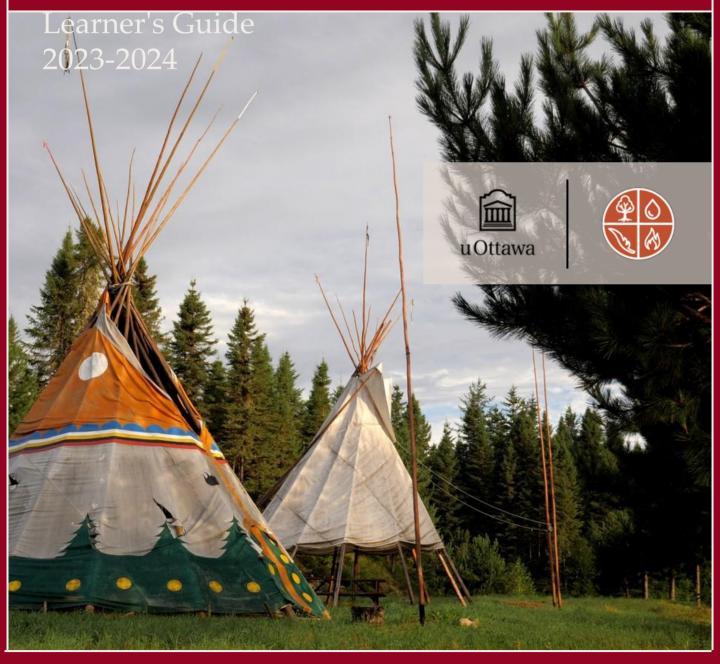
Certificate in Aboriginal Law

Faculty of Law, Civil Law Section



University of Ottawa Aboriginal Affirmation

Ni manàdjiyànànig Màm1winin1 Anishinàbeg, ogog kà nàgadawàbandadjig iyo ak1 eko weshkad. Ako nongom egaw1kad k1 m1giwewadj. Ni manadjiyananig kakina Anishinàbeg ondaie kave ogog kakina eniyagizidjig enigokamigàg Kanadàng eji ondàpinangig endàwàdjin Odàwàng. Ninisidawinawànànig kenawendamodjig kije kikenindamàwin; weshkin1gidjig kaye kejeyàdizidjig. Nigijeweninmananig ogog ka n1gan1 songideyedjig; weshkad, nongom; kaye àyànikàdj.

We honour the Algonquin people as the traditional custodians of this land. We recognize their long-standing and sacred connection to this land, which remains unceded. We also honour all Aboriginal people who live in Ottawa, both locally and across Canada. We recognize the keepers of traditional knowledge of all ages. We also honour their past, present and future leaders, whose courage is undeniable.



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A word from the dean

Kwei kaskina, dear students,

I am very pleased to introduce our Aboriginal Law Certificate Program! This one-year program aims to introduce Aboriginal learners to the law by first going through the door of their legal systems. In doing so, we seek to value the ancestral knowledge of the first peoples of this territory by placing it on the same footing as Western knowledge, while minimizing the culture shock experienced during law school.



This certificate program is intended to continue our faculty commitment to the decolonization of our programs while responding to the calls to action of the Truth and Reconciliation Commission. It is the culmination of a long-standing commitment by the Faculty of Law to teaching and research in Aboriginal law.

In the 1990s and 2000s, the Faculty offered a seven-week pre-law program for Aboriginal applicants to the law degree program. Then, starting in 2006, we began to offer summer schools in the territory in the context of which some fifty students per year were introduced to the Eeyou Cree and Innu legal systems in Uashat Mak Maliotenam under the leadership of the dean at the time, Nathalie Des Rosiers, Professor Jean-Paul Lacasse, Me Paul John Murdoch and several elders and bearers of knowledge brought together within the Tshakapesh Institute in Uashat Mak Mani- utenam. From the outset, these summer schools were intended to lay the groundwork for more in-depth training in Aboriginal law.

In addition, since 2018, the Section has been offering mandatory intensive training on Indigenous legal orders to all first-year law students. This training was made possible by the resources and networks of indigenous and non-indigenous instructors developed through the Legitimus international partnership, under the leadership of Professor Ghislain Otis, which documented several indigenous legal orders in different continents and created spaces for dialogue and exchange on them. This project has fed directly into the certificate program. We are grateful to these pioneers and visionaries, both within Aboriginal communities and at the University. It is by following in their footsteps that we can offer this certificate today.

Finally, I would like to express my gratitude to Professor Eva Ottawa, atikamekw nehirowisiwiskew nehapiskak itekera, and to Associate Dean of Studies Sophie Thériault for having carried this project with energy, intelligence and professionalism. Mikwetc Eva for your vision and strength. Mikwetc also to the wonderful students involved in the project Florence, Adéline and Joëlle. May this certificate program in turn be just another step on the road to reconciliation and the development of Indigenous legal systems.

Mikwetc, Matcaci,

Marie-Eve Sylvestre



This program was initiated by Professor Eva Ottawa in 2022, an Atikamekw nehirowiskwew member of the Manawan community, and aims to enable Aboriginal learners to take ownership of their legal systems while minimizing the culture shock experienced during their law studies.

Professor Eva Ottawa says, "Having myself taken the pre-law course offered by the Civil Law Section in 1999, I am convinced that welcoming learners into the world of Aboriginal legal systems will strengthen their cultural background while supporting their academic progress and success. I am hopeful that this program can be used at all levels; personal, professional, community.

EVA OTTAWA, ATIKAMEKW NEHIROWISKWEW



"This certificate program in Aboriginal law is another step on the road to reconciliation. This unique program will increase the number Aboriginal students accessing legal of profession. education and the legal furthering reflection on the interplay between state and Aboriginal rights and contributing to increased access to justice for Aboriginal people.

SOPHIE THERIAULT, VICE-DEAN OF STUDIES

Acknowledgements

A special thanks to these organizations for their support.

Tshi nashkumitin! Mikwetc! Migwetc! Mig8etc!

Thank you!

Institution of respons ibilities and autochoto ns of the Universite of Otta wa



Assemble of
Premiers Nations of
the
Quebecetdu
Labrador (APNQL)







JusticeCanada

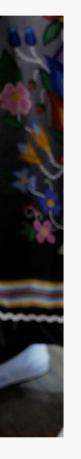
Description of the program



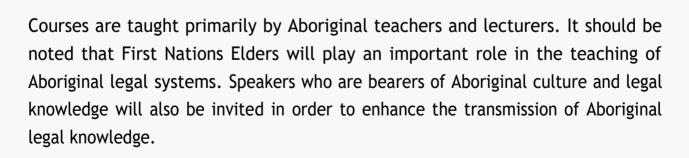
In this program, Aboriginal learners will study the legal orders of different Aboriginal peoples in Canada and compare them with the state legal order in key areas of law. They will learn about the sources, foundations, principles and rules of Aboriginal law and state law, particularly in the area of civil law in Quebec. Through the comparative study of Aboriginal and state legal orders, Aboriginal learners will be encouraged to think critically about the nature and limits of interactions between legal systems. In addition, the program will enable Aboriginal learners to acquire basic skills, including state law skills, in order to successfully complete a full legal education.

The program is offered on a full-time basis.

The courses are mainly offered by distance learning. The DCC - 1510 Aboriginal and State Law course is offered in person, on the territory. This intensive mandatory course aims to introduce the world of Aboriginal legal orders through the different sources and philosophy of Aboriginal law. Attendance and successful completion of this course is essential to continue in the program. The program is offered on a full or part-time basis.







This certificate program provides a full year (30 credits) of academic training in a comparative approach between Aboriginal legal orders and state law. Thereafter, Aboriginal learners, with a university degree, will have the option of continuing on to the LL.B. program, and possibly entering a professional order or graduate school and research, or a common law program. It is expected that students who meet certain criteria upon completion of the program will be automatically admitted to the University of Ottawa's Bachelor of Civil Law program. Holders of the Aboriginal Law Certificate who are admitted to the degree program will also receive credit for two elective courses in the degree program, namely DRC-4763 Aboriginal Legal Traditions and DRC-4719 Comparative Law.

As a stand-alone program, the Certificate in Aboriginal Law will equip Aboriginal learners with core competencies in governance law, and research. In the longer term, by facilitating access to the LL.B. program and eventually to graduate school or a professional order, this program will help to develop more **Aboriginal** legal practitioners and may alleviate the difficulty of recruiting **Aboriginal** faculty members to law schools.



Aboriginal educational approach



This unique program adopts an innovative experiential and holistic pedagogy combining interdisciplinarity and action learning to introduce Aboriginal learners to the study of law. Mother Earth teachings are at the heart of Aboriginal legal traditions. Since Indigenous legal orders are transmitted orally, they will be taught through storytelling, using sharing and talking circles.



The different axes of the pedagogical approach can be summarized as follows:

1) Learning by doing

Learners are expected to learn about legal teachings. They must engage with Elders, culture bearers and knowledge keepers to uncover indigenous legal knowledge.

2) Learning by observation

The program also aims to develop observation skills. Learners are encouraged to observe daily life through the forest environment and the resources that come from that environment to draw out legal lessons.

3) Learning through oral tradition

Elders, the bearers of culture and custodians of indigenous legal knowledge are invited to participate actively in the transmission of legal teachings. In Atisokana, stories, tales and legends are part of the teachings.





4) Apprenticeship in the territory

In Atikamekw Nehiromowin, "notcimik" means where I come from and refers to the forest universe. This term is similar in Innu Aimun or Anicinape. The contact with the forest universe is favourable to the learning of the native legal orders. The transmission of certain teachings must be done in territory.

5) Learning through text analysis

Learners are asked to read laws and court decisions to supplement their learning.



The certificate program thus advocates the pedagogical approach that prevails among the First Nations. Oral tradition, observation, exchange, discussion and sharing are valued. Learners are encouraged to think about legal terms in their mother tongue and to reflect on the coexistence of legal orders.

The teaching of state law will be based on the traditional methods used in most civil law faculties, including the study of case law and statutes, notably the Civil Code of Quebec.

These teaching methods will broaden the general knowledge, skills and know-how related to indigenous legal systems and state law, both orally and in writing, in order to promote the confidence, knowledge and skills of the learners who will be better equipped to undertake and succeed in law studies.

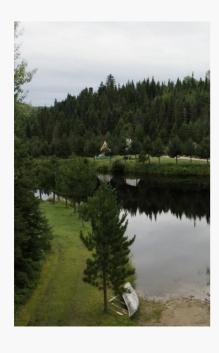
There is no comparable French-language program in Canada or anywhere else in the world.

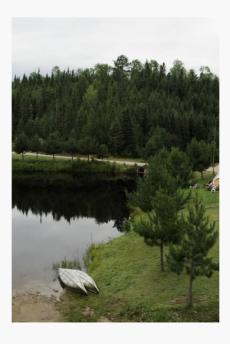


Objectives

The primary objective of this certificate program is to provide Aboriginal learners with basic legal training in order to better equip them to undertake and successfully complete a Bachelor of Laws degree. Upon completion of this program, learners will be able to:

- 1. Demonstrate basic legal knowledge related to indigenous law and state law by identifying their sources and foundations in order to compare them.
- 2. To apply indigenous knowledge transmission methods by adopting an experiential and holistic pedagogical approach to teaching legal orders.
- 3. Conduct research on the coexistence of indigenous and non-indigenous legal orders to identify challenges, issues and practices related to the updating of indigenous laws.
- 4. Conduct professional sharing circles to identify and resolve contemporary issues.
- 5. Communicate concepts related to Indigenous and state legal orders to diverse audiences using a variety of media.







Admission requirements

Registration for the certificate is open to Aboriginal applicants with French language skills. Applications may be submitted by individuals with a DEC or by adult applicants. Applicants will be required to submit a letter of interest or motivation for the program.

In their letter, candidates must explain their motivation to pursue university courses in the field of Aboriginal law and state law; demonstrate a basic knowledge of Aboriginal history, culture and identity; describe their life path by explaining their ties to an Aboriginal community or their relationship with their Aboriginal identity; demonstrate their interest in the revitalization of Aboriginal legal systems; and have a good knowledge of Aboriginal knowledge as well as a genuine openness to learning based on Aboriginal pedagogy.

The application selection process will be completed by a short interview.



Course evaluation method

The modes of assessment are assignments, homework exams, long written work, oral presentation, participation, simulation and talking circles. The teacher may choose his or her mode of evaluation by favouring these methods. These methods of assessment are designed to assess knowledge acquisition, develop research and writing skills, engage learners' analytical and critical thinking skills, and, most importantly, draw on their personal experience. Attendance at class and reading the assigned texts in the various sessions is necessary for success in these tests.



List of courses

- 1) DCC 1510 Aboriginal Law and State Law (3 credits)
- 2) DCC 1512 Aboriginal Legal Orders and Family Law (3 credits)
- 3) DCC 1511 Aboriginal Legal Orders and Constitutional Law (3 credits)
- 4) DCC 1513 Aboriginal Legal Orders and Land Law (3 credits)
- 5) DCC 1703 Aboriginal Legal Orders and Criminal Law (3 credits)
- 6) DCC 1704- Indigenous Legal Orders and International Law (3 credits)
- 7) DCC 1705 Leadership and Conflict Management in an Aboriginal Setting (3 credits)
- 8) DCC 17061 and 17062 Directed Reading (3 credits)
- 9) Two courses to choose from in the Faculty of Arts

Tentative Program Schedule and Course Schedule

Summer session 2023

August 21 to 23 to August 14 to 17

MON.	MAR.	SEA.	THURS.	FRIDAY
8:30am - 11:30am 1:00 - 4:00 pm:	8:30am - 11:30am 1:00 - 4:00 pm:	8:30am - 11:30am 1:00 - 4:00 pm:	8:30am - 11:30am DCC 1510	8:30am - 11:30am DCC 1510
DCC 1510	DCC 1510	DCC 1510		

Fall 2023 semester

September 6 to December 6

september 6 to December 6							
SUN.	MON.	MAR.	SEA.	THURS.			
9am - 12pm: Mentoring (optional)	6pm - 9pm: DCC 1511	5pm - 8pm: DCC 1512		6pm - 9pm: DCC 1513			

Winter session 2024

January 8 to April 9

SUN.	MON.	MAR.	SEA.	THURS.
9am - 12pm: Mentoring	6pm - 9pm: DCC	6pm - 9pm: DCC		6pm - 9pm: DCC
(optional)	1703	1704		1705

Other important dates and school dates

DCC 1510 - Aboriginal Law and State Law

This preparatory course is offered in an intensive session and unfolds in two parts. In the first week, the reception of the learners in the territory will allow them to explore and live the teachings related to the oral tradition. The presence of Elders and knowledge bearers is essential to the transmission of Aboriginal legal knowledge, and their participation will be greatly valued during the sharing circles. Learners will be able to explore with them the different sources of Aboriginal legal orders: sacred law, natural law, deliberative law, customary law and positive law. The evenings will be dedicated to atisokana [stories and legends] and matotosowin [sweat lodge].

During the second week, classroom sessions are planned to introduce the sources and organization of state law. Tours (Brian Dickson Library and state institutions) and lectures are also on the agenda.

Exceptionally, this course is open to special students who will be able to discover the world of Aboriginal legal systems without having to complete the entire program.



Teaching method

In the first part of the course, which will be held in the territory from August 14 to 17, 2023, the teaching will be done through sharing circles with the presence of Elders and knowledge bearers, complemented by evenings dedicated to atisokana and ceremonies.



In the second part of the course, which will take place at the University of Ottawa from August 21 to 23, 2023, there will be lectures complemented by guest speakers and visits to state institutions.



DCC 1512 - Aboriginal Legal Orders and Family Law

Course description

Introduction to Aboriginal law and Quebec law in the area of family relations. Study of specific topics such as customary child care, customary adoption, child ceremonies, etc. Study of state legal regimes for marriage, divorce, parental authority and adoption.

Course objectives

The course objectives are:

Acquire general knowledge in the area of children and families

- from indigenous legal orders and state legal systems;
 Learn about legal reasoning by analyzing the law and case law and by solving practical cases; Develop a critical analysis and a spirit of
- synthesis.

Teaching method



DCC 1511 - Aboriginal Legal Orders and Constitutional Law

Course description

Foundations and sources of indigenous and state legal orders. Aboriginal constitutionalism. Introduction to Canadian constitutional law, including Canadian Aboriginal law.

Course objectives

The course objectives are:

- Acquire general knowledge of Aboriginal constitutionalism and Canadian constitutional law;
- Situate the different sources and foundations of the fields of expertise;
- Develop a critical analysis and a spirit of synthesis.

Teaching method



Course description

Study of the relationship with the land and living beings in various native legal orders and in state law. Introduction to property law and natural resources law in Quebec law.

Course objectives

The course objectives are:

- Demonstrate basic legal knowledge related to land law. Apply Indigenous
- knowledge delivery methods using an experiential and holistic pedagogical approach to teaching legal orders.
- Conduct research on the coexistence of Aboriginal and non-Aboriginal legal orders to identify challenges, issues and practices related to the updating of Aboriginal laws.
- Communicate concepts related to Indigenous and state legal orders to a variety of audiences using different media.

Teaching method

DCC 1704 - Indigenous Legal Orders and International Law



Course description

Introduction to the history, foundations and principal institutions of international law. Study of international law as it relates to indigenous peoples. Study of indigenous legal traditions in this field (covenants, treaties and protocols).

Course objectives

The course objectives are:

- Demonstrate basic legal knowledge related to international law. Conduct
- professional sharing circles to identify and resolve contemporary issues.
- Communicate concepts related to Indigenous and state legal orders to a variety of audiences using different media.

Teaching method



Course description

Aboriginal community leadership and administrative arrangements. Traditional and state law governance systems. Duties and responsibilities for conflict prevention and management in Aboriginal and state law.

Course objectives

Demonstrate basic legal knowledge related to international law.

Conduct professional sharing circles to identify and solve contemporary problems.

Communicate concepts related to Indigenous and state legal orders to a variety of audiences using different media.

Method teaching

DCC 17061 and 17062

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Course description

Selection of a topic to be studied in depth during the year. The learner will define a research question, conduct a literature review and write a long paper to be submitted at the end of the course.

Course objectives

The course objectives are:

- Demonstrate basic legal knowledge related to indigenous law and state law by identifying their sources and foundations for comparison.
- Conduct research on the coexistence of indigenous and non-indigenous legal orders to identify challenges, issues and practices related to the updating of indigenous laws.
- Communicate concepts related to Indigenous and state legal orders to diverse audiences using a variety of media.

Teaching method

A 2-hour online session will be offered each month during the Fall 2023 semester to present the various stages of a written assignment. The writing of the research paper will take place in the Winter 2024 semester.



Services offered to learners



Gilbert Whiteduck is an Anicinape from Kitigan Zibi who has always been actively involved in the betterment of his people, whether it be at the educational, political or social level. He completed a Bachelor of Social Work degree in 1997 at the University of Ottawa. A strong advocate and activist for his people, Gilbert Whiteduck has worked for over thirty-five years in the field of education, including the establishment of the Kitigan Zibi Local Education Authority. He was elected Chief of Kitigan Zibi from 2008 to 2015. Since 2015, he has been the clinical supervisor and resident counsellor at the Wanaki Treatment Centre, where First Nations youth and adults can begin the healing process. On August 28, 2020, he was re-elected as a Councillor to the Kitigan Zibi Anishnabe Council. Since the summer of 2022, he has been acting as the Ai'ne in Residence for the University of Ottawa's Civil Law Section and has been accompanying learners in the new program.

It organizes different activities to ensure the support and success of learners:

- Listening and individual support, as needed; weekly Cafe
- rencontre zoom;
- Involvement in various committees and presence at events.



Mentoring service

Florence Robert completed her Bachelor of Civil Law degree in 2021 at the University of Ottawa. Always available to her peers, Florence has mentored Aboriginal students in the Civil Law program and continues to be involved as a mentor in the Aboriginal Law Certificate.

She organizes workshops on a regular basis to ensure the support and success of the learners:

- Workshop on the Civil Code of Quebec;
- Workshop on legal research;
- Workshop on analysis of decision of a court: а
- And more.

Florence Robert, Mentore

Aporiginal Kesource Centre

The Aboriginal Resource Centre, Mashkawaz1wogamig is a culturally safe place that offers a range of supports and programs designed specifically for First Nations, Inuit and Metis. It is a place where you can work, meet your peers and learn from our staff, visiting students and Traditional Knowledge Keepers.

For more of information, visit university/aboriginal/resource-centre



WAPANAKEW -

Visual Laboratory on Aboriginal Legal Orders

WAPANAKEW means "to bring to light", "to emerge", "a ceremony that brings you to an awakening that takes you further, to see bigger". This name was chosen by learners in the certificate program to name the Aboriginal Legal Orders Visual Laboratory associated with the certificate program.

This unique knowledge mobilization project funded by Justice Canada is supported by the Jurivision team (jurivision.ca). Wapanakew proposes to showcase Aboriginal law and justice systems through knowledge-based audio-visual content to increase knowledge, awareness and understanding of the recognition of Aboriginal law and legal traditions; and to encourage informed dialogue among stakeholders in the legal system in this regard. Additional activities include the development of educational and legal information resources based on the traditional knowledge of Aboriginal communities in Quebec, while actively engaging learners enrolled in the certificate through an experiential approach.



For the University of Ottawa, it is important to advocate for a collaborative approach with First Nations and to actively involve them at various stages of the project. As part of the DCC 1512 - Aboriginal Legal Orders and Family Law course, a group project was developed with learners who identified two important themes to be documented: customary child care and the development of a lexicon of legal concepts and notions in the Aboriginal language. To launch this project, three research assistants were hired from the 2022-2023 cohort.

The team is composed of:

- · Marie-Eve Sylvestre: Dean of the Civil Law Section Eva
- Ottawa: Director of Research
- Etienne Trepanier: lawyer-cinematographer in residence and visual pleading advisor at the Civil Law Section, project coordinator, Executive Producer, director.
- Patrick Walton: producer, technical and artistic coordinator, interactive content programmer, graphic design, social media management.
- Sylvestre Desterres: learner, research assistant. Martha-Karine
- Awashish: learner, research assistant. Jessica Cleary: learner,
- research assistant.

Learners' testimonials



"The training of the certificate in Aboriginal law has allowed me to recognize myself in the field of law. We have our own concept of life and our own laws and it is fundamental to recognize them and ourselves in this country."

MARTHA-KARINE AWASHISH, ATIKAMEKW NEHIROWISKWEW



"This program allowed me to discover the Law as it is understood by the Innu. For me, it is important not to forget the heritage of our ancestors and their vision of the world, their path and their knowledge are an important basis for our future. This certificate allowed me to have a more distant vision and to want to pursue studies to dedicate myself to Aboriginal issues!

DORIS BOSSUM, EEYOU-INNUE

Learners' testimonials

"The Aboriginal Law Certificate Program helped me understand that law for us as Aboriginal people is a way of life in itself. These rights were never written down because they didn't have to be. We all carry it within each of us, they were and have always been deeply rooted in being part of our identity, who we were and who we still are today. I understood that the right for me is not something that can be attributed to someone as a privilege but rather as something that we must apply every day in our relationships with others, our environment, and this, in the greatest respect to ourselves, others and what surrounds us.

JESSICA CLEARY, ATIKAMEKW NEHIROWISKWEW

"The certificate confirms that First Nations, Metis and Inuit legal orders are necessary to foster mutual understanding and respect between Aboriginal and First Nations people. This program solidifies the foundation of this relationship in state and aboriginal law."

SYLVESTRE DESTERRES, INNU



Accompaniment of elders / knowledge keepers



Mary Coon, Eeyou Nehirowisiw

Born of Eeyou parents from Lake Mistassini. She was born into a family of 9 children. When her mother died, she took care of her brothers and sisters with her grandmother. She was raised in the Eeyou traditions by her grandparents. Mary left her family and community at the age of 7 to attend boarding school, which she attended for 11 years. At the age of 14, she left her community for good to live in the big cities. Kokom Mary is a mother of 8 children, 3 of whom are adopted; Kokom Mary also has 37 grandchildren and 17 great-grandchildren.

She learned from her grandmother the teachings related to rituals for young and old. She used these teachings to become a psychological healer. She has been a therapist for the Aboriginal Healing Foundation and has worked in mental health for almost 32 years.

Fernand Niquay, Atikamekw Nehirowisiw

Fernand Niquay is an Atikamekw Nehirowisiw who spent his childhood in the territory before leaving for residential school at the age of 6. Upon his return, he turned to notcimik [where I come from] to be self-sufficient and provide for his family. He is a husband, father, grandfather and greatgrandfather who frequented the territory as his father and grandparents did. For many years, he lived part of the year in the territory to the rhythm of the seasons. With his wife Joscelyne, they made wikwas tciman (birch bark canoes), tewehikan (drums), tikinakan (baby carriers). Over the years, Fernand has drawn on the traditional teachings of Kimocominook. In particular, he received the Mikinakw (Turtle Lodge) teachings that took him overseas to share and help people. Today, he is a natural guide-helper to the members of his community, and to all those in need.





Civil Law Section Scholarship

Scholarships are available for new students who have demonstrated financial need.

Nicole Senecal Grant

This \$10,000 bursary is intended to encourage the pursuit of university studies towards a law degree and to recognize the perseverance, commitment and personal growth of the Aboriginal learner, regardless of academic achievement. Possibility of renewal upon enrolment in law school.

Scholarships for excellence

Through the University of Ottawa's Automatic Merit Scholarship Program, you first receive an entrance scholarship for your first year of university if you have excellent high school grades. Then you receive a \$1,000 merit scholarship for each term of full-time university study completed with the required GPA (see Grades and Averages section to see how GPA is calculated on the University of Ottawa website).

Application for admission

To apply for admission to the Aboriginal Law Certificate Program, please submit the following documents by email to Assistant Dean Pierre Thibault (thibault@uottawa.ca):

- Letter of motivation
- Proof of Aboriginal identity OR a declaration of membership with a letter of support from the community of origin (from an elected representative, an Aboriginal person, the person responsible for the applicant's high school education, or any other person who can attest to the applicant's identity) or from an urban Aboriginal organization (such as an Aboriginal Friendship Centre)
- Transcripts (for applicants from CEGEP or an Ontario secondary school)
 CV (for adult applicants only)

The deadline to submit an application is: May 1, 2023

Contact information

If you have any questions or require additional information, please contact the <u>following people:</u>

Eva Ottawa, ON, Professor associate responsible of the program :eva.ottawa@uottawa.ca

Pierre Thibault, Assistant Dean: thibault@uottawa.ca



