

**DEHCHO PROCESS MAIN TABLE**  
**Negotiation Session Follow Up from**  
**November 20-21, 2012 VIDEO CONFERENCE**

<b>SUBJECT MATTER</b>	<b>ISSUE/ DESCRIPTION</b>	<b>RESPONSIBLE PARTY</b>	<b>STATUS</b>
1) DCRMA <b>Outstanding item since June 3-4, 2009 session in YK</b>	The DFN provided a paper on the DCRMA and tabled the document during the June 3-4, 2009 session in YK. The DFN have requested that Canada respond with a similar document, outlining the federal view of the DCRMA.	<b>Canada</b>	The Parties have all presented papers on resource management. Further discussion required regarding next steps
2) DFN Treaty 11 rights in the Yukon <b>Outstanding item since Jan 14. 10 video conference</b>  DFN Treaty 8 rights in Alberta. <b>Outstanding item since the May 18. 10 session in Ottawa.</b>	The DFN asked what Canada's position was with respect to DFN Treaty 11 rights in the Yukon  The DFN asked what Canada's position was with respect to DFN Treaty 8 rights in Alberta.	<b>Canada</b>	Canada committed to seeking instruction, which may require Cabinet approval.  Same as above.
3) Harvesters Compensation <b>Outstanding item since January 14, 2010 video conference</b>	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. Canada requested the section that includes plants be removed and the DFN agreed to take this back to give it some further thought.	<b>Canada</b>	After hearing back from Canada, DFN committed to seeking instruction on this proposed revision to the chapter.  February 8, 2011 - DFN indicated their willingness to make a deal if there can be a compromise.

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			Canada to consider.
4) Eligibility and Enrolment <b>March 2011 Session in Fort Simpson</b>	Canada examining the Eligibility Criteria and the necessity of including being registered on a Dehcho Band List as part of the criteria (i.e. spouses with acquired rights issue or persons from other First Nations who have moved into a Dehcho community)  Item was discussed during Nov 29-30.11 video conference and DFN committed to consider item further.	<b>Canada</b>	Canada to respond & DFN to consider further.
5) Forest Management <b>May 31-June 2.11 session in YK &amp; June 22-23.1 Video Conference &amp; June 12-14, 2012 Video Conference</b>	DFN requested that the GNWT bring forward paragraphs for inclusion in a larger chapter on renewable resources	<b>GNWT</b>	Having received Canada's paper, GNWT will contribute provisions related to Forest Management in respect of Dehcho Ndehe when chapters have been drafted
6) Treaties 8 & 11 <b>May 31-June 2.11 session in YK</b>	Parties discussed how the ongoing relationship between Canada and the DFN in relation to Treaties 8 & 11 would continue in a Final Agreement	<b>DFN</b>	DFN to draft language.

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7) Administration of Justice  <b>April 17-19.12 Video Conference</b>	Canada and GNWT have each tabled draft chapters. The Parties agreed there are differences in approach, particularly around Courts, a Justice Council and Legal Aid	GNWT	GNWT to add footnotes to the federal draft chapter to highlight concerns
8) Appendix B in the Plant Harvesting Chapter  <b>November 15-17.11 Video Conference</b>	Parties discussed 18.1.2 and the reference to Appendix B and perhaps the necessity of instead saying what we mean (i.e. lands inside the Dehcho Settlement Area, apart from Dehcho Ndehe). This will need to be reflected in the other harvesting chapters well	LTC	GNWT provided draft language at the October 2012 session for all parties to consider. LTC to review.
9) Harvesting for the purpose of Handicrafts  <b>November 15-17.11 Video Conference</b>	The parties discussed whether there the right to harvest for the purpose of handicrafts or sale of handicrafts would be limited because of restrictions set out in the agreement with respect to commercial sale of those handicrafts.  Parties agreed that the definition of Subsistence and Personal Use would need to be examined more closely to see if it includes small scale commercial activities.  At October 2012 session, Parties looked at how harvesting of handicrafts is used in the context	Canada and GNWT	DFN agree with leaving Handicraft undefined. Canada and GNWT to confirm

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	of the Plants chapter.  At November 2012 session, Parties determined that a definition may not be necessary, as Handicrafts is not defined in other agreements.		
10) Harvesting of Trees and Harvesting of Plants - harvesting for commercial purposes or sale  March 20-22.12 Video Conference	18.1.8. a) indicates that nothing in the Dehcho Agreement will be construed to recognize a right to harvest Plants for commercial purposes, yet Dehcho will be able to harvest commercially on Dehcho Ndehe. Suggestion was to review drafting	LTC	GNWT provided draft wording at October 2012 session for all parties to consider. LTC to review.
11) Management of Renewable Resources  June 12-14, 2012 Video Conference	GNWT to have internal discussions surrounding internal program delivery to the Board	GNWT	GNWT to respond in late Fall 2012.
12) General Provisions  November 6-7, 2012 Video Conference	A review of the chapter is required to ensure no necessary clauses or provisions are missing.	All Parties	All parties to follow up.
13) Jurisdiction on Dehcho Ndehe	Canada tabled a draft chapter at the November 20-21 2012 session. Dehcho raised two questions:	Canada and GNWT	Canada to follow up on Dehcho questions

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November 20-21, 2012 Video Conference	1) Does the jurisdiction include subsurface permitting? 2) How does the limitation in J.2.3 b) affect permitting for renewable resources, such as forestry?		GNWT to draft language for territorial jurisdictions
14) Dehcho Ndehe  November 20-21, 2012 Video Conference	If land was expropriated and a cash settlement was provided as compensation, Dehcho asked if this cash could be used to purchase land to be added to Dehcho Ndehe at a later date. Dehcho was concerned that adding to Dehcho Ndehe requires the Parties to re-open the Dehcho agreement	<b>Canada</b>	Canada to consider.
15) Expropriation - 13.7.1 b,e	Canada and GNWT indicated a preference to delete 13.7.1 b) and e). For b), Dehcho have the right of first refusal, and consent from the Dehcho would be a significant encumbrance to alienating lands to another party. For e) Government's position is that the Expropriating Authority will set the price.	<b>DFN</b>	DFN to consider deleting b) and e).
<p><b>Scheduled Sessions</b> (for 2011-2012 and tentative dates/locations for 2012-2013).</p> <ul style="list-style-type: none"> <li>• <i>Scheduled</i> – December 10-12, 2012 by videoconference</li> <li>• <i>Tentative</i> – January 15-17, 2013 by videoconference</li> <li>• <i>Tentative</i> – February 19-22, 2013 by videoconference</li> <li>• <i>Tentative</i> – March 19-22, 2013 by videoconference</li> <li>• <i>Tentative</i> – April 16-18, 2013 by videoconference</li> <li>• <i>Tentative</i> – May 14-17, 2013 by videoconference</li> </ul>			

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<ul style="list-style-type: none"><li>• <i>Tentative</i> – June 11-14, 2013 by videoconference</li></ul>			
<b>Call-In Information for Negotiators Call and DLUP call: 1-866-885-0884, Passcode: 1244</b>			