

CHAPTER R: RATIFICATION

- R.1.0 APPROVAL OF THE AGREEMENT IN PRINCIPLE**
 - R.2.0 RATIFICATION OF THE FINAL AGREEMENT**
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- R.1.0 APPROVAL OF THE AGREEMENT IN PRINCIPLE**
- R.1.1** The chief negotiators will initial the Agreement in Principle when they are prepared to submit it for approval.
- R.1.2** The initialing of the Agreement in Principle will be done at a location agreed to by the Parties.
- R.1.3** After the Agreement in Principle has been initialed by the chief negotiators, it will be submitted to the Parties for consideration of approval.
- R.1.4** The DFN will have approved this Agreement in Principle when it is signed by the representatives of the DFN, having been authorized by an Approval process that includes a meeting and a vote by Dehcho Dene Members¹.
- R.1.5** The GNWT will have approved this Agreement in Principle when it is signed by the Minister authorized by the Executive Council.
- R.1.6** The Government of Canada will have approved this Agreement in Principle when it is signed by the Minister of Indian Affairs and Northern Development as authorized by Cabinet.
- R.1.7** The Agreement in Principle is not legally binding.

¹ Discussion required regarding delegate approval vs. individual approval

R.2.0 RATIFICATION OF THE FINAL AGREEMENT

General

- R.2.1 The chief negotiators will initial the Final Agreement when they are prepared to submit it for approval.
- R.2.2 After the Final Agreement has been initialed by the chief negotiators, it will be submitted to the Parties for the consideration of ratification as set out in this chapter.
- R.2.3 The Final Agreement will be legally binding once ratified by all Parties in accordance with the ratification provisions set out in this chapter.

Ratification by DFN

- R.2.4 Ratification of the Final Agreement by the DFN will require:
- a) that Eligible Voters have a reasonable opportunity to review the Final Agreement;
 - b) a vote, by way of a secret ballot;
 - c) that at least fifty percent plus one of individuals on the List of Eligible Voters vote in favour of the Final Agreement;
 - d) ratification of the DFN Constitution through the process set out in the Final Agreement; and
 - e) the Final Agreement be signed by the authorized representative of the DFN.

Ratification by the GNWT

- R.2.5 Ratification of the Final Agreement by the GNWT will require:
- a) approval of the Final Agreement by the Executive Council;

- b) signing of the Final Agreement by the Minister authorized by the Executive Council; and
- c) the coming into force of territorial Settlement Legislation.

Ratification by Government of Canada

R.2.6 Ratification of the Final Agreement by the Government of Canada will require:

- a) that the Final Agreement be signed by the Minister of Indian Affairs and Northern Development as authorized by federal Cabinet; and
- b) the coming into force of federal Settlement Legislation giving effect to the Final Agreement.

Ratification Committee

R.2.7 The Parties will establish a Ratification Committee as soon as practicable after the initialing of the Final Agreement, consisting of one representative appointed by each Party, to be responsible for the DFN ratification process, including the preparation of a List of Eligible Voters, as set out in this chapter.

R.2.8 The Ratification Committee will:

- a) ensure that the DFN has provided Eligible Voters a reasonable opportunity to review the DFN Constitution and the Final Agreement;
- b) organize community meetings to provide Eligible Voters an opportunity to review the substance of the Final Agreement;
- c) establish and publish its procedures;
- d) set its time limits, including the date or dates of the Ratification Vote;

- e) **prepare and publish a List of Eligible Voters in each Dehcho Dene Community based on the Enrolment Register provided by the Enrolment Committee under E.3.1 at least 30 days before the first day of voting by determining whether each individual is eligible to vote in accordance with R.2.7; and,**
- f) **update the List of Eligible Voters by:**
 - i) **at any time on or before the last day of voting, adding to the List of Eligible Voters the name of each individual provided by the Enrolment Committee under E.3.1 whom the Ratification Committee determines to be eligible to vote in accordance with R.2.7;**
 - ii) **subject to R.29 and R.2.10, adding to the List of Eligible Voters the name of each individual who votes in accordance with R.2.11;**
 - iii) **removing from the List of Eligible Voters the name of each individual who died on or before the last day of voting without having voted;**
 - iv) **removing from the List of Eligible Voters the name of each individual who did not vote and who provides, within 4 days of the last day of voting, certification by a qualified medical practitioner that the individual was physically or mentally incapacitated to the point that they could not have voted on the dates set for voting; and**
 - v) **removing from the List of Eligible Voters the name of each individual who has applied, or on whose behalf application has been made, by the close of polls on the last day of voting, to have his or her name removed for the Enrolment by the Enrolment Committee under R.2.9 , provided the individual has not already voted;**
- g) **approve the form and content of the ballots;**

- h) authorize and provide general direction to voting officers to be employed in the conduct of the votes;
- i) establish polling stations;
- j) oversee the conduct of the votes on the dates established by the Ratification Committee;
- k) ensure that information about the dates set for voting and location of the polling stations be made publicly available;
- l) oversee tabulation the results of the votes;
- m) provide the Parties with the result of the votes;
- n) publish the result of the vote to ratify the Final Agreement; and
- o) prepare and provide to the Parties a written report on the outcome of the vote to ratify the Final Agreement within 90 days of the last day of voting.

Ratification Vote

R.2.7 An Eligible Voter will be an individual who:

- a) is eligible to be enrolled under the eligibility and enrolment provisions of the Final Agreement;
- b) is at least 18 years of age on the day of voting; and
- c) is not a member of an Aboriginal group that is enrolled in any other Land Claims Agreement, resource or self government agreement or on a non DFN Band Membership List, or another Métis Local Membership List.

R.2.8 The Final Agreement will set out the rules and procedure for conducting the ratification vote including:

- a) the preparation of a preliminary voters list;

- b) an appeal procedure for individuals not listed on the preliminary voters list;
- c) a procedure to revise the preliminary voters list to a Final Voters List; and
- d) establishment of an information campaign concerning
 - i) eligibility for voting; and
 - ii) the substance and details of the Final Agreement.

R.2.9 Notwithstanding R.2.7, an individual whose name is not included on the List of Eligible Voters may vote if he or she:

- a) provides the voting officer with a completed enrolment application form or evidence satisfactory to the voting officer that the individual has submitted a completed enrolment application form to the Enrolment Committee; and
- b) provides the voting officer with satisfactory evidence that the individual meets the eligible voter criteria.

R.2.10 If the Enrolment Committee notifies the Ratification Committee that an individual referred to in R.2.9 meets the Eligibility Criteria:

- a) the name of the individual will be added to the List of Eligible Voters; and
- b) the ballot of the individual will be tabulated for the purposes of the votes under R.2.11 b).

R.3.0 COSTS

- R.3.1** **The Government of Canada will provide an amount of funding agreed upon by the Parties for the Ratification Committee to carry out the duties and responsibilities as set out in this chapter.**