A 101 for Municipal Officials and Staff

20 September, 2018



BEFORE WE GET STARTED

This slide deck was developed by the Association of Municipalities of Ontario (AMO) with input from AMO's Indigenous Relations Task Force. AMO is a non-profit representing almost all of Ontario's 444 municipal governments. This slide deck is a 101, intended to provide municipal representatives with a high-level overview of Indigenous peoples and reconciliation in Ontario that speaks to the needs, interests and specific responsibilities of municipal governments in the Province.

This resource is limited and incomplete, with a complex subject matter that is rapidly evolving. It was created for municipal staff and elected officials by municipal representatives in light of a shortage of information designed specifically for Ontario's municipal governments. We encourage individual municipalities to supplement this deck with information and guidance from other sources, including from neighbouring Indigenous communities, local and provincial Indigenous organizations and other community champions in your area. Information and guidance is also available from the Federal and Ontario governments. In certain circumstances, it may be advisable to seek input from legal counsel. Content on Indigenous organizations was sourced from their respective websites.

We thank the Ontario Federation of Indigenous Friendship Centres for their input and feedback in the development of this deck.



WEBINAR OBJECTIVE AND CONTENT

To give municipal officials and staff an overview regarding:

- Indigenous People in Ontario
- Traditional and Treaty Territories
- Land Claims
- Key Indigenous Organizations
- Provincial/Federal/Other Resources
- Tips for Advancing Municipal-Indigenous Relations





- Indigenous communities and people are located in urban, rural, and remote Ontario.
- Indigenous people are diverse. There are many nations and communities, multiple languages and various perspectives.
- They include:
 - The **First Nations** (Indian Bands under the *Indian Act*)
 - Métis communities
 - Inuit people living in Ontario originally from communities in Nunavut, the Yukon, the NWT, Quebec and Labrador
 - 'Urban' Indigenous people living in cities, towns and rural municipalities.
 - Includes First Nation members, Métis, Inuit people and non-status Indigenous people. Non-status Indigenous people are those who self-identify as Indigenous but do not have 'Indian Status' under the *Indian Act*.
 - Urban Indigenous communities have been developing their own service delivery networks and representative organizations for decades (e.g. the Friendship Centre movement, the Ontario Native Women's Association, etc.)



- Due to Indian Act rules around Indian status and First Nation membership, many individuals with direct ties to Indigenous communities may not be 'Status Indians.'
 - The *Indian Act* is considered problematic legislation by many Indigenous people. Many have nonetheless resisted its abolishment.
 - Historically, many Indigenous women lost Indian status upon marrying non-Indigenous or non-status men.
 - Indigenous individuals who obtained a university degree, became a doctor or lawyer or served in the Canadian army could lose status.
 - In some instances, Indigenous parents may have chosen to not register their children as Status Indians to avoid harmful government policies, such as residential schools.
- Amendments to the Indian Act have gone some way to rectify this but the legislation's harmful legacy remains. This legacy links directly to the continued challenges faced by Indigenous communities today.



INDIGENOUS PEOPLE AND LANGUAGE GROUPINGS IN ONTARIO

Algonquin

- Anishinaabe
 - Algonquin
 - Chippewa
 - Mississauga
 - Ojibwa
 - Odawa
 - Potawatomi
 - Saulteaux
- Cree
- Oji-Cree
- Lenape (Munsee-Delaware)

Inuit

 The Inuit do not have traditional territory in Ontario but many live in urban centres such as Ottawa.

Iroquoian

- Haudenosaunee (Six Nations) Confederacy
 - Cayuga
 - Mohawk
 - Oneida
 - Onondaga
 - Seneca
 - Tuscarora
- Huron-Wendat
- Petun
- Neutral Confederacy

Métis

The Métis people in Ontario are historically based in the fur trade where First Nations women and European traders intermarried and whose "mixed-ancestry" descendants developed a unique identity and culture. Today, Métis people live in both urban and rural areas across the province. Michif is a Métis language spoken in Ontario.





FIRST NATIONS IN ONTARIO

Copyright Government of Canada

Ontario By the Numbers ...

X 133

Number of recognized First Nations.

X 30

Number of Métis Nation Community Councils.

374,395

Total number of self-identifying Indigenous (status and non-status).

236,680

Number of First Nations people.

120,585

Number of self-identifying Métis.

3,860

Number of self-identifying Inuit.

13,270

Other self-identifying Indigenous.

33.6

Average age of those self-identifying as Indigenous.

85%

Percentage of Indigenous Ontarians living within municipalities.

ONTARIO'S
INDIGENOUS
POPULATION
IS YOUNG,
GROWING
AND
THRIVING

Data Source: Statistics Canada, 'Aboriginal Population Profile, 2016'

ONTARIO'S 10 MOST INDIGENOUS MUNICIPALITIES

Municipality	Total Population	Indigenous Identified Total	Percentage of Indigenous Identified <u></u>
Moosonee TV	1470	1140	78%
Killarney MU	335	205	61%
Mattawa T	1895	765	40%
Pickle Lake TP	330	125	38%
Sioux Lookout MU	5200	1955	38%
Papineau-Cameron TP	1075	360	33%
Greenstone MU	4570	1455	32%
Morley TP	495	155	31%
Spanish T	740	215	29%
Nipigon TP	1590	445	28%

- 45 municipal governments in Ontario have a population that is over 15% Indigenous.
 - Municipalities with large Indigenous populations are concentrated in North East and North West Ontario.



TRADITIONAL AND TREATY TERRITORIES

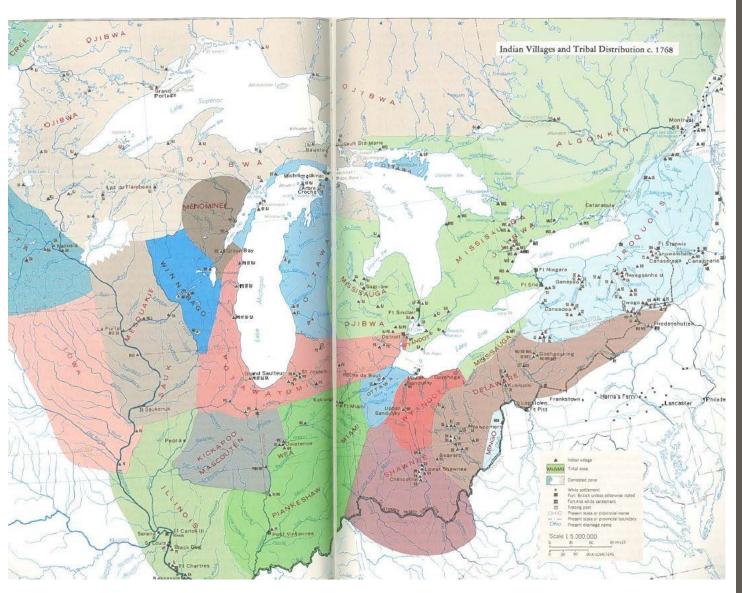


TRADITIONAL AND TREATY TERRITORIES

What is Traditional Territory?

- Understandings of 'traditional territory' are evolving in the Canadian legal context. The term traditional territory relates to "ancestral and contemporary connections of Indigenous peoples to a geographic area" (Malone and Chisholm, 2016).
- In more practical terms, it refers to lands identified by Indigenous communities as the lands historically occupied or used by them and their ancestors, and where Indigenous customs and traditions were practiced.
- Indigenous ties to land are commonly more fluid, communal, and spiritual than that of Euro-Canadians and the frameworks used by the Canadian legal system.
- "Territories may be defined by kinship ties, occupation, seasonal travel routes, trade networks, management of resources, and cultural and linguistic connections to place" (Malone and Chisholm, 2016).
- For these reasons, an Indigenous community's connection to a traditional territory may be different than common understandings of property ownership, borders, and boundaries.





"INDIAN
VILLAGES AND
TRIBAL
DISTRIBUTION
CIRCA 1768"

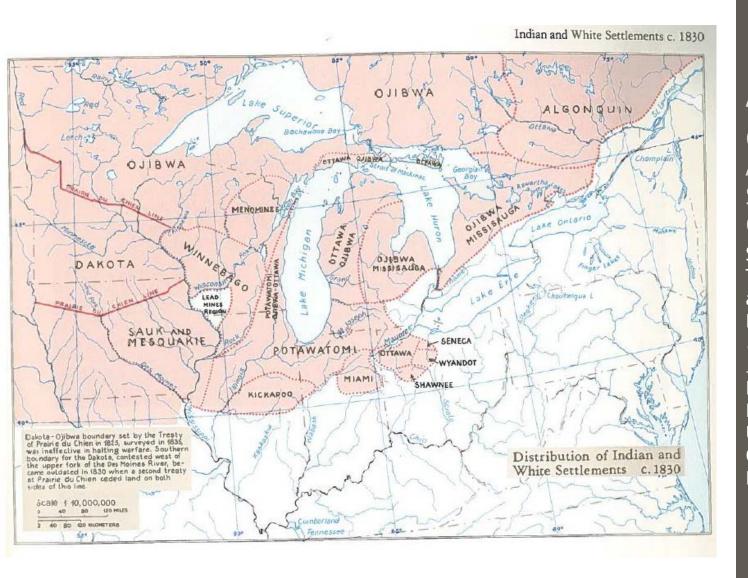
Source:
Tanner, H.H.
and Miklos
Pinther. Atlas
of Great Lakes
Indian History.
Norman and
London:
University of
Oklahoma
Press, 1987.

TRADITIONAL AND TREATY TERRITORIES

What is Traditional Territory (Cont.)?

- Indigenous relationships to traditional territories also reflect the interwoven histories of different Indigenous peoples who may have comparable or diverging connections to the same geographic area. Many Indigenous peoples share overlapping traditional territories.
- These interwoven relationships complicate mapping and the identification of traditional territories to specific Indigenous peoples.
- Following the American Revolution, some First Nations were relocated from their traditional territories in what is now the United States to lands reserved for their use in Canada.
- Relocations away from traditional territories have occurred throughout Canadian history and have been caused by numerous factors.
 - In some cases, involuntary relocations have resulted in modern-day reserves being located far away from a First Nation's traditional territory.





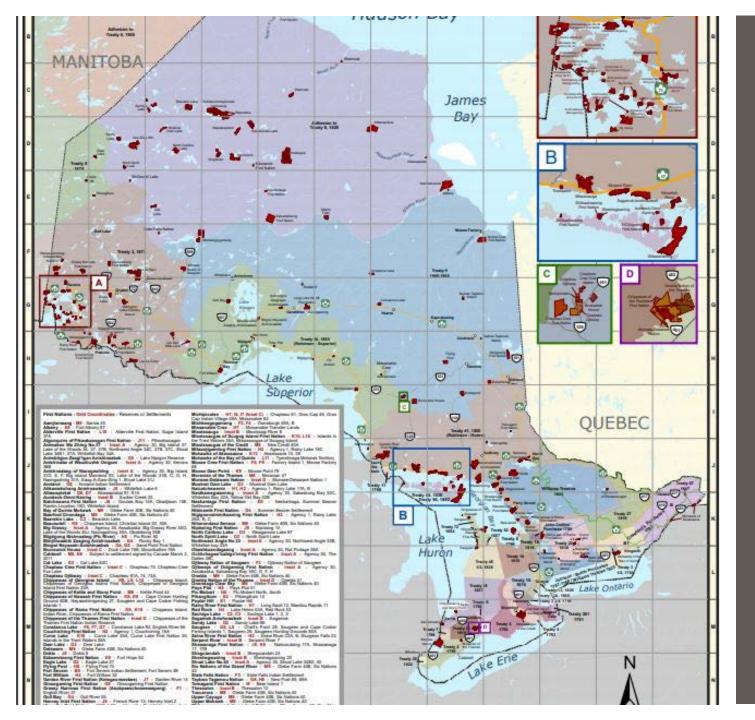
"DISTRIBUTION OF INDIAN AND WHITE SETTLEMENTS CIRCA 1830" Source: Tanner, H.H. and Miklos Pinther. Atlas of Great Lakes Indian History. Norman and London: University of Oklahoma Press, 1987.

TRADITIONAL AND TREATY TERRITORIES

What is Treaty Territory?

- Treaties are legally-binding instruments through which Indigenous lands are ceded to the Crown in return for specific rights, compensation and/or other concessions. Treaties are constitutionally protected documents.
- In Ontario, treaties date from the purchase of land along the Niagara River in 1764 to the present day negotiation of a modern land claim agreement with Indigenous peoples in the Ottawa River watershed.
- "Treaty Territory" can be defined as the geographic area under a treaty established between signatory First Nations and the Crown.
- Different treaties outline different agreements and expectations. Since the mid-nineteenth century, they typically provide for annuities, land to be held "in reserve" for the benefit of a First Nation, and harvesting rights.





FIRST NATIONS AND TREATIES

Source: Government of Ontario

Link for full
PDF —

Management (1)

TRADITIONAL AND TREATY TERRITORIES

What is Treaty Territory (Cont.)?

- The purpose of a treaty is to provide legal certainty over the geographic area in question, while establishing the legal parameters for the relationship between the Crown and the signatory First Nation(s), including rights, responsibilities and expectations.
- Ontario is entirely covered by 46 treaties and agreements. They were signed by the Crown between 1764 and 1930.
 - However, certain groups have not entered into treaties and negotiations are ongoing.
- The Inuit do not have treaties in Ontario.
- There are portions of Ontario that have not been legally ceded through treaty (e.g. the Algonquin land claim area). These lands are subject to ongoing land claim negotiations.
- The first week of November is **Treaty Recognition Week** in Ontario.
- Given the history of treaty-making in Ontario, all Ontarians are treaty people, including both Indigenous and non-Indigenous people.
- Municipal governments may wish to engage with their Indigenous partners to consider Indigenous understandings of the treaty history in their area.
 - There are differing perspectives or interpretations about the purpose of treaties by all parties involved. These differences continue and impact how treaties are implemented today.





Why are there Land Claims?

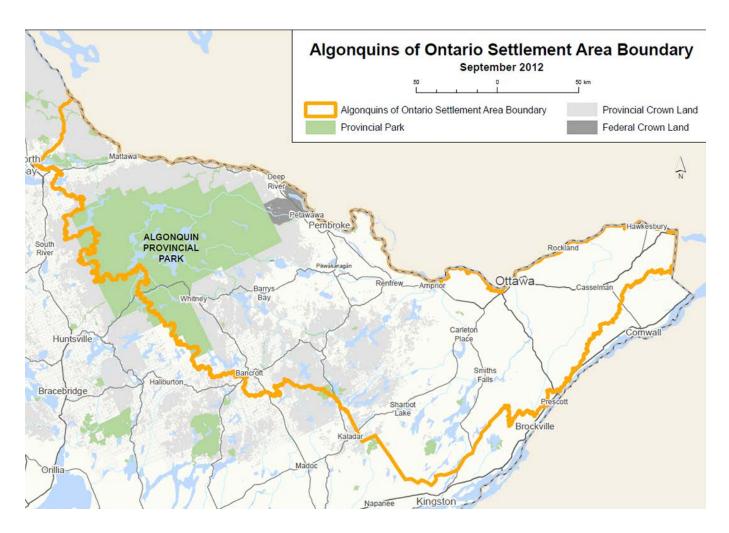
- In many cases, the Crown's interpretation of existing treaties has been contested on the basis that the Crown has failed to adequately fulfill its obligations (e.g. survey of reserve) or respect Indigenous rights provided under a treaty (e.g. protection of harvesting rights).
- Other treaties have been contested due to their general inadequacy as legally defensible instruments or because they do not reflect the intent of the Indigenous signatories.



3 Types of Land Claims in Ontario

- Comprehensive (Aboriginal Title)
 - Involving Aboriginal title where the Indigenous community asserts that it never surrendered its land to the Crown
 - Best provincial example is the Algonquin of Ontario negotiation in the Ottawa River watershed
- Specific (Involving reserve land where there is a treaty/treaties)
 - Where land intended to be reserved for the community was not maintained (e.g. size, location, boundary)
 - Where land was unlawfully taken or where community injury has occurred due to Crown action (e.g. flooding)
 - Where current boundaries of a reserve are incorrect or where a First Nation did not receive the proper quantity of land as specified in the relevant treaty.
- Unsold Surrendered Lands
 - Community wants the return of land that was surrendered for sale but never sold





MAP OF THE ALGONQUINS OF ONTARIO LAND CLAIM

Source: Indigenous and Northern Affairs Canada

- Currently, there are 48 ongoing claims that have been accepted for negotiation in Ontario. 3 are being researched and assessed and 11 settlement agreements are being implemented by the Crown.
- Ontario does not expropriate private land when settling a land claim as a matter of policy.
- For further information on land claims in Ontario: https://www.ontario.ca/page/current-land-claims



Some examples...

The Algonquin Comprehensive Land Claim:

- A comprehensive claim to the traditional territory of the Algonquins (Ottawa River watershed).
- The claim was originally launched by the Algonquins of Pikwakinagan and enlarged to include many other Algonquin communities.
- During negotiations, protocols governing the activities of the Crown and the First Nation were put in place. A formal municipal engagement process was started in the 1990s involving municipalities located within the claim area.
- An agreement in principle has been reached and negotiations toward a final settlement agreement are ongoing. Transferred land will be subject to municipal jurisdiction.

Williams Treaties First Nations:

- A claim for additional compensation involving the signatories to the Williams Treaties of 1923 (Chippewas of Beausoleil, Rama and Georgina Island and the Mississaugas of Hiawatha, Alderville, Curve Lake and Scugog Island).
- The claim overlaps with the Robinson Huron Treaty and the Algonquin comprehensive claim. The treaties also cover land included in pre-confederation treaties (i.e. basket clause).

Robinson Huron Treaty:

The southern and eastern boundaries of the Robinson Huron Treaty are not geographically defined in the Treaty. Treaty maps provided by Canada have depicted various locations.

Note On all of these land claims and any others, contact the Ministry of Indigenous Affairs fostiafeurther information.

Municipalities Ontario

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KEY INDIGENOUS ORGANIZATIONS

Note – Language in this section was taken from each organization's website.



FIRST NATION POLITICAL ORGANIZATIONS

Chiefs of Ontario (COO) — http://www.chiefs-of-ontario.org/

The Chiefs of Ontario is a political forum and secretariat for collective decision-making, action, and advocacy for the 133 First Nations communities located within the boundaries of the province of Ontario.

 Guided by the Chiefs in Assembly, we uphold selfdetermination efforts of the Anishinaabek, Mushkegowuk, Onkwehonwe, and Lenape Peoples in protecting and exercising their inherent and Treaty rights.

Anishinabek Nation — http://www.anishinabek.ca/

- The Anishinabek Nation incorporated the Union of Ontario Indians (UOI) as its secretariat in 1949.
- The UOI is a political advocate for 40 member First Nations across Ontario.
- The Union of Ontario Indians is the oldest political organization in Ontario and can trace its roots back to the Confederacy of Three Fires, which existed long before European contact.





FIRST NATION POLITICAL ORGANIZATIONS

Association of Iroquois and Allied Indians (AIAI) — https://www.aiai.on.ca/

- The Association of Iroquois and Allied Indians (AIAI) is mandated as a Provincial Territorial Organization (PTO) to defend and enhance the Indigenous and treaty rights of their member First Nations.
- AIAI is unique among provincial associations because of the diversity of its members. AIAI represents Oneida, Mohawk, Delaware, Potawatomi, and Ojibway communities from all across Ontario.
- AIAI provides political representation and policy analysis in areas that include health, social development, education, intergovernmental affairs, and treaty rights.

Grand Council of Treaty 3 (GCT3) - https://gct3.ca/

- The Grand Council Treaty #3 exists in the territory of the Anishinaabe Nation.
- It protects, preserves and enhances Treaty and Aboriginal rights.
- It is made up of 28 First Nation communities [in NW Ontario] with a total population of approximately 25,000.

Nishnawbe Aski Nation (NAN) -

http://www.nan.on.ca/

- Nishnawbe Aski Nation (known as Grand Council Treaty No. 9 until 1983) was established in 1973.
- NAN is a political territorial organization representing 49 First Nation communities within northern Ontario with the total population of membership (on and off reserve) estimated around 45,000 people.
- These communities are grouped by Tribal Councils according to region. Six of the 49 communities are not affiliated with a specific Tribal Council.
- NAN encompasses James Bay Treaty No. 9 and Ontario's portion of Treaty No. 5, and has a total land-mass covering two-thirds of the province of Ontario spanning 210,000 square miles.
- The people traditionally speak four languages: OjiCree in the west, Ojibway in the centralsouth area, and Cree and Algonquin in the east.

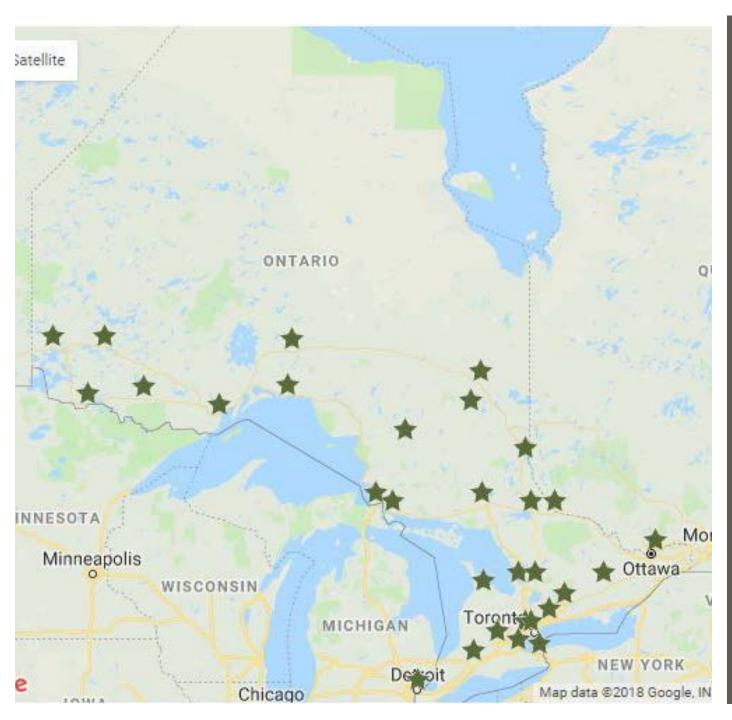


MÉTIS POLITICAL ORGANIZATIONS

Metis Nation of Ontario- (MNO) - http://www.metisnation.org/

- Founded in the early 1990s, the Métis Nation of Ontario (MNO) represents the collective aspirations, rights, and interests of Métis people and communities throughout Ontario.
- The MNO has a democratic, province-wide governance structure. Every four years Métis citizens have the opportunity to choose their provincial and regional leadership by voting in provincewide ballot box elections.
- In addition, MNO Community Councils have been established throughout the province. http://www.metisnation.org/community-councils/council-map/
- They get their mandate to support local governance from the MNO through signed Community Charter agreements, and work collaboratively with the MNO and other Community Councils to represent the rights and interests of regional rights-bearing Métis communities throughout the province.
- The MNO has established bilateral and tripartite processes with the federal and provincial governments and in November 2008 signed an Ontario-Métis Nation Framework Agreement with the Government of Ontario.
- The MNO has a negotiated accommodation agreement with the provincial government on Métis harvesting rights.
- The MNO, through its province-wide infrastructure, delivers a range of programs and services in the areas of health, labour market development, education and housing to Ontario Métis and other Indigenous people.





MÉTIS COMMUNITY COUNCILS MAP

Source: Métis Nation of Ontario/Google Maps

Note - The stars represent where Métis Nation of Ontario community council offices are located. The map does not necessarily set out where Métis people have Aboriginal rights or the location of their traditional territories.

Not all Métis organizations are connected to the Métis Nation of Ontario.

OTHER MÉTIS ORGANIZATIONS

Not all Métis organizations are connected to the Métis Nation of Ontario. Other Métis organizations include:

- Historic Saugeen Métis, based in Southampton
 - http://saugeenmetis.com/
- Red Sky Métis Independent Nation, based in Thunder Bay
 - http://rsmin.ca/
- Woodlands Metis Tribe (formerly Ontario Métis Aboriginal Association)
 - http://www.omaa.org/
- Bar River Métis



KEY INDIGENOUS ORGANIZATIONS

Ontario Federation of Indigenous Friendship Centres (OFIFC) — http://www.ofifc.org/

- Founded in 1971, the Ontario Federation of Indigenous Friendship Centres (OFIFC) works to support, advocate for, and build the capacity of the 28 member Friendship Centres across Ontario.
- Emerging from a nationwide, grassroots movement dating back to the 1950s, Friendship Centres are community hubs where Indigenous people living in towns, cities, and urban centres can access culturally-based and culturally-appropriate programs and services every day.
- Today, Friendship Centres are dynamic hubs of economic and social convergence that create space for Indigenous communities to thrive. Friendship Centres are idea incubators for young Indigenous people attaining their education and employment goals. They are sites of cultural resurgence for Indigenous families who want to raise their children to be proud of who they are, and they are safe havens for Indigenous community members requiring supports.
- In Ontario, more than 85 per cent of Indigenous people live in urban communities [this includes all municipal settings, including rural, remote, northern and small municipalities]. The OFIFC is the largest urban Indigenous service network in the province supporting this vibrant, diverse, and quickly-growing population through programs and initiatives that span justice, health, family support, long-term care, healing and wellness, employment and training, education, research, and more.
- Friendship Centres receive their mandate from their communities, and they are inclusive of all Indigenous people - First Nation. Status/Non-Status. Métis. Inuit, and those who self-identify as Indigenous.







1 Red Lake Indian Friendship Centre 2 Ne-Chee Friendship Centre (Kenora) 3 Dryden Native Friendship Centre 4 Nishnawbe-Gamik Friendship Centre (Sioux Lookout) 5 United Native Friendship Centre (Fort Frances) 6 Atikokan Native Friendship Centre 7 Thunder Bay Indigenous Friendship Centre 8 Thunderbird Friendship Centre (Geraldton) 9 Timmins Native Friendship Centre Satellite Office (Moosonee) 10 Kapuskasing Indian Friendship Centre 11 Ininew Friendship Centre (Cochrane) 12 Timmins Native Friendship Centre 13 Indian Friendship Centre (Sault Ste. Marie) 14 N'Swakamok Native Friendship Centre (Sudbury) 15 North Bay Indigenous Friendship Centre 16 Odawa Native Friendship Centre (Ottawa) 17 Parry Sound Friendship Centre 18 Georgian Bay Native Friendship Centre (Midland) 19 M'Wikwedong Native Cultural Resource Centre (Owen Sound) 20 Barrie Native Friendship Centre 21 Nogojiwanong Friendship Centre (Peterborough) 22 Toronto Council Fire Native Cultural Centre 23 Peel Aboriginal Network (Mississauga) 24 Hamilton Regional Indian Centre 25 Niagara Regional Native Centre (Niagara-on-the-Lake) 26 Fort Erie Native Friendship Centre 27 N'Amerind Friendship Centre (London) 28 Sarnia-Lambton Native Friendship Centre 29 Can-Am Indian Friendship Centre of Windsor

NETWORK OF FRIENDSHIP CENTRES IN ONTARIO

Source: Ontario Federation of Indigenous Friendship Centres

KEY INDIGENOUS ORGANIZATIONS

Ontario Native Women's Association (ONWA) -

http://www.onwa.ca/

- ONWA is a not for profit organization that was established in 1971 to empower and support Indigenous women and their families throughout the Province of Ontario.
- Affiliated with the Native Women's Association of Canada (NWAC), ONWA encourages the participation of Aboriginal women in the development of Federal, Provincial, Municipal/Local government policies that impact their lives and ensures issues affecting Aboriginal women and their families are heard at key government tables.
- ONWA is committed to providing services that strengthen communities and guarantee the preservation of Aboriginal culture, identity, art, language, and heritage.
- Ending violence against Aboriginal women and their families and ensuring equal access to justice, education, health, environmental stewardship and economic development, sits at the cornerstone of the organization. ONWA insists on social and cultural well-being for all Aboriginal women and their families, so that all women, regardless of tribal heritage may live their best lives.

Women's

Ontario Coalition of Indigenous People — Http://www.o-cip.ca/en/

 OCIP is an advocacy organization in Ontario that represents the rights and interests of off-reserve Indigenous peoples (Métis, Status and non-Status Indians) living in urban, rural and remote areas throughout the province.

Tungasuvvingat Inuit —

http://tungasuvvingatinuit.ca/

Tungasuvvingat Inuit is an Inuit-specific, provincial service provider that provides social support, cultural activities, counselling and crisis intervention as a one-stop resource centre to meet the rapidly growing, complex and evolving needs of Inuit in Ontario.



Tungasuvvingat Inuit





PROVINCIAL, FEDERAL AND OTHER RESOURCES



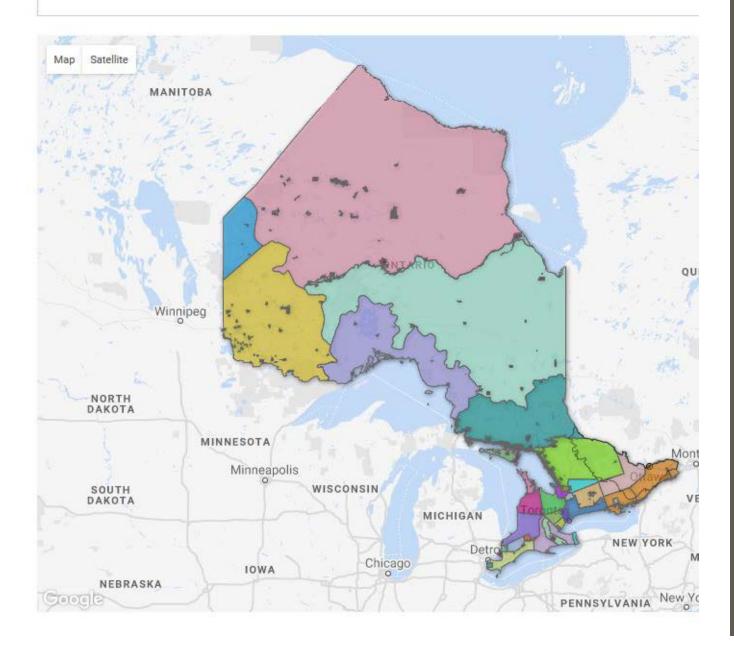
PROVINCIAL RESOURCES

Ontario

- On Treaties in Ontario: https://www.ontario.ca/page/treaties
- On the Province's response to reconciliation: <u>https://www.ontario.ca/page/journey-together-ontarios-commitment-reconciliation-indigenous-peoples</u>
- On the Duty to Consult: https://www.ontario.ca/page/duty-consult-aboriginal-peoples-ontario
- On land claims: https://www.ontario.ca/page/about-land-claims
- Municipal-aboriginal Relationships Case Studies: http://www.mah.gov.on.ca/Page6054.aspx
- Urban Indigenous Action Plan: https://www.ontario.ca/page/urban-indigenous-action-plan



Enter a city, address or complete postal code:



NEW
INTERACTIVE
MAP OF
ONTARIO
TREATIES
AND
RESERVES

Source: Government of Ontario

Link —
https://www.onta
io.ca/page/mapontario-treatiesand-reserves

FEDERAL RESOURCES

Canada

- On reconciliation: https://www.aadnc-aandc.gc.ca/eng/1400782178444/1400782270488
- The Aboriginal and Treaty Rights Information System (contains interactive maps of treaties and claims, information including Community Profiles, Treaties and Agreements, Court Cases and Claims): http://sidait-atris.aadnc-aandc.gc.ca/atris_online/home-accueil.aspx
- The Consultation and Information Service:
 https://www.aadnc-aandc.gc.ca/eng/1100100014686/1100100014687#sec2



OTHER RESOURCES

- The United Nations Declaration on the Rights of Indigenous Peoples:
 - http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- The Truth and Reconciliation Commission's Calls to Action: http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf
- OFIFC's Indigenous Cultural Competency Training: <u>http://www.ofifc.org/indigenous-cultural-competency-training-icct</u>
- 21 Tips for Local Governments (Indigenous Corporate Training Inc): https://www.ictinc.ca/free-geooks?hsCtaTracking=87c5fddb-375b-4b9f-bde6-2e3316410907%7C1e50b5e1-2377-4d31-988b-897012bfe843



TIPS FOR ADVANCING MUNICIPAL-INDIGENOUS RELATIONS



TIPS FOR ADVANCING MUNICIPAL-INDIGENOUS RELATIONS

- Get to know First Nation, Métis and other Indigenous communities living near or within your municipality as part of continuous municipal practice, including their leaders and staff.
- Do your research to understand the history of the land in your area, including treaties and Indigenous histories.
- Develop good working relationships with Indigenous communities, political organizations and service providers located near or within your municipality to be able to productively deal with issues together as they arise.
- Take your time: trust and building good relationships should not be rushed.
- Introduce yourself: Indigenous leaders and service providers will want to get to know who you are.
- Send neighbouring First Nations notice of municipal consultations ask what type of processes they would like to be notified about and ask how they would like to participate in existing statutory municipal consultation processes.
- Identify pathways to reach out to Indigenous community members to obtain their perspectives and feedback on municipal initiatives as part of existing municipal public consultation processes.
- Through working and talking with your Indigenous neighbours, the local Indigenous community and local Indigenous service providers, get an ongoing understanding of common interests you share and can work on together.
- It may be useful to understand your Indigenous neighbours' interpretation of their Aboriginal and Treaty Rights, as well as any land claims (established or asserted) that may impact your municipality.





Email us to get in touch!

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