



Grand Council Treaty #3

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MEDIA RELEASE

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Grand Council Treaty #3 Rejects Métis Claim as Treaty Participant, Opposes Proposed MNO Self-Government Legislation

Agency 1 Reserve near Fort Frances, Ontario June 19, 2023: Grand Council Treaty #3 strongly urges Canada to press pause on the recently tabled legislation implementing the Métis Self-Government Recognition and Implementation Agreement between Canada and the Métis Nation of Ontario, in light of its grave concerns about Métis claims to Treaty #3 and Canada's failure to consult with and obtain consent of the Anishinaabe Nation who entered into Treaty #3 with the Crown. Grand Council Treaty #3 is calling on all Members of Parliament to ensure that the bill is fully reconsidered, as well as proper consultation with First Nations whose rights are directly affected by the bill.

“On numerous occasions, I, and leadership throughout the Anishinaabe Nation in Treaty #3, have expressed our concerns to Canada about recognizing the ‘Northwestern Ontario Métis Community’ as a section 35 rights-bearing collective, given their erroneous claim to rights to and through Treaty #3,” explained Ogichidaa Francis Kavanaugh of Grand Council Treaty #3. “Granting rights to illegitimate groups in our territory will undermine our rights,” Kavanaugh continued, “and this legislation would help do exactly that. There will be no way to erase this mistake once made.”

“What I find particularly troublesome is that Canada recognized in 2017 that it had an obligation to consult with First Nations that might be affected by Canada's negotiations with the Northwestern Ontario Métis; yet here we are almost six years later and Canada has refused to engage with us,” said Chief Linda McVicar of Animakee Wa Zhing (Northwest Angle #37 First Nation). “It appears that Minister Miller has turned a blind eye to consultation requirements. And this is particularly damaging as we mark the 150th anniversary of Treaty #3 this year.”

Chief McVicar's comments refer to a 2017 agreement that the Government of Canada entered into with the Métis Nation of Ontario regarding the “Northwestern Ontario Métis Community” (NOMC). Some members of the NOMC mistakenly claim there was a Métis collective that adhered to Treaty #3 in 1875 through what is referred to as the “Halfbreed Adhesion” of 1875, and claim to be descendants of that collective. Through that 2017 Agreement, Canada agreed to negotiate with the MNO to settle outstanding claims of the NOMC, including claims relating to the 1875 Adhesion. Canada also agreed to consult other Indigenous groups whose Aboriginal or Treaty rights might be affected by negotiations relating to the NOMC.

The more recent (February 2023) Métis Self-Government Recognition and Implementation Agreement in part builds on this 2017 Agreement by committing the parties to resolving outstanding Métis claims against Canada, including NOMC claims. The legislation being tabled in Parliament this week is intended to implement this February 2023 agreement. The legislation is so broad that it could open the door to a limitless number of alleged Metis communities being represented by the MNO and recognized as having

section 35 Aboriginal and Treaty rights within First Nation territory. It also allows for the potential of the MNO negotiating a treaty with Canada that, due to conflict provisions in the legislation, could result in the privileging of newly-created Metis treaty rights over established First Nation rights within First Nation territory.

“While Canada is doing everything it can to make good on its promises to the MNO, it has completely ignored its commitment to consult with affected First Nations, including the Anishinaabe Nation of Treaty #3, and obtain our consent about matters that directly affect us and our treaty” said Chief Brian Perrault of Couchiching First Nation. “I am frustrated that my comments and concerns, and that of other Chiefs throughout Treaty #3, have fallen on deaf ears of our Treaty partner,” he continued. “I have personally written directly to Minister Miller explaining the gravity of the situation of Canada essentially opening up our Treaty to outsiders. And I’ve explained that we must be provided information about and directly involved in any discussions Canada may be having about our Treaty. It took more than six months for Minister Miller to write a response to me, and when he did, his letter did not address Treaty #3 at all.”

“I’ve explained it before and I will keep explaining it: the 1875 Adhesion is not a Métis addition to our Treaty,” said Chief Perrault. “We as Anishinaabe had an inclusive vision of citizenship, not an exclusionary one. And so during treaty negotiations in the early 1870s, Chief Mikiesies and others made it clear that the Treaty was to include our kin whom Crown officials called ‘half-breeds’ but who were part of our Anishinaabe families and kinship system. Treaty #3, including its 1875 Adhesion, was between the Anishinaabe and the Crown; this was always a Nation-to-Nation agreement witnessed by our Creator, the adhesion is our act of self-determination over our citizenship within the Anishinaabe Nation.”

“150 years ago, at the signing of Treaty #3, Chief Mawendopenais stated: ‘And now before you all, Indians and whites, let it never be said that this has been done in secret. It is done openly and in the light of day,’” explained Ogichidaa Kavanaugh. “Now, as we prepare to celebrate the 150th anniversary of the signing of Treaty #3, our Treaty partner has entered into this recent agreement and is tabling implementation legislation without any discussion or engagement with the Anishinaabe Nation of Treaty #3,” said Ogichidaa Kavanaugh. “We are being kept completely in the dark as Canada reopens our Treaty. This conduct is dishonourable and completely unacceptable. It is contrary to Canada’s treaty obligations and to minimum standards set out in the United Nations Declaration on the Rights of Indigenous Peoples. We urge all Members of Parliament to press pause on this legislation so that proper process can be followed, in keeping with the honour of the Crown.”

Grand Council Treaty 3 is celebrating the 150th anniversary of Treaty #3 on October 3, 2023. The Grand Council is one of the oldest traditional governments in Canada and earliest European accounts of this territory, known as Manito Aki, reported that “La Premier” or a Grand Chief was the principal spokesperson for the Nation. This Nation is centuries old and newcomers, such as Metis groups or Canadian associations, do not have inherent rights in Manito Aki.