



Grand Council Treaty #3

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MEDIA RELEASE

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Grand Council Treaty #3 insists that the Metis Self-Government Legislation is a breach of Treaty #3 and a mistake that will harm the Anishinaabe for generations to come.

June 21, 2023, Kenora, ON: Grand Council Treaty #3 denounces the federal government's decision to table Metis self-government legislation without consulting or seeking the consent of the Anishinaabe Nation of Treaty #3, despite the legislation's potential to threaten the integrity of Treaty #3.

Grand Council Treaty #3's main concerns are the following:

- The legislation recognizes any "Metis community represented by the Metis Nation of Ontario" as a section 35 rights-bearing collective, without further defining such communities or setting out limitations as to who can constitute such a community;
- Outside of the legislation, former Premier Kathleen Wynne and the Province of Ontario already recognized the "Northwestern Ontario Metis Community" as a "Metis community represented by the Metis Nation of Ontario", and this federal legislation continues with the Liberal commitment to fast-track Metis rights without undertaking the due diligence of the Crown who has a Treaty with the Anishinaabe Nation in Treaty 3.
- The federal legislation will act to formalize and strengthen that recognition. Members of this community make erroneous claims to rights through Treaty #3, which the federal government has committed to resolving with them and only them;
- The Senate does not vote on Ways and Means motions. This is how this legislation was tabled in Parliament. Of course, we know the strength of the Senate on Indigenous related issues. To circumvent the Senate is to circumvent the Parliamentary law-making process.
- The Northwestern Ontario Metis Community claims a land base overlapping with Treaty #3 lands;
- The Northwestern Ontario Metis that had formerly advanced this claim are now largely on Treaty 3 First Nation band lists (as Anishinaabe and as "Status Indians") including two former Presidents of the "Sunset Country" Metis. There are few with MNO cards who hold this genealogy and relationship with Anishinaabe communities in Treaty 3, but they too could become "Status Indians" with planned amendments to the Indian Act.
- MNO pretends these claimants are still Metis, these families continue a journey of Anishinaabe relationship back into the Anishinaabe Nation after two to four generations as "non status" Indians. They continue to return to First Nation membership over the past 38 years as discrimination in the Indian Act is removed in a piecemeal fashion.
- Minister Miller denies the Anishinaabe Nation the full right to self-government over their own citizenship while giving a blank cheque to the MNO and their defective registry system.
- Existing research is at best inconclusive about whether there was ever a historic Metis community in northwestern Ontario or the 55,000 square miles of Treaty #3 that would meet requirements set out by the Supreme Court of Canada for establishing Metis existence in the area – and yet Canada is now "recognizing" asserted Metis communities as having constitutionally-protected section 35

rights. Section 35 rights cannot exist in a historical vacuum, yet this legislation seeks to let that happen;

- Minister Miller has refused to respond to requests from Treaty #3 leadership for an explanation of what evidence Canada is relying on to recognize this community as a section 35 rights-bearing community;
- Treaty #3 leadership have asked Minister Miller for information on any discussions Canada has been having with the Metis about Treaty #3 and have made it clear that the Anishinaabe Nation in Treaty #3 is a necessary party to any discussions about our treaty, but Minister Miller has stonewalled them;
- Minister Miller and the Metis Nation of Ontario (“MNO”) claim that the legislation tabled today does not affect First Nations and is only about matters internal to the MNO. This is not true: recognition of another order of government within the 55,000 square miles of Treaty #3 directly affects the Anishinaabe Nation of Treaty #3, and legislation that recognizes the section 35 rights of a group erroneously claiming rights through Treaty #3 also directly affects the Anishinaabe Nation of Treaty #3;
- The legislation could allow for eventual “treaty rights” being afforded to self-identified Metis who do not meet criteria established by the Supreme Court of Canada for being Metis – and could allow for such rights to take precedent over the established rights of the Anishinaabe Nation in Treaty #3; and
- Minister Miller has accused First Nations leadership of lateral violence when they have presented him with research that calls into question the historical existence of Metis communities in large parts of the province now being claimed by the MNO as a “Metis homeland”. Minister Miller has refused to engage with the research.
- Minister Miller has lost sight of his responsibility as the Minister of Crown – Indigenous Relations and the important Aboriginal law doctrines of our shared history.

Minister Miller and the Government of Canada have not done their due diligence. In their haste to appear progressive on “Indigenous rights” they are trying to rush through legislation that would rewrite the constitutional history of Canada and that threatens to rewrite the history of Treaty #3.

This is unacceptable; it is the opposite of honourable, and is not in meeting the Honour of the Crown. Treaty #3 is sacred. It was entered into between the Anishinaabe Nation of the Boundary Waters and the Queen 150 years ago, in the presence of the Creator. Grand Council Treaty #3 is calling on its treaty partner to cease any and all actions relating to Metis claims to Treaty #3 and within the 55,000 square miles of Treaty #3 until a process is in place between the Crown and the Anishinaabe Nation in Treaty #3 to jointly assess such claims.

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