

Dehlà Got'jine Self-Government Negotiations UPDATE

January 2020



“The more time we spend at this table going nowhere, the less time we are in our community doing things for our people and that is a shame. We can't keep waiting. Waiting is powerless.”

— David Codzi

BAFN asks Canada to move to a two-party negotiation while GNWT updates mandates

Before the last federal election, Chief Kochon sent a letter to the Minister of Crown-Indigenous Relations Carolyn Bennett to ask her to move ahead with us to negotiate a bilateral (*two-government*) agreement on key issues that don't require the GNWT. During the last negotiation session in Ottawa on December 17th, we advised the negotiators for Canada and the GNWT that we want to move to a bilateral process with Canada until the GNWT has a new mandate for negotiations that will allow them to include implementation of the UN Declaration on the Rights of Indigenous People (UNDRIP) in negotiations.

We have not received an answer from the Government of Canada yet and we will not schedule more negotiation sessions until we know where they stand on this request.

The Dehlà Got'jine Self-Government Negotiations team works for the members of the Behdzi Ahda" First Nation and the Ayoní Keh Land Corporation. We publish regular updates on the negotiations and related activities to make sure our members know what is happening and can see how their feedback is being used.

Members' questions and feedback are welcome.

Have questions or comments?

Stop by the BAFN office or contact David Codzi
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What it means to go bilateral

What we are asking and why

We have asked Canada to negotiate a bilateral agreement that would:

1. Recognize our Dehlà Got'jne Government in law
2. Transfer lands within the new community boundary to the Dehlà Got'jne Government
3. Get much needed federal money flowing into our community, that would enable us to set up our government

FACT #1– We are already self-governing.

We are an independent people. We are already self-governing.

We do not wait for others to do things for us and our Elders have told us we need to keep moving forward, no matter the obstacles.

FACT #2 – This is not the “expedited” negotiation we were promised.

When we started negotiating, the parties agreed to negotiate a first "module" that includes only a few jurisdictions so we could get an agreement in place quickly.

It has now been six years and we are not close to getting the agreement we need for our people. This is mostly due to the GNWT's position on some key issues like the UN Declaration on the Rights of Indigenous People (UNDRIP) and the GNWT's Core Principles and Objectives (CPOs).

These GNWT positions are a non-starter for the BAFN as well as most other Indigenous group in the NWT.

FACT #3 – Canada has a mandate to implement the UN Declaration and the GNWT does not.

The Government of Canada has already committed to implementing the UN Declaration, so the path is clearer with them.

The GNWT is still negotiating under an old mandate that does not recognize the UN Declaration or any of the modern ideas about self-government and reconciliation. This means they cannot talk with us about many of the things we need in our agreement.

FACT #4 – The new Legislative Assembly of the NWT says it will implement the UN Declaration.

We are pleased that the new GNWT Legislative Assembly has made it a priority to implement the UN Declaration, but they have told us they need time to develop a plan for how to do that. They will also need to give their negotiators new mandates.

When the GNWT is ready to implement the UN Declaration, we will welcome negotiating authorities in areas they have, and discuss how to improve the programs and services that are a priority for our people.

Once we have completed this bilateral agreement, we will be in a better position to negotiate other aspects of self-government like local services and social housing.

We are respectfully asking the two other governments to accept our request for this change in negotiations. We are asking them to support us in moving forward now so that we can build a better future for our community and our people.

Questions and answers

What do you mean when you say we are already self-governing?

We are an independent people. We have never waited for government to do things for us. We have our own laws and we find solutions to our own problems, with or without government's help. There are many examples of things we have done without the help of governments. All we want is for Canada and the GNWT to recognize this and provide appropriate funding so we can help our people.

Has Canada agreed to these bilateral negotiations?

We made the request in writing in August 2019 and again at our last negotiation session in Ottawa in December. We have been told that an answer will be coming soon. We know that Canada has already negotiated bilateral agreements with other Indigenous groups, including the Anishinabek of Ontario and the Métis in Ontario, Manitoba and Alberta.

What if Canada refuses?

This would be very disappointing. If Canada is not willing to enter into bilateral negotiations, we have asked that the senior leadership of CIRNAC and the GNWT come to our negotiation table to discuss this matter with us in person. We need a way to address the lack of progress in our negotiations and we need to do it with people who have the authority to make decisions.

Is this just a negotiation tactic?

The Behdzi Ahda" First Nation has always taken an honest and ethical approach to our negotiations. We are just trying to find a way to make progress. We think it is very reasonable to put a pause on negotiating the subjects that come under territorial jurisdiction for now. We are doing this to recognize that the GNWT needs time to decide how it wants to implement the UN Declaration and to give negotiators new mandates. This is a respectful and realistic way to deal with a difficult situation and still make progress for our people.

"We do not want to give up any existing rights under the land claims. We are an independent people. We do not want to give up our way of life.

We only want to enhance and entrench our way of life into the future.

The last thing we want is to be an agent of the GNWT or Canada. We do not want to implement their policies. They have never done us any good."

– Joseph Kochon

Have other questions?

Send us an email at dehlaselfgov@gmail.com

Go to the "Contact Us" section on our website at www.dehlaselfgovernment.ca