
Backgrounder

Akaiitcho Process Negotiations

The Akaiitcho Dene First Nations (ADFN), the Government of Canada and the Government of the Northwest Territories (GNWT) are working together to achieve a lands, resources and governance agreement through the Akaiitcho Process.

ADFN members reside primarily in the communities around Great Slave Lake (known to the Akaiitcho as *Tu Cho*). This includes the Deninu Kue First Nation (Deninu Kue/Fort Resolution), the Lutsel K'e First Nation (Lutsel K'e) and the Yellowknives Dene First Nation (Ndilo and Dettah). There are also ADFN members located throughout Canada.

The goal of negotiations

The parties to the Akaiitcho Process recognize that the Dene living in the area made treaty with the Crown on July 25, 1900 at Deninu Kue. The parties do not have a shared understanding of the terms of that treaty and, through the Akaiitcho Process are resolving outstanding issues related to lands, resources and governance.

Negotiating this type of agreement is a complex and intensive process that spans several years and involves many interim steps. Through interim measures agreements and negotiations to conclude an Akaiitcho Agreement, the parties are working to:

- preserve a land base for the Akaiitcho Dene First Nations;
- acknowledge and protect the spiritual and cultural ties the Akaiitcho Dene have to the land, water, and animals;
- recognize the ADFN's jurisdiction to protect cultural traditions and language;
- help Akaiitcho citizens, especially young people, to enjoy a good quality of life and strong economic prospects in their traditional territory; and,
- regulate development in a sustainable manner so that the Akaiitcho traditional territory is a good place to invest and do business today and in the future.

Negotiation Milestones

June 13, 2000: Akaiitcho/GNWT Political Accord

A Political Accord is signed by the ADFN and the GNWT. They agree to meet periodically for open and candid discussions to share ideas and information. They also agree to work cooperatively together and to work towards enhancing the co-ordination of activities and communication.



July 25, 2000: Framework Agreement

One hundred years to the day from the making of treaty at Deninu Kue (Fort Resolution), the ADFN, Canada and GNWT sign a Framework Agreement. This agreement establishes the process, items and timetable for the negotiations and lays out the following objectives for an Akaitcho Agreement:

- § describe the structure, operation, legal status and extent of the ADFN government;
- § describe the ADFN governments and their relationships to other levels of government;
- § explain how lands, water and other resources, including wildlife and their habitat, will be used, managed and protected;
- § contain land and resource provisions that provide for clarity of rights respecting lands and resources; and,
- § include measures to enhance the capacity of the ADFN to participate fully in the economy.

June 28, 2001: Interim Measures Agreement and Schedules

The Akaitcho Interim Measures Agreement (IMA) is signed by the three parties in Lutsel K'e. It establishes temporary arrangements that clarify the role of the ADFN in resource management decisions in their region while the Akaitcho Process is ongoing. A number of IMA Schedules are later created to describe how the federal and territorial governments, and/or regulatory bodies, will consult the ADFN in decisions that impact their asserted territory in areas such as: Commissioner's Lands, Crown Lands, Forest Management, Land Use Permits, Surface Federal Crown Lands, Territorial Parks, and Water Licences.

September 2001: Start of formal negotiations

Formal negotiations of the Akaitcho Agreement-in-Principle begin. This is a major step toward an Akaitcho Agreement that will clarify who owns and has rights to lands and resources within Akaitcho Territory and how it will be governed.

November 27, 2002: Akaitcho/Tlicho Boundary Agreement

Akaitcho and Tlicho leaders sign a boundary agreement in Behchokò addressing matters relating to the overlap of their traditional territories. It establishes how they will work together to protect and manage lands, resources and wildlife.

February 23, 2004: Ministerial Direction

The Minister of Indian and Northern Affairs Canada provides written policy direction to the Mackenzie Valley Land and Water Board to further clarify the Akaitcho IMA and provide guidance for its implementation.

November 21, 2005: Interim Land Withdrawal Protocol

An Interim Land Withdrawal Protocol is signed by the negotiators for the three parties. Once identified, the governments of the NWT and Canada will formally ensure that no further land sales, leases or other types of land dispositions take place in the withdrawn areas for a specific period of time. Interim land withdrawals give the parties assurance that areas they may want to include in an Akaitcho Agreement will remain available.

November 2, 2006: Interim Withdrawal of Commissioner's Land in the City of Yellowknife

The ADFN and the GNWT announce they have reached agreement on an interim land withdrawal of 1034 hectares of Commissioner's Land within the City of Yellowknife for a period of five years. This agreement forms part of an out-of-court resolution to a legal action brought by the ADFN against the GNWT and allows the parties to resume Akaitcho Process negotiations.

Current focus of negotiations

The IMA and Interim Land Withdrawals provide a level of comfort for all parties about what activities can and cannot take place in the area under negotiation. They also put clear processes in place to ensure the Akaitcho Dene First Nations are consulted on land, resource wildlife and water related activities as negotiations move forward. This has allowed the parties to focus their efforts on reaching an Agreement-in-Principle.

Negotiation sessions occur monthly and are based on a workplan that is updated and reviewed annually. The majority of Akaitcho Process negotiation sessions take place in the ADFN traditional territory.

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This backgrounder is available on the Internet on:

The Department of Indian Affairs and Northern Development website: www.ainc-inac.gc.ca

The NWT Treaty 8 Tribal Corporation website: www.akaitcho.info

The Department of Aboriginal Affairs and Intergovernmental Relations website:
<http://www.daair.gov.nt.ca/>

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