



INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING

Between

AKAITCHO TERRITORY DENE FIRST NATIONS

AND

GOVERNMENT OF THE NORTHWEST TERRITORIES

AKAITCHO TERRITORY DENE FIRST NATIONS
AS REPRESENTED BY
NWT TREATY #8 TRIBAL CORPORATION
(“Akaitcho DFN”)
AND
GOVERNMENT OF THE NORTHWEST TERRITORIES
(GNWT)
INTERGOVERNMENTAL MEMORANDUM OF
UNDERSTANDING

PREAMBLE

- A. Whereas the three member First Nations of the Akaitcho Territory Dene First Nations (herein "Akaitcho DFN") have traditionally used and occupied lands in the Northwest Territories (herein "NWT"), Nunavut and Alberta from time immemorial;
- B. Whereas Akaitcho DFN are Lutsel K'e Dene First Nation, Deninu K'ue First Nation, and Yellowknives Dene First Nation of Detah and N'dilo;
- C. Whereas Chiefs and Headmen representing Akaitcho DFN signed Treaty on July 25, 1900 in Deninu K'ue, in the Northwest Territories;
- D. Whereas the Akaitcho Territory Dene First Nations Framework Agreement (hereafter "Akaitcho Framework Agreement") dated July 25, 2000, was signed between Akaitcho DFN, Canada, and the Government of the Northwest Territories (herein "GNWT").
- E. Whereas the GNWT recognizes that the Akaitcho DFN are an Indigenous people of Canada and that the inherent right of self-government is an existing Aboriginal right under Section 35(1) of the *Constitution Act, 1982*;
- F. Whereas Akaitcho DFN and the GNWT are committed to achieving an Akaitcho Agreement by way of good faith negotiations;

- G. Whereas the Akaitcho DFN are the responsible Indigenous government on behalf of Akaitcho citizens and the GNWT is the public government on behalf of all the citizens of the NWT;
- H. Whereas Akaitcho DFN and the GNWT recognize their concurrent responsibility to Akaitcho citizens of the NWT;
- I. Whereas the GNWT is committed to building and maintaining a mutually respectful government-to-government relationship with Akaitcho DFN;
- J. Whereas Akaitcho DFN and the GNWT acknowledge that cooperation and coordination among political leadership and senior officials is key to fulfilling the potential of the government-to-government relationship; and,
- K. Whereas Akaitcho DFN and the GNWT acknowledge their unique and evolving government-to-government relationship and agree to work with one another on the basis of mutual respect, recognition and responsibility.

Now therefore, both Governments wish to continue their formalized government-to-government relationship, through a renewed intergovernmental agreement and operationalize the relationship by way of continued regular meetings of political leadership and senior officials.

1. PRINCIPLES

- 1.1 Akaitcho DFN and the GNWT recognize and respect the diversity of cultures, history and traditions among the people of the Northwest Territories and respect that different governments may have unique political and policy priorities.
- 1.2 Akaitcho DFN and the GNWT welcome the opportunity to deepen their understanding of each other's views and commit to working together to make progress and achieve outcomes on matters of mutual interest.
- 1.3 Akaitcho DFN and the GNWT agree to work together to achieve a respectful, strong and meaningful government-to-government relationship, with effective communication and information sharing.
- 1.4 Akaitcho DFN and the GNWT recognize that, in addition to the intergovernmental agreements and bodies identified in the Akaitcho Framework

Agreement, additional bilateral arrangements and agreements may be appropriate in order to facilitate cooperation between their respective Governments.

- 1.5 Akaitcho DFN and the GNWT commit to constructive collaboration, a spirit of cooperation and mutual respect, knowing that cooperation will help to maximize the benefit for the people served by each respective Government.
- 1.6 Akaitcho DFN and the GNWT recognize that there may be different perspectives on various issues and that agreement may not always be achievable on all issues.
- 1.7 Through discussion and information sharing, a deeper understanding of each other's perspectives and appreciation is achieved.

2. OBJECTIVES

- 2.1 The specific objectives of this Intergovernmental Memorandum of Understanding are:
 - a. To enhance the practical realization of the government-to-government relationship;
 - b. To enhance the day-to-day interaction, cooperation and coordination of Akaitcho DFN and the GNWT; and
 - c. To raise issues and resolve concerns in a manner that reflects Akaitcho DFN and public interests.

3. PRIORITY AREAS OF DISCUSSION AND COOPERATION

- 3.1 Priority areas for discussion and consideration will include, but not be limited to:
 - a. Economic development, to realize the potential for Akaitcho citizens to participate fully in all aspects of the Northern economy;
 - b. Management of air, land, water and wildlife issues;
 - c. Employment, skill development and job training for Akaitcho citizens;

- d. The provision of effective social programs in all Akaitcho communities, most notably health services, education, income support, services for Elders, housing, policing, justice; and
- e. Any other areas of mutual interest identified by Akaitcho DFN and the GNWT.

4. INTERGOVERNMENTAL AGREEMENTS

- 4.1 Where appropriate, Akaitcho DFN and the GNWT will endeavor to achieve intergovernmental agreements on the above mentioned issues and other matters of concern and interest.

5. INFORMATION SHARING

INFORMATION SHARING & COMMUNICATION

- 5.1 Akaitcho DFN and the GNWT recognize that in order to effectively make progress on areas of mutual interest it is important that information be shared in an open and timely manner, subject to any constraints imposed by law.
- 5.2 Akaitcho DFN and the GNWT are committed to meaningful communication on GNWT initiatives that may have an impact on the Akaitcho DFN.
- 5.3 In order to facilitate achieving effective progress on areas of mutual interest, Akaitcho DFN and the GNWT will adhere to the following protocols for effective communication between governments:
 - Each government will notify the other, in advance of upcoming activities, emergent issues of concern, and upcoming public engagement or consultations. For example, the GNWT shall advise Akaitcho DFN when Ministers are intending to visit Akaitcho DFN communities.
- 5.4 The protocol for formal correspondence includes, but is not limited to:
 - a. GNWT formal correspondence addressed to the Akaitcho DFN should be copied to:
 - the Akaitcho DFN Negotiations Coordinator,
 - the Premier of the Northwest Territories,
 - the Principal Secretary,

- the Secretary to Cabinet, and
- the Deputy Secretary, Executive and Indigenous Affairs.

b. Akaitcho DFN formal correspondence addressed to the Premier of the Northwest Territories should be copied to:

- the Principal Secretary,
- the Secretary to Cabinet, and
- the Deputy Secretary, Executive and Indigenous Affairs.

c. Akaitcho DFN formal correspondence addressed to Ministers of the GNWT should be copied to:

- the Premier of the Northwest Territories; and,
- the Principal Secretary,
- the Secretary to Cabinet, and
- the Deputy Secretary, Executive and Indigenous Affairs.

d. Without altering protocols set out in the foregoing provisions, to facilitate the effective and efficient ongoing exchange of information for specific operational processes, the elected leaders may be asked to identify a senior official properly mandated and authorized to coordinate on behalf of their respective government, if it is other than the elected leader.

e. Formal correspondence addressed to lead senior officials should be copied to:

- the Akaitcho DFN Chiefs,
- the Akaitcho DFN Negotiations Coordinator,
- the Akaitcho Territory Government if applicable,
- the Premier of the Northwest Territories,
- the Principal Secretary,
- the Secretary to Cabinet, and
- the Deputy Secretary, Executive and Indigenous Affairs.

6. GOVERNMENT-TO-GOVERNMENT MEETINGS

Meetings of Elected Leaders

6.1 Regular meetings of elected leaders will build and maintain a mutually respectful government-to-government relationship between Akaitcho DFN and the GNWT.

6.2 There shall be one meeting per year between Akaitcho DFN Chiefs and

Members of the GNWT Executive Council.

- 6.3 Meetings will rotate between Akaitcho DFN communities and Yellowknife.
- 6.4 In order to ensure that a dialogue takes place during the Operating and Maintenance and Capital Planning processes, efforts will be made to hold meetings in the first or third quarter of the year.
- 6.5 Meetings will be co-chaired by the Premier of the Northwest Territories and one of the Akaitcho DFN Chiefs.
- 6.6 Each Government may invite other elected officials, senior staff and other advisors, such as Elders, to attend these meetings. Only the Akaitcho DFN Chiefs and Members of the GNWT Executive Council will sit at the table.
- 6.7 Prior to these meetings, the Governments shall reach agreement on a joint agenda. Where applicable, briefing materials, reports or other documents may be shared between Governments.
- 6.8 Prior the end of the meeting, the Governments will agree upon a joint summary of outcomes and commitments.
- 6.9 Officials from Akaitcho DFN and the GNWT shall develop and maintain a matrix of commitments in support of the meetings to ensure that meeting outcomes are fulfilled, where applicable.

Meetings of Officials

- 6.10 Meetings between senior officials will support the government-to-government work of elected leaders.
- 6.11 Each Government will designate a lead official responsible for coordinating preparation and follow-up of the meetings of elected leaders.
- 6.12 Officials of each Government shall meet in order to assist in the scheduling of, and preparation for, meetings of elected leaders including developing a joint agenda and shared briefing materials, where applicable.
- 6.13 After meetings of elected leaders, officials will meet quarterly to discuss the summary of outcomes and commitments matrix on progress and provide

updates in support of the meetings to ensure that meeting outcomes are fulfilled where applicable.

- 6.14 Senior officials from Akaitcho DFN may be invited on occasion to the GNWT Regional Management Committee meetings.

7. COSTS

- 7.1 All costs associated with the activities referenced in this agreement are the responsibility of the participating Government.

8. EFFECT OF THE AGREEMENT

- 8.1 Nothing in this Intergovernmental Memorandum of Understanding creates legally binding obligations.
- 8.2 Nothing in this Intergovernmental Memorandum of Understanding shall constrain the respective Governments from exercising their powers and responsibilities.
- 8.3 Nothing in this Intergovernmental Memorandum of Understanding prevents Akaitcho DFN and the GNWT from participating in other intergovernmental processes or agreements.

9. TERMS OF THE AGREEMENT

- 9.1 This Intergovernmental Memorandum of Understanding shall be in effect for a period of four years from the date of signing.
- 9.2 This Intergovernmental Memorandum of Understanding may be periodically reviewed and, upon written consent, may be renewed for a further term as agreed to by both Governments.
- 9.3 This Intergovernmental Memorandum of Understanding may be reviewed and amended upon written notice being given to the other Government at least 60 days in advance, with the mutual agreement of both Governments.
- 9.4 This Intergovernmental Memorandum of Understanding may be terminated by either Government upon written notice to the other Government at least 60 days in advance of the termination date.

This Intergovernmental Memorandum of Understanding was signed by the Akaitcho Territory Dene First Nations and Government of the Northwest Territories this 16 day of MARCH, 2018.



Chief Edward Sangris
For the Yellowknives Dene First Nation/Detah



Honourable Robert R. McLeod
Premier of the Northwest Territories



Chief Ernest Betsina
For the Yellowknives Dene First Nation/N'dilo



Chief Darryl Boucher-Marlowe
For the Łutselk'e Dene First Nation



Chief Louis Balsillie
For the Deninu K'ue First Nation