



# First Ministers' Meeting on Aboriginal Issues An Overview for Métis Citizens (January 2006)

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## Purpose of this Document

This document has been prepared by the Métis National Council (“MNC”) in order to assist Métis citizens in understanding the background, outcomes and successes of the First Ministers’ Meeting on Aboriginal Issues (“FMM-AI”) that was held in Kelowna, British Columbia on November 24<sup>th</sup> and 25<sup>th</sup>, 2005.

Quite often, the significance and successes of highly visible political meetings are not readily apparent. Métis citizens want answers to very key questions. Why was this FMM-AI important to the Métis Nation? How will the outcomes of this FMM-AI impact them directly? How will these FMM-AI commitments improve the lives of their children and families? How did this FMM-AI assist the Métis Nation in moving forward on its rights-based agenda?

It is hoped that this document will assist in answering some of these questions. Specifically, the document includes the following sections:

- Background Information on the FMM-AI;
- Overall Achievements at the FMM-AI; and
- Successes for the Métis Nation at the FMM-AI.

This document does not provide the answers to all questions Métis citizens and communities may have. There is much follow up work that needs to be done in order to ensure the successful implementation of the FMM-AI’s commitments. This will require engaging citizens and communities in order to ensure implementation meets the unique needs of the Métis Nation. Implementation will require collaboration and partnerships between the Métis Nation, other governments and other partners.

With that said, the leadership of the Métis Nation believes that this FMM-AI was a major step forward for the Métis Nation. It provides a solid framework to move forward on enhancing Métis intergovernmental relationships, strengthening the Métis Nation’s bilateral relationship with the federal government through the *Canada-Métis Nation Framework Agreement* as well as addressing the Métis Nation’s socio-economic priorities (e.g., Métis child care, bursaries for Métis students, Métis-specific health and wellness initiatives, Métis housing and creating or enhancing Métis education institutions).



## Background on the First Ministers Meeting

The FMM-AI flows from a commitment, on the part of Prime Minister Paul Martin, to engage a ‘new partnership’ with First Nation, Inuit and Métis peoples. Since his swearing in as Prime Minister, Paul Martin has remained committed to seeing this new partnership realized through a new collaborative relationship with Aboriginal peoples. The following provides some of the key milestones that led to the FMM-AI:

- **April 19<sup>th</sup>, 2004** – Prime Minister Martin convenes the Canada-Aboriginal Peoples Roundtable (“Roundtable”) and sets out a new course of collaboration with Aboriginal peoples. At the Roundtable it is agreed that a series of First Nation-, Inuit- and Métis-specific consultations will be held on the topics of life longlearning, housing, health, negotiations, economic opportunities and accountability.
- **September 2004 to April 2005** – Roundtable follow up consultation meetings held on identified topic with First Nation-, Inuit- and Métis-specific sessions at each meeting. Final reports for each sectoral meeting are developed in order to guide future investments. Copies of these Roundtable reports are available at [www.aboriginalroundtable.com](http://www.aboriginalroundtable.com).
- **September 13<sup>th</sup>, 2004** – Prime Minister Martin convenes a Special Meeting between First Ministers and National Aboriginal Leaders on Aboriginal health. At this meeting, First Ministers and National Aboriginal Leaders commit to developing an Aboriginal Health Blueprint and holding a FMM-AI within 12-18 months to make tangible progress towards closing the gap between Aboriginal peoples and other Canadians. As well, the federal government commits \$700 million for Aboriginal health.
- **October 2004 - November 2005** – All levels of government in Canada, including Aboriginal governments, engage in a planning process to develop the FMM-AI’s agenda and action plan for endorsement by First Ministers and National Aboriginal Leaders.
- **May 31, 2005** – Prime Minister Martin convenes a Policy Retreat between federal Cabinet and Aboriginal peoples. At this meeting, the federal government and the three constitutionally-recognized Aboriginal peoples sign bilateral agreements that will guide their renewed relationships. The Métis National Council, on behalf of the Métis Nation, signed the *Canada-Métis Nation Framework Agreement*. A copy of this agreement is available at [www.metisnation.ca](http://www.metisnation.ca).
- **November 24<sup>th</sup> & 25<sup>th</sup>, 2005** – The FMM-AI is held in Kelowna, British Columbia and a multilateral Action Plan endorsed. The federal government announces \$5.1 billion over five years to assist in implementing the Action Plan.



## **Overall Achievements from the First Ministers' Meeting**

### **A Multilateral Action Plan**

At the FMM-AI, First Ministers and the National Aboriginal Leaders adopted a multilateral Action Plan for strengthening relationships and closing the gap between Aboriginal peoples and other Canadians. The Action Plan set out a series of overall principles and goals as well as specific commitments in the areas of relationships, education, housing, health and economic opportunities. It is an important framework to guide future work between governments and Aboriginal peoples. A copy of this Action Plan is available at [www.metisnation.ca](http://www.metisnation.ca).

The Action Plan is also significant because it was unanimously endorsed by all jurisdictions and provides for Métis-, First Nations- and Inuit-specific implementation plans. The Action Plan can now be used by the Métis Nation in order to ensure the federal government and the provinces from Ontario west follow through on their commitments to the Métis Nation and its citizens.

### **A Financial Commitment to Implementation**

In order to implement the agreed to Action Plan, the federal government committed \$5.1 billion over five years in the areas of relationships, education, housing, health and economic opportunities. A chart that provides a detailed breakdown of these investments is available at [www.metisnation.ca](http://www.metisnation.ca). In addition, it is hoped that provincial governments will make additional investments that are consistent with the commitments of the Action Plan.

### **Future First Ministers' Meetings on Aboriginal Issues**

One of the most important commitments at the FMM-AI was the agreement that First Ministers and National Aboriginal Leaders will meet again in two to three years when they are in a position to measure progress.”<sup>1</sup> This commitment ensures that this FMM-AI will not be a “one-hit-wonder” and all jurisdictions will be held accountable for the commitments they made at this FMM-AI.

The next FMM-AI will be an opportunity for the Métis Nation to ensure that the federal government and the provinces from Ontario west live up to the promises to the Métis people. Moreover, it will ensure that the efforts and investments made at this FMM-AI will be sustained and, most likely, expanded in scope at this future FMM-AI.

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<sup>1</sup> Action Plan at p. 11.



## **Agreement on the Need for Métis-, First Nation- and Inuit-Specific Approaches**

Throughout the lead-up to the FMM-AI, the leadership of constitutionally-recognized Aboriginal peoples<sup>2</sup> collectively sent an unwavering message that there was a need for implementation to be grounded on a distinctions-based approach. MNC, AFN and ITK emphatically rejected “pan-Aboriginal approaches” that are often designed by bureaucrats and delivered by organizations that are not accountable to Métis, Inuit and First Nation peoples. In his opening comments at the FMM-AI, Prime Minister Martin acknowledged the need for distinct approaches to guide the federal government’s relationships with First Nations, Inuit and Métis:

Our plan will have to recognize that conditions in the far north are different from those on reserve, that conditions on reserve are different from those in our cities. Our plan will have to recognize the very different issues facing First Nations, Inuit and the Métis Nation – and that the needs of Aboriginal women must not be forgotten.<sup>3</sup>

Consistent with this approach, within the FMM-AI’s Action Plan, one of the key principles for its implementation is “[r]ecognizing and respecting the diverse and unique history, tradition, cultures and rights of the Aboriginal peoples of Canada ... by adopting a distinctions-based approach.”<sup>4</sup>

### **The Prime Minister’s Acknowledgement of the Federal Government’s Fiduciary Duty to all Aboriginal Peoples**

At the FMM-AI’s closing press conference, Prime Minister Paul Martin made several important statements with respect to acknowledging that the federal government has a fiduciary responsibility to all Aboriginal peoples.

I know this, the federal government will not solve the challenges facing Aboriginal Canadians by fiat or decree. We have the prime fiduciary responsibility. It is our responsibility and we will live up to that responsibility in full ... Ottawa has the prime fiduciary responsibility for Aboriginals. These either arise out of the treaties signed by the Crown or, in fact, they arise out of the overall responsibility.<sup>5</sup>

These statements are significant for the Métis Nation due to the fact that, in the past, the federal government has maintained it is only a fiduciary and has responsibilities to Indians living on reserve.

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<sup>2</sup> This includes the Assembly of First Nations (“AFN”), Inuit Tapirrit Kanatami (“ITK”) and the MNC.

<sup>3</sup> Opening Comments of Prime Minister Paul Martin at the FMM-AI. Full text of speech available at [www.pm.gc.ca](http://www.pm.gc.ca).

<sup>4</sup> Action Plan at p. 2.

<sup>5</sup> Closing comments at press conference by Prime Minister Paul Martin at the FMM-AI. Press conference transcripts available at [www.metisnation.ca](http://www.metisnation.ca).



## Specific Commitments the Métis Nation

### Recognition of the Métis Nation

On April 19<sup>th</sup>, 2004, at the Canada-Aboriginal Peoples Roundtable, Prime Minister Martin opened the Roundtable by stating that “[t]here is also no question that we need to strengthen our relationship with the Métis community in Canada. It is time to recognize the contributions the Métis nation has made, and continues to make, to this country.”

Building upon this recognition, on May 31<sup>st</sup>, 2005, the federal governments entered into the *Canada-Métis Nation Framework Agreement*<sup>6</sup> with the MNC. This agreement recognizes the Métis Nation emerged in west central North America with their own language (Michif), culture, traditions and self-government structures. The agreement also recognizes the MNC and its Governing Members represent the Métis Nation in Canada and commits to process to deal with a series of agreed to subject matters, including: developing and establishing negotiation process to address Métis rights and claims, providing support to enhance the governance and electoral capacity of the MNC’s Governing Members, implementation of the *Powley* decision, etc.

At the FMM-AI, the recognition of the Métis Nation, as a distinct Aboriginal people, was a constant. Throughout the Action Plan, the Métis Nation is referred to several times, along with specific Métis Nation commitments. In addition, throughout Prime Minister Martin’s opening and closing comments, he consistently recognized the Métis Nation:

Over the course of our history we have heard this call from all First Nations; from the Inuit and the Métis Nation. Yet for too long we have been only negotiators, sitting across the table from one another. Today we sit down on the same side of the table, as partners. We have taken our rightful places. Now we must begin the hard work together.<sup>7</sup>

Flowing from this FMM-AI, it is clear that the Prime Minister and other First Ministers recognize that the Métis Nation must be dealt with on a government-to-government basis. Rather than governments continuing to use ambiguous terms that provide for no specific recognition of the Métis Nation – we find ourselves on a new course. A course:

- Where governments recognize that the Métis Nation and its legitimate representative bodies;
- That does not allow “others” to hold us back;
- That sees our Governing Members working together for the benefit of the entire Métis Nation; and,
- That is developed, guided and implemented by the Métis Nation.

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<sup>6</sup> A copy of the agreement is available at [www.metisnation.ca](http://www.metisnation.ca).

<sup>7</sup> Opening Comments of Prime Minister Paul Martin at the FMM-AI. Full text of speech available at [www.pm.gc.ca](http://www.pm.gc.ca).



## Creation of Métis Nation-Specific Political Processes and Institutions

At the FMM-AI, specific commitments were made to the Métis Nation with respect to the development of its own institutions in various areas. These commitments are a significant victory for the Métis Nation. They represent a marked departure from the pan-Aboriginal approaches of the past (e.g., Urban Aboriginal Strategy, National Aboriginal Health Organization, etc.) where the Métis often found themselves marginalized and unable to pursue a Métis-specific agenda. Specifically, three Métis Nation-specific institutions were announced:

- *A Métis Nation Multilateral Forum:* The Forum will facilitate discussions between the Métis Nation, the federal government and the provinces from Ontario west. This multilateral forum will advise and support regional Métis processes, assess progress made on FMM-AI commitments to Métis, create linkages across sectors and report to future FMM-AIs.
- *A Métis Nation Centre of Excellence in Education and Innovations:* The Centre will focus on developing educational materials and resources, as well as undertaking research. In addition, where relevant provinces/territories agree, they will work with other Métis groups to develop appropriate education partnerships. Funding for the Centre of Excellence will come out of the federal commitment of \$150 million over 5 years for off-reserve K-12 education supports.
- *A Métis Nation Housing Institute:* The Institute will work towards supporting new Métis social/subsidized housing and increased Métis control over housing in rural, urban, and northern environments; capacity development for Métis housing agencies/providers and assist in the creation of new ones where appropriate; policy development and analysis in support of Métis housing; research and data collection; and developing funding and investment models to support Métis housing. Funding for the Institute will come out of the federal commitment of \$300 million over 5 years for off-reserve housing.

These institutions will be regionally-driven (i.e. controlled by the MNC's Governing Members). The institutions will not build expensive "bricks-and-mortar operations" in Ottawa or run up high administration costs. They will focus on getting the maximum amount of resources into the regions and Métis communities – where the resources are needed most. They will be created and operated by the Métis Nation for the Métis Nation.

Equally important, these national institutions will provide an opportunity for Métis from Ontario west to work collaboratively together to in order to avoid duplication of efforts and costs. For example, rather than all five Governing Members taking a lead in researching an issue, one region may take a lead and share results with others. As well, these institutions will strengthen Métis self-government by creating stable and well-recognized Métis Nation infrastructures that the federal government and other governments will work with in order to address the specific needs of the Métis people.



## Increased Federal Investments in the Métis Nation

Historically, the federal government has taken the legal and political position that Métis are not within federal jurisdiction or responsibility (*e.g.*, Métis are not “Indians” for the purposes of s. 91(24) of the *Constitution Act, 1867*). The federal government claims that the provinces have primary jurisdiction and responsibility for the Métis. The Métis Nation disagrees with the federal position and continues to challenge it in political forums and in the courts. Unfortunately, the result of this ill-conceived position has been a reluctance, on the part of the federal government, to make direct investments in the Métis Nation. Federal bureaucrats and Justice Canada lawyers often warn that making Métis-specific investments could be seen as “compromising” the federal legal position, thereby exposing the federal government to increased costs and liabilities. This positioning has often left the Métis Nation in the position of having neither the federal nor provincial governments addressing its unique needs.

Since taking office, Prime Minister Martin has signaled a willingness to move past longstanding legal and jurisdictional positions in order to work with the Métis Nation in addressing its priorities. The federal Cabinet has adopted a new policy based on making “strategic investments” in the Métis Nation. The effects of this policy can be seen in the Métis-specific investments that are outlined in the Action Plan as well as the increased federal resources dedicated to the “off-reserve” population. The following chart outlines the resources that will be available to Aboriginal peoples living “off-reserve”.<sup>8</sup>

AREA	INVESTMENT
Education (K-12)	\$150 million
Education (Post Secondary)	\$250 million
Early Learning and Child Care	\$100 million
Housing	\$600 million
Health	\$445 million
Relationships	\$90 million
Economic Opportunities	\$188 million
Indicators & Accountability	\$60 million
<b>TOTAL</b>	<b>\$1.883 billion</b>

While it is recognized that the bulk of the investments made at the FMM-AI are still directed to First Nations, the Métis Nation believes that the Métis-specific commitments and significant “off-reserve” investments are a step in the right direction. We also believe that these initial investments are a starting point that can be built upon in order to move towards increased fairness and equity between all Aboriginal peoples.

<sup>8</sup> Presently, it is not known how much of these federal investments will be provided directly to the Métis Nation. Over the next few months, the MNC and its Governing Members will be negotiating with the federal government and working with the provincial governments to ensure the Métis Nation directly and equitably benefits from these investments.



## Specific Investments in the Métis Nation's Priorities

Throughout the Roundtable consultation and FMM-AI planning process, the Métis Nation continued to press the priorities of its members and communities. Just some of these priorities included: access to post-secondary education, Métis child care and early learning, Métis health and wellness approaches, Métis housing, enhancing Métis education institutions. Overall, the Métis Nation was successful in getting several of its priorities addressed.

### Relationships

- *Strengthening the Métis Nation's Policy Capacity:* The federal government has committed to increasing the organizational and policy capacity of the MNC and its Governing Members. A total of \$90 million over the next five years will be made available to Aboriginal groups.<sup>9</sup>
- *Renewal of Métis Tripartite Processes:* The federal government and relevant provincial governments have agreed to collaboratively renew existing tripartite processes in order to better reflect evolving relationship between the Métis Nation and other governments.

### Education

- *Métis K-12 Educational Supports:* The Action Plan includes a commitment to develop and support initiatives to improve Métis educational outcomes within the K-12 public education systems. Initiatives can include stay-in-school programs, literacy initiatives, mentoring and role model programs as well as in-school cultural programs. These initiatives can either be delivered by Métis or delivered by provincial governments in collaboration with the Métis. Overall, the federal government has committed \$150 million over five years to support these types of K-12 initiatives.
- *Métis Access to Post-Secondary Education:* While the Métis Nation was not successful in securing access to the Post Secondary Education ("PSE") program that is available to status Indians to attend post-secondary institutions, it was successful in getting the federal government to agree to create or enhance existing Métis-specific scholarships and bursary trusts. In total, the federal government committed \$500 million to Aboriginal PSE over the next five years. It is expected that, at a minimum, between \$50-80 million of that total amount will go to capital contributions for Métis scholarship and bursary trusts operated by the Governing Members.

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<sup>9</sup> At this time, it is not known the percentage of these resources that will be made available to the Métis Nation, however, it will be the MNC's position that, at a minimum of 30-35% of these resources must be made available to the MNC and its Governing Members aligned with the Métis population's as a component of the overall Aboriginal population as well as the democratic legitimacy of the Métis Nation's governance structures.



- *Enhancing and Establishing Métis Education Institutions:* The Action Plan includes a commitment to enhancing programs and services related to K-12 and transitions delivered by existing Métis educational institutions such as the Gabriel Dumont Institute (Saskatchewan) and Louis Riel Institute (Manitoba) and, where there is agreement, exploring options for the development of new Métis educational institutions. Overall, the federal government has committed \$150 million over five years to support these types of K-12 initiatives.

### **Early Learning and Child Care**

- *Métis-Specific Early Learning and Child Care:* For many years, the Métis Nation has been excluded from federal child care investments made available to First Nation and Inuit people. At the FMM-AI, the Métis Nation was successful in finally overcoming this discriminatory exclusion. The federal government has committed \$100 million over 5 years to support this work with the Métis Nation and other Aboriginal groups.

### **Métis Housing**

- *Métis Housing Partnership Agreements:* There have not been any direct investments in Métis social housing in the last two decades. The FMM-AI's Action Plan commits to “strategic and immediate investment in new Métis housing and in the ongoing maintenance of existing Métis-delivered housing with a view to improving Métis delivery and control of, as well as access to, affordable and social/subsidized housing.”<sup>10</sup> The federal government has committed to \$300 million over five years to off-reserve Aboriginal housing.
- *Métis Nation Housing Institute:* The Métis Nation will be engaging in negotiations with the federal government in order to secure a Métis carve-out of these resources in order to support Métis housing partnership agreements as well as the creation of the Métis Nation Housing Institute. The federal government has committed to \$300 million over five years to off-reserve Aboriginal housing.

### **Health**

- *Métis Health Framework:* The federal government is committed to working with the Métis Nation in order to implement the Métis Health Framework as a part of the Aboriginal Health Blueprint. The federal government has committed \$445 million over 5 years to support this work with the Métis Nation and other Aboriginal groups.

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<sup>10</sup> Action Plan at p. 18.



- *Métis-Specific Health Initiatives:* The Métis Nation was successful in obtaining a Métis Nation allocation out of the \$700 million that was committed to Aboriginal health in September 2004. The details on these Métis-specific health investments are still being negotiated and finalized.

## **Economic Development**

- *Métis Economic Development:* While this sector was not a formal agenda item at the FMM-AI, all parties acknowledged economic development is essential to improving the quality of life of all Aboriginal peoples. Similar to how all jurisdictions agreed to develop an Aboriginal Health Blueprint in September 2005, one of the first orders of business flowing from the FMM-AI is for all parties to develop and engage in consultations to with a view to identifying regionally-based frames that facilitate economic opportunities and partnerships. This work will begin immediately and include distinctions-based processes (i.e. Métis, Inuit and First Nation approaches). The Métis Nation will employ a regionally-based consultation process that engages Métis communities as well as Métis businesses. Additional details on this process will be made available as soon as discussions progress between the Métis Nation, the federal government and provincial governments.