



Intergovernmental Council  
of the Northwest Territories

# ANNUAL REPORT IGC SECRETARIAT

## 2020 – 2021

November 16, 2021

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## **1.0 Introduction**

The Secretariat to the Intergovernmental Council (IGC) presents this activity report to the IGC for the period of December 2020 to November 2021.

## **2.0 Background**

The following parties are signatories to the *Northwest Territories Intergovernmental Agreement on Lands and Resource Management* (the Agreement):

- Inuvialuit Regional Corporation,
- Northwest Territory Métis Nation,
- Sahtu Secretariat Incorporated,
- Gwich'in Tribal Council,
- Tlicho Government,
- Denínu Kúé First Nation,
- Acho Dene Koe First Nation,
- Salt River First Nation,
- Kátł'odeeche First Nation, and
- Government of the Northwest Territories (GNWT).

The Agreement is a schedule to the 2014 *Devolution Agreement*, with a purpose to formalize “the government to government relationships among GNWT and the Indigenous governments for cooperative and coordinated Management of Lands and Resources.”

## **3.0 Administration**

The Agreement established the IGC Secretariat (IGCS), and mandates that it possess appropriate technical, professional, and administrative expertise and capacity to fulfill its duties. The IGC approved the Secretariat's Terms of Reference in 2014, which further outlines IGCS roles and responsibilities and created the position of IGCS Coordinator.

The IGCS Coordinator position provides administrative support to the IGC and IGCS, and currently has a home in the Aboriginal Consultation and Aboriginal

Relations division of the GNWT's Department of Executive and Indigenous Affairs.

## 4.0 Activities

Since December 2020, the Secretariat advanced the following activities:

- as directed by the IGC in December 2020, and for sharing with Indigenous Governments who are curious about Devolution and its benefits, developed and approved the **two-page information-sheet on Devolution**, in addition to a **PowerPoint providing an overview of Devolution**,
- reviewed and approved a **new version of the Terms of Reference for the IGC Secretariat**,
- completed a final draft of the **IGC Strategic Plan** for IGC approval,
- arranged for **disbursement of \$6.36 million in regular resource revenues** under the *Intergovernmental Resource Revenue Sharing Agreement*,
- arranged for the **disbursement of \$2.27 million in Retained Amounts** (from 2017-18, 2018-19, and 2019-20) to signatories of the *Intergovernmental Resource Revenue Sharing Agreement*,
- discussed the application of *Intergovernmental Agreement* to certain GNWT **lands and resources policies**,
- for legislative initiatives under the IGC Legislative Development Protocol:
  - hired a **Facilitator**,
  - developed planning documents to facilitate coordination of lands and resources departments,
  - established a **monthly pattern of 4 full-day meetings** for this work,
  - convened a discussion between two IGC Secretariat officials and the Legislative Assembly's Standing Committee on Economic Development and Environment, and
  - gained and maintained **momentum on five different legislative initiatives**.

## 5.0 Intergovernmental Council

The seventh meeting of the Intergovernmental Council took place on December 2, 2020 in Yellowknife. The IGC heard a summary of work in the preceding year, and gave recommendations for future work by approving the following meeting outcomes:

1. The IGC Leaders approved the 2019-20 Intergovernmental Council's annual report.
2. The IGC leaders approved the IGC Strategic Plan in principle, and directed the IGC Secretariat:
  - to continue to finalize the IGC Strategic Plan, and
  - to cost out the implementation of the plan.
3. The IGC directs that:
  - the IGC Purposes Fund be maintained to support IGC-directed initiatives,
  - the GNWT provide regular reporting on resource revenues in addition to the annual IGC Meetings.

The IGC reaffirmed current non-signatory NWT Indigenous governments to the *Devolution Agreement* are welcome to sign onto the *Devolution Agreement* and the *NWT Intergovernmental Agreement on Lands and Resources Management* and enjoy the benefits.

The IGC Secretariat to develop a paper that communicates the benefits of signing onto the *Devolution Agreement* and share it with any non-signatory NWT Indigenous governments interested in seeing the benefits of the *Devolution Agreement*.

4. The Intergovernmental Council adopts the Intergovernmental Council Legislative Development Protocol and agrees to review it

on a periodic basis to ensure it continues to meet the needs of the IGC.

5. The Intergovernmental Council Indigenous Governments agree to provide feedback on their governments' priorities, capacity, and competing interests in relation to the Government of the Northwest Territories' lands and resources management legislative initiatives as set out by the 19th Legislative Assembly.

The Intergovernmental Council directs the Intergovernmental Council Secretariat to discuss the issue of cabins and related issues and report back to the Intergovernmental Council leadership.

6. The Intergovernmental Council directs that a Working Group be struck to provide a forum for discussion regarding the review, as referenced in paragraph 5.1(g) of the *NWT Intergovernmental Agreement on Lands and Resources Management*.

7. The Intergovernmental Council directs that once an offshore accord is reached with Canada, that the GNWT will work with Aboriginal Parties to the *Devolution Agreement* to develop a formula for sharing any revenue the GNWT collects from the offshore.

8. The GNWT committed:

- to provide a financial report on the resource revenues, retained amounts, and IGC Purposes Fund,
- to provide an accounting of the Retained Amounts spending on IGC-directed initiatives,
- to share reports from the 2018 NWT Economic Symposium held in Inuvik and the 2019 NWT Economic Symposium held in Yellowknife.

## 6.0 IGC Secretariat

The Agreement creates the IGC Secretariat (IGCS) to support the IGC and operates under the **IGCS Terms of Reference**. The Terms mandate that the Secretariat consists of one senior official from each IGC member government.

The Secretariat held fourteen teleconferences during the reporting period, on:

- January 15, 2021
- February 19, 2021
- April 16, 2021
- May 7, 2021
- May 21, 2021
- June 18, 2021
- July 16, 2021
- August 27, 2021
- September 10, 2021
- September 17, 2021
- October 4, 2021
- October 15, 2021
- October 25, 2021, and
- November 9, 2021.

In addition to the above videoconferences, the IGCS also participated in at least another eleven teleconferences to advance lands and resources legislative initiatives under the IGC Legislative Development Protocol.

## 7.0 GNWT Lands and Resources Legislative Initiatives

The GNWT's four lands and resources departments are:

- Lands,
- Industry Tourism and Investment (ITI),
- Environment and Natural Resources (ENR), and
- Education, Culture and Employment.

These departments remain jointly responsible for developing or amending lands and resource management legislation. For the 19<sup>th</sup> Legislative Assembly

(2019-2023), these departments are advancing the following legislative initiatives:

#### Environment and Natural Resources

- *Forest Act*
- Thaidene Nënë Protected Area Regulations under the *Protected Areas Act*
- Ts'udé Niliné Tuyeta Regulations under the *Protected Areas Act*
- Dinàgà Wek'èhodì Protected Area Regulations under the *Protected Areas Act*
- *Waters Act*
- *Environmental Protections Act*

#### Industry, Tourism and Investment

- *Mineral Resources Act* Regulations
- *Oil and Gas Operations Act* Regulations

#### Lands

- *Public Land Act* Regulations
- *Area Development Act*
- *Area Development Act* Regulations

#### Education, Culture and Employment

- *Heritage Resources Act.*

## 8.0 IGC Working Groups

To advance multilateral progress on specific IGC-member-government issues, the four Working Groups have been established, including for:

- Finance Working Group
  - During the reporting period, the Finance Working Group met on September 10, 2021 to discuss the disbursement of resource revenue sharing for fall 2021, and again briefly on October 14.
- Aboriginal Government Capacity Working Group
  - No meetings were held during this reporting period as there were no issues that required attention



- Impact Benefit Agreement/Benefit Plans (IBA/IBP)
  - No meetings were held during this reporting period as there were no issues that required attention
- IGC Legislative Development Protocol Working Group
  - Senior officials of the IGCS finalized a Terms of Reference for the Working Group in August 2020
  - This working group met five times between August 2020 and October 2020
  - Negotiations on the protocol concluded in October 2020.
- Working Group for review of section 3.18 of the Devolution Agreement
  - Eight out of ten IGC governments have expressed interest in participating on this Working Group
  - Negotiations on a Terms of Reference will begin in late 2021/early 2022.

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.

## 9.0 Report on the Intergovernmental Council's Priority Items

The following list outlines the outcomes from the December 2020 IGC meeting and progress where applicable:

### 1. The IGC Leaders approved the 2019-20 Intergovernmental Council's annual report.

**Update:** The report was posted to the IGC public website.

### 2. The IGC leaders approved the IGC Strategic Plan in principle, and directed the IGC Secretariat:

- to continue to finalize the IGC Strategic Plan, and

- **to cost out the implementation of the plan.**

**Update:** Between January 2021 and June 2021, the Secretariat reviewed the plan as directed. In July, the Secretariat developed a consensus recommendation that the Elected Leaders of the Intergovernmental Council reach consensus approval of the IGC Strategic Plan. The potential approval of the IGC Strategic Plan is on the agenda for the November 2021 Elected Leaders' IGC Meeting.

In early 2021, the IGC Secretariat agreed that once the plan was approved and given the demand of legislative initiatives on IGC Indigenous Governments, that it would be prudent to identify near-term (18-month) priorities within the plan and to cost-out the implementation of those priorities for that timeframe.

### **3. The IGC directs that:**

- **the IGC Purposes Fund be maintained to support IGC-directed initiatives,**
- **the GNWT provide regular reporting on resource revenues in addition to the annual IGC Meetings.**

**The IGC reaffirmed current non-signatory NWT Indigenous governments to the *Devolution Agreement* are welcome to sign onto the *Devolution Agreement* and the *NWT Intergovernmental Agreement on Lands and Resources Management* and enjoy the benefits.**

**The IGC Secretariat to develop a paper that communicates the benefits of signing onto the *Devolution Agreement* and share it with any non-signatory NWT Indigenous governments interested in seeing the benefits of the *Devolution Agreement*.**

**Update:** GNWT continues to provide updates to the IGC Secretariat on resource revenue sharing, as well as providing an update to the IGC at the 2021 annual meeting.

In June 2021, the IGC Secretariat approved the two-page information-sheet on Devolution, in addition to a PowerPoint providing an overview of Devolution.

**4. The Intergovernmental Council adopts the Intergovernmental Council Legislative Development Protocol and agrees to review it on a periodic basis to ensure it continues to meet the needs of the IGC.**

**Update:** Under the IGC Legislative Development Protocol, the IGC Secretariat continues to collaborate on lands and resources legislative initiatives for advancement to the 19<sup>th</sup> Legislative Assembly. At the direction of the IGC, a communiqué and backgrounder on the protocol was released after the December 2020 IGC Meeting.

**5. The Intergovernmental Council Indigenous Governments agree to provide feedback on their governments' priorities, capacity and competing interests in relation to the Government of the Northwest Territories' lands and resources management legislative initiatives as set out by the 19th Legislative Assembly.**

**The Intergovernmental Council directs the Intergovernmental Council Secretariat to discuss the issue of cabins and related issues and report back to the Intergovernmental Council leadership.**

**Update:** The IGC Secretariat continues to advance these important initiatives through at least 4 full-day meetings per month.

To foster positive intergovernmental relations at all IGC levels, in early 2021 the IGC Secretariat elected to defer discussion on cabin taxation.

**6. The Intergovernmental Council directs that a Working Group be struck to provide a forum for discussion regarding the review, as referenced in paragraph 5.1(g) of the *NWT Intergovernmental Agreement on Lands and Resources Management*.**

**Update:** For this review, the IGC Secretariat has recently informed Canada that it is prepared to enter into negotiations for a Terms of Reference.

**7. The Intergovernmental Council directs that once an offshore accord is reached with Canada, that the GNWT will work with Aboriginal Parties to the *Devolution Agreement* to develop a formula for sharing any revenue the GNWT collects from the offshore.**

**Update:** Negotiations continue for this Accord.

**8. The GNWT committed:**

- to provide a financial report on the resource revenues, retained amounts and IGC Purposes Fund,
- to provide an accounting of the Retained Amounts spending on IGC-directed initiatives,
- to share reports from the 2018 NWT Economic Symposium held in Inuvik and the 2019 NWT Economic Symposium held in Yellowknife.

**Update:** GNWT provided these documents in December 2020.

## **10.0 Conclusion**

The Intergovernmental Council and its member governments continue to show leadership in collaborative lands and resources management in Canada.

This union is strong, and its successes are a result of the hard work, cooperation, and willingness of all Devolution partners to build and maintain the framework for a bright and prosperous future for the Northwest Territories.