

Factsheet #2

Answers to common questions about self-government

What is the Délıne Final Self-Government Agreement?

The Sahtu Dene and Metis have a right to self-government that was included in their land claim agreement. The Délıne Final Self-Government Agreement (FSGA) is a way to put that right into action. It is an agreement between the Délıne First Nation, the Délıne Land Corporation, the Government of the Northwest Territories and the Government of Canada. It will give the First Nation members and land claim beneficiaries more control over the decisions that affect them every day, such as how government money is spent in their community and how local programs and services are delivered.

Who will be affected by self-government?

Self-government will mean change for everyone living in Délıne. This includes Délıne First Nation members and non-members. It will also affect Délıne First Nation members and land claim beneficiaries who live outside the community.

Once Délıne is self-governing, members of the Délıne First Nation and Délıne land claim beneficiaries will all be Délıne First Nation Citizens. Their new government will be called the Délıne Got'ıne Government and it will take over the roles of the land corporation and the First Nation, as well as the Charter Community.

How do we get self-government?

Negotiating the Final Self-Government Agreement (FSGA) has taken 18 years. This was done by the Délıne First Nation, the Délıne Land Corporation, the Government of the Northwest Territories and the Government of Canada. They are now ready to ask for approval of the agreement.

The first approval that is needed is from D ljin  First Nation members and land claim beneficiaries who are registered with the D ljin  Land Corporation. This will be done by a vote. For the vote to pass, more than half of everyone eligible to vote must vote “yes” (50% plus one vote, to be exact). This means that if there are, for example, 680 voters, at least 341 of them must vote “yes” for the vote to pass.

Once it is approved by D ljin  voters, the agreement must be approved by the GNWT and Canada. Once this is done, Canada will create a law that recognizes the agreement as a treaty and protects it under the Constitution of Canada.

Who is allowed to vote?

To vote you must be a member of the D ljin  First Nation or a land claim beneficiary registered with the D ljin  Land Corporation. You must also be at least 18 years old on March 11, 2014.

How do I vote?

D ljin  First Nation members and land claim beneficiaries will vote between March 10-12, 2014 in D ljin  and Yellowknife. Information packages will be sent to everyone who is allowed to vote. Polls will be set up in D ljin  and Yellowknife on those dates. If you can't make it then, there will also be a way to mail in ballots, and advance polls will be set up in both D ljin  and Yellowknife in February. This will help make sure everyone has a chance to vote.

A Ratification Committee has been established to manage the voting process. The Ratification Manager, Gina Bayha, can help answer any questions about the voters list or voting. You can contact Gina at (867) 589-8120 or gbyaha@hotmail.com.

What happens if I don't vote?

For self-government to happen, it's important for everyone to vote. Self-government can only pass if more than half of all eligible voters vote to approve it. This means that not voting is almost like voting “no,” except we won't have the ballot to officially count your opinion.

Whether you would like self-government or not, it's important to vote so we truly know how people feel about the agreement.

What powers will Déljñę get?

Self-government will give the people of Déljñę more control over their language, culture, customs and traditions. The new government (called the Déljñę Got'jñę Government, or DGG) will bring together the existing powers of the Charter Community, the Déljñę Land Corporation and the Déljñę First Nation. It will also have the following powers:

- *It will be able to make laws over many local matters (for example, education)*
- *It will be responsible for many programs and services that are now handled by either the GNWT or the Government of Canada (such as programs and services to support children and families)*
- *It will have law-making powers over Aboriginal matters for the people of Déljñę (such as traditional healing)*

Is Déljñę ready for self-government?

Yes. While we will still need to do careful planning, a lot of work has already been done to get ready.

The new government will not take on all of its possible roles and powers at once. At first, it will only take on what the existing organizations are already doing, as well as a few things it needs to operate as a government. Over time, it will take on more responsibilities as it is ready.

The Déljñę Final Self-Government Agreement (FSGA) provides a lot of information about how self-government will work. There is also a detailed Implementation Plan that explains all the steps the governments will follow to make the change to self-government. An Implementation Committee has been set up to help with this process over time. It is important to remember that most of the responsibilities the new government will take on at first are things already handled by the Charter Community, the Déljñę Land Corporation and the Déljñę First Nation. The staff of these organizations will become part of the new government.

Déljñę has set up a Transition Team and is creating a transition plan to make sure the change happens smoothly.

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

The Final Self-Government Agreement (FSGA) says that people in Déljñę 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 Déljñę Got'jñę Government (DGG) will have to set up and enforce its own 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 Déljñę.

What programs and services will be managed by the new Déljñę government?

The Déljñę Got'jñę Government (DGG) will manage community affairs and local services such as the following:

- *Liquor and gaming regulation*
- *Aboriginal affairs, including language and culture*
- *Education, including early childhood education*
- *Adoption*
- *Social housing and income support*
- *Tourism in the Déljñę District*
- *Local land use planning*

The DGG will not take on all of these responsibilities right away. For example, education and health services are complex areas. They will be managed by the GNWT until the DGG is ready to take them on.

How will the new government be organized?

The Déljñę Got'jñę Government (DGG) will bring together the Charter Community, the Déljñę Land Corporation and the Déljñę First Nation into a single government.

It will include:

- *The ʔekw'ahtjédé (Chief)*
- *The Déljñę K'aowədó Kə (Council)*
- *Déljñę ʔqhda K'áowə Kə (Elders Council)*
- *Déljñę K'a Dats'eredi Kə (Justice Council)*
- *Beneficiaries Board (Land Claim Board)*

Each part has its own roles and responsibilities. The Beneficiaries Board will be separate from the rest of the DGG and will make decisions on how land claim money, assets and rights are used and managed.

Why are the First Nation, the Charter Community and the Land Corporation being replaced by a single Déljñę government?

The First Nation, the Charter Community and the Land Corporation each handle different things and are governed by different laws. For example, the First Nation was created by the *Indian Act* and many decisions are made by the federal government. The Charter Community falls under GNWT laws, and the GNWT can change municipal laws when it wants. The Déljñę Land Corporation is created through the Sahtu Land Claim. It is responsible for the land claim rights and assets (lands, buildings, businesses) of beneficiaries.

Having so many organizations, councils and committees can sometimes be confusing and does not make it easy for organizations to work together. Often the frustration is increased because the final decisions about some programs and services are made in Yellowknife or Ottawa.

A major benefit of self-government is that all of these different responsibilities, programs and services can be done by one organization, under one set of rules. There will be one election and one council to make decisions. There will be stable funding for five years at a time. This will allow for longer-term budgets, staffing and planning.

Having one government will also make it easier to consult people, get their input and explain how decisions are made. The new government will be set up to make sure it is open and accountable.

Will there still be a Charter Community?

Everything the Charter Community does will still happen as normal, but these things now be handled by the Déljñę Got'jñę Government (DGG) instead of the Charter Community. The people who work for the Charter Community will do similar jobs for the DGG.

Who will pay for the government? Will it be enough?

The responsibility of paying for the government will be shared by the Government of Canada, the GNWT and the Déljñę Got'jñę Government (DGG). There is a Financing Agreement that makes sure the DGG has enough money to take on its responsibilities. This includes funding the First Nation, the Land Corporation and the Charter Community currently receive, plus funding for new responsibilities the DGG will take on. This funding will be better because it will be in place for five years at a time. To make sure the DGG can continue to support its programs and services, funding will be adjusted over time. Also, as the DGG takes on more responsibilities, it will negotiate additional funding for those responsibilities with the GNWT and Canada.

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

Does it change our treaty or our land claim?

No. Self-government will not change the rights and benefits the Déljñę Dene and Metis have under Treaty 11 or the Sahtu Land Claim. Instead, it builds on them by giving the people of Déljñę the ability to make laws and take over programs and services in the community and on Settlement Lands.

Will we still be Status Indians?

Under self-government, Déljñę First Nation Citizens will no longer be governed by the *Indian Act*. However, Déljñę First Nation Citizens who qualify to be Status Indians can still be registered under the *Indian Act*. This means they can still qualify for any government program intended for Status Indians as long as it is not a program being delivered by the Déljñę Got'jñę Government (DGG).

One thing that will change is the taxation status of Déljñę First Nation members. After a transition period, First Nation members will lose their Section 87 tax exemption under the *Indian Act*. This will not happen right away. After 8 years of being self-governing, First Nation members will no longer be eligible for the exemption from sales taxes such as the GST and fuel and tobacco taxes.

After 12 years, they will not be exempt from paying tax on income earned on a reserve.

Because Déljñę is not a reserve, many Déljñę First Nation members already pay income tax and GST, and this money goes to the Government of Canada. Once Déljñę is self-governing, most of this money will go to the DGG to deliver programs and services.

Will I be able to deal with the new government in my language?

Yes. The official languages of the Délı̨nę Got'ı̨nę Government (DGG) will be North Slavey and English. You will be able to communicate with the DGG in either language.

The DGG will also be able to decide how the Délı̨nę language, culture and traditions are used in programs and services.

What will happen to my taxes?

There will be two noticeable changes to taxes under self-government. As a government, the Délı̨nę Got'ı̨nę Government (DGG) will have the ability to raise money by collecting taxes. The tax status of individual Délı̨nę First Nation members will also change.

The DGG and Canada intend to make an agreement that will allow the DGG to collect its own income tax from people living in the community of Délı̨nę or on Settlement Lands. The DGG's tax would replace the federal income tax. This means there would be no increase in tax levels for Délı̨nę residents. Residents will still use the same process to file their taxes. The Canada Revenue Agency will still collect these taxes, but it will transfer 95% of the federal portion of these revenues to the DGG.

The DGG and Canada will also make an agreement so the DGG can have its own tax on goods and services (GST). The DGG's GST would apply to all goods and services used in the community of Délı̨nę and on Settlement Lands. The Government of Canada will use a formula to estimate the average amount of GST paid by NWT residents. It will use this number to decide how much GST is transferred to the DGG each year.

Why should I care about self-government if I don't live in Délı̨nę?

Self-government will give people who live in Délı̨nę and all Délı̨nę land claim beneficiaries more control over things that are important to the well-being of their people and their community. Even if you don't live in Délı̨nę, these things can benefit your family and friends in the community.

The new government will be able to make laws to strengthen and protect the language, culture and spirituality of the Aboriginal people of Délı̨nę. It will also have more control over programs and services in the community: things like education, and services for children and

families. This means that it can create or change those programs and services to better serve the needs of the community.

The DGG may manage programs which will benefit D l n  people who live outside the community, such as the management and investment of land claim assets, education support services for DFN Citizens and adoption of children of DFN Citizens.

In addition, as a government and not a band under the authority of the *Indian Act*, it will be accountable to its own citizens, even those who are not residents.

Will I still be able to get free dental care, prescription medication and prescription glasses?

Yes. If you are eligible to register as a Status Indian under the *Indian Act*, you can still register after self-government is in place. This means that you will still qualify for non-insured health benefits provided by government for Status Indians like dental care, prescription medication and prescription glasses benefits.

Can we change the agreement if it isn't working?

The Final Self-Government Agreement (FSGA) is only a tool. How it works is the responsibility of the D l n  Got' n  Government (DGG), the GNWT and the Government of Canada. The FSGA provides a lot of flexibility to allow the DGG to change and adapt over time.

If either the DGG, Government of Canada or GNWT would like to change the FSGA, it can ask to do so, but all three governments must agree before any changes are made. Most issues that come up can probably be dealt with among the governments in less formal ways, including through the Implementation Committee. This ensures the three governments will continue to work together to make the agreement work for many years to come.

What does the agreement say about education?

The D l n  Got' n  Government (DGG) will be able to make laws about K-12 education, early childhood education and adult education and training. It can deliver programs in these areas and form partnerships to help the community build capacity to deliver programs.

The education system will follow the GNWT's education system, but the DGG can also add things to promote and strengthen the language, culture and traditions of the people of D l n .

Educational programming can include the knowledge and skills of Elders, as well as Dene language and culture. The DGG will also be able to certify teachers in D l n .

This is not a responsibility the DGG will take right on away, but it is a priority area they will look at taking on in the first five to ten years. Until the DGG is ready, the GNWT will continue to deal with education matters in the community as it does now.

When it is ready, the DGG will be able to establish post-secondary programs (such as diploma programs) and create the institutions to deliver them. It will also be able to make its own laws for the education of adults.

Finally, the DGG will be able to provide education support services for D l n  First Nation Citizens, no matter where they live. This means that the DGG can choose to support the education of its citizens anywhere in Canada.

Who will make decisions about how the land and money from our land claim can be used?

Once the D l n  Got' n  Government (DGG) is created, it will take on the land claim responsibilities that are now handled by the D l n  Land Corporation. Decisions about the land claim will be made by the DGG but only with the consent of the Beneficiaries Board. The DGG will be open and transparent with beneficiaries and make sure they know how the land and money from the land claim will be used.

Like the D l n  Land Corporation, the Beneficiaries Board will be controlled by and accountable to beneficiaries. Only land claim beneficiaries will be able to sit on the board and make decisions about land claim assets and rights. Beneficiaries do not have to live in D l n  to be on the board. The people who sit on the board will be elected by beneficiaries and all beneficiaries can vote, no matter where they live.

How will the DGG work with other governments? How will DGG laws and rules work with the laws and rules 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 D l n  Got' n  Government (DGG), the GNWT and Canada will work together after self-government is in place. The Implementation Committee is one way the governments will continue to work together to make sure the change to self-government is happening properly and to deal with any issues that come up.

The DGG will be able to make its own laws for the community. The FSGA says how these laws will work with the laws of the NWT and Canada. If there is a conflict between the DGG law and federal or NWT laws, in many cases the DGG law will be followed.

Who will be responsible to deliver programs and services to residents of Délı̄në who are not Délı̄në First Nation Citizens?

Under the FSGA, the Délı̄në Got'ı̄në Government (DGG) will deliver local services to all residents of Délı̄në as the Charter Community of Délı̄në is currently doing. Residents of Délı̄në who currently meet eligibility requirements for existing territorial or federal programs and services will continue to receive those programs and services from those governments after self-government. When the DGG is ready, it will be able to exercise its social jurisdictions for all residents of Délı̄në. When that happens, discussions will take place among the governments to ensure a smooth transition.

All residents of Délı̄në who are Canadian citizens and meet age and residency requirements may run for office in the DGG and may vote in DGG elections, though there will be some positions that will only be open to Délı̄në First Nation Citizens to run for and vote on.