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Deline Self-Government

Answers to Questions MLAs May Have

Why is it so important to pass the Deline legislation now?

The Dene of NWT have been pursuing self-government since 1976. The people of Deline have been working on this agreement for 19 years. We have the support of our leaders, our Elders and our members who ratified the agreement almost one year ago. We are anxious to move to implementation.

Unless both the territorial and federal governments pass our legislation before their elections in the fall, we will not be able to meet our projected Effective Date of April 2016. Our implementation and transition planning is well advanced. Further delays are costly and we risk losing critical momentum.

What about residents who are not Aboriginal or DFN citizens?

The Deline Got'ine Government (DGG) will deliver local services to all residents of Deline just as the Charter Community of Deline is currently doing. Residents of Deline who currently meet eligibility requirements for territorial or federal programs and services will continue to receive them from those governments. When the DGG is ready, it will be able to exercise its jurisdictions for all residents of Deline. In order to ensure a smooth transition when that happens, the governments will discuss the DGG's ability to meet core principles and objectives as well as territorial-wide program standards and how they will be met.

All residents of Deline who are Canadian citizens and who meet age and residency requirements may run for office in the DGG and may vote in DGG elections. There will be some positions that only Deline First Nation Citizens can run for and vote on.

Who will pay for self-government? Will it be enough? Will the GNWT be asked to fund DGG shortfalls?

The responsibility of paying for self-government will be shared by the Government of Canada, the GNWT and the Déljñę Got'jñę Government (DGG). The Financing Agreement ensures the DGG has enough money to take on its responsibilities. The amount of yearly funding provided will include the amounts that the First Nation, the Land Corporation and the Charter Community currently require, plus funding for new responsibilities the DGG will take on. Funding agreements last for five years, providing stability essential for planning. To make sure the DGG can continue to support its programs and services, the agreement ensures that funding will be adjusted over time. When the DGG is in a position to take on more responsibilities, it will negotiate additional funding for those responsibilities with the GNWT and Canada.

The DGG will also be able to raise its own money in a number of ways. For example, it can collect taxes, charge fees for permits, licences, land rentals, and make money from investments.

What is the impact on the GNWT?

A strong unified Déljñę government will lead to a healthier, more productive community. The self-government agreement provides a new, stable stream of federal funding into the local government. Coupled with a reduction in the number of governing organizations in the community from 3 to 1, this will provide greater stability and integration of program delivery.

One government will provide one point of contact for GNWT on municipal, land claim, Aboriginal rights and self-government matters. As a self-government, the Déljñę Got'jñę Government will be responsible for its administrative and program decisions as well as its expenditures, including liabilities or funding shortfalls.

The GNWT will continue to work in partnership with the Déljñę Got'jñę Government just as it works with other land claim organizations and Aboriginal governments in the NWT.

Is Déljñę ready for self-government? What are the risks?

The Déljñę Got'jñę Government (DGG) will not take on all of its powers right away. In fact, for the first several years, the DGG will mostly be taking on the roles, responsibilities and staff that the Déljñę First Nation, Déljñę Land Corporation and Charter Community are already managing. Over time and according to readiness, the DGG has the ability to choose to take on more responsibility. There is also a Déljñę Transition Team that has developed a plan to make sure that Déljñę can handle the change.

The risks associated with the DGG taking on its authorities are risks taken by governments generally, with similar tools to minimize and protect from those risks. Budgets must be balanced, debt must be repaid, payrolls must be met and programs must be delivered. Meeting territorial standards is an interest that the DGG shares with the GNWT and Canada. Throughout the agreement there are safeguards and requirements built in by all three parties to ensure the DGG is responsible, sustainable, and can rely on other governments meeting their legal obligations.

Can residents expect to get the same level of service as before?

Yes. The Final Self-Government Agreement says that people in Délı̨ne will continue to have programs and services that are similar to those in other communities in the NWT. To help make sure this happens, the Délı̨ne Got'ı̨ne Government (DGG) will have to set up and enforce its own standards which will incorporate territorial standards. This will make sure that the programs and services are delivered safely and effectively.

The standards for many programs, like those for child protection, must line up with standards across the NWT. For other programs and services, the DGG will be able to set standards that are better suited to the language, culture and traditions of Délı̨ne.

Will self-government result in new expectations of the GNWT?

The GNWT and Délı̨ne Got'ı̨ne Government (DGG) will be partner governments. The DGG will be a local government whose programs and services are centralized, and that has the potential, over time, to exercise territorial-like authorities. As both governments mature in this relationship and build their own capacity to give effect to the self-government agreement, the DGG will take on a greater role in local matters and social programs.

What happens after MLAs pass this legislation?

After the legislation is passed, Canada will introduce its own enacting legislation in Parliament. If that legislation passes before the federal election scheduled for fall 2015, the community and the three parties will work together to complete pre-Effective Date activities required under the agreement, and the community will complete transition activities it has identified to ensure that the Délı̨ne Got'ı̨ne Government may begin operating without interruption to programs and services on Effective Date.



Has the GNWT had enough time to review these agreements?

The agreement has been developed over 19 years of negotiations and the GNWT was actively involved in negotiations at every step. The GNWT negotiation team consulted departments on the various chapters, drafted some parts of the agreement and provided detailed input on others. The negotiators sought formal approval to sign the Agreement-in-Principle and to initial the final agreement.

Has there been enough consultation?

Canada completed Section 35 Consultation at AIP and after ratification. The D elj ne negotiation team held many workshops as the negotiations were going on and has included Elders and other people from the community as active members of the negotiation team.

During an intensive 6 month ratification campaign, the D elj ne team held meetings in Yellowknife, D elj ne, Edmonton, Norman Wells, Fort Smith and made many home visits. Voters were contacted across Canada and all information was made available on the ourD elj ne.ca website and the related Facebook page. 85% of those who voted, voted “yes” to self-government and the campaign obtained 65% overall approval for the agreement.

Who will be responsible for health and social services to D elj ne residents?

For the first several years, the D elj ne Got'j ne Government will only manage the programs and services that the DFN, DLC and Charter Community currently manage. Over time and according to readiness, the DGG can take on more responsibility. When it comes to health care, the DGG will have authority over traditional healing services and will make arrangements for managing the health programs and services of other governments. Unless all parties agree to amend the Final Self-Government Agreement, the GNWT will keep its authority over primary health care programs and services.

What is the tax status of the DGG?

The DGG will be a government. Therefore it will not pay GST for what it purchases to operate government activities in the community of Délı̨ne and on Settlement Lands. The DGG will not pay property tax on lands it owns that remain undeveloped, or on lands used for a public purpose. The DGG will not have to pay tax on activities and earnings of land claim assets. This is an important benefit because the way things are today, some of the earnings of land claim assets are taxable. Again, these savings will leave more money available to fund the delivery of programs and services.

What is the tax status of Délı̨ne First Nation Citizens?

After a transition period, Délı̨ne First Nation Citizens will no longer be exempt from paying tax on income earned or goods purchased on reserves.

As Délı̨ne is not a reserve, Délı̨ne First Nation members residing in Deline and off-reserve elsewhere, already pay income taxes and GST. An important change under self-government is that instead of Canada or GNWT controlling decisions about funding programs, these tax dollars will allow the DGG to better meet the community's needs.

Who will be affected by self-government?

Self-government will mean change for everyone living in Délı̨ne. This includes Délı̨ne First Nation members, non-members, Délı̨ne First Nation Band members and land claim beneficiaries who live outside the community.

Once Délı̨ne is self-governing, members of the Délı̨ne First Nation Band and land claim beneficiaries who are registered with the Délı̨ne Land Corporation will all be Délı̨ne First Nation Citizens. Their new government will be called the Délı̨ne Go'ı̨ne Government and it will take over the roles of the land corporation and the band, as well as the Charter Community.

What about DFN members and beneficiaries who don't live in Délıne?

Non-resident beneficiaries will not be as directly impacted by self-government as those who live in Délıne. They can continue to be as involved as they choose to be through the Beneficiaries Board. Under self-government, they will also benefit from:

- a more efficient, integrated approach to managing land claim rights and assets,
- more flexibility in how land claim assets are used to create benefits for all its beneficiaries (regardless of where they live),
- a better situation in Délıne for friends and family who are still living there, and
- a better foundation to protect and strengthen Délıne culture, language and traditions.

Will the DGG want to come back and negotiate more rights in the future?

The Final Self-Government Agreement (FSGA) is a tool intended to be used to improve the lives of Délıne residents with respect to governance. How it works is the responsibility of the Délıne Got'ıne Government (DGG), the GNWT and the Government of Canada. The FSGA provides flexibility to allow the DGG to change and adapt over time. The Final Self-Government Agreement has provisions stating that:

- the rights and authorities of the Délıne Got'ıne are the ones contained in the agreement, and
- governments can discuss changing the agreement, but they must follow the process set out in the Review and Amendment chapter.

Does everyone in Délıne support this change?

Of those beneficiaries who voted for this agreement, 85% voted yes. This means that not everyone supported this change. It also means that the overwhelming majority saw this as an opportunity for badly needed improvement in Délıne's governance approach. Going forward, residents will be able to participate in government through the annual community gatherings and elections.

What programs and services will the new DGG manage?

For the first several years, the Délı̨ne Got'ı̨ne Government will only manage the programs and services that the DFN, DLC and Charter Community currently manage. Over time and according to readiness, the DGG can take on more responsibility in areas such as:

- local land use planning,
- local municipal programs and services,
- education, early childhood education and training,
- health care program delivery in the Délı̨ne District,
- traditional health service provision,
- social housing and income support,
- adoption,
- community affairs and local services, and
- tourism and economic development in the Délı̨ne District.

How will decisions be made about the use of land claim money?

The Délı̨ne Land Corporation is created by the Sahtu Land Claim. As a Designated Sahtu Organization, it represents and looks after the rights, lands, money, and other assets of the Délı̨ne beneficiaries of the Sahtu Land Claim. Under self-government, the Délı̨ne Got'ı̨ne Government will become a Designated Sahtu Organization. It will take on the responsibilities of the Délı̨ne Land Corporation.

The Délı̨ne Got'ı̨ne Government must make sure that the rights, lands, money and other assets of the beneficiaries are used only for the benefit of the beneficiaries.

It will also ensure that only Délı̨ne beneficiaries, no matter where they live, make decisions about the land claim rights, lands, money and other assets.

The **Dene Gha Gok'ə rəhkw'ı** (Beneficiaries Board) will advise the DGG on decisions about land claim rights, lands, money and other assets. The **Dene Gha Gok'ə rəhkw'ı** is established by the Déljñę Final Self-Government Agreement (FSGA) and the Community Constitution. The DGG will pass a law that will describe the Dene Gha Gok'ə rəhkw'ı, its responsibilities and how it will function.

How will Déljñę Got'jñę Government work with other governments? How will its laws and policies work with the laws and policies of other governments?

Self-government is the start of a new relationship between governments. This relationship will change over time. But the Final Self-Government Agreement (FSGA) says how the DGG, the Governments of Canada and the Northwest Territories will work together after self-government is in place. The Implementation Committee is one where the governments will continue to work together to ensure the transition to self-government runs smoothly, collaborating to deal with any issues that arise.

