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Métis Aboriginal rights fall within the broad contours of Canadian Aboriginal rights jurisprudence. However, the Supreme Court of Canada has held that they are grounded in and shaped by the specific factual context of Métis communities, their connections to the land, historical encounters with others on the land, and what is integral to the distinctive Métis culture of a larger Métis people. Long standing disagreement about the role of federal and provincial governments in developing policy, negotiating and implementing Métis rights and the existence of these rights has resulted in extensive litigation and limited negotiation. There are some exceptions. For example the federal government has used its spending power to create some programs and enter funding arrangements with Métis political organizations aimed at them as a disadvantaged people (e.g. labour and skills development) and since recognition of Métis Aboriginal rights to hunt, fish, gather and trap for food in *Powley* (2002), federal and provincial governments have also enacted policy, negotiated agreements and amended provincial laws to accommodate these rights. Before and after *Powley*, some provincial governments also entered into agreements with Métis communities and organizations, typically in relation to initiatives to improve cultural, economic or social well-being or as frameworks for negotiation in these and other areas. However these are not predicated on recognition or in response to Métis Aboriginal rights. The most extensive scheme is in Alberta.

This research project explores recent developments in Canadian constitutional law on the legal nature and obligations that are owed to Métis signatories of such agreements with particular emphasis on the Métis Settlements in Alberta. Specifically we ask the question: "If the Métis Settlements Accord can be characterized as a 'treaty like promise' and the constitutional principle of honour of the Crown is engaged, how does this implicate current policy on federal/provincial and Métis settlement relations and legal obligations owed to them?" In answering this question we will expand and consolidate previous legal and historical work done by Bell and Kermoal within the context of recent decisions of the Supreme Court of Canada on the Aboriginal Crown fiduciary relationship, honour of the Crown and federal provincial constitutional powers. Of particular significance are *Powley*, *Cunningham* (SCC 2011), *Haida* (2004 SCC), *Manitoba Métis Federation* (SCC 2013) *Tsilhqot'in* (SCC 2014), *Grassy Narrows* (SCC 2014) and *Daniels* (2014 FCA, decision of the SCC pending).

Developed in consultation with the Métis Settlement General Council, specific topics explored will include:

1. Fundamental principles in the *Manitoba Métis Federation* case that extend beyond the Manitoba border including the key elements to create a "treaty like" relationship and duties that flow from the legal principle of honour of the Crown. This will include exploring the relationship between the legal concepts of honour, reconciliation and equity and what this means in terms of respecting contemporary political manifestations and rights of Métis people in Alberta in light of the history of denial of their existence as constitutional rights bearing people.

2. Whether the Métis Settlements Accord, as implemented by Alberta's Métis settlement legislation, can be characterized as a "treaty like" constitutional promise and how this potentially implicates federal and provincial policy on contemporary issues faced by Métis settlement members (e.g. protection of the land base, self-determination of membership, provision of benefits and services, triggers for consultation, and negotiation and implementation of claims arising from the failure of scrip or Aboriginal rights).

3. How *Powley* is properly understood in its application to the Métis settlements and whether this analysis is affected by characterization of the Métis Settlement Accord as a negotiated constitutionalized "treaty like" promise.

4. Implications of reviewing Aboriginal provincial policy concerning Aboriginal constitutional identity and rights of Alberta Métis settlements in light of the aspirations of UNIDRIP. Here we will consider how self-determination of peoples, contemporary international human rights norms and movement away from historically routed race based approaches to identity implicate recognition of Alberta Métis settlement members as s. 35 Métis and federal/provincial policy and approaches in contested areas (e.g. harvesting). In particular we will ask how do we understand and operationalize a concept of self-determination rooted in the rights of pre – colonial "peoples" in a way that respects the Métis Nation and the evolution of Metis settlement government.

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