

DEHCHO PROCESS MAIN TABLE
Negotiation Session Follow Up from
February 4, 2010 Video Conference

SUBJECT MATTER	ISSUE / DESCRIPTION	RESPONSIBLE PARTY	STATUS
<p>1) IRDA & letter sent to the DFN Feb 16.09 Outstanding Item from May 12-13 session in Ft Simpson</p>	<p>The Dehcho have requested that an official from INAC Oil and Gas come to the main table session in June to speak about what is to be expected (with respect to oil and gas issuance) and to discuss what flexibility, if any, Canada has. Oil & Gas met with Chris Reid on September 10, 2009 in Ottawa.</p>	<p>Canada</p>	<p>The Dehcho have not yet responded the Feb 16.09 letter and how they wish to proceed on this issue.</p> <p>During the October 20.09 session, the Dehcho committed to providing this response in the near future.</p> <p>During the November 30-Dec2.09 the Dehcho indicated the letter was drafted and that copies would be provided to the parties.</p> <p>The letter was sent by the DFN January 12th and is currently within the federal system for a response.</p>
<p>2) Implementation Outstanding Item from May 12-13 session in Ft Simpson</p>	<p>During the May session, the DFN raised a number of issues that require further explanation and clarification:</p> <ul style="list-style-type: none"> • Why the implementation plan is not legally enforceable. 	<p>DFN</p>	<p>The Dehcho are to advise Canada on how they would like to proceed with respect to Implementation post the Sept 11.09 meeting.</p>

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	<ul style="list-style-type: none"> • I.3.4 (c) not removing the monitoring role of the Implementation Committee and the importance of having a 3rd party, such as the IC, overseeing and monitoring the plan. <p>The Dehcho met with Implementation negotiator Craig Milne on Friday September 11, 2009 in Ottawa.</p>		
<p>3) DCRMA Outstanding item since June 3-4 session in YK</p>	<p>The DFN committed to providing a paper on the DCRMA and tabled the document during the June 3-4 session in YK and requested that Canada respond with a similar document, outlining the federal view of the DCRMA.</p>	<p>Canada</p>	<p>Canada has committed to providing a paper on the DCRMA although when Canada will be in a position to respond remains unclear.</p>
<p>4) Dehcho Paper on Jurisdiction on and off Dehcho Ndehe Outstanding item since Sept 1-3 session in Trout Lake</p>	<p>The DFN tabled a paper on Dehcho Jurisdiction on and off Dehcho Ndehe.</p>	<p>Canada</p>	<p>Canada has committed to responding to the Dehcho's paper although when Canada will be in a position to respond remains unclear.</p>
<p>5) DFN Treaty 11 rights in the Yukon Outstanding item since Jan 14. 10 video conference</p>	<p>The DFN asked what Canada's position was with respect to DFN Treaty 11 rights in the Yukon</p>	<p>Canada</p>	<p>Canada committed to seeking instruction on this question.</p>

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<p>6) Expropriation Outstanding item since Jan 14. 10 video conference</p>	<p>The DFN asked that, in the event Canada does not agree to their ability to expropriate Crown Lands, if the DFN would be able to vote against Canada expropriating DFN lands. If the idea is that expropriation is in the “public interest” then the public should be voting. DFN pointed out that the voting threshold would need to be high, like 60%.</p>	<p>Canada</p>	<p>Canada committed to seeking instruction on this question.</p>
<p>7) Harvesters Compensation Outstanding item since Jan 14. 10 video conference</p>	<p>Canada explained that the chapter, in its current draft, is still problematic because compensation still includes the Dehcho being compensated for a loss of harvesting of plants. The issue is that the absolute liability model is to apply only to wildlife harvesting.</p> <p>Canada requested the section that includes plants be removed and the DFN agreed to take this back to give it some further thought</p>	<p>DFN</p>	<p>DFN committed to seeking instruction on this proposed revision to the chapter but would first like to hear back from Canada on the Traditional Activities Advocate position.</p>
<p>8) Economic Measures – Tlicho and Implementation Outstanding item since Jan 14. 10 video conference</p>	<p>The parties discussed chapters that would be discussed at the next LTC meeting. One of the chapters identified for the next LTC (January 22) was Economic Measures.</p> <p>Patrick Scott asked Canada if it would be possible to get a summary from government on the Tlicho Economic Measures chapter and</p>	<p>Canada</p>	<p>Canada committed to seeking instruction on this question</p>

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	<p>what has been implemented thus far.</p> <p>Canada explained that was a fairly big request and would need to seek instruction.</p>		
9) W.1.4 and Caribou Issue	The DFN asked if the GNWT's position with respect to W.1.4 in the Wildlife Harvesting chapter has changed at all given the recent events with the caribou hunting in the NWT	GNWT	GNWT has committed to seeking instruction on this question.
10) AIP Related direction to LTC	<p><u>Wildlife Harvesting</u></p> <ul style="list-style-type: none"> - W.1.8: LTC directed to look at alternative language to "consult" - Delete Footnote #6 - W.2.1: LTC directed to look at the definition of the word "Subsistence" - Footnote #19: LTC directed to address this footnote <p><u>Migratory Birds</u></p> <ul style="list-style-type: none"> - Delete Footnote #1 - Footnote #6: LTC directed to look at this footnote. - Footnote #7: LTC directed to look at this footnote, but Canada needs direction first. - Footnote #11: LTC directed to look at this footnote. 	LTC	LTC to report back at main table session March 9-11, 2010 in Hay River.

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