

REPORT OF THE IMPLEMENTATION COMMITTEE

TŁIČHŦ

AGREEMENT



2019/2020



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ABBREVIATIONS AND ACRONYMS

CIRNAC Canada	Crown-Indigenous Relations and Northern Affairs Canada Government of Canada
DDRA	Deputy Dispute Resolution Administrator
DRA	Dispute Resolution Administrator
EIA	Executive and Indigenous Affairs (GNWT)
ERWG	Effectiveness Review Working Group
GNWT	Government of the Northwest Territories
IC	Implementation Committee
IP	Implementation Plan
IPWG	Implementation Plan Working Group
ISA	Intergovernmental Services Agreement
MGDN	Mᓄwhì Gogha Dè Nìttlèè
MGDN (NWT)	Portion of Mᓄwhì Gogha Dè Nìttlèè in the NWT
MOU	Memorandum of Understanding
MVEIRB	Mackenzie Valley Environmental Impact Review Board
NRCan	Natural Resources Canada
NWT	Northwest Territories
RoD	Record of Decision
TCG	Tłıchq Community Government
TCSA	Tłıchq Community Services Agency
TG	Tłıchq Government
Tłıchq Agreement	Tłıchq Land Claims and Self-Government Agreement
WLWB	Wek'èezhì Land and Water Board
WRRB	Wek'èezhì Renewable Resources Board

OVERVIEW

The Tłıchǰ Land Claims and Self-Government Agreement (Tłıchǰ Agreement) came into effect on August 4, 2005. The Tłıchǰ Agreement, which was negotiated by the Dogrib Treaty 11 Council, the Government of the Northwest Territories (GNWT), and the Government of Canada (Canada), created the Tłıchǰ Government (TG) along with a number of implementing bodies to carry out the provisions of the Agreement. These bodies include the Wek'èezhìi Land and Water Board (WLWB), the Wek'èezhìi Renewable Resources Board (WRRB), the Tłıchǰ Implementation Committee (IC), as well as a Dispute Resolution Administrator (DRA) and Deputy Dispute Resolution Administrator (DDRA).

The Tłıchǰ Agreement provides Tłıchǰ Citizens and the Tłıchǰ First Nation with rights and benefits in respect of land, resources, and self-government, and recognizes the importance of protecting and preserving Tłıchǰ language, culture and way of life.

The following is a summary of the provisions of the Tłıchǰ Agreement:

- **Land:** Through the Tłıchǰ Agreement, the ownership of a single block of approximately 39,000 square kilometres of land vested in the Tłıchǰ First Nation. Tłıchǰ title to these lands includes both surface and subsurface interests.
- **Financial Compensation and Resource Revenue Sharing:** The Tłıchǰ Agreement provides for approximately \$152 million in cash payments from Canada to the TG over the first 14 year period of the Agreement, as well as a share of resource royalties received by government annually from the development of Mackenzie Valley resources.

In addition to identifying Tłıchǰ lands, the Tłıchǰ Agreement also defines distinct geographical areas within which the Tłıchǰ First Nation and Tłıchǰ Citizens have defined rights and benefits. The first and largest geographic area is Mǫwhì Gogha Dè Nıttèè (MGDN), the traditional area of the Tłıchǰ First Nation. The second distinct area is Wek'èezhìi, a resource management area located wholly within MGDN. The Tłıchǰ communities of Behchokǰ, Whatì, Gamètì, and Wekweètì are located within the boundary of Tłıchǰ Lands, on lands owned by the respective public government of each community.

Finally, the Tłıchǰ Agreement defines an area called Ezòdzìtì, which is of historical and cultural importance to the Tłıchǰ First Nation. The Tłıchǰ people do not own this land and do not exercise any additional harvesting or management rights within its boundaries. However, the Parties to the Tłıchǰ Agreement have agreed to protect Ezòdzìtì in the interest of preserving its historical and cultural importance to the Tłıchǰ people.

OVERVIEW

- **Eligibility and Enrolment:** Following the completion of work by the initial Eligibility Committee to process the enrolment of those entitled to be registered as Tłıchǵ Citizens, the TG appointed a Registrar to administer enrolment of Tłıchǵ Citizens and maintain the Tłıchǵ Citizen Register.
- **Economic Measures:** The Economic Measures chapter of the Tłıchǵ Agreement confirms the economic objectives of the Tłıchǵ First Nation, including supporting the traditional economy and developing Tłıchǵ businesses. When the GNWT and Canada propose economic development programs related to the objectives of this chapter, they are required to consult with the TG. The chapter further requires that government will meet with the TG not less than once every three years to review the effectiveness of programs related to the objectives set out in the Economic Measures chapter.
- **Self-Government:** The Tłıchǵ Agreement implements the inherent right of self-government for the Tłıchǵ First Nation. The Agreement recognizes a regional government with law-making authority for Tłıchǵ Citizens in Tłıchǵ communities and on Tłıchǵ lands. This law-making authority includes aspects of education, adoption, child and family services, training, income support, social housing, and Tłıchǵ language and culture.

Consistent with the Tłıchǵ Agreement, the Tłıchǵ Community Governments (TCGs) of Behchokò, Whatì, Gamètì, and Wekweètì were established pursuant to territorial legislation on August 4, 2005. The TCGs are responsible for municipal services and local matters and represent and serve all residents of Tłıchǵ communities.

Chapter 7 of the Tłıchǵ Agreement calls for the creation of a Tłıchǵ Constitution and sets out the structure of the TG. In keeping with the principle of equal representation, Chapter 7 specifies that the governing body must include the Grand Chief, the Chief from each TCG, and at least one representative from each TCG elected by the residents of that community.

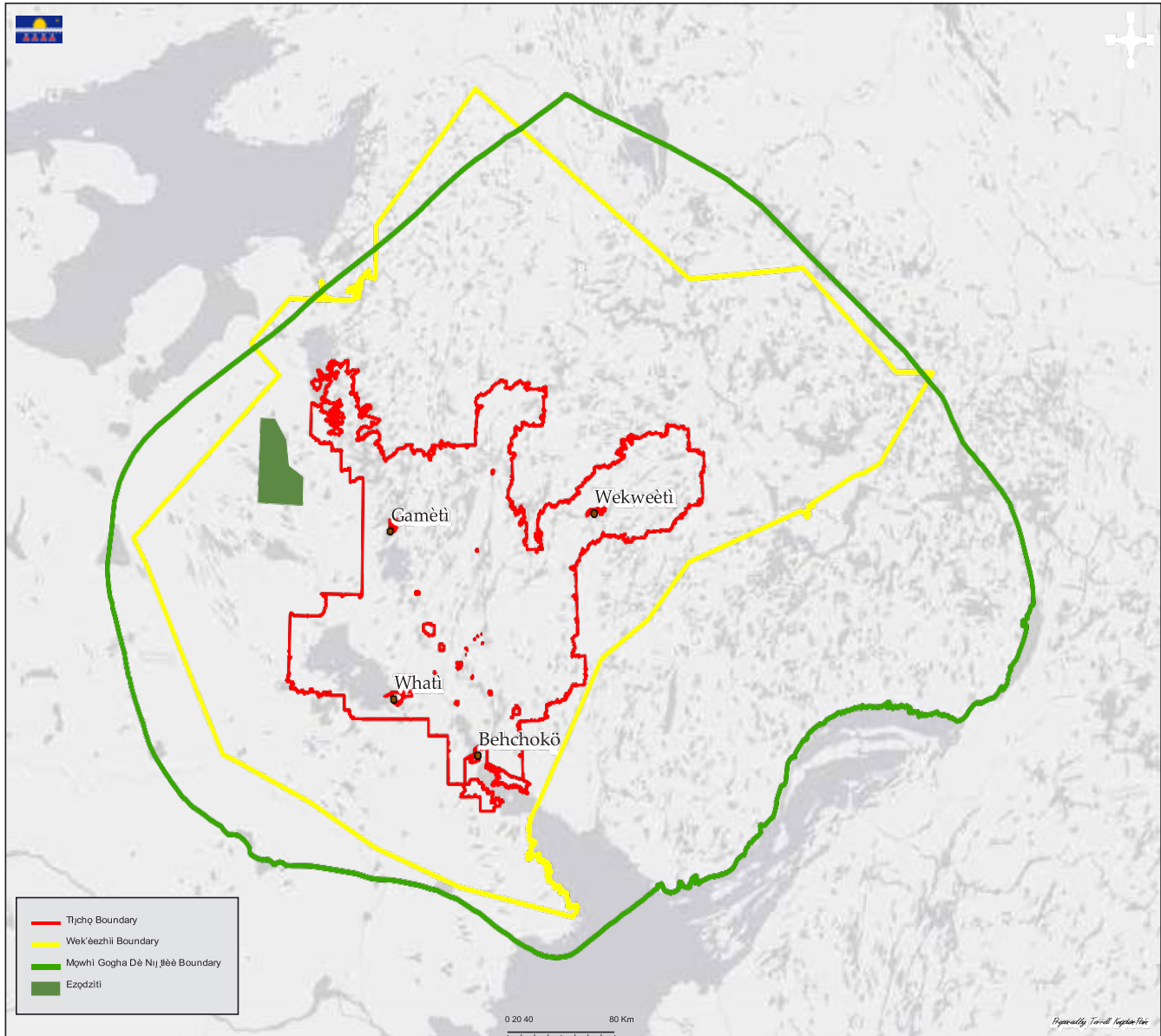
- **Wildlife and Environmental Management:** The Tłıchǵ Agreement affirms harvesting rights of the Tłıchǵ First Nation and sets out a comprehensive approach to wildlife and environmental management within the Wek'èezhìi area, including the establishment of a WLWB and a WRRB. The Agreement also confirms Tłıchǵ representation on the Mackenzie Valley Environmental Impact Review Board (MVEIRB), which ensures that environmental impacts and the concerns of Indigenous peoples and members of the public are considered carefully during the assessment of proposed developments in the Mackenzie Valley.

OVERVIEW

- **Dispute Resolution:** The Tłıchǵ Agreement is the first Northwest Territories (NWT) treaty to include a process to address disputes related to the Tłıchǵ Agreement through informal discussions initially, followed by mediation, before an issue can be referred to arbitration for a decision. A DRA and DDRA are jointly appointed by the Parties to oversee the administration of the dispute resolution process.
- **Certainty:** The Tłıchǵ Agreement sets out a new approach to certainty and clarity to ownership and management of land and resources, and to jurisdictional rights. The Tłıchǵ First Nation has agreed that it will not assert or exercise any aboriginal or treaty rights, other than those rights set out in the Tłıchǵ Agreement. However, should the TG find that it is entitled to a non-land right, such as a self-government right that is not mentioned in the Tłıchǵ Agreement, the TG may negotiate with government for the exercise of that right.
- **Implementation Committee:** The Tłıchǵ Agreement provides for the establishment of an IC made up of representatives from the TG, Canada and the GNWT.
- **Implementing Agreements:** The Tłıchǵ Agreement calls for the development of three separate side agreements that support the implementation of the Agreement. These include the Tax Treatment Agreement, Financing Agreement, and Intergovernmental Services Agreement (ISA).
- **Implementation Plan:** The Tłıchǵ Agreement is accompanied by a non-legally binding Implementation Plan (IP) that sets out how the obligations of the Parties under the agreement will be carried out. The IP describes the activities required to fulfill obligations under the Agreement, identifies the parties responsible for undertaking those activities and provides timing guidelines that provide an indication of likely timeframes required to undertake and complete activities.

OVERVIEW

Map of the Tłjchq Agreement areas



IMPLEMENTING BODIES

The Tłıchq Agreement provides for the establishment of a number of implementing bodies responsible for carrying out various provisions of the Agreement. These implementing bodies are:

Tłıchq Implementation Committee

Section 5.2 of the Tłıchq Agreement provides for the establishment of an IC to oversee the implementation of the Agreement and IP. The TG, GNWT and Canada are each required to appoint a senior representative to the Committee. The mandate of the IC is set out in the Tłıchq Agreement and includes:

- monitoring the status of the IP;
- revising activities and funding levels identified in the IP;
- attempting to resolve implementation issues;
- making recommendations to the Parties respecting the implementation of the Tłıchq Agreement beyond the initial 10-year period; and
- providing the Parties with an annual report on the implementation of the Tłıchq Agreement.

IC representatives:

Tłıchq Government: During the reporting period, Bertha Rabesca Zoe served as the TG's representative on the IC.

- More information about the TG can be found online at www.tlicho.ca

Government of Canada: Canada is represented on the IC by the Implementation Sector of CIRNAC. The Implementation Sector serves as a liaison on implementation issues for management boards, the TG, territorial government, and other federal departments. Tannis Bujaczek of Treaty Management West, represented CIRNAC on the IC during the 2019/2020 fiscal year.

- More information on Canada and its departments, programs, and services can be found online at www.canada.ca
- More information about CIRNAC can be found online at www.canada.ca/crown-indigenous-relations-northern-affairs

Government of the Northwest Territories: The GNWT, represented by the Department of Executive and Indigenous Affairs (EIA) Implementation Division, is responsible for coordinating the GNWT's implementation activities under the Tłıchq Agreement. The Division manages the allocation of implementation funds received from Canada, represents the GNWT in tripartite implementation discussions, and negotiations and serves as a liaison on implementation issues for GNWT departments. Sue Bowie, Director of Implementation, represented the GNWT on the IC over the course of the reporting period.

- More information about the GNWT can be found online at www.gov.nt.ca.
- More information about EIA can be found online at www.eia.gov.nt.ca.

IMPLEMENTING BODIES

Dispute Resolution Administrators

The Tłıchǫ Agreement provides for the appointment of a DRA and a DDRA. The DRA and DDRA are to assist in facilitating mediation and arbitration processes between the Parties by maintaining a roster of mediators and arbitrators, appointing mediators and arbitrators to a dispute, establishing rules for mediation and arbitration and maintaining a public record of arbitration decisions. The DDRA's role is to act as the administrator during any period while the DRA is unable to act.

The DRA and DDRA are appointed jointly by all parties for a term no more than six years, with the option of reappointment.

Wek'èezhìi Land and Water Board

The Tłıchǫ Agreement provides for the establishment of the WLWB, an institution of public government with responsibilities for the regulation of land and water use and the deposit of waste throughout the Wek'èezhìi management area, with certain exceptions. For example, the WLWB does not regulate within a national park, or a national historic park or site administered by Parks Canada.

The objective of the WLWB is to provide for the conservation, development, and utilization of land and water resources for the benefit of not only those current and future residents within Wek'èezhìi, but also for the well-being and way of life of the Tłıchǫ First Nation, and for all Canadians.

The WLWB is comprised of five members, one of which is the Chairperson. Two members are appointed by the TG, while the other two are appointed by Government, after consulting with one another. The Chairperson is nominated by the majority of board members and appointed jointly by the TG and CIRNAC. Members are appointed for three-year terms and may be reappointed.

Wek'èezhìi Renewable Resources Board

The WRRB is another institution of public government created pursuant to the Tłıchǫ Agreement, whose purpose is to oversee the well-being of wildlife and its habitat. Responsibilities of the WRRB include making recommendations respecting the management of wildlife, forests, plants and any associated commercial activities throughout Wek'èezhìi. The WRRB does not have authority for wildlife or wildlife habitat in a national park nor fish or fish habitat in Great Slave Lake.

The review of proposed wildlife management actions, determination of total allowable harvest levels, recommendations on regulations for commercial activities related to wildlife, and making determinations for the restriction of harvesting by Tłıchǫ Citizens in Protected Areas are some of the additional duties of the WRRB.

The WRRB is comprised of nine members, one of which is the Chairperson. Four members are appointed by the TG; CIRNAC and the GNWT each appoint two, after consultation amongst themselves. The Chairperson is jointly appointed by all three Parties on the recommendation of the WRRB. Members are appointed for a five-year term and may be reappointed.

IMPLEMENTATION COMMITTEE ACTIVITIES

The IC typically meets in the spring, fall, and winter of each year. The selection of meeting locations and chair responsibilities rotate between the Parties. While the GNWT is not a party to the Tłıchq Finance Committee, it typically participates with Canada and the TG in an annual tripartite Finance Committee meeting held early in each calendar year. At this meeting, parties hear presentations from the various implementing bodies under the Tłıchq Agreement on projects and budgets for the upcoming fiscal year.

Listed below are the activities advanced, and issues discussed and addressed by the IC over the course of the reporting period.

Cultural Coordinator

Under Section 8 of the ISA, a Cultural Coordinator is to be appointed jointly by the Parties in order to advise them on how to exercise their respective powers in ways that respect and promote the Tłıchq language, culture, and way of life. Each party is responsible for one-third of the Cultural Coordinator's annual budget.

Ms. Nora Wedzin served as Cultural Coordinator from September 2014 until December of 2017, when she returned to her work at the Tłıchq Community Services Agency (TCSA).

Since Ms. Wedzin's resignation, the position of Cultural Coordinator has remained vacant.

On November 28, 2019, the TG put forth a nominee for the Cultural Coordinator. On January 21, 2020, the IC signed a Record of Decision (RoD) to appoint Julia Naedzo-Lafferty as the Cultural Coordinator, effective April 1, 2020, and notified her by letter dated March 19, 2020.

Next Steps:

The IC will continue to discuss the intended role of the Cultural Coordinator, and how that role may be tailored to better meet the needs of the Parties when it comes to advice and guidance on matters related to Tłıchq language, culture, and way of life.

Dispute Resolution Administrator

On September 18, 2018, Mr. Louis Azzolini was reappointed to the DRA position for a term of six years.

There were no disputes advanced to the IC or requiring the services of the DRA during the reporting period. Should the need for dispute resolution services arise, a roster of individuals qualified to undertake mediation or arbitration is currently in place and will continue to be maintained by the DRA.

The position of the DDRA remains vacant.

Next Steps:

The IC will undertake a process to address the vacant DDRA position.

IMPLEMENTATION COMMITTEE ACTIVITIES

Major Mining Projects

Pursuant to Chapter 23 of the Tłıchq Agreement, the proponent of a major mining project that requires government authorization and will impact Tłıchq Citizens is required to enter into negotiations with the TG, for the purpose of concluding an agreement relating to the project. The Tłıchq Agreement defines a major mining project as one that employs an average of at least 50 people annually for the first five years in MGDN (NWT) and for which an investment in excess of 50 million dollars will be expended in capital costs.

Chapter 23 sets out matters that may be addressed by a proponent and the TG in such an agreement. Chapter 23 also requires government to develop measures to ensure that proponents meet their obligations under 23.4.1 of the Agreement to enter into negotiations with the TG on these important agreements.

While the 2014 *NWT Land and Resources Devolution Transfer Agreement* transferred the responsibility to fulfill a number of federal obligations under the Tłıchq Agreement to the GNWT, the obligation to develop measures pursuant to Chapter 23 of the Tłıchq Agreement has remained with Canada. Since 2014, Canada and the GNWT have had discussions on approaches to move forward with the development of measures. In 2018, these collaborative discussions were expanded to include participation by the TG.

In 2019, CIRNAC, the GNWT, and the TG co-developed measures pursuant to Section 23.4.1 of the Tłıchq Agreement.

On September 10, 2019, the measures were approved by Carolyn Bennett, Minister of Crown-Indigenous Relations, after receiving support from both the TG and GNWT, and include the following:

- 1) Ministerial policy direction to the Mackenzie Valley Land and Water Board, to require a proponent of a major mining project to document its negotiations of an agreement under Section 23.4.1 of the Tłıchq Agreement; and
- 2) A ministerial letter to the MVEIRB to advise proponents to begin their relationship with the TG early in the course of the environmental assessment and regulatory process.

Next Steps:

There are no steps for the IC to complete this item.

Tłıchq Community Lands

From the last reporting period, the IC agreed to review questions on the interpretation of Section 9.3 of the Tłıchq Agreement respecting limits on the alienation of Tłıchq Community Lands. Specifically, the IC agreed to review and discuss the operation of Section 9.3 of the Tłıchq Agreement when it comes to the transfer of a fee simple interest in Tłıchq Community Lands to an Expropriating Authority in place of Expropriation.

Canada and the GNWT have agreed the matter warrants further review and the TG continues its review internally. TG will advise the IC accordingly when that review is complete.

IMPLEMENTATION COMMITTEE ACTIVITIES

Next Steps:

The TG will complete its internal review of Section 9.3. Once the TG's review has been received by the IC, the IC will move forward in its review of this issue.

Next Steps:

The Parties will need to agree upon the survey plans that comprise the Tłıchq Atlas before the Atlas can be finalized. NRCan will continue to lead this initiative while the IC will continue to facilitate and coordinate this work.

Tłıchq Land Surveys

The survey of Tłıchq Lands is a federal obligation under Section 18.4.1 of the Tłıchq Agreement. In accordance with a multi-year work plan set out in the Tłıchq Implementation Plan, Natural Resources Canada (NRCan), on behalf of Canada, has carried out the required survey work and continues to undertake activities that will lead to the registration of the boundary of Tłıchq Lands.

NRCan's field work included the survey of excluded parcels, as well as natural boundaries that were not well defined, and the placement of permanent signs that identify the lands as "Tłıchq Lands". As a result of survey work undertaken by NRCan, several land ownership/tenure issues were brought to light that will require follow-up by the respective parties involved, once the survey is registered.

In 2017, NRCan shared with the parties for their review and approval the draft survey plans that collectively will form the "Tłıchq Atlas". The review identified a number of issues that have required further discussion between the TG, GNWT, CIRNAC and NRCan.

Implementation Funding and Financing Agreement

As set out in the Tłıchq IP and associated bilateral funding agreements, Canada provides funding to the TG, GNWT, and implementation bodies created pursuant to the Tłıchq Agreement, in support of the ongoing implementation of the Agreement.

Implementation funding amounts for the reporting period were approved by the IC and are set out in Appendix A to this report.

Over the course of the reporting period, the TG has been actively involved in Canada's Collaborative Fiscal Policy Development Process. The process has included the co-development of federal fiscal policy for self-governing Indigenous governments, including governance and administration, and annexes that address the treatment of fiscal capacity, as well as systemic approaches to support initiatives intended to address the current socio-economic gaps between Indigenous and non-Indigenous Canadians.

IMPLEMENTATION COMMITTEE ACTIVITIES

Canada and the TG also signed a new Financing Agreement in 2019, effective April 1, 2019.

Next Steps:

The Collaborative Fiscal Process will continue in 2020/2021, with federal and Indigenous government working groups continuing to move forward on the development of further annexes to complete a new comprehensive federal fiscal policy.

Board Appointments

A standing item on the IC agenda is the status of nominations and appointments to various boards and implementation bodies on which the TG, GNWT, and Canada each have representation. Canada typically provides an update to the Parties on the status of nominations and appointments, and the TG and GNWT confirm this information against their records and discuss the steps necessary to fill any vacancies.

In 2019/2020, Isabelle Duclos and Stu Niven were appointed to the WRRB. No other board appointments occurred during the reporting period.

Next Steps:

IC representatives will continue to work with their respective organizations to promote the timely appointment of board members.

Mᓄwhì Gogha Dè Nijlèè Boundary Discrepancies

In September 2009, Canada raised the issue of significant discrepancies between the metes and bounds description of the MGDN boundary as set out in the Tłıchǫ Agreement and the illustrative map of the boundary included in the Agreement. The IC agreed that the issue warranted further research before a course of action to resolve the discrepancies could be recommended to the Parties.

An initial report on the matter was issued by NRCan in February 2010, followed by additional updated and more in-depth reports in May 2015 and April 2016 that focussed on areas of Part 1 of the Appendix to Chapter 1 identified as requiring further research.

A point-by-point analysis of the written description was undertaken by CIRNAC, NRCan, and the TG in 2018/2019 (GNWT participated as an observer), and a draft final report on the matter was prepared by NRCan for consideration by all three parties. Parties are in the process of reviewing this report and once in agreement, the IC will undertake a review of the Tłıchǫ Agreement and determine the approach to be taken to give effect to revisions to the written metes and bounds description, and a revised illustrative map of the MGDN boundary.

IMPLEMENTATION COMMITTEE ACTIVITIES

Next Steps:

The Parties will continue their review of the written metes and bounds description with the goal of producing a final report and providing recommendations to address any ambiguities and anomalies in the description of the MGDN boundary in the Tłıchq Agreement.

Intergovernmental Services Agreement Review

The ISA is an agreement between the TG, the GNWT, and Canada that established the Tłıchq Community Services Agency (TCSA)¹. The TCSA was intended to be an interim step in the process of self-government. It is expected to evolve over time as the TG makes decisions regarding the exercise of its social envelope jurisdictions and authorities, as set out in the Tłıchq Agreement, through the enactment of its own laws. The TCSA performs functions related to the delivery of education, health, and social services to Tłıchq Citizens, as well as non-Tłıchq Citizens, on Tłıchq lands and in Tłıchq communities.

The initial 10-year term of the ISA ended in August 2015; however the Parties agreed to renegotiate the ISA. Until a replacement agreement is developed, the existing ISA will remain in force until it expires on its twentieth anniversary date or is replaced by a new agreement.

In 2018/2019, the TG and the GNWT initiated a project to identify options for governance and program and service delivery beyond the initial 10-year term of the Tłıchq ISA. The project served to identify TG interests, and the collaborative work necessary to produce recommendations on governance and program and service delivery is ongoing.

In 2019/2020, the TG, GNWT, and Canada signed a Memorandum of Understanding (MOU) outlining the process to replace the existing Tłıchq ISA. Parties also established an ISA Working Group to further the objectives and priorities set out in the MOU.

The TG presented its vision for service delivery moving forward to various federal departments in May 2019 at a meeting in Ottawa.

Next Steps:

The Parties will continue discussions at the ISA Working Group to further the objectives and priorities set out in the MOU.

Economic Measures

Under Chapter 26 of the Tłıchq Agreement, Canada and the GNWT are committed to promoting the economic interests of Tłıchq Citizens, including support for the traditional economy, the development of businesses, and the creation of job and training programs. Furthermore, when the GNWT and Canada propose economic development programs related to the objectives of this Chapter, they must consult with the TG.

¹A copy of the Tłıchq Intergovernmental Services Agreement can be found on the Tłıchq Website: <https://www.tlicho.ca/government/documents>

IMPLEMENTATION COMMITTEE ACTIVITIES

The Tłchq Agreement requires governments to meet with the TG at least once every three years to review the effectiveness of programs relating to the objectives and measures of the Economic Measures Chapter. In 2019, the Parties agreed to undertake a quantitative analysis and comparison of data for applicable government programs and measures for the years immediately following the effective date of the Tłchq Agreement (2005-2007), and for 2019. It was agreed that the project would fulfill the requirements of a meeting to review the effectiveness of government programs, and that the IC would make recommendations to the Parties, based on the results of this project.

The data analysis will be complemented by qualitative research undertaken through interviews and focus groups with key stakeholders.

The Parties signed a Terms of Reference in 2019, which outlined the parameters for the establishment and mandate of an Effectiveness Review Working Group (ERWG). The ERWG, consisting of representatives from all parties to the Tłchq Agreement, selected a contractor to undertake qualitative research and complete a third-party analysis of both quantitative and qualitative data, as well design and collection of qualitative data. The ERWG continues to work in collaboration with the contractor by providing regular feedback.

Next Steps:

Once data collection and analysis is complete, the contractor will provide a draft final report for the ERWG to review. The ERWG will recommend the draft final report for the IC's review and approval, and develop a list of recommendations for the IC.

Implementation Plan Review

Chapter 5 of the Tłchq Agreement refers to an IP, which contains Activity Sheets that describe how the Parties will go about implementing the activities required to fulfill their obligations under the Agreement, as well as an estimate of the associated costs. The IC is required to initiate and complete a review of the first ten year IP and, if necessary, revise the schedule of activities, reallocate resources, and amend or negotiate a new IP.

While a new IP is being negotiated, the IC has signed several RoDs, which have extended the term of the existing IP and funding levels.

The format of the review by the Implementation Plan Working Group (IPWG) took on a two-phase approach. The first phase focused on verification of obligations through a clause-by-clause review of the Tłchq Agreement against existing Activity Sheets in the current IP, along with setting out the preamble and related clauses in Activity Sheets. This work has now been completed. The second phase includes updating the steps in individual Activity Sheets, bringing clarity to the actions, adding or removing steps for a more fulsome process, and realistic timelines to complete the tasks.

IMPLEMENTATION COMMITTEE ACTIVITIES

The IPWG has made significant progress on this phase, and the IPWG expects phase two to be completed in spring 2020.

Next Steps:

The IPWG will continue its work to complete phase two of the IP review by the spring 2020, and will distribute a draft IP for input from the Parties once complete.

Wekweèti Winter Road

In 2015/2016, the TG requested GNWT's support to have the winter road to Wekweèti added to the NWT Public Highway System. Doing so would ensure proper jurisdiction for the route is held by the GNWT, along with the rights for ongoing construction and maintenance of the Road.

To move forward with revisions to Territorial legislation to add the winter road, an amendment to Section 19.8 of the Tłı̨chq Agreement was required. The prerequisite IC RoD was approved and a draft Amendment package was circulated by the GNWT for review by Canada and the TG, including a French translation. An Amendment to the Tłı̨chq Agreement was approved by Canada, TG and the GNWT, and copies were distributed and deposited in accordance with the amendment provisions of the Tłı̨chq Agreement.

Next Steps:

There are no steps for the IC to complete this item.

Status Reports

Since the effective date of the Tłı̨chq Agreement, Canada and the GNWT have adopted measures that support and track their respective implementation activities related to their obligations under the Tłı̨chq Agreement. Each government shares these reports periodically, and IC meetings provide an opportunity for the TG, or governments, to ask questions or comment on the work undertaken by the GNWT or Canada to fulfill their obligations under the Tłı̨chq Agreement.

At the January 2020 IC, the GNWT reported that they are in the process of developing a comprehensive management system that will track the status of implementation obligations for settled claims.

Next Steps:

The GNWT plans to engage Treaty partners for input on what kind of functions and information they would like to see in this system.

IMPLEMENTATION FUNDING

Funding 2019/2020

GNWT	\$671,677
WLWB	\$2,004,894
WRRB	\$863,946
DRA	\$11,469
DDRA	\$0*
Cultural Coordinator	\$0*

*Funding is only provided where the position is occupied. As such, funding was not released in 2019/2020, as this position remained vacant during this period.



APPENDIX B

RECORDS OF DECISION SIGNED IN 2019/2020

RoD #	Title	Date Approved
2020-01	Appointment of Tłıchǫ Cultural Coordinator	January 21, 2020

