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Update on the Deh Cho Process

May 10, 2000

This is a brief report to update Leaders on developments since my last report dated April 10, 2000.

GNWT

Grand Chief Nadli and I have written to the GNWT to advise them that the DCFN will not negotiate with them until they have answered the following questions:

1. Is the GNWT prepared to recognize the jurisdiction of a Deh Cho government over lands and resources (including minerals, oil and gas, forestry, wildlife and environmental protection), education, health, social services, the administration of justice, law enforcement, housing, economic development and other matters)?
2. Does the GNWT agree that the objectives of the Deh Cho Process are:

"An agreement, or series of agreements, which build upon the existing Treaties by clarifying the roles, jurisdiction(s) and responsibilities of the parties in governing and providing services to the lands and people of the Deh Cho region. The parties intend that the negotiations will result in a public government in the Deh Cho region, based upon Dene laws and customs, which will be the primary government responsible to deliver programs and services to all residents of the Deh Cho."

In particular, does the GNWT agree that the Deh Cho Process should result in a public government in the Deh Cho territory, based upon Dene laws and customs, which will be the primary government responsible to deliver programs and services to all residents of the Deh Cho ?

3. Does the GNWT agree that the following matters are fundamental to the Treaty relationship between Canada and the Deh Cho First Nations and that the GNWT will therefore not participate in negotiations on these matters:

Land and water, including title and jurisdiction over land
 (other than commissioner's lands)
 Natural resources (other than forestry), including resource revenues
 and royalties
 Constitution of Deh Cho Government(s)
 Deh Cho First Nations' Citizenship
 Wildlife and fisheries (including migratory birds and animals)
 Environmental protection
 National Parks

4. Will the GNWT support and enter into an "Interim Measures Agreement", prior to beginning any substantive negotiations, pursuant to which it will agree not to issue any land use permits or licenses affecting Deh Cho lands or waters, or sell or lease any lands within the Deh Cho, without the consent of affected First Nations?
5. What programs and services does the GNWT foresee itself providing to residents of the Deh Cho in the future (after the implementation of a final agreement) ?

Minister Antoine responded to our letters on April 26. Grand Chief Nadli responded to Minister Antoine on May 4. Both letters are in your kits.

It is my view that the GNWT still has not responded to the DCFN's questions. We have, however, agreed to meet with Canada and the GNWT in Yellowknife May 23-25.

Nahanni National Park Reserve

Progress was also made at the March 29-31 West Point negotiating session on an interim measures agreement for Nahanni Park. Canada agreed to our proposal to immediately establish a joint working group to review and approve a 5 year management plan and to begin negotiations on an interim co-management agreement.

The Working Group's first tasks would be:

1. Review and approve a 5 year Management Plan for the Park.
2. Review and approve an ecological integrity statement for the Park.

The Working Group will strive to make decisions by consensus and will report regularly to the main negotiating table in the Deh Cho Process.

It is expected that the working Group will hold approximately 20 meetings over the next 12 months. As soon as the first 2 tasks are complete, the Working Group will prepare draft terms of reference for a co-management agreement for the Park, and address the issue of Park expansion. The draft terms of reference will be sent to the main negotiating table in the Deh Cho Process as a recommendation of the Working Group.

In the April 12 teleconference, the DCFN Leadership appointed the following people to the Joint Working Group:

Chief Peter Marcellais
Herb Norwegian
Petr Cizek

We have also tentatively scheduled the next negotiating session for the Deh Cho Process for June 26-28 at Rabbit Kettle.



Chris Reid,
Chief Negotiator