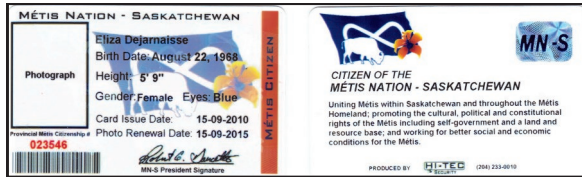


How to register for an MN-S Citizenship card

The Citizenship Registry continues to establish Métis Nation-Saskatchewan as a legitimate third order of government and is vital to the sustainability of its Citizenship.

The objective is to register eligible Métis citizens in Saskatchewan through a secure, efficient, standardized, and objectively verifiable process. This process is fundamental to the integrity of the MN-S, which in turn provides the basis for improving the quality of life for all Saskatchewan Métis people.



There are many great reasons to become a citizen!

- ∞ Keep informed on Métis harvesting, health and environmental stewardship issues;
- ∞ Take advantage of entrepreneurship and educational opportunities;
- ∞ Discover the many student advantages!

More information on the harvesting screening process or to receive a copy of the *Harvester's Guide*, contact:

Brian Favel
Harvesting Coordinator
306-343-8285
bfavel@mn-s.ca

For more information on applying for your MN-S Citizenship card, contact the MN-S Registry at:

Métis Nation-Saskatchewan
406 Jessop Avenue
Saskatoon, SK S7N 2S5
Tel: 306-343-8285
Call toll free: 1-888-203-6959



Harry Daniels
September 16, 1940 – September 6, 2004

Daniels v. Canada What it means for Saskatchewan's Métis people

Harry Daniels, through his leadership, played a leading role in ensuring Aboriginal and treaty rights were recognized in the *Constitution Act, 1982* and, more specifically, in negotiating the inclusion of the Métis people. His contribution is significant and his legacy is still unfolding.



The Federal Court of Canada decision *Daniels v. Canada*

In 1999, the Congress of Aboriginal Peoples (CAP) filed an action seeking clarification of the legal Constitutional status of Canada's Métis and Non-Status Indians. CAP was seeking three Declarations from the Court:

1. That Métis and Non-status Indians are "Indians" within the meaning of the expression, "Indians and lands reserved for Indians" in s.91(24) of the *Constitution Act, 1867*.
2. That the Queen (in right of Canada) owes a fiduciary duty (i.e. the legal obligation of one party to act in the best interest of another) to Métis and Non-Status Indians as Aboriginal people.
3. That the Métis and Non-status Indians of Canada have the right to be consulted and negotiated with, in good faith, by the federal government on a collective basis through representatives of their own choice, respecting all the rights, interests, and needs of Aboriginal peoples.

The Court ruled in favour of CAP as to the first Declaration but felt it was not necessary to rule in favour of the subsequent Declarations as the relief sought through them was automatically provided for as a matter of law once the first Declaration was made.

The Appeal and what it means for the Métis

On February 6, 2013, the Government of Canada appealed the *Daniels* decision, stating: "Given that the Federal Court decision in the CAP/Daniels case raises complex legal issues, it is prudent for Canada to obtain a decision from a higher court. After careful consideration of the decision, Canada has filed an appeal...".

The Appeal means that this matter will be in the Courts for another few years until a final decision is made. As a result, is likely the federal government will continue to deny the Métis the implementation of our rights.

How does the Appeal affect Métis Harvesting in Saskatchewan?

Please note that the *Daniels* decision has no impact on Métis harvesting as it falls under a different section of the Constitution and is primarily under provincial jurisdiction.

Métis Aboriginal rights to hunt and fish are recognized north of the Northern Administration District boundary, including the area from Green Lake to Pierceland. In all other areas of the province, Métis assertions of these rights are considered on a case-by-case basis and are subject to investigation and possible prosecution. See the *Métis Harvester's Guide* for more information, including information on the screening process in place which assists harvesters to prepare their supporting documentation should they be charged:
<http://www.mn-s.ca/harvesting.html>

Here are the most frequently asked questions about Métis harvesting in Saskatchewan:

1. Does the MN-S Citizenship card give me the right to harvest for sustenance?

No. The MN-S Citizenship card is only used for identification purposes to prove your Métis ancestry and ancestral connections to the Métis homeland when approached by a Conservation Officer.

2. Can the old Métis card or a Local card be used under section 35 of the Constitution to exercise a Métis right to harvest for sustenance?

No. If you plan to harvest for sustenance under section 35 of the Constitution, MN-S urges you to obtain a provincial Métis Citizenship card for identification purposes.

3. To harvest on historical land do you need to have community ties to that area?

Yes. The *Powley* case determined that in order to hunt in a particular area, you must be accepted as a member of the modern Métis community in that area which has evolved from an historic Métis community and you must have personal ancestral ties to someone from the historic community.

4. As an individual Métis harvester do I have to buy a tag to hunt with a Non-Aboriginal person?

At present there is no legislation that states you have to buy a tag to hunt with a Non-Aboriginal person. If harvesting with Non-Aboriginal harvesters ensure that they have the required licensing under the applicable law. Note: Your Métis right to harvest cannot be used for the purpose of harvesting for other Non-Aboriginal people or groups.

5. I would like to know if my husband and I can trap and hunt on our own land. He has a trapping license and I am Métis.

Your husband can trap on your family land provided that he has the appropriate license and abides by the provincial regulations. If you are Métis, have obtained the MN-S Citizenship card, live in an area where a court case has been won, and have community ties to that area you *should* be able to exercise your Métis right to harvest for sustenance.

6. Is my Métis right to harvest for sustenance only or can I fish and trap commercially?

Métis harvesting is for sustenance only. In order to fish and trap commercially, you must purchase a license and abide by the provincial regulations.

7. As an individual Métis harvester do I still need to buy a tag to harvest big game or is it covered under my right to harvest for sustenance?

To harvest big game, you must buy a tag.

8. As a registered citizen of MN-S, do I have the right to harvest for sustenance throughout Canada?

No. As a registered citizen of MN-S, your right to harvest for sustenance applies only to the Province of Saskatchewan and only in those areas where rights have been recognized and you have community/historical ties