

**DEHCHO PROCESS MAIN TABLE**  
**Negotiation Session Follow Up from**  
**October 19-21, 2010**

SUBJECT MATTER	ISSUE / DESCRIPTION	RESPONSIBLE PARTY	STATUS
<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>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>
<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</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</p>	<p><b>Canada</b></p>	<p>Canada committed to seeking instruction on this question and aims to respond at the October or November 2010 session.</p>

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<p>Alberta.  <b>Outstanding item since the May 18 session in Ottawa.</b></p>	<p>with respect to DFN Treaty 8 rights in Alberta.</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.</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 removed and the DFN agreed to take this back to give it some further thought.</p>	<p><b>DFN</b></p>	<p>DFN committed to seeking instruction on this proposed revision to the chapter but would like to hear back from Canada on the Traditional Activities Advocate position.</p>

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<p>6) Economic Measures – Tlicho and Implementation  <b>Outstanding item since Jan 14. 10 video conference</b></p>	<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>	<p><b>Canada</b></p>	<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 September 14, 2010, Canada committed to providing an update in the coming months, aiming for the December 2010 session.</p>
<p>7) Migratory Birds –  <b>Outstanding item since the May 18-20 session in Ottawa.</b></p>	<p>DFN wants to know the purpose of a geographic limitation for 2.2(b).</p>	<p><b>Canada</b></p>	<p>Canada to provide rational for a geographic restriction.</p> <p>At October 2010 session, Canada indicated its concern stems from the potential stress that could be placed on the migratory bird</p>

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			population if trading was to get out of control.
8) Migratory Birds- <b>Outstanding item since the May 18-20 session in Ottawa.</b>	CWS is concerned by the breadth of the grouping in 2.2(b) and would like it clarified.	DFN	At the October 2010 session, DFN agreed to provide Canada with maps outlining their proposed geographic scope at the November session.
9) Language and Culture - <b>Outstanding item since the June 2010 session in Yellowknife.</b>	Chapter still coming together and a number of additions/clarifications are required.	DFN	DFN to bring forward a second draft before Canada and GNWT provide feedback.
10) Wildlife Harvesting - October 2010 session in Yellowknife.	In W 1.3 b, the Dehcho have asked that the same language as what is used in MB 1.2 be used here as well.	GNWT	GNWT to reflect on this proposed change.
11) Wildlife Harvesting - October 2010 session in Yellowknife	In W 2.1, FN 17, DFN presented definitions for subsistence and personal use.	GNWT and Canada	GNWT and Canada to consider the definitions and offer feedback.
12) Dispute Resolution- October 2010 session in Yellowknife	In DR 4.3, question arose around the appropriate time frame for the commencement of mediation once the decision to go to mediation has been made.	Canada	Canada to check with Implementation Branch regarding an appropriate time frame for the

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			commencement of mediation.
13) Dispute Resolution- October 2010 session in Yellowknife	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>Canada</b>	Canada to check other agreements to verify if/how other agreement address the issue of preventing coaching of witnesses.
14) Migratory Birds – October 2010 Session in Yellowknife	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.
15) Migratory Birds – October 2010 Session in Yellowknife	Footnote 7 indicates that Canada wants “Method” defined to exclude certain methods.	<b>Canada</b>	Canada seeking clarification from CWS regarding the limits of “Method” to ensure it doesn’t take in anything that is prohibited under the Firearms Act or Criminal Code.
16) Migratory Birds – October 2010 Session in Yellowknife	Footnote 14 indicates that other land claim agreements only require governments to consult with respect to proposed activities within Settlement Area.	<b>Canada</b>	Canada to verify that CWS has no additional issues with Footnote 14 or MB 5.2.
17) Migratory Birds – October 2010 Session in Yellowknife	Footnote 11 indicates that further discussion is needed over MB 2.2 b) ii) “members of another Aboriginal groups with whom the Dehcho Dene have traditionally traded.”	<b>DFN</b>	DFN to provide a map outlining the Aboriginal groups with whom the Dehcho Dene traditionally traded.