



Intergovernmental Council  
of the Northwest Territories

# IGC SECRETARIAT ANNUAL REPORT 2016 - 2017

December 15, 2017

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## **Introduction:**

This report has been prepared by the Intergovernmental Council Secretariat and reports on activities that the Secretariat has undertaken during the period of September 2016 to September, 2017

## **Background:**

In February 2014, the Northwest Territories Intergovernmental Agreement on Lands and Resource Management (the “Agreement”) was signed by the Government of the Northwest Territories (GNWT), Inuvialuit Regional Corporation (IRC), Northwest Territory Métis Nation (NWTMN), Sahtu Secretariat Incorporated (SSI), Gwich’in Tribal Council (GTC) and the Tłı̨chǫ Government (TG). Acho Dene Koe First Nation (which includes the Fort Liard Metis Local #67), Salt River First Nation and Deninu Kué First Nation also signed onto this Agreement in May 2014. Kátł’odeeche First Nation signed onto this Agreement in March 2015. The purpose of the Agreement is to formalize the government to government relationships among GNWT and the Indigenous governments for cooperative and coordinated Management of Lands and Resources. This Agreement is part of the Devolution Agreement.

## **Administration:**

The Northwest Territories Intergovernmental Agreement on Lands and Resource Management calls for the establishment of a Secretariat with the appropriate technical, professional and administrative expertise and capacity to fulfill its duties. The Secretariat’s roles and responsibilities are outlined in the Terms of Reference which were approved by the Intergovernmental Council in September 2014.

The approved Terms of Reference also states that a Secretariat Coordinator is to be appointed to provide administrative support to the IGC Secretariat. This position is housed within the Aboriginal Consultation and Aboriginal Relations division of the Department of Executive and Indigenous Affairs.

The Secretariat Coordinator worked closely with the IGC Secretariat on the following activities in 2016 - 2017:

- The IGC website was officially launched on October 9<sup>th</sup>, 2015. At the members’ request, when the website was designed, it included a members’ log in site. The members only site, which can be accessed by members using a password, contain documents for distribution such as minutes of meetings, follow up summary tables, information items provided by departments, etc. Because of the volume of material provided to members, this members’ only site has proven to be a good idea, particularly when dealing with broadband issues in the communities. The IGC

Secretariat Coordinator manages the site. The website address is: <http://www.igcnwt.ca/>

- The IGC Secretariat Coordinator developed an excel spreadsheet to track information distributed to the IGC Secretariat. This is updated regularly.
- All documents generated on behalf of the Intergovernmental Council and the Intergovernmental Council Secretariat, including minutes, information items and correspondence are housed in the GNWT's Digital Integrated Information Management System (DIIMS). All documents generated on behalf of the IGC are on the IGC letterhead. As noted above, documents for distribution are also downloaded onto the website for access by members.
- The IGC Secretariat Coordinator developed a work plan that outlines proposed activities to fulfill the position's responsibilities along with a plan of action on how to provide administrative support to the IGC Secretariat in carrying out the priorities set by the Intergovernmental Council. The annual work plan was provided to the IGC Secretariat and downloaded onto the website for members' access. A copy of that work plan with a reporting on the work done to date is available to members on the members' website.
- A PowerPoint Presentation was developed that explains the role and responsibilities of the Intergovernmental Council. This presentation can be used to share information with GNWT departments about the role and responsibilities of the Intergovernmental Council and the Secretariat. This presentation can also be used in presentations to community groups, if requested. An invitation was extended to the IGC Secretariat to participate in these presentations. To date, no presentations have been scheduled but the Director of Aboriginal Consultation and Aboriginal Relations has attended ADM Committee meetings where he provided an overview of the role and responsibilities of the IGC. The Director and the IGC Secretariat Coordinator have also been invited to do presentations to visiting dignitaries. These presentations highlight the Government of the NWT's efforts in strengthening its relationship with the Indigenous governments.

The Secretariat Coordinator also participated with the Department of Investment, Tourism and Industry in the development Resources and Energy Development Information (REDI) Project. This project was designed to address the lack of information-based public awareness, knowledge of resource development and environmental management. This project was launched at the Emerging Technologies and Energy Conference held in Inuvik June 13<sup>th</sup> – 14<sup>th</sup>, 2017. The Secretariat Coordinator participated in that conference and manned the Department of Executive and Indigenous Affairs information booth where she shared information on the Intergovernmental Council. In the feedback she provided to the REDI team, she recommended that if the IGC participates in the REDI scheduled events in the community they do it as a stand-alone and not as part of the Department of

Executive and Indigenous Affairs. The participation of the IGC in this initiative requires further discussion.

- The Secretariat Coordinator undertook research on a scoping exercise as directed by the Aboriginal Government Capacity Working Group. This is reported on in more detail on page 9 of this report.
- For all meetings of the Intergovernmental Council, including the Secretariat and Working Groups, minutes are prepared along with a summary table of action items. The summary table outlines what is to be done, by whom and by when. To help the Secretariat monitor the progress made on action items, the summary tables are updated regularly and reported on at subsequent meetings. As noted previously, the minutes and the action item summary tables are also downloaded onto the website for easy access by the members at any time.
- The main resource revenue sharing payments for 2015 – 2016 were issued in early August 2016 and the payments for 2016 - 2017 were issued in early August 2017. Quarterly payments will continue to be made to those Indigenous governments who signed onto the Devolution Agreement.

The Retained Amounts for 2014 – 2015 was issued in late August 2016. For the 2015 - 2016 Retained Amounts, the IGC Secretariat agreed to have a portion of the funds allocated for the completion of the Intergovernmental Council Strategic Plan. The GNWT approved this recommendation. The Indigenous governments signed the Agreement for the Retained Amounts and the funds for 2015 – 2016 were distributed in early August 2017.

The formula for the calculation of the resource revenue payments was developed by the Finance Working Group and approved by the IGC Indigenous parties. The calculation takes into consideration population and cost of living differentials. At the September 14, 2017 IGCS meeting, it was agreed that updated membership numbers would be submitted to the IGC Secretariat Coordinator by the Indigenous governments in April of each year. The updated numbers would be used for the calculations for that year.

- The past year has seen some changes to the appointments to the IGC Secretariat. As a result of leadership changes or staff turnover, a few of the Indigenous governments changed their representatives on the IGC Secretariat. In most cases, the IGC Secretariat Coordinator is advised accordingly. However, this does not always happen so there have been instances where information distributed did not always get to the right person in a timely manner. This creates a challenge, especially if input is required from the members of the IGC Secretariat on a given issue.

## **Intergovernmental Council:**

The third annual meeting of the Intergovernmental Council took place on October 21<sup>st</sup>, 2016 in Yellowknife. This meeting included a reporting on the work undertaken on the previous year's outcomes and an acceptance of recommendations going forward. The following Outcomes were approved:

- Leaders directed the Aboriginal Government Capacity Working Group to continue with their mandate for the upcoming year and to report back to the Intergovernmental Council in 2017 on the work undertaken with the priorities presented in the report.
- Leaders directed the IBA Working Group to continue with their mandate for the upcoming year and to report back to the Intergovernmental Council in 2017 on progress made with the development of related legislation.
- Leaders directed the IGC Secretariat to continue with the development of a detailed Strategic Plan based on the Strategic Plan Framework. The long term plan should include timelines, indicators and required resources, including the legislative priorities and legislative framework. The detailed Strategic Plan will be tabled at the 2017 Intergovernmental Council Meeting. If required, an appropriate approval process will be put in place.
- Leaders directed the Government of the Northwest Territories to instruct the senior officials from the key departments to commit to participating in the IGC Secretariat meetings.
- Leaders directed the IGC Secretariat to work on formalizing a government to government working relationship with the Government of the Northwest Territories.
- Leaders directed the Department of Indigenous Affairs and Intergovernmental Relations to set up a budget for the IGC Secretariat Coordinator to undertake activities that support the IGC Secretariat. This will help when planning the work to be undertaken.

The 2017 annual meeting of the Intergovernmental Council is scheduled for Friday, December 15, 2017 to be held in Yellowknife.

## **IGC Secretariat:**

The IGC Secretariat was set up in the early part of 2014 to provide support to the Intergovernmental Council. The Terms of Reference for the IGC Secretariat were approved by the Intergovernmental Council at the September 19, 2014 meeting.

The Terms of Reference calls for the appointment of one senior official from the Government of the NWT and one from each of the respective Indigenous Government who are a Party to the Agreement. A copy of the approved Terms of Reference is available on the website.

The following IGC Secretariat meetings were held during this reporting period:

- Sept. 30, 2016 (teleconference call to discuss letter from Minister Bennett re: federal review of the Mackenzie Valley Resource Management Act)
- Nov. 14, 2016 (teleconference call to discuss the Strategic Plan and the preparation of the Terms of Reference to hire a contractor to work on the Strategic Plan)
- Jan. 12, 2017 (teleconference call meeting)
- Jan. 20, 2017 (teleconference call – follow up to Jan. 12<sup>th</sup> meeting to discuss the distribution of the retained amounts)
- June 01, 2017 (face to face meeting held in Yellowknife)

Minutes of the meetings are prepared and a summary table of the Action Items is prepared and distributed. Status reports are provided regularly on the Action Items. The minutes along with the corresponding Action Items summary tables are also available to members on the members' only website.

In addition to the above meetings, members of the IGC Secretariat participated in the following workshops:

- Dec. 02, 2016 - Legislative Changes Workshop was held in Yellowknife. This workshop was facilitated by an outside consultant and the agenda for the workshop was developed in cooperation with the IGC Secretariat. As a follow up to the workshop, a Discussion Paper was prepared by the IGC Secretariat and presented to the GNWT on January 12, 2017. This Discussion Paper outlined how the IGC Secretariat members see themselves being involved in the development of legislation. The GNWT provided a response letter to the IGC Secretariat dated March 20<sup>th</sup>, 2017.
- Feb. 28, 2017 - Follow up meeting to the Legislative Changes Workshop coordinated by Dept. of Executive
- March 6, 2017 - Workshop with ENR on their Legislative Proposals

The following provides a reporting by the three departments on their legislative initiatives which involved the IGC Secretariat members:

### **Department of Lands - Review of the *Northwest Territories Lands Act* and the *Commissioner's Land Act* initiative**

For the Review of the *Northwest Territories Lands Act* and the *Commissioner's Land Act* initiative, following the Legislative Changes Workshop in November, the Department of Lands invited IGC Secretariat members to work with the Department and its contractor in the development of an engagement paper, which outlined administrative and technical issues with the two pieces of legislation and proposed recommended

actions to address these issues. Prior to the formal launch of the Department's engagement activities, the Department offered to brief IGC Secretariat members on the content of the paper, and requested their feedback.

During the formal engagement period from June 15 to September 1, 2017, the Department invited IGC Secretariat members, Aboriginal governments, stakeholders and the public to submit comments and recommendations. Engagement activities included the release of the engagement paper, open houses in regional centres, presentations and discussions with interested groups, and an online comment system. Departmental representatives held open houses in Norman Wells, Inuvik, Fort Simpson, Hay River, Fort Smith, and Yellowknife and met with IGC Secretariat members in Inuvik, Fort Simpson, and Hay River. Feedback was generally in support of the recommended actions that were laid out in the engagement paper. Using the input received, the Department intends to submit a Legislative Proposal in October for Cabinet and Standing Committee consideration.

On September 11, the Department briefed the IGC Secretariat members on the results of the engagement activities and to discuss options and next steps for potential partnership drafting in the next phase of the GNWT legislative process.

### **Department of Industry, Tourism and Investment – Development of a Mineral Resources Act and review of the Petroleum Resources and Oil and Gas Operations Act Initiatives**

For the development of the Mineral Resources Act (MRA) following the Legislative Changes Workshop in December, the Department of Industry, Tourism and Investment (the Department) invited IGC Secretariat members to work with the Department and meet with its consultant during a preliminary research and scoping period. From March to April the Department's consultant was available and met with those IGC Secretariat members who responded to his meeting request. The result of this work was shared at an IGC Secretariat meeting in June. At a subsequent meeting in July, the parties discussed the general approach and key items for inclusion in a discussion paper. The discussion paper was completed and shared with IGC Secretariat members in July and released to the general public in August. Prior to the formal launch of the Department's public engagement activities, the Department offered to brief IGC Secretariat members on the content of the paper and requested their feedback.

As partners in the development of the MRA, the Department engaged the IGC Secretariat before commencing the public engagement period on this legislative initiative. The Department provided proposed Terms of Reference for a MRA Intergovernmental Working Group (MRA IWG) to the IGC Secretariat in July. It is anticipated that the Department and the IGC Secretariat will collaboratively finalize the terms of reference in the Fall and discuss the next steps in the MRA development process.



The formal public engagement period will remain open until December 1, 2017. The Department designed the MRA engagement to be widely accessible by implementing an online stakeholder platform, informational website content and in-person engagement sessions in each regional centre. The Department has invited IGC Secretariat members, Indigenous governments, stakeholders and the public to submit comments on the discussion paper and recommendations for what they would like to see in a made-in-the-North MRA. Engagement activities included the release of the discussion paper, the launch of the online stakeholder platform, and presentations and discussions with key interest groups. Departmental representatives have already held public engagement sessions in Yellowknife (French/English), Fort Simpson, Normal Wells, Inuvik, Hay River and Fort Smith. The Department will be holding a further in-person public engagement session in Behchokò during the week of September 25-29.

The Department will be conducting 2-day MRA sessions with IGC Secretariat members. The early results of the engagement period will be shared by the Department with the IGC Secretariat in addition to a series of technical and administrative amendments that are being proposed to the *Mining Regulations*. IGC Secretariat discussions will include providing preferences for proceeding with specific policy discussions in development of the MRA and how best to prioritize those policy aspects that are of greatest interest to the IGC Secretariat. Working together and using the input received, the Department intends to prepare a legislative proposal in January for Cabinet and Standing Committee consideration. The Department will also brief IGC Secretariat members on the early results of research that has been undertaken with regard to the review of the *Petroleum Resources Act* and *Oil and Gas Operations Act* and discuss options and next steps for collaboration on these legislative initiatives.

### **Department of Environment and Natural Resources - Establishment of Protected Areas Legislation and Modernization of the Waters Act, Forest Management and Protection Act, Environmental Protection Act, and Environmental Rights Act**

Environment and Natural Resources (ENR) is working together through a partnership drafting approach with members of the IGC Secretariat and representatives of other Indigenous Governments in technical working groups to amend the Waters Act, Forest Management and Protection Act, Environmental Protection Act (EPA), and Environmental Rights Act (ERA), as well as establish a new piece of Protected Areas Legislation. Four Technical Working Groups (TWG) have been established to provide recommendations on drafting instructions for the five pieces of legislation.

Beginning at the December 2016 Workshop with the IGC Secretariat, ENR provided information regarding a critical path, key aspects proposed for each of the five legislative initiatives being advanced, as well as a proposed partnership approach for this work.

Following the establishment of the Technical Working Groups, several face to face meetings have taken place to advance work on ENR's legislative initiatives. Meetings have focused on common elements across the 5 pieces of legislation, and have prioritized the potential amendments based on importance to the TWG members. TWG meetings have occurred specifically for the Protected Areas Legislation and Forest Management and Protection Act. EPA/ERA and Waters Act meetings are scheduled for mid-December 2017. Additional meetings will be scheduled and held in 2018, as needed, for each legislative initiative. Work of the TWGs will directly inform the drafting of new or amended legislation by the Department of Justice.

ENR has recently engaged with stakeholders on the 5 legislative initiatives and will be providing an update on input received to the TWG.

Once draft legislation is prepared, ENR will undertake consultation with Indigenous Governments and additional public engagement.

### **IGC Working Groups:**

As was noted previously, the Intergovernmental Council directed that two Working Groups be established - a Finance Working Group and an Aboriginal Government Capacity Working Group. These Working Groups were set up in early 2015 and consisted of the IGC Secretariat members. The Terms of Reference for these Working Groups were approved at the April 29, 2015 Working Group meetings. Direction was also given to set up an Impact Benefit Agreement/Benefit Plans Working Group. This latter Working Group was set up in June 2015 and the Terms of Reference for that Working Group was approved at the February 4<sup>th</sup>, 2016 IGC Secretariat meeting.

The following IGC Working Group meetings were held in 2016-2017:

- Finance Working Group
  - No meetings were held during this reporting period as there were no issues that required attention.
- Aboriginal Government Capacity Working Group
  - May 25, 2017. A more detailed report is provided below on the activities of this Working Group.
- IBA Working Group
  - Two IBA Working Group teleconference call meetings were scheduled but had to be cancelled due to lack of quorum. In one instance, there were technical issues with the telephone equipment. A more detailed report is provided below on the activities of this Working Group.

Minutes of all the meetings are prepared with Action Items clearly outlined and status reports provided regularly. A copy of the Working Group meeting minutes along with the

corresponding Action Items summary tables are also available to members on the website.

### **Report on the Intergovernmental Council's Priority Items:**

The following is a reporting on the actions taken on the Outcomes set by the Intergovernmental Council at their October 21<sup>st</sup>, 2016 annual meeting:

- ❖ **Leaders directed the Aboriginal Government Capacity Working Group to continue with their mandate for the upcoming year and to report back to the Intergovernmental Council in 2017 on the work undertaken with the priorities presented in the report.**

### Progress Report

The following members sit on the Aboriginal Government Capacity Working Group: Gwich'in Tribal Council, Inuvialuit Regional Corporation, Tlicho Government and Kát'odeeche First Nation. When this Working Group was restructured in 2016, they identified priority areas that they wanted to work on. The following is a reporting on those priority areas:

- ◆ The development of a certificate training program on lands and resource management to be offered in a modular format. The training program can include generic/base level courses then branch off to focus on specific regional needs such as land claim requirements. The training program should be geared towards addressing First Nations and Indigenous governments' needs in terms of developing capacity so that they can effectively manage their Land and Resources.

### Update:

At the June 1<sup>st</sup>, 2017 IGC Secretariat meeting, it was agreed that it may not be necessary to develop a new training program. The findings of the scoping exercise undertaken by the IGC Secretariat indicates that there are a number of related courses/programs offered by a number of post-secondary institutions, including the three northern colleges. Based on the outcome of the discussions at the June 1<sup>st</sup> meeting, it was agreed that the Indigenous governments would prefer to hire someone with post-secondary education in a related field and support them in accessing training relevant to their area of responsibilities. For example, taking courses or training that increases their knowledge of treaties and land claims. There was general consensus that it may not be necessary to design and develop a whole new course, especially in light of the resources that would be required to do so.

- ◆ Need to do a scoping exercise to identify what training initiatives are currently in place, what needs exist, the training bodies available and how GNWT can provide support. The latter can include providing support to the Indigenous governments to put systems in place, help to build capacity and offer staff to staff support. This can

include developing mentoring type programs. Working together will also ensure everyone understands the systems they work under and that systems developed are done in a coordinated manner.

Update:

The IGC Secretariat Coordinator undertook the research to gather information on those areas identified in the scoping exercise. This task included reviewing the training programs that are currently offered through various post-secondary institutions, identifying those programs that are designed or have Indigenous content and other training initiatives that Indigenous governments can access such as the training offered through the Board Forum.

In terms of the GNWT providing support to the Indigenous governments by sharing their experience with how to put processes and procedures in place, helping to build capacity and offering staff to staff support, this will require more time and effort. Part of the challenge in doing this is not having a clear understanding of the current structures of the Indigenous governments and an understanding of their respective needs. Capacity is more than about having the financial resources in place to hire staff to do the work. In a lot of instances, the Indigenous governments' day to day management of their workload is reactive as opposed to proactive and their priorities are often dictated by their circumstances. It's difficult for the GNWT to offer the appropriate support if they are not clear what that support should be.

The development of the IGC long term strategic plan may help with this. The terms of reference that were developed for the hiring of a contractor to work on the strategic plan included a couple of initiatives designed to gather information that would help formulate the strategic plan. One of these is the development of a survey tool that the contractors would use to work with the Indigenous governments' and GNWT departments to develop organizational profiles. This questionnaire includes questions that lead to the collection of information on existing initiatives/projects, review of available resources, access to resources and efficiencies in areas of coordination and cooperation. The intent of the organizational profiles is to develop a clear understanding of the infrastructures that are currently in place and the requirements that have to be taken into consideration when working on developing a cooperative and coordinated approach to land and resource management. The development of the IGC long term strategic plan should address those gaps.

Another initiative that the contractor is required to develop and work with the Indigenous governments and GNWT departments on is to develop a survey tool to do a gap analysis. This gap analysis should answer the question "where are you now?" and "where do you want to be?" In order to develop a strategic plan that is reasonable and doable, it should be based on realistic review and planning.

- ◆ There is also a need to develop increased communication between the Parties and GNWT. Early participation means the Indigenous governments have the opportunity to influence budget allocations and approvals.

Update:

No formal process has been developed but through regular meetings and updates, there is increased communication between the Indigenous governments and the GNWT. There is also increased communication between the Indigenous governments. Through this interaction, there is increased awareness of the role and responsibilities of the IGC within the GNWT departments.

- ❖ **Leaders directed the IBA Working Group to continue with their mandate for the upcoming year and to report back to the Intergovernmental Council in 2017 on progress made with the development of related legislation.**

Progress Report

The following members are represented on this Working Group: Sahtu Secretariat, Acho Dene Koe First Nation, NWT Métis Nation and Tlicho Government. A representative from the Department of Industry, Tourism and Investment (ITI) also attends the Working Group meetings. This Working Group did not meet this year but at the last meeting held on September 14, 2016, the group had agreed that they would see how the proposed NWT Minerals Act is developed and rolled out. They felt that this should include a section dealing with Impact Benefit Agreements.

Though the IBA Working Group has not been involved in the discussions with the Department of ITI on the proposed NWT Minerals Act, the IGC Secretariat has participated in discussions with ITI on the proposed NWT Minerals Act and has participated in ITI hosted workshop October 26-27 and December 7-8.

- ❖ **Leaders directed the IGC Secretariat to continue with the development of a detailed Strategic Plan based on the Strategic Plan Framework. The long term plan should include timelines, indicators and required resources, including the legislative priorities and legislative framework. The detailed Strategic Plan will be tabled at the 2017 Intergovernmental Council Meeting. If required, an appropriate approval process will be put in place.**

Progress Report

The Strategic Plan Framework was approved at the annual Intergovernmental Council meeting held on October 21<sup>st</sup>, 2016. The IGC Secretariat held a teleconference call to provide direction on how to proceed. It was agreed that PlanIt North's contract would be extended to allow Ms. Wenman to complete the framework document. The completed Strategic Plan Framework was submitted to the IGC Secretariat Coordinator at the end of December 2016.

At the January 12, 2017 IGC Secretariat teleconference call meeting, direction was given to the IGC Secretariat Coordinator to finalize the Terms of Reference to hire a contractor to complete the Strategic Plan. Direction was also given to include a budget for the completion of that work. Both of these documents were prepared and distributed to the IGC Secretariat for review and comments. A follow up meeting was scheduled for January 20, 2017. At that meeting, it was agreed that a portion of the retained amounts would be allocated for the completion of the Strategic Plan. This was approved by the GNWT in mid-April.

The IGC Secretariat Coordinator worked with procurement services to finalize the Terms of Reference to hire a contractor to undertake the work. As was noted above, the Terms of Reference called for the contractor to develop two survey instruments – one would be used to gather information that would be used to develop organizational profiles and one would be used to undertake a gap analysis. The findings from these two exercises would be taken into consideration when preparing the Strategic Plan.

PlanIt North was hired in early August to complete the Strategic Plan. According to their proposed timeline of activities, the first part of the work will entail gathering the information using the two survey tools. They also did a presentation on their proposed approach at the September 14, 2017 IGC Secretariat meeting and gathered feedback on the questionnaires and on their proposed approach. The information gathered using the two survey tools will be reported on at the Intergovernmental Council meeting.

A follow up workshop will be scheduled to be held with the IGC Secretariat in January. The draft timeline calls for the Strategic Plan to be submitted to the IGC Secretariat at the end of February 2018. A process for approving the final strategic plan will be determined by the IGC Secretariat at a later date.

- ❖ **Leaders directed the Government of the Northwest Territories to instruct the senior officials from the key departments to commit to participating in the IGC Secretariat meetings.**

#### Progress Report

Senior officials from the key departments have attended all the face to face meetings of the IGC Secretariat. In most instances, the senior officials are Assistant Deputy Ministers or designate. Department representatives also participated in the legislative changes workshops that were held and have worked with the IGC Secretariat.

- ❖ **Leaders directed the IGC Secretariat to work on formalizing a government to government working relationship with the Government of the Northwest Territories.**

#### Progress Report

This work began with the Legislative Changes workshop that was held with the IGC Secretariat on December 2, 2016. This workshop stemmed from the IGC Secretariat's

insistence that they have a boarder involvement in the legislative initiatives other than just for engagement purposes. A follow-up workshop was held on February 28<sup>th</sup>, 2017.

At the December workshop, the process for the development of legislation was explained including the established process used by the current Legislative Assembly. Following the December workshop, a discussion paper was developed and submitted to the GNWT on January 12<sup>th</sup>, 2017 by the Indigenous government partners outlining how they see themselves involved in the legislative processes. The GNWT responded to the discussion paper on March 20<sup>th</sup>, 2017. The response letter identified opportunities for the Indigenous government partners' participation in the legislative process. The response also outlined the limitations under the current legislative process.

Initially, the IGC Secretariat expressed concerns about the approach taken by the departments with regards to their legislative proposals but they did agree to participate in various meetings with the departments. The lessons learned from this experience will help shape and define the working relationship between the IGC and the GNWT.

At the IGC Secretariat meeting on September 14<sup>th</sup>, 2017, the IGC involvement in the legislative processes was discussed. There was general agreement on the need to develop a more defined working relationship where roles and responsibilities are clearly articulated. To that end, the IGC Secretariat agreed to work with the GNWT on a PowerPoint presentation to the Intergovernmental Council outlining emerging new relationships with the GNWT and Canada seeking direction going forward.

❖ **Leaders directed the Department of Indigenous Affairs and Intergovernmental Relations to set up a budget for the IGC Secretariat Coordinator to undertake activities that support the IGC Secretariat. This will help when planning the work to be undertaken.**

#### Progress Report

The Department is not resourced for this. The IGC Secretariat Coordinator role is assigned to an existing staff member. That position is based in the Aboriginal Consultation and Aboriginal Relations Division of the Department of Executive and Indigenous Affairs. Because this position's costs are absorbed through the department's O&M, there are no additional costs to the IGC members.

#### **Recommendations:**

The following recommendations are presented for the Intergovernmental Council's review and direction:

- Approve the 2016 – 2017 IGC Secretariat Annual Report.

- Direct the Aboriginal Government Capacity Working Group to continue with their mandate for the upcoming year and to report back to the Intergovernmental Council in 2018.
- Direct the IBA Working Group to continue with their mandate for the upcoming year and to report back to the Intergovernmental Council in 2018.
- Direct the IGC Secretariat to complete the long term Strategic Plan and present it for approval in the new-year. The strategic plan should include timelines, indicators and required resources.
- Direct the IGC Secretariat to work with the GNWT to establish a working group tasked with developing a formal government to government working relationship.

### **Conclusion:**

This past year has been about legislative proposals and the challenge of figuring out the role of the Intergovernmental Council in that process. This was not surprising. The management of lands and resources is about putting into place legislative processes that includes legislation, regulations and policies. No matter who is developing these, it does have far reaching implications and understanding how we can work on these together will take time to develop.

We also have to remember that what works for us, may not work for others. By being open and responsive to changing times and the challenges that brings, we will see progress being made in a manner that is reflective of our realities and our aspirations. The new way of doing business in the NWT has to take into consideration how commitments are honoured and implemented but more importantly is reflective and respectful of the diversity of the NWT.

The work undertaken by the IGC Secretariat the past year demonstrates a genuine commitment by the Indigenous government partners and the GNWT to work in partnership to arrive at solutions that are both pragmatic and reflective of the purpose and intent of the *Northwest Territories Intergovernmental Agreement on Lands and Resources Management*. This is after all, a devolving process. How we move forward should reflect that.