

MODERN TREATY AND SELF-GOVERNMENT PARTNERS FORUM

FOUNDING AGREEMENT



This FOUNDING AGREEMENT entered into as of the 15th day of November, 2021.

BETWEEN:

The Government of the Northwest Territories;

And

The Inuvialuit Regional Corporation;

And

The Gwich'in Tribal Council;

And

The Sahtu Secretariat Incorporated

And

The Tłı̨chǫ Government

And

The Délı̨ne Got'ı̨ne Government

(Collectively known as the "Members" to this Agreement)

WHEREAS

- A. Inherent aboriginal rights and those rights secured by treaties are recognized legal imperatives that require ongoing protection and implementation;
- B. Legal precedent and land, resources and self-government agreements set out rights, titles, jurisdictions and authorities of Indigenous governments;
- C. The Preamble and Article 37 of the United Nations Declaration on the Rights of Indigenous Peoples states that Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements;
- D. That the respective jurisdictions and authorities of Members be recognized and respected;
- E. Fostering, strengthening, and formalizing relationships amongst Members is critical;
- F. Members share an interest in working together cooperatively on issues of common concern;
- G. Consistent with the Preamble and Article 38 of the United Nations Declaration on the Rights of Indigenous Peoples, the Members agree to work in consultation and cooperation, and take the appropriate measures, to achieve the ends of the UN Declaration;
- H. Members agree to come together to discuss opportunities to work together to review, discuss and determine common priorities and opportunities for collaboration and action.

The Members to this agreement agree as follows:

1. PURPOSE

Members have established the Modern Treaty and Self-Government Partners (MTSGP) forum to provide a venue for leadership discussion on issues common or specific to settled land claim and self-government agreements in the NWT.

2. OBJECTIVES

The MTSGP is established to:

- 2.1. Strengthen government-to-government cooperation, collaboration and relations;
- 2.2. Establish a forum for Members to collaboratively review, discuss and determine common priorities and opportunities for cooperation and collaboration as Members;
- 2.3. Promote relations between Members, which are based on respect, recognition, responsibility and reconciliation;
- 2.4. Strengthen the capacity of all Members through coordination, avoidance of duplication, and information sharing;
- 2.5. Work on key shared issues, including but not limited to:
 - Monitoring and implementing land claim agreements;
 - Implementing the United Nations Declaration on the Rights of Indigenous Peoples;
 - Advancing the economic and social wellbeing of the people of the NWT ; and
 - Pursuing Federal engagement to address issues impacting communities and the Indigenous residents of the NWT.
- 2.6. Be an evolving and enduring approach to intergovernmental collaboration that will be flexible and efficient.

3. MANDATE

In pursuit of the objectives, the MTSGP will:

- 3.1. serve as a forum where Members can share and exchange viewpoints, information, knowledge and experiences;
- 3.2. address any issues of priority which, in the decision of the Members, requires the pooling of expertise, collective dialogue, or the co-ordination of their actions.

4. MEMBERSHIP

4.1. The Members, as represented by their leaders, are, at present:

1. Tłı̨chǫ Government
2. Délı̨nę Got'ı̨nę Government
3. Gwich'in Tribal Council
4. Inuvialuit Regional Corporation
5. Sahtu Secretariat Incorporated
6. Government of the Northwest Territories

4.2. Additional Members may be added as land claims or self-government agreements are finalized.

4.3. The Members shall be represented by their elected leader(s). Leaders may designate an alternate elected leader as a substitute representative for a meeting of the MTSGP.

4.4. A meeting of the MTSGP can only take place if the majority of the Members are represented by their respective leaders.

5. HOST and CHAIR

MTSGP meetings will be hosted and chaired on a rotational basis between the Members, unless otherwise agreed upon by the Members.

6. MTSGP OFFICIALS WORKING GROUP

- 6.1. A MTSGP Officials Working Group (Working Group) will be established to carry out the work of the MTSGP.
- 6.2. A terms of reference for this Working Group will be established.
- 6.3. The Members shall each designate a senior official(s) who shall be their principal supporting officials, respectively, for the purposes of this agreement.
- 6.4. The Working Group shall support the MTSGP. It shall prepare for the meetings of the MTSGP, provide communication and coordination among the Members, and carry out the study, research and analysis of mandates that it receives from the MTSGP.
- 6.5. These officials together shall have responsibility for:
 - such matters as the MTSGP may identify;
 - arrangements to facilitate the MTSGP's proceedings; and
 - ensuring that any annual proposed work plans are concluded.
- 6.6. It is expected that the departments and agencies of the Members will provide their assistance to the MTSGP through the officials designated.
- 6.7. Administrative support will be provided by the GNWT on an ongoing basis as long as the responsibility for funding rests with the GNWT.

7. MEETINGS

- 7.1. The MTSGP forum will meet at least once per year.
- 7.2. The Members shall have up to two elected leaders at the table during the meetings.

- 7.3. The agenda items will be issues of common interest to all MTSGP Members and will be set by consensus discussion amongst officials and approved by leadership.
- 7.4. Joint statements or public actions of the MTSGP will be by consensus.
- 7.5. The MTSGP may decide, from time to time, to hold special meetings to which it may invite other participants, including the Federal Government.

8. FUNDING

The GNWT will administer the MTSGP and pay for hosting, but participating costs are the responsibility of each government.

9. RELATIONSHIP TO OTHER PROCESSES

- 9.1. Participation in the MTSGP forum will not impact participation at other tables or forums.
- 9.2. There are several formal implementation and management mechanisms that have been established within other formalized agreement processes. The MTSGP process is not intended to duplicate or replicate these established and agreed upon processes and mechanisms.

10. AMENDMENT

This Agreement may be amended at any time by the agreement of all the Members. Any such amendment shall be set out in writing and shall bear the signature of all the Members.

11. TERMS OF THE AGREEMENT

- 11.1. The Agreement shall be in effect for a period of four years from the date of signing.
- 11.2. The Agreement may be periodically reviewed and, upon written consent of all the Members, may be renewed for a further term as

agreed to by the Members.

11.3. This Agreement may be reviewed and amended upon written notice being given to the other Members at least 60 days in advance with the mutual agreement of the Members.

11.4. Any Member may leave the Agreement at any time by providing written notice to the Members.

11.5. This Agreement shall have effect until terminated by agreement of all Members.

12. FINAL PROVISIONS

12.1. Nothing in this Agreement alters or affects the respective legislative authorities or constitutional rights of the Members.

This Founding Agreement shall come into effect on November 15, 2021.

**Modern Treaty and Self-Government Partners Forum
Founding Agreement**

Signed in counterpart on November 15, 2021 at
Yellowknife, NT.

For the **Government of the Northwest Territories**

Caroline Cochrane
Caroline Cochrane
Premier


Witness

**Modern Treaty and Self-Government Partners Forum
Founding Agreement**

Signed in counterpart on November 15, 2021 at
Yellowknife, NT.

For the **Inuvialuit Regional Corporation**



Duane Ningaqsiq Smith
Chair and CEO



Witness

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Yellowknife, NT.

For the Gwich'in Tribal Council



Ken Kyikavichik
Grand Chief

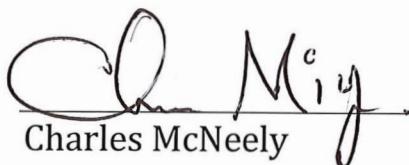


Holly McLeod
Witness

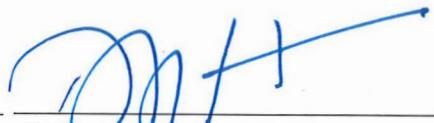
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Signed in counterpart on November 15, 2021 at
Yellowknife, NT.

For the **Sahtu Secretariat Incorporated**



Charles McNeely
Chair



Witness

The Memorandum of Understanding for the Modern Treaty and Self-Government Partners

Signed in counterpart on November 15, 2021 at
Yellowknife, NT.

For the **Délı̨ne Got'ı̨ne Government**

Leonard Kenny
?ekw'ahtł

[Signature]
Witness

The Memorandum of Understanding for the Modern Treaty and Self-Government Partners

Signed in counterpart on November 15, 2021 at
Yellowknife, NT.

For the **Tłı̨chǫ Government**

Clifford Daniels
Tłı̨chǫ Government

Witness

