

DEHCHO PROCESS MAIN TABLE
Negotiation Session Follow Up from
June 22-23.11 VIDEO CONFERENCE

| SUBJECT MATTER | ISSUE / DESCRIPTION | RESPONSIBLE PARTY | STATUS |
|--|--|--------------------------|---|
| <p>1) DCRMA Outstanding item since June 3-4, 2009 session in YK</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>Canada</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 Outstanding item since Sept 1-3, 2009 session in Trout Lake</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>Canada</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 Outstanding item since Jan 14. 10 video conference</p> <p>DFN Treaty 8 rights in Alberta. Outstanding item since the May 18.10 session in Ottawa.</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>Canada</p> | <p>Canada committed to seeking instruction.</p> <p>Same as above.</p> |
| <p>4) Harvesters Compensation Outstanding item since Jan 14. 10 video conference</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>Canada provided response during May 31-June 2.11 session, explained that this creating the position by virtue of the Agreement was not a possibility but that nothing would prevent the Dehcho Govt from creating the position post Effective Date.</p> | <p>DFN</p> | <p>DFN to return with response. Work plan identifies Harvesters Compensation as an agenda item Oct 11-13.11</p> |
| <p>5) Harvesters Compensation Outstanding item since January 14, 2010</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.</p> | <p>DFN</p> | <p>After hearing back from Canada, DFN committed to seeking instruction on this proposed revision to the</p> |

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| video conference | 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. | | chapter. February 8, 2011 – DFN indicated their willingness to make a deal if there can be a compromise. |
| 6) Economic Measures – Tlicho and Implementation Outstanding item since Jan 14. 10 video conference | <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> | Canada | <p>On June 8th, 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 will be</p> |

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| | | | provided after the summer break. |
| 7) Eligibility and Enrolment March 2011 Session in Fort Simpson | Canada to examine E.1.1 Eligibility Criteria and the necessity of including Status Indians, considering Dehcho concerns related to Spouses. | Canada | Canada to respond |
| 8) Interpretation and Amendment March 2011 Session in Fort Simpson (taken from RoC as an outstanding item) | Parties agree that work needs to be done on re-ordering Amendment provisions GNWT to draft specific, technical Amendment provisions not already in the chapter which allow for the agreement to be changed. | LTC & GNWT | LTC and GNWT to provide revisions to chapter |
| 9) Social Housing SH 3.4 March 2011 Session in Fort Simpson (taken from RoC as an outstanding item) | Canada to discuss with CMHC and determine whether clause can be deleted. | Canada | Canada to follow up |
| 10) Establishing a Court May 2011 session in Ottawa | 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. | GNWT | GNWT committed to looking into this and also offered to have someone from their Dept of Justice to come to |

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| | | | table at a future date once they received the mandate to do so, likely by September/October. |
| 11) Administration of Justice Chapter May 2011 session in Ottawa | The parties discussed creating an Administration of Justice Chapter | Canada | Canada committed to bringing a draft to the LTC in the summer and to the main table in September. |
| 12) Local Airports May 2011 session in Ottawa | 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 | Canada & GNWT | Canada to respond and the GNWT to study 1995 Arctic Airport Transfer Agreement. |
| 13) Expropriation May session in Ottawa (taken from RoC as an outstanding item) | The Parties agreed that it is not clear at the beginning of the chapter that the negotiation for exchange lands takes place prior to expropriation (if even required) | LTC | LTC to discuss during August 8-10.11 LTC meeting. |
| 14) Dehcho Government - Structure of Chapter | Parties briefly discussed the structure of the Dehcho Government chapter and how it each subject relates to its separate chapter, ie to what extent does the chapter need to address | LTC | Parties directed the LTC to review and provide recommendations to the main table. LTC to review |

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| <p>May session in Ottawa</p> <p>(taken from RoC as an outstanding item)</p> | <p>certain subject matters as it relates to jurisdiction if it can be addressed in its own chapter. Do we have a general governance chapter that speaks to structure and have separate chapters to address each jurisdiction?</p> | | <p>during August 8-10.11 meeting.</p> |
| <p>15) Dehcho Government - Wills and Estates</p> <p>May session in Ottawa</p> <p>(taken from RoC as an outstanding item)</p> | <p>Parties discussed the possibility of there being a separate chapter on Wills and Estates</p> | <p>GNWT</p> | <p>GNWT committed to providing a piece for the September 13-15.11 session.</p> |
| <p>16) Dehcho Government - DG4.1 b)</p> <p>May session in Ottawa</p> <p>(taken from RoC as an outstanding item)</p> | <p>Parties discussed how this provision would work in the context of a public regional government and agreed that some mechanism would need to be created so that DFN beneficiaries would be able to vote on Aboriginal matters.</p> | <p>DFN</p> | <p>DFN committed to inserting a footnote in the chapter and to look into this further.</p> |

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| 17) Community Government – CG4.3 (taken from RoC as an outstanding item) | Canada expressed preference that this provision be in the negative form and that it was also better suite in the General Provision chapter | DFN | DFN to make modifications |
| 18) Disposal of Government Land within Communities May 31-June 2.11 session in YK | DFN raised the issue of inadequate consultation with respect to the disposal of land within communities. DFN asked the GNWT what the territorial policy is with respect to the disposal of property. | GNWT | GNWT committed to verify. |
| 19) Adoption May 31-June 2.11 session in YK | DFN questioned consent in A.1.2 (c) | GNWT | GNWT committed to consider if consent would apply wholly within the settlement area or NWT. |
| 20) Protected Areas May 31-June 2.11 session in YK | Parties review the current draft Protected Areas chapter and agreed the chapter will need to be revisited at the table. Canada agreed to review and provide comments. | Canada | Canada to provide comments on chapter. |
| 21) Harvesting | There are a number of definitions related to the harvesting chapters that require definition: | LTC | LTC to review during August LTC meeting. |

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| Definitions May 31-June 2.11 session in YK | Trade, Subsistence and Personal Use, Trees, Cabin, | | |
| 22) Forest Management May 31-June 2.11 session in YK & June 22-23.1 Video Conference | Parties reviewed GNWT paper on Forest Management from 2008. DFN requested that the paper be transformed into a chapter GNWT informed parties during June 22-23.11 video conference that the chapter will not be provided until the parties discuss DCRMA | GNWT | GNWT to provide chapter when DCRMA is discussed. |
| 23) Treaties 8 & 11 May 31-June 2.11 session in YK | Parties discussed how the ongoing relationship between Canada and the DFN in relation to Treaties 8 & 11 would continue in a Final Agreement | DFN | DFN to draft language and bring to September 13-15.11 session |
| 24) Early Childhood Education and Childcare - Footnote #3 June 22-23.11 Video Conference | The parties discussed the footnotes in the chapter and in particular footnote # 3: "The DFN want Building Codes, health and safety standards to apply only within community's boundaries and not to any on-land programs. GNWT committed to reviewing footnote to see if there is a way to capture DFN concerns in the chapter | GNWT | GNWT to follow up |

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| 25) Culture, Heritage and Language - Dividing the chapters June 22-23.11 Video Conference | GNWT proposed the option of splitting the Culture, Heritage and Language chapter into 2 separate chapters, one on Culture & Language and the other on Heritage Resources. DFN committed to considering this | DFN | DFN to follow up |
| 26) General Provisions- Additional Language proposed by Canada June 22-23.11 Video Conference | The parties reviewed the Additional Subject Matters for General Provisions proposed by Canada. The parties discussed the technical/legal nature of the provisions and how it may be useful to redraft the language so that it is more comprehensible | LTC | LTC to review during August 8-10.11 meeting |
| 27) Social Housing - Definition of Social Housing June 22-23.11 Video Conference | DFN expressed an interest in having the chapter title changed to Social and Public Housing, or as an alternative, to modify the definition to reflect 'public' being included. GNWT committed to consider | GNWT | GNWT to follow up |
| 28) Child and Family Services - CF 4.1 | DFN raised concern with CF 4.1 and questioned if this applies outside the NWT | GNWT | GNWT to follow up |

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| June 22-23.11 Video Conference | GNWT committed to verify | | |