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TO: Herb Norwegian, Grand Chief; DFN Leadership.

FROM: Michael M. Nadli, Chief Negotiator.

Date: July 25, 2023.

Subject: **July 12-14 Dehcho Self-Government Main Table Negotiations.**

Dehcho Process main table negotiations are occurring monthly now after a pause of several years. Some main table negotiating sessions are held in person and some are held virtually, through Microsoft Teams conferences.

The three parties at the main table negotiating sessions are Dehcho First Nations (DFN), Government of Northwest Territories (GNWT) and Canada. Between negotiations sessions, regular negotiators' calls address the logistics and operations of the main table negotiating sessions. There was a virtual Main Table negotiating session on July 12-14, 2023. Outlined below are the highlights of the session.

Virtual Town Hall Forums

There will be a series of online Virtual Town Hall information forums on Dehcho Negotiations. July 4, 2023, was the inaugural re-start of the Virtual Town Hall Forums, featuring an update on Dehcho Negotiations. Another session, focusing on the Agreement-in-Principle, was held on July 18, 2023. The next tentative Virtual Town Hall is August 8. There are tentative plans for another forum before the Dehcho Annual Assembly. We hope to see leaders and DFN members engaging in these forums to discuss the progress of negotiations.

July 12-14 Main Table session

The July 12-14 Main Table negotiations were a virtual session. Dehcho negotiations team, the Government of Northwest Territories, and Federal negotiators were present. All parties were represented by their respective teams.

Interim Lands Working Group Terms of Reference

Grand Chief Herb Norwegian leads ongoing bilateral talks with Premier Caroline Cochrane. Dehcho has proposed Shared Stewardship and joint decision-making on all leases and other land dispositions as an interim measure for the management of lands and resources. A particular focus is a proposed Interim Lands Working Group that will address all applications for land lease in the Dehcho. The proposed Lands Working Group may also include discussions on other lands and resource matters, such as mineral development and land use permits. Although initially bilateral, it is our intention that the Working Group will eventually include Canada as well as the GNWT.

On June 13, Dehcho Negotiations Team tabled a proposed Terms of Reference for the Interim Lands Working Group, and the GNWT detailed a reply at our July 12-14 session. The GNWT is not prepared to “fetter the authority of the Minister” of Lands with respect to the issuing of leases by giving the Working Group authority to deny lease applications, but they are prepared to modify the way they consult with DFN communities. The GNWT is, however, prepared to discuss interim community land withdrawals, which would remove certain lands from being available for lease or disposition, as a step towards addressing the concerns relating to land leases within communities. The GNWT Chief Negotiator stated that she does not yet have direction to deviate from the current decision-making from the Minister on land leases. The new GNWT consultation process on land leases and disposition was also highlighted. Dehcho will brief the Grand Chief and Leadership and internally discuss the next steps of the revised draft Terms of Reference for the Lands Working Group.

Resource Management/Dehcho Resource Management Authority

Resource Management and land-related issues have not been extensively discussed for some time, mainly due to both governments prioritizing Devolution matters, and the DFN decision in 2018 to take many lands and resources issues off the table. The concept of the Dehcho Resource Management Authority (DCRMA) proposes that Dehcho communities collectively work as one body to address resource management, such as land use planning, land use permits and development projects. The concept was tabled as early as 1999, and DFN previously tabled draft chapters for the AIP. Until recently, both governments refused to consider or even discuss the DCRMA proposal. Fast forward to July 13, 2023, and now both governments expressed interest and engaged on DCRMA in scoping discussions such as title and certainty, linkages to the Mackenzie Valley Resource Management Act, and confirming their efforts towards updating a revised chapter.

Main Table Working Groups

Draft Terms of Reference for working groups for both the Metis and West Point First Nation have been developed and left with both groups for their consideration. If the draft Terms of Reference are supported by both the Metis and WPFN, they will be tabled with the GNWT and federal government. Working groups will be established once the parties support the terms of reference.

Engagement and follow-up will continue with the Metis and WPFN on their proposed working groups.

Agreement-in-Principle (AIP)

The current rolling draft AIP is heavy on self-government and light on lands and resource chapters. Previous tabled drafts by DFN of Land Use Planning and DCRMA chapters are now being considered at the Main Table for discussion for the Lands and Resource chapters of the AIP.

The following Main Table sessions will revise and discuss chapters on previously tabled documents, such as the DCRMA and land use planning.

Modular Approach

The modular approach is for the phased implementation of agreements. It is sometimes described as a “hub and spoke” process, whereby the hub refers to matters such as core governance, and the spoke is matters such as funding.

Core governance means matters pertaining to the structure and authority of the Dehcho Government and Dehcho Community Governments. Main Table discussion of options for moving forward includes taking 5-7 'spoke' matters (ie. community lands, resource management outside community lands, education, language and culture) and aiming for agreements on these "modules". In addition, implementing 1-3 cases could be done sooner under this approach, instead of waiting until a complete compressive agreement on all matters is reached.

Next Steps

- Final review and approval of the 2022-2023 Main Table Work Plan.
- Prepare an Annual Report for the DFN 2023 Annual Dehcho Assembly.
- Continue weekly Dehcho Negotiations Team conference calls.
- Follow-up with WPFN and Metis of draft Terms of Reference for working groups.
- Support and attend the Constitutional Working Group.
- Chief Negotiator at DFN Office, July 26 & 27.
- Grand Chief-GMWT Premier Meeting on August 8.
- The next Virtual Town Hall is August 8.
- Prepare and plan for Main Table negotiations.
- The next Main Table Negotiating session will be virtual on August 14 – 16.
- DFN 2023 Annual Assembly.