



REPORT FROM
THE MÉTIS NATION - NORTHWEST TERRITORIES
TO THE
ROYAL COMMISSION ON ABORIGINAL PEOPLES

SEPTEMBER 1993

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The Métis Nation-Northwest Territories
To The
Royal Commission On Aboriginal Peoples**

Table Of Contents

1.	Background	Page	1
2.	Program Terms	Page	2
3.	General Overview	Page	4
4.	Métis Self-Government	Page	7
5.	The Métis Land Base	Page	14
6.	The Application of Section 91 (24) to the Métis	Page	21
7.	Modern Day Treaties and the Métis	Page	24
8.	The Constitutional Legal Position of the Métis	Page	25
9.	Difficulties of the Métis living in the North	Page	26
10.	Recommendations	Page	36

1. BACKGROUND

In March of 1992, the Métis Nation - Northwest Territories submitted an application for funding to the Royal Commission on Aboriginal Peoples for \$343,000 to prepare a detailed brief to the Commission for consideration. The Commission responded to our application in November, 1992, originally approving \$25,000. A further \$6,250 was approved in January, 1993. A revised budget and work plan was submitted and it was agreed that the final report from the Métis Nation - Northwest Territories would be submitted no later than September 1, 1993. It must be noted that with the decreased funding, a substantial reduction in work, research and detail of our submission has resulted.

2. PROGRAM TERMS AND CONDITIONS

The following are the terms and conditions as agreed to by the Métis Nation - Northwest Territories and the Royal Commission on Aboriginal Peoples.

2.1. PURPOSE

To perform the activities described herein, and to make a written submission to the Royal Commission on Aboriginal Peoples (RCAP) on or before September 1, 1993.

2.2. SCOPE

The Métis Nation - Northwest Territories (MN-NWT) will prepare and submit a written brief, or series of briefs, covering a range of issues raised under, or related to, subject areas identified in the Royal Commission's Terms of Reference.

The following subjects will receive particular emphasis by the recipient:

- a. Métis self-government.
- b. The Métis land base.
- c. The application of Section 91(24) to the Métis.
- d. Modern Day Treaties and the Métis.
- e. The Constitutional legal position of the Métis.

- f. Difficulties of Métis living in the North.

2.3. METHODOLOGY

In order to accomplish a thorough examination of these subjects, the recipient will:

- a. disseminate information regarding the Royal Commission on Aboriginal Peoples and their project to all Métis Locals of the MN-NWT;
- b. organize and conduct a workshop with representatives from each of the fourteen (14) affiliated Métis communities, to be held in Fort Smith, N.W.T. from January 14 to 16, 1993;
- c. seek the advice and counsel of the elders of its member locals;
- d. record the concerns, advice and counsel of all those who participate in the workshop and meetings, or who volunteer information; and,
- e. synthesize the findings and prepare a written brief based on the results obtained from research and consultation.

3. GENERAL OVERVIEW

Throughout the years, the Métis Nation - Northwest Territories has been involved in all aspects of life in the North and has been an active participant with national organizations on national and international issues. In preparing this report, research has been carried out through Métis Nation - Northwest Territories files; consultation has taken place with other national organizations, our own locals and elders and other groups such as the Commission for Constitutional Development in the N.W.T. A Steering Committee was established to provide direction and assistance in the content and the recommendations.

Of direct significance to the preparation of this report was the workshop "Forgotten No More - Métis Rights Forum" held in Fort Smith, N.W.T. on January 14 & 15, 1993. This workshop was attended by the leaders of the Métis Nation - Northwest Territories as well as other prominent Métis and Elders. This forum can be considered the major activity with respect to this project since the topics of discussion centred on the terms of reference for the project. Two major recommendations were made at this forum;

Recommendation #1

WHEREAS delegates representing the Métis Communities of Fort Smith, Fort Resolution, Hay River, Yellowknife, Fort Providence and Fort Simpson have met together in Fort Smith to review developments aimed at the recognition of Métis Rights;

AND WHEREAS these delegates have considered the reports presented to them and have deliberated on the options available to them;

AND WHEREAS these delegates now wish to instruct the Métis Nation - Northwest Territories how to advance the recognition of Métis Rights;

NOW THEREFORE IT IS RESOLVED THAT these Métis Communities accept an

agreement based on an improved version of the April 9, 1990 Agreement and that the rights set out in that agreement be implemented for these Métis Communities;

AND BE IT FURTHER RESOLVED THAT, recognizing the reluctance of the Federal Government to discuss the April 9, 1990 Agreement with these Métis Communities, at this time, the Métis Nation - Northwest Territories be instructed to initiate negotiations on a without prejudice basis pursuant to the Federal Government Trilateral Self-Government Negotiations Policy and that the subject of a Métis Land Base be included as an item for negotiations;

AND BE IT FURTHER RESOLVED THAT, the negotiators for the Métis Nation - Northwest Territories be instructed that the eventual objective of these negotiations is to introduce the elements of the April 9, 1990 Agreement into any agreement arising out of these negotiations.

The Agreement referred to in this recommendation is the Dene/Métis Land Claims Agreement with the Federal Government that was rejected in July of 1990. It should also be noted that this Agreement was supported by many of the Métis and Dene People, however, a Dene/Métis vote on the Agreement was never held.

This resolution was passed by those communities that have not yet been able to enter into negotiations with government on land claims and that is why the communities in the Sahtu and Gwich'in areas, who were in attendance at the Fort Smith workshop, are not included in the text of the actual Resolution.

Recommendation #2

WHEREAS the Royal Commission on Aboriginal Peoples has published a document in support of the Charlottetown Accord;

AND WHEREAS this shows their willingness to use their influence to publicly promote

aboriginal aspirations;

AND WHEREAS Commissioner Bertha Wilson has stated her support for the idea that the Royal Commission on Aboriginal People should use their influence to promote the Métis Nation Accord;

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors of the Métis Nation - Northwest Territories be instructed to pursue this issue with the Royal Commission on Aboriginal People.

The Métis Nation Accord is appended to this report. Further support on the two recommendations was received from the Gwich'in Tribal Council Board of Directors. The Gwich'in are now in the implementation stage of their Claim and the Sahtu Region have recently ratified their Claim. Of significance and importance in recognizing the Sahtu Regional Land Claim is the distinction between the Métis and the Dene in the Agreement and the precedence this sets for Métis People throughout Canada who wish to enter into land claim negotiations with the Federal Government. The Métis Nation - Northwest Territories views these two recommendations as major objectives that would address the many concerns of Métis People in the North. Federal/Provincial and Territorial support for the Métis Nation Accord will open the doors for Métis People in Canada to become truly self-governing and major contributors to Canadian society.

4. MÉTIS SELF-GOVERNMENT

4.1. WHO ARE THE MÉTIS

The Métis emerged as a distinct people and national community in Rupert's Land toward the end of the 18th century. Children of the fur trade, the Métis played a lead role in the fur trade economy and the development of the Northwest.

The Métis developed a unique aboriginal culture and identity; a New Nation on the soil of the New World. The Métis formed a political consciousness, Métis Nationalism, and expressed this nationalism whenever their collective rights were threatened.

At the time of the Hudson's Bay Company transfer of Rupert's Land to Canada in 1869, the Canadian government agents ignored the rights of the Métis majority in the Red River Settlement. When guarantees for Métis rights to land and self-government were not forthcoming from Ottawa, the Métis acted to safeguard their lives, homes and property. Louis Riel and a Métis Provisional Government took control of the Red River Settlement and entered into negotiations with the government of Canada. These negotiations resulted in Parliament passing the Manitoba Act in 1870, bringing Manitoba into confederation as a province.

With the passing of this legislation, the Métis believed they had a deal which guaranteed their right to govern themselves on their land within Canada. The Canadian Government had something else in mind. The provisions for Métis lands in the Manitoba Act, were manipulated in such a manner that within ten years, the Métis, in the Province of their own creation, were effectively dispossessed.

Displaced from Manitoba, many Métis moved west and north, joining other Métis communities within the historic Métis homeland such as Batoche, St. Paul, St. Albert, Battleford and Cypress Hills. From these communities, the Métis petitioned the federal government for the recognition of their land rights and continued to exercise self-

government over their affairs. As white settlement began to crowd in on the Métis, they began to fear for their lands, for their culture and for the right to be a self-determining People. For twelve years the federal government turned a deaf ear to Métis petitions. Finally, the decision was made by the Métis to bring Louis Riel back from Montana to lead their struggle for the constitutional protection of their rights.

Ottawa responded by sending thousands of troops to the prairies to crush the Métis Nation. The Métis resistance of 1885 ended with the defeat at Batoche and the execution of Riel by the government of Canada.

Although the federal government promised to satisfy Métis land claims in the Northwest, the events of Manitoba were to be repeated. Only a few of the Métis remained in possession of their land. The rest were left in abject poverty and despair, dispersed to isolated rural and northern communities or to the slums of the new towns and cities. Their reward for daring to stand up and fight for their rights was racism, discrimination, hostility, poverty and injustice.

Despite these conditions, the spirit of the Métis Nation and their quest for a self-governing homeland within Canada has never died. Métis political associations emerged in Manitoba in the 1880's, and in Saskatchewan and Alberta in the 1930's to promote the rights of the Métis People.

Organization in the Northwest Territories occurred much later although Métis People have always constituted a large percentage of the population throughout the communities in the Mackenzie Valley for at least a hundred years.

The Subarctic Métis live in the western Arctic and Subarctic regions of the Northwest Territories and number approximately 6,000 people. These Métis are the offspring of three merging cultures - Red River Métis, Euro-Canadian, and Dene (Slavey, Gwich'in, Dogrib, Chipewyan and Cree).

Many of the early Métis were employed as canoemen and packers with the Hudson's Bay Company and the North West Company in the late 1700's and early 1800's along the major waterways flowing into the western Subarctic and Arctic. They were mainly descendants of French or French-Canadian men and Ojibwa or Cree women. Some of these early Métis rivermen settled at trading posts in the southern Subarctic, marrying Cree and Chipewyan women.

With the amalgamation of the Hudson's Bay Company and the North West Company in 1821, the Hudson's Bay Company established fur trade posts at vantage points along the entire length of the Mackenzie River. The post factors were predominantly of Scottish origin. Many Métis were hired as middle men, in the positions of interpreter, manager, trader, guide, hunter and similar related post activities. The Métis were crucial to the survival of the company as they supplied it with the majority of their business as well as their food.

Alliances were created through marriage between the Aboriginal women and the Hudson's Bay Company men. The male children from these unions were often educated and trained to carry on in the footsteps of their fathers. They were ideally suited because they were bilingual or in many cases trilingual, as were most Métis, and were adept in both bush skills and western technology. The female children often married Bay employees. The women formed the fabric of the culture and the community. Where initially there was only a trading post, now developed a community.

Métis moved into the south Mackenzie in large numbers after the defeat of the Métis Nation at Batoche in the 1885 War of Resistance. They joined the Métis already living in the southern Subarctic and changed their way of life from buffalo hunting and small-scale farming to that of fishing, hunting and involvement in all aspects of the fur trade from trapping and trading to transportation. They outnumbered the earlier Métis in the south Mackenzie and their distinct cultural features and traditions became characteristic of the Métis in this area.

Minerals also drew prospectors, surveyors and miners to the North. The lure of gold during the Klondike Gold Rush of 1898 brought adventurers and prospectors through the Mackenzie area en route to the gold fields.

An oil strike in Norman Wells in 1920, followed by the discovery of pitchblende at Great Bear Lake and gold in the Yellowknife area in the 1930's, attracted men and women from all walks of life. Many Métis found employment staking claims for individual prospectors and for the large mining and exploration companies.

With this influx came the need for law and order, and the North West Mounted Police established their first post at Fort McPherson in 1903. Subsequent detachments were founded in other communities as required. Once again the skills of the Métis proved vital. Their jobs included interpreting, the care and "mushing" of dogs, and guiding. In the course of their duties as Special Constables these Métis men travelled thousands of miles in varied terrain during all seasons and in all conditions.

The last major influx of Métis into the Northwest Territories came with the opening of commercial fishing in the 1940's and 1950's. Métis families left their homes in the northern parts of the three Prairie provinces to come and settle and to make a new life fishing on Great Slave Lake.

4.2. WHAT RIGHTS DO THE MÉTIS SEEK?

The Métis have never sought separation from Canada. The purpose of the Métis resistance in 1869 and 1885 was to gain better living conditions and recognition of the rights of the Métis within Canada. Today, this continues to be the main objective of the Métis. The Métis do not seek sovereignty or separation from Canada, but rather, the right to greater control over their lives and want this accommodated with the Canadian federation. The Métis seek their own form of political representation and control over those aspects of their lives which are key to the preservation of their unique culture, as well as their social and

economic development. The rights the Métis seek as identified in the previous two recommendations can be identified under two broad categories; land and resource rights and self-governing rights.

Under Métis self-government, the Métis are seeking the right to establish Métis local government on a Métis land base, as well as the right to self-governing institutions off a land base. The Métis are also seeking the right of access to sufficient revenues to allow Métis self-governing bodies to provide public services comparable to those provided by the federal and provincial governments, but adapted to the special needs and circumstances of the Métis People.

For the first time in the history of the Northwest Territories, the Métis People have the opportunity to be significant participants in the development of a provincial-like constitution for a Western Territory. This opportunity is the result of the creation of the Commission for Constitutional Development in the N.W.T. also known as the Bourque Commission, and the involvement of the Métis Nation - Northwest Territories in preparing constitutional positions for possible inclusion into a new constitution. Métis People have been in negotiations with the federal government for many years over rights and benefits entitled to Métis under the Constitution of Canada. The Métis Nation - Northwest Territories views this as the significant development in the North that will lay the foundation necessary to finally define the rights of Métis People in the North.

Since Aboriginal People will constitute a slight minority of the population in a western territory after division, the Métis are concerned that their political rights, their culture and their future as individuals and as a distinct aboriginal people be secured to their satisfaction in the new constitution for the western jurisdiction. Non-aboriginal residents of the North must recognize and accept the need to address the concerns of the Métis and other aboriginal peoples within the context of a public government system based upon democratic principles. All other parties involved in this process must recognize that the Métis Nation - Northwest Territories agree that the following principles shall be addressed and consideration be given for their use in the constitution that will be developed for a western

jurisdiction.

The major objective of a new N.W.T. Constitution is to build a system of government which will protect the individual rights of all of its citizens and the collective rights of its aboriginal peoples and whose overarching principle is one of bringing peoples together.

To accomplish this objective, a new constitution must balance two principles:

1. The protection of individuals in that each and every bona fide resident of the western jurisdiction should have the right to participate in, and benefit from, public institutions, programs and services according to basic democratic principles guaranteed in the constitution, and;
2. The protection of the Métis and other aboriginal peoples in that each aboriginal community in the western jurisdiction shall be explicitly recognized in the constitution, and mechanisms shall be entrenched to enable each community to flourish as a distinct cultural entity regardless of its proportion of the total population.

Some of the issues which shall be included in a new constitution in a fashion acceptable to all parties in order to balance these two principles are:

- * Government decision-making should rest as closely as possible with those governed; people and communities should have control over matters which affect them exclusively and they should have input into and influence over, those decisions which affect them as well as others.
- * Aboriginal rights for Métis People relating to language, culture and any other political rights which are not included in claims agreements shall be entrenched in the constitution and means shall be found to help ensure that all aboriginal rights are protected.

- * There must be a guarantee of Métis and other aboriginal peoples' participation in government and in all areas of direct concern to all aboriginal people. Priority areas will be on cultural matters and on the special relationship that exists between aboriginal peoples and the land and the political protection required to ensure its maintenance.
- * Every level of government in the western jurisdiction must have sufficient powers, authorities, and resources available to enable the carrying out of its responsibilities.
- * The inherent right of Aboriginal peoples, including the Métis People of the N.W.T. to self-government is not a matter for debate or questioning. The Métis Nation -Northwest Territories continues to assert its right to self-government. As agreed in principle with First Ministers in 1987, Aboriginal communities and other First Nations must have the right to initiate self-government negotiations with the appropriate level of government. This must be affirmed in the new constitution for a western territory.
- * The inherent right of the Métis People to self-government does not exclude the concept of a separate land base for Métis in the N.W.T.
- * The Hunting, Trapping and Harvesting Rights of the Métis must be recognized in the new constitution for a western territory.
- * The constitution or those parts which address each of these principles and objectives must not be amendable without the approval of aboriginal and non-aboriginal peoples.

5. THE MÉTIS LAND BASE

5.1. WHAT IS MÉTIS LAND

Métis land is land which would become the new Métis Homeland. These lands will consist of a number of separate land areas on which Métis of the area would have the right to reside. The ownership of these lands and all of the surface and subsurface rights (including forests, minerals, etc.) would belong to the Métis collectively. The Métis also want the right to develop and determine how to develop all of the surface and subsurface resources on these lands. This would include all hunting, fishing, trapping and gathering rights on crown land and on other lands to which the Métis are given the right of access. In addition, the Métis seek preferential access and right of first refusal to the opportunity to develop or participate in the development of resources on crown lands adjacent to Métis land, including resource revenue sharing. The Métis seek equitable compensation for the lands that traditionally belonged to the Métis including traditional hunting, trapping, fishing and harvesting areas and community held lands.

5.2. COMPREHENSIVE LAND CLAIMS OPTIONS FOR MÉTIS IN THE NORTHWEST TERRITORIES

The Métis Nation - Northwest Territories was actively involved in comprehensive claims negotiations, on behalf of those of its members who fell within the definition of "Dene" or "Métis", from the summer of 1974 until the fall of 1990. These negotiations culminated in the "Comprehensive Land Claim Agreement between Canada and the Dene Nation and the Métis Association of the Northwest Territories" dated April 9, 1990. This agreement was subsequently rejected by the Dene Nation and the Métis Nation - Northwest Territories in July of 1990 at a meeting commonly known as the Dettah Assembly.

Shortly after this rejection, the Federal Government (Canada) was approached by the

Gwich'in Tribal Council with a request that the comprehensive agreement be implemented on a regional basis. After indications of support for this approach from other tribal councils, Canada agreed to negotiate comprehensive agreements on a regional basis on the condition that these agreements be based upon the April 9, 1990 Agreement. Since that time Canada has completed an agreement with the Gwich'in Tribal Council, which now has the force of law. More recently, the Sahtu Tribal Council have ratified an agreement between the Dene and the Métis and the Federal Government. Presently, the Treaty 11 Dogrib Tribal Council have indicated that they are now prepared to negotiate a similar regional claim with the Federal Government.

The Treaty 8 Bands in the N.W.T. have formally rejected the comprehensive claims process and Canada has agreed to negotiate treaty land entitlement with them. These Bands are located in Fort Fitzgerald, Fort Smith, Fort Resolution, Lutsel K'e, Dettah and Ndilo. The Hay River Dene Band is also located in the Treaty 8 area, however, they took their treaty land entitlement a number of years ago and have a reserve established outside of the community of Hay River..

The present position of the Bands in the Deh Cho Region of the Treaty 11 area is that they do not support the comprehensive land claims process, the regional claims process or treaty land entitlement negotiations. These Bands are located in Wrigley, Fort Simpson, Nahanni Butte, Trout Lake, Jean Marie River, Fort Liard, Fort Providence and Kakisa Lake. This situation leaves the Métis people in this region without any recourse but to pursue an independent Métis claim and Canada is not willing to negotiate this.

From Canada's perspective the regional comprehensive land claims agreements must be based upon the April 9, 1990 agreement which means that, among other matters: the agreements must include both the Dene and Métis as defined in the April 9, 1990 agreement; the quantum of land, money and royalties must be divided on a per capita basis; a share of outstanding loans must be repaid and the provisions of Chapter 3 respecting the surrender of rights must be included.

Additionally Canada's willingness to negotiate these regional agreements require that the request to negotiate be supported by both the Indian Bands and the Métis Locals in the geographic area to be affected by the surrender. Without this requirement it would be difficult for Canada to come away with certainty of title. This means that Métis represented by locals in Fort Smith, Fort Resolution, Hay River, Fort Providence, Fort Simpson and Yellowknife do not have access to this process as the Bands in their regions do not support negotiations based upon the April 9, 1990 Agreement.

While the Treaty 8 Bands and the Bands in the Deh Cho Region have access to a process by virtue of their treaties and the Indian Act, Métis, in these areas, are left in limbo. This is best illustrated by recent indications from the Government of the Northwest Territories of their desire to amend the provisions of the Wildlife Act dealing with General Hunting Licences. While these amendments cannot affect the rights of members of the Bands referred to, Métis are completely at the mercy of whatever changes are made. The situation with these General Hunting Licences is that the Government of the Northwest Territories does not in fact recognize an inherent aboriginal right to hunt but rather grants a general right to hunt under a government policy. As such, the right to hunt is subject to the whims of the government of the day.

The lack of access to a land claims process by Métis, came to the forefront during negotiations leading to the Charlottetown Accord. During those negotiations the Métis National Council, with whom the Métis Nation - Northwest Territories had signed a Memorandum of Understanding, negotiated the Métis Nation Accord. One of the issues in that Accord was whether or not Métis in the Northwest Territories would have the right to negotiate self-government agreements without the Dene being at the table. This right was actively opposed by the Government of the Northwest Territories, however, eventually a compromise was reached with the following clause being placed in the Métis Nation Accord:

3. Self-Government Negotiations
 - a) The Government of Canada, the representatives of the Métis 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 between the Métis 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 Métis 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 Métis 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 Métis and Indians as parties or where such negotiations are in progress.

This amendment was actively supported by Canada which was represented by Richard Van Loon, Senior Assistant Deputy Minister of DIAND who chaired the working group dealing with the Métis Nation Accord.

This support by Canada and assurances by the most senior members of the Government, including the Prime Minister, that the Métis would be dealt with in a fair manner, led the President of the Métis Nation - Northwest Territories to believe that the gains in attitude changes made during the Multilateral Meetings on the Constitution could be translated into concrete progress in the Northwest Territories notwithstanding the failure of the Charlottetown Accord.

Consequently, the President of the Métis Nation - Northwest Territories, in consultation with the affected Locals, initiated a number of meetings and letters with representatives of both the Federal and Territorial Governments. The position of the Government of the

Northwest Territories was articulated by the Premier during a meeting held on December 17, 1992. Their stated position is that the Government of the Northwest Territories supports Métis who are not currently involved in comprehensive land claims negotiations in their pursuit of the land, money and royalty provisions as defined and outlined in the April 9, 1990 Agreement.

Subsequent discussions with representatives of the Government of the Northwest Territories have focused on process and how best to "engage" Canada in discussions. These discussions involved a review of existing policies and initiatives of both Canada and the Government of the Northwest Territories. These policies and initiatives include the Comprehensive Land Claims Policy, the Tripartite Negotiations on Off Reserve Aboriginal Self-Government Policy, the Community Transfer Initiative, the Métis Nation Accord, the April 9, 1990 Agreement and the Bourque Commission Report. The rights that could be recognized under the foregoing policies and initiatives could be described as falling under two broad general categories: "the Real Estate Deal" and the "Right to Self-Government".

The Real Estate Deal which would include the right to land, money and royalties, and is to be based upon the April 9, 1990 Agreement is the one that is currently supported by the Northwest Territories. However, in order to engage Canada in this discussion Métis must accept the provisions of the April 9, 1990 Agreement and in particular Chapter 3 which includes EXTINGUISHMENT OF ALL THEIR ABORIGINAL CLAIMS, RIGHTS, TITLES AND INTEREST, IF ANY IN AND TO LANDS AND WATERS ANYWHERE WITHIN CANADA as well as all of the other offensive provisions of that chapter.

The Right to Self-Government is one that logically can not be negotiated in isolation from the other national groups in the western Northwest Territories and should be viewed in that context except to the extent that the right is being discussed in the context of applying to the Métis land base which brings one back to the real estate deal.

It is therefore important to first look at the real estate deal. There are three possible options to keep in mind when reviewing this matter: one, reject the decision taken at the Dettah

Assembly and accept the extinguishment policy; two, stand by the decision taken at the Dettah Assembly and file a new claim under the Comprehensive Land Claims Policy or three, stand by the decision taken at the Dettah Assembly and do nothing until after the next federal election. However, before deciding which option to pursue, three pertinent documents should be reviewed: the April 9, 1990 Agreement; the Comprehensive Land Claims Policy and the position of the Liberal Party of Canada which appears to reject the current Comprehensive Land Claims Policy. Further review and examination of Chapter 3 of the April 9, 1990 Agreement should also be considered.

If it is the decision to follow the first option, that being to reject the decision taken at the Dettah Assembly and accept the extinguishment policy, the affected Locals should:

- i) unequivocally state that they wish to enter into a comprehensive land claims agreement with Canada based upon the April 9, 1990 Agreement and that they, in particular, accept the extinguishment provisions of that agreement; and
- ii) state that they will call Special Local Assemblies and recommend to their members that they endorse this undertaking.

If the representatives of the affected Locals are prepared to give such an undertaking there is then a real uphill battle to be fought because of the position of Canada. Nevertheless, after confirmation by the Local Assemblies of such an undertaking, Canada should be formally notified that Métis are prepared to proceed with a comprehensive land claims agreement based upon the April 9, 1990 Agreement.

If Canada rejects this request on the basis that a comprehensive land claims agreement based upon the April 9, 1990 Agreement must be with both the Dene and Métis, then a Statement of Claim, pursuant to the Comprehensive Land Claims Policy should be filed on behalf of Métis only. This procedure is set out on pages 23 to 25 of that policy. At this point in time Canada will either accept the claim for negotiations or reject it on the basis that the Aboriginal Title of the Métis was extinguished by the scrip process.

If the latter happens Métis will then have to resort to the courts to establish that their

Aboriginal Title continued notwithstanding the scrip process and that the title became protected by the Charter of Rights in 1982 and Canada now has an obligation to negotiate with them.

6. THE APPLICATION OF SECTION 91(24) TO THE MÉTIS

Section 91(24) of the Constitution Act, 1867 gives the federal government exclusive authority for "Indians" and lands reserved for Indians. For purposes of section 91(24), "Indians" includes the Inuit and may well include the Métis. The Constitution Act, 1867 does not, however, define the word "Indian." The constitutional amendments approved in the Charlottetown Accord would have made it explicit that the Federal Government's legislative authority includes all aboriginal peoples of Canada: Indians, Inuit and Métis. The Indian Act, a federal statute enacted pursuant to section 91(24), contains a different, generally more restrictive, definition of "Indian"; that definition, for example, expressly includes the Inuit and excludes the Métis.

"Lands reserved for Indians" includes Indian reserves, and probably also includes unsurrendered lands that were set aside for the Indians pursuant to the Royal Proclamation of 1763 and lands that are subject to unextinguished aboriginal title.

After passage of the first consolidated Indian Act in 1876, the government recognized only those people of Indian descent who lived "the Indian mode of life." Only they would be eligible to live on a reserve, collect treaty annuities, and be recognized as "treaty Indians" for the purposes of exercising treaty food harvesting rights. The policy presumed that, without the opportunity to live together on reserves, Aboriginal peoples would lose their own cultures and be absorbed by the Christian farming culture of the settlers.

The first version of the consolidated Indian Act in 1876 began to drive a wedge between the legally defined "Indians" and the Métis. The Act excluded any Halfbreed in Manitoba who had participated in scrip distribution and all halfbreed heads of families and their descendants.

Policy respecting Métis claims were further developed and supported the inability of the Métis to properly proceed with original agreements to land and other rights. In a report by Indian Affairs Superintendent Provencher in 1876, government policy toward Métis Claims was concisely stated:

"If the new claims ... were entertained, the result would be the springing up of a new class

of inhabitants, placed between the whites and the Indians having, in a legal and a political point of view, special and separate rights: or at least, this is the interpretation which will certainly be given to that measure: and this acceptance of their rights, far from being considered as a final decision, will only be a starting point for them to prefer claims as issue of the first white settlers of this country."

It did not occur to those officials that Métis might make their claims as descendants of Aboriginal peoples.

The Indian Act was never meant to determine who is an Indian for all purposes, only who is an Indian for the purposes of the Indian Act. The Indian Act was intended as a statutory framework for the establishment and administration of Indian reserves and bands. The Supreme Court of Canada, however, in *Re: Eskimo*, (1939) S.C.R. 104 stated that the word "Indians" in Section 91(24) includes Inuit, even though Inuit are not Indians within the meaning of the Indian Act.

Over the years, the Indian Act has been amended many times and has resulted in at least two-thirds of the Indian people in Canada being excluded from the definition of "Indian." Many of the Métis who were included in the Robinson Treaties in 1850 and the Halfbreed Adhesion to Treaty #3 in 1875, were later stripped of status under the Indian Act. Many of these individuals either joined existing, or developed their own, off-reserve Aboriginal communities, distinct from both registered Indian bands and the settler societies.

6.1. THE MÉTIS POSITION

Most Aboriginal organizations maintain that all Aboriginal peoples (Indian, Métis and Inuit) are "Indians" within the meaning of Section 91(24). The official position of the Métis National Council, with the full support of the Métis Nation - Northwest Territories is that Métis people are also included in Section 91(24). The combined effect of the Federal Government's position with respect to Section 91(24) of the Constitution Act, 1867 and the Indian Act definition of Indian, exclude most Métis people from access to their Aboriginal and treaty rights. The Federal Government insists that Métis are a provincial responsibility. Most provincial governments maintain they are a federal responsibility.

The result is that Métis people have no effective way to exercise their Aboriginal and treaty rights within existing law.

The Constitution Act, 1982, Section 35(1) states that "the existing aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed." Section 35(2) defines Aboriginal peoples as the "Indian, Inuit and Métis peoples" of Canada. This wording would indicate that Métis peoples of Canada have achieved recognition as Aboriginal people and have affirmed their Aboriginal and treaty rights. Canadian governments, however, continue to apply Indian Act definitions in their programs and policies. The Métis Nation has fears that they will be blocked from access to Aboriginal and treaty rights under Section 35 in the same way that the Indian Act definition of Indian denied and continues to deny thousands of individuals their rights under Section 91(24).

7. MODERN DAY TREATIES AND THE MÉTIS

In the Northwest Territories, Treaties 8 and 11 were signed in 1899 and 1921. The Métis at the time had the option of taking treaty or scrip. Scrip in the Mackenzie Valley took the form of a cash payment of \$240.00. Land scrip of 240 acres per family was offered on the prairies. However, land in the Mackenzie Valley was not considered suitable for agriculture. Coincidentally, there was a flurry of oil claims staking in Norman Wells at this time, and this denial of Land Script restricted and beneficial gain for the Métis in that area.

In the context of this brief, "Modern Treaties" can be defined as land claims agreements which are currently being negotiated by Aboriginal peoples and the Federal government. In some cases, the provincial and territorial governments are involved. In the Northwest Territories, four major modern day treaties have been negotiated to date and implementation of these agreements is now underway. The history and detail of negotiating these agreements is well documented and in all cases, years of negotiating was necessary to reach a settlement.

The land claims process is an attempt to resolve the outstanding claims of Aboriginal people. The rights determined by this process are constitutionally protected as treaty rights within the meaning of Section 35 of the Constitution Act, 1982. It is in this sense, that modern land claims agreements can be seen as modern treaties.

There are two Federal Government policies that deal with these entitlements: the specific and the comprehensive claims policies. In the N.W.T. Aboriginal peoples have dealt primarily with the comprehensive claims policy in negotiating land claims. Also, in the N.W.T., Treaties 8 and 11 were signed with the Dene people, however, it can be determined that their treaty entitlement was never received and the comprehensive claims process is the vehicle under which these treaty entitlements were being renegotiated.

8. THE CONSTITUTIONAL LEGAL POSITION OF THE MÉTIS

The Constitutional Legal position of the Métis of the Northwest Territories can be summarized very briefly. The Métis do not want to be considered as being part of a group described as off-Reserve Aboriginal People. The Métis people are a distinct group of Aboriginal People, formally recognized by the Constitution of Canada, who have not yet received legislated support from government. The Métis are a founding nation within Canada and have not as yet been recognized as such by most Canadians. The whites came from Europe. The Indians and Inuit come from Asia. The Métis were first people to actually arise within the geographic area now known as Canada. The Métis consider themselves the first true Canadians.

9. DIFFICULTIES OF THE MÉTIS LIVING IN THE NORTH

The Métis people of the Northwest Territories have experienced incredible hardship over the years in attempting to provide the basic necessities for their families. Social and economic problems continue to plague the Métis Nation. Although the Métis people have made some gains in these areas, alcoholism, drug abuse, child and sexual abuse, family violence, unemployment, poor housing and other problems continue to affect the Métis in their ongoing struggle. The Métis Nation - Northwest Territories is involved, at the territorial level, with the Government of the Northwest Territories to provide an increase in programs and services at the local level to address some of these problems, however, limited resources continue to impede any immediate and positive impact on the many social problems and concerns experienced in the communities.

9.1. CULTURE AND EDUCATION

A major priority and concern to the Métis people in the Northwest Territories is the education of our youth and the re-enforcement and promotion of Métis culture and heritage.

In an attempt to meet the objective of tutorial and counselling services for Métis students, the Métis Nation - Northwest Territories submitted a proposal for a pilot project to the Department of Education, Government of the Northwest Territories. The need for Métis counsellors for Métis students was identified in the course of an enumeration of all N.W.T. undertaken in early 1993. The Minister responsible for Education, Culture and Employment Programs responded by saying that "the Department of Education does have a sixteen month training program to train individuals for the position of School Community Counsellor. These counsellors provide support to the students and their families in their home community for the kindergarten to Grade 12 system. Positions, however, are provided only to Boards/Divisional Boards of Education when their selected personnel have completed the training program. Unfortunately, the mandate does not allow for these positions to be made available to outside agencies. In fact, in 1993, the Department of

Education did not identify any additional positions and postponed new intakes into the training program for one year". This particular initiative illustrates the on-going barriers the Métis Nation - Northwest Territories has had to contend with in attempting to secure funding and other resources for projects and proposals submitted to government to provide necessary services to the Métis people.

The Métis Heritage Association is mandated to enhance and promote Métis culture and heritage in the N.W.T. In the past, a number of pictorial books were produced which dealt with Métis history in the North. Plans are in place to produce further publications for possible use in schools. Securing adequate funding for cultural development of the Métis history and heritage has been a problem, both from the territorial and federal governments. The Métis Nation - Northwest Territories has continually stressed to the Government of the Northwest Territories the inequalities faced by the Métis Nation with respect to funding for language and other cultural projects. This is in comparison to other aboriginal organizations and other minority cultural groups in the Northwest Territories such as the Francophone community.

The Métis continually stress to our Youth the importance of education. We need well educated young people to continue with all the work that must be done. We need professional and well trained Métis People to deal with the Territorial and Federal Governments on legislation, policy and guidelines that affect our daily lives. Indeed, we must encourage our people to become these policy makers in a leadership capacity.

9.2. HOUSING

The Métis Nation - Northwest Territories continues to deal with housing shortages, lack of program input for housing, and equitable distribution of housing in smaller communities with few Métis families. The Métis want to become involved with housing delivery programs which take advantage of the business opportunities available from construction contracts. It is most important that Métis Locals be provided with an opportunity to enter

into sole source agreements such as Rent Supplement programs which provide social housing for Métis members and to negotiate Block Funded Housing programs with the N.W.T. Housing Corporation. Métis people must be included as full members of the Boards of Directors of Local Housing Authorities in all communities where they exist.

Federal Government funding has been reduced in each of the last three years and recently it was announced that no funds would be provided for new Social Housing construction in the N.W.T. in 1994. This comes at a time when the N.W.T. Housing Corporation has announced that there is an extreme housing shortage in the N.W.T. It is important to note that there are not now, nor were there ever, provisions for native rural housing delivery programs in the Northwest Territories and a goal of the Métis Nation - Northwest Territories is to ensure that Métis Housing Programs are delivered by Métis people, for Métis people, in the communities. The Housing Corporation rationalizes this condition by stating that most of their clients are aboriginal people any way, which may be the case in many of the smaller communities but not so in the larger centres.

A Métis Housing Needs Survey was conducted in the N.W.T. in April and May of 1991 and a number of recommendations were made. This survey, identified to some degree, housing problems in the smaller communities at the time. Since 1991 housing in general has become a major problem and a priority for the Métis Nation - Northwest Territories.

9.3. HEALTH AND SOCIAL SERVICES

The Métis Nation - Northwest Territories continues to vigorously pursue health services similar to those received by the Dene and Inuit of the N.W.T. The Métis Nation - Northwest Territories in 1993 was provided with funds from the Government of the Northwest Territories to enumerate all Métis People in the N.W.T. The stated purpose was to lead to a discussion on the possible delivery of health benefits similar to those provided to other Aboriginal peoples in the North. The enumeration process is expected to be completed by September, 1993 and negotiations with the Government of the Northwest

Territories will then begin. This is critically important for many reasons not the least of which is that within some families the Dene get health benefits whereas the Métis do not. Such inequalities must end.

The Métis Nation membership in the northern communities still suffer from social problems which in many cases result from unemployment frustrations which lead to disruptions in the home. Substance abuse among adults and youth lead to even more serious family abuse problems such as spousal assault and abuse, child sexual and physical abuse and youth suicide. Many of these problems occur due to low self esteem, overcrowding in the homes, low literacy levels which result in frustration, family break-up and children who are forced to live in single parent homes and foster homes.

There are few, if any, facilities in the N.W.T. which care for disabled and handicapped persons, dysfunctional children, dysfunctional adults and Métis people must often pay the full cost of caring for children who need special care. The Federal and Territorial Governments have sponsored health forums and health workshops which have listed endless problems and at each one have recommend many solutions. Research funding sometimes appears to be directed at hiring consultants who appear to choose their own research subjects to fulfil their curriculum thesis and the many recommendations given by the community people are ignored. Existing care and assistance programs must be analyzed and evaluated with the care givers in the communities so that policies can be developed which meet the needs of the people in the N.W.T.

9.4. ECONOMIC DEVELOPMENT - N.W.T. MÉTIS DEVELOPMENT CORPORATION

9.4.1. INTRODUCTION

The idea of establishing an Economic Development Corporation for the Métis People of the Northwest Territories originated with the formation of the N.W.T.

Métis Association. Actual incorporation occurred on March 14th, 1977 when the N.W.T. Métis Development Corporation Ltd. (the "MDC") was formed under the Canada Business Corporations Act. On May 13th, 1977 the Corporation was registered under Part VII on the Northwest Territories Companies Act to carry on business in the N.W.T. The Corporation was formed as a development and investment vehicle to facilitate the participation of the Métis People in proposed or ongoing development activities in the N.W.T., and to encourage them to initiate and promote, individually and collectively, balanced and controlled development appropriate to the social and political situation in the North.

At the commencement of operation, the President of the Métis Association of the Northwest Territories became the sole shareholder, holding his interest in trust for all Métis People. The experience of two years of operations indicated the need to separate the political and social activities of the Association from the economic activities of the Corporation. As a result, in July of 1979, the annual assembly of the Association approved a new share structure for the corporation.

9.4.2. SHARE STRUCTURE

The Corporation's original share structure consisted of Class "A" and Class "B" common shares. The Class "A" shares had voting rights, and were issued to Métis Locals who were affiliated with the Association. The Class "B" shares were held by individual members of affiliated Métis Locals and did not have voting rights. The Corporation was authorized to issue 2,500 Class "A" shares and an unlimited number of Class "B" shares.

The Corporation's experience with the initial share ownership structure and political events in the Métis community have caused the Corporation's board of directors, on two separate occasions, to develop a different ownership structure to better meet the Corporation's goals and objectives. As a result the corporation responded by

restructuring to more completely remove the political elements of Métis organizations from its economic activities. This restructuring has resulted in the cancellation of issued Class "A" shares and has conferred greater rights upon individual Métis People through their ownership of Class "B" shares.

The significance of the corporate structure is found in its accountability to the Métis People as individual shareholders. Each qualified individual member is entitled to purchase one Class "B" share of the Corporation. Subject to the Canada Business Corporations Act, each Class "B" share is voting, entitles the holder to share in the Corporation's assets upon a winding-up and to share equally in dividends as and when declared by the board of directors. The Class "B" shares are not transferable, assignable, chargeable or otherwise alienable by a holder, and no person is permitted to hold more than one Class "B" share. There are currently 750 Class "B" shares issued and outstanding as of this date.

9.4.3. DEVELOPMENT

Throughout its history, the Corporation has seen significant growth and success despite the ups and downs of the economy, both nationally and territorially. Over this period of growth assets have grown over 200% to a book value of \$7 million in 1991 which is a significant increase in such a short period of time. Likewise, shareholders equity has increased over 1000% during this period. This statistic is very significant because the Corporation's paid up capital is nominal considering the five dollar cost of a Class "B" share. This indicates that the Corporation does not raise capital from its shareholder.

The Corporation's growth and success can be attributed to the following underlying factors.

* One of the most significant factors was the capital investments made by the

Board of Directors in the initial years. This action has provided the Corporation with a solid asset base.

- * Another is the patience and understanding of it's owners, the shareholders of the Corporation. Because of the slow growth throughout the early years, the Corporation has had to operate very lean and continues to do so today.
- * Sound investments and business decisions made by management of the Corporation with equally strong guidance of the Board of Directors.
- * The ability of the Corporation to seek out equity sources from government and private investors. To this end the Corporation had developed an excellent working relationship with government.
- * With success and growth, the Corporation has been able to attract and retain competent and qualified individuals to manage the affairs of the Corporation. Throughout it's history, the Corporation has always had a Métis individual as the Chief Executive Officer.
- * Perhaps the most significant factor is the ability of the Corporation to separate it's business activities from Métis political organizations.

9.4.4. THE FUTURE

Looking into the future, it is not possible to identify specific businesses that should be considered for investment. However, there are some general characteristics that the Corporation will wish to pursue in terms of the types of businesses held and the mix of those businesses.

As with any holding business, the Corporation is concerned about the amount of

risk associated with it's investments. Most businesses are periodically subjected to depressed earnings due to uncontrollable events, such as a general economic downturn, changes in the market place and changes in sectorial activities. With this in mind, the Corporation will consider the following business pursuits:

- * MDC will seek a diverse portfolio to mitigate the effects of sectorial slumps.
- * MDC will have a broad base of sound and stable income producers which will require minimal management time, such as real estate, to build a strong corporation.
- * MDC will invest in operating companies that have high potential for providing for active participation of Métis in the roles or clients, employees, manager or co-owners.
- * MDC will invest in businesses that can earn a superior profit as they will have to provide financial support for Headquarters, fund social initiatives such as training programs and, provide for reasonable dividends to shareholders.
- * MDC will establish joint venture relationships with other native owned development corporations.
- * MDC will remain current with the technology used in the business place to the extent that technology is required to improve the efficiency and effectiveness of operations.
- * MDC will maintain strong, centrally coordinated financial controls throughout it's holdings.

9.5. ENVIRONMENTAL ISSUES

The Métis Nation - Northwest Territories has established a protocol agreement with the Métis National Council whereby the N.W.T. is aided in negotiations for program funding from the Federal Government. In March 1993, the President of the Métis Nation - Northwest Territories was given the portfolio as Minister of Environment and Northern Development and also the portfolio of Health, in the Cabinet of the Métis Nation Parliament.

The Métis Nation - Northwest Territories received funding through the Federal Government Arctic Environmental Strategy for lake shore clean-up around Great Slave Lake. The Government of the Northwest Territories also contributed with assistance in kind where possible. As a result, up to sixty youth from all over the Mackenzie Valley were hired in 1992 and participated in a clean-up project. This gave them a first hand look at the environmental problems created by garbage, debris, abandoned fuel drums and other refuse. This program was such a success that the Métis Nation - Northwest Territories is again carrying on with the program in 1993 by hiring another sixty youth who will clean up another three sections of the lake shore. This is one of the most comprehensive efforts made in years and the Federal Government and the Métis Nation - Northwest Territories are extremely pleased with the results. The Métis nation is also embarking on the development of an environmental program which can be included in the school curriculum.

As Métis People, we are very concerned with the environment and the land, however, it is important to note that the work being done in this area is for the benefit of all people in the Northwest Territories. The other message we want to send out through this program is that we must continue to promote proper care of the environment and the land. The students we have hired through the Clean-up Program have witnessed the destruction and disrespect for the land by the littering of garbage along the shoreline and islands of Great Slave Lake. From this experience they have gained knowledge and respect for the land and the message that they will pass on to others is that leaving garbage laying around and damaging the environment is just not acceptable.

9.6. ANTI-FUR MOVEMENT

The anti-fur movement within Canada and throughout the world has caused sever problems for many trappers in Canada and the N.W.T. Many countries joined in establishing an international ban on leg hold traps which has caused people to switch to other kinds of traps. Many older trappers have problems using the newer traps but are caught in a bind as other countries will no longer buy fur which is trapped in leg hold traps after 1995. Trapper training programs and trap exchange programs are being set up in Canada but funding for people living off reserves is extremely limited. This is a serious problem to many N.W.T. trappers of which a large portion are Métis.

10. RECOMMENDATIONS

10.1. MÉTIS SELF-GOVERNMENT

1. The Federal Government formally accept the Métis Nation Accord and begin negotiations with the Métis National Council and its affiliates for its implementation.
2. It is recommended that the Métis Nation - Northwest Territories and the Federal Government enter into negotiations on a without prejudice basis pursuant to the Federal Government Trilateral Self-Government Negotiations Policy and that the subject of a Métis land base be included as an item for negotiations. The objective of these negotiations is to introduce the elements of the April 9, 1990 Agreement into any agreement arising out of these negotiations for those regions not in land claim negotiations. Adequate financial resourcing should be made available to the Métis Nation - Northwest Territories to carry out these negotiations.

10.2. ECONOMIC DEVELOPMENT

The development of Métis economic institutions must include both individual and community owned businesses. The Métis political institutions must clearly articulate its commitment to a public policy that supports an economic environment, where individuals are on the same playing field as community based business entities. Such a public policy will demonstrate that the Métis Nation is providing the type of political leadership required for the Métis business community to meet economic challenges facing it. It will also help to establish clear strategic objectives.

An integral aspect of an economic strategy must include a principle that effectively ensures an equitable balance between individual economic pursuits and collective economic pursuits

is fostered and nurtured by the Métis community. Therefore, our recommendations are anchored to the principle of equitable balance between the individual and the community's economic pursuits. The following are those recommendations we wish the Royal Commission on Aboriginal Peoples to consider.

1. Capital resources must be made accessible to both individuals and community based business entities at economic cost without a great deal of bureaucratic imposition of rules and regulations.
2. While there is a need to maintain accountability for the use of public funds through regulatory means, a large degree of autonomy over decision making of the resources allocated to the Métis business entity is essential to maximizing the desired return of the owners.
3. A formal assessment of the Métis communities capabilities to carry out certain economic activities should be completed as part of the development of any local/territorial wide economic strategy. This assessment would include such elements as:
 - * The private company vs the public company.
 - * The major business activity based on revenue generation.
 - * Management strengths and weaknesses.
 - * The financial well being of the business.
 - * Economic impact on the community.
 - * Development aspect of the project.

4. A firm commitment by Government to enter into human resource exchange agreements that will allow for the reciprocal movement of both private sector and public sector employees into their respective organizations.
5. The establishment of a capital pool of resources that can be used as venture and equity capital is critical to the long-term economic success of the Métis business community.
6. The assumption of Government operated programs, which will be exclusively targeted to, by and for, Métis People.
7. It is imperative to ensure that programs such as the N.W.T. Economic Development Agreement maintain segments for the harvesting of resources for domestic purposes, Inter-community trade and subsidies for commercial and industrial purposes.
8. As a result of initiatives in the arts and craft industries particularly as a result of the Co-operatives operating in the Arctic, it is necessary to provide funds for Métis business people to participate in ownership ventures such as art galleries and import/export businesses which are not government driven.

10.3. HOUSING

1. That a Métis Housing Corporation be set up and full funding be made available to the Métis Nation - Northwest Territories for program specialists to assist Métis Locals in all housing programs.
2. That a Planning and Implementation Committee be immediately created to negotiate with governments for the development of a Corporation including setting its objectives and its mandate.

3. That family development and life skills be considered an essential part of any housing program.
4. That the need for identification and provision of affordable accommodation for single Métis persons and Métis single-parents be given a high priority.
5. That research into new housing ideas be effected immediately and the Housing Corporation do this in full consultation with the Métis Locals, Dene Band Councils and other program users.
6. That the NWT Housing Corporation indicate why there has to be yearly housing surveys.

10.4. HEALTH AND SOCIAL SERVICES

10.4.1. COMMUNITY INVOLVEMENT

1. It is critical that any and all health and social services program development, delivery, evaluations and reviews be carried out with full community participation.

10.4.2. TRADITIONAL HEALTH CARE

1. Traditional health care practices and resources should be incorporated into the comprehensive care systems in the N.W.T. Dietary studies of country foods must be undertaken to determine their nutritional value and care must be taken to ensure that elders in hospitals and nursing care facilities be given diets which reflect their natural upbringing supplemented by other

nourishing foods and vitamin supplements.

2. Herbal medicines must be researched and used to supplement modern medical practices in the healing process.

10.4.3. SYSTEM EFFECTIVENESS

1. All health and social assistance systems must be reviewed and evaluated in order to better guide the policy and program development process. Along with this, a review of human resources must be carried out to better utilize and encourage aboriginal persons to deliver these programs. It is critical that the N.W.T. identify and expend the resources to develop high school curriculums which will encourage aboriginal people to aspire to become doctors, nurses, and social workers, dentists, dieticians and other professionals. The training and development of language translators and health interpreters in hospitals along with health para-professionals is key and the training of community health workers and Home care assistance givers must become a priority.

10.4.4. COMMUNICATION AND INFORMATION

1. Nursing Stations in the communities are staffed by nurses and they rely heavily on community health representatives who speak the local language or dialect which is their only means of communicating with many community people at times. The dispensing of information with respect to personal hygiene, dieting, communicable diseases and other programs is limited to school visits, written pamphlets, which many people cannot read, or very limited public television and radio announcements. This extremely limited communication system requires a complete review and proper

funding to develop a more effective information system.

10.4.5. SOCIO-ECONOMIC ENVIRONMENT

1. Rapid socio-economic change taking place in the western arctic cause mental and physical problems in the homes which health and social services cannot keep up with. Cross-cultural programs are needed for the non-native people but it is essential to recognize and realize that these same types of courses and awareness programs are not offered to the aboriginal people who do not have the coping skills to react to fast changes. The workers are forced to cope and learn new skills because of the work place environment but the families who remain in the small communities are not given these same coping skills. Programs to mitigate these abrupt cultural changes must be put in place in the smaller communities so the entire family can learn to cope with the changes in life-styles.

10.4.6. ENVIRONMENTAL CONTAMINANTS

1. Oil and mineral exploration and refining in the N.W.T. along with contaminants being dumped into the river systems from oil and pulp mill activity in Northern Alberta are causing a great deal of concern to people with respect to the potential for harm to the food chain. Comprehensive studies must be done in the N.W.T. to offer comfort and proof to aboriginal groups and all citizens, that the food chain is not in danger of being severely affected. The river systems must be monitored on an on-going basis in order to determine if the levels of contaminants in the system are increasing. The effects of contaminants of all sorts to the entire river eco-system in the N.W.T. must be mitigated.

10.4.7. PHYSICAL HEALTH ISSUES

1. The Governments of Canada and the N.W.T. must address issues of physical health in the north. Not only to individuals but to the communities. There appears to be a steady trend in the high rate of cases of diabetes and tuberculosis among aboriginal people in the N.W.T. as compared to southern Canada. It is recommended that both governments determine root causes, develop public information prevention strategies, design intervention programs and deliver these programs.

10.4.8. MENTAL HEALTH ISSUES

1. Strategies and programs must be developed to deal with the mental health issues prevalent in the N.W.T. Large and small communities require mental health counselling services. If both governments must rely on volunteer agencies to provide mental health counselling or Friendship centres to provide services to aboriginal people they must, at the very least, provide sufficient funds for these agencies to operate instead of cutting annual core funds to redirect funds to other programs.

10.5 EDUCATION AND CULTURE

10.5.1. EQUAL OPPORTUNITIES

1. While elementary schools appear to be stable in many communities there is a prevalent concern among many Métis people that the small community education standards appear to be at least one or two grade levels behind those in the larger centres. This appears to be the case particularly when

those students transfer to larger communities for schooling. This must be rectified and all children be given the same opportunities for learning. Language can be a barrier in smaller aboriginal communities and if this is the case, the education systems must provide english as a second language in order to offer the same opportunities for future schooling and employment. Children of all races and backgrounds must be taught citizenship and tolerance for each others differences and the language arts are critical to offer all cultures equal opportunities.

10.5.2. TOTAL EDUCATION

1. The tendencies in the N.W.T. are to develop curriculums in the primary grade levels but when students reach junior and senior high school levels, there is no funding spent on developing a curriculum to suit our needs. We borrow from southern provinces. The cultural differences are magnified and failure is the alternative. There are few retention programs in place for aboriginal drop-outs, there are few mechanisms for parent and family involvement. There are few advisement and counselling programs available in high school. These critical path guides are not available and they must be put in place. It is imperative that high schools develop counselling programs which motivate students to challenge mainstream academic programs in order to prepare for post-secondary schooling.
2. The N.W.T. must commit to the development of aboriginal education programs which are co-operatively prepared with aboriginal groups. These must incorporate traditional values, culture, aboriginal history and language. These must be designed along with a delivery plan for academic, social and community programs. Community participation and control of education is essential to develop culturally relevant curricula. It must be responsive to aboriginal student needs.

10.5.3. EDUCATION RESPONSIVENESS

1. It is incumbent upon government and the education system to determine why there are mismatches between education and work . In order to secure employment aboriginal people must attain certain academic requirements. In order to meet present and future work force demands there is a responsibility to ensure that there are connections between students education specialties and the job requirements in the N.W.T. The development of vocational and career orientation programs and programs with aboriginal specific content is necessary. There is an overwhelming need for qualified aboriginal administrators and educators in the N.W.T. and programs which encourage this career development must be developed and put in place.

10.5.4. CULTURAL RESPONSIVENESS

1. The Métis people of the N.W.T. must be assisted in their endeavors to develop their cultural history, traditions and the Michief language. Education programs must be developed in the schools in order to demonstrate the history and contributions of the Métis people in the N.W.T.
2. There is a significant shortfall in funding to Métis cultural programs as opposed to Dene and Inuit cultural support. Programs must be designed to develop the language, arts and music of the Métis people. Education assistance is almost non-existent for post-secondary schooling in the arts language and culture and this must be addressed.

10.5.5

FUR ISSUES

1. The Government of the Northwest Territories establish an auction house in the N.W.T. so that trappers have reasonable access to the market and receive a fair price for their wild fur.
2. Representatives of all Aboriginal peoples of Canada must see full participants in the development and implementation of all plans, policies, programs, and positions on trapping and the fur trade.
3. Aboriginal people must be given every opportunity to work in partnership with funding agencies to determine the appropriate and equitable distribution of resources from programs such as the Fur Industry Defense Program.
4. Aboriginal people must be provided with the necessary resources to enable their full participation in all matters concerning trapping and the fur trade.
5. All jurisdictions, federal, provincial and territorial, must work in partnership with Aboriginal people to develop a four-year plan designed to thoroughly examine all of the issues and consequences of compliance with the 150 Standard/Regulation and at the same time to develop alternative markets.
6. Aboriginal organizations must be provided with the necessary resources to conduct a thorough review of the implications of, and alternatives to, compliance with the Regulation and for adoption of the 150 standard.