



T O W A R D A
**Métis Economic
Development
Strategy**

REPORT 1 | MARCH 2015

Developing the Strategy



1 PURPOSE OF REPORTS

This series of reports sets out some key elements of a long term Métis economic development strategy for the consideration of the Principals of the Métis Economic Development Symposium (MEDS) process. These Principals are the federal Minister of Aboriginal Affairs and Northern Development (AANDC), Aboriginal affairs ministers from the five western-most provinces, and the leadership of the Métis Nation comprising the Métis National Council (MNC), its five provincial affiliates or Governing Members, and the Métis Settlements General Council. The reports respond to the communiqué of these Principals at the conclusion of MEDSII in 2011 for a Working Group to develop a long term Métis economic development strategy and report back to Principals.

2 BACKGROUND

Métis Nation Protocol

The Métis Nation Protocol that was concluded on September 5, 2008 and renewed on April 29, 2013, is the cornerstone of the relationship between the Government of Canada, the MNC and its Governing Members: Métis Nation of Ontario (MNO); Manitoba Metis Federation (MMF); Métis Nation-Saskatchewan (MNS); Métis Nation of Alberta (MNA); and Métis Nation British Columbia (MNBC). The Protocol establishes a process for substantive discussions on Métis Nation priority issues at the bilateral

(Canada-Métis Nation) level where progress has been made on economic development. The Protocol also provides a process for substantive discussions at the multilateral level to include the five westernmost Provinces when they are willing to participate. Economic development is one such area. MEDS Principals have engaged in two Symposiums since 2009 focused on ways to improve economic conditions for Métis people.



*Minister of Aboriginal Affairs and Northern Development
Chuck Strahl and MNC President Clément Chartier sign
Métis Nation Protocol, 2008*

Métis Economic Development Symposium (MEDS)

The first Métis Economic Development Symposium was held in Calgary in December 2009 to discuss ways to promote Métis-specific economic development initiatives at the policy and program levels. MEDS II, held in January 2011 in Vancouver, reported back on the progress made since then on successful approaches to economic development and expanded discussions to focus on strengthening entrepreneurship among Métis women. At the conclusion of MEDSII, following two days of discussions involving MEDS Principals and their senior officials, agreement was reached to establish a Working Group toward the development of a long term Métis economic development strategy. This strategy will consider areas such as: encouraging successful and sustainable Métis entrepreneurship; ways to engage with the private



*President Chartier and Minister of Aboriginal Affairs and
Northern Development John Duncan (centre) joined by
Minister Vic Toews at MEDS II*

sector in economic development; and participation in the workforce.

Regarding the outcome of MEDS II, Métis National Council President Clément Chartier said:

"We've reached the point in our discussions that we are now ready to take the Métis Economic Development Strategy to the next level. MEDS has been a great opportunity to exchange views and build good will with our Federal and Provincial counterparts. Now it's time to get down to develop a long-term strategy and for this, we are keen on engaging private industry."

Private Sector Engagement

The working group evolving out of the communiqué at MEDSII decided that the private sector engagement component of the strategy could best be pursued through a series of regional engagement sessions organized by the MNC. These sessions would explore best practices and collaborative approaches that engage industry and the Métis community in effective partnership, procurement, training and employment activities supporting Métis economic development. They would also explore means by which the federal and provincial governments could support this economic activity. The findings and results of these sessions would then be brought forward to a Métis Nation/Industry Roundtable toward the end of the 2012-13 fiscal year for examination, validation and elaboration.

Prince Albert, Saskatchewan, March 16, 2011

The first of the regional sessions was held in Prince Albert, Saskatchewan on March 16, 2011, sponsored by the MNC and the MNS and moderated by MNC's corporate partner in the sessions, construction firm Leducor Group. The forum brought major corporations active in



Randy Daggit, Vice-President, Mining (speaking) and George Desmairais from Leducor Group

northern Saskatchewan together with the Métis Nation's local and regional leaders, mayors, entrepreneurs and financial institutions, as well as federal and provincial agencies, to discuss procurement, partnerships and community economic development. The forum provided the first opportunity for the major uranium-mining corporations and Métis leadership in the region to discuss their expectations in advance of talks under a recently concluded MOU and featured considerable dialogue among major corporations and Métis entrepreneurs on the keys to success in the procurement area.

Grande Prairie Alberta, March 15-16, 2012

The second engagement session was the Métis Nation Economic Development Summit in Grande Prairie Alberta, on March 15-16, 2012, organized by the MNC, MNA and MNBC. The session put the spotlight on major projects, in particular the Northern Gateway Pipeline, and involved pipeline giants Enbridge and TransCanada as well as oilsands major Suncor. The session identified the critical role played by Métis Nation training institutions such as the Métis Skills and Employment Centre in Abbotsford, B.C. and the Rupertsland Institute in Edmonton in partnering with firms such as Enbridge to ensure that Métis people will be trained for employment in major projects. It also focused participants on and enhanced the prospects for successful negotiation of resource revenue sharing and equity participation

that involve the MNC Governing Members and major corporations in these provinces. The keys to success for Métis procurement by major corporations and government as well as the critical role played by Métis capital corporations in providing the financing to enable entrepreneurs to take advantage of procurement opportunities was also assessed.

Winnipeg Manitoba, March 21-22, 2012

The Métis Procurement Conference in Winnipeg Manitoba on March 21-22, 2012, was organized by the MNC and the MMF's economic development arm, the Métis Economic Development Organization (MEDO), to spotlight the best ways to link the private sector and major corporations with Métis businesses and the Métis labor force, with a particular focus on procurement. As in Grande Prairie, the President of the Canadian Aboriginal and Minority Supplier Council presented ways for the private sector and governments to retool their procurement policies to tap into the potential of Métis suppliers and informed the numerous Métis businesses on hand at both events on how to capitalize on these policies. The conference set out for industry the advantages and means of partnering with the Métis business community and the economic development arms of the MMF that are essential to providing human and financial resources to business ventures.

Vancouver, British Columbia, March 18-19, 2013

The regional engagement session in Vancouver on March 18-19, 2013, was jointly sponsored by the MNC, MNA and MNBC. At the outset of the session, the MNA and MNBC concluded an MOU that will facilitate their cooperation on trans-provincial major projects. The session featured presentations by industry proponents of major projects impacting Métis communities in Alberta and B.C. - Spectra Energy, TransCanada Pipelines, Enbridge and Kinder Morgan. Métis entrepreneurs described the challenges they face in taking advantage of procurement opportunities being opened by these projects. Managers of the Métis skills development institutions in the two provinces honed in on their approaches to connecting the Métis workforce to industry and helping to fill the gap in the western Canadian labor market.

Métis Nation-Industry Roundtable, Vancouver, March 21- 22, 2013

The Métis Nation-Industry Roundtable on Skills, Partnership and Economic Growth in Vancouver on March 21- 22, 2013 pulled together the most promising corporate practices and collaborative approaches in the areas of Métis Nation education, training, employment, procurement and partnerships that could be recognized in the development of a long-term Métis economic



Delegates from Métis Nation of Alberta and Métis Nation British Columbia at Regional Engagement Session, Vancouver, March 18, 2013

development strategy. It focused on and drew participants from the industrial sectors with particular impact on and importance for Métis people: pipelines; power generation; oil and gas; and mining. It also featured a major labour market component with emphasis on how to improve Métis educational and labour market outcomes.

Métis Economic Development Accord between the Government of Canada and the Métis National Council

Further context and impetus for the long-term Métis economic development strategy was provided in the Métis Nation Protocol that was renewed in Ottawa on April 29, 2013 by federal Aboriginal Affairs Minister Valcourt and MNC President Chartier. The new Protocol recognizes that "within



President Chartier and the Hon. Bernard Valcourt, Minister of Aboriginal Affairs and Northern Development, renew Métis Nation Protocol, April 29, 2013

the context of these bilateral discussions and the Federal Framework for Aboriginal Economic Development, the Government of Canada and the Métis National Council have achieved progress that is now directed toward the development of an economic development accord to form a schedule to the Protocol". The same day, MNC President Chartier met with the Prime Minister and Minister Valcourt on Métis economic priorities. Their discussions focused on key elements of a Draft Métis Economic Development Accord between the Government of Canada and the Métis National Council that had been prepared by federal and

MNC officials, with a particular focus on shared priorities and some related strategic investments.

President Chartier encouraged the Prime Minister and the Minister to ensure continued federal leadership in developing a long-term Métis economic development strategy by way of a multilateral accord with the five provinces and the Métis Nation. The new Protocol addressed this matter by recognizing that:

- within the context of multilateral discussions outlined in the 2008 Métis Nation Protocol, the Government of Canada and the Métis National Council and its Governing Members have engaged in a Métis Economic Development Symposium (MEDS) process with the five westernmost provinces directed toward the



President Chartier and Prime Minister Harper discuss Métis economic priorities following renewal of the Protocol

development of a Métis economic development strategy and an accord to form a schedule to the Protocol; and

- the Government of Canada, the MNC and the MNC Governing Members wish to extend their joint discussions with the five westernmost provinces on the development of a Métis economic development strategy and accord..."

At the request of the Aboriginal Affairs Working Group, President Chartier reported on his meeting with the Prime Minister during discussions with the Premiers of the five westernmost provinces at

the COF meeting with national Aboriginal leaders at Niagara on the Lake on July 24, 2013. He asked the Premiers to reaffirm their support for the development of the strategy, as they had done the previous year, and to direct their ministers to work on a document to encompass the interests of all the jurisdictions involved in the development of the strategy. According to the summary notes from the meeting: “Clear reaffirmation was sought from the 5 Western provinces that they will work with the federal government and MNC on a Metis-specific economic development strategy . There was agreement on this matter.”

MEDS III and the Lead-up Validation Sessions:

During 2014, the Government of Canada and the MNC established a Métis Nation Economic Development Action Plan and a Joint AANDC-MNC Workplan on Métis Economic Development to lay the ground for MEDSIII, the signing of a Métis Economic Development Accord, and the adoption of a strategy for its implementation. In early 2015, Minister Valcourt and MNC President Chartier jointly invited MEDS Principals to the third Métis Economic Development Symposium (MEDS III) in Winnipeg on March 17-19, 2015.

In their invitation, Minister Valcourt and President Chartier stated that the Government of Canada and the MNC were expected to sign a Métis Economic Development Accord at MEDS III. The Accord will commit the parties to develop a strategy to implement the Accord’s four priorities over the next five years. These priorities are: Métis business development; Métis participation in major economic and resource development projects; Métis labour force development; and strengthening the role of Métis institutions in advancing economic development.

An important element in the strategy will be engaging the five provinces and industry in the implementation of the Accord’s priorities. In their invitation, Minister Valcourt and President Chartier noted that provincial governments, along with industry, were developing and implementing targeted agreements and initiatives with Métis organizations and businesses. They viewed MEDS III as a venue for sharing these experiences, as well as expanding and updating an understanding of

the unique opportunities and challenges presented by Métis economic development.

In advance of MEDS III, the following series of regional engagement sessions was held for the review and potential validation of the findings and recommendations from the work to date:

- Saskatoon, February 26, 2015
- Edmonton, March 5, 2015
- Vancouver, March 6, 2015
- Fort McMurray, March 11, 2015
- Winnipeg, March 13, 2015



DEVELOPING THE STRATEGY

Key factors figuring in this development of a long-term Métis economic development strategy are:

- historical and legal factors affecting Métis economic conditions and opportunities;
- demographic and socio-economic characteristics of the Métis population;
- existing policy framework (Métis Nation, Canada, five Provinces and industry) for a long-term Métis economic development strategy; and
- findings and recommendations from the regional engagement sessions, the Métis Nation-Industry Roundtable and the validation sessions.



THE HISTORICAL AND LEGAL CONTEXT

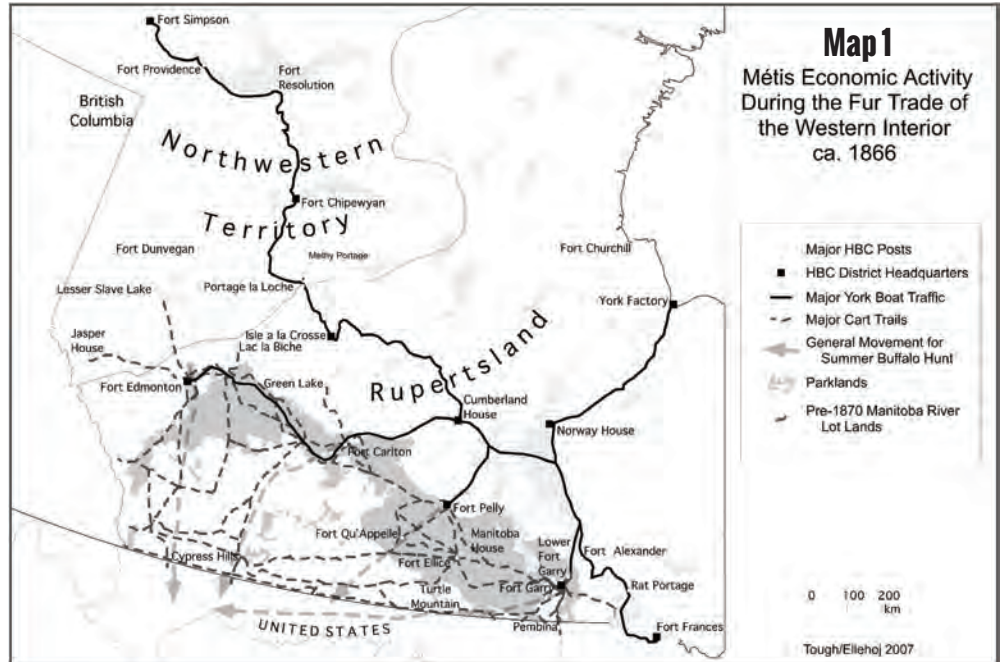
An important element in the consideration of an economic development strategy is the entrepreneurial tradition and spirit of the Métis people. A recurring theme throughout the consultations with the Métis community was the pride Métis people take in the contributions of their ancestors in opening the vast territory of the historic Northwest to political and economic development. It forms an integral part of Métis identity and fuels hopes for capitalizing on current op-

portunities to restore the position of the Métis as a dynamic part of the Canadian economy.

Métis Historical Economic Activity and Land Rights

The Métis were the children of the fur trade, originally the offspring of French or Scottish fur traders and First Nation women. After generations of marrying amongst themselves, they emerged as a new people with a distinct culture, language, and political consciousness on the plains of western Canada in the late 18th century. By all accounts, they were the backbone of the fur trade economy- traders, freighters in Red River carts, boatmen, farmers and provisioners of food to the fur trade posts. (see Map 1)

When Métis economic interests were threatened they resisted: starting with the free trade struggles in the Red River Settlement against the Hudson's

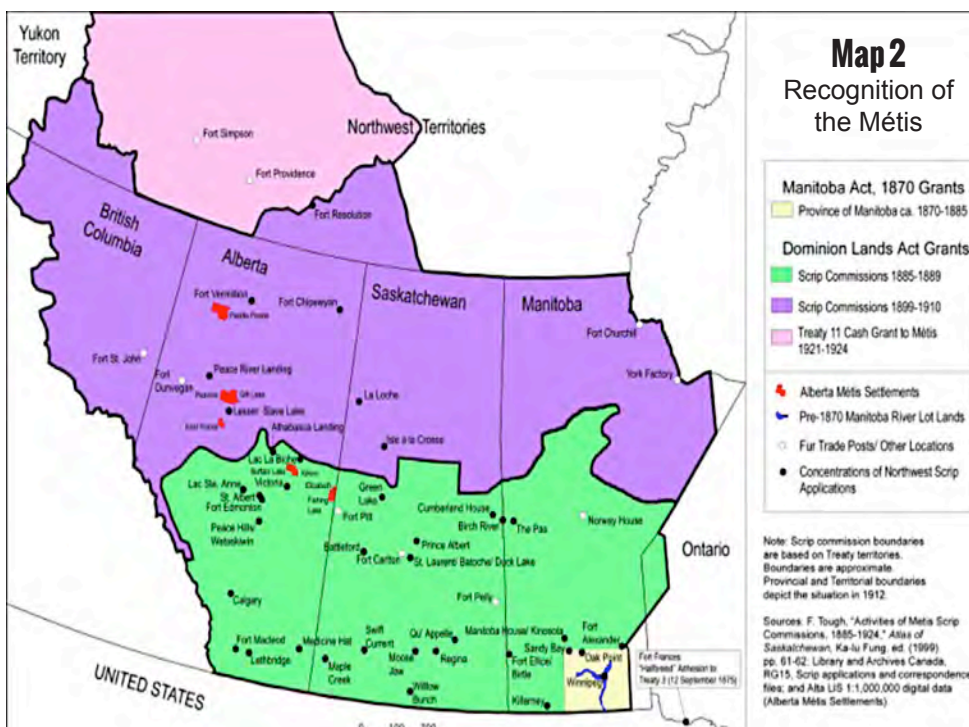


Bay Company monopoly in the first half of the 19th century; and ending in the resistance of Métis provisional governments under Louis Riel to Sir John A. Macdonald's expansionist plans that didn't include them. The failure of federal land grant policies for the Métis under the *Manitoba Act 1870* and the *Dominion Lands Act 1879* and military defeat at Batoche in 1885 left the Métis a landless people. With its transfer of public lands

and natural resources to the Prairie Provinces through the Natural Resources Transfer Agreements of 1930, Ottawa asserted that Métis land rights (see Map 2) had been extinguished.

The Jurisdiction Question

The federal government also asserted it lacked jurisdiction for Métis under section 91(24) of the *Constitution Act 1867*, that the Métis were a provincial responsibility. Therefore during the dire conditions of the Depression, the founders of Métis associations on the prairies had to organize at the provincial level and deal with



provincial governments. Negotiations between the Métis Association of Alberta (today the Métis Nation of Alberta) and the Province of Alberta resulted in the enactment of provincial legislation in 1938 establishing the Métis Settlements, to this day the only Métis land base (1.28 million acres) in Canada.

The federal government began funding the prairie Métis associations in the 1970s albeit on a limited basis; while the Métis were excluded from federal education and health care funding provided other Aboriginal peoples, they were eligible for special housing programs. The *Constitution Act 1982* recognized the Métis as one of the three Aboriginal peoples in Canada but the federal government stuck to its longstanding position on the extinguishment of Métis rights and on jurisdiction. The *Charlottetown Accord* in 1992 included constitutional amendments to establish primary federal jurisdictional responsibility for Métis while safeguarding Alberta's Métis Settlements legislation. A companion document, the *Métis Nation Accord*, committed Ottawa and the five westernmost provincial governments to negotiate self-government and lands and resources with the MNC and its Governing Members but, though approved in principle by the parties, it died with the *Charlottetown Accord* in the national referendum.

CAEDS and Métis Economic Development Capacity

The Mulroney's government's *Canadian Aboriginal Economic Development Strategy* (CAEDS) released in 1989 and related labour market and business development programs did have lasting and positive effects for Métis people. The Métis skills development institutions and capital corporations established during this period would establish a strong track record and consistently rank at the top of federal Aboriginal economic programming. The MNC Governing Members' province-wide platforms for delivering these programs proved to be advantageous in cost-efficiency compared to a multiplicity of local or regional infrastructures.

As the Métis organizations on the prairies expanded their involvement in delivering federal and provincial programs and services, they adapted their governance and corporate structure. They established province-wide one-person one-vote ballot box elections for determining their leadership. This method of direct election was applied to organizations from contiguous regions of Ontario and BC when they were admitted in the 1990s.

The MNC Governing Members also established professionally managed arms-length development institutions to deliver programs and services. This ensured that decisions on the allocation of resources to members of Métis organizations such as training seats, university bursaries and business loans as well as the operation of the institutions would be free of political interference. Though arms-length, these institutions were accountable and reported to the democratically elected leadership of the Governing Members.

Powley

The Powley decision of the Supreme Court of Canada in 2003 confirmed the Métis as a distinct full-fledged rights-bearing Aboriginal people with constitutionally protected harvesting rights. It also restricted the application of these rights to those who could meet a test of objectively verifiable criteria for membership in a Métis rights-bearing community based on ancestral connection to and



Steve Powley (right) following Supreme Court of Canada decision, 2003

acceptance by historical Métis communities. The Powley decision served to validate the membership or citizenship criteria that had been adopted the year before by the MNC General Assembly, the "National Definition of Métis", that would also be included in the constitutions or bylaws of all its Governing Members. Pursuant to Powley, the federal government began funding the MNC Governing Members to register their members and rights-holders according to the objectively verifiable National Definition.

Duty to Consult

In the Haida and Taku River decisions in 2004, and the Mikisew Cree decision in 2005, the Supreme Court of Canada (SCC) held that the Crown has a duty to consult and, where appropriate, accommodate when the Crown contemplates conduct that might adversely impact potential or established Aboriginal or Treaty rights. The Crown's duty to consult and accommodate would play a key role in the negotiation of Impact Benefit Agreements (IBAs), agreements between industry and Aboriginal peoples to enhance the Aboriginal group's level of participation in economic development and environmental stewardship activities related to a project. There would be a positive correlation between involvement in IBAs and the extent of economic development. IBAs were initially concluded with First Nations and Inuit; progress in involving Métis communities lagged behind for a number of reasons.

Firstly, there was a longstanding tendency of industry to ignore or discount Métis interest in the planning of major projects because they lacked a land base, treaties and federal statutory recognition. Secondly, the application of Powley rights would occur through a combination of court cases in all five provinces and negotiated province-wide harvesting agreements between some of these provinces and MNC Governing Members. That process is not complete; where province-wide harvesting agreements are not in place, consultation does not occur in areas where Métis Aboriginal rights have not yet been recognized or will occur on a

case-by-case basis based on the perceived strength of the claims supporting the asserted rights and its potential to be adversely affected. Thirdly, the courts have stated that there is an onus on Aboriginal communities to make their concerns known and respond to ministries' attempts to meet those concerns but often there is a lack of resources for Métis communities to do so.

The lack of progress on consultation and accommodation resulting from the delayed and inconsistent application of Duty to Consult caused frustration in Métis communities, particularly Métis-majority towns in the mid-Canada corridor impacted by increased resource development activity such as those in northwestern Saskatchewan and northeastern Alberta. The Métis IBAs that have been emerging over the last five years speak to the support of Métis communities for these projects when they can effectively participate in them. In the engagement sessions, these IBAs and other collaboration agreements were cited repeatedly by industry proponents and Métis business and community leaders alike as best practices that should be included in a Métis economic development strategy.



Métis Nation leaders following Supreme Court of Canada decision in MMF v. Canada, 2013

The Daniels Case and Manitoba Métis Federation vs. Canada

Further clarification of Métis rights occurred in 2013 with two major court decisions. In the *Daniels* case, a federal court ruled that the federal government has jurisdiction for Métis, a decision that is now under appeal to the Supreme Court of Canada. In *Manitoba Métis Federation v. Canada*, the Supreme Court of Canada ruled that the federal government had failed to implement the Métis land rights section of the *Manitoba Act 1870* in accordance with the honor of the Crown. These decisions will undoubtedly have an impact on Métis economic development prospects. A number of senior representatives of industry proponents of major projects acknowledged the significance of these decisions in the engagement sessions.

Conclusion

The historical and cultural experience of the Métis people going back to their conception during the fur trade era is expressed in their approach to economic development: they are generally pro-growth and pro-development subject to their effective participation in economic activity and major projects. A more rigorous and consistent application of Duty to Consult will stimulate significant economic activity in those rural and hinterland Métis communities impacted by major projects. The resolution of Métis rights should be seen as an engine of, not an impediment to, economic growth.

DEMOGRAPHIC and SOCIO-ECONOMIC CHARACTERISTICS

The long-term Métis economic development strategy takes into account the current demographic and socio-economic characteristics of the 350,000-400,000 Métis people in the five provinces. A snapshot reveals the following notable features of the of Métis population:

- 40,000 Métis in Winnipeg and 28,000 in Edmonton, the largest part of the Aboriginal population in those cities.;
- more likely than the general population to live in smaller urban centres such as Prince Albert (17% of the population), Portage la Prairie (10%), Thompson (10%), Dawson Creek (8%), Kenora (8%);
- one of the most mobile populations in the country;
- a labor force participation rate generally exceeding that of the general population, attributed in part to youthful demographics;
- an unemployment rate, while lower than other Aboriginal peoples, still higher than the non-Aboriginal population, attributed in part to youthful population but also pointing to specific barriers in education;
- education levels higher than those of other Aboriginal peoples but lower than those of the non-Aboriginal population, with Métis overrepresented at the lower end of educational attainment and under represented at the higher end;
- more likely to have completed a Trades or Apprenticeships education than non-Aboriginal people; and
- overrepresented in certain occupations such as sales and service, trades and transport and primary industry and underrepresented in management, natural/applied sciences, arts/culture and healthcare occupations.

Closing the Gap

The opportunities and challenges illustrated in the snapshot were summed up in a recent study undertaken by the Calgary Chamber of Commerce. *Closing the Gap: Partnering for Métis Labour Market Success* describes labour market conditions for Métis in five urban centres on the prairies and identifies strategies for business, government and Métis organizations to improve Métis labour market outcomes through training agreements, employment and other innovative partnerships while improving the bottom line for business. The Chamber concluded:

- the most urbanized of the Aboriginal peoples at about 70%;

The Métis are young, urban and highly mobile. Relative to the broader Aboriginal population, the Métis have better economic, social and health outcomes, making them an ideal source of labor for long term engagement... However, Métis education and labor market outcomes are less positive than those of the non-Aboriginal population.

Competitive Advantages

As noted by the Chamber, Métis demographic trends confer certain labor market advantages to them relative to other Aboriginal peoples. With urban areas at the heart of Canada's shift from an economy based on industrial production to one based on services, the high urbanization rate of the Métis has placed them in a better position to take advantage of economic opportunity. Their high mobility rate allows the Métis to quickly move to economic opportunity and move away from areas with a lack of opportunity, increasing overall labour efficiency. The large number of Métis in smaller urban centres make them a potentially excellent workforce for resource development industries, which often have difficulty staffing their operations in smaller communities, and may explain the overrepresentation of the Métis in trade occupations relative to the non-Aboriginal population.

Competitive Disadvantages

In accounting for the less favorable labor market outcomes for Métis relative to the non-Aboriginal population, the Chamber study pointed to the general rule that, whether Métis or non-Aboriginal, the more

education an individual has the less likely they are to be unemployed. Unemployment rate differentials for Métis and non-Aboriginal individuals disappear for those with a Bachelor degree or higher; in Calgary a Métis with a Bachelor degree or higher is actually less likely to be unemployed than a comparatively educated non-Aboriginal individual. Among those with less than a high school diploma or a Trades or Apprenticeships education, however, there is a significant gap in employment outcomes for the Métis vis-à-vis the non-Aboriginal population.

A Métis individual with a trades education is nearly three times more likely to be unemployed as a comparatively educated member of the non-Aboriginal community. This can be attributed in part to the large number of Métis individuals in "non-designated" trades which lack the same standards and conditions of "designated trades" governed by regulations under the Provincial and Territorial Apprenticeship Acts and make them less marketable to employers. For the Chamber:

This is disconcerting because it suggests there are a number of Métis people with the skills, training and desire to alleviate one of today's most serious labour shortages, yet they are still experiencing difficulty securing employment and fully using their talents. This is a serious issue going forward, as the trades and transport sector is predicted to experience significant employment growth over the next decade.