

ANNUAL REPORT OF THE IMPLEMENTATION COMMITTEE

# SAHTU DENE AND METIS

COMPREHENSIVE LAND CLAIM AGREEMENT

APRIL 1, 2018 – MARCH 31, 2019



Canada

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# GLOSSARY OF ACRONYMS AND ABBREVIATIONS

<b>AIP</b>	Agreement-in-Principle
<b>CIRNAC</b>	Crown-Indigenous Relations and Northern Affairs Canada
<b>DGG</b>	Déliné Got'jnë Government
<b>ECE</b>	Department of Education Culture and Employment (GNWT)
<b>EIA</b>	Department of Executive and Indigenous Affairs (GNWT)
<b>ENR</b>	Department of Environment and Natural Resources (GNWT)
<b>FSGA</b>	Final Self-Government Agreement
<b>GNWT</b>	Government of the Northwest Territories
<b>NTHSSA</b>	Northwest Territories Health and Social Services Authority
<b>IC</b>	Implementation Committee
<b>INF</b>	Department of Infrastructure (GNWT)
<b>IP</b>	Implementation Plan
<b>ITI</b>	Department of Industry, Tourism and Investment (GNWT)
<b>IWG</b>	Implementation Working Group
<b>MVEIRB</b>	Mackenzie Valley Environmental Impact Review Board
<b>NWT</b>	Northwest Territories
<b>SDMCLCA</b>	Sahtu Dene and Metis Comprehensive Land Claim Agreement
<b>SLUPB</b>	Sahtu Land Use Planning Board
<b>SLWB</b>	Sahtu Land and Water Board
<b>SRRB</b>	Sahtu Renewable Resources Board
<b>SSA</b>	Sahtu Settlement Area
<b>SSI</b>	Sahtu Secretariat Incorporated

# FOREWORD

On September 6, 1993, the Sahtu Tribal Council (later the Sahtu Secretariat Incorporated), the Dene of Fort Good Hope, the Metis of Fort Good Hope, the Dene of Déljnë, the Dene of Colville Lake, the Dene of Fort Norman, the Metis of Fort Norman, the Metis of Norman Wells, the Government of the Northwest Territories and the Government of Canada signed the Sahtu Dene and Metis Comprehensive Land Claim Agreement. In September 2018, we celebrated the 25<sup>th</sup> anniversary of this day.

The Sahtu Dene and Metis Comprehensive Land Claim Agreement has given the Sahtu Dene and Metis a greater ability to control their future. It has given the Sahtu Dene and Metis defined rights in respect of water, land and wildlife and the ability to make decisions on how these resources are managed. It has also supported the Sahtu Dene and Metis way of life, based on a close relationship with the land.

Since 1993, the Sahtu Dene and Metis have worked hard to play an important role in the protection of the land and the development of the economy, and to benefit fully from the Sahtu Dene and Metis Comprehensive Land Claim Agreement. The Sahtu Secretariat Incorporated, the Government of the Northwest Territories and the Government of Canada look forward to the ongoing work with the Sahtu Dene and Metis to fulfill the vision set out in the Sahtu Dene and Metis Comprehensive Land Claim Agreement 25 years ago.



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Chairperson, Sahtu Secretariat Incorporated

# CHAPTER 1

## OVERVIEW AND BACKGROUND

On September 6, 1993, the Sahtu Tribal Council (later succeeded by the Sahtu Secretariat Incorporated, or SSI), the Government of the Northwest Territories (GNWT) and the Government of Canada (Canada) signed the Sahtu Dene and Metis Comprehensive Land Claim Agreement (SDMCLCA), and the accompanying Implementation Plan (IP). The SDMCLCA took effect on June 23, 1994. While the GNWT is not formally a party to the SDMCLCA, it has many obligations under the agreement.

Under the SDMCLCA, the Sahtu Dene and Metis received title to 41,437 square kilometers of land in the Sahtu Settlement Area (SSA) of the Northwest Territories (NWT), 1,813 square kilometers of which includes mines and minerals.

Other major provisions of the SDMCLCA include:

- \$130 million in tax-free capital transfers over a period of 15 years;
- Wildlife harvesting rights and the right of first refusal for commercial wildlife activities in the SSA;
- Establishment of institutions of public governance to manage wildlife and regulate land, water, and the environment in the SSA;
- Guaranteed Sahtu nominees/appointees to institutions of public government; and
- The right to negotiate self-government.

Section 29.2 of the SDMCLCA provides for the establishment of an Implementation Committee (IC). The IC is comprised of three senior officials, each representing one of the signatories to the Agreement (Canada, the GNWT and the SSI).

The IC oversees and monitors the ongoing obligations of the parties pursuant to the SDMCLCA, and the completion of activities required to fulfill those obligations, as described in the IP. The IC also serves as a forum to resolve any issues that may arise with respect to the implementation of the agreement.

IC meetings are held in person each year to plan, coordinate and review implementation activities and to discuss any implementation issues identified by the parties.

The IC reports on the implementation of the Agreement through the publication of an annual report. This report covers the 12 month period from April 1, 2018 to March 31, 2019.

This annual report provides an overview of activities undertaken and issues considered by the IC during this period, including progress made towards the resolution of outstanding issues and future actions to be taken to advance the resolution of those issues.

This year, the Sahtu IC met on the following dates:

- April 10, 2018 (Yellowknife)
- September 18, 2018 (Yellowknife)
- December 5, 2018 (Ottawa)

## SUMMARY OF AGREEMENT PROVISIONS

**Eligibility and Enrolment:** An Enrolment Board comprised of seven people, one from each of the Sahtu communities, appointed by the Sahtu Tribal Council, was established to enroll those who are entitled to be registered as participants under the SDMCLCA. Ongoing enrolment of participants is the responsibility of the SSI.

**Self-government:** The SDMCLCA obligates government to enter into negotiations with the Sahtu Dene and Metis with a view to concluding self-government agreements that take into consideration the unique circumstances of the Sahtu Dene and Metis. Self-government agreements cannot contradict or be inconsistent with the SDMCLCA, nor can they affect the rights of the Sahtu Dene and Metis as Canadian citizens. Self-government agreements are intended to address the desire of the Sahtu Dene and Metis to have self-government exercised as close to the community level as is reasonably possible.

**Dispute Resolution:** The approach to dispute resolution as described in the SDMCLCA includes the establishment of a Sahtu Arbitration Panel, comprised of four to eight members appointed by the parties. The parties are in the process of amending the SDMCLCA to reflect a more flexible and streamlined approach to dispute resolution that does not include a panel.

**Sahtu Organizations:** Designated Sahtu organizations are committed to executing the Sahtu responsibilities outlined in the SDMCLCA. A designated Sahtu organization must be a trust, society, or corporation established pursuant to federal or territorial legislation. All rights exercisable by a designated Sahtu organization, such as receiving and managing financial payments, and owning and managing land, were assigned by the Sahtu Tribal Council prior to the signing of the SDMCLCA. The responsibilities of each designated Sahtu organization are set out in the Sahtu Register.

**Financial Compensation:** In accordance with the SDMCLCA, Canada paid approximately \$130 million over a period of 15 years to the SSI, as the organization representing the Sahtu Dene and Metis. The SSI commenced the repayment of the Sahtu Dene and Metis negotiation loans in 1995, through the deduction of loan repayment costs from federal capital transfer payments as per section 8.3, Loans Against Capital Transfer, of the SDMCLCA.

**Resource Royalties:** As set out in Chapter 10 of the SDMCLCA, government must pay to the Sahtu, on a quarterly basis, a percentage of resource royalties received from resource development projects undertaken in the Mackenzie Valley. With the implementation of the NWT Devolution Agreement on April 1, 2014, these payments are now being made to the Sahtu by the GNWT, on behalf of government.

# CHAPTER 1

**Economic Measures:** Government economic development programs in the SSA, which are in place from time to time, take into consideration the need to support the Sahtu traditional economy; encourage the development of commercially viable Sahtu businesses and enterprises; provide the Sahtu with business and economic training and educational assistance; and encourage Sahtu employment in major projects and developments in the public service and public agencies. Government is required to consult with the SSI when proposing new programs, and every three years the parties are required to review the effectiveness of programs relating to the economic development objectives and measures set out in Chapter 12 of the Agreement. Government's obligations under Chapter 12 concerning contracting and procurement include considering best practices and procedures intended to maximize employment and business opportunities for local, regional and northern businesses.

**Wildlife Harvesting and Management:** Chapter 13 of the SDMCLCA sets out the Sahtu's wildlife harvesting rights in the SSA and provides for the establishment of the Sahtu Renewable Resources Board (SRRB). It is the responsibility of the SRRB, in collaboration with the other parties, to protect, conserve and manage, in a sustainable manner, renewable resources within the SSA to meet the needs of the public today and in the future. For more information, please visit the SRRB's website at [www.srrb.nt.ca](http://www.srrb.nt.ca).

**Land and Water Regulation:** Chapter 25 of the SDMCLCA provides for the creation of the following implementing bodies pursuant to legislation:

- **Sahtu Land and Water Board (SLWB)** – regulates land and water use throughout the SSA. For more information, please visit the Board's website at [www.slwb.com](http://www.slwb.com); and
- **Sahtu Land Use Planning Board (SLUPB)** – tasked with developing a land use plan for the SSA and for reviewing and proposing amendments to the plan. For more information, please visit the Board's website at [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org).

Chapter 25 also provides for Sahtu-nominated membership on the Mackenzie Valley Environmental Impact Review Board (MVEIRB), established pursuant to the *Mackenzie Valley Resource Management Act*, which conducts environmental impact assessments of development proposals within the Mackenzie Valley. The SDMCLCA also allows the SSI to refer development proposals that may impact upon the SSA to MVEIRB, and provides an opportunity for the SSI to nominate members to Review Board panels which are established from time to time. For more information, please visit the Board's website at [www.reviewboard.ca](http://www.reviewboard.ca).

## Peratł'é 1- Ayíí Goghó Agodí Hé Begodí

September 6, 1993 ekúu Sahtú Tríbal Council kē (síí eyí tl'áqá Sahtú Secretariat Incorporated (SSI) golatł'á wela agújú), Northwest Territories Gogovernment (GNWT) hé Canada Gogovernment (Canada) kē síí Sahtú Dene hé Tanł Móla Gohé Né Hesánédarétl'q (SDMCLCA) gha denezí gok'ē négenjlá. June 23, 1994 kē SDMCLCA kéogenjhwhé.

Pehké ats'enlwé dahgháré, Sahtú síí edíre né 41,437 square kilometres golatł'á wela ajá. Dúhdá Northwest Territories (NWT) eyí gogha Sahtú Néené Hesánédarétl'q (SSA) eyí ts'ē 1,813 square kilometres síí né yíí kwéka agot'l hé kwérétí gha agogjlá..

SDMCLCA gonáq gogha godígota wela:

- \$130 million sóba goghózha síí, honénq'ó soláe xae ékaréhwáha gots'ē tax yek'ē nágehdíle;
- SSA gok'eyí edíre tich'adíi ka ats'et'l t'áadets'enlq gots'ē eyí sóba k'éehxa tich'adíi órezhá t'á k'énarewé k'ola genlwéle;
- SSA gok'eyí gogha edíre tich'adíi, dene néné, gots'ē tu k'ola gha godí wela bek'ē góq' gha government kē eyí goghálats'eda gha godahk'é négogénlq'ó;
- Sahtú gogha kágoazha gots'ē government kē gha k'ola dene goghálaodá gha négótl'q; hé
- Edegha government gulé gogha goghágótl'q.

SDMCLCA K'eyí section 29.2 dahgháré Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē gha négótl'q. Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē k'áowédó gjilí tae kágoazha síí edíre Canada, GNWT hé SSI whané gogha gode gjilí gha gok'ē négózha.

Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē síí edíre SDMCLCA dahgháré government kē gozeghálaídá keogehdí hé ayíí t'á areyóné begháré gok'ē négot'sé?á síí goghó enagjl'e gha gok'ē k'egenehta. Asíí ghó k'ola gohá horíla náorewé njdé, Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē síí yesánédageréhñá gha góq'.

Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē síí ló xae gok'éréhta ló lónagehdé njdé edíre ayíí t'á gok'ē k'énagołkw'e hé ayíí t'á gogha horíla góq'ó hajlé areyóné goghánageda, eyí gháré k'achu edegha sánénagogí?á hé ayíí t'á goghó horíla njdé k'ola yeghó gogede gha.

Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē síí edíre ?ehk'ē ats'enlwé ?erjhtl'é dowé dahgháré xae táoñéhtl'é dene gogha keoruhshá gogha ?erjhtl'é geretl'é. Edíre godí síí honénq'ó náké sa gogha qt'e, April 1, 2016 gots'ē March 31, 2017 gots'ē.

Edíre ló xae gogha ?erjhtl'é hólí síí areyóné ayíí ghálagídá gots'ē Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē ayíí t'a gogha dzá góq'ó gots'ē ayíí t'á sénagogedle hé gogha horíla góq'ó hé hjdó gogha nezó góq'ó gogha k'ola godí hohló.

Edíre xae k'ē Sahtú Gok'ē Négots'é?á Gha Gok'éréhkw'í Kē síí edíre dzéñé k'ē elegenáadí:

# CHAPTER 1

April 13, 2016 (Łegóhłj)

October 5, 2016 (Sóbak'á)

December 6, 2016 (Ottawa)

## Elaot'e Goghø Begodí

- **Dúle Ké hé Gozí Heretá:** Gozí Heretá Gha Gok'éréhkw'í Ké síl, Sahtú Tríbal Council kə dahgháré, Sahtú kókáyúuríla ts'ę dene k'eo t'í kágıhtı síl areyöné t'á láhdıll geret'e gok'éréhkw'í gha kágoazha, eyí ékagú?ó síl SDMCLCA dahgháré amíl dúle goretá kə gozí gok'ə níyə. Eyi t'á SSI síl ededlne ékaníl t'á k'egokw'e gogha gots'ę goélé qt'e.
- **Edegha Government:** SDMCLCA dahgháré government kə Sahtú Dene hé Tanlı Móla gohé edire edegha government gogerutsı gha, ɻehk'ę ats'enlwę t'á godı t'á gok'ə kéogenuhwhı gha goghágó?q. Edets'ę Káots'erewə ɻerjhtl'ę Dowé síl SDMCLCA náoweré k'etah t'á agot'ı hé Sahtú Dene hé Tanlı Móla gorights gots'ę Canada got'lnę k'ę goratá síl dūwé bedáre agodı gha gó?óle. Edegha government gots'erestsı síl Sahtú Dene hé Tanlı Móla kə, eyí t'á gokótah got'áoruhwhı gha goghágó?q qt'e.
- **Elek'ę Nénadaots'ęré?á:** Elek'ę agodíle nıdé, Gogewéhkw'ę hé Gosánédageré?á gha dene kágehté síl SDMCLCA dahgháré négó?q kola. K'aoğídé kə, dene dılı gots'ę dene ets'édılı kanéht'e kágıla.
- **Sahtú K'egokw'e Gonáoweré:** Sahtú K'egokw'e Gonáoweré t'á edire SDMCLCA dahgháré ayíl areyöné ghálagudá gedı síl goghø godı géhtsı qt'e. Federal le nıdé territorial goze?a síl Sahtú K'egokw'e Gonáoweré agı?e goghø keogerjhshø gha gó?ó. Areyöné ayíl gogházha síl edire sóba gogháyə hé dánıl sóba t'á k'egokw'e keots'ehdı hé né hesánédaré?q k'ə SDMCLCA gozí gok'ənýa were Sahtú Tríbal Council kə edire areyöné golat'á hıljá hajlé.
- **Sóba Gots'éná?edí:** SDMCLCA k'eyíl dahgháré, Canada síl honénö?ó söláe xae gok'ənahta síl k'áhjınlı \$130 million sóba ékanéht'e SSI goghágenıla síl Sahtú Dene hé Tanlı Móla gogha bet'á agı?e gha qt'e. Eyi t'á 1995 ekúu SSI síl k'et'á de?erjhtl'ę Federal ts'ę nénagehdı kúlú Section 8.3 dahgháré de?erjhtl'ę nénagehdı sólonı kúlú yet'sę sóba edegha Kádegeretl'ę.
- **Nę Ts'ę Sóba Hohlé:** SDMCLCA dahgháré ɻeratl'ę 10 k'eyı dádı beghø ɻeratl'ę síl government kə edire Mackenzie Valley néné ts'ę sóba gehtsı síl, k'ę xae nıdé dılı gots'ę eyí sóba hohlé k'ə sóba ɻéhdáa nágehdı gha gó?ó. Edire goghø síl Canada gots'ę goré?á hajlé, April 1, 2014 gots'ę edire Devolution Agreement dahgháré hıdú gogha gots'ę GNWT síl Canada gogha Sahtú gots'ę sóba nágehdı agújá.

- **Eghálats'eda Gonáoweré:** Edire Government gogha eghálats'eda gonáoweré hílì síl SSA kə gohé sáaréhwá nagorewə njdé eyi t'a k'egokw'e síl Sahtú denewá naóweré gháré sóba hohlé síl t'a ságogéh?q hé ayíl t'a sóba hohlé gogho nezó k'egokw'e gha ságogéh?q; sóba ts'eretsí gogha dene gháoneté t'a k'ola ságogéh?q; eyi hé government kə asíl gorjchá k'ə goghálageda gha njdé k'ola dene eghálaodá gha gots'é gogeh?a. government kə k'ola asíl k'ónqé t'a kéogeníhwí gha njdé, SSI gogho gohé godí t'a dalegerekə gha gó?q. Tae xae táonéht'é government etaerét'é eyi eghálats'eda gonáoweré t'a k'egokw'e hílì síl asíl nezó bet'á k'egokw'e gha yeghánagídá gha gó?q. ?erat'lé 12 dahgháré Canada hé GNWT kə ayíl t'a godahgháré kegokw'e síl, ededlñílqá golat'lá gó?q q't'e t'a edire denewá kára?a kə eghálaodá gha ságogéh?q hé xáré edegha sóba gots'ehtsí t'a dene ts'é nágedi gha k'ola gogha agít'e.
- **Tich'ádí Ka Ats'et'lí há K'egokw'e:** SDMCLCA dahgháré ?erat'lé 13 k'eyí edire SSA gok'eyí tich'ádí ka ats'et'lí hé Renewable Resource gok'éréhkw'i (SRRB) kə gogéhts'l. SRRB kə síl SSA gohé goghálageda t'a edire t'a gots'é goré?á síl, gonáq k'áowə kə hé eghálageda t'a ededlñílqá edire t'a gok'égedí hé hjdú hé hjdó gogha gok'é k'egenehta gha gó?q. Wáe gogho keorúzhá nahwhé njdé, SRRB gowebiste [www.srrb.nt.ca](http://www.srrb.nt.ca) k'ə gogháahda
- **Né hé Tu Be?e?á:** SDMCLCA dahgháré ?erat'lé 25 k'eyí, ?e?a hólí t'a edire dene gok'éréhkw'i t'a k'egukw'e gha négókw'e:
- **Sahtú Nené hé Tu Gha Gok'éréhkw'i Kə (SLWB)-** Sahtú né hesánédarét'q gogha síl edire né hé tu benáoweré k'é agut'lí gogha q't'e. wáe gogho keorúzhá nahwhé njdé, eyi gok'éréhkw'i kə gowebiste [www.slwb.com](http://www.slwb.com); k'ə gogháahda; hé
- **Sahtú Nené Gha Gok'éréhkw'i Kə (SLUPB)** Sahtú né hesánédarét'q gogha né t'a agot'lí gha goghálageda hé goghánagídá hé k'egokw'e t'a gúlú anagedle gha njdé k'ola. wáe gogho keorúzhá nahwhé njdé, eyi gok'éréhkw'i kə gowebiste [www.sahtulanduseplan.org](http://www.sahtulanduseplan.org) k'ə gogháahda

# CHAPTER 1

Perat' é 25 k'eyi dahgháré Mackenzie Valley Environmental Impact Review Board (MVEIRB) gílì k'é goratá gha négót'q. Mackenzie Valley Environmental Impact Review Board (MVEIRB) hólì síl Mackenzie Valley Resource Management Act dahgháré négót'q síl edire nè hé tu k'è k'egokw'e gha síl keogehdí gha agít'e. SDMCLCA dahgháré SSI kè síl Sahtú Kótah gok'eyíi gogha nè hesánédarét'q goghó ɻehkw'íle níldé, dúle goghánagudá gha godí MVEIRB SSI k'ola qdènè Review Board Panel k'è dene déhkw'í gha kágogelé síl dúle MVEIRB kágógedi. Wáe goghó keorúzhá nahwhé níldé, eyí gok'éréhkw'í kè gowebsíté [www.reviewboard.ca](http://www.reviewboard.ca) k'è gogháahda.

# CHAPTER 2

## IMPLEMENTATION PARTIES

### THE SAHTU SECRETARIAT INCORPORATED

The SSI is made up of six Sahtu land corporations – three Dene land corporations, three Metis land corporations and the Délı̨nę Gotı̨ne Government, which administers the rights and benefits of the Sahtu Dene and Metis of Délı̨nę pursuant the Délı̨nę Final Self-Government Agreement (FSGA). During the period from April 1, 2018 to March 31, 2019, the SSI was represented on the IC by Mr. Charles McNeely, Chairperson of the SSI Board of Directors.

- More information on the SSI can be found online at [www.sahtu.ca](http://www.sahtu.ca).

### THE GOVERNMENT OF THE NORTHWEST TERRITORIES

The Department of Executive and Indigenous Affairs (EIA) is responsible for coordinating and monitoring the GNWT's implementation activities under the SDMCLCA. During the period from April 1, 2018 to March 31, 2019, the GNWT was represented on the IC by Ms. Susan Bowie, Director of Implementation.

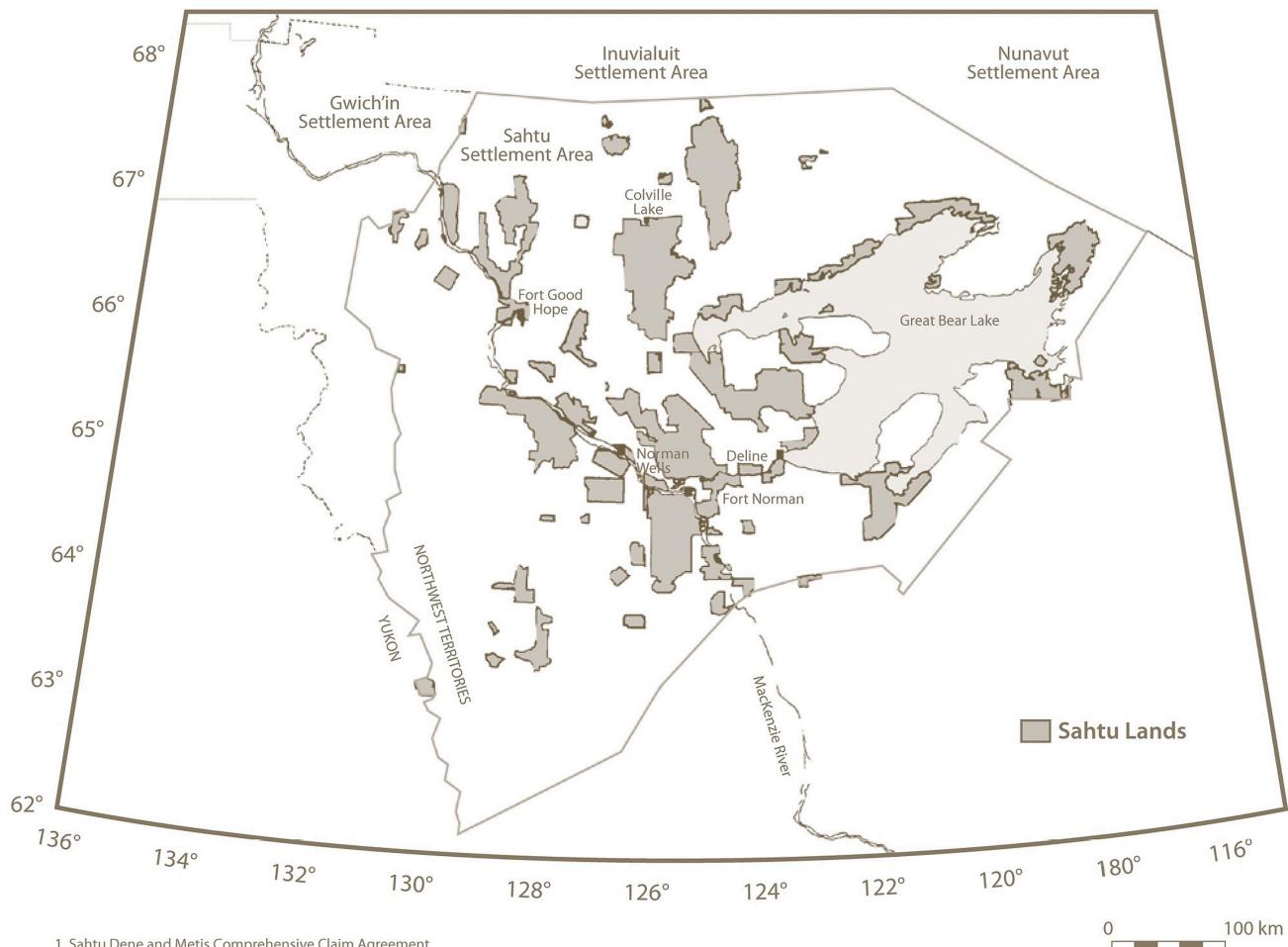
- More information on the GNWT can be found online at <http://www.gov.nt.ca>;
- More information on EIA can be found online at <https://www.eia.gov.nt.ca/en>.

### GOVERNMENT OF CANADA

The Implementation Branch of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) is responsible for monitoring and facilitating the fulfillment of federal government obligations contained in the SDMCLCA and the accompanying IP. The Implementation Branch provides funding to the implementing bodies, the SSI, and the GNWT, as identified in the IP. Mr. Dale Pegg, Director of Treaty Management West, represented Canada on the IC from April 1, 2018 to March 31, 2019.

- More information on the Government of Canada can be found online at <http://canada.gc.ca>;
- More information on CIRNAC can be found online at <http://www.aadnc-aandc.gc.ca>.

### MAP OF THE SAHTU SETTLEMENT AREA



# CHAPTER 3

## 2018-2019 REPORTING

### ANNUAL REPORT

The SDMCLCA requires the IC to prepare an annual report on the implementation of the agreement. As the IC was behind on several reports, the GNWT and Canada entered into a Memorandum of Understanding in 2017 for the GNWT to draft, translate, design and print all outstanding annual reports on behalf of Canada. Canada took over responsibility for annual reports again for the 2018-2019 Annual Report.

#### Activities:

- GNWT worked with a contractor to publish the 2016-2017 and 2017-2018 annual reports, which were distributed to all the parties in print and electronic formats.

#### Next Steps:

- Canada has produced this 2018-2019 annual report and will continue to produce future reports.

### AMENDMENTS TO THE SAHTU DENE AND METIS COMPREHENSIVE LAND CLAIM AGREEMENT

#### Chapter 21 Amendments

The SSI has been working with Canada to amend section 21.3.1 in Chapter 21, Land Access, of the SDMCLCA. The section highlights the rights of employees of government and members of the Canadian Armed Forces to enter, cross and stay on Sahtu lands. The last sentence of the section reads “government shall give prior notice of such access to the designated Sahtu organizations when, in the opinion of government, it is reasonable to do so.” The amendment will remove the words “in the opinion of government”. The GNWT supports this amendment.

#### Activities:

- The SSI and Canada have worked together to finalize a draft of the amendment.

#### Next Steps:

- Canada to prepare an Order in Council to bring the amendment into force.

### Arbitration Panel – New Dispute Resolution Model

In September 2017, Canada, the GNWT and SSI agreed to amend Chapter 6, Dispute Resolution, of the SDMCLCA with a view to adopting a more efficient and cost-effective model, similar to those found in the Tłı̨chǫ Agreement and Délı̨nę FSGA. In place since the effective date, the original dispute resolution model in the SDMCLCA relied on an arbitration panel, whereby disputants would select an arbitrator or arbitrators from the Sahtu Arbitration Panel to resolve disputes.

In December 2017, the parties agreed to adopt a staged dispute resolution model, which incorporates alternate dispute resolution mechanisms. This model was selected as it is the dispute resolution process currently used in the negotiation of modern treaties and self-government agreements. It provides for informal discussions, followed by mediation and arbitration. Mediators and arbitrators are jointly appointed by the disputants.

## CHAPTER 3

### Activities:

- By the December 2018 IC meeting, a final draft of Chapter 6, Dispute Resolution had been distributed to the parties, and the legal counsels of the GNWT and Canada had agreed to the amendments.
- Canada circulated corresponding draft amendments to the relevant Activity Sheets of the IP.

### Next Steps:

- SSI will take the draft Chapter 6, Dispute Resolution, to the SSI board for review and approval.
- Following the internal approval of all parties, a joint Record of Decision will be signed by the IC members. Canada will then begin the Order in Council process to formalize the amendments.

## REVIEW OF CHAPTER 13 OF THE IMPLEMENTATION PLAN

In summer 2018, SSI shared concerns that had been raised about the language in Chapter 13, Wildlife Harvesting and Management, of the IP. The concerns were related to references to the right of first refusal in the activity sheets of the chapter.

### Activities:

- A review of Chapter 13, Wildlife Harvesting and Management of the IP as per concerns about the language around right of first refusal and delegated responsibilities was completed by SSI.

### Next Steps:

- An internal review is ongoing at the SSI board level.

## DÉLÎNÉ GOT'JNÉ GOVERNMENT

On September 1, 2016 (Effective Date), the Délînè FSGA became the first community-based self-government agreement to take effect in the SSA. The Délînè FSGA established the Délînè Got'jnè Government (DGG), a community-based government that is a combination of Indigenous government and public government. Through this inclusive Indigenous government, the DGG now represents and serves all residents in the Délînè District. Délînè First Nation Citizens have guaranteed representation on the DGG.

## SELF-GOVERNMENT NEGOTIATIONS

Chapter 5 and Appendix B of the SDMCLCA provide for the negotiation of self-government agreements at the community level. The Sahtu Dene and Metis of Fort Good Hope, Tulita, Colville Lake and Norman Wells are each at different stages of the negotiation process. Over the course of the reporting period, IC representatives provided updates on the progress of self-government negotiations at IC meetings, and will continue to do so at future meetings.

### Tulita

The Tulita Dene Band, Tulita land and financial corporations, Tulita Yamoria Community Secretariat, Fort Norman Land and Financial Corporations and the Hamlet of Tulita signed a self-government framework agreement with government in 2005. The negotiation of an Agreement-in-Principle (AIP) has been ongoing since that time. A negotiators' draft of the AIP was initiated by the parties on May 16, 2017. The AIP is currently being reviewed internally by the community.

### **Norman Wells**

The Norman Wells Land Corporation, GNWT and Canada signed a self-government framework agreement in June 2008. Negotiators for the parties initialed a draft Self-Government AIP on August 21, 2018. In 2018-2019, an Implementation Working Group (IWG) was formed with representatives from the parties. The IWG develops the Pre-Effective Date Plan (including the ratification plan and detailed Gantt chart of activities) in addition to developing the IP. During 2018-2019 the IWG reported its work to the Main Table, which the parties agreed was an encouraging beginning to a two to three year planning process. Negotiations remain ongoing.

### **Fort Good Hope**

The K'asho Got'ine of Fort Good Hope, Canada and the GNWT concluded a Process and Schedule Agreement in September 2014. A joint work plan was agreed to for 2018-2019, and the community identified its priority subject matters for negotiations. The parties are exploring ways to expedite the negotiations through a modular approach by focusing on priority subject matters.

### **Colville Lake**

The Behdzi Ahda First Nation of Colville Lake, the GNWT and Canada signed a Process and Schedule Agreement for the negotiation of self-government in 2014. A joint work plan for 2018-2019 was agreed to, and the community identified priority subject matters for negotiations. The parties are exploring ways to expedite negotiations through a modular approach.

## **ECONOMIC MEASURES**

In Chapter 12 – Economic Measures – of the SDMCLCA, Canada and the GNWT committed to promoting the economic interests of Sahtu participants, including support for the traditional economy, the development of Sahtu businesses, and the creation of job and training programs. Furthermore, when the GNWT and Canada consider economic development programs related to the objectives of this chapter, they must consult with SSI.

As part of the ongoing implementation of Chapter 12 of the SDMCLCA, the IC discussed government contracting in the SSA (section 12.2). The IC agreed that, in lieu of a formal review process at this time, the parties would undertake more practical measures aimed at supporting the advancement of the overall objectives of this chapter.

# CHAPTER 3

## Activities:

- An Economic Measures workshop was held August 7-9, 2018 in Fort Good Hope, NWT.
- The workshop was well attended and a success. During the workshop, Public Services and Procurement Canada and the GNWT's Department of Industry, Tourism and Investment (ITI), Department of Environment and Natural Resources (ENR), Department of Infrastructure (INF), Department of Education, Culture and Employment (ECE) and the Northwest Territories Health and Social Services Authority (NTHSSA), presented on their respective government contracting approaches and procedures. Discussions were also held on Sahtu regional economic development. The workshop provided an opportunity for networking and brought to light the linkage between education and economic development. SSI was encouraged by ITI to make contact with their Sahtu Regional Office in Norman Wells to further explore how they can support educational needs in the Sahtu region.
- SSI has indicated that updating the Sahtu business list remains a high priority.

## Next Steps:

- The SSI will be working with Canada and the GNWT to continue promoting the economic development of the Sahtu region.

## IMPLEMENTATION FUNDING RENEWALS

As set out in the SDMCLCA IP and associated bilateral funding agreements, Canada provides funding to the SSI, GNWT and implementation bodies, such as the co-management boards created pursuant to the land claim, to support the ongoing implementation of the agreement. Pursuant to the 1992 Memorandum of Understanding between the GNWT and Canada, Canada provides funding to the GNWT to address territorial obligations under land claims, including the SDMCLCA. The NWT Land and Resources Devolution Agreement requires Canada to also provide funding to the GNWT for costs associated with federal obligations assumed by the GNWT pursuant to that Agreement.

### Board Funding

In 2017, new multi-year funding agreements were concluded with the co-management boards of the SDMCLCA. Funding has increased for all boards, as well as the Renewable Resources Committees. Board funding for the 2018-2019 year can be found in the table below.

### Treaty Partner Funding

Over the reporting period, Canada provided the following core funding to the SSI and implementing bodies created under the agreement:

Recipients	2018-2019 Core Funding
Sahtu Secretariat Inc.	\$808,081
Renewable Resources Council	\$864,605
Sahtu Renewable Resources Board	\$1,091,511
Sahtu Land and Water Board	\$1,364,160
Sahtu Land Use Planning Board	\$491,803
Sahtu Arbitration Panel	\$42,959
Government of the Northwest Territories	\$ 4,814,337

## CHAPTER 4

# SAHTU DENE AND METIS COMPREHENSIVE LAND CLAIM AGREEMENT, 25<sup>TH</sup> ANNIVERSARY

## THE PEOPLE AND THE AGREEMENT

For generations the Slavey, Hare and Mountain Dene and the Metis have traditionally used and occupied lands in the Sahtu region of the NWT. Following the discovery of oil at Fort Norman in 1920, the Government of Canada moved forward with the negotiations of the final of the numbered treaties, Treaty 11, which covers the entire Sahtu region. The treaty was signed in 1921, though it later emerged that there existed disparities between Indigenous and government interpretations of the agreement.

Starting in the mid-20<sup>th</sup> century, the Government of Canada established mechanisms for land claim negotiations. In the 1980s, Canada began the negotiation of a comprehensive land claim agreement with the Dene Nation and the Métis Association of the NWT, but negotiations fell through in 1990 and an initialed draft agreement was never ratified. Instead, negotiations moved to the regional level.

By July 1993, the Sahtu Dene and Metis had negotiated a comprehensive land claim, which included the communities of Colville Lake, Tulita (formerly Fort Norman), Fort Good Hope, Norman Wells, and Délı̨ne (formerly Fort Franklin). On September 6, 1993, the Dene of Colville Lake, Délı̨ne, Fort Good Hope and Fort Norman and the Metis of Fort Good Hope, Fort Norman and Norman Wells, as represented by the Sahtu Tribal Council (later the SSI) signed the SDMCLCA with the Government of Canada. The signing took place in Fort Norman, NWT.

## 25<sup>TH</sup> ANNIVERSARY CELEBRATIONS

At the SSI September 2018 annual general assembly, participants from across the SSA met in Tulita, NWT to celebrate the commemoration of the 25<sup>th</sup> anniversary of signing the SDMCLCA.

The annual general assembly, which usually occurs every summer, was held in September in recognition of the anniversary of the signing, which took place in Tulita, NWT on September 6, 1993. Participants from across the Sahtu, including Délı̨ne, Fort Good Hope, Colville Lake, Tulita and Norman Wells came together for the annual general assembly. After the meetings concluded for the day, community members celebrated through singing, jigging contests and square dancing. The last night of the assembly closed with traditional drumming and drum dancing at the local arena.

## NOTES