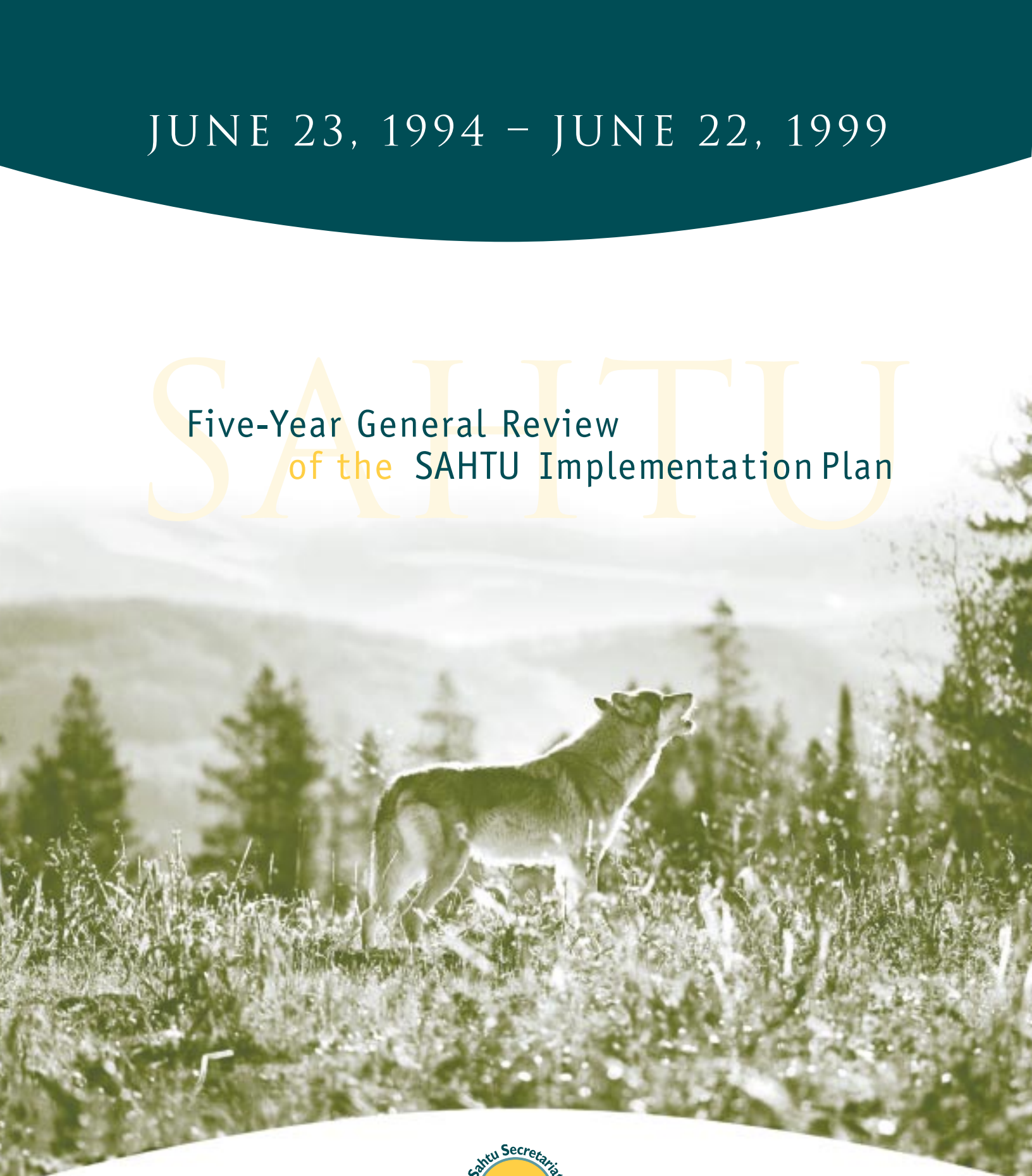


JUNE 23, 1994 – JUNE 22, 1999

SAHTU

Five-Year General Review
of the SAHTU Implementation Plan



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Foreword

The three parties to the Sahtu Dene and Metis Comprehensive Land Claim Agreement (Final Agreement) monitor and direct the implementation of the Final Agreement through a three-member Implementation Committee. The Implementation Committee is composed of three senior officials: one representing the Sahtu Secretariat Incorporated (SSI); one representing the Government of Canada; and one representing the Government of the Northwest Territories (GNWT). The Implementation Committee operates on a consensus basis.

An Implementation Plan accompanies the Final Agreement describing how obligations in the Final Agreement will be fulfilled. The Implementation Plan identifies who is responsible for, and the time frames required to fulfill, the Final Agreement obligations.

One of the responsibilities of the Implementation Committee is to complete a general review of the Implementation Plan in year five following the passage of settlement legislation in Parliament. This Five-Year General Review document is based on information provided by various departments within the federal and territorial governments, SSI and the various implementing bodies identified under the Final Agreement. It covers the period from June 23, 1994 to June 22, 1999.


Over the course of the Five-Year General Review, a number of outstanding issues were identified. Several of these issues have since been resolved or are being resolved by the Implementation Committee. A page-by-page review of the 117 projects identified in the Implementation Plan confirmed that, in general, a large majority of the Final Agreement obligations are proceeding smoothly. The Implementation Committee has reallocated funding, as required, due to delays in the passage of the *Mackenzie Valley Resource Management Act* (MVRMA) legislation and changes in planning assumptions. The Committee, as a result of the Five-Year General Review, has recommended that all planning assumptions be reviewed and considered in the re-negotiation of the Implementation Plan during the eight- to ten-year review. Funds have also been carried forward to subsequent fiscal years in order to allow implementing bodies more flexibility in performing their obligations under the Final Agreement.



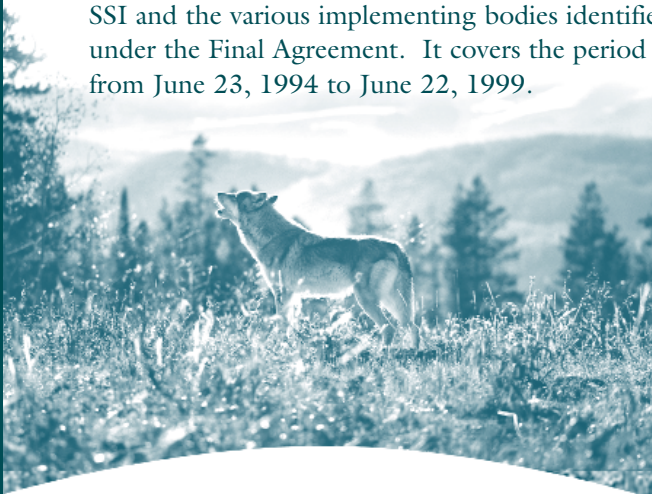
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Introduction

On September 6, 1993, the SSI, the GNWT and the Government of Canada signed the Final Agreement and the accompanying Implementation Plan to guide the implementation of the obligations by all parties to the Final Agreement. The Final Agreement became effective on June 23, 1994, when the Parliament of Canada adopted the *Sahtu Land Claim Settlement Act*.

The Implementation Committee held its first meeting in August 1994. Its roles and responsibilities are defined in Annex D of the Implementation Plan. One of the responsibilities of the Implementation Committee is to determine from time to time when an obligation has been fulfilled. One-time activities are deemed fulfilled when the activity described in the Implementation Plan has been completed. Ongoing activities are reviewed periodically by the Committee to determine which obligations, if any, remain unfulfilled. The Implementation Committee is further directed to complete a general review of the Implementation Plan in year five following settlement legislation. This document represents the efforts of the Implementation Committee towards fulfilling this obligation.

The purpose of the Five-Year General Review is to assess how government departments, agencies and other implementing bodies are assuming their Final Agreement obligations as outlined in the Implementation Plan. In December 1998, the Implementation Committee agreed that the scope of the review should be scaled down. The scaled-down scope of the review reflects the fact that many of the implementing bodies were not fully functional due to delays in the enactment of the MVRMA, which did not come into effect until December 22, 1998 (except for Part IV, which deals with the Mackenzie Valley Land and

Water Board (MVLWB) and under which some of the implementing bodies, such as the Mackenzie Valley Environmental Impact Review Board (MVEIRB), the Sahtu Land and Water Board (SLWB) and the Sahtu Land Use Planning Board (SLUPB) have been established. The federal government is in the process of preparing legislation to enact the Surface Rights Board.

The objectives of the Five-Year General Review, as defined in the Terms of Reference, are to:

- determine the current status of Final Agreement obligations and activities;
- provide opportunity for representatives from boards and government agencies to discuss land claim obligations and future direction for implementation;
- identify larger implementation issues;
- determine the overall adequacy of implementation funding;
- identify potential amendments to the Implementation Plan; and
- provide recommendations that will help to address concerns, issues or conflicts that surface from the activity review.



Process for Completing the Review

The Implementation Committee approved the Terms of Reference in August 1998 (see Appendix 1) and established a working group consisting of Cindy Guay of the Government of Canada, Kevin Campbell of the GNWT and Ruby McDonald of the SSI to conduct the Five-Year General Review of the Implementation Plan.

The first step was to consult with all parties identified as either Project Managers or Participants in the Implementation Plan. The Project Managers and Participants have particular responsibilities for each Final Agreement obligation and activity identified in the Implementation Plan. The Government of Canada and the GNWT agreed to consult with their respective departments and prepare status updates identifying the current status of all government obligations and activities. The SSI committed to completing internal consultations to determine the status of its obligations and activities.

The working group made a commitment to consult with the various implementing bodies (boards and committees) and request operational plans identifying the current status of Final Agreement

obligations and activities. In addition, it was asked to include an analysis of anticipated activities and projected costs of operations over the ensuing five years, based on funds allocated in Annex B of the Implementation Plan.

The working group identified the need for a document that would correspond to the Implementation Plan and would accommodate the consolidation of the activity-by-activity status updates from both governments, the SSI, Designated Sahtu Organizations (DSO) and the boards/working groups. As a result, a contractor was hired to develop a database for the activity-by-activity review.

The working group met on November 5, 1998 to complete a page-by-page review of the activities identified in the Implementation Plan, and again on December 17, 1998 to review the status updates and activities. A subsequent teleconference was held on March 3, 1999 to work on the draft report. The working group distributed copies of the draft report and gave a presentation at the Sahtu Implementation Committee meeting held on April 14, 1999 in Yellowknife. At its August 10, 1999 meeting, the Sahtu Implementation Committee discussed the issues raised by the working group.

The database summary, with consolidated status updates for each Final Agreement obligation and activity, is available upon request from the Government of Canada, the GNWT and SSI.

