



August 9, 2021

Citizens of the Métis Nation of Alberta:

In June of 2019, the Métis Nation of Alberta (MNA) signed the landmark *Métis Government Recognition and Self-Government Agreement* (MGRSA) with the Government of Canada. The MGRSA establishes a process for the formation of a federally-recognized Métis Government in Alberta. A key part of that process is the creation of a Métis Nation within Alberta Constitution. A Constitution is the bedrock of a people's self-government; it is a Nation's declaration of itself to the world. Our Constitution will be the foundation upon which we will build our Métis government for generations to come.

When the Métis Nation of Alberta Constitution Commission (the Commission) began its work in the winter of 2020, we established a process for the creation of our Métis Constitution that would respect our existing institutions and customs, while helping us chart a new course as a Nation, free from the shackles of the colonial *Societies Act*. The first step in our Citizen engagement was the presentation of an initial draft Constitution to our existing structures, to use their knowledge and experience to fill in the blanks, identify concerns, and develop supporting materials.

In January and February 2021, the Commission held 12 full-day roundtables with our existing structures. We received an enormous amount of valuable feedback. On the basis of this feedback, we have revised the Constitution substantially. We reorganized the sections and chapters to place the Citizens and Rights of our Nation at the forefront. We designed Districts to bring our new government closer to the people and respond to the needs of our Citizens in both urban and rural areas. And we sought to balance the old with the new. The Annual General Assembly (now the Citizens' Gathering) remains a cornerstone of our Métis government. We have added new branches and institutions, like the Otipemisiwak Legislative Assembly, which will pass the laws our government will need to serve its Citizens, and the Ombudsman, which will help Citizens hold their government and its officials accountable.

Some of you have expressed concern that the process is moving too fast; others have expressed frustration that it is moving too slowly. We hear your concerns. Our timelines have reflected our desire to seize this historic opportunity while protecting the health of our Citizens during an unprecedented pandemic and respecting the knowledge and experience of our existing institutions. We have carefully considered every piece of input from 80 hours of roundtables to bring forward the best possible draft of our Constitution to all the Citizens of our Nation.

Now, we turn to you for guidance and feedback. We invite you to review the draft Constitution and provide your input. For generations our people have fought for the recognition of our rights to self-determination and self-government. The dreams of our ancestors lay within our grasp. We are the Otipemisiwak, the people who rule themselves. Let us come together to honour our past and own our future. Let us come together to create a Constitution for the Métis Nation within Alberta. Let us come together to make history.

Sincerely,

Métis Nation of Alberta Constitution Commission



CONFIDENTIAL: For Engagements with MNA Citizens Only



MÉTIS NATION OF ALBERTA
CONSTITUTION
COMMISSION

Otipemisiwak Métis Government Constitution

The Government of the Métis Nation within Alberta

The Document Was Prepared by the MNA Constitution Commission for
Engagements with MNA Citizens

9 August 2021



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DECLARATION OF SELF-DETERMINATION AND SELF-GOVERNMENT

When the Government of Canada presented itself at our doors it found us at peace. It found that the Métis people of the North-West could not only live well without it ... but that it had a government of its own, free, peaceful, well-functioning, contributing to the work of civilization in a way that the Company from England could never have done without thousands of soldiers. It was a government with an organized constitution whose jurisdiction was more legitimate and worthy of respect, because it was exercised over a country that belonged to it.

Louis Riel, 1885

We—the Métis people of the North-West—are one of the Indigenous peoples of North America;

We are a people born of the Creator, the land, love, kinship, freedom, trade, resistance, and collective action; we share a history, territory, values, traditions, laws, language, spirituality, music, dance, art, customs, practices, and institutions;

Over the generations, we have been called Louis Riel's people, lii Michif, the flower beadwork people, and simply the Métis; for over two centuries we have advanced and defended our nationhood—as the Métis Nation; we will continue to do so forever;

We are also known as the Otipemisiwak, a name given to us by our Cree kin meaning 'the free people' or 'their own boss'; we embrace this name because it embodies our peoplehood, freedom, and independence as well as our personal and collective sovereignty;

As a people, we hold the inherent rights of self-determination and self-government as well as all the rights that inhere in all peoples, including those recognized in international law and described in the *United Nations Declaration on the Rights of Indigenous Peoples*;

Within what is now known as Alberta, we were here before Canada became a country and before Alberta became a province; our lands, families, kinship, settlements, and communities continue to extend throughout the province today: we are the Métis Nation within Alberta;

As a people, we have never surrendered—and will never surrender—our inherent rights, including our rights of self-determination and self-government;

Over the generations, we have consistently and repeatedly fought for and exercised our right of self-government within the North-West, from the laws of the buffalo hunt, to the creation of provisional governments in 1869/70 and 1885, through to our political organization in what is now Alberta that led to the creation of L'Association des Métis d'Alberta et les Territoires du Nord-Ouest, the Métis Association of Alberta, and the Métis Nation of Alberta Association;

As a part of Canada's colonial history, we were subjected to a dishonourable, unjust, and illegitimate Métis scrip scheme that dispossessed our families, communities, and the Métis

Nation within Alberta of our traditional lands and resources in breach of the Crown's commitments to us as set out in the *Royal Proclamation, 1763*, the *Rupert's Land and North-Western Territory Order, 1870*, and other solemn promises made to us as part of Canada's westward expansion;

Our ancestors, families, communities, and the Métis Nation within Alberta were also dishonourably, unjustly, and illegitimately dispossessed of our traditional lands and resources through other colonial schemes advanced by Canada and Alberta: reclaiming Métis land is key to restoring our place and belonging;

Today, our Métis self-government in Alberta endures; we remain focussed on protecting and reclaiming our unceded traditional lands and resources; exercising our inherent and constitutionally protected Métis rights; renewing our relationship with the Crown and other Indigenous nations; supporting our Citizens, families, and communities to reach their full potential; and preserving and enriching our language, culture, and way of life as Métis;

As a people, we continue to seek justice and equitable settlement with the Crown for the dispossession of our people from our lands; reconciliation with the Métis Nation within Alberta requires acknowledgement, apology, and redress for the impact and sorry legacy of Métis scrip and other land dispossessions to which our Citizens, communities, and the Métis Nation within Alberta were subjected;

Through the perseverance of our ancestors as well as our ongoing political, legal, and constitutional efforts, our unique and distinct existence as an Indigenous people as well as our Métis rights, including our right of self-government, have been recognized by Canada's Constitution;

In order to fully achieve and realize the promises made to us within Canada's Constitution, we seek to ultimately negotiate a modern-day treaty with the Crown, on a nation-to-nation, government-to-government basis, that recognizes our inherent rights of self-determination and self-government as well as our jurisdiction as a distinct order of Indigenous government within the Canadian federation;

Consistent with this goal, on June 27, 2019, after generations of struggle and dedication, we signed our *Métis Government Recognition and Self-Government Agreement* with Canada that recognizes the Métis Nation within Alberta's inherent right of self-government and sets out a process to ensure that ultimately the full scope of our inherent jurisdiction and rights are recognized in Canadian law, but not limited or diminished by colonial law or as negotiations continue;

Now, as a people, we have come together, based on the democratic will of our Citizens, to adopt this Constitution of the Métis Nation within Alberta, which formally establishes the Otipemisiwak Métis Government and will be the highest law of the Métis Nation within Alberta.

PART I: FOUNDATIONAL PRINCIPLES

CHAPTER 1: THE MÉTIS NATION

- 1.1 The Métis Nation—as an Indigenous people—emerged in the historic North-West in the late 1700s and early 1800s with its own collective consciousness and identity, territory, language, culture, music, art, dance, institutions, self-government, laws, and legal orders, including relationships, confederacies, and alliances with other Indigenous peoples.
- 1.2 Since its emergence, the Métis Nation, which includes the inter-related and inter-dependent Métis families, communities, and territories located throughout the Métis Nation Homeland, has functioned and been recognized as a nation, including by using, occupying, managing, and protecting the land and resources within the Métis Nation Homeland.
- 1.3 Throughout this Constitution, Métis means an individual who self-identifies as Métis, is distinct from other Indigenous peoples (for cultural and nationhood purposes), is of Historic Métis Nation ancestry, and is accepted by the Métis Nation.
- 1.4 The Métis Nation Homeland includes an area that is now known as the Canadian provinces of Alberta, Saskatchewan, and Manitoba as well as contiguous parts of Ontario, British Columbia, the Northwest Territories, and portions of the northern United States in Montana, North Dakota, and Minnesota.
- 1.5 Today, the Métis Nation is comprised of all Métis as well as the continuations of the inter-related and inter-dependent Métis families, communities, and territories located throughout the Métis Nation Homeland that share the history, language, identity, culture, customs, and traditions of the Métis Nation.
- 1.6 The Métis Nation is one of the “aboriginal peoples of Canada” within the meaning of s. 35(2) of the *Constitution Act, 1982* and a people as recognized in international law, including the *United Nations Declaration on the Rights of Indigenous Peoples*.
- 1.7 The Métis Nation has never surrendered—and will never surrender—the inherent rights it holds as a people.

CHAPTER 2: THE MÉTIS NATION WITHIN ALBERTA

- 2.1 The Métis Nation within Alberta includes all Métis who live within Alberta and all Citizens.
- 2.2 The Métis Nation within Alberta is—and will always be—an indivisible and distinct part of the Métis Nation.
- 2.3 The Métis Nation within Alberta is one united Métis collectivity. The Métis Nation within Alberta is indissoluble. This sub-section of the Constitution cannot be amended.

CHAPTER 3: THE TERRITORIES OF THE MÉTIS NATION WITHIN ALBERTA

- 3.1 The Métis Nation within Alberta has always been and remains comprised of inter-connected and inter-dependent Métis communities that share a distinctive identity, live together in the same geographic area, share a common way of life, and occupy, rely upon, and use Territories.
- 3.2 The Territories of the Métis Nation within Alberta include:
- (a) the Peace River Territory;
 - (b) the Lower Athabasca River Territory;
 - (c) the Lesser Slave Lake Territory;
 - (d) the North Saskatchewan River Territory; and
 - (e) the Battle River Territory.
- 3.3 For the purposes of good government, the Métis Nation within Alberta has defined its Territories as depicted in the map attached to this Constitution as Schedule A, which is an integral part of this Constitution. These Territories, however, remain inter-connected and interdependent and have overlapping geographic areas in which their Métis community's rights may be exercised.
- 3.4 Each of these Territories is an integral and indivisible component part of the Métis Nation within Alberta.

CHAPTER 4: CITIZENS

- 4.1 Citizenship in the Métis Nation within Alberta is a fundamental right of all Métis.
- 4.2 For the purposes of becoming a Citizen, Métis means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of Historic Métis Nation ancestry, and is accepted by the Métis Nation.
- 4.3 In this Constitution:
- (a) Historic Métis Nation means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland;
 - (b) Historic Métis Nation Homeland means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-breeds, as they were then known;

- (c) Métis Nation means the Aboriginal people descended from the Historic Métis Nation that is now comprised of all Métis Nation citizens and that is one of the “aboriginal peoples of Canada” within the meaning of section 35 of the *Constitution Act, 1982*; and
 - (d) distinct from other Aboriginal peoples means distinct for cultural and nationhood purposes.
- 4.4 An individual is accepted by the Métis Nation by becoming registered as a Citizen of the Métis Nation within Alberta.
- 4.5 In this Constitution, Citizen means a Métis who is registered as a Citizen of the Métis Nation within Alberta.
- 4.6 The Otipemisiwak Métis Government will adopt and maintain a law regarding citizenship that must be consistent with the Constitution, and, at a minimum, address the following:
- (a) the establishment and maintenance of a Register of Citizens;
 - (b) the documentary requirements for citizenship and the application process;
 - (c) the privacy rights of Citizens and the ability of the Otipemisiwak Métis Government to collect data through the Register to be used for the benefit of all Citizens and the Métis Nation within Alberta; and
 - (d) an appeals process related to decisions made regarding citizenship.

CHAPTER 5: THE CONSTITUTION OF THE MÉTIS NATION WITHIN ALBERTA

- 5.1 The Métis Nation within Alberta has adopted this Constitution based on its inherent rights of self-determination and self-government.
- 5.2 This Constitution is the Métis Nation within Alberta’s highest law.
- 5.3 No other law or authority, Métis or otherwise, supersedes this Constitution.
- 5.4 Any amendment to this Constitution must be made by way of a law presented to the Citizens’ Gathering, approved by at least three quarters of the members of the People’s Council, and then ratified by at least three quarters of the members of the Otipemisiwak Legislative Assembly.

PART II: BILL OF RIGHTS

CHAPTER 6: THE RIGHTS OF THE MÉTIS NATION WITHIN ALBERTA

- 6.1 As an integral and distinct component part of the Métis Nation, the Métis Nation within Alberta, which includes its Territories, holds and may exercise all the rights inherent to Indigenous peoples and all peoples, including, but not limited to:
- (a) the right of self-determination;
 - (b) the right of self-government;
 - (c) the right to a land base to sustain its existence, identity, culture, and way of life;
 - (d) the right to own, access, use, and benefit from Métis Lands, Métis traditional territories, and resources of the Métis Nation Homeland;
 - (e) the right to harvest resources of the Métis Nation Homeland to benefit and sustain Métis families, communities, and the Métis Nation within Alberta as a whole;
 - (f) the right to engage in innovation, economic development, trade, and commerce to enable the well-being of the Métis Nation within Alberta and its Citizens;
 - (g) the right to mobility throughout the Métis Nation Homeland;
 - (h) the right to speak, transmit, and ensure the vitality of the languages of the Métis Nation within Alberta;
 - (i) the right to practice, transmit, and ensure the continuation and evolution of all the customs, practices, and traditions of the Métis Nation within Alberta without harassment, discrimination, or persecution;
 - (j) the right to establish, control, and provide access to educational systems and institutions providing education in a manner appropriate to Métis cultural methods of teaching and learning;
 - (k) the right to safety, health, well-being, and the ability of its Citizens to live a good life;
 - (l) the right to prompt and fair access to and treatment by the justice system and to have Métis customs, traditions, and laws given due consideration in judicial processes;
 - (m) the right to be engaged, consulted, accommodated, and provide informed consent with respect to any decisions or actions of other governments that have the potential to impact the rights, interests, claims, and well-being of the Métis Nation within Alberta;

- (n) the right to be engaged, consulted, accommodated, and provide informed consent with respect to the future direction of the Métis Nation as well as any decision that may affect the rights, interests, claims, and well-being of the Métis Nation within Alberta as an indivisible and distinct component part of the Métis Nation; and
- (o) without limitation, all of the rights and interests described and recognized in the *United Nations Declaration on the Rights of Indigenous Peoples*.

CHAPTER 7: RIGHTS OF CITIZENS

- 7.1 Every Citizen is entitled to exercise the collectively held inherent rights as well as other rights and interests held by the Métis Nation within Alberta in accordance with this Constitution and any Otipemisiwak Métis Government law.
- 7.2 Subject to residency or other requirements set out in any Otipemisiwak Métis Government law, every Citizen who is sixteen (16) years of age is eligible to vote in Otipemisiwak Métis Government elections and every Citizen who is eighteen (18) years of age is eligible to be elected or hold office in the Otipemisiwak Métis Government.
- 7.3 Every Citizen has the right to appeal or apply for review of decisions of the Otipemisiwak Métis Government in keeping with processes for doing so set out in Otipemisiwak Métis Government laws.
- 7.4 Every Citizen has the right to transparency and accountability from the Otipemisiwak Métis Government, and the Otipemisiwak Métis Government will at all times maintain a law providing for access to information held by the Otipemisiwak Métis Government and its Institutions.

CHAPTER 8: LANGUAGES

- 8.1 The official languages of the Otipemisiwak Métis Government will be Michif, Cree, English, and French.
- 8.2 Any official language may be used in the proceedings of the Citizens' Gathering, the People's Council, the District Councils, and the Otipemisiwak Legislative Assembly.
- 8.3 All laws, regulations, and policies of the Otipemisiwak Métis Government will be adopted in English, and the English version will be authoritative. Laws, regulations, and policies of the Otipemisiwak Métis Government may also be adopted in any other official language.

CHAPTER 9: EQUALITY RIGHTS

- 9.1 The rights of the Métis Nation within Alberta and of Citizens are guaranteed equally to all Citizens regardless of sex, gender, sexual orientation, age, religion, disability, or other immutable personal characteristics.

CHAPTER 10: REASONABLE LIMITS

- 10.1 The rights set out in this Part are subject only to reasonable limits prescribed by an Otipemisiwak Métis Government law that can be demonstrably justified in a free and democratic Métis society.

PART III: THE OTIPEMISIWAK MÉTIS GOVERNMENT

CHAPTER 11: THE OTIPEMISIWAK MÉTIS GOVERNMENT

- 11.1 The Otipemisiwak Métis Government is the government of the Métis Nation within Alberta.
- 11.2 The Otipemisiwak Métis Government builds on the self-government of the Métis Nation within Alberta that developed and evolved in response to political organizing by Métis across Alberta that ultimately led to the creation of L'Association des Métis d'Alberta et les Territoires du Nord-Ouest, the Métis Association of Alberta, and the Métis Nation of Alberta Association.
- 11.3 The Otipemisiwak Métis Government will govern in the spirit of the provisional governments led by Louis Riel and will strive to protect the Métis Nation within Alberta as well as the Métis Nation for generations to come.
- 11.4 The Otipemisiwak Métis Government will engage with and be responsive to the needs and ambitions of its Citizens in keeping with the Métis tradition of kapikiskwanaw, meaning "we will talk."
- 11.5 Only the Otipemisiwak Métis Government has the mandate and authority to speak for and represent the Métis Nation within Alberta.
- 11.6 The Otipemisiwak Métis Government is authorized to advance and address all rights, interests, and claims of the Métis Nation within Alberta.
- 11.7 The Otipemisiwak Métis Government may, in keeping with the tradition of kapikiskwanaw, engage with and enter into collaborative arrangements with other governments, organizations, or institutions, whether international, national, provincial, Indigenous, or otherwise, to advance the interests of the Métis Nation within Alberta.
- 11.8 Consistent with the inherent rights, jurisdiction, and responsibilities set out in this Constitution, the Otipemisiwak Métis Government may determine how federal or provincial laws interact or reconcile with Otipemisiwak Métis Government laws.
- 11.9 All Otipemisiwak Métis Government laws and the application of such laws must be consistent with this Constitution, and, if inconsistent, are of no force and effect to the extent of the inconsistency.

- 11.10 All actions and decisions by the Otipemisiwak Métis Government and its Institutions must be consistent with this Constitution, and, if inconsistent, are invalid to the extent of the inconsistency.

CHAPTER 12: THE PURPOSE, GOALS, AND RESPONSIBILITIES OF THE OTIPEMISIWAK MÉTIS GOVERNMENT

12.1 The Otipemisiwak Métis Government's purpose is:

- (a) to advance the social, cultural, economic well-being, education, and health of its Citizens, families, and communities, and the Métis Nation within Alberta as a whole;
- (b) to advance, address, secure, and protect the rights, interests, and claims of the Métis Nation within Alberta; and
- (c) to provide fair, responsible, transparent, and accountable governance to the Citizens of the Métis Nation within Alberta.

12.2 The Otipemisiwak Métis Government's goals and responsibilities are:

- (a) to work towards protecting the planet, land, water, animals, and environment for future generations, including our relationship and responsibilities to all things;
- (b) to repatriate, secure, and protect lands and resources for the benefit of Citizens and the Métis Nation within Alberta;
- (c) to advance and secure the recognition of Métis rights and interests within Alberta and Canada;
- (d) to research, publish, and preserve the distinct history of Métis places, families, communities, and territories that are a part of the Métis Nation within Alberta;
- (e) to maintain a credible, objectively verifiable, and non-political Register of Citizens at the provincial level;
- (f) to develop, build, and maintain mechanisms, structures, and Institutions to enable the Otipemisiwak Métis Government to be independent and self-sustaining;
- (g) to enable Citizens to pursue their best life based on their own personal choices and spirituality;
- (h) to support and improve the quality of life of Citizens through providing social, economic, spiritual, cultural, and health supports that are specifically designed and tailored for their unique needs and realities;

- (i) to ensure Citizens have meaningful ways to be consulted and participate in the Otipemisiwak Métis Government's decision-making at all levels;
- (j) to ensure the distinct voice of the Métis Nation within Alberta is heard nationally and internationally; and
- (k) to work with other Indigenous peoples and their governments through supporting, building, or rekindling relationships, kinships, confederacies, and alliances.

CHAPTER 13: THE BRANCHES OF THE OTIPEMISIWAK MÉTIS GOVERNMENT

13.1 The Otipemisiwak Métis Government consists of the following branches:

- (a) the Citizens' Gathering;
- (b) the People's Council;
- (c) District Councils; and
- (d) the Otipemisiwak Legislative Assembly.

CHAPTER 14: THE CITIZENS' GATHERING

14.1 The Otipemisiwak Métis Government will convene a Citizens' Gathering each summer.

14.2 The People's Council will determine the date and location of each Citizens' Gathering.

14.3 All Citizens have a right to attend, participate, and speak at any Citizens' Gathering.

14.4 The purpose of the Citizens' Gathering held each summer is:

- (a) to bring Citizens together to share in Métis social, cultural, political, and spiritual activities; and
- (b) to serve as a forum where:
 - i. the President will provide a report to Citizens;
 - ii. the People's Council and Institutions will provide annual reports to Citizens on the work and finances of the Otipemisiwak Métis Government;
 - iii. updates on specific issues or matters of importance facing the Otipemisiwak Métis Government will be provided to Citizens;
 - iv. Citizens will have the opportunity to ask questions, provide their views, and table proposals; and

- v. Citizens will have an opportunity to review and provide their views on any proposed amendments to this Constitution.
- 14.5 The People's Council may convene additional Citizens' Gatherings from time to time in order to seek the views of Citizens on issues of importance to the Métis Nation within Alberta.
- 14.6 The Otipemisiwak Métis Government will at all times maintain a law that addresses the requirements and operations of the Citizens' Gathering.

CHAPTER 15: THE PEOPLE'S COUNCIL

- 15.1 There will be a democratically elected People's Council. Subject to any limitations provided for in this Constitution and any Otipemisiwak Métis Government laws, the People's Council will be responsible for and may exercise all executive powers required to manage the business and operations of the Otipemisiwak Métis Government and implement Otipemisiwak Métis Government laws.
- 15.2 The People's Council will include:
- (a) the President, who will be a Citizen elected by all Citizens every four years through a province-wide election;
 - (b) one People's Representative per District, who will be a Citizen elected every four years by the Citizens of the District in which the People's Representative resides;
 - (c) the Chair, who will be a member of the Otipemisiwak Legislative Assembly nominated by a committee of the Otipemisiwak Legislative Assembly to be confirmed by a resolution of the Otipemisiwak Legislative Assembly.
- 15.3 The People's Council will approve an annual budget of the Otipemisiwak Métis Government and will provide financial accountability to Citizens through the procedures set out in this Constitution or Otipemisiwak Métis Government laws.

A. THE ROLE OF THE PRESIDENT

- 15.4 The President is responsible for providing overall leadership and upholding the purpose, goals, and responsibilities of the Otipemisiwak Métis Government.
- 15.5 The President is also responsible for:
- (a) acting as the chief spokesperson and chief negotiator of the Otipemisiwak Métis Government;
 - (b) overseeing the management and business of the Otipemisiwak Métis Government consistent with this Constitution, Otipemisiwak Métis Government laws, and

direction received from the People's Council and the views and proposals of the Citizens' Gathering;

- (c) leading discussions of the People's Council on various issues of importance and attempting to seek consensus on these issues;
- (d) providing a President's Report to the Citizens' Gathering held each summer and presentations or reports to any additional Citizens' Gatherings;
- (e) selecting and mandating Provincial Secretaries from the People's Council as required; and
- (f) where appropriate, assisting in resolving internal disputes.

15.6 Within 30 days of being elected, the President will identify a People's Representative to act as interim President in the event that the President becomes unable to fulfill their roles and responsibilities and until a new President is elected in keeping with an Otipemisiwak Métis Government law.

B. THE RESPONSIBILITY OF THE CHAIR

15.7 The Chair will, in accordance with Otipemisiwak Métis Government laws:

- (a) remain neutral and impartial;
- (b) preside over all meetings of the People's Council, the Citizens' Gathering, and the Otipemisiwak Legislative Assembly;
- (c) only vote at meetings when required to break a tie;
- (d) ensure meetings are planned effectively and maintain meeting order;
- (e) ensure matters are dealt with in an efficient manner; and
- (f) following every Citizens' Assembly, prepare a report for the People's Council summarizing the questions, views, and proposals presented by Citizens.

C. THE ROLES OF THE PEOPLE'S REPRESENTATIVES

15.8 Every People's Representative is responsible for representing the rights, interests, and claims of the Citizens resident in their respective District and for working with other members of the People's Council to advance the purpose, goals, and responsibilities of the Otipemisiwak Métis Government.

15.9 People's Representatives may also be appointed as Provincial Secretaries by the President to be responsible for specific matters, issues, departments, or Institutions based on mandate letters from the President, which will be made public and available to Citizens. In accepting

this role, a Provincial Secretary is accountable to the President as well as other to members of the People's Council in relation to their work as a Provincial Secretary.

D. OPERATION OF THE PEOPLE'S COUNCIL

- 15.10 The President will call all meetings of the People's Council.
- 15.11 There will be, at a minimum, six (6) meetings of the People's Council annually.
- 15.12 The People's Council will endeavour to make decisions by consensus; however, where consensus cannot be reached, the People's Council may make decisions by a vote of the majority of its members.
- 15.13 The People's Council will appoint advisory councils. The Otipemisiwak Métis Government will at all times maintain a law providing for the appointment and function of advisory councils.
- 15.14 The Otipemisiwak Métis Government will at all times maintain a law governing the operations and procedures of the People's Council.

CHAPTER 16: DISTRICTS AND DISTRICT COUNCILS

A. DISTRICTS

- 16.1 For the purposes of good government and the effective representation of Citizens, the Territories of the Métis Nation within Alberta will be subdivided into Districts.
- 16.2 The Otipemisiwak Métis Government will at all times maintain a law setting out:
 - (a) the criteria and process for the establishment or alteration of Districts; and
 - (b) the boundaries of all Districts.

B. DISTRICT COUNCILS

- 16.3 Each District will have a District Council.
- 16.4 Each District Council will be a Governance Structure of the Otipemisiwak Métis Government within the meaning of *Métis Government Recognition and Self-Government Agreement*.
- 16.5 A District Council will include:
 - (a) the People's Representative of the District, who will preside over the District Council;
 - (b) the Legislative Delegate(s) of the District; and

- (c) potential additional Councillors, who must be Citizens and residents of the District, as provided for in an Otipemisiwak Métis Government law.
- 16.6 The Otipemisiwak Métis Government will at all times maintain a law that must, at a minimum, provide for the delegation of authority to the District Councils regarding the following:
- (a) the operation of the District Council, including holding of meetings, elections, financial management, accountability, and reporting to Citizens residing in the District;
 - (b) administration of the business of the District Council;
 - (c) the conduct of consultation and accommodation with the Crown, industry, and other Indigenous groups on behalf of the Citizens residing in the District regarding their rights, claims, and interests;
 - (d) the delivery of programs and services of the Otipemisiwak Métis Government at the District level;
 - (e) the relationship of the District Council to its Institutions, if any;
 - (f) the management of Métis Lands in a District; and
 - (g) the transfer of the assets of any Métis Nation of Alberta Association Local Council or Regional Council to the District Council that will be its successor in the Otipemisiwak Métis Government.
- 16.7 Consistent with this Constitution and any Otipemisiwak Métis Government law, the District Councils of each Territory must establish procedures to coordinate their work in conducting consultations in relation to the rights, claims, and interests collectively held by the Citizens in the Territory they represent with the Crown, industry, and other Indigenous groups.

C. ALBERTA METIS SETTLEMENTS

- 16.8 In this Constitution, Metis Settlement and Settlement Member have the meanings as set out in the *Metis Settlement Act*, RSA 2000, c M-14, as amended from time to time.
- 16.9 The Metis Settlements are the result of the early efforts of the leadership of the Métis Association of Alberta, a predecessor of the Otipemisiwak Métis Government, and serve to provide a Métis land base to preserve and enhance Métis identity, culture, and well-being in Alberta.
- 16.10 The Metis Settlements exist for the benefit of all Métis in Alberta and are an integral part of the Métis Nation within Alberta.

- 16.11 The council of a Metis Settlement may decide for the Metis Settlement it represents to be recognized as a District and, on terms agreed to with the Otipemisiwak Métis Government, become recognized as having all of the powers, responsibilities, entitlements, and privileges of a District as set out in this Constitution and any Otipemisiwak Métis Government law.
- 16.12 By participating in the Otipemisiwak Métis Government as a District, none of the existing jurisdiction, powers, or responsibilities of a Metis Settlement under the *Metis Settlement Act*, RSA 2000, c M-14, including ownership of Metis Settlement lands, will be affected in any way.
- 16.13 All Settlement Members who are eligible to do so may register as Citizens of the Métis Nation within Alberta.

CHAPTER 17: OTIPEMISIWAK LEGISLATIVE ASSEMBLY

- 17.1 There will be an Otipemisiwak Legislative Assembly that will be responsible for enacting all Otipemisiwak Métis Government laws.
- 17.2 The Otipemisiwak Legislative Assembly will consist of:
- (a) the members of the People's Council; and
 - (b) the Legislative Delegate(s) of each District.
- 17.3 The Legislative Delegates of each District will be Citizens elected every four years by the Citizens of the District in which the Legislative Delegates reside.
- 17.4 Every District will have at least one Legislative Delegate. The Otipemisiwak Métis Government will at all times maintain a law setting out the criteria for determining the number of Legislative Delegates each District will elect.

A. LEGISLATIVE PROCESS

- 17.5 The People's Council is responsible for all proposals for Otipemisiwak Métis Government laws as well as determining the date and agenda for each session of the Otipemisiwak Legislative Assembly.
- 17.6 At least thirty (30) days prior to a meeting of the Otipemisiwak Legislative Assembly, each People's Representative will call a meeting of the Legislative Delegates and Citizens residing in the District they represent to discuss any proposals for laws.
- 17.7 The Otipemisiwak Legislative Assembly will endeavour to make decisions by consensus; however, where consensus cannot be reached, the Otipemisiwak Legislative Assembly may make decisions by a vote of the majority of its members.
- 17.8 The Otipemisiwak Métis Government will at all times maintain a law governing the operations and procedures of the Otipemisiwak Legislative Assembly.

B. LEGISLATIVE AUTHORITY

- 17.9 The Otipemisiwak Legislative Assembly has the responsibility and exclusive authority to enact laws to protect and ensure the good governance of the Métis Nation within Alberta as well as the advancement and protection of Métis Lands, rights, interests, and claims.
- 17.10 The Otipemisiwak Legislative Assembly will have exclusive authority to enact laws in relation to all aspects of the inherent jurisdiction and rights of the Métis Nation within Alberta.
- 17.11 Except as provided for in this Constitution, the Otipemisiwak Legislative Assembly may not delegate its responsibility and exclusive authority to enact laws.
- 17.12 The Otipemisiwak Métis Government will maintain a public registry by electronic means where this Constitution and all Otipemisiwak Métis Government laws will be posted.

PART IV: JUSTICE SECTOR

CHAPTER 18: JUDICIAL BODIES

- 18.1 The Otipemisiwak Métis Government will at all times maintain a law establishing one or more impartial bodies to decide and prescribe the resolution of disputes and addressing the following matters:
- (a) citizenship in the Métis Nation within Alberta;
 - (b) election of leadership of the Otipemisiwak Métis Government;
 - (c) the validity, application, and interpretation of laws, regulations, policies, actions, or decisions of the Otipemisiwak Métis Government or its Institutions;
 - (d) any other matter as identified in an Otipemisiwak Métis Government law;
 - (e) appeals of decisions of the bodies comprising the Justice Sector; and
 - (f) where decisions of the bodies comprising the Justice Sector are final and cannot be appealed.

PART V: MÉTIS LANDS

CHAPTER 19: MÉTIS LANDS

- 19.1 The Métis Nation within Alberta has a right to and requires the use, benefit, control, and stewardship of appropriate and sufficient lands to maintain, protect, and enhance Métis nationhood, identity, language, culture, gatherings, trade, commerce, and self-government on a land base.

19.2 In this Constitution, Métis Lands means land held by the Otipemisiwak Métis Government for the use and benefit of the Métis Nation within Alberta and its Citizens.

19.3 The Otipemisiwak Métis Government will seek:

- (a) to repatriate land to be held by the Otipemisiwak Métis Government as Métis Lands;
- (b) to ensure that all Métis Lands are protected and held by the Otipemisiwak Métis Government for the use and benefit of the Métis Nation within Alberta and its Citizens for generations to come; and
- (c) to otherwise secure access, use, benefit, control, and stewardship of lands throughout the Territories of the Métis Nation within Alberta.

CHAPTER 20: MÉTIS SCRIP AND OTHER LAND DISPOSSESSIONS

20.1 The Otipemisiwak Métis Government will secure recognition, reconciliation, and redress for the inter-generational impacts of Métis scrip and other land disposessions on the Métis Nation within Alberta and its Citizens.

20.2 Any modern-day treaty or land claims agreement between Canada and the Otipemisiwak Métis Government on behalf of the Métis Nation within Alberta must recognize and redress the legacy of Métis scrip.

PART VI: OFFICES AND INSTITUTIONS

CHAPTER 21: OFFICERS

21.1 In this Constitution, Officer means a holder of a public or civil office in the Otipemisiwak Métis Government.

21.2 The Otipemisiwak Métis Government may adopt laws establishing Officers of the Otipemisiwak Métis Government and defining their roles and responsibilities.

CHAPTER 22: OMBUDSMAN

22.1 Within thirty (30) days following the province-wide elections for the leadership of the Otipemisiwak Métis Government, a committee of the Otipemisiwak Legislative Assembly will nominate an Ombudsman to be confirmed by a resolution of the Otipemisiwak Legislative Assembly. The Ombudsman must be a Citizen.

22.2 The Ombudsman will be an Officer of the Otipemisiwak Métis Government.

22.3 All Citizens have the right to submit complaints to the Ombudsman regarding the actions or decisions of the Otipemisiwak Métis Government, its elected leadership, Officers, employees, or Institutions.

22.4 The Ombudsman will have the authority to:

- (a) investigate complaints;
- (b) mediate disputes;
- (c) make recommendations to the Otipemisiwak Métis Government or any of its Institutions regarding possible resolutions of complaints; and
- (d) dismiss complaints.

22.5 The decisions of the judicial bodies provided for in Chapter 18 will not be reviewable by the Ombudsman. All decisions of the Ombudsman will be reviewable by the Justice Sector.

22.6 The Otipemisiwak Métis Government will at all times maintain a law enabling the work of the Ombudsman.

CHAPTER 23: AUDITOR GENERAL

23.1 Within thirty (30) days following the province-wide elections for the leadership of the Otipemisiwak Métis Government, a committee of the Otipemisiwak Legislative Assembly will nominate an Auditor General to be confirmed by a resolution of the Otipemisiwak Legislative Assembly. The Auditor General must be a Citizen.

23.2 The Auditor General will be an Officer of the Otipemisiwak Métis Government.

23.3 The Auditor General is the auditor of the accounts of the Otipemisiwak Métis Government and as such will make such examinations and inquiries as they consider necessary to enable them to fulfill their responsibilities as set out in this Constitution or any Otipemisiwak Métis Government law.

23.4 The Auditor General will prepare an annual consolidated audited financial statement for the Otipemisiwak Métis Government and publish it such that it is available to all Citizens.

23.5 The Otipemisiwak Métis Government will at all times maintain a law that governs the financial management of its Governance Structures and Institutions, including the accountability of the Otipemisiwak Métis Government to its Citizens, and that enables the work of the Auditor General.

CHAPTER 24: INSTITUTIONS

24.1 The Otipemisiwak Métis Government and the District Councils may, in a manner set out in an Otipemisiwak Métis Government law, create, own, and define their relationship to corporations, organizations, or entities, to be known as Institutions, that administer one or more specific laws, policies, programs, or services.

PART VII: GENERAL PROVISIONS

CHAPTER 25: CODE OF ETHICS

- 25.1 The Otipemisiwak Métis Government will at all times maintain a law governing, among other things, conflicts of interest relating to the elected leadership, Officers, and employees, and the employees of its Institutions.

CHAPTER 26: ELECTIONS AND REFERENDA

- 26.1 The Otipemisiwak Métis Government will at all times maintain a law governing the conduct of its elections and referenda.

CHAPTER 27: NO EFFECT ON MÉTIS RIGHTS, CLAIMS, AND INTERESTS

- 27.1 Nothing in this Constitution limits, prejudices, restricts, or surrenders any right, claim, or interest of the Métis Nation within Alberta, the Territories, or any components thereof.
- 27.2 The Métis Nation within Alberta will act through the Otipemisiwak Métis Government in asserting, claiming, negotiating, or exercising any right, claim, or interest of the Métis Nation within Alberta, the Territories, or any components thereof.

CHAPTER 28: COMING INTO FORCE

- 28.1 In this Constitution, Self-Government Implementation Date means the date set out in the Order in Council for the coming into force of the *Métis Government Recognition and Self-Government Agreement*.
- 28.2 This Constitution will come into force on the Self-Government Implementation Date.

CHAPTER 29: TRANSITION

- 29.1 Wherever this Constitution provides that the Otipemisiwak Métis Government will at all times maintain a law regarding a matter, a law adopted by resolution of the Métis Nation of Alberta Association's Provincial Council in relation to that matter prior to the coming into force of this Constitution will be considered a law adopted by the Otipemisiwak Métis Government for the purposes of this Constitution.
- 29.2 As of the Self-Government Implementation Date, all members of the Métis Nation of Alberta Association will become Citizens.
- 29.3 As of the Self-Government Implementation Date, all the rights, titles, interests, assets, obligations, and liabilities of the Métis Nation of Alberta Association will be vested in the Otipemisiwak Métis Government as its successor.
- 29.4 Consistent with this Constitution and the *Métis Government Recognition and Self-Government Agreement*, as of the Self-Government Implementation Date, the

Otipemisiwak Métis Government will have in place a Transition Plan that will determine, among other things:

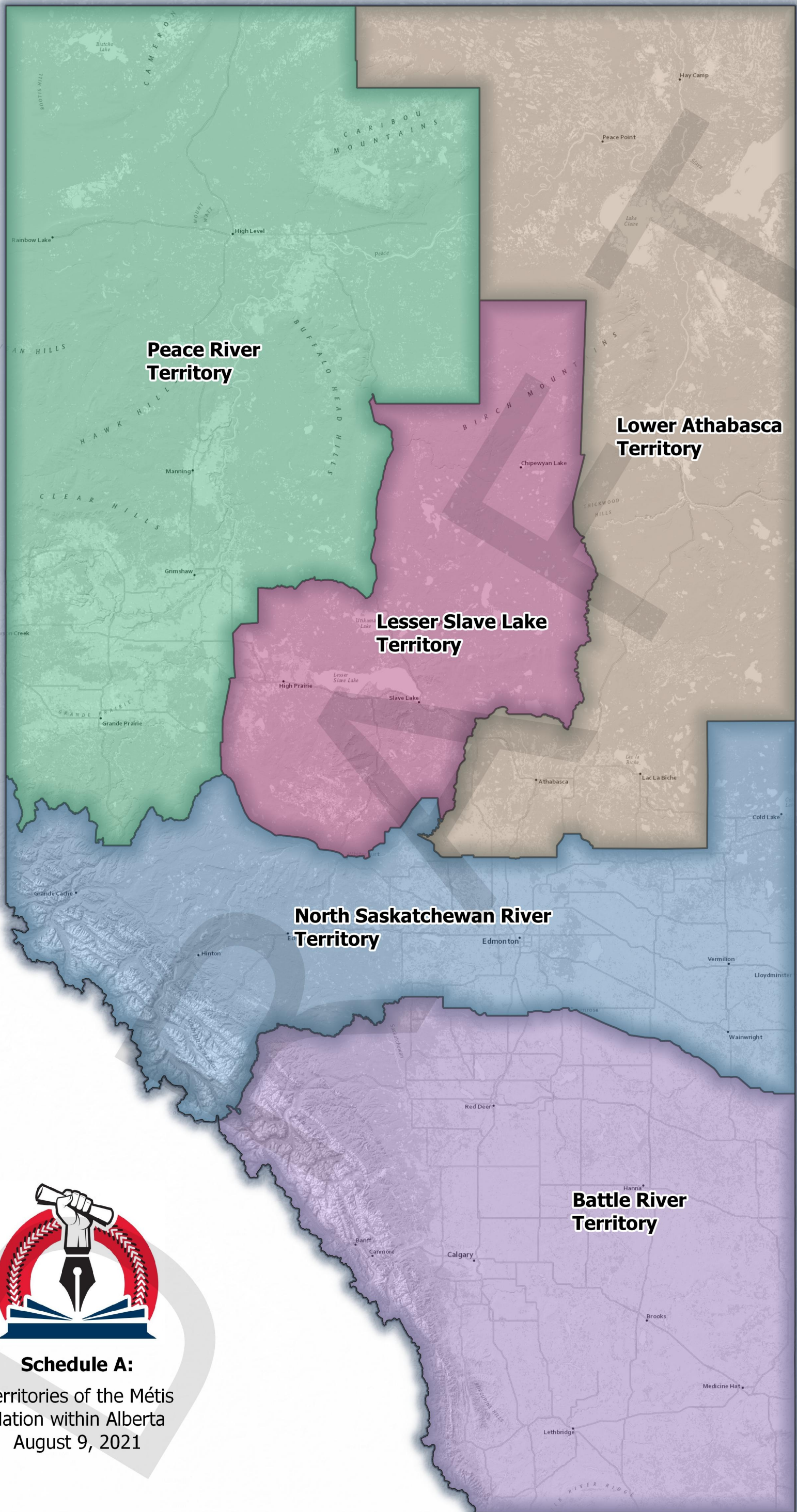
- (a) how the rights, titles, interests, assets, obligations, and liabilities of each Local Council and Regional Council of the Métis Nation of Alberta Association will be vested in the Otipemisiwak Métis Government or a District Council as their successor; and
- (b) how the relationship of the affiliates of the Métis Nation of Alberta Association will be maintained with the Otipemisiwak Métis Government, including the possibility that they be continued as Institutions.

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SCHEDULE A

For the purposes of good government, the Métis Nation within Alberta has defined its Territories as depicted in this map. These Territories, however, remain inter-connected and interdependent and have overlapping geographic areas in which their Métis community's rights may be exercised. Each of these Territories is an integral and indivisible component part of the Métis Nation within Alberta.

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Schedule A:
Territories of the Métis
Nation within Alberta
August 9, 2021