



## Preliminary Comments from the Métis Nation – Saskatchewan Legislative Proposal Regarding the United Nations Declaration on the Rights of Indigenous Peoples

In this document, the Métis Nation – Saskatchewan (“**MN-S**”) provides its comments on the Government of Canada’s (“**Canada**”) Legislative Proposal Regarding the United Nations Declaration on the Rights of Indigenous Peoples (the “**Draft Legislation**”). These comments are provided with the following caveats:

1. Due to Canada’s condensed timeline, MN-S was unable to complete its internal consultation process with our Citizens on the Draft Legislation. Accordingly, these comments are preliminary and have not yet been reviewed by MN-S’s elected officials (the Provincial Métis Council (the “**PMC**”) and the Métis Nation Legislative Assembly (the “**MNLA**”) or by MN-S’s Citizens.
2. MN-S intends to continue its internal consultation process with our Citizens on the Draft Legislation after submitting the initial comments contained herein. Once our internal consultation process is complete, MN-S intends to submit further comments to Canada from the PMC, the MNLA, and its Citizens.
3. MN-S intends to engage in the parliamentary process associated with the Draft Legislation to ensure that a fulsome and robust view of MN-S’s opinions on the Draft Legislation is provided to Canada and its federally elected officials.

These comments are provided to Canada without prejudice on a privileged and confidential basis.

### A. Overview

Canada has committed to introducing legislation to provide a framework for implementing the *United Nations Declaration on the Rights of Indigenous Peoples* (“**UNDRIP**”). Canada has further committed to developing this legislation in collaboration and cooperation with Indigenous peoples.

Consultations with MN-S took place over a six-week period and consisted of three meetings held in conjunction with the Métis Nation of Alberta (“**MNA**”) and the Métis Nation of Ontario (“**MNO**”). Given the fundamental importance of the full implementation of UNDRIP to the survival and wellbeing of the Indigenous peoples of Canada, including the Métis Nation within Saskatchewan, MN-S regrets that more time and resources were not available to ensure the meaningful consideration of, and consultation with, Métis citizens regarding the Draft Legislation.

As noted above, MN-S will engage with its Citizens on the Draft Legislation through its internal consultation process and will provide the results of our process to Canada once it is complete. To that end, MN-S expects Canada will continue to consult and cooperate with MN-S throughout the



legislative process. Anything less would be contrary to the principles, rights, and obligations that UNDRIP enshrines.

MN-S's submissions consist of two parts: an overview of MN-S's concerns and suggestions with regards to the Draft Legislation and a blackline of MN-S's suggested amendments to the Draft Legislation. MN-S notes that our proposed amendments closely align with those of MNA and MNO

### Overview of MN-S's Position on the Draft Legislation

If the Draft Legislation is to be meaningful in law, it must make clear UNDRIP's role in Canadian law and outline a robust process for the national action plan, annual reporting and monitoring of the national action plan, and ongoing consultation with Section 35, *Constitution Act, 1982* rights-holders ("**Rights-Holders**").

The above can be achieved by:

1. Clarifying the function of UNDRIP in Canadian law;
2. Providing clarity on the mechanics of the national action plan and the commitment to consult with Rights-Holders; and
3. Appointing a third-party with oversight authority to monitor and report on the progress made on the national action plan.

### B. General Comments

MN-S is supportive of UNDRIP and its full implementation into Canadian law, which MN-S considers a significant milestone in our shared history. However, MN-S has concerns with both Canada's consultation process in developing the Draft Legislation and the form and content of the current Draft Legislation. Canada must recognize MN-S's legitimate need to engage our Citizens. The development and implementation process cannot bypass those who will be directly affected by the Draft Legislation.

MN-S has conducted its review of the Draft Legislation through the lens of our traditions, knowledge, and teachings. All aspects of our participation in this process respect our people's culture, laws, practices and traditions, and spiritual practices. We hold Canada to these same standards of respect, transparency, and good relations, as one nation respecting the laws and practices of another nation.

We also emphasize that respect for Indigenous processes and legal structures is an express requirement throughout UNDRIP, particularly at Articles 3, 4, 18, 19, and 20. Our government and other Indigenous governments need to fully consider the interests and needs of Rig

