

SOUTH SLAVE MÉTIS FRAMEWORK AGREEMENT

BETWEEN:

The Métis of Fort Smith Métis Nation Local #50, The Hay River & Area Métis Nation Local #51, and Fort Resolution Métis Nation Local #53, as represented by the SOUTH SLAVE MÉTIS TRIBAL COUNCIL (hereinafter referred to as SSMTC);

AND:

HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by THE MINISTER OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT (hereinafter referred to as Canada);

AND:

GOVERNMENT OF THE NORTHWEST TERRITORIES, as represented by the MINISTER OF INTERGOVERNMENTAL AND ABORIGINAL AFFAIRS (hereinafter referred to as the GNWT).

Hereinafter collectively referred to as the "parties".

WHEREAS:

The Minister of Indian Affairs and Northern Development instructed his officials to explore with the Métis Nation - Northwest Territories (MN-NWT) ways and means to address concerns of Métis, who do not participate in an aboriginal land claim process, and to discuss the establishment of a process that would lead to a resolution of these concerns;

The MN-NWT created a committee by resolution dated May 12, 1994 to enter into exploratory discussions to address Métis concerns;

The SSMTCC, whose locals are affiliated with the MN-NWT, have made a specific proposal as part of these discussions;

The Indigenous Métis of Fort Smith, Fort Resolution and Hay River in the Northwest Territories are one of the aboriginal peoples of Canada;

The Constitution Act, 1982 provides that the existing aboriginal and treaty rights of the aboriginal peoples of Canada are recognized and affirmed;

The parties agree that certain concerns of Indigenous Métis, who are not eligible to participate in another process in the South Slave region, should be addressed; and

The Native Council of Canada (now Congress of Aboriginal Peoples) and Canada signed a Political Accord on February 28, 1994 to establish a consultation process.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. DEFINITIONS

1.1 "South Slave Métis Tribal Council" means the body established by the members of the South Slave Métis communities consisting of Fort Smith Métis Nation Local #50, The Hay River & Area Métis Nation Local #51, and Fort Resolution Métis Nation Local #53.

1.2 "Indigenous Métis" means Métis people who can trace their ancestry to 1921 in the Northwest Territories.

2. PURPOSE OF THE FRAMEWORK AGREEMENT

2.1 The purpose of this Framework Agreement is to establish the first stage of a two stage process of negotiations. This first stage will be the negotiation of an Agreement-in Principle and a Final Agreement, based on the Agreement-in-Principle, on the subjects identified in Section 5 of this Framework Agreement. The second stage will be the negotiation of a self-government agreement which negotiation will commence upon the signing of the Agreement-in-Principle. During the second stage, Canada will be bound by its policy entitled: Aboriginal Self-Government: The Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government.

2.2 This Framework Agreement will govern the conduct of negotiations towards an Agreement-in-Principle and a Final Agreement between the parties and it sets out the subjects, process, and time frame for those negotiations.

2.3 Canada will consult with the SSMTC on any initiative devolving provincial-like authorities from Canada to the GNWT.

2.4 The parties, in the course of these negotiations, will discuss measures to protect the integrity of provisions of an Agreement-in-Principle, in particular those provisions relating to land.

3. SCHEDULING AND TIMING

3.1 The parties intend to complete an Agreement-in-Principle within one year of the commencement of formal negotiations.

3.2 Upon the signing of the Agreement-in-Principle negotiations will be conducted in good faith towards a Final Agreement based on the Agreement-in-Principle.

4. PARTIES

4.1 The parties to this Framework Agreement are:

- a. SSMTC
- b. Canada
- c. GNWT

4.2 The parties acknowledge that the involvement of Canada and of the GNWT in the negotiation of the Agreement-in-Principle and the Final Agreement will vary depending on the relevance of the subject matter to their areas of jurisdiction.

5. SUBJECTS FOR NEGOTIATION

5.1 The following are subjects which the parties intend to address in the first stage of negotiations. The list is not intended to be restrictive and each of the parties may raise a broad range of topics for negotiation under each subject and under general provisions. Other subjects may be added with the agreement of the parties.

- 5.1.1 General Provisions
- 5.1.2 Eligibility
- 5.1.3 Land and Water
- 5.1.4 Economic Benefits

- 5.1.5 Programs and Services
- 5.1.6 Implementation
- 5.1.7 Dispute Resolution
- 5.1.8 Amendment Procedure
- 5.1.9 Approval Process.

5.2 The parties will also address in the first stage of negotiations whether programs and services, as referred to in 5.1.5, should be addressed in the second stage referred to in section 2.1.

6. NEGOTIATION PROCESS

6.1 The Chief Negotiators will be responsible for the conduct and coordination of the negotiations including:

- a) managing the negotiation process including the development of work plans and the setting of priorities;
- b) negotiating and concluding an Agreement-in-Principle and a Final Agreement;
- c) implementing detailed procedures consistent with this Framework Agreement to guide the parties during Agreement-in-Principle negotiations;
- d) establishing working groups, side tables, and other processes, as agreed.

7. NEGOTIATION FUNDING

7.1 During, and in order to assist the SSMTC in, the first stage of negotiations, Canada will provide loans from time to time to the SSMTC in accordance with Treasury Board approved terms and conditions.

8. PUBLIC INFORMATION AND CONFIDENTIALITY

8.1 Subject to 8.2, the parties agree that individuals, groups or organizations having an interest in the outcome of the negotiations should be knowledgeable and well informed regarding the general status, aims, objectives and progress of the negotiations. For that purpose, the parties may, from time to time, jointly or separately attend meetings with or release written information to such selected individuals, organizations or groups as the parties may agree will assist in the process of consensus building.

8.2 Subject to the Access to Information Act, R.S.C. 1985, c.A-1, and Privacy Act, R.S.C. 1985, C.P, and any similar legislation brought into effect by the GNWT,

- (a) the parties agree that all information discussed in the negotiations, but which is not in the public domain, shall be confidential; and,
- (b) notwithstanding paragraph (a), when any party is required to share information with an individual or group whose interest may be affected by any matter being negotiated, confidential information may be disclosed provided that, unless that party is compelled otherwise, such disclosure shall be made in confidence and notice of such disclosure shall be given in advance to the other parties to this Framework Agreement.

9. INTERPRETATION OF THIS FRAMEWORK AGREEMENT

9.1 Nothing in this Framework Agreement shall be interpreted so as to create any legally enforceable rights or obligations on the part of any of the parties.


9.2 These negotiations are without prejudice to any position taken by any of the parties in any Court or any other forum.


9.3 The negotiations in the first stage are without prejudice to any discussions on the implementation of self-government.

10 AMENDMENT

10.1 This Framework Agreement may be amended, with the mutual consent in writing of the parties.

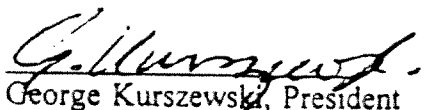
FOR HER MAJESTY THE QUEEN IN RIGHT OF CANADA



The Honourable Ronald A. Irwin
Minister of
Indian Affairs and Northern Development



Witness

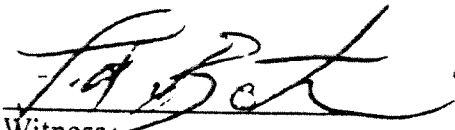
August 26, 1996
Date

FOR THE SOUTH SLAVE MÉTIS TRIBAL COUNCIL


George Kurszewski, President
Fort Smith
Métis Nation Local #50


Violet Beaulieu, President
Fort Resolution
Métis Nation Local #53


Paul Harrington, First Vice-
President,
The Hay River & Area
Métis Nation Local #51


Witness


Witness

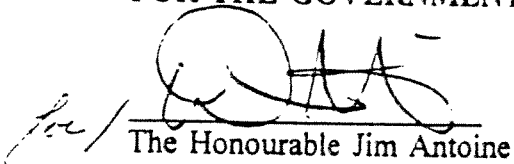

Witness

August 29, 1996
Date

August 29, 1996
Date

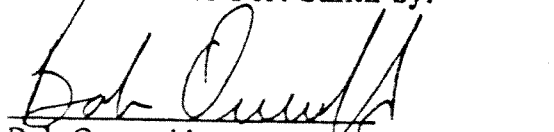
August 29, 1996
Date


FOR THE GOVERNMENT OF THE NORTHWEST TERRITORIES


The Honourable Jim Antoine
Minister of
Aboriginal Affairs


Witness August 29, 1996
Date

Transmitted to Fort Smith by:


Bob Overvold
Deputy Minister
Intergovernmental and Aboriginal Affairs
Government of the Northwest Territories


John Sinclair
Assistant Deputy Minister
Claims and Indian Government
Indian Affairs and Northern Development

August 29, 1996
Date

August 29, 1996
Date