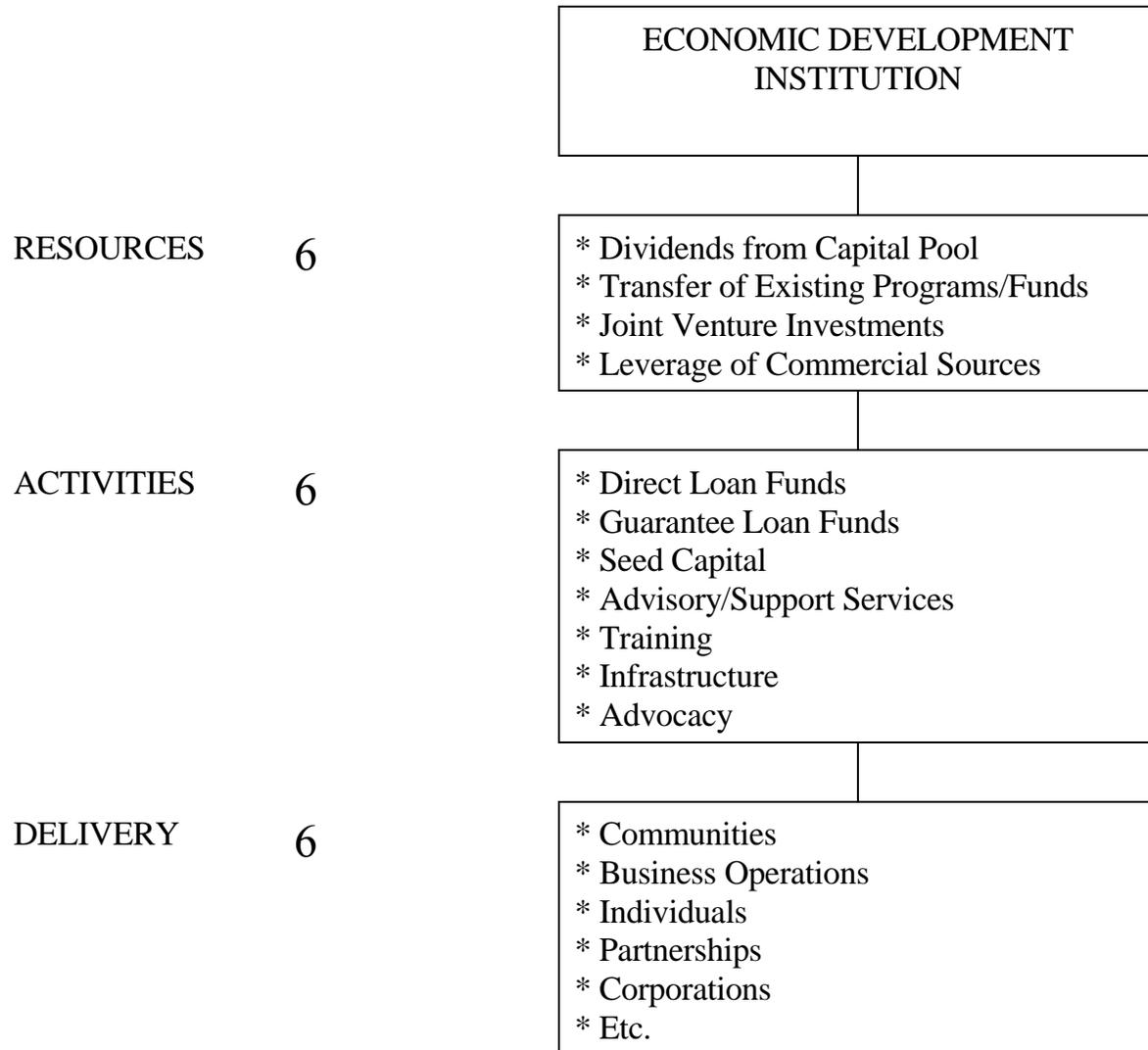


Figure 4

MMF BOARD OF DIRECTORS

