



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Indigenous and Northern Affairs

EVIDENCE

NUMBER 079

Thursday, October 26, 2023

Chair: Mr. John Aldag



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• (1540)

[English]

The Chair (Mr. John Aldag (Cloverdale—Langley City, Lib.)): I call this meeting to order.

Good afternoon, everyone. I'd like to welcome you to meeting number 79 of the Standing Committee on Indigenous and Northern Affairs.

We acknowledge we meet on the unceded and traditional territory of the Algonquin Anishinabe peoples.

We're meeting today in hybrid format, as allowed under the Standing Orders. To members participating virtually, you know the drill. I'm not going to spend time on it. We want to hear from our witnesses.

We're going right to our witnesses for opening statements. Before we do that, though, I want to introduce and welcome our panel.

We're going in alphabetical order today. Starting with the Métis Nation of Alberta, we have Andrea Sandmaier, president, who is joined by Audrey Poitras, former president.

From the Métis Nation of Ontario, we have Margaret Froh, president. We also have Mitchell Case, regional councillor, Region 4, Métis Nation of Ontario.

Last but not least, we have Métis Nation-Saskatchewan's representative, Michelle LeClair, vice-president.

Welcome to each of you. I know you've waited a long time to join us at our committee.

We're going to give each of you five minutes for your opening statements. I have a handy card system here. When there are 30 seconds left on the clock, I'll show you the yellow card. When the time is up, I'll show you the red card. Don't stop mid-sentence. Wrap up your thought. It will be the same when we get into the questions. It's a way of keeping things flowing without my having to jump on the microphone to interrupt you. Look up once in a while. I'll ask the members to do the same thing. I'll keep track of the time. I'll give you the flag when it's time.

If you're ready, Ms. Sandmaier, and if you're doing the opening statement, the floor is yours.

Ms. Andrea Sandmaier (President, Métis Nation of Alberta): Is my mike on?

The Chair: Just so you know, we have a team to look after turning your mikes off and on—

Ms. Andrea Sandmaier: Okay.

The Chair: —in the room, so you don't have to touch anything. Just wait until the red light comes on; then you're good to start talking.

Ms. Andrea Sandmaier: Thank you, Chair and members of the committee.

I am Andrea Sandmaier. This September, I had the honour of being the first person elected as the president of the Métis Nation of Alberta, the MNA, under our new constitution, the Otipemisiwak Métis Government Constitution.

“Otipemisiwak” is the Cree name for the Métis people. It means “the people who own themselves”, “the people who govern themselves”. No sentiment could better capture the spirit of Bill C-53. It is a bill to recognize who we are: a self-governing people.

In September, MNA citizens elected new representatives under our new governance structure and constitution. We did this because we are a self-governing nation, and our signed agreements with the Government of Canada recognize that.

Bill C-53 implements our agreements and protects them. It ensures our Métis governments are equipped to support our citizens. Self-government means that we decide for ourselves how to best support Métis in Alberta. We decide what our housing and health programs look like. We decide how to help prepare our young people with world-class education and training. We decide how to support our elders as they age and we decide how to move forward together.

Only through self-government will the voices of Métis people truly be heard. This is why Bill C-53 must be passed.

Our Métis ancestors were determined to govern themselves and to protect our traditions, values and truth for generations to come. They fought back against Canadian expansionism and the fraudulent scrip system that dispossessed our families and communities of our lands, and they defended Métis identity, lands, our way of life and our rights.

Over generations, the Crown made promises to our ancestors, but those promises were quickly broken, and our rights were denied and ignored. Nevertheless, we persevered. We came together, held democratic elections and built our self-government structures. Today the Métis Nation of Alberta is a democratic Métis government that represents more than 61,000 registered citizens.

We continue to come together to defend Métis rights and to advance our collective interests. We have built a province-wide service delivery system to help meet the needs of our people, yet we have always struggled to have Canada recognize us for what we are: a Métis government. Passing this legislation will provide that recognition. It is reconciliation in action. This historic step forward is long overdue.

Our section 35 rights as indigenous people are not a zero-sum game. The advancement of self-government and section 35 rights of one nation do not come at the expense of any other indigenous nation, and, more importantly, the legislation expressly applies only to the MNA, the MNO and the MN-S. The legislation does not impact the rights of other indigenous people, including other Métis.

We know that when one nation advances, it sets the path for all of us to move forward. The passage of Bill C-53 doesn't affect anyone else, but failing to pass Bill C-53 will hurt Métis people and the advancement of indigenous rights across the board. This is true for the Métis nation today. We deserve to advance in reconciliation, just like all other indigenous people.

Over the past 15 years, Parliament has passed all other indigenous self-government implementation legislation with all-party cooperation. It is our hope and expectation that Bill C-53 will follow the same path.

I want to thank Minister Miller for bringing this legislation forward, and his successor, Minister Anandasangaree, for continuing this critical work and relationship.

Last November, over 15,000 Métis citizens in Alberta voted for self-government, and we adopted our Otipemisiwak Métis Government Constitution in the largest indigenous ratification vote in Canadian history. At that moment, a new chapter began for the Métis Nation of Alberta, and with this legislation a new chapter begins for Métis across Canada. Together, we can finally put an end to Canada's denial of the Métis as a self-governing indigenous people. Today we are asking for your support in passing Bill C-53.

• (1545)

Thank you.

The Chair: That was perfect timing. Thank you so much.

We'll now go to Ms. Froh.

When you're ready, the floor is yours.

• (1550)

Ms. Margaret Froh (President, Métis Nation of Ontario): Thank you.

[*Translation*]

Good afternoon, everyone.

[*English*]

Thank you, Chair.

Thank you, committee members.

My name is Margaret Froh, and I am the democratically elected president of the Métis Nation of Ontario, or MNO.

I will start by acknowledging that we are on the unceded territory of the Algonquin Anishinabe.

For over two centuries, Métis communities in what is now Ontario, along with other Métis communities throughout the Métis nation homeland, have stood up and asserted our peoplehood, our distinct collective identities and our rights as Métis. Within Ontario, Métis petitioned at Penetanguishene as early as the 1830s to have their rights and interests recognized. In 1849, Métis from the Sault Ste. Marie region joined with the Anishinabe to push back against Crown mining licences being issued in their shared territories, which led to the well-known Mica Bay uprising.

In 1875, the half-breeds of Rainy Lake and Rainy River asserted their rights and ultimately entered into an adhesion to Treaty No. 3. Métis living in locations such as Nipigon, Moose Factory and Mattawa petitioned as well. These Métis assertions were met with Crown indifference, denial and neglect. However, our people have always persevered. We did not go away or simply disappear.

It has been more than 40 years since section 35 of the Constitution was established, which recognized and affirmed the aboriginal and treaty rights of the Métis. For MNO, this year marks the 20th anniversary of the Supreme Court's landmark Powley decision, which remains foundational for Métis rights assertions right across the Métis nation homeland. The Sault Ste. Marie Métis community continues to be the only Métis community in Canada to have its rights recognized by the Supreme Court.

Bill C-53 is about more than Canada finally recognizing in law that the MNO is a Métis government and that the Métis communities represented by the MNO hold the inherent rights of self-government and self-determination. It's also about improving the lives of Métis children and Métis families and communities in Ontario, and right across the Métis nation homeland.

The inherent rights that this legislation enshrines are human rights. However, because of Canada's historic denial of the very existence of the Métis people and our communities, we've seen our people fall through the cracks and not enjoy the same quality of life as other Canadians. Canada's denial and neglect have resulted in our history and our communities not being as well known as they should.

Bill C-53 begins to reverse this colonial legacy of denial. It's the foundation needed for real and meaningful steps forward on the path to reconciliation, and it will have positive and tangible impacts on our communities, on our people. This includes the ability for Métis governments to finally have a say over what happens to Métis babies and children, and also over creating our own systems to take care of our families, which is something indigenous people across Canada have been pursuing for decades. We will finally be able to design programs and services that meet the actual needs of our citizens. Bill C-53 will enable us to make those choices, not the Crown.

I want to emphasize that Bill C-53 applies to only the MNO, the MNA and the MN-S. Bill C-53 does not impact the rights of other indigenous peoples in any way, including Ontario first nations. I want to acknowledge there have been concerns raised by some first nations about this legislation and to reassure you that the MNO has been working hard to dispel the myths and false information that have been spread about this bill.

We ask this committee to ensure that it remains focused on what the bill actually does and says, and not on the myths or the rhetoric, the anti-Métis rhetoric, being advanced by some.

Similar to other indigenous self-government legislation that Parliament has passed, Bill C-53 is only about matters that are internal to our Métis self-government, so it's about our Métis citizenship. It's about Métis elections, Métis government internal operations, and Métis child and family services. It recognizes that no one other than our Métis citizens and communities should have a say over these internal self-government matters.

Bill C-53 truly is reconciliation in action. It was co-developed with our governments and Canada, and it was introduced in Parliament with our full support. We do not seek any amendments or changes to the bill, and we ask that it be passed quickly by this committee, consistent with how other indigenous self-government legislation has been considered.

All we are asking is that Métis be respected and be treated fairly and consistently by this committee, and that we be supported in our journey of self-determination and self-government. Reconciliation with all Canada's indigenous peoples is Parliament's goal.

• (1555)

Now is the time for Parliament to take a clear step forward to achieve this goal, hand in hand with the Métis, and pass Bill C-53.

Thank you, and I welcome your questions.

The Chair: Thank you.

Ms. LeClair, we will go to you for your five minutes. The floor is yours when you're ready to start.

Ms. Michelle LeClair (Vice-President, Métis Nation-Saskatchewan): *Tansi, edlanat'e*, and good afternoon.

I am Michelle LeClair. I am the vice-president and minister of justice for the Métis Nation-Saskatchewan.

I am honoured to be here today to talk to you about Bill C-53. As a Métis leader, I know I am indebted to the leaders who have come before me, and some of you know of them, the late Jim Sinclair and

the late Harry Daniels, among many others. Some of my earliest memories are of those leaders fighting for the recognition of our rights. Forty-one years ago, section 35 included Métis, first nations and Inuit people. One of the people who fought for those rights was Harry Daniels.

They fought for the recognition of our rights: our right to self-determination, our right to self-government, our right to raise our children and our right to thrive as a nation, the Métis Nation of Saskatchewan. Generation after generation, our leaders sacrificed everything to get to this point, and our government will work tirelessly to see this through. Our section 35 rights must be honoured and recognized.

As representatives of Canada around the table, you do not grant us those rights. These rights are inherent rights, and they were given to us by the Creator and by those ancestors who fought—and many died—to ensure that we had those rights. It is the duty of the Crown to recognize and uphold them. For more than 150 years of colonialism and oppression, our communities were divided and scattered, and still our people remained strong and united.

This is what many fail to grasp about Bill C-53. The Métis, of course, according to the Canadian Constitution under section 35, are one of the indigenous peoples. These three peoples have rights, and they always have. There is no hierarchy of rights or peoples in section 35. There are the first nations, the Métis and the Inuit. We are all equal under the law.

Canada must recognize our rights and negotiate with each of us in good faith. This is your duty. Mine is to sit here and remind you of your duty. I also want to remind you that section 35 is a full box of rights. It isn't up to other people to determine what those rights are. You don't get to pick our rights or choose the rights that we or other aboriginal peoples get; these are inherent rights. We all get the same recognition. We are all on the same footing.

Legitimate rights holders should not be pitted against one another. We would not tolerate it if this was attempted with our first nations and Inuit relations. All of you who represent Canada are bound to the honour of the Crown. It's your responsibility to build bridges and to create opportunities for everyone to thrive, not to divide and conquer.

To that end, we know that first nations in Ontario have voiced opposition to this legislation, and we acknowledge this. The MN-S has consistently advocated a process to defend the integrity of our nation. We have championed and advanced to all Métis nation governments an independent panel that would look at the root issue. This expert panel is our way, the Métis way, to address this in a responsible, transparent and objective way.

I am confident that the expert panel will shed some light on the concerns that Ontario first nations have. I am hoping that the chiefs of Ontario will attend, become part of that process and express their concerns to the panel.

• (1600)

I also encourage Ontario first nations to raise these issues with Canada.

During the treaty consultation process, all three treaties—MNA, MNO, MN-S—will be negotiated independently, and it's there, through that process, that the duty to consult will be triggered. MN-S is committed to ensuring that all impacted parties are consulted when we're negotiating our treaty. We assume that MNO and MNA will do the same.

The treaty process is Canada's venue to hear these concerns. Ours is in our expert panel. I encourage Ontario first nations to utilize both fully.

The venue for these concerns is not here, not regarding Bill C-53. Our legislation doesn't trigger the duty to consult. It lays the path to treaty-making and for Canada to finally recognize what we have always known.

We have never stopped and will never stop defending our rights, generation after generation. In this moment, I feel within me all of the lessons I've learned and every blood memory passed down to me from each of those leaders I talked about earlier. They prepared us for this moment. I promised them and our people that I will never stop until our rights are recognized.

Bill C-53 is your chance to build a lasting relationship, a nation-to-nation relationship, with Métis Nation-Saskatchewan. We're ready for this. The question is, are you?

The Chair: Great. Thank you to each of you for your opening statements.

Now we're going to get into the discussion.

There are a couple of things I'd like to mention. Again, it's the same thing. I'll keep track of time and give a warning when there are 30 seconds left and when time is up, so we can move to the next round of questions.

Ms. Idlout is able to speak in her home language, so when it's Ms. Idlout's turn, have your translation available if you need it. We are really proud that we're able to do this. When we have indigenous witnesses, if we can accommodate any other languages, we try to do that as well. I'm really proud of the work that this committee is doing on that front.

I would now like to start with Mr. Vidal, who has the floor for six minutes.

Mr. Gary Vidal (Desnethé—Mississippi—Churchill River, CPC): It's actually Mr. Schmale.

The Chair: Okay. We'll go with Mr. Schmale.

When you're ready, I'll start the clock.

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Thank you very much, Chair.

Thank you very much to our witnesses for appearing today, and to those in the audience here. This is a very important topic. I think we will all look back in the history books and say that we were in this place when these discussions and the conversations were happening around this piece of legislation.

Maybe I'll start first with the last comment made by Vice-President LeClair around that piece on consultation.

As you said, you're doing self-government. This piece of legislation focuses in on Saskatchewan, Ontario and Alberta only, so it doesn't quite trigger consultation. As you pointed out in your opening remarks, the second part does, and that part focuses around the treaty.

To get clarification—and it doesn't matter who answers—when the treaty part happens at some point, which will then trigger the consultation, does it have to come back to Parliament for ratification, or would it be a Governor in Council sign-off? It's something that I want to get confirmation on, because we are getting conflicting reports on it.

Ms. Margaret Froh: I'd like to thank the chair and the honourable member for the question.

I would agree with you completely. This is a historic day, and so we're happy to be here.

In terms of the treaty, at the point where we're negotiating the treaty, as Vice-President LeClair was saying, if there's anything in that treaty that would impact the rights of any other indigenous peoples, the duty to consult and accommodate would be triggered, and Canada would be held to that standard. We would expect Canada to stand to that standard.

Bill C-53 is not the treaty, and I think that's important to say. When we're focusing on Bill C-53, we're talking about what's before us today. It's the legislative cradle for future agreements, including the future treaty.

I think your question around exactly what the process would be in terms of treaty and how that moves through the federal process is probably best addressed to the minister, who would be able to give you the proper response on that. I would come back to the fact that Bill C-53 itself is not a treaty. It speaks to a future treaty and it will become the cradle for that treaty when it comes.

Again, it focuses on those matters that are internal to our three Métis governments: our citizenship, how we elect our leaders, how we govern ourselves, how we take care of our children. As such, there is no duty to consult.

• (1605)

Mr. Jamie Schmale: Just so I don't leave anyone out, is there anyone else who wants to respond to that? We will definitely ask the minister and departmental officials, but, to clarify, if this legislation passes—I'm not saying with no amendments—and then the treaty process consultations would happen and take however long they would, is it anyone else's understanding that we would need parliamentary approval to approve or reject any treaty that would come after that?

We are getting reports from organizations saying no, but I want to hear clarification if anyone here can give it. We'll ask the department officials when they come in too.

No one else wants to respond?

We will follow up with the departmental officials, then.

President Froh, I'll jump to you.

There were some concerns—and I'm sure you know about them, since you've been reading the same news we all have—from the Ontario chiefs on the issue of membership. They've raised a few concerns around membership, specifically with respect to the way some memberships are being approved, if you will.

As you know, the Indian Act gives the government control over who belongs to a first nation, or who has status, but Métis organizations approve their own members. There was some criticism around how you deal with your membership. Maybe you want to address that so we can flesh that out.

Ms. Margaret Froh: Thank you for the question. I'm sure my colleagues may want to jump in on this as well.

The Métis Nation of Ontario, the Métis Nation-Saskatchewan and the Métis Nation of Alberta all follow a national definition. We each have very strong registries, and the process to apply for citizenship is very rigorous. We take that very seriously. In fact, we take it so seriously that in Ontario recently, our citizens' assembly, after a multi-year independent review of our registry, determined that there were some 5,000 citizen files on people who achieved citizenship without meeting the criteria over the course of the last 30 years, perhaps before we had a national definition and resources for our registry, so we've resolved to remove those 5,000 citizens. That's how seriously we take the issue of citizenship.

We don't have buses that roam around the province. That's another piece of information some have thrown out there. We have a very rigorous registry process, a very professional registry, and we determine who belongs. I think that's the important part of Bill C-53: Indigenous peoples have the right—this is part of UNDRIP as well—to decide who belongs. Bill C-53 respects our Métis government's right to determine citizenship, and we do that through a rigorous process.

Mr. Jamie Schmale: I have seven seconds, so I'll save the rest for—

Oh, Ms. LeClair wants to respond.

Ms. Michelle LeClair: I do, if you don't mind.

Thanks for the question, Jamie.

Just as Margaret talked about, our citizenship and our registry are transparent. She used the word “rigorous”. It's our right, and that's part of what this bill is about. It's our right to determine our membership. On the questions that Ontario first nations might have, I think it's an important point that, number one, we have this expert panel that is already active. They have an opportunity to bring that to us at the Métis National Council and to express their concerns about whatever it is, whether it's citizenship or whether they think there's going to be some land on which there's infringement, and all of that. We would love to hear what their concerns are, because there hasn't been talking back and forth for whatever reason. Bring those concerns there, and in the Métis way we will deal with that.

• (1610)

The Chair: I'm sorry, but I'm going to jump in.

We're about a minute over and we have lots of time. There may be a chance to come back to this.

Ms. Michelle LeClair: I just want to finish my thought.

The Chair: I'm sorry, but perhaps you could conclude so that we could move on to the next questioner.

Ms. Michelle LeClair: The other point I would make is that we're in a legislative process; we're not in treaty making right now. At this time, there is not a trigger on duty to consult.

I'll end with that.

Thank you very much, Chair.

The Chair: Thank you.

I apologize for cutting you off.

Ms. Michelle LeClair: No worries.

The Chair: I just need to keep the conversation going.

We're going to go now to Mr. Battiste.

Mr. Jaime Battiste (Sydney—Victoria, Lib.): Thank you for that, Mr. Chair.

I'd also like to acknowledge all of the Métis leaders gathered in this room for this historic day who are here sharing this day with you.

I know that in September we celebrated 20 years since the Powley decision. I'm wondering if you could share with this committee what Powley stated and what Powley was about, as well as how the Powley case defined who was Métis.

Ms. Margaret Froh: Thank you, Mr. Chair, and thank you, honourable member, for the question.

Yes, it has been 20 years since we brought forward Powley. Powley was actually part of.... The entire Métis nation and all of our governments were defending our citizens in the courts to try to get a case to go all the way to the Supreme Court so that we could finally get a decision on the issue of Métis rights. That decision was Powley, and on September 19, we marked the 20th anniversary. All of our Métis governments right across the Métis nation were united on this. We brought it forward together.

Also, in advance of going to the court, the Métis nation actually determined a national definition. We said to the Supreme Court that it's up to the nation to decide, and not the courts. Stay out of that. What the court did was say, yes, there is a Métis community in Sault Ste. Marie and it does have rights, and the court set out a test to prove Métis rights that is still the test in Canada today. In fact, Sault Ste. Marie, as I said earlier, remains the only Métis community that's recognized by the Supreme Court with section 35 rights.

Effectively, what it did was to say that in order to have Métis rights, you need to identify as a Métis person as distinct from other indigenous peoples. You need to show distinct Métis ancestry, and you need to show that Métis ancestry within historic Métis communities. That's because Métis rights are collective rights. They're all about those historic communities.

Therefore, coming out of Powley there was finally that clarity. That's been the foundation that's been used to negotiate harvesting rights in Manitoba and Alberta. It's been the foundation for Métis rights cases right across the Métis nation homeland. It provides clarity.

Mr. Jaime Battiste: Thank you for that.

Would you say that the definitions of all three—MN-S, MNA and MNO—of who is a Métis are consistent with Powley?

Ms. Margaret Froh: Absolutely. With all of our registries, the criteria that we apply are consistent with Powley, and as such, our Métis governments represent, as per the Constitution, rights-bearing Métis people within our respective jurisdictions.

Mr. Jaime Battiste: Thank you for that.

There's been a lot of talk about this being the first step for Métis. I was listening to the discussion yesterday and the ceremony for the Saskatchewan Métis, and you said that this is a historic starting place and that we have a lot more to do as a government to get fulfillment of Métis rights.

My understanding of Bill C-53 is that this is all about internal governance that's for the Métis, and nowhere does it mention land or resources. Also, nowhere in Bill C-53 does it recognize that any parts of lands or resources would be in jeopardy or trigger a duty to consult. Is that your understanding as well?

Ms. Michelle LeClair: Yes, absolutely. It really is talking about our own right to govern ourselves and the right to take care of our kids and our families.

Just as an aside, we have so many Métis kids who are lost in the system or have aged out of that system and have no idea who they are or where their communities are and so on and so forth. These are really important issues, but they are governance sorts of issues.

The bill doesn't touch issues of land, any kind of ceremonial rights or any of those kinds of things. It's really the starting point.

We are a self-governing people, as I said before. It's doing the right thing. It's the acknowledgement by the federal government that we have that right through legislation, and it affects literally no one other than our communities and our people.

● (1615)

Ms. Andrea Sandmaier: I'll add to that and say again that the legislation does not talk about resources. It does not talk about land. It is about us. It's about our governance structure, our citizenship, our operations and our children, as Vice-President LeClair said, which is very important to all of us. It does not at all talk about resources or land.

Mr. Jaime Battiste: Some of the concerns that have been raised are that there are no numbers for how many people are currently registered under the MNA, MNO and MN-S.

Do you guys keep a registry? What is that registry number at?

Ms. Andrea Sandmaier: For the Métis Nation of Alberta, we have over 61,000 citizens registered.

Ms. Margaret Froh: For the Métis Nation of Ontario, again, we all have very professional registries. Within the next two weeks, it will be approximately 27,000 registered citizens. Currently, it is around the 31,000 or 32,000 mark.

Ms. Michelle LeClair: Thanks for the question. We have around 30,000 registered Métis citizens in Saskatchewan.

Mr. Jaime Battiste: Is there any reason to believe that Bill C-53 would create a ballooning or huge expansion of those numbers? Some of the fears are that it could be as much as 500,000 to a million people all of a sudden signing up. Is there any legitimacy to those arguments?

Ms. Michelle LeClair: I don't see that happening. For example, if you look to Stats Canada, you see that there are about 80,000 people who have self-declared in Saskatchewan—

Mr. Jaime Battiste: Michelle, because I have run out of time, could I get a yes or no?

Ms. Michelle LeClair: No.

Ms. Andrea Sandmaier: No.

Ms. Margaret Froh: I would agree, as well.

The Chair: Thank you.

We'll go now to Madam Gill, who will have six minutes.

[Translation]

Mrs. Marilène Gill (Manicouagan, BQ): Thank you, Mr. Chair.

I'd also like to thank the witnesses. I'll try to leave each nation two minutes to answer my question. I know it's a difficult question, but I have to play devil's advocate.

Ms. Froh, you talked about myths, misinformation, and also about rhetoric that should be deconstructed. I'm picking up on your earlier comments. I think you could be a spokesperson for all the people here today.

I'd like to hear comments from each of you because, basically, this is your space. You talked about inherent rights, which I acknowledge. Still, there are people who oppose the bill. What would you say to them about this misinformation, myths and rhetoric?

Ms. Sandmaier, would you like to begin, before turning the floor over to Ms. Froh and then Ms. LeClair? If you don't mind, I'll let you know when your two minutes are up. Unfortunately, we don't have a lot of time. Please don't hesitate to follow up later with any additional information.

[English]

Ms. Andrea Sandmaier: I'll just say something that we've said over and over in all of our opening remarks—Bill C-53 is about us. It's about the Métis Nation of Ontario, the Métis Nation of Saskatchewan and the Métis Nation of Alberta. It is about our governance structure. It is about our citizenship, our electoral process and our children. It is about no one else but us. Thank you.

Ms. Margaret Froh: Thank you for the question.

Yes, again, I would reiterate that there's been a lot of rhetoric and there's been a lot of misinformation, I think, from the very basic point around the denial of Métis communities existing.

That is a fact within this country. It's a fact certainly within Ontario. In fact, that's the law within Canada. To simply make a statement that Métis communities don't exist or to have the misunderstanding on the impact of this, when clearly it is focused only on our internal governance and there is no impact on any other people is the type of misinformation.... There are many examples of that.

I think it's important to come back to just how important Bill C-53 is. We've been waiting for it for over 200 years. We've been fighting for that recognition of rights. We secured that, in fact, 20 years ago, yet here we are again having to debate with people the question of whether or not we even exist, let alone if we have rights.

We don't want to go backwards. We are looking forward, and particularly we're looking forward to the future for our children.

• (1620)

Ms. Michelle LeClair: I would echo what my colleagues said.

I think, when bills come forward, you're always going to hear misinformation and that sort of thing. The fact of the matter is that Métis people have inherent rights to self-determination, to govern ourselves and to take care of our children. We're not asking to take care of other people's children. We have those rights, as I said earlier. Those rights don't come from here or from out there. They come from the Creator and the people who fought. Many died for us to get to this point. We have to remember that.

The other important point we have to remember, always, is that we are one of the three indigenous peoples in the Canadian Constitution. That is our law. To say, "Well, you know what? I like the first nations. I think I'll deal with them in good faith. For the Inuit, it's the same thing." What about the Métis? Where is the good faith? Where is the honour of the Crown?

We're listening to all this stuff happening. I believe everybody has the right to speak and have free speech, the right to demonstrate

and all of that. At the end of the day, as we sit here and look at that legislation—and I know you've all looked at it—it doesn't affect anybody's rights but our own.

[Translation]

Mrs. Marilène Gill: Ms. Sandmaier, you seem to have something to add.

[English]

Ms. Andrea Sandmaier: We also said, in our comments, that this is reconciliation in action.

For my late elder Francis Dumais, the word "reconciliation"... He was a Cree speaker. There was no word in Cree for reconciliation. He always talked about setting things straight. "It's time for the government to set things straight." It is. Sadly, we lost him last year. He was a leader in the Métis Nation of Alberta. He was a mentor, an elder and a friend. I wish he could be here today, but I know he's watching.

Thank you.

[Translation]

Mrs. Marilène Gill: I can use the balance of my time later, Mr. Chair.

Thank you.

The Chair: Thank you.

[English]

I should clarify as well that, as we go through the questions, each member will generally control where they're directing their questions. If you want to jump in, feel free to raise your hand to get the member's attention. I tend to let the members decide where they're directing their questions. If you have something to say or build on, let the member asking the question know you're ready to weigh in.

If they choose to go on to another line of questioning.... We start getting some pretty tight time frames and it picks up after that, so it is the member's choice where they're going to direct their questions.

Now, without any further delay, Ms. Idlout, we'll go to you for your six minutes.

Ms. Lori Idlout (Nunavut, NDP): [*Member spoke in Inuktitut*]

The Chair: Lori, just a second. We're not getting the translation.

I'm going to restart your time.

Please start over, Lori. I apologize for that.

Ms. Lori Idlout: [*Member spoke in Inuktitut, interpreted as follows:*]

I'm sorry. Are we testing?

Okay.

First of all, I want to thank every one of you. What I'm hearing is very good.

I am speaking to you now from my home community of Iqaluit. I am glad to hear what you're speaking about. We are speaking to our rights as peoples—as Métis, Cree and Inuit. Right now, the focus is on Métis rights, as a nation.

If Bill C-53 is not passed, how would it affect your nation, yourselves, your children and your grandchildren?

If you all want to respond to this question.... I leave it to you to respond.

Thank you.

• (1625)

Ms. Margaret Froh: Mr. Chair, I'm happy to respond.

Halu. Thank you for the question, honourable member.

Bill C-53 is indigenous recognition legislation. It is the same type of legislation that comes with every indigenous self-governing agreement and every modern treaty in this country's history. It provides the tools that Canada needs to change its laws to recognize indigenous governments.

Each of our Métis governments have now signed two self-government agreements. We made history in doing that. We require this legislation in order for Canada to change its laws to provide that recognition. If Bill C-53 is not passed, not only would that mark the first time ever in this country's history that Parliament has not supported indigenous self-government, it would also leave us in a bit of a limbo in that we have written agreements with government recognizing our inherent rights, without the legislation to provide the support for that recognition. I think that could create many different types of problems for Parliament and for government. It will certainly create problems for our governance as well.

More importantly, it would send a signal to the Métis in this country that they are not respected. That, I believe, is the very opposite of the intent of reconciliation.

I would thank the member for the question. We're looking forward to this opportunity to talk to the committee, to go through the legislative process, to see Bill C-53 become law and to finally to see that recognition of Métis self-government in this country.

Ms. Michelle LeClair: I can add to that.

Thank you for the question, Lori.

We have been a self-governing people for hundreds of years. We have fought and fought. From Louis Riel losing his life to my own uncle dying on the last day of the Battle of Batoche, our people have gone through a lot.

When we talk about scattered communities.... In Saskatchewan, to get families off road allowance, they had this scheme whereby they could send them up north to a particular community of Green Lake. As those people got into the trains, their villages and their communities were burned. They watched that happen.

This is not something that we're fighting for all of a sudden. We've been fighting this for since the Battle of Seven Oaks in the early 1800s. We have been left out again and again. We've been treated like the poor cousins of somebody.

How does it affect our children and our grandchildren? It affects them in the same way as it has affected us, our grandparents and our great-grandparents in the way that they were treated. It doesn't speak to the intent of what section 25 and section 35 are supposed to do.

This is the beginning of a bill. This is just talking about governing ourselves and moving to where we need to in order get to a treaty. If we can't pass this bill, then we're not respecting the Canadian Constitution. We're picking and choosing which nations Canada wants to deal with. We're saying to Métis people, "I'm sorry; you're not quite as important as somebody else."

That's not right. I hope that when we talk about reconciliation.... I just testified at an APPA meeting on Bill C-29, which is on reconciliation. This is reconciliation in action. Not only does it deal with reconciliation; it also deals with the UNDRIP. It deals with constitutional obligations that Canada has to us. If this bill fails, I believe it would be a tremendous black mark on this beautiful country we call Canada.

You can't pick and choose.

• (1630)

The Chair: Thank you. That's the end of that six-minute round.

The next two members will have five minutes, followed by two members with two and a half minutes, and then two members with five minutes.

Mr. Vidal, you're next. The floor is yours when you're ready to go.

Mr. Gary Vidal: Thank you, Chair.

I too want to thank all of you for being here today. I know that this has been a long journey.

I know that it's been said already, but I'm going to say it again: This is a very significant and defining moment, both for Métis people across our country and for our country in general. I think we need to get this right. I think having the honest and what I call in my interactions with people "adult" conversations sometimes—which means that sometimes we need to have difficult conversations to get through the journey together—is maybe part of the process that we're going to go through today.

I have about seven different directions that I want to go in here. I'll try to focus on a couple in the next four minutes.

Just for clarity, I want to go back to the comment my colleague Mr. Schmale made or the question he had asked. It was about Parliament not having to pass legislation to enact the treaties later. We do have a legislative summary from our very capable Library of Parliament analysts. They very clearly told us that “Parliament will not need to pass additional legislation to implement future treaties or supplementary self-government agreements with listed Métis governments. Rather, any such agreements will be brought into force by the Governor in Council.” That seems pretty clear to me, unless the analysts have some other reason to clarify that for me. I’m assuming they don’t.

Where I want to go with this, just quickly, is the timing of all this. This all started way back in about 2018 with MOUs. Then there were agreements in 2019. There was an updated agreement in February of 2023. I think, for each of you, they’re all unique agreements.

With that long preamble, let me simply ask each of you this: What’s next? If this legislation is passed, each of you will enter into a process. That will be an independent process, if I understand it correctly. I also understand that there are some very clear next steps and some time frames that include a window of about two years, starting from when you signed those agreements.

Can you clarify for everybody in this room, each of you, what’s next if this legislation gets passed?

Ms. Margaret Froh: I’m happy to start. Thank you very much for the question.

Yes, it did start back in 2017. We’ve been building on that ever since.

What’s next for us? As you’ve referenced, in our agreements all three of our Métis governments have committed with Canada to enter into negotiation of a modern self-government treaty, taking this jurisdiction that’s been recognized around how we self-govern, how we govern ourselves, into treaty form. That’s definitely part of the work we’ll be undertaking with Canada.

Then, of course, each respective government is busy implementing their self-government agreement. We’re at various stages of that. We’re all on that same path toward that full recognition of self-government. As the Métis Nation of Ontario, we’re beginning a constitution-building process. I’ll let my colleagues speak to where they are, but yes, there’s a great deal more work to do.

On top of that, we have to deal with the day-to-day providing of services to our people. In particular, the piece about taking care of our children is a massive part of the work we have ahead of us.

Ms. Andrea Sandmaier: For the Métis Nation of Alberta, as stated in my opening remarks, we had a ratification vote last November of our constitution. That was one step. Then, on September 19 of 2023, we had our first election under our new Otipemisiwak Métis government. It now goes from six regions to 22 districts and 25 people, including a women’s representative, a youth representative and me sitting on a citizens’ council. We have a lot of work to do there, as you can imagine.

Of course, there is also our treaty negotiations. We’ve done a lot. We still have a lot more to do.

• (1635)

Mr. Gary Vidal: Do you want to respond as well, Michelle?

Ms. Michelle LeClair: Sure, but I’ll be really quick, because we’re doing a lot of things that are similar to what Alberta and Ontario are doing.

We are in constitutional reform. We’re making sure that we have our governance structures that work for our people. We’ve been going through that process. We are working on a judiciary that deals with issues that happen within our government, even around child and family services. There’s been a lot of work done there.

In the meantime, negotiating that treaty is very important while trying to stay within that window of two years and at the same time consulting with our first nations communities in Saskatchewan. We do that anyway, but we’ll continue to do that to make sure we’re not in any way infringing on their rights. As a matter of fact, I’ll tell you a story....

I’ll be really quick, John. Sorry. We’re—

The Chair: He’s getting my red card.

Just be very quick, and then we’ll go to the next question.

Ms. Michelle LeClair: We’re doing Bill C-92 consultations—which deal with the safety of children and jurisdiction and that sort of thing—in our community all throughout Saskatchewan. What’s been really great about that whole process is that we’ve been able to work with our sisters and brothers from first nations communities to make sure that when we’re dealing with families and children, we’re doing it right.

I just wanted to make that point, after the red card.

The Chair: Thanks, Michelle.

We’re going to go now to Mr. McLeod. He’s joining us online.

Mr. McLeod, when you are ready, you have five minutes.

Mr. Michael McLeod (Northwest Territories, Lib.): Thank you, Mr. Chair.

Thank you to the presenters here today. I really appreciate your presentation of very interesting information.

As a Métis person from the Northwest Territories, I totally understand the work and effort that has taken place over the years. I think my committee colleagues are tired of hearing me say it, but I’ve been involved in a land claim since the 1970s, and we still haven’t finished our framework agreement. It’s a long process, but I think we’re also all connected.

My first language was Michif. I'm a descendant of people who were fighting in the Riel Rebellion and who went north to avoid prosecution, so in some ways I think we're all connected. The fighting during the Riel Rebellion caused people to split all over the country.

I can tell you that in the Northwest Territories, in our case, we have a joint land claim. It's first nations and Métis together. We share a lot in common. We're all related, and we speak the same languages for the most part. We share hunting areas.

When it comes to negotiating a land claim, though, the status first nations can pull out a band council list that's well documented. Everything is there—birth dates and all the information that's been compiled for years. On our side, on the Métis side, we don't have a list like that. We have to take the list that we have compiled, and the government decides.... Together, I guess, we decide on criteria, and then there's an enumeration process. That process could take a long time in some cases. The NWT Métis, for example, have been negotiating and doing the enumeration since the 1990s, and they figure that at the rate they're going, it's going to be another 10 years. They certainly don't have the numbers that you guys have.

I'm expecting that this is what you're going to be seeing.

I don't know if everybody is on the same page when it comes down to your membership, though. I want you to just tell me quickly.... Maybe just one of you can confirm that there is a confirmation, that there is a test for every one of your members, and that there will be a process, at some point, for enumeration.

• (1640)

Ms. Margaret Froh: As I was mentioning earlier, each of our Métis governments has a well-established registry. There are very clear criteria for applying for citizenship. There's a very rigorous process that is involved for that, and every citizen making an application for citizenship has to meet those criteria in order to be recognized and admitted as a citizen.

In terms of enumeration, I think that in that sense, we're in a very good place, in that we already have those well-established registries in hand. In many respects, it's a little bit of a different process from what you are seeing in the Northwest Territories.

Again, this comes back to Bill C-53 and just how important it is to have that legislative framework for the recognition of the registries that we do have and of our inherent jurisdiction around citizenship, so thank you for the question. *Marsi.*

Mr. Michael McLeod: I want to thank you for that. I felt I had to ask you to clarify, even though the question was posed before. As soon as we talk about this bill, I think it's something that keeps coming up with almost everybody, because they're saying that these organizations are just opening the door so that anybody can walk in.

I'm not sure if you're at a point where you can talk to this detail, but equality or parity is something that we're really striving to get as an indigenous population in the Northwest Territories. Our goal is to have parity on all programs and services at some point, to be able to have the same access to health care, education, employment,

housing and social services—the list goes on—as first nations people do.

I know that that's plaguing a lot of Métis people now, because if you're Métis and you have a child who's born with autism, you can't get support from Jordan's principle or programs of that nature. Is that something that maybe is your goal or something you're experiencing already that you'd like to see changed?

Ms. Michelle LeClair: Yes.

The Chair: I'm sorry; we're at the end of the time. If somebody could answer this question briefly, then maybe it's something that can be picked up in another round.

Ms. Michelle LeClair: I won't be long.

Yes, those are the things that we need to do. We talk about the sixties scoop and we talk about all of those things, but when we look at what's happening in our province of Saskatchewan, for example, it's a new kind of scoop. There's not the support that kids need. Kids are getting taken away from their homes, sometimes for not very good reasons.

Sometimes one of the reasons that a child is taken away is that mom can't afford to deal with the child's disability. All of you probably know that Métis people can't apply for Jordan's principle. I believe the Inuit can, but Métis people can't, so you can literally, Michael, have a family with a mom who has two kids, one Métis and one first nations, and they're not treated equally.

There needs to be equal treatment of these indigenous kids. It again goes back to section 35. Come on; our rights are equal rights, and Métis people and Métis children are not treated in the same way as other indigenous people.

These are the things that we need to work toward in a good way.

• (1645)

The Chair: Okay. Thank you.

We're going to move to Madame Gill.

Just to warn our witnesses, the next two rounds go very fast. They're two and a half minutes, so everybody needs to be pretty tight with their comments.

Madame Gill, the floor is yours.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair.

As one of my colleagues said earlier, there are certainly difficult questions. The witnesses touched on myths earlier, and I'd like to raise one myth that relates to what Mr. McLeod just spoke about.

On one hand, he said that there was some concern that there would be a meteoric growth in membership, a concern to which the witnesses responded. On the other hand, there are people who define themselves as Métis, but refuse to recognize the structures, even those of the Métis, and who, as a result, say they are excluded from their own nation. I don't know the reasons behind this, and we should ask them. If any of these people appear before the committee, I will, of course, ask them.

We've talked about advocating inclusion rather than division. We may not be discussing treaties here, but how can Bill C-53 dispel those fears?

I don't know who would like to answer. I saw Ms. LeClair and Ms. Froh nodding.

[English]

Ms. Margaret Froh: I am happy to take the start.

I think it's very important. Bill C-53 is very clear that it only applies to our three Métis governments. It only applies to those individuals, those citizens who choose to be citizens of our three Métis governments. I think that is the answer to the question. Any individual can choose to be a citizen of one of our three Métis governments, or not. This legislation will only impact those who are.

[Translation]

Mrs. Marilène Gill: I'll try to phrase my question as neutrally as possible. As I understand it, a person would no longer be considered Métis if they refused to belong to one of these structures. Their rights as a Métis person would be extinguished. Is that the case?

[English]

Ms. Michelle LeClair: I'll give you an example. We have, in Canada, a number of non-status Indians who could maybe get status on a reserve in Ontario, and they choose not to. They don't like the system and the process, but that's their choice. It comes back to talking about rights and individual rights when we're talking about UNDRIP and the right to decide who you are and what organization you belong to.

I want to go back to something else we were talking about before, and I understand that and I think that's a question that we have to internalize and talk about and think about. How do we want our members to come on in, feel comfortable, and be good, providing citizens and all of that?

I think there was a question that I think Michael had got to, which I'm going to answer really quickly. That was—

The Chair: Michelle, I'm sorry; I don't want to go back to Michael's.... He'll have a chance to come forward, but we're out of time for Madame Gill's question.

Don't lose track of that thought. You may be able to weave it in here.

Ms. Idlout is patiently waiting for her round, and I want to make sure that she gets her time.

Ms. Idlout, the floor is yours.

Ms. Lori Idlout: [Member spoke in Inuktitut, interpreted as follows:]

Thank you, Mr. Chairman.

I have a question for President Sandmaier.

Considering the Métis settlements in Alberta, would MNA be willing to work with the Métis settlements to ensure that their concerns are addressed in a co-operative manner?

Ms. Andrea Sandmaier: Yes, over the period of time when we were doing consultation on our constitution, we did send numerous

letters to the Metis Settlements General Council. We have Métis Nation of Alberta citizens who live on those settlements, so we very much wanted them to be involved in the process of the consultation on our constitution.

More recently, probably about a week ago, I and Karen Collins, my new secretary of Métis settlement and first nation relations, met last week with the president and vice-president of Metis Settlements General Council. We're very pleased with how that meeting went and we look forward to building a stronger relationship with the settlements.

Yes, we want to be able to have our citizens within the settlements be a part of what we are doing here.

• (1650)

Ms. Lori Idlout: [Member spoke in Inuktitut, interpreted as follows:]

Going back to my first question, my first question was answered.

Now I am going to ask you again: If Bill C-53 failed to be passed, how would it affect your nations?

Mr. Mitchell Case (Regional Councillor, Region 4, Métis Nation of Ontario): Mr. Chair, may I...?

Ms. Lori Idlout: [Member spoke in Inuktitut, interpreted as follows:]

I want to pose that question to Andrea, because she didn't have a chance to respond.

The Chair: We're at the end of the two and a half minutes, Andrea, but I'll give you a chance to respond, and then we'll go to the next question.

Ms. Andrea Sandmaier: Thank you.

Failing to pass Bill C-53 will hurt all Métis people and the advancement of all indigenous people in Canada. Yes, it will affect all of us.

That legislation is there to protect us, to protect our rights. Governments come and go, and we need that legislation to protect what we have built.

The Chair: Thank you.

We're going to go to Mr. Schmale for five minutes.

Mr. Jamie Schmale: Thank you, Chair, and thank you again to the witnesses.

I'll go a little faster this time, because I only have five minutes and I have so much to talk about.

Congratulations, President Sandmaier, on your recent election. To former president Poitras, it was great working with you.

Maybe I'll start with you, if I could. What an exciting time to be president.

I want to bring your attention to some of the correspondence we received from the Métis in Fort McKay and also the Métis settlements of Alberta on their concerns about elevating the MNA over their groups when they have elected bodies to look after their people.

Maybe you could briefly explain or address some of the concerns. They wouldn't necessarily belong to the MNA, but they have fears that it would then be governing them or having responsibility over child welfare, etc.

Ms. Andrea Sandmaier: Again, Bill C-53 is about the Métis Nation of Alberta, and of Saskatchewan and Ontario. It's about the citizens who have chosen to be citizens of the Métis Nation of Alberta. We have citizens who live on those settlements. We have citizens who live in Fort McKay, Pincher Creek and Fort Vermilion. We have 61,000 citizens in Alberta. It's their choice on whether they want to be a part of the Métis Nation of Alberta, and it explicitly says that in the legislation.

Mr. Jamie Schmale: You probably are aware that they are asking for amendments. Fort McKay and the Métis settlements, among others, want specific amendments to basically carve out, if you will, a section ensuring that they are in fact—as you said, they have that option—the representatives of the people who elected them.

Would you be open to that amendment, or do you have comments to address that?

Ms. Andrea Sandmaier: Again, I think that the legislation and our self-government agreements do specifically say that it's Métis citizens of Alberta, those who have chosen to become Métis citizens. If they are not Métis citizens and they have not chosen to be Métis citizens, then they're not included in that legislation.

• (1655)

Mr. Jamie Schmale: Michelle, quickly... I'm sorry; Vice-President LeClair—

Ms. Michelle LeClair: That's okay. You can call me Michelle.

I guess I would answer that in this way. If the legislation, as Andrea was talking about, affects only their members—remember, we talked about verifiable systems to get membership—there is nothing stopping, in my view, Fort McKay, as a community, to sit as a federal government.

We want a self-government agreement. We are seeing it time and again with first nations now in our country. They are either not part of a treaty or they don't want to live under the restrictions of the Indian Act. We've seen one of them from our province. I believe there are negotiations going on with another band from our province. They're not related people. They live in their own communities, their own settlements, and have done so for a long time.

There is nothing barring other section 35 rights holders from negotiating a self-government agreement, which they're all doing, outside of our provinces or inside of our provinces. For goodness' sake, just because one band—

Mr. Jamie Schmale: Vice-President, I'm sorry, but I have 45 seconds, and I have one question that I really need to go to.

Ms. Michelle LeClair: Okay, 'bye.

Mr. Jamie Schmale: I don't mean to cut you off. I apologize profusely.

In the definition of “treaty”, when we talk about a treaty as the next step, it's potentially not just about land. When we were looking up the definition of treaty, there is reference to modern treaties that are also called “comprehensive land claims agreements”. That is

something the Ontario chiefs were raising in their concerns about this piece of legislation.

That's what we're trying to flesh out the details on—I've got five seconds. It's whether or not the treaty comes back to Parliament or how that works.

I'm sorry, but I'm out of time. Could you explain your stance on that?

The Chair: I'll give one person a brief opportunity to respond.

Ms. Margaret Froh: Thank you, Mr. Chair.

The legislation does make reference to “treaty”, as do our self-government agreements, but for clarity, these are modern self-government treaties. The rights that are being recognized in the legislation are our inherent rights to self-determination, to self-government, and they will be collected in the form of the treaty. They don't deal with lands.

The Chair: Thank you.

Mr. Carr, you're next. You have five minutes.

Mr. Ben Carr (Winnipeg South Centre, Lib.): Thanks very much, Mr. Chair.

I want to start by recognizing all the folks behind our witnesses.

I don't know what we call this. In the House of Commons, we call it the gallery. I guess this is the equivalent. It's very nice to have folks here and participating in our democratic process. I think it also keeps us on our game a bit when we have more people in attendance, and that's a good thing.

Welcome, everybody. Thanks for being here.

There's been a lot of talk of history. I apologize, but I'm going to take a moment in this preamble.

I come from Manitoba. I represent a Winnipeg riding. We talk about history, and I was at the Manitoba Métis Federation's annual general assembly last week, where Premier Kinew announced that his historic government would be taking historic action, which I know many of you are aware of. That was to officially declare Louis Riel the first premier of Manitoba. It was a proud moment for me to be there amongst Manitoba Métis and other citizens from Winnipeg and Manitoba and across the country in celebration of that and in honour of that.

It was nice to hear mention of Seven Oaks. I was an administrator, a high school principal, in the Seven Oaks School Division in Winnipeg. You don't typically hear of Seven Oaks talked about outside of Winnipeg, but of course in the context of Métis history it's quite important.

I'm going to direct this question to Regional Councillor Case. I noted that he has not spoken yet. He had a moment where the mike came on and then the mike was turned off, so I'm going to let him chime in.

If the question is not appropriately directed to you, feel free, Councillor, to put it elsewhere. I wanted to make sure that I could find my chance to include you.

The question piggybacks a bit on some concerns that have been raised. I sometimes hear—and perhaps it's hyperbole or fearmongering—stories of organizations that claim to be Métis that aren't represented here and that are, for a fee, allowing folks to register and are giving them Métis cards. These individuals are then taking them to universities and to businesses so that they can check a box that says, "I have indigenous status", to meet some type of criteria that have been set in place.

It would seem to me that, broadly speaking, this is a fraudulent activity in many instances, particularly given that once this legislation is passed, these will not be groups that are officially recognized in this framework.

Is there a role that the federal government can play in assisting Métis governments in Canada, alongside post-secondary institutions, businesses or others, to identify the proper rights holders and proper leadership of Métis governments and communities in order to make sure they aren't falling victim to an attempt at disguise to gain monetary benefit from something that isn't in fact correct?

Councillor, I would turn that over to you.

• (1700)

Mr. Mitchell Case: Thank you for that question.

Thanks to all of you for having us here.

I think the easiest way to support that is to pass Bill C-53. The governments that are represented here at this table have established registries that uphold the national definition of "Métis" that was established by the Métis nation through the Métis National Council and ratified by every single one of our governments. When I was a kid, that decision was made.

That definition was then upheld when my community was put on trial. We were put on trial. I grew up in Sault Ste. Marie when Canada and Ontario were using all the resources of their justice departments to tell us that we didn't exist. Quite frankly, we overcame that because we're pretty resilient, but also because the facts of history are on our side. They were not on Canada's side.

The facts of history and the law are on our side. Work with us to support our governments to continue to expand the capacity of our registries to do that work. Then we can provide that support to those institutions that want to stamp out that disgusting thing that is happening in those institutions with people claiming something that's not theirs.

Mr. Ben Carr: Thanks very much.

I'll cede the rest of my time, Mr. Chair.

Ms. Michelle LeClair: Can I just add—

The Chair: There are 10 seconds left.

Mr. Ben Carr: I cede my time to Madam LeClair.

Ms. Michelle LeClair: Thank you.

I just want to quickly say that this is not just a Métis problem: This is a first nations, Métis and Inuit problem.

We're looking in the news now. Two girls who claimed to be Inuit actually benefited by getting money to go to university. One way we're dealing with it in Saskatchewan is that we have signed a number of agreements. One is with the University of Saskatchewan, which has asked if they can verify the status of a Métis person who is applying for a job.

We're working on agreements with other institutions, as well as with the Government of Saskatchewan, because it has become a big problem.

These are creative ways that I think we can all deal with it. I know it happens here. It happens everywhere.

I just wanted to add that. Thanks for the 10 seconds.

The Chair: Thank you so much.

Colleagues and witnesses, just so you know, the next round we have is about 25 minutes, which will take us to about 5:30. We've been going a little bit over.

We have resources until 5:42. I'll see where we're at. I'll check in at 5:30. If everybody is good for one more round, we'll go through that.

First up, for five minutes, is Mr. Vidal.

Mr. Gary Vidal: Thank you, Chair.

Chair, I want to come back to Mr. Case.

You just said a couple minutes ago, in a response to our colleague Mr. Carr, that all of the governments at the table use the national definition of Métis.

I want clarity, because my understanding is that this is not the case. In fact, I have a letter here written to President Froh from the president of Metis Nation-Saskatchewan that's talking about the challenge you've had historically over that national definition of Métis. There has been some long history to that, if I understand the process.

I just want some clarity. Unless I'm mistaken, the Manitoba Métis Federation actually left the MNC over the dispute over the use of that national definition of Métis.

I want to come back to you. I don't mean "claimed" as in I doubt you, but I just want clarity in the sense of the use of the national definition, please.

• (1705)

Mr. Mitchell Case: I'll respond really quickly, Mr. Vidal, and maybe Vice-President LeClair can respond for the MN-S part.

In 2002, the Métis National Council, the MNC, adopted that definition. At the following assembly after that—again, I was 11—the Métis Nation of Ontario adopted that definition into its registry policy and have been implementing it ever since.

There are questions from before that point. As President Froh said, we dealt with that, and 5,000 citizens were removed because they didn't meet the national definition.

Other people can say other things, but that's the truth.

Mr. Gary Vidal: Thank you. I'll follow that up.

Vice-President, do you want to comment at all on the president's letter, which was pretty emphatic about that definition and the history?

I want to give you the opportunity, but I do have another question for you, so don't go too long.

Ms. Michelle LeClair: Okay.

I don't know that I can get into it because it was a letter sent to Métis Nation of Ontario.

We all have the national definition, which we follow. I think the bigger issue was about those who didn't fit within that national definition, if I've read that right. Margaret has indicated to you that they had 5,000 members who didn't fit that definition and are no longer part of their organization.

We're all doing work to ensure that what we do is transparent. On that, we run our registry once a year against the INAC registry. If there are first nations people who have applied, it will come up that they have applied and have been accepted, and they're no longer a member of the Métis Nation-Saskatchewan.

Mr. Gary Vidal: Thank you.

I'm going to interject, because I am seriously running out of time. I want to ask one more question before they kick me out of this place today.

This has taken a long time to get here. In my office, we've monitored some indigenous legislation over the last couple of years. You talked about Bill C-29, which was introduced on the last day before the summer break. Bill C-38, which we finally debated last Friday, was introduced on the last day before last Christmas, and 11 months later we're actually debating it in the House of Commons. Bill C-53 was finally introduced on the last day before the summer break in June 2022.

This has taken a long time. I think there were several promises, dates and expectations created for your leaderships by the government.

I'm going to start with you, Michelle. You keep getting cut off by being last, so I'm going to start with you.

Do you want to comment at all on what you think took so long, why it took so long, or why it took until the very last minute, when I know this was promised several times in advance of that?

Ms. Michelle LeClair: I can only say that we have been frustrated. We've had dates. I think it was supposed to go in on April 19, and then apparently there were some things happening, and then finally we ended up at the last day before you guys recessed for the summer.

I think we would be as interested to know the answer to that question as you are, and that question should be directed at Canada,

because we have co-developed this. We've worked together in good faith, as of course we would. We would love to hear the answers to that question.

Mr. Gary Vidal: I promise you that when the minister is here, I will ask that question.

Ms. Michelle LeClair: Okay. Thank you.

Mr. Gary Vidal: Thank you.

The Chair: We're going to move to Ms. Gainey now, online, for five minutes.

• (1710)

Ms. Anna Gainey (Notre-Dame-de-Grâce—Westmount, Lib.): Thanks, and thank you as well to the witnesses for their insight and the hard work that they all have clearly contributed to getting here today.

I'm curious, as we've heard UNDRIP come up a couple of times. Specifically, I think, clause 4 in the bill does state that one of the purposes is to "contribute to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples", so I'm wondering if each of you could take a moment to explain how, in your view, this legislation does that.

Ms. Margaret Froh: I think you've heard all of us say that this bill really is reconciliation in action. It is putting the UN Declaration on the Rights of Indigenous Peoples into action. I wanted to thank the honourable member for the question.

Article 3 specifically talks about indigenous peoples' rights to self-determination, and article 4 specifically talks about the right to have autonomy or self-government. Article 33 of the UN declaration speaks to the rights of indigenous peoples "to determine their own identity or membership in accordance with their customs and traditions", and what you see in Bill C-53 is exactly that. It's a recognition of those inherent rights of self-determination and self-government. In fact, it's built right into Canada's national action plan on implementing the UN declaration; and as has been said before, I believe every time we see an indigenous nation being recognized and being respected in this way, it actually makes all of us stronger. It makes Canada stronger.

Marsi for the question.

Ms. Andrea Sandmaier: I don't think I can say any more than what President Froh has said. We have over 200 years of history of being the forgotten people, of being promised things and having lots of broken promises, and the bill and UNDRIP recognize that the Métis people have been forgotten about. We just need you to move forward and get this bill passed so that we can govern ourselves in the way that we have always believed that we have been doing.

Thank you.

Ms. Michelle LeClair: I really don't have anything to add. I think Margaret and Andrea have said what I would say.

Ms. Anna Gainey: John, do I have any time?

The Chair: Yes, you still have two minutes left.

Ms. Anna Gainey: You've mentioned children and families. We touched a little bit on the complexities around Jordan's principle. I'm wondering if you could be a little more specific about how this will impact the health and well-being of your communities, especially children, in a practical sense. What are the problems that you see this solving for the kids and for their families in your communities?

Ms. Michelle LeClair: Okay, how long is this afternoon?

The Chair: That's in two minutes.

Ms. Michelle LeClair: I'll tell you, our communities are struggling. We are in the process of working outside of this with Bill C-92. It really is looking at what is happening to our communities, why the kids are being taken, and what kinds of services these kids have.

We've heard time and time again—and I'm sure everybody hears it across Canada—about mental health services for children. In Saskatchewan, you are on a two-year waiting list to get your child in for any kind of an assessment. People languish. Kids end up in correctional systems, or what have you, because we cannot give them the support they need at the times they need it. There's such a lack of programming. I mean, the provincial government isn't doing a great job of being *in loco parentis*, which means that the minister is their father. It's ridiculous.

We know. We don't need Canada or Saskatchewan to come into our communities and tell us what we're doing wrong; we know what's happening. It's been systematic. They've been doing it wrong, and it's time for us to take our kids back and figure out our own way to deal with this in our community.

• (1715)

Ms. Margaret Froh: Mr. Chair, can I just offer one additional point for members of the committee?

The Chair: Yes. Please go ahead briefly.

Ms. Margaret Froh: There's a great op-ed piece in today's Hill Times by Theresa Stenlund, who's a regional councillor within our government. It's about a wonderful pilot that our northwestern Ontario Métis community has established. It's the first-ever Métis child and family services agency in the province.

I think it will be very helpful for members to consider that. I'm just adding to what's already been said.

The Chair: Thank you for raising that.

Madame Gill, it's over to you for two and a half minutes.

[*Translation*]

Mrs. Marilène Gill: Thank you, Mr. Chair.

I'd like to reiterate that I'm playing devil's advocate here. We need to be able to stand behind the decisions we make as parliamentarians.

The witnesses have spoken of myths. Some first nations people are quite vocal in their opposition to the bill, and we've heard them. I would like to hear you explain why some indigenous nations are against the bill. There may be some in Ontario.

I don't know if Ms. Froh, Ms. Sandmaier or Ms. LeClair would like to respond. If you don't have enough time, you can, of course, send us a written response later.

[*English*]

Ms. Margaret Froh: Thank you for the question.

There are some who are saying they don't want the bill to go forward. I understand that they are saying that it's going to impact their rights. As you've heard already, this bill is about our internal self-government. It impacts only our three Métis governments. It impacts only our citizens. It has no impact on any other indigenous people.

I want to come back to your last question, honourable member. I think it's important that the question you were asking was about an individual Métis in section 35. I think it's very important to point out that section 35 rights are actually collectively held rights. An individual can choose to become a citizen of a Métis government or not. It's actually the rights-bearing community that holds those rights. That's exactly who it is that we represent with our three Métis governments. We represent rights-bearing Métis communities, which means the people within our respective jurisdictions. That's what section 35 is all about and that's what Bill C-53 is all about. It's in recognition of that. It's recognizing our inherent rights of self-determination.

Ms. Michelle LeClair: To add to what Margaret was saying, we are opening up the door. We have an expert panel. We would love to hear cogent arguments about how they see this bill in any way impacting them or any of their rights.

We talk about what it does do, but I feel as though, when we're talking about this, we need to talk about what it doesn't do. It doesn't touch land. It doesn't talk about all of these other things. You used the word “myth”; there were these myths or discussions out there that really have no bearing on what we're talking about today.

I think that answers that question.

The Chair: That's the end of the two and a half minutes.

Ms. Idlout, we're ready to go to you. The floor is yours.

Ms. Lori Idlout: [*Member spoke in Inuktitut, interpreted as follows:*]

Thank you.

I don't really have a question. I just want to state that this is very important. As I said earlier, we're talking about rights. You have rights. We have to work together as one. The Inuit, first nations and the Métis nations have to stand together—all of us as indigenous peoples of Canada—and we have to support each other. I believe very strongly in that, because in Canada, we indigenous people were rendered apart. The government attempted to render us apart and change our cultures, but now the first nations are saying, “No. We have our rights.”

Today I thank you, because you have made it so much clearer, and I believe that we are moving toward having rights equal to any other nation's.

Thank you. I just want to thank you very much for coming to speak here.

• (1720)

The Chair: Thanks, Lori.

I know there wasn't a question there, but there's a minute left in Lori's time, if anybody would like to make a comment.

Ms. Sandmaier, you didn't get to finish in the last round, so I'll go to you, if you would like to take a bit of time here.

Ms. Andrea Sandmaier: I just want to thank you, honourable member, for your statement.

I also want to say we have heard the myths and the first nations speaking out against the bill. Recently—actually, right after I was elected, in that same week—I went to a flag raising at a post-secondary school in Edmonton. After the ceremony, their first nations elder came up to me and said, “Congratulations. Congratulations on your self-government legislation. We need to work together. We are all related. We have family who are first nations. We have family who live on settlements. We all need to work together.”

I think a lot of what's been going on and what's been said is very political, but when you get to the grassroots and speak to people, there are a lot of different stories out there—a lot of positive stories—and a lot of congratulations from people that we're moving forward. In turn, that moves them forward.

Thank you.

The Chair: Thank you so much.

Next, for five minutes, we have Mr. Viersen.

The floor is yours.

Mr. Arnold Viersen (Peace River—Westlock, CPC): Thank you, Mr. Chair.

I want to thank the witnesses for being here today.

It's interesting. I didn't anticipate all the issues around child care.

I was here when this committee was dealing with Bill C-92 back in 2019. Ms. LeClair, can you talk a bit about how Bill C-92 is or is not fulfilling the child welfare issues that your community is dealing with, and why you need this particular piece of legislation to do that?

Ms. Michelle LeClair: Bill C-92 is at its beginning. Right now, we're doing an environmental community scan by engaging our communities to see what the gaps are and why kids are being taken.

When you think about child and family services, you don't just think about children and families; you think about what impacts those families: housing, the high cost of food, the ability to care for them in a clean environment and all those things. There's a lot with Bill C-92. It is an opportunity to look at those issues. Then, if you want to trigger Bill C-92, there's a lot of work to do in terms of legislation. As you know, as parliamentarians, you need to have things done right, especially when you're taking care of children and families. That takes some time.

We are working on that, but we're also working towards this other piece, which I think goes hand in hand with Bill C-92. The right to be able to take care of our families is a huge piece.

I'll tell you a story.

I met a young 16-year-old who was aging out of care. They gave her a book this size and a pittance of money and said, “Here you go. This is who you are.” That's when she realized she was a Métis kid. Her dad was from Buffalo Narrows, Saskatchewan, and the mother was from British Columbia. She had no cultural connection, nor did she know who she was. This happens every single day. I can walk out of here and down around the mall, where people are unfortunately suffering from mental health issues, and probably talk to kids who've aged out of the system.

It's not the provincial government's job or the federal government's job to figure out how to deal with those young people. The problem was created by churches and governments stealing our kids and doing all of that. It is our job to teach them their language and culture, and to meet their *mooshums*, *kookums* and families. That's one of the most important things in this legislation—for us to be able to say, “We are an indigenous governing body and we will take care of our own. You didn't do it very well. We need to do it, because we know how to do it.”

• (1725)

Mr. Arnold Viersen: Ms. Froh, you were nodding away. What did you have to say?

Ms. Margaret Froh: Thank you for the question.

I completely agree with Vice-President LeClair.

I think this is an incredibly important part of the bill: recognition of our governments as indigenous governing bodies. Give us the tools we need to utilize Bill C-92, if we need them. That is critically important.

I think she has done a beautiful job talking about the impact of many different colonial policies. The sixties scoop isn't just from the 1960s. There is a child welfare industry, and our Métis children are very much impacted by this. Bill C-53 recognizes our government's right to take care of our own children.

Mr. Arnold Viersen: How much time do I have?

The Chair: You have 20 seconds.

Mr. Arnold Viersen: What has prevented the implementation of Bill C-92 up to this point? I know many communities in my area have already implemented it. They're doing their own care, essentially.

Ms. Andrea Sandmaier: I think every indigenous governing body looking to Bill C-92 is at a different stage. For the Métis Nation of Alberta, we're in year three, I think, of building our authority, model of care and law. It takes time to do it right. We want to make sure we do it right. We don't want to be left, as soon as we do our coordination agreement, saying that we are now the authority over Métis children within Alberta and then get a whole bunch of files dumped on us. We don't want to go there. We know there are other indigenous governing bodies in Alberta that this has happened to.

We want to make sure we're doing it the right way. I don't think it's a matter of it not being implemented; I think governing bodies are taking time to make sure it's happening correctly and that we're doing the right thing.

Mr. Arnold Viersen: Thank you.

The Chair: Thank you. We're out of time for that one.

Mr. McLeod, I see your hand is up. Do you have a point of order or a technical issue?

Mr. Michael McLeod: I have a point of order, Mr. Chair.

I could hardly hear Mr. Viersen. He wasn't speaking into the mike. Maybe just give a reminder.

Mr. Arnold Viersen: I already claimed my time.

Mr. Jaime Battiste: You missed nothing, Michael.

The Chair: I apologize for that, and we'll make sure that our members speak into the microphones and remind witnesses to make sure you're speaking into the microphone so we can do the proper audio.

Thank you for raising that point, and I'm sorry I didn't see your hand earlier.

Mr. Battiste, you are our final questioner for today, so the floor is yours for five minutes.

Mr. Jaime Battiste: I want to start by thanking you all for your comments today. It's been amazing, and I'm glad to be here for this.

I've been listening to great leaders in the Métis for more than 20 years. One of my friends is Jean Teillet. I first heard her 19 years ago when I was a university student, and she was speaking about the Powley decision at a conference, and then after the Daniels decision she also was the keynote speaker at a conference in Ottawa. I've learned so much from Jean.

One of the things she's always said to me is that there's a common misconception in Canada that Métis is about mixed ancestry, about European and first nations ancestry. She said it's important to understand—I don't want to put words in her mouth, because I know she is going to be a witness at some point—that Métis are about a distinct community that came together.

Can you talk to me a little bit about the importance of that distinct community in your regions, and why that's an important thing to be clear on?

Margaret, do you want to start?

• (1730)

Ms. Margaret Froh: Sure, and thank you very much, honourable member, for the question.

It ties into many of the questions that have been asked today. I think there are a lot of people within Canada who don't understand who we are as a people, which is why we're doing the work that we're doing.

You're exactly right: Our people emerged, and we emerged, as a new people in these communities that were distinct, that stood apart from their first nations relatives, that stood apart from their European ancestors as well, and that's exactly why we are recognized as one of the aboriginal peoples in section 35. That distinctness of language, culture and traditions in distinct communities that actually asserted themselves as distinct communities is a part of the beautiful and rich history of the Métis, and again, exactly why it is that we are recognized as a distinct people.

It's not at all about mixed ancestry. I think that's a common belief, but it doesn't capture the reality that we emerged as a distinct people, and that is why we're here today. That's what Bill C-53 is all about. It's recognizing that.

Marsi.

Mr. Jaime Battiste: I think I understand.

Ms. Michelle LeClair: Yes, we did emerge as a new community. I always think of ourselves as the new Canadians, the first Canadians, the merging of cultures. Distinctly we have our own language, culture, values, and all of those sorts of things, and the history of our people, which is so important to look at. Think back to the days of the buffalo hunts and the way that families hunted together and that sort of thing. There are so many things that make us distinct.

A sad part of this whole conversation is the language aspect. It's important for you to know that the Michif language is only spoken in 0.5% of households in Saskatchewan. It's going to become an extinct language.

Things like Bill C-53 are going to help to regain some of that language. We're doing work with schools, and so on and so forth, but we really have to dig down and ensure that we don't lose those really core things that make us who we are.

I don't know if I answered your question. I went all over the place, but—

Mr. Jaime Battiste: Do you want to get a chance to answer that point about the mixed ancestry and distinct communities?

Ms. Andrea Sandmaier: I think President Froh and Vice-President LeClair have said very eloquently what it means to be Métis.

We are a distinct people. We have our own culture, our own language and our own governance structure. We have all of those things. One thing we haven't talked about is our humour; we have that, too. We were talking about it earlier today. We are funny people and we enjoy that.

When we think about forgotten people.... A couple of years ago I was taking a citizenship application in the region 2 office where I worked. The lady sitting across the table from me showed me her family tree. Her family tree listed my great-great-grandfather. She was denied her culture because a settler who married her great-great-grandmother told her that she couldn't tell her family; she couldn't be Métis anymore.

We cried about it in that office because she was my cousin and she had no idea where she came from. She had no idea that her family fought at the Battle of Batoche. She had no idea that my grandmother, who would have been an aunt of hers, was born under a Red River cart on a buffalo hunt in southern Saskatchewan.

These are the things Bill C-53 is about, as Vice-President LeClair said. It's about preserving our language and our culture so that our children and our grandchildren will know who they are. That's what it's about.

• (1735)

The Chair: That takes us to the end of the time we have.

There are a couple of minutes left on the clock. I do have one item that I need to bring to the committee.

We're done with our questions. Thank you to each of the witnesses for being here today. It's a really important start to our study of Bill C-53. I think you set the stage very well for us.

Over the next three weeks or so, we look forward to hearing from more witnesses, culminating in hearing from the minister and officials. I'm sure you'll be watching the proceedings very closely.

I want to thank each of you, and I know there are members of your community who are here with you today joining us. Thank you for the very important testimony that you've given us.

Colleagues, before we go, there was a technical point we missed last Tuesday. It's been brought to my attention that through our routine motions, we require at least 48 hours between submitting amendments and starting clause-by-clause study. We moved the date because of the minister's delayed appearance, so now we need to move our clause-by-clause consideration from November 30 to December 5. I would like to make sure that's on the record and that we're all in agreement with that.

Some hon. members: Agreed.

The Chair: Good. Thank you so much for that.

We will send out any amended notices that are needed.

Colleagues, thank you so much for being here. Thanks again to the witnesses.

The meeting is adjourned.

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