

Negotiating Briefing Notes, Fort Simpson, June 11-12, 2008

Federal, territorial and Dehcho Process negotiators met at the Dehcho First Nations' board room for two days, primarily to be briefed and discuss the Draft Interim Land Use Plan with the Dehcho Land Use Planning Committee (DLUPC) prior to presentation to the annual Assembly at Kakisa Lake, June 23-27.

During the meeting representatives of the Federal team conducted a number of community meetings so they did not have full attendance. The session was also adjourned for several hours so team members could watch the historic Apology by the Government of Canada and each of the federal party leaders for the abuses suffered by First Nations children in the residential schools system.

The DLUPC presentation was made Dehcho representative Petr Cizek and by the chairperson chief executive officer, Michael Nadli, and who said the committee had almost completed revising the June 2006 draft Dehcho Land Use Plan.

Significant progress has been made in finding a balance between conservation needs and sustainable development opportunities in a spirit that reflects the plan's overarching vision and its accompanying social, cultural and environmental goals.

As well, the interim Plan has been revised to ensure consistency with the existing regulatory regime.

There are five outstanding items that require thoughtful committee consideration before the revised Dehcho interim Plan can be fully provided to the Negotiations Main Table.

"It has been a busy and productive year with much collaborative work between committee members," Nadli said. The committee representatives are; Tim Lennie and Petr Cizek from the Dehcho First Nations; Bob Overvold for Canada and Mark Warren of the Northwest Territories government.

This committee was formally established in February 2002 by the DFN Interim Measures Agreement (IMA) to develop a land use plan for the Dehcho territory for lands outside the existing municipal boundaries and excluding the Nahanni National Park Reserve. In February 2003, the committee formally adopted draft guidelines for the development of a Dehcho Land Use Plan.

A draft plan was prepared, presented and approved by the Dehcho Assembly in June 2006. However, the governments of Canada and the NWT refused to support the draft because, among other things, they said too much land with economic potential was excluded from development, it was inconsistent with the existing regulatory regime and dealt with matters which should be dealt with in a final agreement.

On April 27, 2007, DFN, Canada and the GNWT agreed to revised terms of reference and an accompanying work plan to revise the June 2006 plan. These documents have guided the Committee's work over the last year.

The goal of the DLUPC is to prepare a draft Dehcho Land Use Plan consistent with these new Terms of Reference and the IMA. The final draft revised plan will be submitted for initialling to the Main Table. It will then be forwarded for the consideration and approval by DFN, Canada and the GNWT.

The committee's approach to the revisions, Nadli explained is to work through the issues in workshop formats: a typical workshop session begins with the committee agreeing on an agenda, and then meeting to discuss issues and concerns with the objective of achieving consensus. This approach has been effective in bringing solidarity and consensus to the committee.

Since October of 2007, the committee has held 12 meetings, seven working group meetings, six workshops, four Main Table information sessions and four DFN information sessions.

"The Dehcho is a vast area with significant natural, cultural and economic resources. Attempting to manage these resources through a land use plan for the benefit of residents of the Dehcho, the Northwest Territories and Canada is a daunting challenge the Committee has been given, and eagerly embraced.

"Building on the work of its predecessors, the committee has completed a demanding work schedule this year and is pleased to report it has substantially completed revising the June 2006 draft Dehcho Land Use Plan.

"We are working towards having a complete draft Interim Land Use Plan for the Main Table's consideration by the fall of 2008." Nadli said.

During the Main Table sessions in Fort Simpson, a slide presentation overview and summary of the Dehcho Land Use planning process was presented with 48 slides dealing with major revisions, rewording and unresolved issues. A similar presentation was presented to a Chiefs and Elders Forum at Fort Providence in April and their comments incorporated in the current report.

A similar report will be presented to the Annual Assembly.

Outstanding issues, which still need resolution, will be referred to the Main Table negotiations: These include the wording of renewal, "sunset" and termination clauses.

The interim draft is 85 percent complete Nadli explained and consultations with all stakeholders have been widely held involving more than 140 meetings, three regional forums and more than 100 written submissions. Maps and charts have been extensively produced.

"This is a good news story even though it doesn't do everything everyone wants but it is many steps forward. It is significant nationally and internationally and is an achievement better than anything in Canada or globally," said Cizek at the end of almost two-days of intensive study and questions by the Main Table negotiators.

In other business the DFN tabled questions on taxation for Canada's and the GNWT's response. A Work Plan was also presented for initialing by the three parties.