



**Intergovernmental Council
of the Northwest Territories**

ANNUAL REPORT IGC SECRETARIAT

2019 – 2020

December 2, 2020

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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 July 2019 to December 2020.

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 Ké 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 July 2019, the Secretariat advanced the following activities:

- Completed lessons learned interviews and conducted a lessons-learned workshop on the GNWT's lands and resource management legislative activities from 2016-2019
- Completed negotiation of a draft IGC Legislative Development Protocol for IGC approval
- Completed a final draft of the IGC Strategic Plan for IGC approval
- Arranged for Elected Leaders of devolution signatory governments to hold a discussion with NWT Executive Council to inform the GNWT mandate and priorities in December 2019
- Negotiated the disbursement of three years of Retained Amounts

5.0 Intergovernmental Council

The sixth meeting of the Intergovernmental Council took place on June 18, 2019 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 2017-2018 Intergovernmental Council's annual report and the 2018-2019 Progress Report.
2. The IGC leaders do not endorse the Strategic Plan in its current draft.
3. The IGC direct the IGC Secretariat meet with GNWT officials to discuss shared priorities and bring those shared priorities to the IGC leaders for consideration and discussion.
4. The IGC Leaders will continue Information-sharing and discussion on the advancement of C-88, and work at the IGC on the development of

terms of reference for the 5-year review of Devolution Agreement provisions relating to the MVRMA.

5. The IGC Leaders continue to provide public support for the expedited review and passage of Bill C-88.
6. The IGC Leaders direct the IGC Secretariat to complete the lessons learned exercise for existing legislative drafting processes with the goal of developing an IGC Legislative Drafting Protocol for review by IGC.

6.0 IGC Secretariat

The Agreement creates the IGC Secretariat (IGCS) to support the IGC and operates under the September 2014 IGCS Terms of Reference. The Terms mandate that the Secretariat consists of one senior official from each IGC member government.

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

- September 20, 2019,
- November 6, 2019,
- February 24, 2020,
- September 10, 2020,
- October 16, 2020,
- November 2, 2020,
- November 10, 2020,
- November 13, 2020,
- November 20, 2020, and
- November 30, 2020.

As directed by the IGC in 2018, the Secretariat also participated in a lessons-learned exercise regarding GNWT's legislative developments between 2016-2019. This exercise included detailed interviews, and a September 2019 workshop.

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 19th Legislative Assembly (2019-2023), these departments are advancing the following legislative initiatives:

Environment and Natural Resources

- Forest Act
- Thaidene Nëné Protected Area Regulations
- Ts'udé Niljné Tuyeta Regulations
- Dinàgà Wek'èhodì Protected Area Regulations
- 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
 - The Finance Working Group met once in November 2020 to negotiate the disbursement of retained amounts

- 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.

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 June 2019 IGC meeting and progress where applicable:

1. The IGC Leaders approved the 2017-2018 Intergovernmental Council's annual report and the 2018-2019 Progress Report.

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

2. The IGC leaders do not endorse the Strategic Plan in its current draft

Update: Between September 2020 and November 2020, the Secretariat reviewed a revised draft of the IGC Strategic Plan. Following that review, the GNWT and the rest of the IGC Secretariat are prepared to

recommend that the Intergovernmental Council adopt the IGC Strategic Plan.

3. The IGC direct the IGC Secretariat meet with GNWT officials to discuss shared priorities and bring those shared priorities to the IGC leaders for consideration and discussion.

Update: In Fall 2019 the IGC Secretariat provided priorities to GNWT senior officials.

4. The IGC Leaders will continue Information-sharing and discussion on the advancement of C-88, and work at the IGC on the development of terms of reference for the 5-year review of Devolution Agreement provisions relating to the MVRMA.

Update: The IGC Secretariat continues to advance these important initiatives.

5. The IGC Leaders continue to provide public support for the expedited review and passage of Bill C-88.

Update: The IGC Secretariat continues to advance these important initiatives.

6. The IGC Leaders direct the IGC Secretariat complete the lessons learned exercise for existing legislative drafting processes with the goal of developing an IGC Legislative Drafting Protocol for review by IGC.

Update: As directed by the IGC in 2018, the Secretariat participated in a lessons-learned exercise regarding GNWT's legislative developments between 2016-2019. This exercise included detailed interviews, and a September 2019 workshop. Afterwards, the IGC Secretariat formed an 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 IGC Legislative Development Protocol concluded in October 2020.
- the draft IGC Legislative Drafting Protocol is now before the IGC for review and approval.

Conclusion

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

This union 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.