



**Protocol Between
Treaty 8 First Nations of Alberta and the Province of Alberta
for Discussion on Matters of Mutual Concern**



Whereas the Treaty 8 First Nations in Alberta and the Government of Alberta wish to establish a mutually productive working relationship based on collaboration and cooperation.

And Whereas the Government of Alberta respects the treaty and Aboriginal rights of the First Nations of Treaty 8 in Alberta, as recognized and affirmed to section 35 of the Constitution Act, 1982.

And Whereas Chiefs of the Treaty 8 First Nations in Alberta and the Government of Alberta wish to establish the means to convene to achieve fair and just resolution of any and all issues which might be outstanding or which might arise in the future.

Now therefore the parties agree as follows:

1. Tables dealing with the following matters will be established immediately upon signing this Protocol:
 - A) Women and Children
 - B) Consultation, Development and the Environment
 - C) Economy and Employment
 - D) Education
 - E) Health
 - F) Infrastructure
2.
 - a. The Tables are established as forums to hold discussions with the objective of determining joint courses of action leading to the resolution of outstanding issues.
 - b. The parties agree to make their best possible efforts to achieve joint courses of action, and acknowledge that this will require them to contribute to an atmosphere of mutual recognition, respect and openness.
 - c. The parties agree to make best possible efforts to be successful in realizing this objective. Each party acknowledges that this will require it to contribute to an atmosphere of mutual recognition, respect and openness.
 - d. Each party takes responsibility for success in achieving a productive working relationship, and, conversely each party takes responsibility if the discussions fail to achieve that objective.
 - e. Each party acknowledges that achieving success requires each party to recognize that the other party may have positions with which it cannot agree, but nonetheless also recognizes that the other party considers its position to be valid. Where acceptance of the other party's position is not possible, each party recognizes that success will require it to do as much as possible to find creative accommodation of the other party's position.



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3. a. Other tables may be established by agreement between the Chiefs of the Treaty 8 First Nations in Alberta and the Government of Alberta.
 - b. Each table will be composed of three Chiefs from the Treaty 8 First Nations in Alberta and a provincial Minister. Provincial Ministers may invite other elected officials to participate as required.
 - c. Each table will report annually to the Grand Chief of the Treaty 8 First Nations in Alberta and to the Premier of the Government of Alberta on progress made in the implementation of annual work plans.
 - d. Each table will be supported by Senior Officials with representatives appointed by the Chiefs of the Treaty 8 First Nations in Alberta and the Government of Alberta, who will establish working groups as required. The Senior Officials will work to achieve consensus and agreement. Each party will ensure that its representatives on the Senior Officials consist of officials who have the authority to make decisions and have prompt access to their own higher-level decision-makers.
 - e. Each will develop an annual work plan to guide its activities. Work plans will include the identification of resources to support the activities to be undertaken. The issues will be clearly defined in the work plan, as well as the desired outcomes and timelines.
 - f. Each party may table at meetings documents which might assist the other party to better understand its position and agrees to study such documents tabled by the other party.
 - g. For any meeting, each party may propose for discussion any issues or matters which it considers to be useful in reaching the objectives of this Protocol. When either party requests to have a matter addressed in the discussions, the matter will be included on the agenda of the next meeting. Each party acknowledges it has the responsibility for placing on the table specific proposals for resolving issues, and neither party will expect the other alone to be responsible for making such proposals.
 - h. To the highest possible degree, both parties agree to use the discussions taking place under this Protocol for the resolution of issues rather than to utilize other fora. When, however, resolution through these discussions cannot be achievable, either party may utilize other fora as it deems fit.
4. a. Chairing of meetings will alternate between the parties. At the agreement of both parties, a neutral chair acceptable to both parties may be invited to chair one or more meetings.



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- b. Each party may maintain its own minutes of meetings. Neither party will record meetings electronically. Where agreement has been reached, a written record of decision will be made.
 - c. The parties agree that meetings are off the public record, and without prejudice to any existing or future legal actions, claims, or fora. The parties acknowledge that Alberta must comply with legislation relating to access to information and privacy.
 - d. The parties agree that communications to the public or available to the public regarding the discussions will be issued jointly.
5. a. The parties acknowledge that the ability of Treaty 8 First Nations in Alberta to participate in the discussions will depend upon the availability of appropriate resources to do so, and that success in reaching the objectives of this Protocol depend upon the Treaty 8 First Nations having access to resources. Both parties agree to make best efforts to ensure that Treaty 8 First Nations have sufficient resources for its participation.
- b. Wherever possible, the parties agree to create a common database of information or expertise which is available to both parties.
6. This Protocol is intended to state general principles and to record the intentions of the parties. It is not intended to create any legal rights or responsibilities, or legally binding obligations, such as contractual obligations, on the parties.
7. Nothing in this Protocol precludes individual First Nations from meeting with the Government of Alberta or its Ministers on any matter, and this Protocol shall be without prejudice to current efforts between a First Nation and Government of Alberta.
8. This Protocol may be dissolved at any time by agreement of the parties. Where there is no agreement regarding the dissolution of this Protocol, either party, upon provision of clear written notice to the other party, may cause the Forum to be dissolved. Before dissolution, however, the parties will engage in one further meeting to be chaired by a mutually-acceptable facilitator/mediator with a view to achieving agreement which would result in the discussions being continued or to reaching a joint statement regarding its dissolution. If this cannot be achieved, either party is free to characterize the dissolution as it sees fit.
9. Nothing in this Protocol shall be interpreted so as to abrogate or derogate from the protection provided for existing aboriginal or treaty rights, as recognized and affirmed in Section 35 of the Constitution Act, 1982.



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FOR THE GOVERNMENT OF ALBERTA

Original Signed

Honourable Rachel Notley, Premier
of Alberta

Date: _____

Original Signed

Grand Chief Steve Courtoreille, Treaty 8
First Nations of Alberta

Date: _____

Original Signed

Honourable Richard Feehan, Minister of
Indigenous Relations

Date: _____

Original Signed

Deputy Grand Chief Isaac
Laboucan-Avirom, Treaty 8 First Nations
of Alberta

Date: _____