

**NORTHWEST TERRITORY MÉTIS NATION
SELF-GOVERNMENT NEGOTIATIONS
FRAMEWORK AGREEMENT**

AMONG:

**THE NORTHWEST TERRITORY MÉTIS NATION
("NWTMN")**

REPRESENTING

**THE FORT RESOLUTION MÉTIS GOVERNMENT,
THE FORT SMITH MÉTIS COUNCIL,
THE HAY RIVER MÉTIS GOVERNMENT COUNCIL**

AND

**THE GOVERNMENT OF NORTHWEST TERRITORIES
("GNWT")**

AND

HER MAJESTY THE QUEEN IN RIGHT OF CANADA ("CANADA")

(hereinafter referred to as the "Parties")



BACKGROUND:

- A. The Parties entered into the NWTMN Framework Agreement on August 29, 1996.
- B. Section 2.1 of the NWTMN Framework Agreement provides for a two-stage process of negotiation whereby the second stage dealing with the negotiation of self-government commences upon the signing of an Agreement-in-Principle.
- C. The NWTMN Land and Resources Agreement-in-Principle was signed by the Parties on July 31, 2015.
- D. Section 27.1.1 of the NWTMN Land and Resources Agreement-in-Principle provides that Government will enter into negotiations with the NWTMN with a view to concluding a framework agreement on self-government appropriate to the unique circumstances of the NWTMN and in conformity with the Constitution of Canada.
- E. The Parties are negotiating a final agreement that will address land, resources and self-government ("Final Agreement"). The Final Agreement will be a Treaty and a Land Claims Agreement within the meaning of section 35 of the Constitution Act, 1982.
- F. The Parties view the NWTMN self-government as integral to the successful implementation of the Final Agreement.
- G. The Parties intend to include self-government in the Final Agreement.
- H. The Parties are entering into this Self-Government Negotiations Framework Agreement ("Framework Agreement") to guide the conduct of self-government negotiations.

THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. Objectives of this Framework Agreement

1.1 This Framework Agreement has the following objectives:

- (a) to establish a two phased approach for negotiations;
- (b) to identify the subject matters for negotiations;
- (c) to set out a process for negotiations;
- (d) to address funding for negotiations; and

- (e) to make provision for such other matters as are necessary.

2. Two Phased Approach for Self-Government Negotiations

2.1 The self-government negotiations will consist of the following two phases:

- (a) Phase 1 self-government negotiations will commence following the signing of this Framework Agreement and address the subject matters set out in section 3.2; and
- (b) Phase 2 self-government negotiations will commence 2 years following the Effective Date, or any other time as agreed to by the Parties, and address the subject and process matters set out in section 4.1 and 4.2. The Parties may agree to address any subject matter set out in 4.1 prior to the commencement of Phase 2 self-government negotiations.

3. Phase 1 Self-Government Negotiations

3.1 Development of a Constitution by the NWTMN

3.1.1 The NWTMN will develop a Constitution, which will:

- (a) reflect the self-determination aspirations of the Indigenous Métis Members;
- (b) be consistent with the Final Agreement;
- (c) provide for the application of the Canadian Charter of Rights and Freedoms; and
- (d) provide for the accountability of the Métis Governments to Indigenous Métis Members.

3.2 Subject Matters for Negotiations

3.2.1 The Parties agree to negotiate the following subject matters:

- (a) models of governance including:
 - (i) division of authority between the Métis Governments;
 - (ii) arrangements that may be unique to each Métis Government; and
 - (iii) governing structures for the Métis Governments;
- (b) elections for the Métis Governments;

- (c) transition of the NWTMN Métis Councils to Métis Governments as contemplated by the Final Agreement;
- (d) legal status and capacity of Métis Governments;
- (e) management and administration of the internal operations of Métis Governments;
- (f) management of Métis Government finances;
- (g) use, management and administration of Métis Land;
- (h) application, enforcement and adjudication of Métis Government laws in respect of the subject matters under (a)-(g) and (j), including relationship with Legislation;
- (i) implementation plans and financial arrangements relating to Métis Government; and
- (j) any other governance subject matter related to (a) — (i) as agreed to by the Parties.

3.3 Process of Negotiations

- 3.3.1 The Parties will negotiate in good faith through their respective negotiators to identify interests and positions, develop options and to attempt to reach solutions leading to agreement.
- 3.3.2 The Parties agree to carry-out self-government negotiations as part of the land and resources negotiations at the main table in accordance with the NWTMN Framework Agreement, dated August 29, 1996, and this Framework Agreement.
- 3.3.3 The negotiation work plan established in the course of land and resources negotiations at the main table which sets out the objectives, target date for completion, location and frequency of the negotiation sessions will include the negotiation of the subject matters in section 3.2.
- 3.3.4 In preparation for main table negotiations, any Party may develop documents, proposals and models in respect of the subject matters covered in 3.2 for consideration at the main table.
- 3.3.5 All subject matters agreed to by the Parties in negotiations will be included in the Final Agreement.

3.3.6 The Parties acknowledge that the roles of Canada and the GNWT will vary depending on the nature of the subject matter and authority being discussed.

3.4 Funding for Negotiations

3.4.1 Canada undertakes to provide funding to the NWTMN based on funding resources available, to finance the costs of their participating in the negotiations according to Canada's funding policies and initiatives related to self-government negotiations. Any funding will be subject to yearly appropriations of funds by Parliament for this purpose, the NWTMN entering into a contribution funding agreement and meeting the applicable terms and conditions. The budget for the NWTMN's participation will be based upon a submission of annual joint work plans that set out mutually-agreed upon milestones.

3.5 Consultation with Other Aboriginal Groups

3.5.1 The NWTMN acknowledges that in the course of Final Agreement negotiations, Government will continue to consult other Aboriginal groups who have established rights protected by section 35 of the Constitution Act, 1982, or who assert that they have rights protected by section 35, which may be adversely affected by the coming into effect of the Final Agreement, and that as a result Government may, with a view to achieving reconciliation, propose changes to the Final Agreement.

4. **Phase 2 Self-Government Negotiations**

4.1 Subject Matters for Negotiations

4.1.1 Under a Phase 2 self-government framework agreement the Parties will consider and may negotiate jurisdiction and authority with respect to the following subject matters:

- (a) NWTMN culture and heritage;
- (b) language, including official languages for the NWTMN government;
- (c) social housing;
- (d) education;
- (e) training;
- (f) income support services;
- (g) traditional healing;

- (h) child and family services;
- (i) adoption;
- (j) control of intoxicants on Métis Land;
- (k) control of gaming and traditional gaming on Métis Land;
- (l) solemnization of marriage;
- (m) roads and vehicles on Métis Land;
- (n) taxation;
- (o) administration of justice issues not covered in Phase 1 self-government;
- (p) application, enforcement and adjudication of NWTMN laws enacted under Phase 2, including the relationship with Legislation; and
- (q) any other subject matters as agreed to by the Parties.

4.1.2 The Parties may negotiate intergovernmental arrangements to address the NWTMN role in the following:

- (a) community-based health and wellness;
- (b) economic development services; and
- (c) any other matters as agreed to by the Parties.

4.2 Process for Phase 2 Negotiations

4.2.1 In preparation for Phase 2 negotiations, the NWTMN will undertake preparatory work for the subject matters set out in 4.1.1 during Phase 1 negotiations.

4.2.2 The Parties will prepare for Phase 2 negotiations by meeting within one year of the Effective Date:

- (a) to review the preparatory work undertaken by the NWTMN under 4.2.1; and
- (b) to complete a Phase 2 Framework Agreement that will identify the subject matters for negotiations in accordance with 4.1.1, the process for negotiations and other matters as necessary.

4.2.3 Phase 2 negotiations will commence two years following the Effective Date or any

other time as agreed to by the Parties once the Phase 2 Framework Agreement has been signed.

4.3 Funding for Negotiations

- 4.3.1 Canada undertakes to provide funding to the NWTMN, based on funding resources available, to finance the NWTMN's costs of preparing for and participating in the negotiations according to Canada's funding policies and initiatives related to self-government negotiations. Any funding will be subject to yearly appropriations of funds by Parliament for this purpose, the NWTMN entering into a contribution funding agreement and meeting the applicable terms and conditions. The budget for the NWTMN's preparation and participation will be based upon a submission of annual joint work plans that set out mutually agreed upon milestones.

5. Interpretation

- 5.1 Nothing in this Framework Agreement is to be interpreted as creating, recognizing, limiting or denying the rights or obligations of any of the Parties.
- 5.2 Negotiations undertaken pursuant to this Framework Agreement and positions taken by any of the Parties in the negotiations are without prejudice to the legal positions that may be taken by any of the Parties in a court of law.
- 5.3 With the exception of sections 5.1 , 5.2 and this section, nothing in this Framework Agreement is to be interpreted as legally binding or enforceable.

6. Definitions

- 6.1 The following definitions apply to this Framework Agreement:

"Agreement Area" means the proposed area identified on the map identified as Appendix 1 of the Final Agreement.

"Effective Date" means the date on which both federal and Territorial Legislation giving effect to the Final Agreement have come into force.

"Government" means:

- (a) Canada;
- (b) the GNWT; or
- (c) both,

depending upon which government or governments have responsibility, from time to time, for the matter in question, and includes any department, agency or official of such a government.

"Indigenous Métis" means an Aboriginal person of Cree, Slavey or Chipewyan ancestry who resided in or, used and occupied any part of the Agreement Area on or before December 31, 1921, or a descendant of such person.

"Indigenous Métis Member" means an individual whose name is on the Indigenous Métis Membership Register established under the Eligibility and Enrolment chapter of the Final Agreement.

"Legislation" means federal or Territorial statutes, regulations, ordinances and orders in council made pursuant to a statute or regulation.

"Métis Council" means any of the Fort Resolution Métis Government, Fort Smith Métis Council or Hay River Métis Government Council or any successor self-governing body.

"Métis Government" means any successor self-governing body as may be created in accordance with the Final Agreement.

"Métis Land" means the land vested in a Métis Government in accordance with the Final Agreement.


"Parties" means the NWTMN as representative of the Fort Resolution Métis Government, Fort Smith Métis Council and the Hay River Métis Government Council; Canada; and the GNWT.

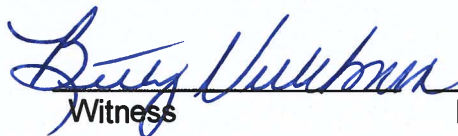
"Territorial" refers to the Northwest Territories.

7. Amendments

- 7.1 This Framework Agreement may be amended in writing by agreement of the Parties.


FOR THE NORTHWEST TERRITORY MÉTIS NATION


Garry Bailey, President
NORTHWEST TERRITORY
MÉTIS NATION

 May 19, 2021
Witness Date


Arthur Beck, Acting President
FORT RESOLUTION MÉTIS
GOVERNMENT

 May 19/21
Witness Date


Allan Heron, President
FORT SMITH MÉTIS COUNCIL

 MAY 19, 21
Witness Date


Trevor Beck, President
HAY RIVER MÉTIS GOVERNMENT
COUNCIL

 May 19/21
Witness Date

FOR THE GOVERNMENT OF NORTHWEST TERRITORIES

The Honourable Caroline Cochrane
Minister of Executive and
Indigenous Affairs

Witness

Date

FOR HER MAJESTY THE QUEEN IN RIGHT OF CANADA

The Honourable Carolyn Bennett
Minister of Crown-Indigenous Relations

Witness

Date

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MÉTIS NATION

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FORT SMITH MÉTIS COUNCIL

Witness

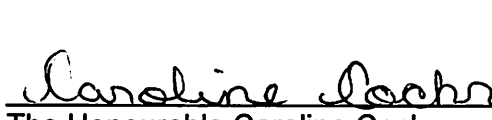
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Trevor Beck, President
HAY RIVER MÉTIS GOVERNMENT
COUNCIL

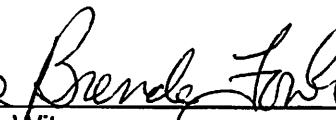
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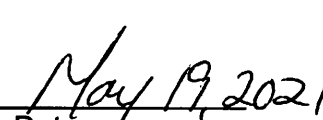
FOR THE GOVERNMENT OF NORTHWEST TERRITORIES



The Honourable Caroline Cochrane
Minister of Executive and
Indigenous Affairs



Witness



Date

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The Honourable Carolyn Bennett
Minister of Crown-Indigenous Relations

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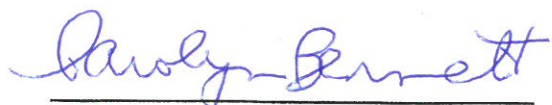
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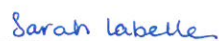
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FOR HER MAJESTY THE QUEEN IN RIGHT OF CANADA



The Honourable Carolyn Bennett
Minister of Crown-Indigenous Relations



Witness

MAY 19 2021

Date