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DON'T EXPERIMENT WITH FIRST NATIONS' RIGHTS

FIRST NATIONS ARE ENTITLED TO ENSURE THE FEDERAL GOVERNMENT ISN'T CREATING ILLEGITIMATE GROUPS SIMPLY FOR ITS OWN POLITICAL REASONS THROUGH BILL C-53.

There's a bill winding its way through Parliament that threatens First Nations' rights under the guise of promoting reconciliation with Indigenous Peoples. Bill C-53 proposes legislation that the federal government claims will merely confirm self-government rights for three provincial Métis organizations in Alberta, Saskatchewan, and Ontario.

What could be wrong with that?

In fact, what Bill C-53 does is fabricate out of whole cloth a raft of new "communities" claiming Métis status in Ontario. If passed, the bill will have dramatic consequences for legitimate Métis, Inuit, and First Nations groups across Canada by granting constitutional rights to a group with no legal or historical basis to claim those rights.

The bill not only recognizes all the new communities represented by the Métis Nation of Ontario (MNO), but purports to grant them all constitutionally protected Aboriginal rights.

First Nations across the country have sounded the alarm.

Jason Batise is a member of Matachewan First Nation and the executive director of the Wabun Tribal Council.

More than 630 First Nations across Canada oppose Bill C-53. Yet, the federal government is attempting to rush Bill C-53 through Parliament despite widespread objections from First Nations and the Red River Métis.

Why not take the time to consult with those groups most affected? Passing the bill now—without consulting First Nations and without verifying the legitimacy of MNO's claims—would be a new kind of colonialism. A deep discussion needs to take place between Treaty partners before decisions like this are made.

First Nations are angry and disillusioned because the federal government has point-blank refused to meaningfully engage with us about our concerns, telling us that the creation of new rights-

holders on our lands is none of our business. Look no further than the government's refusal to respond to our requests for information, citing cabinet secrecy.

Strangely, federal government officials admitted that they made no attempt to verify the legitimacy of MNO communities granted Aboriginal rights by Bill C-53.

So, let's look at the MNO claim to Aboriginal rights.

Some commentators argue recognition of the MNO is consistent with the Constitution. That is a fallacy. The MNO claims that the modern coming together of people with mixed Indigenous and non-Indigenous ancestry creates new Aboriginal rights—a proposition that the leading decisions of the Supreme Court of Canada on Métis status explicitly reject.

Métis rights that are protected by Sec. 35 of the Constitution flow not from mixed ancestry, but from the existence of a culturally distinct, self-governing nation that formed around and from the Red River communities in Manitoba before the Canadian government took control of the lands that are now Canada.

As a matter of historical fact, Métis communities expanded further west, but did not extend into Ontario because of the way the fur trade developed.

First Nations in Ontario know there were no distinct Métis communities in our territories historically because we have always been here—we would have noticed. Unlike the federal government, First Nations have done our research.

The MNO's claims are based on changing the identities of First Nations individuals in the past into "Métis" simply because they are mixed race (referred to as "half-breed" in census records).

In an effort to paper over the glaring lack of facts supporting the MNO's claims, the Métis National Council announced it is convening an "expert panel" made up of hand-picked individuals to investigate the legitimacy of the MNO. This is just a political fig leaf.

This panel won't change the fact that Canada can't create Métis groups that never existed. And if the expert panel's objective is to find out if the communities represented by the MNO actually exist, why is Bill C-53 going forward now without that input?

What is needed is a transparent and independent review of the MNO's claims, a review that includes First Nations. First Nations are entitled to ensure the federal government isn't creating illegitimate groups simply for its own political reasons.

Bill C-53 is very much about land—our land. Bill C-53 recognizes the MNO as a rights-holder on lands that don't belong to them, but which the MNO loudly claims are theirs. And Canada isn't even waiting for Bill C-53 to be passed to begin creating a land base for the MNO.

An academic booster of the legislation recently said Bill C-53 was an "exciting experiment." Our message to Canadians and Parliamentarians is clear: First Nations' rights are not for experimenting on.

We deserve fairness and transparency. Bill C-53 should be withdrawn until we get it.



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