

Darryl Montgomery CEC Submission

3/19/04

Good evening members of the Clean Environment Commission, Elders, and all in attendance today. My name is Darryl Montgomery, and I am the Vice- President of the Manitoba Metis Federation (MMF), Thompson Region.

The MMF is the self-government representative of the Metis Nation within Manitoba. [Our authority to represent the Metis people is through transparent ballot-box elections held every three years in which every Metis citizen has the right to vote.]

My submission here today will be very brief as our main submission by the MMF is still to be brought to the CEC in a few weeks time in Winnipeg.

I do however want to make some brief comments on Manitoba Hydro development and its effects on the Metis people. I also want to talk about Manitoba Hydro's and Manitoba's continued refusal to deal with the MMF.

I, along with Judy Mayer, VP of The Pas Region, accompanied our technical people in conducting our own internal consultations with our People. There were 10 Wuskwatim workshops across northern Manitoba and one in Winnipeg, with almost 300 Metis representing 35 Locals and completing 173 Questionnaires in attendance. Over and over again we heard three themes emerging from our People:

1. That the Metis Nation within Manitoba, lands and resources have been and continues to be affected by Manitoba Hydro projects;
2. That the Metis Nation within Manitoba and our government, the MMF have been totally ignored and not engaged in any consultation process, and;
3. The Wuskwatim Generating Station and Transmission Line Projects will infringe upon and interfere with our Metis title, rights and interests.

That the Metis Nation within Manitoba believes the Projects will lead to a further erosion of our culture because of its potential impacts on our lands, waters and resources.

We believe that the co-proponents [NCN and Hydro], Manitoba, and Canada all have obligations to meaningfully consult with and accommodate the Metis, as we are a distinct Aboriginal People with collective Rights.

The MMF represents the Metis People. Mayor and Councils, Community Associations, individuals, or other groups do not have the jurisdiction to speak on our behalf regarding our Metis Collective Right.

EXHIBIT # OTH-1013
 WUSKWATIM GENERATION
 & TRANSMISSION PROJECT
 CLEAN ENVIRONMENT COMMISSION

Invitations to open houses for the purposes of distributing information which is attended by all citizens is not an invitation to proper and meaningful consultation required to be undertaken with Aboriginal peoples.

A Metis specific consultation plan needs to be jointly designed by the MMF, Hydro, and Manitoba, and implemented subsequent to a negotiated agreement as to enable full and effective participation of the Metis Nation.

Not consulting and accommodating the Metis Nation is contrary to section 35 of the Canadian Constitution.

It is also contrary to the Aboriginal Justice Implementation Commission's recommendations and Manitoba's pledge to implement those recommendations.

Recommendation # 4.1 states:

Any future, major, natural resource developments not proceed, unless and until agreements or treaties are reached with the Aboriginal people and communities in the region, *including the Manitoba Metis Federation and its locals and regions*, who might be negatively affected by such projects, in order to respect their Aboriginal, treaty, or other rights in the territory concerned.

We believe the meaning of this recommendation is that Manitoba and Manitoba Hydro must consult with, and accommodate, the Metis Nation through the MMF as the representative of the Metis Nation.

This recommendation does not mean that Manitoba or Hydro simply offers a "take-it-or-leave-it" arrangement in the pre-project training initiative. We were left out and were not spoken to until the last minute after Canada insisted we become involved.

So in summary, please listen to the MMF's main presentation in the coming weeks and the points I have raised today will be elaborated upon. I am sure all your questions will be answered at that time.

Thank you.