

**DEHCHO PROCESS MAIN TABLE**  
**Negotiation Session Follow Up from**  
**May 10-12, 2011 in Ottawa**

<b>SUBJECT MATTER</b>	<b>ISSUE / DESCRIPTION</b>	<b>RESPONSIBLE PARTY</b>	<b>STATUS</b>
<p>1) DCRMA  <b>Outstanding item since June 3-4, 2009 session in YK</b></p>	<p>The DFN provided a paper on the DCRMA and tabled the document during the June 3-4, 2009 session in YK. The DFN have requested that Canada respond with a similar document, outlining the federal view of the DCRMA.</p>	<p><b>Canada</b></p>	<p>Canada has committed to providing a paper on the DCRMA although when Canada will be in a position to respond remains unclear.</p> <p>May 18, 2010 – Canada indicates that they are without instructions on the DCRMA but will take it back to see where it fits between the Main Table and John Pollard’s mandates.</p> <p>February 8, 2011 – Canada indicated that Mr. Pollard has met with all the groups and is formulating an approach to his report</p>
<p>2) Dehcho Paper on Jurisdiction on and off Dehcho Ndehe  <b>Outstanding item since Sept 1-3, 2009 session in Trout Lake</b></p>	<p>The DFN tabled a paper on Dehcho Jurisdiction on and off Dehcho Ndehe.</p> <p>In June of 2010 the parties had a discussion on the non-land and resource sections of the paper.</p>	<p><b>Canada</b></p>	<p>Canada has committed to responding to the land and resource sections of the Dehcho’s paper although when Canada will be in a position to respond remains unclear.</p>

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<p>3) DFN Treaty 11 rights in the Yukon  <b>Outstanding item since Jan 14. 10 video conference</b></p> <p>DFN Treaty 8 rights in Alberta.  <b>Outstanding item since the May 18.10 session in Ottawa.</b></p>	<p>The DFN asked what Canada's position was with respect to DFN Treaty 11 rights in the Yukon</p> <p>The DFN asked what Canada's position was with respect to DFN Treaty 8 rights in Alberta.</p>	<p><b>Canada</b></p>	<p>Canada committed to seeking instruction.</p> <p>Same as above.</p>
<p>4) Harvesters Compensation  <b>Outstanding item since Jan 14. 10 video conference</b></p>	<p>DFN would like Canada to respond to whether it will support the creation of a Traditional Activities Advocate and contribute to the cost of the position.</p>	<p><b>Canada</b></p>	<p>Canada committed to seeking instruction on this question.  Was on the agenda for the May session, but agenda item not discussed. Will be discussed during May 31- June 2.11 session in YK</p>
<p>5) Harvesters Compensation  <b>Outstanding item since January 14, 2010 video conference</b></p>	<p>Canada explained that the chapter, in its current draft, is still problematic because compensation still includes the Dehcho being compensated for a loss of harvesting of plants. The issue is that the absolute liability model is to apply only to wildlife harvesting. Canada requested the section that includes plants be</p>	<p><b>DFN</b></p>	<p>After hearing back from Canada, DFN committed to seeking instruction on this proposed revision to the chapter.</p> <p>February 8, 2011 - DFN</p>

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	removed and the DFN agreed to take this back to give it some further thought.		indicated their willingness to make a deal if there can be a compromise.
6) Economic Measures - Tlicho and Implementation <b>Outstanding item since Jan 14. 10 video conference</b>	<p>The parties discussed chapters that would be discussed at the next LTC meeting. One of the chapters identified for the next LTC (January 22) was Economic Measures.</p> <p>A) Patrick Scott asked Canada if it would be possible to get a summary from government on the Tlicho Economic Measures chapter and what has been implemented thus far.</p> <p>Canada explained that was a fairly big request and would need to seek instruction.</p> <p>B) At the April 7 video conference, the Dehcho ask Canada to also make a contribution to the chapter regarding its own economic measures surrounding government contracting and procurement.</p>	<b>Canada</b>	<p>On June 8<sup>th</sup>, Canada advised that the Tlicho are working on an annual report and that Canada is not able to provide a response without it. Canada has suggested that the Dehcho contact the Tlicho directly.</p> <p>On November 16, 2010, Canada confirmed its commitment to provide an update for the December 2010 session.</p> <p>On February 8, 2011, Canada indicated that a wider review is taking place surrounding Economic Measures. Canada is hopeful a response may come in June.</p>
7) Language and Culture -	Chapter is more complicated than originally thought, will be looking at getting elders	<b>DFN</b>	DFN to bring forward a second draft before Canada

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<b>Outstanding item since the June 2010 session in Yellowknife.</b>	involved and will continue working on it.		and GNWT provide feedback.
<b>8) Wildlife Harvesting October 2010 session in Yellowknife</b>	In W 2.1, FN 17, DFN presented definitions for subsistence and personal use.	<b>GNWT and Canada</b>	GNWT and Canada to consider the definitions and offer feedback.
<b>9) Dispute Resolution October 2010 session in Yellowknife</b>	In 4.4, DFN raised that witnesses giving evidence in the mediation need to do it in writing or in person to ensure there is no coaching.	<b>LTC</b>	Canada is still checking other agreements to verify if/how other agreement address the issue of preventing coaching of witnesses.
<b>10) Migratory Birds October 2010 Session in Yellowknife</b>	Footnote 3 indicates that Canada is examining: "and will exercise that authority in a manner that is consistent with the Dehcho Agreement."	<b>Canada</b>	Canada to advise whether the footnote can be dropped.
<b>11) Eligibility and Enrolment March 2011 Session in Fort Simpson</b>	Canada to examine E.1.1 Eligibility Criteria and the necessity of including Status Indians, considering Dehcho concerns related to Spouses.	<b>Canada</b>	Canada to respond
<b>12) Establishing a Court May 2011 session in Ottawa</b>	The DFN asked if they would have to option to establish a court, post final agreement, as is the case with some First Nations in BC.	<b>GNWT</b>	GNWT committed to looking into this and also offered to have someone from their Dept of Justice to come to table at a future date.

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13) Administration of Justice Chapter  <b>May 2011 session in Ottawa</b>	The parties discussed creating an Administration of Justice Chapter	<b>Canada</b>	Canada committed to bringing a draft to the table for consideration in June.
13) DLUPC Funding <b>May 2011 session in Ottawa</b>	The DFN asked if there was any flexibility with the DLUPC receiving more then the amount identified for funding in the IMA (\$488,415)	<b>Canada</b>	Canada committed to verifying with colleagues.
14) Local Airports  <b>May 2011 session in Ottawa</b>	The DFN questioned if the Community Government would have the ability to make by-laws in relation to the operational management of the local airport. Canada to confirm	<b>Canada</b>	Canada to respond