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NWT

# Plain Talk

## On Land and Self-government

### Tłıchǫ Government Celebrates Five Years

Five years may be a long time for some things, but it is barely the blink of an eye in the history of a people and a government. In only five years, the Tłıchǫ have set up both political and administrative structures for their government, worked to implement the Tłıchǫ Constitution and established a law-making process. They have also created a Tłıchǫ public service, reorganized the assets and liabilities of the previous bands and the corporations they owned, developed communications tools, and the list goes on.

Today the Tłıchǫ Government has the power to pass and enforce its own laws, enter into contracts, receive tax revenues and manage rights and benefits for the Tłıchǫ citizens. Among other things, the Tłıchǫ Government is responsible for managing Tłıchǫ-owned lands and resources, managing wildlife harvesting on Tłıchǫ Lands and for designing and delivering education in Tłıchǫ language and culture.

The head office for the Tłıchǫ Government is in Behchokǫ and more than seventy Tłıchǫ Government employees are spread across all four Tłıchǫ communities. This budding Tłıchǫ public service is responsible for managing the day-to-day operations of the Tłıchǫ Government, including four departments: Finance; Human resources; Lands; and Language and Culture, including the management and delivery of programs and services under these departments.

Of course, the world did not stand still around them to allow the Tłıchǫ to focus on the important task of building a government. All the while, local and national realities continued to require the attention and action of Tłıchǫ leaders and members. The economy took a downturn, there were concerns about the decline in caribou to deal with, and the political landscape of the Northwest Territories (NWT) and Canada continued to change.

As John B. Zoe explains, becoming a government is not a series of steps to check off a list, it is an evolution, a journey in its own right.

Zoe is the Senior Advisor to the Tłıchǫ Government and the man who led the Tłıchǫ negotiations team for the *Tłıchǫ Agreement* which created the Tłıchǫ Government in 2005. He is both proud of the Tłıchǫ people's accomplishments to date and realistic about the work that remains. "One thing I tell people a lot is that we are treading on new ground and it's not going to be perfect at the beginning. But, if we have the will to make it work, that's the motivation that we need. We can't be stagnant. We need to roll with the punches and keep moving forward."

It is work that he says all Tłıchǫ have a role in: "We have to be reactive to our empowerment."

*continued on page 2...*



Tessa Macintosh

On August 4, 2005, the Tłıchǫ Agreement came into effect. On that day, the Tłıchǫ people took on new roles as a government and land owners. *Plain Talk* checks in with Senior Advisor John B. Zoe following the five-year anniversary of the Tłıchǫ Government to take stock and look forward.

#### In this Issue:

Tłıchǫ Government Celebrates Five Years

An overview and update: Self-government negotiations in the Sahtu

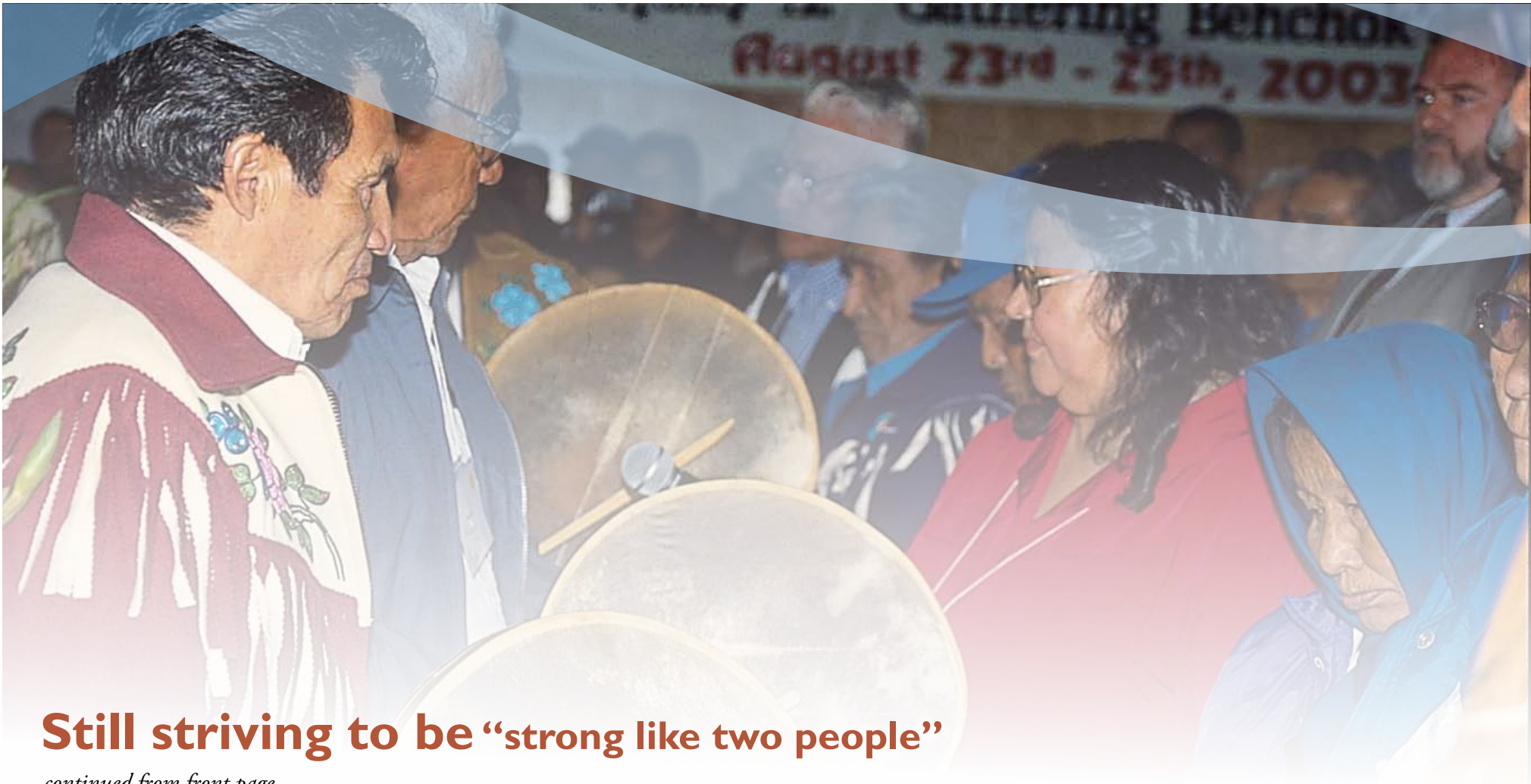
A treaty-making timeline for the NWT

Winter 2011

*The purpose of our newsletter is to keep you informed on the progress of land and self government negotiations in the Northwest Territories, and to provide some answers to frequently asked questions. We also feature the people and communities involved in negotiations, celebrate milestones, and announce upcoming events. On behalf of Indian and Northern Affairs Canada (INAC), we hope you will find our newsletter informative and easy to read.*

Canada





# Still striving to be “strong like two people”

*continued from front page...*

Throughout the interview, Zoe comes back to the fundamental principles that have always been at the heart of the Tłı̨chǫ people’s drive for self-government: language, culture and way of life. He explains how these principles, and the imperative of respecting Tłı̨chǫ history and tradition, can co-exist with the principles and demands of modern government.

He explains that in order to remain true to itself and its history the Tłı̨chǫ Government needs to allow everyone to play the role that is right for them in this new government. Some will play more formal roles as politicians or government employees; others will do their part by preserving language, culture and way of life in other ways. “Governance is about each of us recognizing our own ability to teach our own young people.”

Looking forward, Zoe says engaging youth in governance is a key priority.

“It’s important to reach the young people because they are our aspiring leaders. We need to make room for them,” he says. He adds that these aspiring leaders will need to understand their history as well.

“It is very important for future leadership to understand how we came to be, how the system works and how the structure is set up. They also need to understand where their role is to ensure this [government] is continually evolving and the decisions they will make are going to have some impact.”

True to the importance the Tłı̨chǫ have always placed on education, Zoe talks of eventually building Tłı̨chǫ public service training that will provide an opportunity for Tłı̨chǫ public servants to develop their skills.

It seems the building blocks are already being put in place. What started as a type of orientation course for Tłı̨chǫ Government employees has evolved into a high school curriculum project that will be piloted in classrooms this year.

“The idea of Tłı̨chǫ Government is language, culture and way of life, so it’s important to develop the curriculum for understanding ‘self’ and the vision that came before (the Tłı̨chǫ Government),” explains Zoe. He adds that the curriculum is part of a broader desire to “prepare young people for operating within a greater society without having to lose who they are.”

Zoe also talks about the challenge of communicating with Tłı̨chǫ Citizens and the public at large. Even on this front the Tłı̨chǫ Government is putting the tools in place. The Tłı̨chǫ Government website ([www.Tlı̨cho.ca](http://www.Tlı̨cho.ca)) will continue to be a focus for communications, but the Tłı̨chǫ Government is also taking advantage of social media. Zoe says they recently launched Facebook page already has almost 900 friends. The Tłı̨chǫ Government provides regular updates on the site and Zoe personally checks in on a daily basis.

The Tłı̨chǫ have also opened themselves to the world in other ways. They recently worked with the History Channel in the United States which produced an hour-long documentary called “Tłı̨chǫ Nation”. Zoe says the documentary has helped motivate Tłı̨chǫ people and let them know that “it’s okay to be themselves” and that “what they have is important”. 🦋

## The Tłı̨chǫ Agreement in brief:

Tłı̨chǫ Government was created in 2005 by the *Tłı̨chǫ Agreement* negotiated between the Dogrib Treaty 11 Council, the Government of the Northwest Territories (GNWT) and the Government of Canada. It was the first agreement in the NWT to combine a land claim and self-government.

Other highlights of the agreement:

- Ownership of a 39,000-square-kilometer block of land, including surface and sub-surface rights
- Law-making authority over lands and resources on Tłı̨chǫ Lands
- Establishment of the Wekeezhi Land and Water Board and the Wekeezhi Renewable Resources Board
- A share of mineral royalties from the whole Mackenzie Valley



# Overview and update

## Self-government negotiations in the Sahtu

In the NWT, there are Aboriginal groups who are negotiating land, resource and governance at the same time. In the Inuvialuit, Gwich'in and Sahtu regions, however, land and resource issues were resolved in the 1980s and 1990s, and self-government is now being negotiated as a second step.

In the Sahtu region, the Government of Canada and representatives of the Dene and Métis of the five Sahtu communities signed the Sahtu Dene and Metis Comprehensive Land Claim Agreement. This agreement settled the Dene and Métis claims related to lands and resources in the region. The land claim agreement also stated that self-government would be negotiated with each Sahtu community when requested.

Today, all five Sahtu communities are at different stages of community-based self-government negotiations.

Self-government negotiations all follow a similar process. First the parties reach an agreement on how negotiations will proceed. This is referred to either as a “Process and Schedule Agreement” or a “Framework Agreement”. Then, they work on an Agreement-in-Principle (AIP), which contains all the basics elements of an agreement. Then, based on the AIP, the parties negotiate the detail required for a Final Agreement. The parties also negotiate financial agreements, an implementation plan and a tax treatment agreement. The final agreement must be approved (ratified) by all parties.

Below is a brief update on the status of negotiations in the five Sahtu communities. 🐾



### Délı̨ne

**Who is negotiating?**  
Délı̨ne First Nation Band, the Délı̨ne Land Corporation, the Government of the Northwest Territories and the Government of Canada.

**Status of negotiations**  
Self-government negotiations began in 1996. An AIP was signed in 2003. The parties have almost completed negotiation of the Délı̨ne Final Self-Government Agreement (FSGA) and are working on the financial agreement and implementation plan.

Once approved by all parties, the FSGA would create the Délı̨ne Got'ı̨ne Government (DGG) and describe in detail how the DGG will work and what powers it will have.

### Tulita

**Who is negotiating**  
The Tulita Yamoria Community Secretariat (representing the Sahtu Dene and Metis of Tulita), the Government of the Northwest Territories and the Government of Canada.

**Status of negotiations**  
The parties signed a Framework Agreement in March 2005 and have since been negotiating an AIP.

### Norman Wells

**Who is negotiating?**  
Norman Wells Land Corporation, the Government of the Northwest Territories and the Government of Canada.

**Status of negotiations**  
The parties signed a Framework Agreement in June 2007 and have since been negotiating an AIP.

### Fort Good Hope

**Who is negotiating?**  
The Fort Good Hope Dene Band, Yamoga Lands Corporation and Fort Good Hope Metis Nation Local #54 Land Corporation (on behalf of the K'ahsho Got'ı̨ne of Fort Good Hope), the Government of the Northwest Territories and the Government of Canada.

**Status of negotiations**  
Framework Agreement negotiations commenced in January 2010.

### Colville Lake

**Who is negotiating?**  
The Behzhi Ahda' First Nation Band and Ayoni Keh Land Corporation (on behalf of the Delá Got'ı̨ne of Colville Lake), the Government of the Northwest Territories and the Government of Canada.

**Status of negotiations**  
Framework Agreement negotiations began in 2010.

## What is self-government?

Self-government gives the Aboriginal people of the NWT more control over the decisions that affect their daily lives, including how programs and services are delivered. It provides the Aboriginal people of the NWT with important tools to govern themselves.

Self-government negotiations deal with:

- the powers and structures of the Aboriginal government and its powers in relation to the settlement lands and the people
- how the Aboriginal government will work with other levels of government
- how programs and services will be delivered in the area covered by the agreement

A few examples of self-government powers and responsibilities that can be negotiated are: education, social services, health, housing, language, culture and heritage resources.

Though there are different models of self-government being negotiated, in all cases:

- programs and services will continue to meet NWT-wide program and service standards
- the rights of non-Aboriginal residents will be respected

# A treaty-making timeline for the NWT

Paul Vescei

In much of Canada, there are historic treaties between Aboriginal people and the federal Crown. In the Northwest Territories, the Dene entered into Treaties 8 and 11 between 1899 and 1922. Since that time, treaty-making has continued between the Crown and the Aboriginal people of the Northwest Territories and is still going on today.

Test your knowledge of the Territory's treaty-making history by seeing if you can match the events below with the right date. While these are not the only treaty-making dates, they do provide some important milestones along the way. 🦌

- |            |   |
|------------|---|
| 1) 1899    | a) The Inuvialuit and the Government of Canada sign conclude the <i>Inuvialuit Final Agreement</i> . It is one of the first modern treaties in Canada. <i>Canada also begins negotiating with the Dene and Métis of the NWT</i> . The goal is to reach one agreement that will cover all of the NWT outside the Inuvialuit Settlement Region, also called the Mackenzie Valley. |
| 2) 1921-22 |   |
| 3) 1973    | b) The Dene enter into <i>Treaty 11</i> with the federal Crown  |
| 4) 1984    | c) The <i>Tłı̨chǫ Agreement</i> is signed. It is the first modern treaty in the NWT to include self-government.   |
| 5) 1990    | d) The <i>Sahtu Dene and Metis Comprehensive Land Claim Agreement</i> is concluded.   |
| 6) 1992    | e) Canada introduced the <i>Inherent Right to Self-government Policy</i> . This policy opens the door to self-government negotiations for Aboriginal groups in the Northwest Territories, including those who already have settled land claims.   |
| 7) 1994    | f) A <i>Dene and Métis agreement-in-principle</i> is reached, but is not ratified by the Aboriginal groups. Canada agrees to negotiate with regional Dene and Métis groups separately.  |
| 8) 1995    | g) The Dene enter into <i>Treaty 8</i> with the federal Crown   |
| 9) 1998    | h) The <i>Mackenzie Valley Resource Management Act (MVRMA)</i> comes into effect. It creates the new land and water management system called for in the Gwich'in and Sahtu agreements.  |
| 10) 1999   | i) The <i>Gwich'in Comprehensive Land Claim Agreement is concluded</i> . It is the first regional Dene and Métis agreement in the NWT.  |
| 11) 2003   | j) <b>Modern treaty-making process begins</b> when the Supreme Court of Canada gives its decision in the <i>Calder Case</i> and the Government of Canada announces its intention to negotiate claims settlements with Aboriginal people.  |
|            | k) Following the <i>Nunavut Land Claim Agreement</i> , Nunavut becomes a separate territory from the NWT.   |

ANSWERS: 1) g 2) b 3) j 4) a 5) f 6) i 7) d 8) e 9) h 10) k 11) c

## Got something to tell us?

### Here's who to contact:

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*Plain Talk on Land and Self-government* is produced by the Department of Indian Affairs and Northern Development in the NWT to help northerners understand these concepts, how they work, and what they mean in our day-to-day lives. It is not a legal document.

## Our Vision

The NWT region of INAC is a respected partner in a strong and healthy Northwest Territories. We strive for:

- respectful, effective relationships with Aboriginal people;
- creating and enhancing opportunities for all Northerners;
- responsible resource development in healthy ecosystems;
- northern control over northern resources;
- responsive and accountable northern government as partners; and
- national initiatives that reflect the interests of all Northerners.

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