Tlicho Government

Recognition and Intergovernmental Relations

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Tłı̨chǫ Ndek'awoo

Tłı̨chǫ Government

Tåîchô Government

Thchǫ Ndek'awoo

Thchǫ Government

Dii sah naet'a
Dii deh niili
Dii nde nagoedo-le nide
Asii ts'agoet'o holi ha nele

Chief Monfwi - 1921

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Inherent Right

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Tłı̨chǫ Government

For some First Nation people, inherent rights are right bestowed upon them by the Creator who placed them on Turtle Island and provided them with instruction on how to live. While not all creation stories are the same they all share this theme. The Creator's instruction formed the basis of the traditional knowledge, culture, traditions and oral traditions that have directed First Nations ever since – since time immemorial.

Therefore inherent rights are not granted by the Crown. Each First Nation is a unique cultural entity, a specific definition of what those rights are does not exist but commonly include a right to self-government, rights to the land and right to practice their own culture and customs.

Tåîchô Government

Self-Government is based on the traditional governance system of the Tåîchô – Since time immemorial

Note: Tlicho Cosmology

Tåîchô Unity is integral to the Tåîchô and its survival as a people is based on this unity

The Agreement is an extension of what Mowhi achieved for the Tåîchô people

Tåîchô Government

<u>Tåîchô Agreement</u>:

•Effective date on August 4, 2005 – A date of formal ***recognition*** of the Tåîchô as a Nation

•Agreement provides certainty in respect of rights of the Tåîchô relating to land, resources and governance

•Three Party agreement – Tåîchô , Canada and GNWT

•The Agreement ensures that the Tåîchô language, culture and way of life is preserved, protected and promoted

•Indian Act not applicable therefore Band Councils cease to exist and is replaced by Tåîchô Government – National Government

Tåîchô Government

Powers (chapter 7.4)

•Powers to enact laws in relation to the structure of the Tåîchô Government and its internal management

•Powers to manage and exercise of rights and benefits provided under the Agreement to the Tåîchô Citizens, Tåîchô Nation or to the Tåîchô Government including those related to wildlife, plants and trees

•Powers to enact laws in relation to the use, management, administration and protection of Tåîchô lands and renewable and non-renewable found thereon

•Powers to enact laws in areas such as training, social assistance, child and family services, adoption, education, pre-schooling and early childhood, to name a few

Tåîchô Government

There are three (3) geographical areas:

1. Mowhi Gogha De Niitl’ee
2. Wek’èezhii
3. Tåîchô Lands

Note: The map for Mowhi Gogha De Niitl’ee is for illustrative purposes.

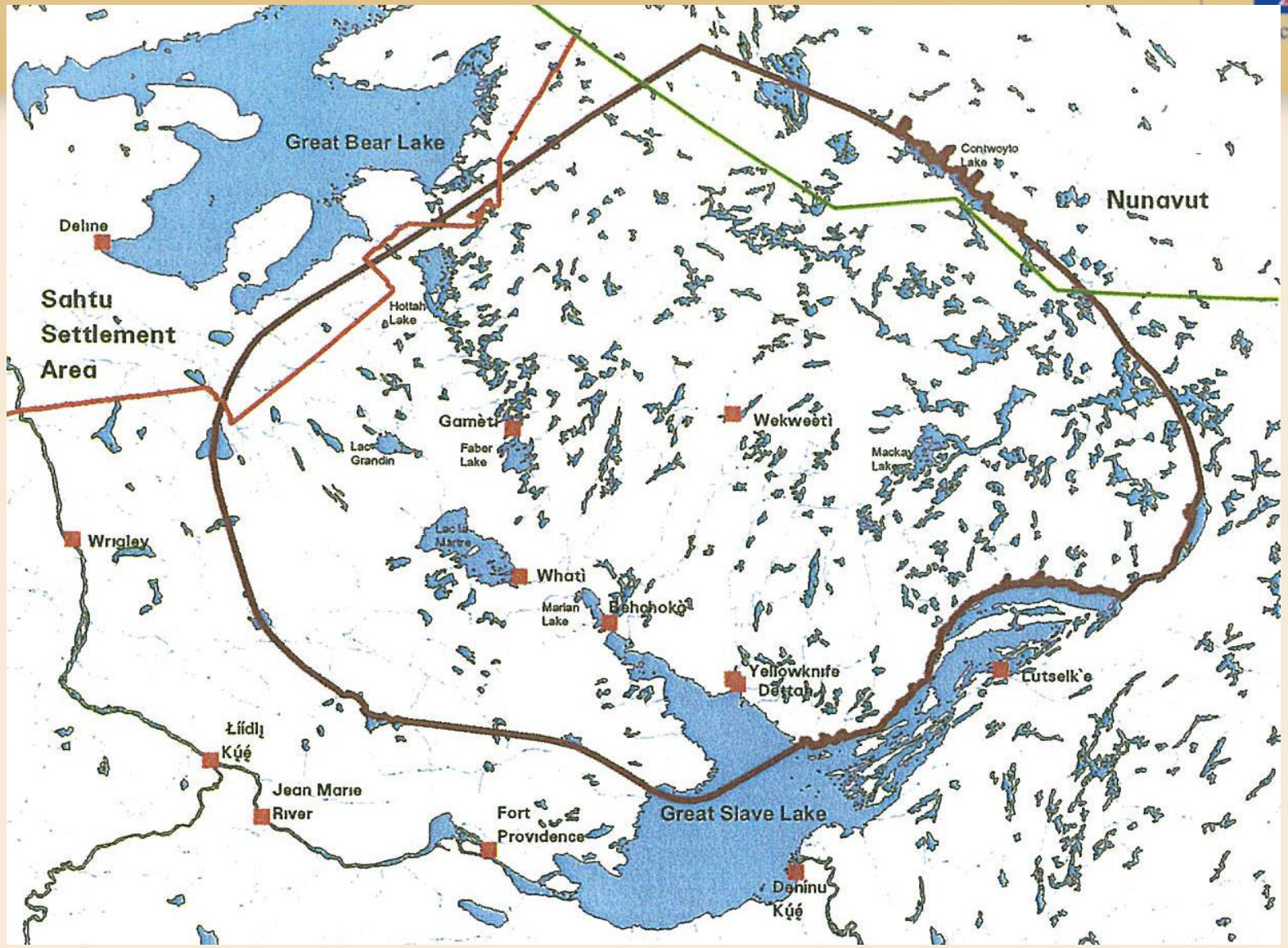
Tåîchô Government

Mowhi Gogha De Niitl’ee:

Mowhi Gogha De Niitl’ee is the traditional territory of the Tåîchô and includes all four of the Tåîchô communities.

The Tåîchô are able to exercise most of the rights set out in the Agreement in this area.

Tåîchô Government



Tåîchô Government

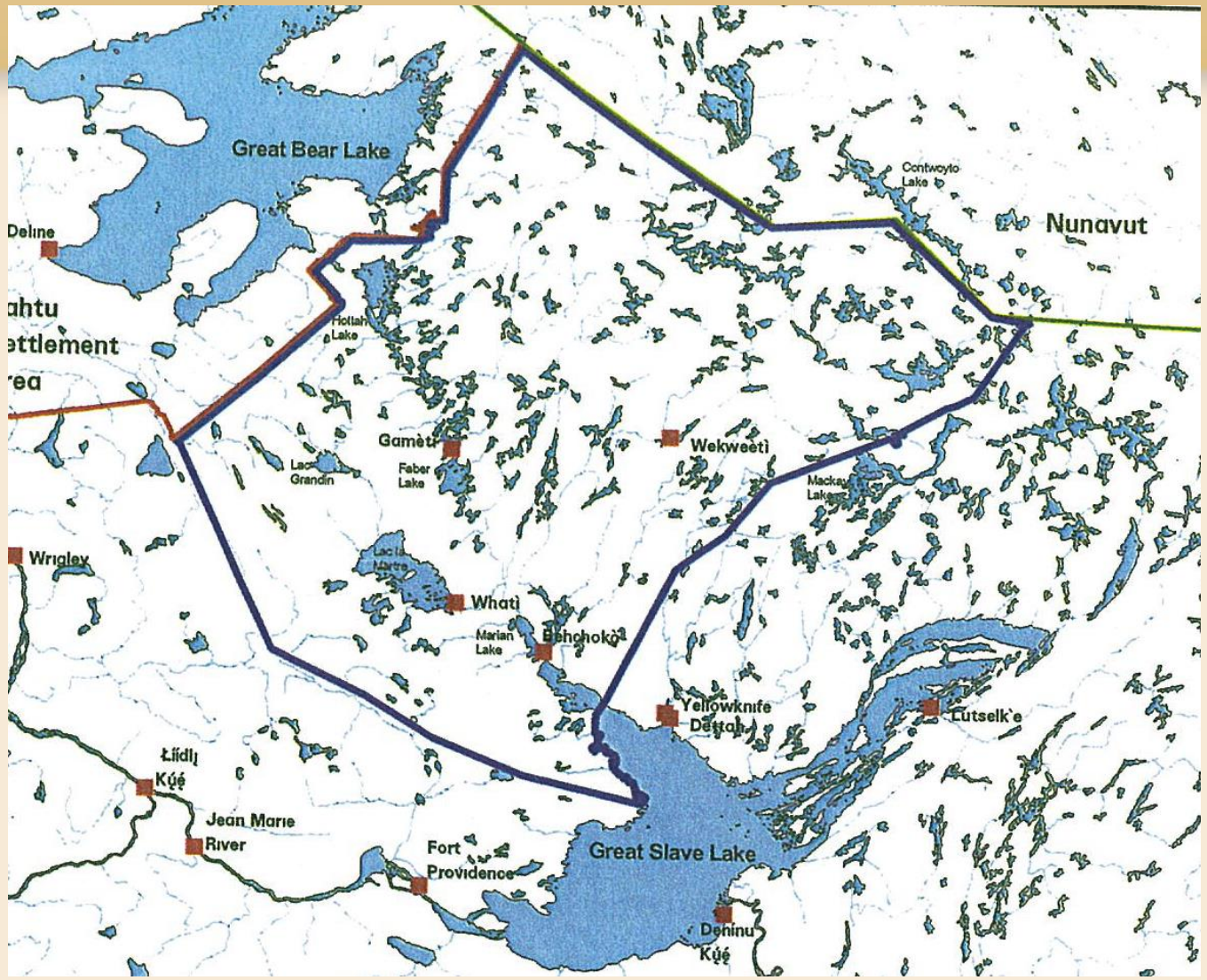
Tłı̨chǫ Ndek'awoo

Tłı̨chǫ Government

Wekʼeezhii:

- Is a resource management area.
- The WLWB and WRRB management authority apply to this area.
- This area is bordered by land claims settlement areas and traditional areas of neighboring Aboriginal groups.

Tåîchô Government

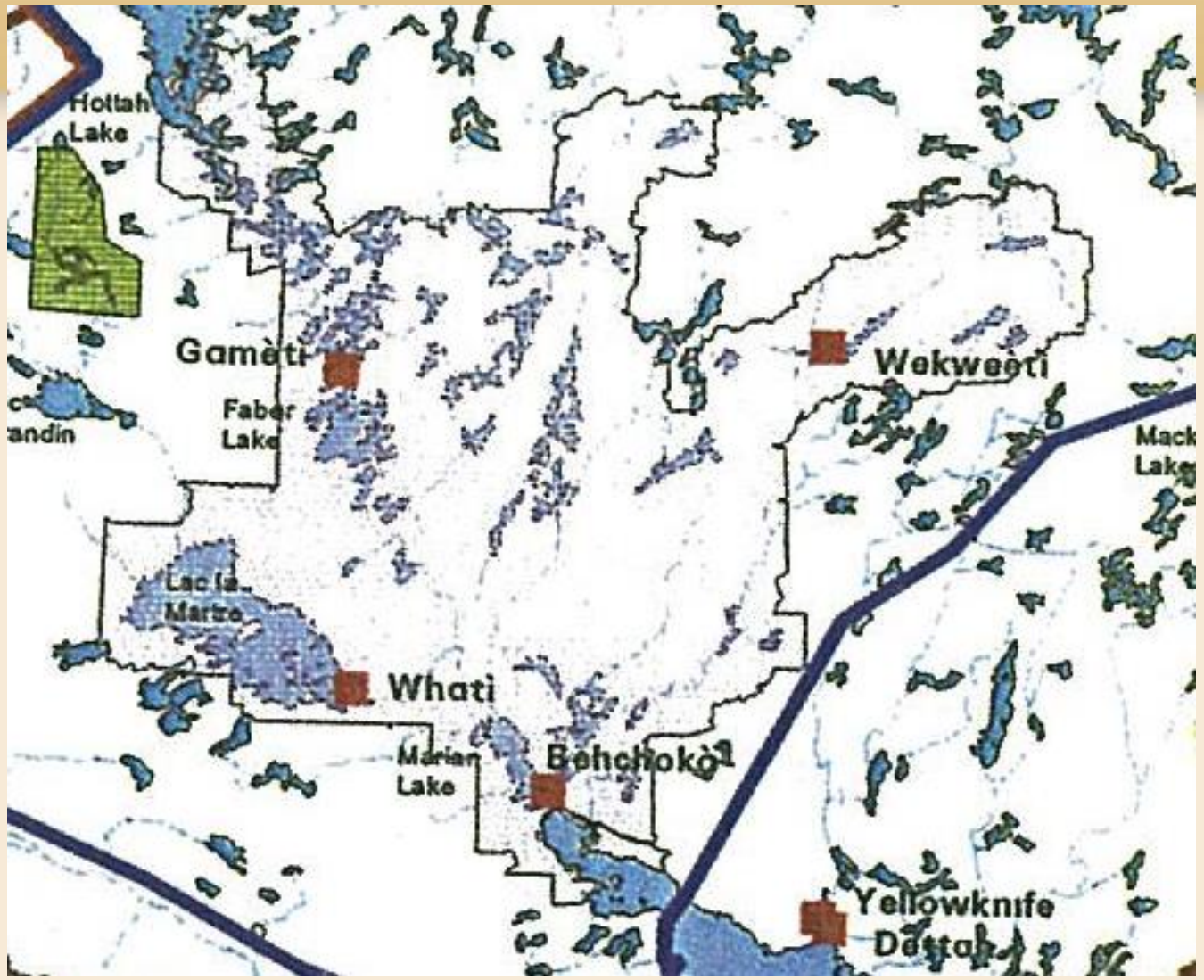


Tåîchô Government

Tåîchô Lands:

- 39,000 sq/km in fee simple title
- surface and subsurface ownership
- Tåîchô lands was in moratorium.
- The Tåîchô Land Use Plan was approved by the Tåîchô Assembly.

Tåîchô Government



Tåîchô Government

Tåîchô lands in relation to the Atlantic Provinces

	Square Kilometers	Tlicho Lands as % of Provincial Lands
Tlicho Lands	39,000	N/A
New Brunswick	55,284	70.5%
Nova Scotia	72,908	53.5%
Prince Edward Island	5,660	600.9%

Tåîchô Government

The Tåîchô Constitution:

- Is the Tåîchô Nation's highest law
- Provides for the establishment of Tåîchô governing bodies and the exercise of the rights and duties and composition, membership and procedures
- Provides for political and financial accountability
- Provides for challenges to the validity of Tåîchô laws and decisions
- Is a protection for Tåîchô Citizens
- Opportunity for non-Tåîchô to participate
- Processes for amendments to Tåîchô Constitution and the Tåîchô Agreement

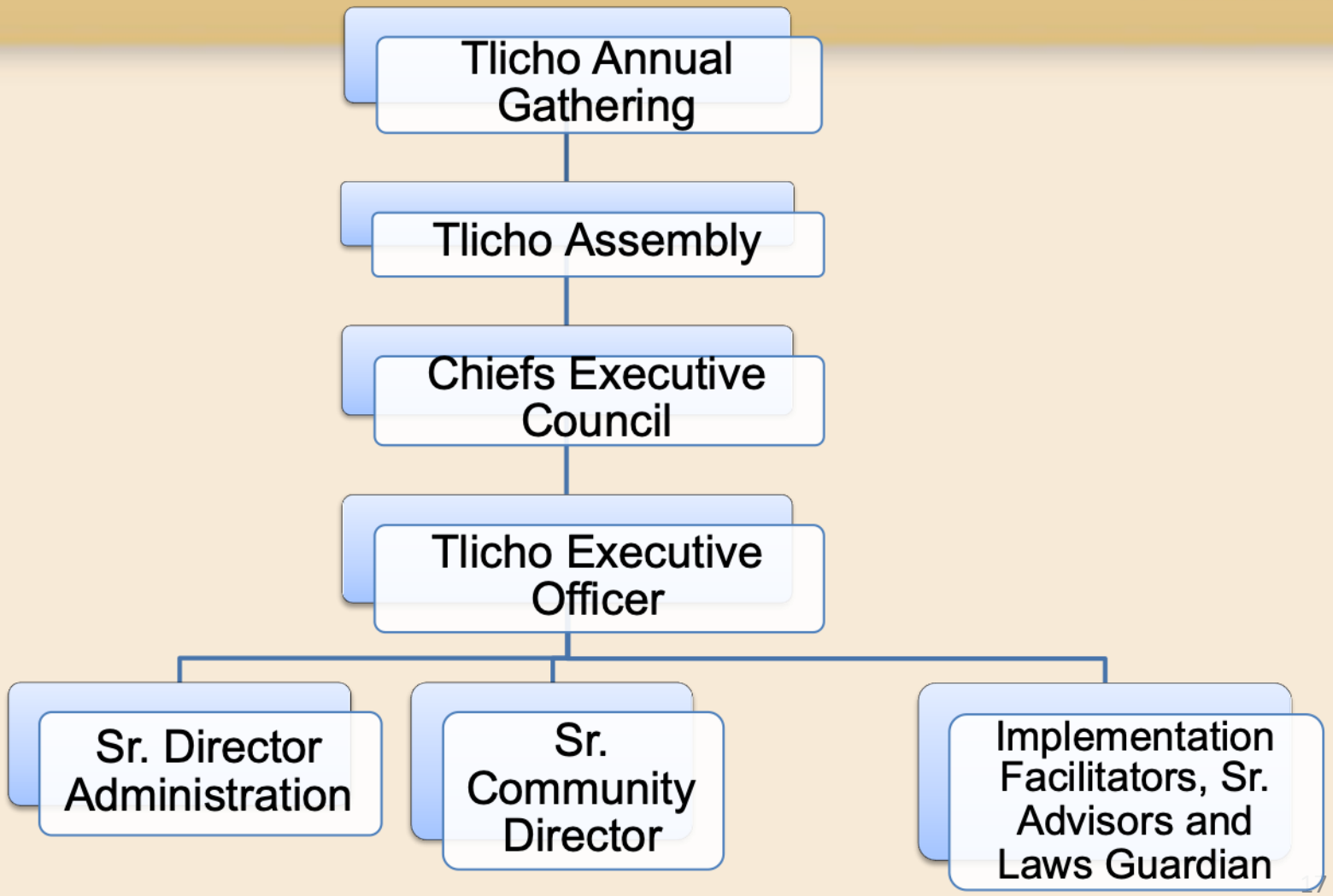
Tåîchô Government

<u>Purposes of Tåîchô Government</u>:

To act in the best interests of the Tåîchô and to respect all laws, including Tåîchô laws

Acting to preserve, protect and promote the Aboriginal and Treaty Rights and way of life, including Tåîchô culture, language, heritage, lands, economy and resources for all Tåîchô today and for future generations to come for as long as the land shall last.

Tåîchô Government



Tåîchô Government

Annual Gathering:

Purpose is to bring Tåîchô together to share in the social, political and cultural activities as well as to deal with other matters:

- Open forum for Citizens to ask questions, make recommendations and provide broad policy direction
- Nominations for Grand Chief in the year of an election
- Annual reports including financial reports on activities of the Tåîchô Governments and its institutions are to be presented
- Debate, consideration and approval of proposed amendments to the Tåîchô Agreement and Constitution

Tåîchô Government

Tåîchô Assembly:

The Assembly is based on equal representation and includes the Grand Chief, 4 Chiefs and 8 Councillors. The Assembly meets 5 times per year.

- Responsibility and authority to implement the Tåîchô Agreement
- To protect and ensure good government
- Protect Tåîchô rights, titles and interests
- May enact Tåîchô laws in relation to all its authority pursuant to its self-government powers

Tåîchô Government

<u>Chiefs Executive Council</u>:

- Members are Grand Chief and the 4 Chiefs
- Take direction from and report regularly to the Tåîchô Assembly
- Ensure implementation of Tåîchô Laws
- Oversee the management and administration of the Tåîchô Assembly
- Take such action is are necessary to ensure implementation of good government of the Tåîchô
- Shall strive to make decisions by consensus

Tåîchô Government

Grand Chief:

- Is successor to Mowhi
- Provide overall political leadership for the Tåîchô Nation
- Shall take appropriate actions to achieve the purposes of Tåîchô Government including:
  - Act as principal spokesperson and representative of the Tåîchô Nation.
  - Encourage the resolution of internal disputes and conflicts within the Tåîchô and;
  - Promote the fundamental principles in this Constitution

Tåîchô Government

Responsibilities of Chiefs in the TG Presence Offices:
(list is not exhaustive)

- Update citizens on all matters relating to the work undertaken by the CEC
- Deal with complains and issues of concern by Citizens
- Provide counseling as necessary
- Attend various function and public events
- Oversee the administration of the Presence office and all TG buildings in a Tåîchô community
- Oversee and monitor program and services undertaken by the Presence Office
- Maintain all assets
- Liaison and meet with all agencies, groups, companies, officials and Act as host
- Deal with trauma/emergencies
- Coordinate community activities such as fall hunts, trappers, feast, handgames, etc.
- Work in cooperation with TG headquarters
- Communicate and liaison with other Tåîchô chiefs and the Grand Chief
- Communicate and liaison with Assembly members
- Ensure fully informed on all issues
- Ensure Assembly members are briefed

Tåîchô Government

Intergovernmental Relations:

1. Internal Tåîchô Government Priorities – post ED
    - Nation Building
    - Setting up Institutions and administration
    - Moratorium
    - Implementation Team

2. Canada
    - Creation of Co-Management Board
    - Implementation Team
    - Devolution
    - Super Board MVEIRB – Injunction to Collaborative Amendments – process for future amendments
    - Cabinet Directive – DMOC - Whole of Government Approach
    - Prime Minister Forum

Tåîchô Government

3. Government of the Northwest Territories
    - MOU – meetings between GNWT and CEC
    - Bilateral Agreement - IGC and IGCS
    - Intergovernmental Services Agreement

4. Indigenous Governments
    - Land Claims Agreement Coalition
        - Model Policy
        - Cabinet Directive
        - PM Forum
    - Self-Government Indigenous Governments – Fiscal
        - Policy – expenditure base - baskets
        - PM Forum

Tåîchô Government

Challenges:

- Creation of Government overnight – need to develop a strong government – set priorities, policies, laws, etc
- Internal Challenge – getting leaders to think like a Government – no longer public government or Indian Act Bands – 4 Bands to National Government
- Governments not ready or no guide book on how to deal with Tåîchô after ED – ie Caribou – no notification – back to joint proposal
- Fiscal renewal – discretionary exercise of rights to expenditure base approach
- MVRMA – Omnibus to collaborative amendment

Tåîchô Government

Reconciliation

- Treaty Partners Relationship
  - PM forum
  - DMOC
  - GNWT mandate setting
  - MOU – Cabinet

- Collaboration
  - Fiscal
  - Legislative
  - Implementation

Tåîchô Government

Tłı̨chǫ Ndek'awoo

Tłı̨chǫ Government

It's not a divorce but an enduring relationship, an enduring Constitutional Relationship

Tåîchô Government

Tłı̨chǫ Ndek'awoo

Tłı̨chǫ Government

Masi