



THE UNIVERSITY OF  
WINNIPEG

**First Nations,  
Métis, and Inuit  
Perspectives on  
Identity, Citizenship,  
and Safeguarding  
Opportunities:**

What We Heard Report

**2024**

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# Message from the Co-Chairs

The University of Winnipeg (UW) is committed to respecting First Nations, Métis, and Inuit sovereignty, including as it relates to identity, citizenship, and membership. In part, this means ensuring opportunities and benefits meant for Indigenous persons at UW are accessed by them. Towards this goal, UW is actively listening to Indigenous perspectives on how to best move forward.

A 20-member UW Indigenous Identity Working Group (UWIIWG) comprised of First Nations, Métis, and Inuit students, staff, faculty, Elders, community members, and representatives from Indigenous organizations and governments has been working diligently since last summer. They have guided the University's process to date, including identifying key stakeholders for engagement, helping devise engagement materials, and providing important feedback on this report which includes recommendations for policy development. We are deeply grateful for their wisdom and ongoing participation in this challenging work.

We are grateful to the Indigenous consulting firm, Sage Solutions, for lending their expertise in overseeing the internal and external engagement sessions, analyzing data, and collaborating with the UWIIWG Co-Chairs in drafting this report. The Indigenous community-informed recommendations contained herein are important for the University to consider when drafting a policy that respects Indigenous sovereignty and citizenship and protects material benefits meant for First Nations, Métis, and Inuit.

We extend our gratitude to everyone who participated in a hybrid engagement session or a survey for sharing their experiences and insights on this sensitive topic, and for reviewing the initial draft of this What We Heard Report to ensure accuracy. We also wish to thank representatives from the Assembly of Manitoba Chiefs (AMC), the Southern Chiefs' Organization (SCO), Tunngasugit, and the Manitoba Métis Federation (MMF) for participating in this process, notably for serving on the IIWG or for providing input on the report, or both! We look forward to ongoing community collaboration in policy development.

We share the themes and recommendations in this report publicly to promote transparency and accountability in our institution, to add to the good work being done by other universities on this matter, and to encourage other institutions and organizations to contribute to this timely and important work.

We hope that our collective efforts will help institutions become safer and more welcoming places where First Nations, Métis, and Inuit students, staff, faculty, and Elders can thrive.

## UWIIWG Co-Chairs

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# Executive Summary

Led by the University of Winnipeg Indigenous Identity Working Group (UWIIWG), the University of Winnipeg (UWinnipeg, UW) has undertaken a community engagement process to inform policy development to ensure that material benefits at UW meant for First Nations, Métis, and Inuit are accessed by them, and that Indigenous sovereignty, citizenship, and membership guide the process.

The UWIIWG engaged with a diverse group of First Nations, Métis, and Inuit internal and external stakeholders, including students, staff, faculty, Elders, Knowledge Carriers, community members, and Indigenous government representatives. Surveys and hybrid engagement sessions provided accessible means of participating and considered a wide range of perspectives regarding the protection of material benefits, substantiation of claims to Indigenous identity, and the prevention and mitigation of Indigenous identity fraud.

This report illustrates key findings from the engagement sessions and surveys, as well as Recommendations to guide the development of UWinnipeg policy and procedures to ensure that UW opportunities meant for First Nations, Métis, and Inuit reach these intended beneficiaries. An Indigenous identity substantiation process must respect First Nations, Métis, and Inuit sovereignty and incorporate comprehensive, community-driven input.

## Key Findings

- › **Misdirection of Material Benefits:**  
Indigenous identity fraud misdirects resources and opportunities away from First Nations, Métis, and Inuit, undermining their rights and benefits.
- › **Impact on Trust and Governance:**  
Fraudulent claims undermine community trust, inaccurately represent Indigenous people across various domains, including academia, and undermine First Nations, Métis, and Inuit governance and self-determination. This negatively impacts relationships, including between Indigenous communities and the academy.
- › **Cultural Harm:**  
The falsification of First Nations, Métis, and Inuit identity dilutes cultural integrity and perpetuates colonialism.

The University of Winnipeg has a vital role in upholding First Nations, Métis, and Inuit sovereignty, citizenship, and membership. UWinnipeg must commit to meaningful reconciliation by safeguarding opportunities for First Nations, Métis, and Inuit, taking direction from these communities without overburdening them in the process.



# Introduction

First Nations, Métis, and Inuit governments and communities are increasingly calling upon Canadian universities to uphold Indigenous sovereignty via citizenship in order to ensure that opportunities and material benefits meant for Indigenous people are accessed by them. . While most individuals accessing such benefits are First Nations, Métis, or Inuit, recent high-profile cases of Indigenous identity fraud indicate that this is not always the case. Even a single false claim to advantage an individual’s professional, personal and financial gain is serious and harms Indigenous people as well as the academy.

In the past, the University of Winnipeg (UWinnipeg, UW), like other post-secondary institutions, followed an informal practice of honouring self-declaration as Indigenous. Self-declaration was a way to encourage First Nations, Métis, and Inuit participation in the academy and to recognize the impacts of colonialism and racism upon Indigenous people. Self-declaration for faculty, staff, and students was a step forward in including First Nations, Métis, and Inuit. However, several recent cases of Indigenous identity fraud, notably in Canadian universities, illustrate that relying solely on self-declaration is no longer sufficient. Furthermore, the creation of new “Indigenous” organizations, whose members falsely claim Indigenous identity, complicates matters and enables fraud on an increasing scale, with serious implications for the protections afforded to section 35 rights-holding peoples.<sup>1</sup> Indigenous nations, governments, and communities are calling upon universities to ensure that opportunities meant for First Nations, Métis, and Inuit are safeguarded for them.<sup>2</sup>

Importantly, it is not the place of universities to adjudicate First Nations, Métis, and Inuit identity; universities must honour First Nations, Métis, and Inuit nations’ sovereign right to determine their citizenship and membership. Nonetheless, universities have a responsibility to stop the inadvertent perpetuation of fraud made possible by relying solely on self-declaration and must now address and prevent such harm. Universities have developed standards, regulations, and policies, for example, to determine misconduct, and processes for making, investigating, and substantiating fraud claims. The University’s role is to apply its standards and enforce consequences for individuals who do not uphold them. Consideration must be given to how new policy on this matter will interact with existing policies and whether revisions are required in the latter.

UWinnipeg acknowledges the ongoing colonial legacy of universities even as meaningful efforts are made towards Indigenousization, reconciliation, and decolonization. With support from the President’s Office, UWinnipeg recognizes its role in moving Truth and Reconciliation forward and is committed to Indigenous success, engagement, and achievement. Through a transparent and flexible process, the University must establish a policy and procedures to ensure material benefits meant for First Nations, Métis, and Inuit are retained by them. The University is building upon the wisdom of similar processes emerging from other Canadian universities and stakeholders ([see Resources](#)).

**“This issue is about fraud, not about ‘managing’ Indigenous identity. First Nations, Métis, and Inuit identity are not the ‘problem’ here; fraud is.”**

**- Participant**

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<sup>1</sup> Section 35 of the *Constitution Act, 1982*.

<sup>2</sup> See, for example, the recordings from the two-day Indigenous Identity Fraud Summit hosted by the Chiefs of Ontario and Manitoba Métis Federation ([Manitoba Métis Federation \[MMF\], 2024, May 14; MMF, 2024, May 15](#)).





# Approach



## Initial Steps

UWinnipeg recognizes the importance of honouring First Nations, Métis, and Inuit sovereignty, including citizenship and membership; therefore, engagement with Indigenous community (internal and external to UWinnipeg) is critical. Reducing barriers to participation and ensuring resources and support are equally important.

A University of Winnipeg Indigenous Identity Working Group (UWIIWG) was struck and gathered in August 2023 to establish a process going forward. The group's composition aimed at broad representation across First Nations, Métis, and Inuit students, staff, faculty, Elders, Knowledge Carriers, community members, and representatives from Indigenous organizations and governments (see Appendix C). The group's subsequent meetings led to the development of an engagement strategy, including identifying stakeholders and drafting materials. Four key stakeholder groups were identified as particularly important to the context of UW and its relationships with Indigenous people. Consideration was also given to efforts undertaken by other universities in this area to build upon their good work. In February 2024, an external Indigenous consultant, Sage Solutions, was hired via Request for Proposals to implement UW's engagement efforts.

## Who did we engage?

The UWIIWG sought advice from First Nations, Métis, and Inuit individuals from the following stakeholder groups:<sup>3</sup>

- › University of Winnipeg (UW) Indigenous community (students, staff, faculty, Elders-in-Residence)
- › Urban/Inner-City Indigenous community
- › Winnipeg Inuit community
- › University of Manitoba (UM) Indigenous community (students, staff, faculty, Knowledge Carriers, and Elders)

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<sup>3</sup> UW acknowledges ongoing support from UM, notably the Office of the Vice-President, Indigenous (OVP-I). After dialogue with OVP-I and Inuit feedback on UM's Report ([University of Manitoba, 2023](#)), the UWIIWG included an Inuit stakeholder group in our engagements, in addition to focusing on UW's unique urban and inner-city location and relationships, with the understanding that all the other stakeholder groups would have First Nations and Métis participants. In hindsight, Métis- and First Nations-specific engagements would have also elicited important insights. Unfortunately, due to time and fiscal constraints, we were unable to include additional sessions late in the process. (Having said this, First Nations and Métis voices are well represented in three stakeholder groups.) We encourage other institutions just beginning this process to specifically include distinctions-based stakeholder sessions.

## How did we engage?

With support from Sage Solutions, the UWIIWG finalized a process and engagement materials in April 2024, then facilitated three hybrid (i.e., in-person and online) engagement sessions and launched two online surveys.

### Engagement Sessions

- › Inuit participated in the May 23 session at Qaumajuq, Winnipeg Art Gallery.
- › Urban/Inner-City Indigenous people participated in the May 25 session at Merchant's Corner.
- › UWinnipeg Indigenous students, staff and faculty participated in the May 30 session at UWinnipeg.

### Stakeholder Survey

- › Intended to reach UWinnipeg Indigenous students, staff, faculty, Knowledge Carriers and Elders, Urban/Inner-City Indigenous residents, and Inuit living in Winnipeg.
- › Launched on April 25 and closed on May 31, 2024.

### University of Manitoba Indigenous Community Survey

- › Intended to reach University of Manitoba Indigenous students, staff, faculty, Knowledge Carriers and Elders.
- › Launched on May 22 and closed on June 20, 2024.

### Participant Review and Feedback

- › Engagement session and stakeholder survey participants were invited to provide feedback on an initial draft of this report to ensure accuracy.
- › UWIIWG provided feedback on an early draft.
- › Draft report was confidentially circulated to representatives from Indigenous organizations and governments directly and/or via UWIIWG members with an invitation to review and provide feedback, including Assembly of Manitoba Chiefs (AMC), Southern Chiefs' Organization (SCO), Manitoba Keewatinowi Okimakanak (MKO), Manitoba Métis Federation (MMF), and Tunngasugit Inuit Resource Centre.

Revisions based on feedback are woven throughout the document.

## What did we ask?

### Engagement Sessions and Stakeholder Survey

When engaging specifically with Inuit, the term Indigenous was replaced with Inuit.

- › In what ways does Indigenous identity fraud harm Indigenous people/communities/governments?
- › What are some ways that Indigenous communities recognize, identify, or establish connection to members or citizens? What are some barriers or challenges to this? What would you consider to be legitimate evidence of Indigenous identity?
- › What is important to consider (elements, principles, or challenges) when designing a process to prevent and mitigate Indigenous identity fraud?
- › What should the consequences be for those committing Indigenous identity fraud?

### University of Manitoba Indigenous Community Survey

For those who participated in the UM Indigenous identity engagement process:

#### After participating in the University of Manitoba's Indigenous identity engagement process and reading its Indigenous Identity Report:

- › Is there anything you later thought of that you wish you had mentioned? If yes, please explain.
- › What do you feel are the strengths of the Indigenous Identity Report?
- › Are there any outstanding issues that should be considered when UW is developing its policy? If yes, please explain.

#### Those who did not participate in the UM Indigenous identity engagement process:

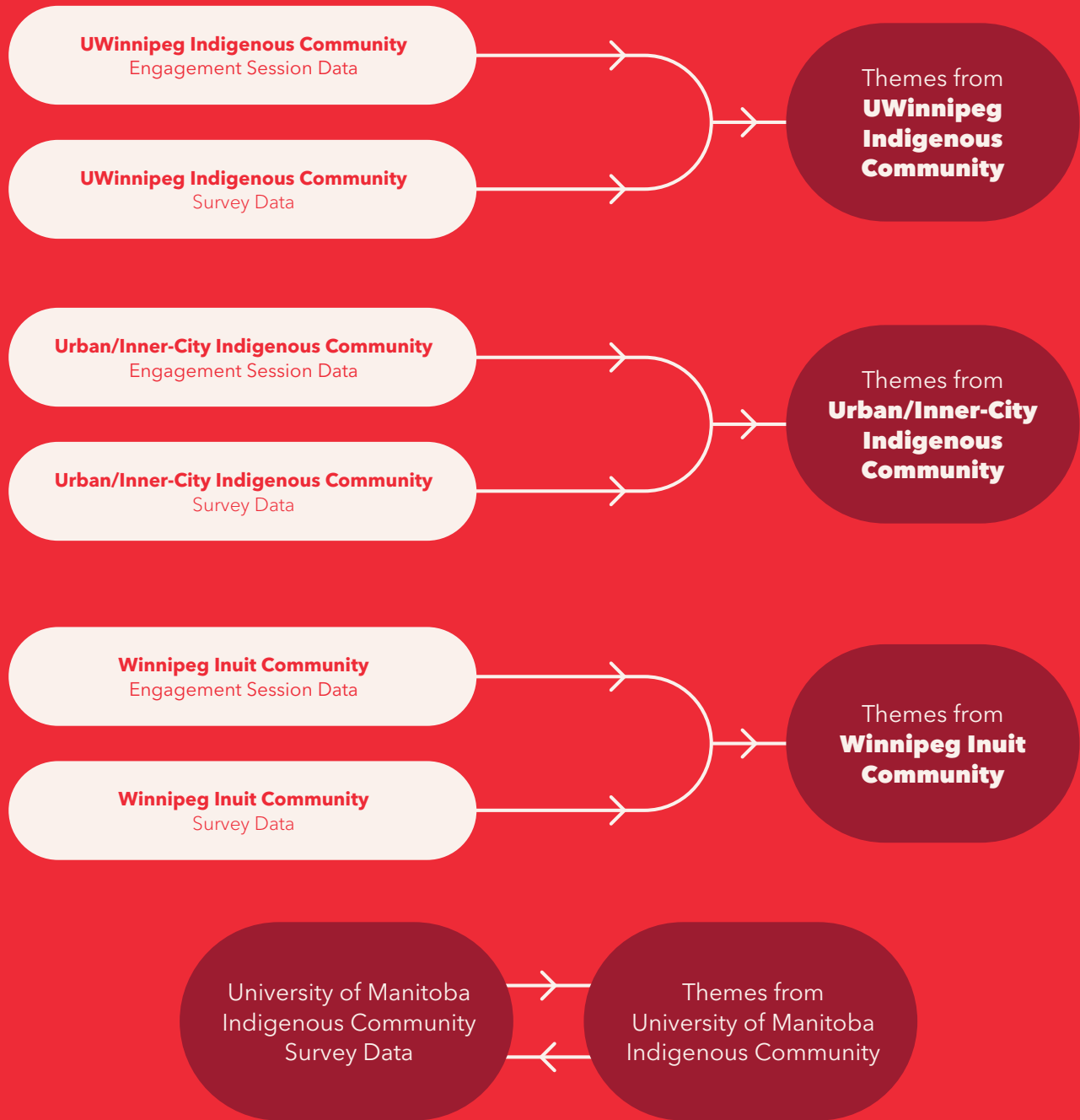
- › After reading the University of Manitoba's Indigenous Identity Report:
  - › What do you feel are the strengths of the Indigenous Identity Report?
  - › Are there any outstanding issues that should be considered when UW is developing its policy? If yes, please explain.





# Engagement Results

For each community, the engagement session and survey data were combined then analyzed thematically. Strong community-specific themes emerged within and across the stakeholder groups, as presented below. The themes from the University of Manitoba Indigenous community originate only from the University of Manitoba Indigenous Community Survey responses.



# Themes from the University of Winnipeg Indigenous Community

## In what ways does Indigenous identity fraud harm Indigenous people, communities, or governments?

### Resource Misallocation and Opportunity Theft

Individuals who commit Indigenous identity fraud occupy spaces, roles, and financial opportunities rightfully belonging to First Nations, Métis, and Inuit. This misallocation extends to, for example, reserved seats in courses, academic awards, employment positions, research grants, and scholarships, where fraudsters absorb resources meant to address historical and ongoing disadvantages resulting from colonialism. Financial benefits, recognition and visibility from these opportunities could be transformative for the rightful recipients and their families.

### Undermining Trust and Community Cohesion

Indigenous identity fraud erodes trust within First Nations, Métis, and Inuit communities. When imposters are exposed, it can lead to internal community conflict and skepticism, damaging relationships, and social cohesion. This internal strife is emotionally and culturally taxing, diverting community energy toward dealing with the fallout of the fraud and away from constructive projects.

### Impact on Governance and Representation

Fraudulent claims can lead to inaccurate and inappropriate representation of First Nations, Métis, and Inuit interests in political and organizational forums. This can influence decision-making processes and policy developments that do not reflect the actual needs and concerns of Indigenous peoples. First Nations, Métis, and Inuit sovereignty and voices at various levels of governance are also undermined.

### Cultural Degradation and Epistemic Violence

By falsely claiming First Nations, Métis, and Inuit identities, imposters appropriate and dilute Indigenous cultures. This disrespects and trivializes First Nations, Métis, and Inuit identities and facilitates colonial epistemic violence where non-Indigenous narratives and understandings risk supplanting intergenerational Indigenous knowledge and traditions.

### Perpetuating Colonial Dynamics

Indigenous identity theft represents a continuation of historical patterns whereby those in power co-opt Indigenous rights, identities, and resources. Claims of Indigenous identity (and associated material benefits) by non-Indigenous individuals reinforce settler colonial values and white supremacy.

### Personal and Emotional Impact

On a personal level, First Nations, Métis, and Inuit feel betrayed and hurt when they discover that someone they have trusted and respected has falsely claimed an Indigenous identity. This can lead to feelings of invalidation of one's identity and experiences, especially if any collaboration was undertaken with the fraudster in academic or professional settings where trust, integrity, and respect are foundational.

### Educational and Institutional Integrity

In academic institutions, fraudulent claims by faculty or staff can lead to a lack of accountability in maintaining the integrity of First Nations, Métis, and Inuit scholarship. This impacts quality of education and inhibits the institution's commitment to and mobilization of truth and reconciliation.



## **What are some ways that communities recognize, identify or establish connection to members or citizens? What are some barriers or challenges to this? What would you consider to be legitimate evidence of Indigenous identity?**

### **Ways Communities Establish Connection**

- › Relational Inquiries: It is common practice within First Nations, Métis, and Inuit communities to establish connections through kinship and family ties. Asking about one's relatives and their origins is a recognized way of placing individuals within the community context.
- › Cultural Engagement: Participation in communal activities such as ceremonies, storytelling, and social events helps reinforce one's identity and connections within the community. This includes engaging in cultural practices, language use, and sharing oral histories.
- › Documentation: More formally, communities use various (Indigenous and non-Indigenous) government documents to establish citizenship and membership, such as enrolment cards, status cards, citizenship cards, and certificates. These may be supplemented by genealogical records tracing ancestry and community acceptance.
- › Community Endorsement: Acknowledgment by section 35 rights-holding community leaders, Elders, or Knowledge Carriers can play a crucial role. Official declarations from these individuals can corroborate identity and community belonging.

### **Barriers and Challenges**

- › Ambiguity and Fraud: Family trees and ancestor research are used to investigate suspected fraud, prove family/community connection, and determine membership claims. The creation of fraudulent family trees and the establishment of illegitimate organizations claiming Indigenous identity complicate the substantiation process. To combat this, for example, the Manitoba Métis Federation only accepts official genealogies from the Société historique de Saint-Boniface. Care and consideration must be taken regarding genealogies and family tree research.
- › Displacement and Disconnection: Individuals who have been displaced or disconnected from their communities due to adoption, urbanization, or historical (or ongoing) colonial policies like the Sixties Scoop may struggle to obtain government documentation and may or may not be in the process of reconnecting with family.
- › Systemic Issues: Colonial and bureaucratic systems and institutions (including universities) may not understand or honour First Nations, Métis, and Inuit government or community recognition (e.g. Haudenosaunee identification and passports; ceremonial adoption) and instead privilege colonial governmental documents (e.g. registered Indian status).
- › Internal Community Conflicts: Sometimes, internal dynamics within communities can lead to gatekeeping or disagreements over who qualifies as a member, especially in cases where the community is fragmented or dealing with intergenerational trauma due to colonialism. Likewise, some First Nations, Métis, and Inuit may choose not to obtain government documentation (e.g. enrolment cards, status cards or citizenship cards) for various legitimate reasons.

## Substantiation of Indigenous Identity

Given the complexities noted above, substantiation of Indigenous identity may require a multifaceted approach:

- › Triangulation: Combining different methods of substantiation such as government documentation (e.g., enrolment, citizenship, or membership cards), community endorsement (e.g. declaration by section 35 rights-holding leadership), and personal narratives can provide a more robust approach to substantiation.
- › Flexible and Inclusive Processes: Recognizing the diversity within Indigenous populations is key. For individuals who lack formal documentation, alternative pathways such as declarations from Elders, a signed letter from their Band, or evidence of cultural engagement might also be considered.
- › Institutional Adaptation: Educational and governmental institutions must develop clear, fair, and culturally sensitive policies that accommodate a multifaceted approach to Indigenous identity substantiation. This includes recognizing government documentation and considering contemporary challenges like urbanization and ongoing reconnection efforts.
- › Community-Driven Substantiation<sup>4</sup>: First Nations, Métis, and Inuit governments and communities determine their citizenship and membership; external entities, including universities, cannot determine or impose these upon individuals. However, Universities must play an essential role in mitigating Indigenous identity fraud; any substantiation process must honour Indigenous sovereignty and the nuanced context experienced in communities.



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<sup>4</sup>For nearly two decades, the Cherokee Nation has mobilized a task force dedicated to mitigating Cherokee identity fraud and protecting Cherokee sovereignty (Snell, 2007).

## **What is important to consider (elements, principles, or challenges) when designing a process to prevent and mitigate Indigenous identity fraud?**

### **Elements to Consider**

- › **Comprehensive Criteria:** Develop clear, well-defined criteria for Indigenous identity that do not rely solely on genetic markers, such as DNA or blood quantum. While biology is crucial, cultural engagement, community connections, and personal histories must also be considered.
- › **Diverse Documentation:** Allow for various forms of documentation to substantiate claims. This might include enrolment cards, declarations from community leaders, genealogical records, and other culturally relevant documentation.
- › **Trauma-Informed Processes:** Incorporate trauma-informed processes and practices to ensure First Nations, Métis, and Inuit who have experienced dislocation, dispossession, or historical trauma are not further harmed by the substantiation process.
- › **Consultative Approach:** Engage and consult with Indigenous governments, communities, and scholars to create a process that reflects the diversity of distinctions-based Indigenous identities and respects community-specific nuances.

### **Principles to Uphold**

- › **Respect for Sovereignty:** Recognize the autonomy of First Nations, Métis, and Inuit governments and communities in determining their citizenship and membership. Rather than impose external standards or definitions, substantiation should uphold Indigenous citizenship/membership.
- › **Cultural Sensitivity:** Ensure the process is sensitive to the cultural, social, and historical contexts of Indigenous identities. This includes understanding the ongoing impacts of colonization upon First Nations, Métis, and Inuit identities.
- › **Confidentiality and Privacy:** Protect the privacy and confidentiality of individuals undergoing the substantiation process. This involves securely handling personal documents and sensitive information, including data storage.
- › **Transparency and Accountability:** To build trust and accountability, maintain transparency about the criteria and processes involved in identity substantiation.



## Challenges to Address

- › **Institutional Bias and Resistance:** Colonial institutions may lack the understanding or willingness to accurately prioritize First Nations, Métis, and Inuit perspectives and experiences. Continuous advocacy and education are needed to recognize and address these issues appropriately.
- › **Resource Limitations:** Financial constraints can hinder the implementation of necessary supports, such as hiring Indigenous staff or providing training when implementing policy and procedures. Identifying and allocating adequate resources is crucial.
- › **Political and Academic Tensions:** The involvement of Indigenous governments in the substantiation process must be balanced with academic freedom and the independence of scholarly pursuits. (This is not to say that falsely claiming an Indigenous identity can be protected as “academic freedom” –it is fraud. Likewise, fraudsters should not hide behind “academic freedom” to pursue Indigenous scholarship unethically and without consent from Indigenous communities.) Indigenous governments determine citizenship and membership and can assist with substantiation, but they must not use the substantiation process to censor the scholarship of their citizens.
- › **Nuances of Identity:** The diversity among First Nations, Métis, and Inuit communities means that a one-size-fits-all approach is inadequate. Processes must be flexible, accommodate various substantiation methods, and consider nuanced circumstances.
- › **Respectful Mitigation of Fraud:** Robust mechanisms are needed to detect and address fraudulent claims without creating a hostile or suspicious environment for First Nations, Métis, and Inuit who are reconnecting with their heritage and communities.

## Implementation Strategies

- › **Interdisciplinary Committee:** Establish a committee that includes, for example, First Nations, Métis, and Inuit leaders, scholars, mental health professionals, legal, and other advisors to assist with the substantiation process. Consult with these expert stakeholders whenever necessary.
- › **Regular Policy Review and Adaptation:** Implement a mechanism for regularly reviewing and revising policy and procedures to reflect new understandings, community feedback, and evolving legal standards.
- › **Educational Initiatives:** Provide ongoing education and training for all stakeholders involved in the substantiation process to better understand First Nations, Métis, and Inuit histories, cultures, and the impacts of ongoing colonization.
- › **Support Systems:** Develop support systems for individuals undergoing the substantiation process, including for those whose Indigenous identity may be questioned or who may be reconnecting with their First Nations, Métis, or Inuit community.

## What should the consequences be for those committing Indigenous identity fraud?

### Immediate Consequences

- › Revocation of Material Benefits: Any scholarships, grants, awards, and designations obtained through fraudulent claims should be withdrawn. If funds have been used, institutions should mandate their repayment.
- › Termination of Employment: Following a thorough investigation and confirmation of the fraudulent claim, individuals found to have fraudulently obtained employment positions designated for Indigenous persons should be terminated.
- › Withdrawal of reserved seat in a course: A student found to have fraudulently identified as Indigenous and obtained a seat in a course designated for an Indigenous student should have their seat in the course revoked.

### Legal and Restorative Measures

- › Legal Actions: Legal proceedings should be pursued if the fraud involves substantial financial implications or contractual breaches. This could include charges of fraud under existing laws.
- › Restorative Justice: If all parties desire and consent, provide opportunities for a restorative justice process involving dialogues between the offender, the University, and representative(s) from the claimed Indigenous community. This approach focuses on understanding impacts, repairing harm, mending relationships, and fostering reconciliation.

### Preventative and Educational Actions

- › Mandatory Training: Individuals who have misrepresented their identity may be required to undergo (or re-take) cultural sensitivity and Indigenous history training to understand the gravity of their actions and prevent future incidents.
- › Public Apology: In cases where the community impact is significant, a public apology from the offender acknowledging the harm done to the affected communities and university community can be part of the resolution (and restorative justice process).

### Long-term Institutional Changes

- › Policy Review and Development: Institutions must regularly review existing and newly developed policies to maintain clear procedures for substantiating claims to Indigenous identity.
- › Monitoring and Compliance: Ensure Indigenous people are involved in the regular review of an Indigenous identity substantiation policy and procedures. Aim for broad Indigenous representation, such as an Indigenous Advisory Circle, to promote culturally informed and respectful measures.

## Ethical Considerations

- › Protection Against Over-Policing: Measures to combat fraud must not lead to over-policing or undue scrutiny of Indigenous individuals, including those reconnecting with their community.
- › Support for Unintentional Misrepresentations: Impacts of fraud, whether unintentional or malicious, negatively impact First Nations, Métis, and Inuit. Distinguish between malicious fraud and cases where individuals have misrepresented their heritage based on mistaken beliefs. Pursuing restorative measures may be particularly helpful for the latter.

## Transparency and Community Involvement

- › Engagement with Indigenous Communities: In addition to engagements leading to recommendations informing policy, ensure that First Nations, Métis, and Inuit have opportunities to provide feedback on policy, procedures, and implementation.
- › Clarity and Transparency in Procedures: Any substantiation policy and procedures addressing Indigenous identity fraud should be clear and transparent, including a process for making claims and appeals. Maintaining trust and accountability within the University and between the University and First Nations, Métis, and Inuit communities is of primary importance.



# Themes from the Urban/Inner-City Indigenous Community

## In what ways does Indigenous identity fraud harm Indigenous people/communities/governments?

### Economic and Resource Depletion

- › Misallocation of Financial Resources: When non-Indigenous individuals falsely claim Indigenous identity to access scholarships, bursaries, or funding, they deplete limited resources meant for Indigenous individuals. This prevents resources from reaching those rightfully entitled to them and who rely on this support for educational and community development.

### Cultural and Academic Impacts

- › Erosion of Cultural Integrity: Individuals who fraudulently position themselves as Indigenous potentially occupy (or climb to) high-impact roles in academia, policy-making, or community leadership. They may participate in shaping policies or curricula without lived experience, genuine understanding, or respect for Indigenous perspectives and experiences, leading to the propagation of misinformation and stereotypes.
- › Dilution of Indigenous Voices: Fraudulent claims can drown out authentic Indigenous voices in academic and policy discussions; First Nations, Métis, and Inuit voices are critical in all spaces where vital decisions about Indigenous rights, health, and welfare are made.

### Social and Psychological Effects

- › Undermining Trust and Cohesion: The presence of individuals who falsely claim Indigenous identity can sow distrust within communities and between community members and institutions. It complicates the relationships and dynamics within and across these groups, potentially leading to skepticism toward First Nations, Métis, and Inuit.

- › Emotional and Psychological Harm: Discovering that someone has falsely claimed an Indigenous identity can be deeply hurtful and invalidating to First Nations, Métis, and Inuit, including those who face daily challenges associated with their identity due to historical and ongoing discrimination and marginalization.

### Long-term Community Impact

- › Interfering with Representation and Governance: By occupying positions meant for Indigenous individuals, imposters can affect representation and governance within Indigenous political governments, organizations, and communities, influencing decisions and outcomes that do not align with the community's needs or desires.
- › Disruption of Cultural Transmission: Fraudulent leaders or educators can pass on incorrect and harmful teachings or practices to younger generations, disrupting the intergenerational transmission of cultural knowledge and practices.

### Policy and Institutional Integrity

- › Weakening of Institutional Credibility: Institutions that fail to substantiate claims to Indigenous identity of their members, employees, or beneficiaries may suffer reputational damage, affecting their relationships with First Nations, Métis, and Inuit and their ability to serve these populations effectively.



## **What are some ways that communities recognize, identify or establish connection to members or citizens? What are some barriers or challenges to this? What would you consider to be legitimate evidence of Indigenous identity?**

### **Ways Communities Establish Connection**

- › Community and Familial Connections: Many First Nations, Métis, and Inuit communities rely on knowledge of family ties and community affiliations. Members often introduce themselves by specifying their community connections, which can be corroborated by others within the community.
- › Cultural Participation and Knowledge: Active involvement in cultural practices, knowledge of community history, and participation in ceremonies can contribute to community recognition.
- › Formal Documentation: While sometimes controversial, formal documents are used, especially within institutional contexts, to substantiate Indigenous identity. These can include government-issued enrolment cards, status cards, Métis citizenship cards, and certificates from section 35 rights-holding Indigenous organizations.

### **Barriers and Challenges**

- › Controversy Over Methods: Methods viewed as colonial, including blood quantum and status, are contentious. These methods arose through colonial administration and control, often without consent, and do not consider cultural participation, community connections, or individual and family histories.
- › Authenticity Concerns: Issues arise with the authenticity of documentation, such as fraudulently obtained or fabricated cards. This can undermine the integrity of the substantiation process and pose challenges for community members seeking recognition.
- › Disconnection Due to Colonization: Historical policies and systems like the Indian Act and residential and day schools have led to disconnection of First Nations, Métis, and Inuit from their cultures and communities. Consequently, some individuals struggle to substantiate their identity based on community ties and documentation.

- › Urban Migration and Reconnection: First Nations, Métis, and Inuit who move away from their rural communities into urban centres, or who are just beginning to reconnect with their communities after forced dispossession, may find it challenging to establish their identity via the methods described above.

### **Substantiation of Indigenous Identity**

- › Documentary Evidence: Includes registered Indian status cards, Métis citizenship cards, Inuit enrolment cards and other forms of governmental or section 35 rights-holding community-issued documentation. While useful, these should be paired with, for example, a declaration from a recognized leader in the claimed community when possible.
- › Community Vouching and Recognition: Declarations by recognized community leaders and Elders from section 35 rights-holding communities can corroborate substantiation. Community acceptance is often seen as more authentic than government-issued documentation alone.
- › Genealogical Records: Demonstrating familial connections to known community members through genealogical research can be another form of corroborating substantiation, particularly for those reconnecting with their heritage. Given concerns over the veracity/strength of the genealogical records, these must be paired with, for example, government documentation.
- › Cultural Knowledge and Participation: Engagement in cultural practices, knowledge of Indigenous languages and traditions, and participation in community life can all serve to corroborate substantiation of identity, recognizing that not everyone will have the same level of access or exposure. This should be paired with other forms of substantiation, such as government documentation.

## What is important to consider (elements, principles, or challenges) when designing a process to prevent and mitigate Indigenous identity fraud?

### Elements to Consider

- › Documentation: While necessary, relying solely on government-issued documentation like enrolment cards, status cards, or Métis citizenship cards can be problematic. For example, the Indian registry is maintained by Canada and Indian Status may only be carried for two generations, which raises the issue of how to recognize intergenerational non-status individuals during the substantiation process. These considerations highlight the importance of broader corroboration, including community substantiation.
- › Community Connection and Substantiation: Strong emphasis should be placed on connections to a section 35 rights-holding First Nation, Métis, or Inuit community. Community leaders and Elders can submit a declaration to substantiate an individual's claim to Indigenous identity. This approach respects the principle that Indigenous identity involves more than just ancestry; it encompasses ongoing, contemporary relationships, responsibilities, and active participation in the community. While non-Indigenous people can participate in ceremony, carry ceremonial articles, and have ceremonial names, when inviting community corroboration of Indigenous identity, ensure First Nations, Métis, and Inuit community leaders provide the corroboration.
- › Cultural Competence and Sensitivity: The substantiation process should respect the diverse cultures, histories, and experiences of First Nations, Métis, and Inuit. This includes recognizing the ongoing impacts of colonial policies like the Sixties Scoop and residential and day schools, which have disrupted individuals' connections to their home communities.

### Principles to Uphold

- › Transparency: The policy and procedures regarding substantiation of claims to Indigenous identity should be clearly and accessibly communicated to ensure fairness and trust in the process.
- › Respect for Diversity: Avoid lumping First Nations, Métis, and Inuit into a pan-Indigenous group. Utilize a distinctions-based approach that recognizes and respects diversity across (and even within) these nations. Likewise, urban, rural, and disconnected individuals must be considered.
- › Protection of Privacy: Careful handling of sensitive personal information is critical to respecting individuals' privacy and maintaining trust. All personal data should be kept confidential at all stages, with few staff permitted to access it.

### Challenges to Address

- › Identity as Multilayered: Substantiating claims to First Nations, Métis, and Inuit identity can involve various factors beyond Indigenous and colonial government documentation, such as contemporary community acceptance and ongoing cultural engagement. The process must be flexible enough to account for such complexities.
- › Lateral Violence and Community Dynamics: The substantiation process should be mindful of inter- and intra-community dynamics, such as lateral violence or challenges faced by individuals who are racially ambiguous or white-passing. These dynamics result from colonialism; care must be taken not to perpetuate harm or exclusion.
- › Reconnection Barriers: Care and support should be extended to First Nations, Métis, or Inuit who are impacted by colonial disruptions (including via the child welfare system) and are reconnecting with their culture and community.

## What should the consequences be for those committing Indigenous identity fraud?

### Immediate Repercussions for Fraudulent Claims

- › Termination or Resignation: Individuals found to have fraudulently claimed First Nations, Métis, or Inuit identity should be required to resign or be terminated from their position, especially, but not only, if their role was contingent upon their claimed Indigenous identity.
- › Return of Material Benefits: Financial benefits, scholarships, or salaries obtained through fraudulent claims should be repaid. Likewise, jobs, seats in courses, and awards received via a false claim to Indigenous identity should be terminated, returned, revoked, or withdrawn. Efforts should be made to restore these material benefits to their rightful purpose—supporting First Nations, Métis, and Inuit.

### Legal and Institutional Actions

- › Legal Charges: Fraud is a punishable offence under the law. Individuals who commit Indigenous identity fraud should face legal consequences, which could include charges of fraud or deception. There is hope that the Canadian Criminal Code will be amended to include falsely identifying as First Nations, Métis, or Inuit.<sup>5</sup>
- › Academic and Professional Sanctions: Universities and professional organizations should revoke degrees, rescind awards, disregard publications, and officially withdraw support for research grants and chairships obtained under fraudulent pretenses. This would help maintain the integrity of academic and professional standards.

### Preventative and Corrective Measures

- › Education on Allyship: Efforts by non-Indigenous individuals actively participating in the work of Reconciliation, endeavouring to support First Nations, Métis, and Inuit success, are needed. Institutions have a responsibility to educate their non-Indigenous community members on ethical and meaningful involvement in Reconciliation without co-opting Indigenous struggles or speaking for Indigenous people.
- › Community Validation: Strengthen Indigenous communities' role in the substantiation process. Reference checks with the claimed community or declarations from section 35 rights-holding community leaders and Elders could be required as part of the substantiation process. This matter is complicated by fraudsters who have developed long-term relationships with Elders; having been deceived, these Elders then unknowingly support claims founded upon dishonesty. This phenomenon has been described as a form of Elder abuse.

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<sup>5</sup> A participant in the two-day Indigenous Identity Fraud Summit hosted by the Chiefs of Ontario and the Manitoba Métis Federation proposed this change to the Criminal Code (MMF, 2024, May 14; MMF, 2024, May 15).

### **Cultural and Restorative Approaches**

- › Cultural Sensitivity Training: For those who have misrepresented themselves, participation in cultural sensitivity training and restorative justice efforts could educate them on the harms they have caused, foster better understanding, and begin to heal damaged relationships.
- › Public Apologies: If the community impacted by the fraud desires restorative justice, one format could include a formal apology to the community acknowledging the harm done and steps to be taken towards making amends and restoring relationships.

### **Systemic Changes**

- › Registry for Substantiated Individuals: Consider establishing a UW registry for individuals who have substantiated their claims to First Nations, Métis, or Inuit identity. Rather than reproducing colonial registries, such as via the Indian Act, these registries could reflect those maintained by Band Councils, Métis governments, and Inuit organizations. As more institutions and federal granting agencies implement substantiation policies, such registries could streamline application processes across institutions.
- › Transparency in Enforcement: Institutions should make publicly available any substantiation policy (including potential consequences) to deter offenders and reassure First Nations, Métis, and Inuit communities of the commitment to integrity and honouring Indigenous sovereignty over citizenship.

### **Support for Affected Communities**

- › Investment in Indigenous Initiatives: Institutions should increase investment in Indigenous initiatives, programs, and supports, including for those undergoing the substantiation process or who have been impacted by identity fraud.



# Themes from the Winnipeg Inuit Community

## In what ways does Inuit identity fraud harm Inuit people/communities/governments?

### Emotional and Cultural Impact

- › Misallocation of Awards and Recognition: Individuals who falsely claim an Inuk identity may win awards and recognition intended for Inuit. This deprives Inuit of opportunities that could significantly impact their lives and careers and diminishes the achievements and struggles of other potential recipients. For instance, when an award intended for an Inuk artist is won by someone committing identity fraud, it can affect the morale and even the survival of Inuit artists who would have otherwise benefited from the recognition and support.
- › Erosion of Trust: Individuals falsely claiming Inuit identity can create distrust within Inuit communities, undermining social cohesion and mutual support vital to their well-being.

### Socioeconomic Consequences

- › Barrier to Resources: Fraudulent claims to Inuit identity can lead to non-Inuit accessing scholarships, funding, and other resources allocated for Inuit. This misdirection of resources exacerbates challenges faced by Inuit, particularly those in urban areas or those disconnected from their communities, who already encounter substantial barriers to accessing educational and other forms of support.
- › Systemic Barriers: Systemic barriers can complicate the substantiation of Inuit identity, for example, when Inuit territorial cards and other forms of Inuit identification are not recognized. Identity fraud exacerbates already strained substantiation systems, making it even harder for legitimate Inuit to access services.

### Impacts on Policy and Governance

- › Undermining Government Reliability: When non-Inuit exploit systems meant to support Inuit, it casts doubt on the effectiveness and reliability of governmental and organizational policies designed to assist Inuit and skepticism about protecting and managing resources.
- › Policy and Legislative Challenges: Identity fraud can complicate the creation and implementation of policies to support Inuit, making it more difficult to ensure that support reaches the correct individuals. This challenge is exacerbated in jurisdictions with significant legislative and jurisdictional nuances, which can hinder the proper allocation of resources and support.

## What are some ways that communities recognize, identify or establish connection to members or citizens? What are some barriers or challenges to this? What would you consider to be legitimate evidence of Inuit identity?

### Ways Communities Establish Connection

- › Documentation and Identification Numbers: Conventional methods of substantiating Inuit identity include territorial health cards or enrolment cards/ numbers associated with specific Inuit organizations<sup>6</sup>. However, not everyone possesses such documentation for various reasons, including loss, non-issuance, or bureaucratic obstacles.
- › Kinship and Community Acknowledgment: Another substantiation method relies on familial and community recognition. Historically, letters from community leaders and Elders played a role in substantiating an individual's claim to Inuit identity. This approach aligns with Inuit society's communal and relational nature but was phased out in some areas due to concerns over its manipulation.
- › Detailed Membership Registration: Recognized section 35 rights-holding Inuit organizations may use detailed forms capturing extensive personal and familial details—home origin community, land claim agreement participation, emergency contacts—which can help corroborate an individual's background and identity claims.

### Barriers and Challenges

- › Lack of Standardized Documentation: Variability in accepted documentation, such as cards for different Inuit regions, may complicate the substantiation process. Institutions and agencies may inconsistently recognize or fail to understand the significance of specific Inuit-issued documents. Institutions must ensure they provide education and training to anyone assisting in the substantiation process.

- › Systemic Institutional Barriers: Inuit-specific documents issued by section 35 rights-holding Inuit organizations are not recognized in some regions. They are sometimes viewed as inadequate or secondary to government documentation. This can hinder Inuit from accessing services or participating in programs meant for them.
- › Misuse and Misunderstanding of Identity: The potential for misuse of identity substantiation methods, such as falsely claiming Inuit status to access benefits, creates a need for robust substantiation processes that also respect and protect individuals' privacy and dignity.

### Substantiation of Inuit Identity

- › Official Documents Issued by Recognized Authorities: These include Inuit territorial cards, NTI numbers, and other region-specific identifiers. All governmental and institutional bodies should recognize and accept these documents for section 35 rights-holding Inuit.
- › Community and Kinship Substantiation: Declarations by section 35 rights-holding community leaders or Elders could corroborate an individual's identity, especially when government documents are lacking.
- › Genealogical Records: Family histories that connect individuals to known Inuit families or ancestors can serve as additional corroboration of substantiation, particularly for those who may have been disconnected from their communities due to adoption or (forced) relocation.
- › Engagement and Participation in Community Life: Active participation in Inuit cultural practices, language, and community events can also corroborate substantiation, especially for those who lack government documentation but who have maintained strong ties to their culture and community.

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<sup>6</sup>Examples include territorial health cards, non-insured health benefits N-number, Inuvialuit Trust Enrolment, Nunatsiavut Government Card, Makivik Corporation enrolment, and Nunavut Tunngavik Inc. (NTI) Enrolment Card/Number.

## **What is important to consider (elements, principles, or challenges) when designing a process to prevent and mitigate Indigenous identity fraud?**

### **Elements to Consider**

- › **Substantiation of Identity through Documentation:** Utilizing identification numbers such as the Nunavut number, NTI card, or other regional cards can be prioritized. However, it is crucial to acknowledge that not every Inuk may have access to these identification forms due to the abovementioned barriers.
- › **Community Substantiation:** In addition to government documentation, corroboration can also come from section 35 rights-holding community leaders (e.g., via declarations), kinship/family, and community connections, thereby providing a more comprehensive understanding of an individual's background.
- › **Incorporation of Local Authority:** Engaging section 35 rights-holding Inuit organizations in substantiation can ensure transparency and accuracy. Such organizations and their declarations might act as guarantors or partners, lending legitimacy and important local knowledge to the substantiation process.

### **Principles to Uphold**

- › **Respect for Diversity Among Inuit Communities:** Recognize the diverse identities within and across Inuit communities, including those outside Canada, such as Greenland. Each group may have unique identifiers and cultural distinctions that must be respected.
- › **Transparency and Accessibility:** The substantiation process should be transparent and accessible, including for those who may have barriers to documentation due to being adopted and not knowing their birth family.
- › **Education and Awareness:** Informing both the staff involved in the substantiation process and the individuals whose claims are being substantiated about why such measures are important can help prevent or reduce feelings of mistrust or accusations of lateral violence.

### **Challenges to Address**

- › **Barriers to Documentation:** Some Inuit face difficulties obtaining government documentation, such as birth certificates or specific identification cards, which can complicate the substantiation process. Flexibility and accommodation can help to avoid creating unnecessary additional barriers.
- › **Lateral Violence and Community Dynamics:** Care must be taken to avoid exacerbating community tensions or lateral violence. This involves being sensitive to the internal dynamics of Inuit communities and ensuring that the substantiation process does not inadvertently alienate or stigmatize individuals or families.
- › **Misrepresentation and Fraud Prevention:** Implement robust measures to prevent Inuit identity fraud while ensuring these measures do not become excessively burdensome.

### **Implementation Strategies**

- › **Multifaceted Substantiation System:** Combine government documentation with section 35 rights-holding community corroboration to provide flexibility in the substantiation process.
- › **Collaborative Frameworks:** Develop partnerships with Inuit governments, organizations, and communities to ensure the substantiation process is grounded in Inuit governance, community knowledge, and membership.
- › **Adaptable and Flexible Policies:** Create policies adaptable to the unique needs and circumstances of Inuit populations, recognizing the challenges posed by colonial impacts, geographic diversity, and migration patterns.
- › **Educational Components:** Incorporate educational aspects into the substantiation policy/process to raise awareness regarding the importance of substantiating identity and the consequences of identity fraud upon Inuit communities and the University.

## What should the consequences be for those committing Inuit identity fraud?

- › Legal Ramifications: Given the adjacency to financial fraud, falsely claiming Inuit identity should have clear legal consequences, particularly when it leads to monetary or professional gain.<sup>7</sup> This could include criminal charges if the fraud involves financial deception or other material benefits. Legal consequences would deter such behaviour and maintain the integrity of opportunities designed for Inuit beneficiaries. The University should work with legal counsel and the justice system where relevant.
- › Institutional Response: Universities must develop robust policies to address and rectify cases of Indigenous identity fraud. If an individual is discovered to have fraudulently claimed Inuit identity to gain material benefits, the institution must take decisive action, including, but not limited to, expulsion or termination. The University should seek restitution of any material benefits received through fraudulent means.
- › Preventative Measures: Institutions require policy, procedures, and an implementation plan for substantiation of Inuit identity claims. This may include requiring documentation or substantiation from section 35 rights-holding Inuit governments, communities, organizations, or leaders. Such measures could deter and prevent fraud, ensuring that resources meant for Inuit are safeguarded for them.
- › Restorative Approaches: While punitive measures may sometimes be necessary, incorporating restorative justice practices that align with Inuit values can also be effective. For individuals who have committed identity fraud, educational programs about the harms of their actions, cultural sensitivity training, and community service within Inuit communities or organizations might form part of the resolution process, helping to repair damages and restore relationships.
- › Transparency and Education: Educational campaigns can raise awareness about the importance of honouring Inuit identity and sovereignty and the implications of identity fraud; this can help cultivate respect and discourage fraudulent claims. Such campaigns should highlight the consequences of identity fraud.
- › Ongoing Monitoring and Support: Establishing a committee or working group to help substantiate claims to Indigenous identity can ensure ongoing vigilance and provide a structured way to deal with accusations and substantiation. This group could also serve as a bridge between Inuit communities and institutions, ensuring respect for Inuit cultural norms and legal standards.

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<sup>7</sup> During the drafting of this Report, a Nunavut judge sentenced a perpetrator of Inuit identity fraud to 36 months in jail and ordered financial restitution (Public Prosecution Service of Canada, 2024, June 27).



# Themes from the University of Manitoba Indigenous Community

Participants were asked to review the University of Manitoba's Indigenous Identity Report before responding to the questions below.

## **If you participated in a University of Manitoba Indigenous identity engagement session/survey in 2022, is there anything you later thought of that you wish you had mentioned? If yes, please explain.**

- › Flexibility of participation: The importance of providing multiple avenues for participation was affirmed. Indigenous staff who, for example, were unable to participate in an in-person engagement session, had the option of completing the online survey on their own time. Such efforts reduce barriers to participation and increase response rates.
- › Clarification on Alternative Substantiation Processes: There was a desire for more detailed explanations about alternative processes for substantiating Indigenous identity. This suggests a need for clear, accessible information on the mechanisms and criteria that can be used to support claims of Indigenous identity to ensure transparency and understanding.<sup>8</sup>
- › Defining Indigenous Groups for Policy Application: A critical observation was the need to define the Indigenous groups affected by future policy changes. This clarity could simplify the policy development process and ensure that all relevant groups are appropriately considered without ambiguity.
- › Consideration of Intersectionality: The intersectionality of identities, especially in cases of identity fraud where many accused have been women, requires careful monitoring. Policies should consider how different factors such as gender, race, and social status intersect and influence the dynamics of identity substantiation and fraud accusations.
- › False Allegations: Establish clear consequences and processes for handling false allegations. Robust safeguards within the policy framework are required to guard against malicious accusations and ensure that the process maintains fairness and justice for all involved.
- › Influence of Prominent Voices: Ensure that decision-making processes do not disproportionately favour the more prominent voices of First Nations, Métis, and Inuit organizations, such as Inuit Tapiriit Kanatami (ITK) or the Manitoba Metis Federation (MMF). Instead, there should be an equitable platform for all perspectives, particularly from less dominant section 35 rights-holding groups.

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<sup>8</sup>An Indigenous government representative who reviewed the UW report shared the following considerations: Formal documentation will likely resolve 95% of identity confirmation, and for the other 5%, there can be support provided by political, governmental, and other representative organizations to assist with applying for identity documentation. In cases of some Sixties Scoop survivors and other less common situations, agreement on alternative processes will be important.

## What do you feel are the strengths of the University of Manitoba's Indigenous Identity Report?

- › Inclusive and Holistic Approach: The UM report based its findings and recommendations on authentic voices from First Nations, Métis, and Inuit communities, enhancing its impact. Respondents noted the report's inclusivity, incorporating a wide range of perspectives to describe contemporary concerns around Indigenous identity, ensuring that the advice is well-rounded and culturally informed.
- › Focus on Indigenous Sovereignty and Identity Protection: This focus emphasizes strengthening Indigenous identity within a colonial academic framework, thus supporting First Nations, Métis, and Inuit students in maintaining their cultural identity. This focus is critical as it counters the risks of identity erosion in such settings.
- › Practical Recommendations and Structural Changes: Actionable recommendations and suggestions for structural roles to oversee the substantiation of First Nations, Métis, and Inuit identity claims help institutionalize the process.
- › Prevention of Fraud and Support for Legitimate Claims: The report strongly focuses on preventing First Nations, Métis, and Inuit identity fraud, including various mechanisms to substantiate Indigenous claims. It also acknowledges those whose connections to their heritage have been disrupted by colonial practices and suggests offers of support rather than punitive measures.
- › Educational and Restorative Approaches: The UM report advocates for educational and restorative approaches to handling cases of Indigenous identity fraud rather than solely punitive measures. This aligns with First Nations, Métis, and Inuit values of restoration and community healing, providing a framework that supports accountability and reconciliation.
- › Safe Spaces for Identity Exploration: Another strength is recognizing the need for safe spaces where First Nations, Métis, and Inuit can explore and affirm their identities. This aspect is crucial for fostering a supportive environment where individuals feel secure in exploring and expressing their First Nations, Métis, and Inuit heritage.

**Are there any outstanding issues that should be considered when UW is developing its policy? If yes, please explain.**

- › Process Clarity: There were concerns about the lack of clear guidance on handling controversial claims to Métis identity and the substantiation processes for claims by individuals who may not clearly belong to recognized Indigenous groups, as well as addressing the challenges posed by organizations accused of issuing fraudulent Métis identity documents, for example. Challenges in substantiating claims by Native Americans from the United States, and Indigenous individuals from elsewhere in the world must also be carefully considered.
- › Inclusion and Flexibility in Policy Design: The necessity for policies to be flexible enough to accommodate individuals who are generations removed from direct community involvement was highlighted. Participants worried about Métis and other Indigenous staff who occupy spaces meant for Indigenous individuals but may not have direct or recent community ties. Acknowledging and incorporating various levels of connection to Indigenous heritage was emphasized, including those disconnected by factors like the Sixties Scoop or urban upbringing.
- › Community and Elder Involvement: There was a strong call for more involvement from Indigenous Elders and Knowledge Carriers in the policy development. Participants felt that Elders should be consulted not only as cultural informants but also in leadership roles to guide policy development in a culturally grounded manner.
- › Handling of Fraud and Misrepresentation: A recurrent theme was the need for clear procedures and consequences for fraudulent claims of Indigenous identity. Suggestions included developing transparent processes for handling allegations and appeals, which could help prevent abuses and ensure fairness.
- › Supportive Environments: The importance of creating a university environment that supports all Indigenous individuals, regardless of their level of cultural connection or the documentation they possess, was emphasized. This includes fostering spaces where individuals can explore and affirm their identities without fear of discrimination.
- › Legal Considerations and Restorative Approaches: Participants discussed the need for legal scrutiny in developing policies to ensure they align with broader legal standards and respect individual rights. Additionally, there was a call for considering restorative justice approaches that educate and rehabilitate rather than solely punish those who mistakenly or deceitfully claim Indigenous identity.





# Recommendations



**The following recommendations are based on the recurrent themes above shared by First Nations, Métis, and Inuit engagement session and survey participants.**

### **Educational and Awareness Initiatives**

Provide general educational awareness, and training to those assisting in the substantiation process, about the importance of honouring First Nations, Métis, and Inuit sovereignty, including via recognition of their government and community standards regarding citizenship and membership.

These should target both Indigenous and non-Indigenous community members, taking care to note the impacts of colonization and ongoing barriers impacting identity and community connection to foster understanding and respect. Ensure that staff, faculty, and students recognize the importance of honouring First Nations, Métis, and Inuit citizenship and membership and supporting the substantiation process.

### **Robust Institutional Resources**

Create specific roles, such as Indigenous HR Specialist and Indigenous Associate Registrar, to oversee the substantiation process for Indigenous identity claims. Establish a dedicated committee within the University to assist with substantiating Indigenous identity claims. This committee should include broad Indigenous representation from First Nations, Métis, and Inuit governments and organizations to ensure that processes are culturally informed and distinctions-based, respecting First Nations, Métis, and Inuit sovereignty.

### **Regular Policy Review and Accountability**

Regularly review the Indigenous identity substantiation policy and procedures to ensure they remain relevant and effective, meeting the needs of First Nations, Métis, and Inuit communities.

This should include ongoing consultation with section 35 rights-holding First Nations, Métis, and Inuit community representatives, including but not limited to a Committee, for input and collaborative revision. Regular legal review of the policy will ensure that the identity substantiation process respects evolving legal standards and individual rights, including handling sensitive personal information, and managing allegations of fraud. These combined approaches will contribute to ongoing accountability to First Nations, Métis, and Inuit communities.

## **Transparent Procedures and Criteria**

Ensure that the policy and procedures for substantiating claims to Indigenous identity—including submitting a claim, appealing a claim, and determining the consequences of fraud—remain transparent, accessible, and communicated clearly to all stakeholders to maintain trust and fairness in the process.

## **Protection of Privacy and Confidentiality**

Safeguard the privacy and confidentiality of individuals undergoing the substantiation process at every stage. This includes secure handling and storage of sensitive personal information and respectful communication of substantiation results. Limit the number of people who have access to such information.

## **Indigenous Community-Driven Substantiation Process**

Establish a process whereby First Nations, Métis, and Inuit play a central role in informing the process for substantiating claims to Indigenous identity without placing additional pressures on already over-burdened individuals, communities, and governments. This involves collaborative frameworks with local (and sometimes distant) section 35 rights-holding Indigenous governments, organizations, and leaders who provide guidance and culturally informed perspectives.

## **Flexible, Multifaceted, and Comprehensive Approach**

Adopt a flexible approach to the substantiation process that considers government documentation alongside oral history, community recognition, signed declarations, and ongoing cultural participation while being mindful of organizations issuing fraudulent or illegitimate documentation.

Ideally, substantiation policy and procedures should be applied across all University demographics, including incoming and existing students, staff, faculty, and Elders, to ensure equity and consistency.

All University units, such as Human Resources, Awards and Financial Aid, Admissions, Purchasing Services, and departments, programs, and faculties, must adhere to these substantiation processes when determining eligibility for Indigenous-specific material benefits, including jobs, contracts, awards, chairships, and course seats.

## **Inclusive and Non-Discriminatory Practices**

Ensure that Indigenous identity substantiation does not discriminate against individuals who may have been disconnected from their First Nation, Métis, or Inuit community due to adoption, urbanization, or other factors. Provide pathways for these individuals to affirm their identity through alternative means, such as official declarations from section 35 rights-holding First Nations, Métis, or Inuit government officials, organizations, community Elders, or leaders. Policy and procedures should also include considerations for Indigenous individuals from the USA.

## **Consequences for Fraudulent Claims**

Clearly define potential consequences for individuals who are found to have fraudulently claimed Indigenous identity. This may include revocation and restitution of material benefits, termination of employment, rescinding awards and grants, and legal recourse. The University should seek to resolve issues using existing policies and mechanisms, including the tools of law.

## **Restorative Justice Opportunities**

Distinguish between malicious fraud and cases where individuals have misrepresented their heritage based on mistaken beliefs. Pursuing restorative measures may be particularly helpful for the latter. If all parties desire and consent, facilitate opportunities for restorative justice approaches that align with First Nations, Métis, and Inuit values. Offer cultural sensitivity training for those who have misrepresented their identity, focusing on understanding the harm caused and promoting genuine relationships. Engage First Nations, Métis, and Inuit communities and representatives in shaping restorative justice opportunities.

## **Dedicated Support**

Develop support mechanisms and resources, including counselling services, to address the emotional and psychological impacts for those navigating the substantiation process, those with barriers to accessing government documentation, and those affected by Indigenous identity fraud at UWinnipeg.



# Appendices



# Appendix A

## Glossary

**Aboriginal:**

Legal term appearing in section 35 of the Canadian Constitution Act, 1982, identifying three groups of Aboriginal people in Canada: First Nation, Métis, and Inuit.

**Decolonization (in academia):**

“Wholesale overhaul of the academy to fundamentally reorient knowledge production based on balancing power relations between Indigenous peoples and Canadians, transforming the academy into something dynamic and new” (Gaudry and Lorenz, 2018, p.219).

**Distinctions-based:**

A term used to acknowledge that First Nations, Métis, and Inuit are distinct nations rather than a single group.

**First Nations:**

One of three recognized groups of Indigenous peoples in Canada, distinct from Métis and Inuit.

**Indian:**

A term used historically to refer to First Nations (and sometimes Inuit and Métis) people in Canada that is now considered outdated and insensitive. However, it is still used in legal contexts like the Indian Act.

**Indian Act:**

Canadian federal law enacted in 1876, governing the relationship between the Canadian government and Indigenous peoples recognized as “Indians” under the Act.

**Indigenization (in academia):**

Moving beyond simply increasing the number of First Nations, Métis, and Inuit in universities, to “provoke a foundational, intellectual, and structural shift in the academy, requiring the wholesale overhaul of academic norms to better reflect a more meaningful relationship with Indigenous nations” (Gaudry and Lorenz, 2018, p.218-219).

**Indigenous:**

The original peoples of North America and their descendants, specifically First Nations, Inuit, and the post-contact Métis Nation. Also used to denote original peoples in other continents.

**Inuit:**

Indigenous people of the Arctic. The word Inuit means “the people” in Inuktitut. The singular of Inuit is Inuk. Many Inuit now live south of the Arctic, including in Manitoba.

**Métis:**

“A person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal peoples and is accepted by the Métis Nation.” (Manitoba Métis Federation, Central Registry Office)

**Non-status Indian:**

Indigenous individual who identifies as First Nations but is not registered under the Indian Act.

**Reconciliation (in academia):**

“Creating a new, broader consensus on debates such as what counts as knowledge, how should Indigenous knowledges and European-derived knowledges be reconciled, and what types of relationships academic institutions should have with Indigenous communities” (Gaudry and Lorenz, 2018, p.219).

**Section 35 rights-holding peoples:**

Refers to section 35 of the Constitution Act, 1982, which acknowledges and affirms three Aboriginal groups in Canada—First Nations, Métis, and Inuit—and existing Aboriginal and treaty rights.

**Status Indian:**

Indigenous individual registered under the Indian Act, eligible for specific rights and benefits.

# Appendix B

## University of Winnipeg Indigenous Identity Working Group Terms of Reference

The University of Winnipeg is located in Treaty 1 Territory, on the traditional lands of the Anishinaabeg, Nêhiyawak, Anishiniw, and Dakota peoples, and on the homeland of the Métis Nation. We acknowledge that our water is sourced from Shoal Lake 40 First Nation in Treaty 3 Territory.

### Background

Concerns about fraudulent claims to Indigenous identity have been arising across the country, including in Canadian universities, as was recently highlighted at the University of British Columbia and University of Saskatchewan. False claims to advantage an individual's professional, personal, and/or financial gain are serious and create harm for Indigenous people as well as the academy.

With support from the President's Office, the University of Winnipeg recognizes our role in moving Truth and Reconciliation forward, and is committed to Indigenous success, engagement and achievement.

Dialogue with respect to Indigenous citizenship is a complex and important conversation for our community to have, including taking care to minimize barriers, and ensure supports. The University of Winnipeg honours Indigenous sovereignty, including with regards to citizenship; therefore, engagement with Indigenous community (on and off UW campus) is of utmost importance.

A diverse working group with intersectional representation has been struck to begin this conversation, with the goal of recommending a process and policy by 2024. This working group will seek advice from Indigenous individuals, communities, and governments, among others.

The working group will be co-chaired by Indigenous faculty at UWinnipeg and guided by Indigenous Elders and Knowledge Holders. As one of the co-chairs, Dr. Chantal Fiola, Interim Associate Vice-President-Indigenous Engagement, will provide regular updates to the President regarding this work.

These Terms of Reference outline the scope, duties, and membership composition of the UWIIWG.

## Terms of Reference

### The UWIIWG will

1. Strike an Indigenous-led, community-engaged process.
2. Ensure diverse representation of Indigenous voices and perspectives.
3. Undertake this work in a way that respects Indigenous knowledges, is inclusive of relevant experiences, and aims for safer spaces to share experiences.
4. Review and consider relevant best practices across the academy.
5. Review existing UW processes and identify gaps.
6. Seek input from relevant Indigenous stakeholders internal and external to the university, including communities, governments, leaders, citizens, and UW students, staff, and faculty to inform this work.
7. Seek input from relevant internal university stakeholders (e.g., HR, Legal Counsel, UWSA, UWFA, Admissions, Awards, Student Services and Registrar, etc.).
8. Make recommendations and draft a policy with procedures and implementation plan to prevent and mitigate Indigenous identity fraud at the University of Winnipeg, and to ensure that opportunities meant for Indigenous students, staff, and faculty are retained by the aforementioned Indigenous individuals.
9. Maintain confidentiality when doing the work of the IIWG and discussing these matters and materials.

### The UWIIWG will not

1. Adjudicate the identity of specific individuals.
2. Reference individuals of our UWinnipeg community and discuss claims of their citizenship as part of their responsibilities.

Recommendations from the UWIIWG shall be brought forward for discussion and resolved ideally through consensus. If required, the Co-Chairs may table formal motions and all members, including the Co-Chairs, will hold equal voting rights.

The UWIIWG will provide their recommendations and draft policy to the President and Vice-Chancellor and Vice-Presidents executive team (VPP) who may consult with others as necessary, including with regards to implementation.

# Appendix C

## University of Winnipeg Indigenous Identity Working Group Membership (IIWG)

### IIWG Elders

Barbara Bruce  
Margaret Lavallee

### Co-Chairs

Dr. Chantal Fiola  
Dr. Paul DePasquale

### Government/ Organization

Will Goodon  
Nikki Komaksiutiksak  
Howard Burston

### Community

Christine Cyr  
Dr. Rainey Gaywish  
Annie Anguttitauruq

### UWinnipeg Faculty

Dr. Cathy Mattes  
Dr. Karen Froman  
Dr. Laura Forsythe

### UWinnipeg Staff

Elder Dan Thomas  
Angeline Nelson  
Stacey Belding  
Ramona Hallett

### UWinnipeg Students

Jonathan Henderson  
Megan Lindell  
Stacy S. Paniyuk

### Past Members

Elder Martha Peet  
Tanis McLeod Kolisnyk  
Darren Courchene

# Appendix D

## Resources

### Related Works

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- › United Nations General Assembly. (2007). United Nations declaration on the rights of Indigenous peoples [pdf]. [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)
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