

DEHCHO PROCESS MAIN TABLE
Negotiation Session Follow Up from
May 31 - June 2.11 in Yellowknife, NT

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 during the June videoconference.
7) Language and Culture - Outstanding item since the June 2010 session in Yellowknife.	Chapter is more complicated than originally thought, will be looking at getting elders involved and will continue working on it.	DFN	DFN to bring forward a second draft before Canada and GNWT provide feedback.
8) 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
9) 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
10) Social Housing SH 3.4 March 2011 Session in Fort Simpson (taken from RoC as	Canada to discuss with CMHC and determine whether clause can be deleted.	Canada	Canada to follow up

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an outstanding item)			
11) 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 table at a future date once they received the mandate to do so.
12) 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.
13) 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	Canada to respond
14) 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)	DFN	DFN to propose new language

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<p>15) Public Purposes</p> <p>May session in Ottawa</p> <p>(taken from RoC as an outstanding item)</p>	<p>Public Purposes needs to be defined for the Expropriation chapter and it needs to be determined if Public Purposes needs to be anywhere else in the chapter, outside of the Principles section.</p>	<p>DFN</p>	<p>DFN to propose new language</p>
<p>16) Dehcho Government – Structure of Chapter</p> <p>May session in Ottawa</p> <p>(taken from RoC as an outstanding item)</p>	<p>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 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>LTC</p>	<p>Parties directed the LTC to review and provide recommendations to the main table.</p>
<p>17) Dehcho Government – Wills and Estates</p> <p>May session in Ottawa</p>	<p>Parties discussed the possibility of there being a separate chapter on Wills and Estates</p>	<p>GWNT</p>	<p>GNWT committed to providing a piece during May 31-June 2.11 session.</p>

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(taken from RoC as an outstanding item)			
18) Dehcho Government - DG4.1 b) May session in Ottawa (taken from RoC as an outstanding item)	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.	DFN	DFN committed to inserting a footnote in the chapter and to look into this further.
19) Community Government - CG 1.1 May session in Ottawa (taken from RoC as an outstanding item)	Canada would like a footnote on "recognized" as the federal preference is to sat "pursuant to the Dehcho Agreement"	DFN	DFN agreed to insert footnote
20) Community Government - CG (d) (xiv)	Canada requested a footnote on this provision that states there will need to be qualifiers here that things of a federal nature will continue to apply and will not be interfered by Community laws	DFN	DFN agreed to insert footnote

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<p>May session in Ottawa</p> <p>(taken from RoC as an outstanding item)</p>			
<p>21) Community Government - CG4.3</p> <p>(taken from RoC as an outstanding item)</p>	<p>Canada expressed preference that this provision be in the negative form and that it was also better suite in the General Provision chapter</p>	<p>DFN</p>	<p>DFN to make modifications</p>
<p>22) Disposal of Government Land within Communities</p> <p>May 31-June 2.11 session in YK</p>	<p>DFN raised the issue of inadequate consultation with respect to the disposal of land within communities.</p> <p>DFN asked the GNWT what the territorial policy is with respect to the disposal of property.</p>	<p>Canada & GNWT</p>	<p>Canada committed to discuss with Public Works.</p> <p>GNWT committed to verify.</p>
<p>23) Definition of "household in need"</p> <p>May 31-June 2.11 session in YK</p>	<p>The parties discussed the definition of need for a definition for "household in need" in the Social Housing chapter.</p>	<p>GNWT</p>	<p>GNWT to provide definition</p>
<p>24) Adoption</p>	<p>DFN questioned consent in A.1.2 (c)</p>	<p>GNWT</p>	<p>GNWT committed to consider if consent would</p>

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May 31-June 2.11 session in YK			apply wholly within the settlement area or NWT.
25) Child and Family Services May 31-June 2.11 session in YK	Parties discussed the definition of Child and Family Services and whether it should conform with Tlicho.	GNWT	GNWT committed to respond during June videoconference.
26) 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.
27) Harvesting Definitions May 31-June 2.11 session in YK	There are a number of definitions related to the harvesting chapters that require definition: Trade, Subsistence and Personal Use, Trees, Cabin,	LTC	LTC to review during August LTC meeting.
28) Plants Definition and Berries May 31-June 2.11 session in YK	DFN requested that berries be included in the definition of Plants for the purpose of the Plant Harvesting chapter.	GNWT	GNWT committed to amending the "Plants" definition to include berries.

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29) Migratory Birds and Subsistence and Personal Use May 31-June 2.11 session in YK	Canada proposed new language to address the Subsistence/Personal Use definition issue in the MB chapter	GNWT and DFN	GNWT and DFN to consider language and provide feedback.
30) Forest Management May 31-June 2.11 session in YK	Parties reviewed GNWT paper on Forest Management from 2008. DFN requested that the paper be transformed into a chapter	GNWT	GNWT committed to having chapter ready for June video conference.
31) General Provisions May 31-June 2.11 session in YK	Canada tabled a document that lists the standard subject matters in a General Provision chapter. Parties agree to see language on each subject matter	Canada	Canada to bring language to June 15.11 LTC meeting.
32) 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 session in Trout Lake.