

# Newsletter

In April 2004, Dr. Richard Herbert and Mr. Percy Bird began discussions with community health representatives in the Fort Frances Chiefs Secretariat tribal area on veterinary infrastructure and its potential to help nation communities with traditional food and animal management problems. Ultimately, these discussions led to an opportunity to reestablish traditional Anishinaabe wildlife-based trade and commerce in Treaty #3 (T3).

In October 2005, Grand Council T3 resolved to support the development of a veterinary infrastructure within T3. That infrastructure would provide a safety system for traditional food, protect communities from animal-related disease, control dog populations, and provide a method to live traditional lives through the development of a traditional wildlife harvest and trade system.

Over the next year, Lac Des Mille Lacs First Nation spearheaded early program development to verify that a veterinary infrastructure could be adapted to meet the needs of the Anishinaabe Nation in T3. Of primary concern to the nation was the development of safe traditional food and safe communities.

In October 2006, Lac Des Mille Lacs First Nation reported to the T3 National Assembly on two Anishinaabe veterinary infrastructure programs: one for deer harvest and the other for dog control.

The program for deer harvest was able to ensure safe wild meat. The program grew into a framework to manage the out-of-control T3 deer population to the economic benefit of the nation using a traditional harvest and trade system. The deer harvest program had the potential to bring prosperity and independence for the nation through traditional lifestyles. A deer harvest pilot project was proposed from which other wild meat and fish harvests could develop. The deer program needed an Elder consultation and for its overseeing to be transferred into Grand Council T3 to move forward.

The program for dog control was able to provide

immediate and permanent solutions to dog problems in nation communities. However, it was not just communities that needed dog programs. T3 police were unable to fulfill their mandate and protect citizens from aggressive and dangerous dogs because harmonized bylaws and animal control service systems did not exist. Many communities expressed serious concerns regarding out-of-control dog populations. As a result, interim veterinary solutions were developed and made available but, no funding was found to run immediate solutions. The dog program needed an Elder consultation and for its overseeing to be transferred into Grand Council T3 to move forward.

A resolution to build Anishinaabe veterinary infrastructure programs through a veterinary support service overseen by joint Grand Council chiefs was tabled at the October 2006 National Assembly. Grand Council directed the Grand Chief, Ogichidaa Arnold Gardner, to consult Elders on the deer harvest program and traditional trade before a final vote would be taken on the resolution.

**At the time of the October 2006 Assembly, the Ministry of Natural Resources (MNR) initiated a constitutionally required consultation of all First Nations in Ontario on proposed strategies to manage out-of-control wildlife populations, especially deer, to the economic benefit of the Ontario government.** Interim draft deer and wildlife traditional harvest-management proposals for T3 were prepared and submitted to the MNR on behalf of Grand Council T3 in November 2006. These proposals required a consultation of Elders and the nation to be ratified as final responses from the Anishinaabe Nation in T3.

In February 2007, Ogichidaa Gardner asked Dr. Herbert and Mr. Bird to find funding for a Grand Council Elder consultation process on wildlife trade and harvest. One month earlier, Dr. Herbert and Mr. Bird had created a not-for-profit charity, referred to as CAID, to continue their work. CAID developed and submitted a funding proposal on behalf of the

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Grand Council T3 to both the Ministry of Northern Development and Mines (MNDM) and the MNR in April 2007. Funding was for consultation of the entire Anishinaabe Nation in T3 on traditional wildlife harvest and trade through a national Elder consultation process. This was an opportunity to reestablish traditional Anishinaabe wildlife-based trade and commerce for the economic benefit of the nation.

The MNDM and MNR very quickly saw the funding request for an Anishinaabe national Elder consultation on traditional wildlife harvest and trade as a significant threat. **If the Anishinaabe expressed hunting and wildlife management rights guaranteed under section 35 of the Constitution Act during the constitutionally required consultation the MNR had started, Ontario would be obliged to change its laws and recognize both the T3 resource law (*Manito Aki Inakonigaawin*) and the Anishinaabe right to manage and harvest wildlife for trade.** From April 2007 until today, CAID has fought the MNDM and the MNR to obtain funds for the national Elder consultation.

The Ministry of Aboriginal Affairs has received a number of requests from CAID to both Ministers Michael Bryant and Brad Duguid to intervene on behalf of First Nation rights in the funding issue. These Ministers and their departments have never responded to correspondence.

MNDM Minister Michael Gravelle has two reasons why the MNDM continues to refuse funding for consultation on traditional wildlife-based economic development in T3. First, the MNDM has decided traditional First Nation economic development based on wildlife management falls under the mandate of the MNR. However, the MNDM funds non-traditional economic development for recreation and commercial fishing and recreational hunting which also fall under the mandate of the MNR.

The second reason given by Minister Gravelle was simply that the MNDM would not fund “consultations of this nature”. The “nature” of the consultation was that it was a traditional Anishinaabe process to develop traditional economies. Minister Gravelle was quick to point out non-traditional First Nation projects the MNDM has funded. The MNDM policy to refuse funding for traditional economic development and fund non-traditional economic development is a reflection of Ontario’s economic policy to force Aboriginal assimilation.

The MNR initially responded by saying they had not initiated a First Nation consultation on wildlife management strategies, First Nations had no right to harvest-manage wildlife, and that First Nations had no right to sell meat from the harvest of wild deer. MNR Ministers David Ramsay and Donna Cansfield refused to correspond with CAID until Premier Dalton McGuinty “asked” MNR Minister Cansfield to respond. **Minister Cansfield responded for the first time in May 2008 admitting the MNR had initiated a constitutional consultation of First Nations and that the traditional harvest-management proposals submitted in November 2006 were part of that consultation process.**

Between May 2008 and February 2009, CAID and Dr. Herbert’s integrity and motives were attacked by the MNR alongside of most every right the Anishinaabe in T3 hold sacred. One by one excuses Minister Cansfield and the MNR put forward to justify their withholding constitutionally guaranteed consultation rights from the Anishinaabe were exposed as lies and policies of forced assimilation designed to extinguish Aboriginal rights. Ultimately, there remained one last reason to deny constitutionally guaranteed funding for the national Elder consultation process.

In a letter dated February 5, 2009, Minister Cansfield revealed that she did not have to provide funding for the national Elder consultation because

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she has a working relationship with the current Grand Council. **The reason the MNR can deny rights to the Anishinaabe Nation in T3 guaranteed by the constitution for consultation, hunting, wildlife management, and trade in harvested meat is because the Grand Council T3 signed a Memorandum of Understanding (MOU) with the MNR.**

The MOU process with the MNR started as a reaction to CAID submitting the funding request for the Anishinaabe national Elder consultation process. Within one week of submission, MNR Minister Ramsay announced that he recognized T3's resource law (*Manito Aki Inakonigaawin*). Five months later, just before an election, Minister Ramsay entered into an MOU with Grand Council towards the recognition of *Manito Aki Inakonigaawin*. It is now February 2009, almost 2 years after Minister Ramsay's announcement, and both the *Fish and Wildlife Conservation Act* (1997) and proposed regulation changes to that Act still do not respect *Manito Aki Inakonigaawin*.

**It would appear the MNR's MOU process was a sham designed to prevent a *Constitution Act* section 35 consultation on traditional wildlife harvest and trade in T3.** The reason the MNR would try to prevent this consultation is that only a section 35 consultation has the authority to force the Government of Ontario to change its laws and recognize *Manito Aki Inakonigaawin* and the Anishinaabe right to manage and harvest wildlife for trade. Fortunately, the MOU can be cancelled with 30 days notice.

In May of 2008, the Anishinaabe Nation in T3 elected a new Grand Chief, Ogichidaakwe Diane C. Kelly. CAID has requested Ogichidaakwe Kelly support the mandate given to CAID by former Grand Chief Ogichidaa Gardner to acquire funding for the Anishinaabe Nation in T3 to respond to the 2006 MNR section 35 consultation through a national Elder consultation process.

CAID has honoured its word given to Ogichidaa Gardner two years ago and not wavered in its commitment to fulfill that promise to the Anishinaabe Nation in T3. However, the decision to pick up or throw down the right to manage and harvest wildlife for trade in T3 does not belong to CAID, it belongs to the Anishinaabe Nation in T3. The MNR is very close to extinguishing that right. Encourage and guide the Grand Council and its Grand Chief with their decision on this issue.

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