



Office of the Provincial President

August 17, 2021

Dear Minister LeClair,

Maarsii. Thank you for agreeing to serve the Métis Nation-Saskatchewan (MN-S) as Minister of Justice.

This mandate letter describes the progress made to date in this portfolio and your responsibilities and priorities moving forward. It also outlines how I expect you to conduct yourself as a Minister and work with other Ministers, members of the Provincial Métis Council (PMC), and fellow citizens. As accountability and transparency are the cornerstones of good government, I am making these letters public, so all citizens are informed of how their government is working for them.

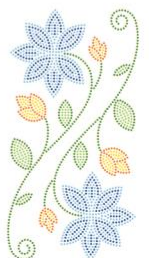
PROGRESS TO DATE

Métis Government Recognition and Self-Government Agreement (MSGRA)

For over 130 years, our people have been fighting for our right to govern ourselves as one of Canada's Aboriginal peoples. Moving the MN-S toward self-government has been a top priority for MN-S leadership since 2017. In February 2018, the MN-S signed a Memorandum of Understanding (MOU) with Canada and, in July 2018, signed a Framework Agreement with Canada that formally outlines each party's commitment to MN-S self-government negotiations. The Framework Agreement also lists priority areas for negotiation, which include land claims, land-related issues, governance, protection of culture and redress of past wrongs.

In June 2019, the MN-S signed the Métis Government Recognition and Self-Government Agreement (MGRSA) with Canada. The MSGRA is a historic document that reflects our proud heritage of democratic self-government and is a momentous step towards reconciliation with Canada. Under the MSGRA, and with respect to section 35, *Constitution Act, 1982*, Canada recognizes MN-S as the government of Métis in Saskatchewan. It also recognizes the Métis Nation – Saskatchewan's right to undertake governance activities such as maintaining our own citizenship registry, drafting and implementing our own legislation, and democratically selecting our own leadership.

As a signatory to the MSGRA, part of our responsibilities is to ensure the MN-S Constitution includes provisions that enhance financial and political accountability and transparency within the MN-S government. Community consultations regarding an MN-S constitutional redraft began in the Spring of 2019. In addition to many community meetings, the MN-S held two workshops on the constitutional redraft and related legislative changes for MN-S leadership at the Métis Nation Legislative Assembly (MNLA) in April 2019 and November 2019. The feedback from MN-S citizens gathered from these sessions has been of great assistance to the constitutional reform team as they draft amendments and legislation to bring to the MNLA for review. Further consultations regarding constitutional and legislative amendments and redrafting will take place before any decisions are made by the MNLA.



In February 2020, the MN-S held a two-day Métis Rights conference where over 400 citizens took part in discussions on Métis self-government and the path forward for the MN-S. At this conference, MN-S citizens discussed aspects of self-government that were most important to the Nation to assist MN-S negotiators moving forward with MN-S self-government negotiations with Canada.

The MN-S is working collaboratively with the Métis Nation of Ontario (MNO) and the Métis Nation of Alberta (MNA), both of which are in the process of implementing their respective MSGRAs. This working partnership has enabled the MN-S to capitalize on lessons learned and exchange information where appropriate, leading to more effective implementation for all.

The MN-S, along with the MNO and MNA, is in negotiations with Canada for funding to support all MN-S core governance activities. In addition, the MNS, MNA and MNO are working collaboratively with Canada to draft federal legislation that will recognize MN-S as an Aboriginal government.

Land Claims

Addressing MN-S land claims and the harm caused by the unjust dispossession of our citizens from their land is a priority for the MN-S. Les Femmes Michif Otipemisiwak emphasizes the importance of land to the Métis Nation in their 2019 *Métis Perspectives of Missing and Murdered Indigenous Women, Girls and LGBTQ2S+ People Report*. It states:

15. Métis women recommend that the federal government, in collaboration with the Métis Nation, ensure that processes are developed to address the exclusion of Métis from the Comprehensive Land Claims and Inherent Right Policies, or any distinctions-based approach that may be developed to take their place.

Specifically, the MN-S has made it a priority to address the 1994 North West Saskatchewan Land Claim (the 1994 Claim). The Framework Agreement names the 1994 Claim, in addition to all outstanding Métis land claims in Saskatchewan, as a priority at the negotiating table with Canada.

In July 2019, the MN-S established a sub-table with Canada to discuss and negotiate all outstanding Métis land claims in Saskatchewan, starting with the 1994 Claim. In February 2020, the MN-S announced \$75,000 for much-needed research and mapping to support this process. This work is critical to moving discussions forward with Canada to settle outstanding Métis land claims.

Hunting, Fishing and Harvesting Rights

The MN-S is committed to ensuring that the harvesting rights of Métis citizens are respected across Saskatchewan. In December 2019 we signed an MOU with Saskatchewan that outlined targeted steps both parties would take to reach a harvesting rights agreement. Since signing the MOU, the MN-S and Saskatchewan have entered into negotiations and will continue to meet until a harvesting rights agreement is formalized.

Île-à-la-Crosse Boarding School

The boarding school at Île-à-la-Crosse was an incredibly dark and painful chapter in our history, and its impact has been felt for generations in Métis communities. The Île-à-la-Crosse Boarding School has caused unfathomable hurt and suffering in our communities, and healing for the survivors, their families and the entire MN-S community is long overdue.

In July 2019, the Île-à-la-Crosse Boarding School Survivors' Steering Committee signed an MOU with Canada, committing to begin exploratory discussions to address the legacy of the Île-à-la-Crosse Boarding School. The MOU outlines processes for information sharing, considering options to inform potential paths to resolve outstanding litigation, and considering the immediate needs of



the survivors. Since signing the MOU, the MN-S has met with Canada almost monthly to explore a path forward that will appropriately recognize the harm brought to both the individual survivors and the MN-S community as a whole.

Sixties Scoop

The Sixties Scoop was a painful and dark chapter in our people's history. Métis children were forcibly taken from their families and adopted out to non-Indigenous families across North America. The relocating of thousands of Métis children from their communities resulted in a profound loss of language, culture and the Métis sense of community.

As Canada has moved to compensate First Nations and Inuit survivors of the Sixties Scoop and establish commemoration and healing initiatives, the MN-S has strongly advocated for similar support for Métis survivors of the Sixties Scoop. The MN-S held an engagement session in April 2019 in Saskatoon to hear from survivors and their families what healing supports will be necessary for them to move forward.

In early 2019, the Métis National Council also completed a report (www.metissixtiesscoop.ca) of Sixties Scoop engagement sessions in Alberta, British Columbia, Saskatchewan and Ontario.

Duty to Consult

The MN-S government is working with its Regions and Locals to ensure the perspectives and interests of all MN-S citizens are considered and incorporated before a plan, policy, development or activity that has the potential to affect Métis Rights is approved within our traditional territories. Since 2019, the MN-S has been actively supporting Northern Region 2's negotiations with NexGen regarding a proposed uranium mine in the Northern Region 2 territory. The MN-S is also assisting Northern Region 3 and Northern Region 1 in negotiations to reach an agreement with Denison regarding a proposed mine in the Northern Region 1 and the Northern Region 3 territories. These processes will ensure Métis rights are protected as the aforementioned proposed projects move through the government's regulatory processes and potentially become operational.

The MN-S is also working to create a Duty to Consult (DTC) Resource Centre that will provide resources and advisory support to the Regions and Locals. The DTC Resource Centre will provide advice, investigate issues on behalf of a Region or Local and assist in responding to project proponents.

As part of the DTC Resource Centre, the MN-S would also like to be advised of any new projects occurring throughout Saskatchewan to track and monitor all potential projects in Saskatchewan. We will be relying on the citizens to advise the MN-S of these projects as Saskatchewan's consultation branch does not currently advise the MN-S of upcoming projects. We have found that if the MN-S does not track these projects, large opportunities are lost for Métis citizens.

Finally, the MN-S is pushing Saskatchewan to establish a respectful process of consultation for our government and our citizens. The current system in Saskatchewan is disrespectful to Métis rights and is fundamentally broken.

Improving Relationships with the Royal Canadian Mounted Police (RCMP)

Historically, the RCMP and Indigenous peoples have had a poor and untrustworthy relationship marked by colonial policies and attitudes. Such policies have impacted Métis communities in Saskatchewan in particular through systematic discrimination.



The MN-S is committed to improving our relationship with the RCMP so that we can work effectively together for the health and safety of our citizens. On August 1, 2019, the MN-S signed a protocol agreement with the RCMP “F” Division to establish a trusting and reciprocal relationship. This agreement recognizes the MN-S as the government for Métis citizens in Saskatchewan and affirms the need for the parties to work together to build stronger and safer communities. The agreement outlines how the parties will work together to deliver culturally appropriate training to RCMP members and avert or resolve conflict.

Judicial Tribunal

Along with the Constitutional Reform process, a component of the MN-S transitioning to self-government is the development of an MN-S judiciary to resolve disputes and mediate disagreements in our communities according to our laws, values and ways of living. The MN-S created a tribunal committee to engage with citizens, as per the 2018 MNLA resolution to establish a Judicial Tribunal. From September to October 2019, the committee held community consultation meetings in Saskatoon, Regina and Buffalo Narrows to hear from MN-S citizens. Based on the feedback from community engagement, the committee and the internal working group has drafted legislation to establish a Judicial Tribunal on an incremental basis and to be presented to the MNLA.

MINISTERIAL RESPONSIBILITIES

As Minister, you are responsible for the following areas:

- Land claim negotiations;
- The legacy of the Sixties Scoop and residential and boarding schools, including at Île-à-la-Crosse;
- MSGRA negotiations;
- Overseeing and providing strategic direction on all MN-S litigation, specifically actions regarding: NexGen, Saskatchewan, and the North West Saskatchewan land claim;
- The MN-S Judicial Tribunal;
- Recognition of Métis harvesting and fishing rights with support from the Minister of Environment;
- Supporting Regions and Locals in major projects, plans, policies, developments or activities where the DTC arises, with the support from the Minister of Environment;
- Relationships with the Île-à-la-Crosse Survivor’s Steering Committee, families of murdered and missing Métis women, female Elders, girls and 2SLGBTQQIA+ persons and survivors, the federal Department of Justice, Public Safety Canada, Crown-Indigenous Relations and Northern Affairs Canada, Saskatchewan’s Ministries of Justice, Government Relations, and Energy and Resources; and
- Legislative oversight and (along with the President) oversight over accountability and governance protocols; and Constitutional Reform.

PRIORITIES

- 4 I expect you to work constructively with your colleagues, members of the PMC, and citizens to deliver on the following priorities:
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- Work towards fast-tracking federal self-government implementation by assisting in the drafting of federal legislation for the recognition of the MN-S government;
- Lead MN-S participation in the work of residential school graves, working with communities, survivor groups, First Nations and others to learn the truths of our lost children. Support for victims and families, commemoration and healing activities will be part of this work;
- Work with the Survivors Steering Committee to address the legacy of the Île-à-la-Crosse Boarding School and secure a commitment from Canada to address the current health and mental wellness needs of Île-à-la-Crosse survivors;
- Support the land claims sub-table and advance discussions regarding the North West Saskatchewan land claim;
- Work with Métis Sixties Scoop survivors in Saskatchewan to provide support and determine appropriate approaches to litigation informed by the engagement sessions in 2019;
- Lead the Constitutional Reform process to update and modernize our *Constitution of the Métis Nation – Saskatchewan* and related legislation to ensure they are grounded on our Métis laws and that we create legislative frameworks which will continue to serve our citizens and Métis Nation as we move towards fully realized self-government.
- Serve as Chair of the Residential School Commission, leading the work of the steering committee to ensure it meets its mandate including the production of a final report with recommendations in one year;
- Continue to strengthen MN-S accountability and governance protocols, in conjunction with other Ministers and the PMC;
- Support the Minister of Women and Gender Equality to engage and develop a plan to be presented to the PMC to address the situation of violence against Métis women, female Elders, girls, and 2SLGBTQQIA+ persons in Saskatchewan. In doing so, respond to the Calls for Miskotahâ from the Métis Perspectives of Missing and Murdered Indigenous Women, Girls and 2SLGBTQQIA+ People Report published by Les Femmes Michif Otipemisiwak. The perspectives of survivors, families, service providers and advocates must inform this work. Please engage Ministers as required to create a comprehensive plan;
- Support the Ministers of Language and Culture & Heritage to come to an agreement with Canada to repatriate the approximately 940 acres of Batoche National Historic Site and create and implement a cooperative management model with Canada to operate and maintain the site;
- Defend Métis Rights by advancing litigation against Saskatchewan, NexGen and any other project proponents, as necessary;
- As a long-term priority, assist in the design of a legislative framework and delivery of child and family programs and services. In particular, over the next year support the Minister of Child and Family Services on expanding consultation on exercising jurisdiction over the design and delivery of child and family programs and services. Your assistance should include engagement on the necessary services, resources and infrastructure required to support this work. I expect consultation to involve citizens, communities, families, youth, advocates, experts, and relevant MN-S departments;



- As a long-term priority, establish a MN-S Judicial Tribunal. In particular, over the next year I expect you to coordinate consultation with citizens, Elders and Regions to inform all draft legislation tabled at an MNLA;
- Work towards concluding a harvesting agreement with Saskatchewan that will protect Métis hunting, fishing and gathering rights;
- Ensure our Regions and Locals are fully supported in plans, policies, developments or activities on our traditional lands that have the potential to affect Métis Rights. To accomplish this objective over the next year, I expect you to:
 - Continue to support Northern Region 2's negotiations in the NexGen Rook I proposed mine and negotiations on the Dennison Wheeler River proposed mine; and
 - Work to create an MN-S DTC Resource Centre that will provide resources and advisory support to Regions and Locals;
- Lead in the developmental plan and contribute to the Federal Action Plan relating to the UNDRIP legislation to ensure a distinction-based approach is utilized in the development and implementation of the plan.

EXPECTATIONS FOR MINISTERIAL CONDUCT

All Members of the Executive must act with honesty and uphold the highest ethical standards in their personal and professional lives. Métis citizens' confidence and trust in the integrity of government is essential. Our Executive Handbook was updated in November 2019 by the PMC. It affirms that all Ministers must adhere to strict standards of conduct guided by the principles of integrity, accountability, responsibility, leadership, respect and openness. I encourage you to routinely consult the Executive Handbook and use it as a guiding resource in your work.

In addition to the roles and responsibilities listed above, there is also an obligation to support and advance the overall priorities of this government. Confidentiality, solidarity and collective responsibility are critical to good governance and must be the foundation of how we work together. Our Executive Handbook outlines the meaning of solidarity. Ministers may disagree and state their personal opinions during private meetings. At the same time, to the public, they must present a unified front on all decisions and support all decisions made by their fellow Ministers. Collectively, Ministers are accountable for these decisions, even if they do not personally agree with them.

All Ministers must work collaboratively with each other and all members of the PMC to establish good communication. We will ensure policies and programs reflect the needs and aspirations of Métis citizens. The unique challenges that rural and urban citizens face are considerations in decision-making. Every attempt should be made to consult with and obtain the views of Members of the PMC, local Presidents, community members, Métis women, youth, 2SLGBTQQIA+ persons, Elders, and other experts.

As we strengthen our working partnerships with First Nations, the Government of Canada and the Government of Saskatchewan, you are expected to conduct yourself in a respectful and



cooperative manner. Delivering success for our citizens requires good working partnerships with external partners and being solutions-oriented.

Our government has zero-tolerance for unethical behaviour. All Ministers are obligated to question any request or decision that they think may be unethical or unlawful. Rules and the proper protocol for addressing alleged breaches can be found in section 7.0 of the Executive Handbook.

As we rebuild our Nation, we know we have a lot of work to do. Part of this journey must include recognizing the devastating impact colonialism and land dispossession have had on our communities, kinship, and governance. Lateral violence is endemic across the Métis Nation. We need to understand how we are going to discard colonial attitudes and re-invigorate Métis laws and ways of living together. In particular, we need to critically examine how we will reinstate the vital role Métis women, girls and two-spirit persons traditionally played in our societies. This work must include addressing and ending systemic violence against Métis women, girls and 2SLGBTQQIA+ persons. We must also continue to ensure equal representation of women in all levels of our government, and that these perspectives and needs be reflected in decision-making.

Our people have fought for over a century for recognition, respect, and our rightful place as a self-determining people. Over the past three years, we have made substantial progress towards realizing the visions of Louis Riel and Gabriel Dumont. From signing the Métis Government Recognition and Self-Government Agreement with Canada, investing in housing, education and economic development, making real progress on the negotiation of the North-West land claim, and strengthening our internal governance, we have made momentous strides in a relatively short time. This year, our communities have faced a significant challenge to our health and safety: COVID-19. We came together to support citizens, deliver PPE and provide critical support for housing, childcare, and Métis businesses. While we must remain vigilant to ensure everyone's safety, we should all be proud of how we have supported each other during such unprecedented times.

Thank you again for agreeing to serve the MN-S and its citizens. I am here to support you in your role as Minister. Together, we will continue to carry the torch of those great leaders who came before us. We can, and we will, succeed in fully realizing the vision of a strong, self-determining, accountable government for all of us as Métis people in this province.

Much respect,



Glen McCallum
President

