

Mandate

The Government of the Metis Settlements of Alberta and the Government of Alberta reached an *Accord*¹ in 1989 to establish a framework for Metis self-government in Alberta. The Metis Settlements Appeal Tribunal (MSAT) was formally established in 1990 to resolve disputes that would otherwise hinder progress under the *Accord* self-government framework. MSAT carries out its duties with a view to preserving and enhancing Metis culture and identity and furthering the attainment of self-governance by Metis Settlements under the laws of Alberta.

Vision

Good, effective, and fair Metis self-governance that is enhanced through MSAT's culturally appropriate dispute resolution and education services.

Mission

To enhance and promote Metis self-governance and Metis culture and identity by resolving disputes through effective, fair, culturally appropriate mediation, adjudication, and public education initiatives.

Profile

MSAT has an important purpose — to resolve disputes that would otherwise inhibit progress under the *Accord*. This work is performed by seven Board members, three of whom are appointed by the Government of the Metis Settlements General Council, another three who are appointed by the Government of Alberta, and the Chair, who is named by General Council and appointed by the Minister responsible for the *Accord*.

MSAT Board members adjudicate and mediate disputes, and educate stakeholders about *Accord* legislation and processes. They are supported in this work by the Tribunal Secretary and staff. Board members and staff also work together to develop and implement accountability, strategic policy and planning frameworks — including business plans.

Strategic Plan for 2009-2010 to 2011-2012

Fiscal years 2007-2009 were transition years for MSAT. A new Board was appointed in 2007 and it began the work of renewing confidence in MSAT by streamlining MSAT processes and clearing away the backlog of appeals that had accumulated over the previous five years. This strategic plan builds on the Board's renewal efforts.

¹ Signed in 1989, the *Alberta-Metis Settlements Accord* ushered in a new era. The *Accord* called for joint action by Alberta and the Metis Settlements General Council to protect Settlement lands and to build viable and vibrant Metis communities with good local and collective governance systems. The *Accord* provided tools for developing a full body of Metis Settlement law through General Council Policies, local by-laws, and judicial (MSAT) decisions.

In updating its strategic plan, MSAT examined its mandate to fairly and effectively resolve disputes and its legislated and social responsibility to promote Metis culture and identity. Unique institutions like MSAT are expected to adhere to the rules of administrative fairness, while making its processes and decisions culturally accessible. MSAT stakeholders expect fast, fair, culturally appropriate resolutions to disputes involving the Metis Settlements and their members.

In its plans, MSAT remains pragmatic. It continues to recognize and operate within its funding allotments, while increasing its presence and performance amongst key stakeholders. It does this by focusing existing resources and building necessary capacities to meet key priorities.

MSAT’s new objectives and strategies emphasize a new strategic direction – one that increases the effectiveness and cultural integrity of MSAT’s dispute resolution process through mediation and public dialogue.

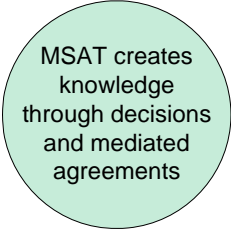
MSAT’s new strategic plan will:

- ▶ **Establish MSAT as the Metis Settlements’ first choice for dispute resolution**
Over the next three years, MSAT will strengthen its mediation systems and provide Settlement members and stakeholders with fair, effective and culturally appropriate dispute resolution systems.

- ▶ **Enhance understanding of the Accord self-governance framework**
MSAT will use its knowledge and resources to inform Settlement members and other stakeholders about the *Accord* and MSAT’s quasi-judicial role in resolving disputes that impede progress under the Settlement’s self-governance framework.

In hearing disputes and issuing decisions with reasons, MSAT clarifies the law affecting Settlement members and other stakeholders. These decisions help Settlement members and others understand their respective rights and responsibilities. MSAT will use its resources to make its decisions available to Settlement members and other stakeholders through its website, Settlement newsletters, its annual report and public forums.

Knowledge



Education



Presence



Performance



MSAT Business Plan for 2009 - 2012

► **Promote sound corporate governance practices**

As a responsible public institution, MSAT will continue to demonstrate accountability and transparency through its management and reporting practices. As a key institution under the Accord self-governance framework, MSAT will assist the Metis Settlements General Council and the Minister in clarifying governance roles and accepted management and reporting standards that strike a proper balance between judicial independence, accountability and transparency.

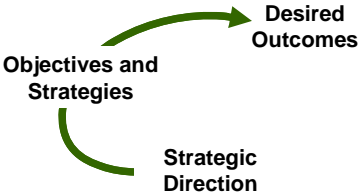
In sum, MSAT's new strategic direction promotes the achievement of four strategic objectives. These objectives are set out below:

MSAT's Strategic Objectives

2009 - 2010	2010 - 2011	2011 - 2012
PREPARATION	IMPLEMENTATION	ACHIEVEMENT
Knowledge	<p>Objective 1 To make decisions and mediate agreements that fairly identify rights and responsibilities under Accord legislation and that promote Metis culture and identity.</p>	<p>Outcome: MSAT is recognized as a credible source of knowledge about Accord legislation and Metis culture and identity.</p>
Education	<p>Objective 2 To increase awareness of Settlement stakeholders about their rights and responsibilities under Accord legislation and to enhance their understanding of Metis culture and identity.</p>	<p>Outcome: Settlement members and other stakeholders are informed about Accord laws and MSAT processes and priorities.</p>
Presence	<p>Objective 3 To develop culturally appropriate mediation and conciliation services that are consistently used by Settlement stakeholders.</p>	<p>Outcome: MSAT is the Settlements', and affected stakeholders', first choice for dispute resolution services.</p>
Performance	<p>Objective 4 To establish leading edge governance agreements and management practices that balance judicial independence with accountability and transparency measures.</p>	<p>Outcome: MSAT is a valued, trusted, successful institution within the Accord self-governance framework.</p>

Strategic Objective 1: Knowledge

To make decisions and mediate agreements that fairly identify rights and responsibilities under Accord legislation and that promote Metis culture and identity.



Settlement members and affected stakeholders want trusted and reliable interpretations of Accord legislation. In keeping with MSAT’s legislated mandate, they also want MSAT decisions and mediated agreements to reflect Metis culture and identity.

Over time, MSAT decisions and mediated agreements will show how Accord legislation is understood and applied on the Metis Settlements. In other words, MSAT’s work will create a catalogue of Metis-based *common law* for all to see and discuss. This, in turn, creates a knowledge base that contributes to good governance and relations on the Metis Settlements.

The following strategies will enable MSAT to accomplish this first objective and lead to positive, measurable, outcomes as outlined in the following table:

Objective 1: Knowledge -- Strategies and Performance Measures

2009 - 2010	2010 - 2011	2011 - 2012
Knowledge	Objective 1 To make decisions and mediate agreements that fairly identify rights and responsibilities under Accord legislation and that promote Metis culture and identity.	Outcome: MSAT is recognized as a credible source of knowledge about Accord legislation and Metis culture and identity.
Key Strategies >> Align MSAT’s policies and procedures to promote inclusion of Metis culture and identity >> Ensure investigations, hearings, and mediations are run fairly and effectively >> Use plain language for decisions and agreements		
Performance Measures >> MSAT’s policies and procedures enable parties to discuss Metis culture and identity >> MSAT’s processes are fair, and seen to be fair >> MSAT’s decisions and agreements are easy to understand and follow		

Strategic Objective 2: Education

To increase awareness amongst Settlement members and other stakeholders of their rights and responsibilities under Accord legislation and to enhance their understanding of Metis culture and identity.

For MSAT to do its work, Settlement members and other stakeholders must know when and how to access MSAT’s services. For MSAT’s work to gain value, it must be widely distributed, discussed and debated amongst Settlement members and other stakeholders.

In addition to distributing its decisions and agreements, MSAT will continue to hold community information sessions to educate members and other stakeholders about MSAT’s mandate, processes, and decisions. MSAT will also continue to meet with both orders of government to discuss its priorities, approaches, and emerging issues. During these sessions, MSAT will seek constructive feedback from all parties about how MSAT might improve its services.

As outlined below, the following strategies will enable MSAT to attain its objective of raising awareness amongst all stakeholders about Accord laws and MSAT’s approach and role in interpreting those laws:

Objective 2: Education -- Strategies and Performance Measures

2009 - 2010	2010 - 2011	2011 - 2012
Education	Objective 2 To increase awareness of Settlement stakeholders about their rights and responsibilities under Accord legislation and to enhance their understanding of Metis culture and identity.	Outcome: Settlement members and other stakeholders are informed about Accord laws and MSAT processes and priorities.
Key Strategies »» Ensure Settlement members and others know about MSAT’s processes and decisions »» Meet regularly with leaders, Settlement members, and others to discuss and get feedback about MSAT’s priorities, approaches, and emerging issues		
Performance Measures »» Accord laws and Metis culture and identity are better understood and followed »» Accord leaders, Settlement members and other stakeholders understand MSAT’s processes, priorities, and emerging issues		

Strategic Objective 3: Presence

To develop culturally appropriate mediation and conciliation services that are consistently used by Settlement members and other stakeholders.

MSAT may establish any means of dispute resolution it considers appropriate. This includes mediation, conciliation, and arbitration. MSAT will increase usage of its services by enhancing access to dispute resolutions systems that give parties more control over the process and end product.

In meeting this objective, MSAT will evaluate and change some of its current policies and procedures, which are geared to the hearing process. MSAT will also evaluate its capacity to offer and run good and effective mediation, conciliation, and arbitration services and focus its resources to fill any capacity gaps.

These approaches are more clearly set out in the table that follows:

Objective 3: Presence -- Strategies and Performance Measures

2009 - 2010	2010 - 2011	2011 - 2012
Presence	Objective 3 To develop culturally appropriate mediation and conciliation services that are consistently used by Settlement stakeholders.	Outcome: MSAT is the Settlements' and affected stakeholders' first choice for dispute resolution services.
Key Strategies » Improve MSAT's credibility and efficiency through enhanced, but fair, screening processes » Evaluate mediation needs and opportunities and focus funding to build capacity where needed		
Performance Measures » MSAT is named as the dispute resolution body in more Statutes, Policies, Bylaws, and contracts » An increasing percentage of disputes are resolved through mediation or conciliation methods		

Strategic Objective 4: Performance

To establish leading edge governance agreements and management practices that balance judicial independence with accountability and transparency measures.

MSAT will work with the Metis Settlements General Council and the Minister responsible for the Accord self-government framework to clarify institutional roles and responsibilities. This work will respect MSAT's independence and mandate, while identifying good communication and management benchmarks.

MSAT Business Plan for 2009 - 2012

Throughout this exercise, MSAT will maintain and enhance its excellent standing as an accountable and transparent institution. It will do so by meeting its legislated reporting requirements and by utilizing the Government of Alberta’s standards and management practices applicable to public institutions.

These approaches are detailed below:

Objective 4: Performance -- Strategies and Performance Measures

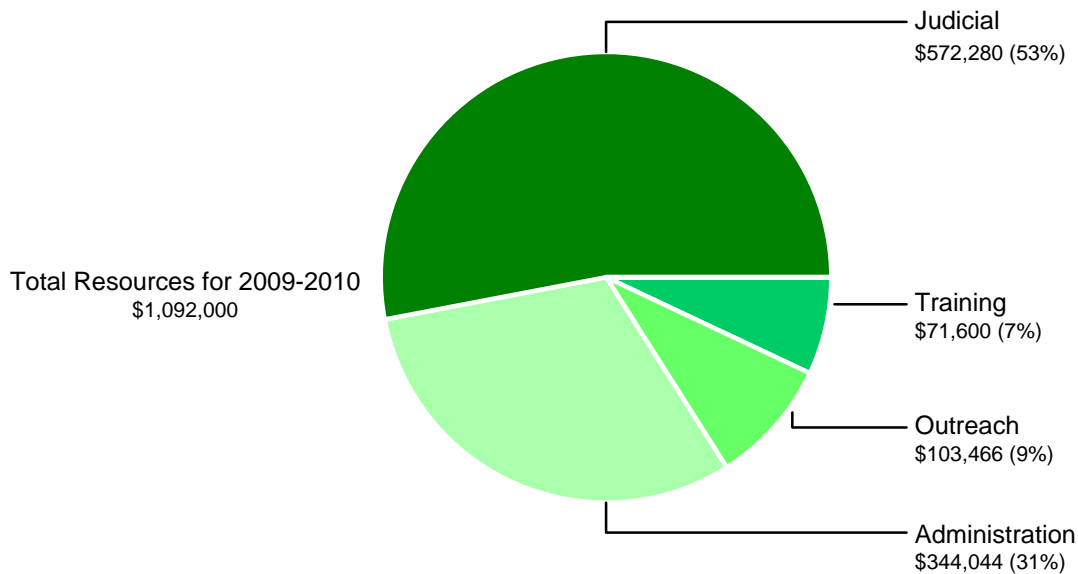
2009 - 2010	2010 - 2011	2011 - 2012
Performance	<p>Objective 4 To establish leading edge governance agreements and management practices that balance judicial independence with accountability and transparency measures.</p>	<p>Outcome: MSAT is a valued, trusted, successful institution within the Accord self-governance framework.</p>
<p>Key Strategies</p>	<ul style="list-style-type: none"> » Develop Mandate and Roles Document that respects MSAT’s independence while clarifying relationships, roles and responsibilities under the Accord framework » Benchmark proper corporate governance practices and implement them » Deliver good and effective corporate reports 	
<p>Performance Measures</p>	<ul style="list-style-type: none"> » A Mandate and Roles Document is developed and discussed with Accord partners » MSAT continues to be viewed by Accord partners as a leader in corporate governance and integrity. 	

Financial Resources

In 2009-2010, MSAT will operate with a total base budget of \$1,092,000. As always, MSAT is committed to managing its allocated resources in a strategic, workmanlike, and accountable manner. Should funding pressures emerge that threaten to impede MSAT’s core functions or mandate, MSAT will work with the appropriate authorities to address those pressures.

For the purposes of this plan, **judicial** expenditures include hearings, mediations, investigations, and conciliation activities (both by the Board and staff) that lead to the resolution of disputes. **Training** includes money spent to improve mediation, adjudicative, and investigative capacities of MSAT Board members and staff. **Outreach** and communications includes the costs of running community information sessions, developing and offering information sessions to industry, hosting government leaders and other stakeholders and open house sessions, and placing articles in the Metis Messenger newsletter. **Administration** expenditures include monies spent to coordinate the judicial, training, and outreach initiatives and to ensure good and timely oversight and reporting on all MSAT activities.

MSAT’s challenge is to allocate its resources to maximize **knowledge, education, presence** and **performance**. We believe the following distribution of resources meets the challenge.



Judicial includes: manpower costs at \$198,750, employer contribution at \$39,010, staff travel at \$9,000, office supplies at \$20,700, Board honoraria & travel at \$244,500, postage at \$5,000, tel. & comm. at \$2,350, legal fees of \$50,000 and other contracts at \$16,000

Training includes: Board honoraria & travel at \$32,600, Board training at \$25,000, and staff training at \$14,000

Outreach/Communications includes: manpower at \$33,125, employer contribution at \$6,501, staff travel at \$3,000, office supplies at \$4,140, hosting at \$5,000, Board honoraria & travel at \$48,900, advertising at \$2,800

Administration includes: manpower at \$172,615, employer contribution at \$36,120, management and investigation officers at \$99,374, employer contribution at \$65,016, travel at \$3,000, office supplies at \$8,280, advertising at \$700, tel. & comm. at \$2,350, rentals & repairs at \$2,100