

Gwich'in Tribal Council
and
Government of the Northwest Territories
Umbrella Intergovernmental Agreement
Regarding
Intergovernmental Cooperation and Coordination

PREAMBLE

Whereas the Gwich'in have traditionally used and occupied lands in the Northwest Territories, Yukon and Alaska from time immemorial;

Whereas Chiefs and headmen representing the Gwich'in signed Treaty 11 in July, 1921;

Whereas the Gwich'in and the Government of the Northwest Territories (GNWT) are signatories to the Gwich'in Comprehensive Land Claim Agreement (GCLCA), a modern treaty approved by Order in Council dated April 10, 1992;

Whereas the GNWT recognizes that the Gwich'in are an Aboriginal people of Canada and that the inherent right of self-government is an existing Aboriginal right under Section 35(1) of the Constitution of Canada, 1982;

Whereas the Gwich'in Tribal Council is the responsible Aboriginal government on behalf of Gwich'in and the GNWT is the public government on behalf of all the citizens of the NWT;

Whereas the Gwich'in Tribal Council and GNWT recognize their concurrent responsibility to Gwich'in citizens of the NWT;

Whereas the GNWT is committed to building and maintaining a mutually respectful government-to-government relationship with the Gwich'in; and

Whereas the Gwich'in 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;

Now therefore, the Gwich'in and the GNWT wish to recognize the government-to-government relationship by way of this intergovernmental agreement and engage in the relationship by way of regular meetings of political leadership and senior officials.

OBJECTIVES

1. Enhance the practical realization of the government-to-government relationship;
2. Enhance the day-to-day interaction, cooperation and coordination of the Gwich'in Tribal Council and the GNWT; and
3. To raise issues and resolve concerns in a manner that reflects Gwich'in and public interests.

PRIORITY TOPICS FOR CONSIDERATION

The items listed below are considered by the Parties as priority topics for further consideration and discussion:

1. The provision of effective social programs in all Gwich'in communities, most notably health services, education, income support, services for elders, housing, and policing and justice;
2. Economic development in the Gwich'in Settlement Area and to realize the potential for Gwich'in to participate fully in all aspects of the Northern economy;
3. Employment, skill development and job training for Gwich'in participants;
4. Management of air, land, water and wildlife issues; and
5. Any other areas of mutual interest identified by the Gwich'in Tribal Council and the GNWT.

INTERGOVERNMENTAL AGREEMENT

Where appropriate, the Gwich'in Tribal Council and GNWT will endeavour to put in place an intergovernmental agreement on the above mentioned and other matters.

INFORMATION SHARING & COMMUNICATION

The Gwich'in Tribal Council 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.

The Gwich'in Tribal Council and the GNWT are committed to meaningful communication on GNWT initiatives that may have an impact on the Gwich'in.

In order to facilitate achieving effective progress on areas of mutual interest, the Gwich'in Tribal Council 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 the Gwich'in Tribal Council when Ministers and/or MLAs are intending to visit Gwich'in communities.

The protocol for formal correspondence includes, but is not limited to:

- GNWT formal correspondence addressed to the President and/or Vice President of the Gwich'in Tribal Council should be copied to:
 - the Gwich'in Tribal Council Chief Operating Officer,
 - the Gwich'in Tribal Council Director of Intergovernmental Relations,
 - the Premier of the Northwest Territories,
 - the Principal Secretary,
 - the Secretary to Cabinet, and
 - the Deputy Secretary, Indigenous and Intergovernmental Affairs.
- Gwich'in Tribal Council 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, Indigenous and Intergovernmental Affairs.
- Gwich'in Tribal Council 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, Indigenous and Intergovernmental Affairs.
- GNWT formal correspondence addressed to Designated Gwich'in Organizations should be copied to:
 - the President of the Gwich'in Tribal Council, and
 - the Gwich'in Tribal Council Chief Operating Officer.
- 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.

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

- the President of the Gwich'in Tribal Council,
- the Gwich'in Tribal Council Chief Operating Officer,
- the Gwich'in Tribal Council Director of Intergovernmental Relations,
- the appropriate Designated Gwich'in Organization if applicable,
- the Premier of the Northwest Territories, and
- the Principal Secretary,
- the Secretary to Cabinet,
- the Deputy Secretary, Indigenous and Intergovernmental Affairs.

GOVERNMENT-TO-GOVERNMENT MEETINGS

Meetings of Elected Leaders

Regular meetings of elected leaders will build and maintain a mutually respectful government-to-government relationship between the Gwich'in Tribal Council and the GNWT.

- There shall be one meeting a year between the Gwich'in Tribal Council Board of Directors and Members of the GNWT Executive Council.
- The annual meeting will rotate between a Gwich'in Settlement Area community and Yellowknife.
- 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 either the first or third quarter of the year.
- This MOU does not restrict the Parties from holding additional meetings between the President and/or Vice-President and the Premier and/or Cabinet.
- Meetings will be co-chaired by the Premier of the Northwest Territories and the President of the Gwich'in Tribal Council.
- Each government may invite other elected officials, senior officials, staff and other advisors, such as elders, to attend these meetings. Only the Gwich'in Tribal Council Board of Directors and Members of the GNWT Executive Council will sit at the table.
- Prior to these meetings, the governments shall reach agreement on a joint agenda.

- As soon as is practical after these meetings, the governments will agree upon a joint summary of outcomes and commitments.

Meetings of Senior Officials

Meetings between senior officials will support the government-to-government work of elected leaders.

- Each government will designate a lead senior official responsible for coordinating preparation and follow-up of the meetings of elected leaders.
- Senior officials 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.
- After meetings of elected leaders, senior officials will prepare a summary of outcomes and commitments in support of the meetings to ensure that meeting outcomes are fulfilled where applicable.
- Senior officials will work cooperatively to prepare an annual report, to be provided to the Parties describing the status of any cooperative measures or agreements identified and the status of commitments made.
- Senior officials from the Gwich'in Tribal Council will be invited on a regular basis to the GNWT Deputy Ministers' Committee and the Beaufort-Delta Regional Management Committee meetings.

COSTS

All costs associated with the activities set out in this agreement are the individual responsibility of the participating governments.

EFFECT OF THE AGREEMENT

Nothing in this *Gwich'in Tribal Council – Government of the Northwest Territories Umbrella Intergovernmental Agreement Regarding Intergovernmental Cooperation and Coordination* (Agreement) creates any legal obligations.

Nothing in this Agreement shall constrain the respective governments from exercising their powers and responsibilities.

Nothing in this Agreement prevents the Gwich'in Tribal Council and the GNWT from participating in other intergovernmental processes or agreements.

TERM OF THE AGREEMENT

The *Gwich'in Tribal Council – Government of the Northwest Territories Umbrella Intergovernmental Agreement Regarding Intergovernmental Cooperation and Coordination* shall be in effect for a period of four years from the date of signing. The Agreement may be periodically reviewed and, upon written consent, may be renewed for a further term as agreed to by both governments.

The Agreement may be reviewed and amended upon mutual agreement of both parties. Such review and amendment requires written notice be given to the other government at least 60 days in advance.

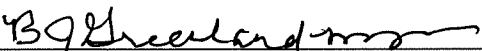
The Agreement may be terminated by either government upon written notice to the other government at least 60 days in advance of the termination date.

SIGNATORIES


The *Gwich'in Tribal Council – Government of the Northwest Territories Umbrella Intergovernmental Agreement Regarding Intergovernmental Cooperation and Coordination* is signed by the Gwich'in Tribal Council and the Government of the Northwest Territories on this 11th day of May, 2017.

FOR THE GWICH'IN TRIBAL COUNCIL

FOR THE GOVERNMENT OF THE NORTHWEST TERRITORIES



President Bobbie-Jo Greenland-Morgan



Honourable Robert R. McLeod



Vice-President Jordan Peterson