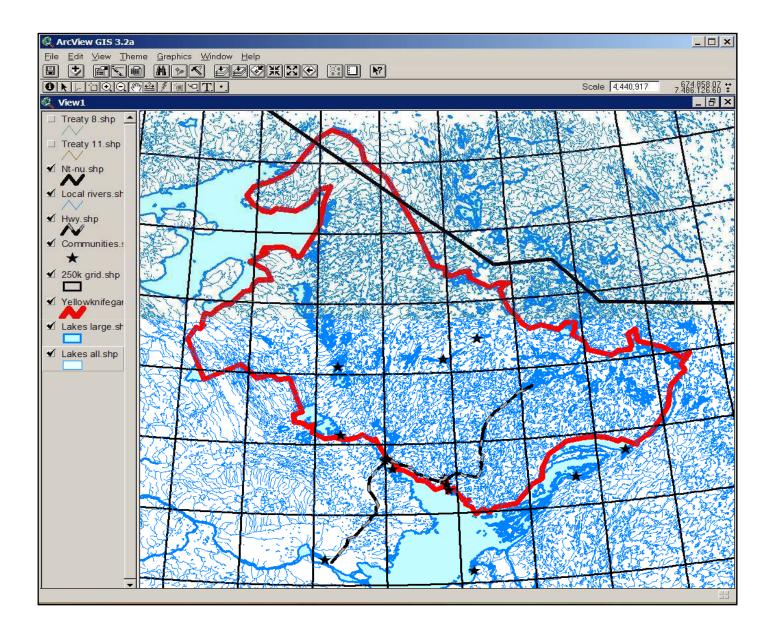


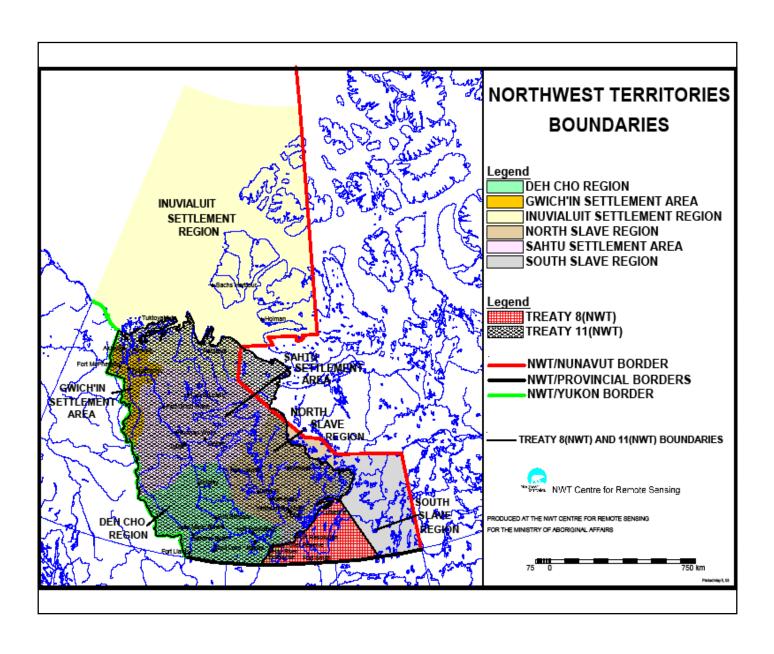
Treaty promise

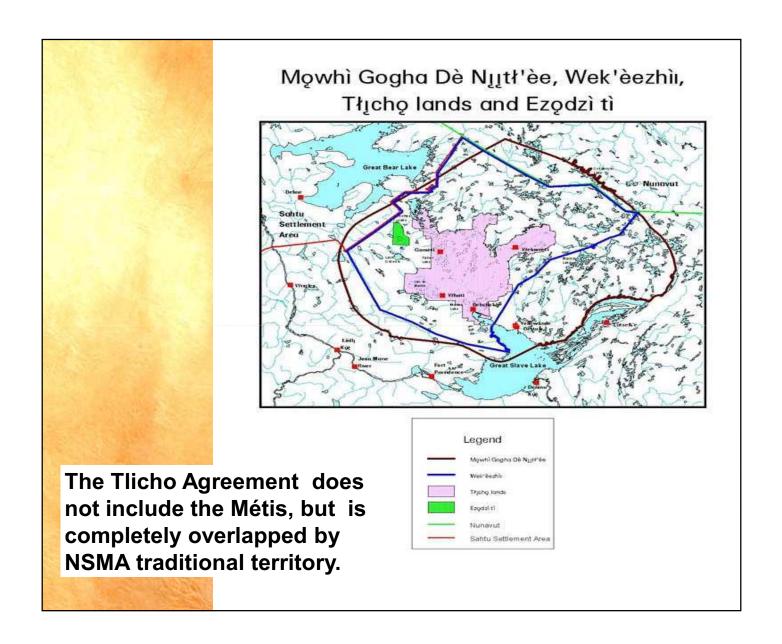
Treaty 11 promises made by Commissioner Conroy, were guaranteed by the solemn Word of Honor of Bishop Breynat, witnessed by a number of officials present at Treaty 11 signing in Fort Rae, and included promises that:

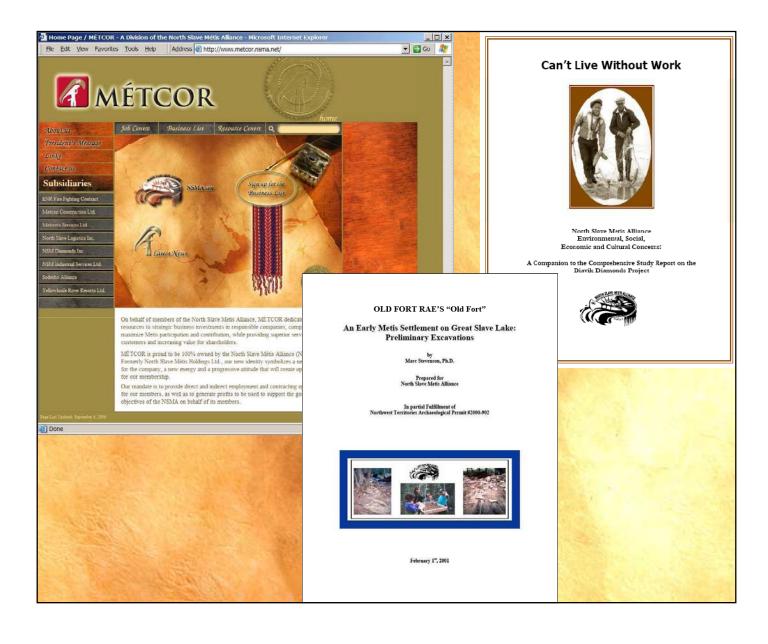
- Nothing would be allowed that would interfere with their way of living,
- •The old and destitute would always be taken care of, their future existence would be carefully studied, and every effort would be made to improve their living conditions,
- •They would be protected, ESPECIALLY in their way of living as hunters and trappers, from white competition

(Rene Fumeleau, As Long As This Land Shall Last)









NSMA'S BASELINE CONDITION

- Michif is the only indigenous language in the NWT which does not receive official recognition and support.
- North Slave Métis are the only aboriginal group in the NWT with no established process to address their aboriginal claims.
- North Slave Métis have no physical community of their own.
- North Slave Métis have no reliable ongoing support for delivery of social or cultural programs or to conduct heritage research.
- North Slave Métis are unrepresented on resource co-management boards.

GIANT MINE'S CONTRIBUTIONS TO THE CURRENT CONDITION OF THE NSMA

- competition for land led to the displacement of Métis settlements at willow flats, school draw, etc.
- Competition for fishing, gathering, hunting, trapping.
- Dilution of political influence in development of Yellowknife
- Damage to local air, land, water, wildlife and plants.

LEGACY ISSUES NEED TO BE INCLUDED IN ASSESSMENT

- Restoration of fish habitat
- Restoration of lands
- Restoration of Métis land base
- Restoration of Métis political and cultural status
- Reconcilliation for past damages
- Compensation for resources removed without due process

MITIGATION RESEARCH AND PLANNING NEEDS TO BE CONDUCTED IN AN ETHICAL AND HONORABLE MANNER

- Royal Commission on Aboriginal Peoples
- Tri-Council Policy
- Canada's Policy for IPY research
- Canada's Policy for NCP research
- · Canada's duty to consult
- NSMA's lack of capacity

PRINCIPLES OF JUSTICE EQUALITY AND EQUITY REQUIRES MITIGATION OF CUMULATIVE SOCIOECONOMIC IMPACTS

• Leaving a negative impact in place without mitigation is an unacceptable ongoing and cumulative effect.



First of all, I would like to familiarize everyone with some background information about the People I am here to represent.

The Métis originated as a result of hybridization between various European and American populations, primarily the French and Cree, and began with first contact during the period of exploration and the birth of intercontinental trade between the European and American continents.

This Map Shows the routes of the known explorers.

The Basques (a People of Celtic origin whose home country was on the west coast between France and Spain) established a whale fishery station on the Strait of Belle Isle (now Labrador) that flourished between 1540 and the 1590's. Approximately 2,000 men were employed there, and lived in Newfoundland-Labrador for six months of the year. It is likely safe to assume some Métis resulted from the numerous trading sessions with the natives. Fifty years or so before that, it was well known the Basques had been trading furs in Canada. In 1609, Marc Lescarbot noted that the natives of Gaspe, Quebec, spoke a trade language that was half Basque. Since the Basque had been living among the savages since 1540, this likely represented not only trade relations but likely many Basque settled among the native peoples for freedom and adventure.

It is also reasonably likely that some of the French Huguenots who were denied access to America may have immigrated as Coureurs des Bois, so as to escape persecution in France.

Hundreds of French free traders visited Tadoussac (Quebec) annually to trade for furs. Possibly, the first verifiable Canadian Metis originated from the five to sixteen survivors of the settlement of Tadoussac, who, in 1599, went to live with the savages. (http://www.agt.net/public/dgarneau/metis1.htm)

Prior to his visit to Canada in 1603, Samuel de Champlain (1570-1635) and the French government he represented, were well aware that many European Nations were beginning to establish toe holds in the Canadian trade. Champlain started the French Trading Period by establishing a fur trading post in Acadia (Nova Scotia), in 1604. (which was abandoned in 1607).

In 1610, Henry Hudson entered Hudsons Bay, and began trading with the natives there. More research is needed to establish what happened to Henry Hudson and the crew members who were abandoned in Hudson's Bay when the rest of the crew mutinied and took the ship home.... It is entirely possible, and suggested by traditional knowledge, that these men survived and raised families with women from the area.

One of the greatest problems, for the authorities in trying to establish settlements in North America, was the loss of the hundreds of young men who were deserting and going to live in the wild, with the natives. In 1681 restrictions were placed upon trade, and men could be whipped or branded for unauthorized absences from the colonies. This decree aimed to reduce the numbers of the coureurs des

bois; however, it doesn't appear to have succeeded. In the early 1680s, some traders settled on the shores of Hudson Bay. In February 1668, the authorities of the colony of New France observed that "a band of Natives without any French among them is a rare sight indeed".

In 1696, <u>Louis XIV</u> published a decree virtually restricting the trading activities to the establishments located along the <u>St. Lawrence river</u>. "to every person, regardless of rank or condition, to leave on a trading trip or to go inland for any reason, under pain of the galleys; and requires all Frenchmen settled with or visiting the Natives to take their leave and return, or they will be liable of the same punishment."

Naturally, though, many courers de bois remained with their new families in the wilderness of what would much later on become Canada, including, we believe, the area between the Hudson Bay, Great Bear Lake, Great Slave Lake, and the Mackenzie River which we now call the North Slave Region.

http://www.civinzation.ca/vinin/popul/coarcars

http://www.civilization.ca/vmnf/nonul/coureurs

For that reason, and others, tracing Voyager, Coureurs des Bois or Métis ancestry is a very challenging task. The English on Hudson Bay called them wood runners; the Anglo-Dutch of Albany (New York) called them 'bush lopers'. The Coureurs des Bois were considered French traitors, and often changed their names each time they worked as Voyagers or visited the parishes for marriage or baptism. The Métis were ignored and left off of most records as they were considered to have abandoned their French culture for that of the Savage culture; a different form of traitor. If Indians (or Métis) married Europeans a pseudo European name is very often used to hide this heritage, but sometimes the word savage is used to identify them. The use of the word interpreter, guide or even captain, often refers to a Métis. If this were not enough, it was the French habit in New France to use nicknames, and the Metis also adopted this cultural quirk. Many added dit (alias) names to distinguish themselves from others with the same name. These dit (alias) names, a.k.a. (also known as) names often became the assumed sir names the decedents used. To add to the confusion, once they departed from Quebec, just about any spelling of the name might be used, as there was no standard. Some men deliberately chose different names to get married under, to conceal polygamy from the authorities. (http://www.agt.net/public/dgarneau/metis1.htm)

In 1608, Samuel Bruce was the first officially recognized Coureurs des Bois, but more correctly should have been known as a Voyager. A Voyager is an engage under strict control of France and subject to the rigidity of church and state Laws. The Coureurs des Bois, on the other hand, is a free agent, more like the Native American. A Coureurs des Bois, in effect, abandons his European culture in search of a better life style. They created a hybrid culture which formed the basis of the Métis Culture. This cultural tradition of free agent and free trader is an Aboriginal tradition which is inherent to Americans from ancient times.

Two French Voyageurs, Medard Chouart, Sieur des Groseilliers (A.K.A. Mr. Gooseberry), and his brother in law Pierre-Esprit Radisson sailed the Nonsuch into the mouth of the Rupert River in September 1668. The success of their expedition, funded by England, brought about the formation of the Hudson's Bay Company, on May 2, 1670, and the establishment of company trading posts all around Hudson Bay. Although the clerks and factors did not venture far from their posts, the Indians and Métis carried the trade far inland. (http://www.hbc.com/hbcheritage/learning/ebooks/Adventurers/Adventurers-Ch1.pdf)

There is no conclusive evidence that Métis free men were not already there.

On June 27, 1715 a HBC employee named William Stuart (Stewart) accompanied a Chipewyan woman named Thanadelthur and 150 Cree from Fort York across the barrenlands to Slave River and Great Slave Lake to <u>restore</u> trade with the Chipewyans (Yellowknives). (I note that it is not possible to restore something that had never existed before.)

The Chipewyans had until then been afraid to approach the fort, as the forts were jealously guarded by the armed Cree. (http://www.collectionscanada.ca/2/24/h24-1520-e.html).

James Knight then took Thanadelthur with him to start the fort at Churchill in 1717, where she soon died. Her son, Matonnabee was adopted by Richard Norton, the governor at Fort Prince of Wales. Richard Norton's half-Cree son Moses, who also later on became governor of Fort Prince of Wales, sent his half-brother Matonnabee and Samuel Hearne on the historic and successful journey from Churchill to Coppermine and back, passing through, and wintering on Great Slave Lake in 1770-1771. (http://www.usask.ca/education/ideas/tplan/sslp/aborhist.htm)

The map and journals recorded during Hearne's journey establish with certainty the existence of traditional trails between Hudson's Bay and Great Slave, and suggest the likelihood that coureurs de bois had traveled that route before its "discovery" by professional explorers. The route could be the same as that traveled by Stewart and Thalanadelthur in 1715.

We know that Francois Beaulieu, the Patriarch of the Mackenzie District Métis, was born at Salt River in 1771.

In 1786, Peter Pond of the North West Company, had Laurent Leroux and his many Metis employees (almost 100 of them, including 12 who were locally hired)[1], build (Old) Fort Providence (which

operated intermittently until 1823[2]) at the mouth of the Yellowknife River to trade with the Yellowknives (Chipewyan), and another Fort at Lac La Martre to trade with the Dogribs.[3]

The journals of Philip Turnor[4], and the map produced by Aaron Arrowsmith[5] both indicate that there were Canadian settlements and houses on Great Slave Lake prior to the 1790's. Canadien was another name for Métis.

Alexander Mackenzie, in his 1789 journal, mentions the remains of the old fort on Old Fort Island and Mountain Island (Old Fort Rae).

- [1] The "Journal of Athabasca, 1786", which is catalogued in the NWC papers at the Hudson's Bay Company Archives (HBCA F. 2/1) and covers a period from April 1 to May 31, 1786, list the names of 100 NWC employees (mostly Metis) and their debts. In addition, the author of the journal entries for Great Slave record records that 12 men were hired to serve in this region.
- [2] Perry D. and D. Clark (1971). Fort Providence, NWT. The Musk-ox 8:1-13.
- [3] The "Journal of Athabasca, 1786", which is catalogued in the NWC papers at the Hudson's Bay Company Archives (HBCA F. 2/1) and covers a period from April 1 to May 31, 1786, list the names of 100 NWC employees (mostly Metis) and their debts. In addition, the author of the journal entries for Great Slave record records that 12 men were hired to serve in this region.
- [4] Tyrell, J.B. (1968:518) Journal of Philip Turnor, 1791-92. In, Journals of Samuel Hearne and Philip Turnor Between the Years 1774-1792. (Originally published by as Champlain Society Publication XXI). Greenwood Press, New York.
- [5] Arrowsmith, A. (1795) A Map Exhibiting all the New Discoveries in the Interior Parts of North America..., indicating additions to 1802. HBCA G. 3/672, Sec. 2{N6493}.
- 5. Petitot, E. (1891:78) Autours du grand lace des Esclaves. Nouvelle Librairie Parisienne, Paris.

Because the history of Métis in the region is not well documented, it is fortunate that there are at least a few well known individuals whose lives were recorded in the journals of famous explorers and missionaries. This slide shows a partial genealogy of Francois Beaulieu the first, for five generations leading up to the time of Treaty 11, and his brother Jacques.

According to Father Emille Petitot, these early French-Metis *homes libres* including Beaulieu, Poitras, Cayen, and La Camarade de Mandeville, among others, "never bothered to claim the honour and the

glory of having been the first to discover and inhabit these remote and inhospitable lands (Great Slave Lake)."[1] "These mixed-blood ... nomads (were) the descendants of French and French-Canadian voyageurs and coureurs de bois who preceded the Hearnes, Frobishers and Mackenzies (sic) in these lands, and afterwards became the first servants of the Northwest (sic) Company."[2]

We know that Francois Beaulieu (the first) was a French Canadian Métis trader in the service of the *Compagnie des Sioux,* who lived in the Great Slave Lake area during the 1700's. He married a Chipewyan woman and had a Métis son, at Salt River, in 1771[3], also named Francois Beaulieu. This son, Francois Beaulieu II, known in his later years as "Le Patriarche" and "Old Man", is one of the most well documented and influential individuals in the history of this region[4]. According to Father Emille Petitot, "He (Francois Beaulieu II) was one of the oldest witnesses of the events that have taken place in the North...(and) saw the arrival in 1780 of the first explorer of Great Slave Lake, Peter Pond; then, in 1789, of Sir Alexander Mackenzie."[5]

Jacques Beaulieu, Francois' brother, had been around long enough already to learn both local Dene languages, earn the trust of both the Dogribs and Chipewyans, and become appointed as spokesman for both groups in 1786, before the first "white men[6]" arrived. This was a remarkable accomplishment, given that the Dogribs and Yellowknives were at war at the time.

Francois Beaulieu (I) accompanied Mackenzie on his 1789 trip down the Mackenzie, and his brother Jacques served as interpreter.[6] His son, Francois Beaulieu II also accompanied and assisted Alexander Mackenzie when he "discovered" the Mackenzie River in 1789, and later showed Sir John Franklin the easiest route to Coppermine via Great Bear Lake in 1825.

North Slave Métis have occupied the general area between the Mackenzie River, Great Bear Lake, Coppermine, the Thelon, and Great Slave Lake for approximately 300 years. It was the Métis who built, inhabited, and often managed the early fur trading posts which became the Northwest Territories' first permanent communities, including Old Fort Providence in Yellowknife Bay, Salt River, Fort Rae, Fort Beaulieu (Lutselke), Fort Reliance, Fort Enterprise, Fort Confidence, Lac La Martre, and others.

NSMA forefathers, such as Francois Beaulieu, born in Salt River in 1771, his brother-in-law Louis Cayen, Le Camarade de Mandeville, Lafleur, de Charlois, and the Tourangeau brothers, all of whom were native to this land, virtually controlled trade and transportation in the north slave region for many years. Fur, meat, fish, vegetables, and firewood were the main resources exploited, while guiding, expediting, transporting, translating, negotiating, supplying, building, trading and management were the main services provided.

Francois Beaulieu was the first commercial miner of the NWT, and held a monopoly on salt throughout the region, which, during the fur trade and before the development of refrigeration, was an incredibly important commodity. In order to trade in the region, the HBC was required to purchase all its salt from Beaulieu's mine at Salt River between Fort Smith and Fort Resolution. The Métis successfully resisted the monopoly of the Hudson's Bay Company and retained their rights to free trade throughout the entire fur trade period, which the Métis of southern Canada were much less successful at accomplishing. Traditional trade and supply routes connected Great Slave Lake with Hudson's Bay, Coppermine, Inuvik,

Red River, and Vancouver. NSMA members have relatives spread out all along these routes, and continue to use these routes for travel and trade.

- [1] Petitot (1891:78) Autour du Grand Lac des Esclaves. Nouvelle Librairie Parisienne, Paris.
- [2] Petitot (1887) En route pour la mer galciale, Letouszey et ane, Paris, p.267, 288.
- [3] about the same time as Samuel Hearne was passing through the area on his way home after "discovering" the Coppermine River.
- [4] Francois Beaulieu II: The Origins of the Métis in the Far Northwest. Hanks, Chris., in Selected Papers of Rupert's Land Colloquium. May 24-28, 2000, Vancouver, Washington.
- [5] Petitot, E. (1891:78) Autours du grand lace des Esclaves. Nouvelle Librairie Parisienne, Paris.
- [6] At that time, clearly, Metis were recognized as distinctly not "white men".

In 1793, Francois Beaulieu II accompanied Alexander Mackenzie on his overland trip to the Pacific, and was living on Great Bear Lake in 1799 when the North West Company arrived there to build a fort. He was hired as their professional hunter. In 1819 he provided Sir John Franklin with a map and advised him to take the Great Bear Lake route, with which he was so familiar, to the mouth of the Coppermine River[1]. Unfortunately, Franklin did not follow his advice, but rather took the Yellowknife River route, as suggested by Francois' wife's brother, chief Akaitcho of the Yellowknives. However, on his next trip to the Coppermine River, in 1825, Franklin did follow Francois Beaulieu II's advice and traveled the Great Bear route, with much greater success. At that time Beaulieu II was seconded from his employment under Chief Factor James Keith at Fort Chipewyan to serve as interpreter and expediter for this trip, and was paid at more than twice the maximum HBC pay rate[2].

- [1] Abel 1993, in Hanks, 2000.
- [2] yes they were polygamous
- [3] Petitot, E. (1891:78) Autours du grand lace des Esclaves. Nouvelle Librairie Parisienne, Paris.
- [4] Hanks, 2000. Francois Beaulieu II: The Origins of the Metis of the Far Northwest in the Selected Papers of Rupert's Land Colloquium 2000. May 24-28, Vancouver, Washinigton.
- [1] Masson, L. R. (ed) 1960. Les Bourgeois de la Compagnie du Nord-Ouest: Recits de voyages, letters, et rapports, inedits relatifs au Nord-Oust Canadien volume 1. Antiquarian Press Ltd. New York.

Women played a significant role in the development of an emerging Métis identity in the North Slave as they blended the Dene heritage of their mothers with the French-Cree traditions of their fathers. By the 1820s, the Métis population in the district was seen by outsiders, such as George Simpson of the HBC, as distinct from other populations, while by the mid-19th century people of mixed blood in the region, self-identified as Métis. [1] The impact of the early French Métis in the Great Slave-Mackenzie region was so pervasive that almost all non-Dene names used by natives trading with the HBC after amalgamation of the two companies were French, and many French Métis who married into Dene communities established large families whose descendents are still predominant in the social, economic and political life of the region today.

Despite their distinctiveness, the Métis were more or less accepted and trusted by the Dene. Métis fulfilled the roles of negotiators, expediters, suppliers, translators, and managers, and were considered by many to be the law in the land. Throughout the first half of the 19th century, Pierre St. Germain, Jean Baptiste St. Cyre, Francois Beaulieu II, Pierre St. Germain, Henri Laferte (Lafferty), Louis Cadien and Baptiste de Mandeville attained positions of considerable importance with the HBC. Their well-developed knowledge of the land and extensive kin ties with local Dene bands allowed these powerful Métis families to undertake free-trading throughout the HBC monopoly. As well, the Francois Beaulieu II controlled the salt trade in support of the fur trade and exploration in the region throughout the nineteenth century. Other Métis families, such as Bouvier, Mandeville, Mercredi, Erasmus, Cayen, LeMouel, Berens, Laviolette, Fabien, and Blondin, to name a few, were also very active in the fur trade and the establishment of permanent residences and trading posts all around the Great Slave Lake area. French place names continue to mark important Métis places across the landscape.

A number of French-Métis established dynasties in the region, including Francois Beaulieu II, and Pierre and Louison Lafferty. The Métis were known for having very large families. Unlike their Dene cousins, the Métis left their wives[2] and many children "at home" in relatively permanent settlements, while they worked the lands and waters as trappers, fishermen, boatsmen, transporters, provisioners (professional hunters, fishers, and suppliers of wood), traders, interpreters, laborers and guides.

According to Petitot, the Dene nickname for the (French) Métis, "Banlay", can be roughly translated as "he to whom the land belongs".[3]

Both Beaulieu II, and Camarade de Mandeville were recognized as Chipewyan Trading Chiefs, as was Beaulieu's son Pierre after him[4]. Another of Francois' sons, Jaques (Nade') Beaulieu was chief of the Dogribs in 1864. Yet another son of the Old Patriarche, named Joseph "King" Beaulieu, born in 1836, with his four sons Baptiste, Francois, Joseph and Paul, opened up the trading posts at Fort Beaulieu (also known previously as Fond du Lac, Snowdrift, and now Lutselke') and Fort Smith. In 1866 the Hudson's Bay Company made Joseph "King" Beaulieu the manager of King Post, near Fort Reliance. A fourth son of

Francois II, Etienne Beaulieu, guided Warburton Pike on his 1889 expedition to the Barrenlands north of Lac De Gras and the Coppermine River, along with his nephew Joseph (Souzie) Beaulieu (also known as Joseph King Beaulieu II; born in 1859; the son of Joseph King and grandson of Francois II).

- [1] Abel 1993, in Hanks, 2000.
- [2] yes they were polygamous
- [3] Petitot, E. (1891:78) Autours du grand lace des Esclaves. Nouvelle Librairie Parisienne, Paris.
- [4] Hanks, 2000. Francois Beaulieu II: The Origins of the Metis of the Far Northwest in the Selected Papers of Rupert's Land Colloquium 2000. May 24-28, Vancouver, Washinigton.

In 1899 a staking rush began with the discovery of lead zinc ore at Pine Point, but many of the prospects were unsuccessful and Government Geologists felt there was little likelihood of rich deposits.

In 1920, however, oil was discovered on the Mackenzie River, and that is the reason why the Crown decided to make a Treaty with the Dene and the Métis living in the area north and east of Great Slave Lake[1].

The NSMA is currently conducting research into the involvement of Métis in prospecting, staking, and mining in the Yellowknife region, and will hopefully be able to present a research paper on this topic before the environmental assessment of Giant's closure plan is complete.

In 1920, Treaty Commissioner Conroy estimated that there were seventy five Métis families who could be convinced to take Treaty, while another fifteen old, respected and even "historic" Métis families would likely expect Métis scrip[2]. At least three of the seven "chiefs" or "councilors" who did actually take treaty, along with Tlicho Chief Monfwi (Morphy) at Fort Rae on the 22 of August 1921, were Métis, including Josue Beaulieu of Lac la Martre, Old Man Germain of the Detchilaotte, Barren Land or Snare Lake Band[3], and Suzie the Old Prophet, from Yellowknife. Germain and Beaulieu each signed the treaty with an "x", indicating they were illiterate. Only three people residing at Rae could speak English at that time; Michel Bouvier, Louis Lafferty and Vital Thomas. Although only Louis was specifically mentioned as being Métis, the other two were also likely Métis.

Some of the verbal promises made at Treaty time were never recorded in the text of the Treaty. Since the terms and conditions of that treaty were not all written down, it is necessary to remind people of the verbal promises hat were firm conditions of the treaty, from the Dene and Métis point of view. Bishop Breynat struggled for recognition of these promises for the remainder of his life, and frequently and publicly expressed his extreme disappointment that the Crown failed to honor the Treaty.

The Treaty 11 Dene and Métis have been trying for decades to resolve outstanding land claims issues. The terms and conditions of the treaty insisted on by Chief Monfwi, agreed to verbally by Treaty Commissioner Conroy, guaranteed by Father Breynat's word of honor, and witnessed by other officials, included promises that; nothing would be allowed to interfere with their hunting, trapping, and fishing; the old and destitute would be cared for; they would be protected from white competition; and, they would continue to live their lives as formerly, without interference, as long as the grass grows and the rivers flow.

The treaty was understood as a peace and friendship commitment, with payments and gifts symbolizing the helpfulness promised by the Crown. NSMA's aboriginal and treaty rights are now protected by section 35 of the Canadian Constitution, while other rights as Canadian citizens are protected under laws of general application. Nevertheless, the North Slave Métis have had to struggle to preserve their culture, protect their environment, and defend their rights in the face of an insensitive (and in some cases blatantly hostile) administration, an onslaught of immigrant trappers and prospectors, and waves of epidemics.

- [1] Treaty had already been made south of the lake in 1900, which excluded "half-breeds".
- [2]H. A. Conroy, memorandum, 18 December 1920, PAC, RG 10, vol. 4042, file 336,877.
- [3] Fumealeau, 1944. As Long as This Land Shall Last.

An administrative government (not an elected one) was set up in Ottawa to manage the newly "acquired" territories, and passed laws restricting the harvest of game and fur. The laws proved to be practically unenforceable. The excellent fur prices of the 1920's attracted many southern trappers and hunters.

Also around this time the York Boats were replaced by steamers, the first planes, gas boats, trucks and tractors showed up in the North, and a railway was built to Fort McMurray. Not only were there too many trappers, but the trappers ran way too many traps and cleaned out the fur. They were also accused of raiding caches, trading dishonestly, and peddling home brew.

In 1923 a 70,000 square mile game preserve was set up around the Yellowknife River watershed, for treaty Dene and Métis only. The Métis who took scrip, instead of Treaty (in order to preserve their right to hold jobs), managed to continue trapping in the preserve by taking Treaty relatives with them, such as their wives or children. Giant mine is completely inside of the Yellowknife Game preserve.

An Indian Agent and Doctor named Cr. Clermont Bourget was assigned to the Great Slave Lake Indian Agency in 1923, and made one visit annually to the communities of Snowdrift, **Yellowknife River** and Fort Rae. The game preserve remained until 1955, but it was not enough to keep the white trappers off Métis traplines, or prevent the spread of disease.

Police constables failed to enforce the Treaty, but instead spent their time serving white interests while mistreating the Métis, as illustrated by this quote: "When there is wood to be cut, repairs to be made, or fishing to be done the constables in small settlements arrest half-breeds for alleged offences to do the work." (RCMAFS, J.F.Moran confidential notes in Fumeleau, 2004)

In 1990, the failure of the pan-territorial Dene Métis Comprehensive Claim resulted in Canada unilaterally establishing 6 new regions for land claims, with boundaries that did not recognise the overlaps between traditional territories or follow previous treaty boundaries. The establishment of the NWT Nunavut boundary also cut across NSMA traditional territory.

The Tlicho Agreement draws a fourth, new set of boundaries across NSMA homeland.

None of these boundaries have been negotiated with the NSMA, or endorsed by our members.

The Tlicho Agreement has a non-derogation clauses which means it can not affect the existing aboriginal rights of other aboriginal people. So, even the lands where legal surface and subsurface title have been registered to the Tlicho continue to be encumbered by NSMA's existing aboriginal rights, including aboriginal title. The same provision applies to the other overlapping claims.

What is the North Slave Métis Alliance? http://www.metcor.nsma.net/

The North Slave Métis Alliance (NSMA) is the political organization mandated to represent the indigenous Métis People of the North Slave in the assertion, defense, and implementation of the Aboriginal and Treaty Rights and Titles they possess throughout the North Slave region.

The Canadian Charter of Rights and Freedoms, the Constitution Act, 1982, and the jurisprudence recognize that the "existing treaty and Aboriginal rights" of the Aboriginal peoples of Canada include

the collective rights of self-government; hunting, fishing and gathering rights; collective land rights; and the right to the preservation of traditional languages, cultures and traditions.

The North Slave Métis Alliance was registered as a non-profit society on November 22, 1996. The constitution, bylaws, and mandate of the organization reflect its purpose, which is to:

Unite the indigenous Métis of the North Slave

Promote pride in Métis culture and heritage

Exercise Métis responsibility to protect the environment

Promote and enhance Métis education, economic, social and cultural development

Promote recognition and entrenchment of Métis Aboriginal and Treaty Rights

Negotiate, ratify, and implement a comprehensive self-government agreement

The self-government and land claim process has been long and complex. Soon after it became legal to do so, the North Slave Métis became active in pursuing their claims. At first, they were organized as a number of Métis Locals represented regionally by the Métis Nation of the Northwest Territories (MNNWT[1]). The MNNWT and the Indian Brotherhood of the Northwest Territories, representing the various Dene groups, presented a single joint land claim on behalf of all native people of the Mackenzie Valley[2] in 1974. An Agreement in Principle was prepared in 1986 which involved \$350 Million, and 70,000 square miles of land. About 25,000 square miles were withdrawn from disposition in the North Slave region to protect the land from development pressures pending the finalization of the claim. The Final Dene/Metis Comprehensive Claim was initialed in 1990 and scheduled for a ratification vote. However, prior to ratification, there was a disagreement between the northern and southern regions on the issue of "extinguishment" of aboriginal rights and titles. The southern groups refused to accept extinguishment. The northern Peoples (Sahtu, Gwich'in) withdrew their negotiating mandate and asked for a regional process instead.

On November 7, 1991, Canada announced that it would negotiate regional claims based on the failed Dene/Metis Comprehensive Claim Agreement for five regions, specifically the Mackenzie Delta, Sahtu, **North Slave**, Deh Cho, and South Slave. The Dene Nation (successor of the Indian Brotherhood) and the MNNWT, having lost their mandates, have been replaced by regional organizations with mandates for the five regions as specified by Canada. In the North Slave Region, that organization is the NSMA.

NSMA membership is made up of the indigenous Métis members of the local Métis organizations, including the Yellowknife Metis Nation (Local #66), the Yellowknife Metis Council (Local #55), and the Rae-Edzo Metis Local (#64). Any Métis living in the North Slave region, including those who are "non-indigenous" or those who might also be "registered" as "Indians", may belong to one of these locals. However, membership in NSMA is restricted to those who can prove they are indigenous to the North Slave region and those who certify that they are not enrolled in any other land claims process.

There are also Metis living in other communities, such as Wati, Wekwati, Lutselke, Gameti, and elsewhere who may belong to NSMA but not have a membership in a Metis Local. The boundary of the North Slave Métis community is not fully defined, but is alt least as large as the boundary of Treaty 11.

The Mackenzie Delta regional claim was settled with the <u>Gwich'in Land Claims Settlement Act</u>, of 1992. The Sahtu regional claim was settled with the <u>Sahtu Dene and Metis Land Claims Settlement Act</u> of 1994, and the Dene (Dogrib, or Tlicho) portion of the North Slave regional claim was settled with the <u>Tlicho Land Claims and Self Government Act</u> of 2005. The Yellowknives Dene have a framework agreement which combines their interests in the North Slave and South Slave regions. The South Slave Métis Tribal Council[3] has a framework agreement separate from the Yellowknives Dene. The Deh Cho First Nations (Dene and Métis) have a framework agreement and interim measures agreement. The North Slave Métis Alliance[4] submitted a formal claim on January 19, 1998, but remains the only aboriginal claimants in the NWT without any formal process.

According to Métis culture, and as defined in the Mackenzie Valley Resource Management Act (MVRMA), the "environment", includes the relationships and interactions between the Métis and their environment, including cultural and economic relationships and interactions. Although Métis organizations are "First Nations" in the NWT, under the MVRMA, the political and legal environment for the North Slave Métis is significantly different from other First Nations and non-aboriginal groups, as is their history, culture and some land use practices. It is therefore important to provide this background information to ensure that the individuals conducting environmental assessments and applicants proposing to develop our resources, on our lands, understand the context of our submissions.

- [1] Not to be confused with the new Northwest Territories Métis Nation (NWTMN), previously known as the South Slave Metis Tribal Council (SSMTC).
- [2] The Indian Brotherhood was renamed "Dene Nation in 1978.
- [3] Consisting of the Métis Locals from Fort Smith (#50), Hay River (#51), and Fort Resolution (#53).
- [4] Consisting of the Metis Locals from Yellowknife (#55, now known as Yellowknife Métis Council, and #66, the Yellowknife Métis Nation) and Rae-Edzo (#64).

According to the text and intention of the Canadian Constitution, and Charter of Rights and Freedoms, the rights of Métis are equal to the rights of other First Nations, including the Inuit and Dene. However, in practice Métis rights do not receive equitable treatment.

The Michif language is spoken by Métis throughout North America, however the number of Métis speakers is declining fast. Recent statistics indicate that there are only about 600 people in Canada who still speak Michif. (Irlbacher-Fox, Stephanie, and the Fort Providence Métis Council, 2007. Since 1921; The Relationsip Between Dehcho Metis and Canada.) The NSMA only has about 6 members who still

speak Michif. Because Michif is not recognised as an official language in the NWT, even though eleven other aboriginal languages are, there are no programs of support to help keep the language alive.

Métis rights were recognised in Canada's constitution in 1982, and the North Slave Métis were promised a regional land claim process in 1990. Every other aboriginal group in the NWT has some kind of land claim process, and some kind of support from government to deliver social, cultural, and environmental programs. The North Slave Métis are still waiting for Canada to begin discussion with us to settle our outstanding comprehensive aboriginal claims.

Not only were Métis parents required to send their children to residential school, they were required to pay for the education. Education above grade 8, however, was not available at the residential schools. (Irlbacher-Fox, Stephanie, and the Fort Providence Métis Council, 2007. Since 1921; The Relationsip Between Dehcho Metis and Canada.)

Even though the Métis founded every permanent community in the NWT, every one of those communities have been either appropriated by immigrant white settlers or transferred by government to other First Nations. Indian Act benefits support Dene governments, housing project, services, employment, health care, education, and other benefits while excluding Métis. Discrimination against Métis is rampant, and assimilationist policies are still exerting pressure, culturally, socially, and economically, from both the Dene and the White cultures, for Métis people to disown their true identity and assimilate into the dominant culture groups.

The North Slave Métis have no representation on the MVEIRB, MVLWB, WLWB, WRRB, and receive completely inadequate funding to participate in the review of regulatory approvals or environmental assessments, or to participate in policy consultations and capacity building.

Damage to the Métis social, economic, and cultural environment should be considered with as much rigor as damage to the biophysical environment. Restoration, remediation, and compensation issues need to be addressed.

If millions and millions of resource royalties have been collected by Canada for the sale of resources from Metis lands, and millions are to be spent on restoration of the lands and Baker Creek, what is a fair and comparable amount to spend on rehabilitating a severely damaged and endangered indigenous population of human beings – the original residents of Yellowknife, and the founders of modern civilization in the NWT?

The cultural, social and economic impacts experienced by the Métis differ from the impacts experienced by other First Nations, as do their ability to adapt and recover, and should be evaluated separately. The research that needs to be done to identify and evaluate opportunities to restore the Métis society to it's pre-mining status needs to involve the NSMA in the planning, management, implementation, interpretation, and presentation of results. The research should be conducted ethically, according to public policies.

Canada has a duty to consult with the NSMA about the closure plan for this mine, and it has not happened yet.

NSMA does not have the capacity to conduct a thorough review of this project with the current resources it receives.

More will be added here before next week...

To close this mine down without addressing the past damage, and attempting to repair it, would be equivalent to leaving Baker Creek and the tailings ponds the way they are.

Continued lack of reconciliation, equity and justice would constitute continued impacts of a cumulative nature.

More discussion will be added to this slide prior to next week.