



Déłıne Responses to Round 1 Information Requests

Submitted January 16, 2020

Topic 1: Caribou Status

IRs to All Parties

- 1.1. Which kinds of caribou most concern you as a Party: ʔedə/ʔekwé (Bluenose West or Bluenose East barren-ground caribou), shúhtagəʔepé (Northern Mountain caribou), or ʔodzı (Boreal Woodland caribou)? Describe your main conservation concerns. (SRRB)

We care about the caribou we actually hunt which is the BNE and most concerned because they aren't available, and we don't see them anymore.

What is the concern?

- *Development*
- *Climate Change – food source*
- *Permits and Development*
 - o *Staking*
 - o *Mining*
 - o *Mineral Claims*
- *Sport Hunting*
 - o *“Limited”*
 - o *Outfitters getting tags*
 - o *We have no evidence for the numbers – we need to get these numbers from ENR*
 - o *Wonder/MClure Lake*
- *Are muskox moving the caribou?*
 - o *They eat different things*
 - o *Research in Aklavik (Yukon Government)*
 - o *Muskox and caribou share same space so are they competing? Do they eat the same lichen?*

Topic 2: Hunting Law

IRs to All Parties

- 2.1 Do you have concerns about regulation of caribou harvest? What are your concerns? (SRRB)

- *It is an imposition from government on Déłıne/Dene people*
- *Why is there a number “allowance” now?*
- *It is punishing people who live off it*
- *Historically indigenous people do not invade other harvesting areas or species unless they are invited for shared hunts*

- *We need monitoring and caribou guardians to see who is there and who is hunting*
- *As Sahtu Dene people, we must assert our rights about land, harvesting practices, harvesting areas*

- I think generally most people, yes! It's always a concern with the Dene people. Whenever you have other people managing/regulating that concern is always there and you certainly see it throughout our history. Maybe it is people being a lot more aware of these things and the concern is much greater now than any time in our history. We see it with all the young people.
- Our grandfathers they have never seen these regulations and acts but now we have young people who can read and question "what is this act?", "who wrote these laws?". These are the people that have laws for wildlife and the jurisdiction under the land claim so they have lots of concerns.

Ownership of land and jurisdiction – who makes decisions?

- The biggest concern with a lot of younger hunters is that the big decisions aren't made by the leadership in Délı̨ne and certainly not by the harvesters themselves. The aboriginal harvesters continue to harvest but they aren't fully aware that there are regulations for managing the wildlife. That's the biggest concern. When a person actually learns that the community isn't making the decisions, then the first question is "how come we aren't doing it?" this is our land and wildlife.
- People having licenses. These guys can fish here they are Canadians, they can go fishing. People ask, "how come we don't decide?" but they are under the regulations of Canada and so Canada decides how to regulate it.
- The fact that we have co-management boards that are half government and half aboriginal that is a huge blessing that people are still are getting their minds around that. Other governments are starting to recognize that. I think the people are the same way, there are a lot of people who still don't see the boards as independent and belonging to the Sahtu.
- People don't read the acts and really try to figure out how things are today and who is responsible for what. Délı̨ne has complicated things because we're a government and we have a hand in everything but when it really comes down to it, what is happening on the ground, we say we have nothing. We don't have legislation yet. We are responsible but we don't have laws yet. We don't have any acts to go back to. That's a huge concern for harvesters for people because they don't know what's going on.
- Harvesters want simple answers and there aren't any anymore. Harvesters, boards, everyone is pushing for jurisdiction.
- People say "I have to go get a permit!" – yes that is the way it is. It is free, but you have to get a permit. Outsiders have to get a permit too but they have to pay so that they don't go around taking whatever. So it is trying to understand that it is for regulating. So people are still not there yet to see that these permits are for

regulating. And this is an issue with elders where they think if they get a permit, things are going to get worse because they are thinking about colonialism when things did get worse. But I think we can move on from that.

2.2 How do you ensure that Indigenous harvesters that are not from your jurisdiction respect local hunting laws?

- To be clear on the regulations itself and the administration and who is going to be handling it. That the administration actually happens so that the RRC or SRRB actually does it. It needs to be on paper and the people that come here have to hear it and find it.
- And the communities should be doing it. It's a huge administration thing. That's why Délı̨ne backed off because they realized that there has to be files that people can call and check up on and know what a harvester out there is doing. It's a huge responsibility but it is a small thing that the communities should be concerned about.

How do you deal with visiting Indigenous harvesters that violate local hunting law? (SRRB)

- Deal with the facts and dialogue and have leadership meetings
- Involve the right people
- Don't create conflict
- Dene laws. Respect
- Harvesters would say it's their laws so throw the book at them. In reality, we live in a day where eventually communities might be interested in administering this. At this time, the laws are there and they really need to be aware. Like hunting licences and then really understanding the people there – the history of the Dene people living in the community. There is a whole system that they have been living by and they just ask the people to follow them. You go to a community and find out about their sacred sites and don't go there.
- Ultimately you want to hunt the way your grandfathers hunted. One of the challenges you are going to face is that aboriginal hunters don't punish people who violate regulations. They don't do it the same way. What has happened is that they basically try to help people hunt the way their grandfathers do. This isn't a punishment, it's just a way of getting there. But one thing they have to deal with is that there is only so much, there has to be a limit. The limit in our conservation plan is 'if they aren't there' don't harvest. This limit is based on the energy you put into it. We have skidoos and aircraft if people do still want to harvest. Historically if you couldn't see it, they wouldn't have hunted. They hunted what

was plentiful. The way the grandfathers explain it, they say they are resting, so leave them alone. If there is going to be decisions, those are going to be the main points. The first step is people to accept that there are limits to these resources.

2.3 In the North, each region has a wildlife management authority that works with communities to determine the approach to caribou conservation. Do you have concerns about the coordination of caribou hunting regulation across regions? How do you propose that these concerns be addressed? (*SRRB*)

- It is always that. What I just finished talking about. People never really had to do that before. There were other people doing it but the grandfathers were never really aware of these regulations. My grandfathers understanding is to share, if it is available. Today it is not like that it's more like "it is our resource, we don't want to share it with anyone else". People don't say that but that's the way I see it.
- People love caribou, especially the eating part. That has become so great but there is another part of conservation. The thanking who created the resource, appreciating it. How to help the caribou rebound. People have forgotten about it. It is an individual priority not a collective priority.
- Another challenge we have is that people say "don't talk about it". We don't have to, it's us that we talk about. Us as harvesters. You never have to say caribou. The challenge is to bring forward the grandfather knowledge of wildlife. People will begin to see that. It's a huge process to make people agree. A huge one is to have an attitude of 'what can I do to help the wildlife'
- The jurisdictional thing will disappear. Nobody uses the legal system to say I have a right to do this and do that. People don't say it directly so it is hard for boards to make a decision. Dene won't say anything. They will tell you what's going wrong but won't be in the picture as far as enforcement. In Délı̄nę it's starting to come back – "go sit down with him and try to work it out".

IR to Délı̄nę and NWT Environment and Natural Resources (ENR)

2.4 In its 2016 *ᐃᓃᓃᓃ ᓃᓃ Dene Ts'ı̄lı̄ - Sustaining Relationships* Hearing Report (BNE Hearing Report), accepted by the Minister, the SRRB asked the following: "Délı̄nę and the Government of the NWT are requested to immediately begin a process for determining whether and how the restorative justice code for ᐃᓃᓃᓃ ᐃᓃᐃᐃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ (enforcement) in Délı̄nę's *Belare Wile Gots'ę* ᐃᓃᓃᓃ plan will be recognized as an "Alternative Measures" option under the Wildlife Act" (Hearing Decision 38). Can Délı̄nę and ENR indicate whether there have been any discussions about how the proposed restorative justice code developed by Délı̄nę will be recognized as one of the "Alternative Measures" for enforcement under the Wildlife Act? If not, what would assist in further dialogue on this? (*SRRB*)

- There have been discussions. Just before the election. The minister didn't want to deal with it until after the election. That should go ahead really quickly and

shouldn't be something that needs to be complex. Délıne wants to do this and let's get it done with how they want to make a decision. You talk to someone, you keep documents, you talk to the family. If nothing is happening you go to the RRC and the elders council and if still nothing then go to ENR and they are dealt with following the wildlife act.

- I think they are realizing that a lot of their laws would not apply because we are putting something in between the wildlife act. They don't have the trust that the communities can handle it. And that's fine but these things are real and they may botch it up but that's experience and you have to get your feet wet. People know that these are there, similar to the way grandfathers did it. The wildlife act people say "they didn't go to jail or get a fine so it's not justice". But it is important that people see something is going to happen and there is a process. Your friends will start to say something – why are you hunting the caribou that are declining. The DGG is doing it indirectly by not providing gas. Grandfathers did it by making it all exciting to go somewhere else so that you didn't overhunt.

IRs to Délıne

2.5 We understand that Délıne's *Belare Wile Gots'ę Pekwé* plan has been community-approved and implemented by the community since November 2015. It was approved by the SRRB on July 28, 2016, and approved by the ENR Minister Robert C. McLeod on February 22, 2017. How effective have the hunting regulation parts of the plan have been over the past four years in supporting *pekwé* conservation? (SRRB)

- We try to use certain indicators to evaluate how the plans work. The plan itself has huge indicators. The numbers are the least of the plans concerns. ENR wants numbers but Délıne isn't concerned too much about numbers. If you look back at 2015 there was harvesting of BNE on a regular basis compared to now when people aren't harvesting. There is a group that will continue to harvest which may be to do it in spite or to keep the relationship with caribou.
- There is a government that is supporting the plan and they aren't going to put any resources towards hunting in Hotta Lake or BNE. And today you have more people supporting that without even knowing it. Because we have our fishing harvest has increased. Délıne has been harvesting moose and boreal caribou. The plan is working well.
- The weakness is preparing the progress reports and keeping track of things on paper. We need to do a better job on this and getting those numbers accurate and getting the harvesters having an input into these reports.
- The alternative harvest is increasing by leaps and bounds. The harvesting of whitefish goes up each year by individuals but this year it was done as a collective. So the traditional ways that we have done things is coming back. The collective efforts on the fish resources is tremendous because traditionally that was the way it was.

- When you have the access and the \$ to get it, it works. This is the shortfall with people and they are shy. A whitefish harvest happens every year between November and December when they spawn and this is getting really popular and this really helps the conservation plan.

2.6 Délįnę provided information about the status of ʔehdaįla ʔekwé (Bluenose East caribou) for the November 19-20, 2019 status meeting of the ACCWM (Advisory Committee for Cooperation on Wildlife Management). Délįnę has also been working to review the *Belare Wile Gots'é ʔekwé* plan in light of traditional knowledge and science regarding the status of ʔehdaįla ʔekwé (Bluenose East caribou). Please provide details about revisions to the hunting law parts of the plan, including: ʔekwé gha máhsı ts'įńwe (ceremonial harvest); majority yárégo (male) harvest; and efforts to gain recognition of Délįnę's harvest law under the "alternative measures" clause of the Wildlife Act (Section 167). (*SRRB*)

- The Plan, Elders say it is working but is a work in progress
- Most of the revisions are very minor. The big one is the consenting on the total allowable threshold. We say 30 caribou reviewed every year.
- Good progress reports on harvest and we have made changes/improvements to the alternative harvest.
- They will be spending \$100,000 on equipment for harvesters – stoves, axes, nets, etc. They are really wanting to get that alternative harvest thing going. We haven't harvested enough fish. We need to do that. Our grandfathers harvested fish every year especially when they were spawning. People love the eggs! We haven't harvested whitefish in some of these productive areas in 30 years. So this has to happen.
- It's not the changes so much as the increase in alternative harvesting. If we stick to that and run with that. If we keep our harvesters happy it will work. And our gov't has really started working on that –setting up programs to help the spiritual side of harvesting and redeveloping a relationship with their traditional lands.
- The spawning of whitefish is in the fall time but we can't get on the lake now because of the late freeze up. Once we get around these kind of changes, it will be a huge change in terms of priority

Topic 3: Approaches to Wildlife Harvesting

IRs to All Parties

3.1 List three (or more) aspects of Indigenous country food systems and ways of life that most contribute to promoting caribou conservation. Do you have concerns about threats to these systems? (*SRRB*)

We have many concerns.

- Climate Change
- Animal habitat (caribou and other big game)
- Changes in water/fish

- Weather patterns (bird migration)

3.2 How are Indigenous country food systems changing? What impacts are these changes having on caribou? (SRRB)

- *Indigenous country food systems are becoming extremely expensive and most families are double income so they cannot afford to take time off work to hunt*
- *A lot of people don't have access to abundance of caribou*
- *Many have to travel further to harvest*
- *It's a huge part of the conservation plan and a huge principle of a Dene conservation plan – you harvest what is available. You don't go to court to argue about that it's not there.*
- *The natural world is giving us a message. Alternative harvesting is going to be what changes is all, this is the principle of conservation. The plan is based on this. Harvest what is available.*

Topic 4: Harvest Monitoring

IRs to All Parties

4.1 Harvest monitoring is recognized as a key component in effective harvest regulation. What is the most effective way to monitor caribou harvest in your experience? (SRRB)

- *In Délıne, it doesn't matter if you are monitoring people that are harvesting. Eventually you are going to learn who harvests what. A young harvester is out there, when he gets back to town he is going to tell somebody and tell the story and share some of the food. So that is the most effective. Sharing the stories, appreciating the stories.*
- *The most effective is having a culture of sharing harvest knowledge. Have an annual meeting where you talk about these things and give thanks and share thanksgiving through that. A culture of harvest celebration and recognition.*
- *Not a place to punish people, that doesn't work. The thinking is very different in the Dene Way and we get caught to answer things from dominant society. Thanking the creator and recognizing the best hunters and celebrate the grandfathers.*

4.2 Over the past year, Indigenous Guardian programs have come onto the national stage as part of Indigenous environmental governance systems. What role can Guardians play in harvest monitoring? (SRRB)

- *A MAJOR role. The guardians and asking people what they are harvesting and putting it down on paper. Taking pictures, recording. Information about the health of animals – the size of the fat. The behavior of the caribou. Are they running away, etc.*

Topic 5: Participation, Education, Information

IRs to All Parties

5.1 Discussions among Member Boards of the Advisory Committee for Cooperation on Wildlife Management emphasize education and communication as priorities in achieving effective harvest regulation. What are your priorities for education and communication? (SRRB)

- This goes back to celebrating- harvesters celebrating on a yearly or major harvest months. Celebrating in October the harvest of whitefish, their condition, the location of fishing changes, number of fish, where they are spawning, etc. These are great opportunities to relearn the same things our grandfathers went through and passing on knowledge. And having a map to show where they are. It's the sharing and telling the stories that makes it exciting.

5.2 The *Indigenous Discussion Paper and Calls to Action* presented at the 2018 North American Caribou Workshop notes that "all Indigenous people have roles to play in caribou stewardship – women, men, and those who define their gender in a more fluid way – just as caribou herds are structured according to the roles of individual animals. We all depend upon each other." Please describe the importance of gender roles for you in harvest regulation, and any concerns about inclusion. (SRRB)

No response.

5.3 In its 2016 BNE Hearing Report, the SRRB found that that "there is strong consensus in the Sahtú Region that youth involvement is critical for the success of community ʔekwé [caribou] conservation plans." Describe your approach to involving youth in wildlife harvesting and harvest regulation. (SRRB)

This is what we do, having a culture of telling stories with your friends and grandfathers. That is the step our leadership is taking and having the leadership out there harvesting too with the harvesters. The harvesting is becoming so important that we are putting resources into getting people out to the places we haven't been and keeping them safe.

5.4 What materials or websites do you recommend for review as relevant for consideration by the Parties related to the central question of the Public Listening Session? (SRRB)

- Délı̨ne's Dene Béré Belare Wile Food Security Plan provided as a supporting document for this Information Request.
- The Indigenous Calls to Action and Discussion Document (North American Caribou Workshop, 2018).
- Délı̨ne's *Belare Wile Gots'é ʔekwé – Caribou for All Time Plan* (2016 edition).

Topic 6: Aboriginal and Treaty Rights

IR to All Parties

6.1 All regions in the North with Comprehensive Land Claim Agreements conducted similarly designed Harvest Studies as a requirement of their claims and as an evidence base for protecting Indigenous harvesting rights. If you participated as a partner in a Harvest Study, what do you consider to be the current and future value of the study? If you are continuing to

participate in Harvest Studies, are these differently designed? Are they being used differently? (*SRRB*)

There is a certain value in that point in time that it is done. The context needs to be added. Where was the harvest done? A report needs to be done. I think we can do a lot better job in the future. These are the requirements of the land claim. The big part that Dene people have done all along is the celebrating and being part of the environment. That is Dene conservation at its best. Decisions will get made at these celebrations and this is the crux of the Dene being part of the environment. They haven't changed the environment. They have always been part of it. We are concerned about caribou but that is a very small part of the environment. Everyone needs to share, even the child because his health is dependent on the food he and his mother is eating.

I think this harvest study brings forward a total allowable harvest. This is what people may not realize.