



**YUKON
REGION**

A Yukon that Leads

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Discussion Paper – Advancing Yukon First Nations Priorities

INTRODUCTION

The 43rd federal election on October 21, 2019 marked the beginning of a new opportunity for Prime Minister Trudeau and the Liberal minority government to demonstrate their government's commitments to Indigenous peoples in the Yukon, which includes addressing climate change, the ongoing implementation of our Final and Self Government Agreements and Nation Building, transboundary issues, language revitalization and jurisdiction in child welfare.

The purpose of this Discussion Paper is to clearly set out Yukon First Nations' priorities and identify upcoming engagement opportunities over the next year. Now that the new cabinet has been sworn in, Canada can begin taking immediate steps to address Yukon First Nation priorities. Please see Appendix A for an overview of Yukon First Nations.

KEY PRIORITIES

Environment and Climate Change

Climate change is a global crisis and, as noted in a recent poll, was a key issue for Canadians in the recent federal election.¹ First Nations, especially those in the North, are the first to feel the impacts of climate change and are the hardest hit by these changes. Here in the Yukon, the annual temperature has increased by 2^o over the past 50 years, with winters warming the most (4^o over the past 50 years), and more warming is projected.² Sea ice melt is the most apparent global indicator of climate change, and most relevant to the North's changing climate. Arctic sea ice is melting rapidly at a rate of 300 km³ per year with more than 50% of the summer sea ice volume having been lost in the last decade alone. At this rate, it is projected that the Arctic Ocean will become seasonally ice free in 20 years.³ This will have devastating and far-reaching effects for the climate of the circumpolar north, North America, and the planet, including rising sea-levels and global ocean currents. Over the past 50+ years, human activity, and specifically our reliance on fossil fuels, has been largely responsible for the climate warming. Climatic changes have also played a part in the decline in global wildlife populations and thus have had, and will continue to have, serious repercussions for the exercise of First Nations inherent and constitutionally-protected rights and responsibilities.

In the face of this, First Nations in the Yukon are already demonstrating exceptional leadership in responding to the impacts of climate change and preparing for the future. With the proper

¹ Ipsos Election Day Poll: October 22, 2019

< <https://www.ipsos.com/en-ca/news-polls/federal-election-day-2019-poll> >

² https://www.yukoncollege.yk.ca/sites/default/files/inline-files/Indicator_Report_Final_web.pdf

³ *Ibid*

resources, we can ensure all our communities serve as leaders in addressing this global challenge.

On May 19, 2019, Vuntut Gwitchin First Nation, the most northern community in the Yukon, declared a state of emergency on climate change with the goal of creating an Indigenous climate accord across the Arctic Circle and beyond. The *Yeendoo Diinehdoo Ji'heezrit Nits'oo Ts'o' Nan He'aa Declaration* was made in respect of all living beings and for the future of all peoples. The Declaration's title comes from the late Elder Sara Abel Chitze (born in 1896) who said, "*Yeendoo Diinehdoo Ji'heezrit Nits'oo Ts'o' Nan He'aa*", which means, "After our time, how will the world be?" This declaration set a precedent in the Yukon and across Canada. At the AFN Yukon Regional Annual Summit that took place on June 27th, Yukon First Nation leaders passed a climate action Resolution that called for a Yukon First Nations climate gathering to serve as a platform to unify Yukon First Nations voices and actions in addressing the climate challenge. Following this, at the Assembly of First Nations Annual General Assembly on July 23-25, 2019, in Fredericton, New Brunswick, the Chiefs-in-Assembly, led by Yukon First Nations, unanimously passed Resolution #05/2019 declaring "a global climate emergency".⁴

Since these Resolutions passed, the AFN Environment Sector has been working closely with members of the AFN Advisory Committee on Climate Action and the Environment to develop a First Nations Climate Strategy to support the advancement of First Nation led and driven climate solutions. In the Yukon Region, a climate gathering is being planned for February 2020 that will highlight and build on the important work being done in our communities and will deliver a unified Yukon First Nations declaration on climate action that will serve as a foundation for the development of a Yukon First Nations Climate Strategy

The climate challenge requires a coordinated approach across all levels of government and all sectors. The spirit of this coordination must respect and support the unique challenges and circumstances that exist in each of our communities. There is no one-size-fits-all solution to this challenge. We therefore need to ensure the resources are in place for First Nations to create and implement solutions on their terms and at their direction. In the meantime, resources must be immediately available to support northern communities in the development of mitigation and adaptation techniques that align with our culture, traditions, values and livelihoods.

Advancing Transboundary Interests (domestic and internationally)

Yukon First Nations territories cross domestic and international borders with British Columbia, Northwest Territories, and Alaska. One of our key priorities as Yukon First Nations is to advance our aboriginal rights and interests on issues of a transboundary nature that may also affect our modern treaty rights and have significant adverse environmental and/or socio-economic effects.

1. *Supporting the continued protection of the Yukon salmon habitat and transboundary watersheds*

Wild salmon represent the lifeblood for Yukon First Nations society and culture and plays a pivotal role in our livelihoods. Salmon also represent a living barometer of the conditions of our environment and ecosystem. Yukon First Nations recognize that certain salmon stocks have

⁴ Resolution #05/2019 attached to this Discussion Paper

declined sharply and that numerous threats challenge our ability to protect wild salmon and salmon habitat.

There are 75,000 kilometers of salmon-bearing rivers in Yukon,⁵ and salmon populations are further distributed throughout Alaskan and British Columbian transboundary watersheds including the Stikine, Taku, Alsek, Yukon and Porcupine rivers.

The Pacific Salmon Treaty (PST) was ratified in 1985, renegotiated in 1999 and 2009, and expired in 2018. As Yukon salmon and their habitats are co-managed through an integrated process involving First Nation Governments, the Yukon Salmon Sub-Committee (YSSC) and the Government of Canada, we must ensure Yukon First Nations perspectives and priorities are reflected at all levels of negotiation under the PST.

It is important to note that the Yukon River Salmon Agreement (YRSA), which forms Chapter 8 of the PST, is a stand-alone, independent chapter that has neither a trigger for review of its provisions to ensure its meeting the needs of the Parties nor any clause requiring its renewal. This means Canada and the US must adhere to the existing clauses in the YRSA indefinitely. This is an anomaly in the over context of the PST and one that does not appear to be serving the interest of Salmon of Canadian-origin in Yukon.

Yukon Salmon are in a state of production decline and until such time as returns begin to increase, harvest must be managed conservatively. This requires more focus on the part of the Government of Canada, should include discussion at the PST Commission level and warrants more resources to ensure no further decline in stock and a return to historical levels.

Yukon First Nations must be afforded regular opportunities to meet with the Minister of DFO, as partners in Salmon management, to identify challenges, discuss areas of mutual interest, and find solutions to these challenging and complex matters.

We must also ensure that AFN Resolution #79/2018, Yukon Salmon Treaty—which calls upon the AFN to meet with the Prime Minister, the Minister of Fisheries and Oceans, and the Pacific Salmon Commission Chair, to support the continued protection of the Yukon salmon habitat—is acted upon immediately.

Protecting Yukon's transboundary watersheds and salmon habitat must also consider the impacts of mining development and exploration. We must ensure that mining companies understand their responsibilities in addition to the political climate of the Yukon with respect to our Rights, Title, and our self-government agreements with the Crown.

Lastly, we must protect our watersheds as they are our primary source of drinking water and remain under threat from industrial development and the cumulative effects of climate change.

2. Protecting the Arctic National Wildlife Refuge (ANWR) against habitat fragmentation and loss of the Porcupine Caribou

In 2017, against the spirit of the Canada-US Agreement on Porcupine caribou herd conservation, the United States Congress passed legislation to open the Arctic National Wildlife

⁵ <https://www.pac.dfo-mpo.gc.ca/fm-gp/species-especes/salmon-saumon/wsp-pss/ip-pmo/yukon-eng.html>

Refuge (ANWR) to drilling. Yukon First Nations—in particular the Vuntut Gwitchin, who have been fighting against this for decades—acknowledge that oil and gas exploration and development will have devastating impacts on the health of the Porcupine caribou herd and on the Rights and Title, as well as the cultural and economic well-being of the Vuntut Gwitchin people who rely on Porcupine caribou. Government must work with Yukon First Nations to ensure the protection of the ANWR from the threat of US industrial development and exploration, and by extension, mitigating against the threat of climate change in this region.

Implementation of Modern Treaty Agreements

Article 37 of the *United Nations Declaration on the Rights of Indigenous Peoples* states that:

37 (1.) Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.

With 11 First Nations in the Yukon with self-government agreements, we represent the region with the greatest number of modern treaties in the country. The implementation of our land claim and self-government agreements have proven to promote substantive political, legal and socio-economic changes that ultimately bring meaningful reconciliation. Therefore, it is essential that the federal government commit to developing mandates and policies with Yukon First Nations to address the full and broad implementation of the land claim and self-government agreements in the Yukon, including developing a policy to provide direction and guidance to the federal system with respect to the implementation of modern treaties in Canada.

However, not all Yukon First Nations are in agreement that implementation should be policy driven but rather ongoing implementation negotiations should be driven by the terms of the Final and Self-Government Agreements

We must work together to resolve long-standing impasses relating to the implementation of certain provisions of our self-government agreements. A brief overview of some of these issues include:

1. **Tax** – the need for federal commitments to adopt new policies in order to negotiate tax collection and sharing agreements with Yukon First Nations in accordance with the self-government agreements (i.e. direct taxation relating to settlement land as well as corporate and commodity taxes). For example, the Teslin Tlingit Council's interest includes tax agreements with Yukon supported by Canada, i.e. – fuel, alcohol and tobacco tax, carbon tax, corporate income tax, property tax, - in addition to the personal income tax agreement in place. If Canada indirectly penalizes YG by not excluding the shared revenue from YG's revenue capacity in its financing agreement with YG then YG has no incentive to share. Resource revenue sharing is also on the table mainly with YG but potentially with Canada – for example Canada retains a residual royalty interest from mineral revenue;
2. **Program and service transfer agreement (PSTA)** – to date Yukon First Nations have only been able to negotiate PSTAs that provide funding based on the number of their

citizens who are status Indians within the meaning of the *Indian Act* which has resulted in Yukon First Nations being grossly underfunded for most programs and services. For those Yukon First Nations with Final Agreements, citizenship is defined in their constitutions and is not determined whether you are recognized as a status Indian as defined under the *Indian Act*. Therefore, calculations for the PSTAs need to provide funding to support citizenship of First Nations and not be limited to those who are considered status under the Indian Act. Note the funding quantification and needs issue is wider than just programs and services assumed from Canada (or Yukon should it happen). It has also to do with the First Nation exercising its self-governing powers and jurisdictions to achieve comparable levels of governing capacity (general governance, treaty implementation, heritage, language, stewardship of lands etc., and capacity to deliver comparable programs and services.

3. **Administration of justice agreement (AJA)** – due to limited federal and territorial mandates, the pace of progress with respect to the negotiation and implementation of the AJAs has been extremely slow. The federal government must commit to work with Yukon First Nations to develop mandates and policies so that Yukon First Nations are able to implement and operationalize their judicial branches. In January 2016, following the federal election in 2015, the terms of the federal mandates for administration of justice were relaxed allowing for parties to make progress for both the TTC enforcement implementation negotiations on enforcement and KDFN administration of justice negotiations (the two most active tables in Yukon). Moving forward it is important that Canada continue this same approach to allow talks to continue in the same spirit and effort that has been exercised for the last 3.5 years. In particular for TTC – for the corrections implementation negotiation going forward (as an enforcement offer was provided in summer of 2019e and accepted by TTC and requires treasury board approval) it is important that PSEP and DOJ remove the silos between health programs + services and corrections.; and
4. **Yukon First Nation paramountcy over federal laws** – despite the commitment set out in the self-government agreements to enter into negotiations to identify the areas in which Yukon First Nation laws will prevail over federal laws to the extent of any inconsistency or conflict, no discussions have been held for more than 20 years. The federal government needs to work with Yukon First Nations to develop new mandates and policies with respect to moving forward with these negotiations. This is particularly important considering the recent developments of federal legislation in the areas of language and child welfare, which overlap with the jurisdiction of Self-Governing Yukon First Nations.

Modern treaty implementation must be a priority and core objective of this government. Demonstration of this commitment would include appointing senior federal officials with the authority and the mandate to work with modern treaty holders to implement final agreements and self-government agreements. Putting this task in the hands of lower-level officials who are risk-averse and require constant approval of senior officials will not achieve satisfactory results. In addition to increasing official's authorities, it is advisable that Canada also look at streamlining the approval processes.

Loan Forgiveness and Repayment

For decades, those First Nations that chose to negotiate self-government agreements or modern treaties with the government had to take out negotiation loans from the federal government. By the time the parties reached final agreement, these negotiation loans were in the millions of dollars and were repaid through deductions from the total settlement amount.

Yukon self-governing First Nations, for instance, have incurred millions of dollars in negotiation loans. The repayment of these loans has been onerous on the Nations and has significantly impacted the value of these agreements. Most Yukon First Nations have repaid their loans in full, while others are still having these loans deducted from their settlements.

In Canada's 2018 Budget, released on February 27, 2018, it states:

As part of its new approach, the Government of Canada will be moving away from the use of loans to fund Indigenous participation in the negotiation of modern treaties. Starting in 2018-19, Indigenous participation in modern treaty negotiations will be funded through non-repayable contributions.

...

The Government will engage with affected Indigenous groups on how best to address past and present negotiation loans, including forgiveness of loans.

Under the Chapter "Advancing Reconciliation" in Budget 2019, the government proposed "to invest \$1.4 billion over seven years to forgive all outstanding comprehensive claim negotiation loans and to reimburse governments that have already repaid the loans."

In our view, the forgiveness of loans and repayment of loan dollars is a positive step towards reconciliation. There is a growing skepticism however that the federal budget-commitments will not be realized. Yukon First Nation Chiefs are asking Canada: "When can modern treaty holders and other self-government agreement holders expect to receive the first instalment (of a seven-year commitment) of the repayment dollars?"

It is critical that the federal government follow through with its commitment as expressed in "Advancing Reconciliation" to commence with the repayment of loans to self-governing Yukon First Nation in the 2019-2020 budget. It is currently our understanding that there is a proposed repayment approach with SGYFNs and that Canada is seeking approval of monies for the 2019-2020.

Funding Transfer Agreement Negotiations with Canada

As First Nation Governments, we should have direct access to federal funding based on our final and self-government agreements, similar and comparable to provincial governments to provide services that are comparable to those prevailing in the Yukon to respond to the needs of our citizens.

On January 15, 2019, the Teslin Tlingit Council (TTC) was victorious in their court case against the Government of Canada⁶ on the issue that “the Government of Canada has a legal obligation to negotiate a self-government Financial Transfer Agreement with TTC pursuant to their Final Agreement and section 16.1 and 16.3 of the TTC SGA; and that such negotiations must take into account funding based on TTC’s actual citizenship”.⁷

Moreover, Canada needs to better invest in the process of “negotiations” itself, and instruct their negotiators to implement the terms of self-government agreements upholding the Honor of the Crown, and to accelerate the pace of discussions. Current FTA negotiations require more meaningful financial resources to better support and inform negotiations from a self-governing First Nation point of view.

Meaningful negotiations will require Canada to recognize that effective First Nation government operations will necessitate that comparable resources need to be provided. This must include additional resources considering the unique nature of programs and a coordinated/comprehensive approach of delivery of programs.

Housing

Housing in the north is a top priority for Yukon First Nations. Funding for housing is often transferred to the territorial governments and not directly to First Nations. Funds should be allocated to Yukon First Nations directly. It should be noted that housing transfers in Yukon to go Yukon Housing and CMHC, and their program rules make it hard to access and have restricted application. Direct access would address restrictions relating to the reality of settlement land holdings and the correlation of subdivisions with settlement lands and non-settlement lands. Even treating settlement lands as the same as reserves is too limiting. Direct access for community infrastructure is also a critical component of creating affordable and safe housing. Roads, fire suppression, sewer, water, recreational facilities, emergency response assets, etc, are all part of this equation.

Federal government plans for housing for First Nations are geared towards on-reserve housing. This does not address the unique circumstances of self-governing First Nations in the Yukon who do not have reserves. Federal programs need to be revised to reflect the circumstances for those Yukon First Nations with self-government agreements to be included.

Preserving and Revitalizing our Languages

Language is integral to the cultural knowledge, kinship, customs, heritage and histories of Yukon First Nations. Yukon First Nation languages are at risk of becoming extinct. Governments at all levels need to be proactive in the revitalization, protection and advancement of Yukon First Nation languages.

Language immersion is key for Yukon First Nations to reclaim fluency. Canada’s efforts to achieve reconciliation with Yukon First Nations and to move beyond the devastating impacts of the federal residential school policies requires the federal government to publicly fund Yukon

⁶ *Teslin Tlingit Council v. Canada (AG) 2019 YKSC 3*

⁷ Summary of case, Ratcliffe and Company, January 15, 2019.

First Nation languages comparable to monies provided to advance the English and French languages in Canada. For example, TTC identified to Canada that they would need approximately 3M annually to reclaim and advance the Tlingit language. Recent developments in the FTA negotiations resulted in Canada providing additional monies for culture and heritage - \$400,000.00 – huge disparities in what is financially required.

In the Yukon there are eight Indigenous languages: Gwich'in, Hän, Upper Tanana, Northern Tutchone, Southern Tutchone, Inland Tlingit, Kaska, and Tagish. Except for Tagish, which is considered extinct (because there are no remaining fluent speakers), each of our languages are classified as endangered. In Yukon, 10% of the First Nation population reported that they speak their language at home, compared to 23% for Canada, and only 2% of Yukon First Nation people report speaking their language most often at home, compared to 13% for Canada.⁸

On September 5, 2018, several Yukon First Nation Chiefs, language carriers and Yukon First Nation representatives attended a federal engagement session in Whitehorse Yukon where key messages were delivered to representatives of Canada including the following:

1. Yukon First Nations have the inherent right to their languages. Yukon First Nation languages are Aboriginal rights. Yukon First Nations language rights should be constitutionally recognized and protected as existing aboriginal rights under section 35 of the *Constitution Act, 1982*.
2. The *Indigenous Languages Act* should expressly recognize the Treaty Rights and law-making jurisdiction of self-governing Yukon First Nations.
3. The residential school system robbed Yukon First Nation children of their languages and contributed to the devastation of their cultural identities. Canada has a moral obligation to Yukon First Nations to make restitution.
4. Yukon First Nation languages are at a critical state. Yukon First Nations require financial resources as an immediate investment to revitalize Yukon First Nation languages.

Regardless of legislative authority between those Yukon First Nations with self-government and those without, Yukon First Nations require equitable funding, tools and resources to support language revitalization. We seek a formal commitment from the Government of Canada that any program funding, resources or opportunities that flow from its new legislation will be available to all Yukon First Nations. It is generally understood that funding flowing under legislative authority is largely intended for those First Nations without treaties in the Yukon. Any monies for language revitalization would need to be negotiated as part of the FTA discussions.

Asserting our Jurisdiction in Child Welfare

Yukon First Nations remain extremely concerned about the high rates of Indigenous children in care and living in placements away from their families, communities, and culture. It is no secret that First Nations children and families are disproportionately involved in the child and family services (CFS) system, and this is also true in the Yukon. As of January 30, 2018, 90 of 116

⁸ Jensen, Marilyn and Shepherd, Thomas (2018). "Yukon Indigenous Languages Discussion Paper."

Prepared for Assembly of First Nations Yukon Region.

<http://afnyukon.ca/wp-content/uploads/2018/09/AFN-Yukon-Languages-Discussion-Paper-Final-Sept-11.pdf>



children in care in the Yukon were First Nations which amounts to roughly 77 per cent.⁹ The system represents a humanitarian crisis that is reliving the residential school legacy for Yukon First Nations. This reality requires Canada to address this matter as a federal priority.

There are two initiatives happening that will affect child welfare in Yukon. Bill C-92, *An Act respecting First Nations, Inuit and Métis children, youth and families*, affirms First Nations jurisdiction over First Nations child welfare and creates space for First Nations laws and practices regarding their families. In addition to this, Jordan's Principle is a child-first principle ensuring First Nations children get necessary services when they need them, and that these services are not denied because of jurisdictional disputes. The legislation is intended to devolve responsibility for Indigenous children in care from Ottawa to First Nations.

Concurrently, the federal, territorial and representatives from the Kwanlin Dün and Carcross/Tagish First Nations developed a "Trilateral Table" where they agreed on the terms of reference for talks on First Nations child welfare services in Yukon which is a starting point of formal negotiations aimed at driving down the number of Indigenous children in foster care. We must support these initiatives while ensuring that our Rights and Title and the jurisdiction set out in our self-governing agreements is always reflected. Ensuring that our children remain in the care of Yukon First Nations families is a fundamental priority.

Earlier this year the Canadian Human Rights Tribunal ordered Canada to provide compensation of up to \$40,000 to all First Nation children who were unnecessarily apprehended on or after January 1, 2006, all parents or grandparents of children unnecessarily apprehended on or after January 1, 2006, and all children denied an essential service (Jordan's Principle) between December 12, 2007 and November 2, 2017. As a matter of justice, Canada must work with Yukon First Nations to implement the ruling and invest in our families rather than continuing to look for legal avenues to avoid responsibility.

OPPORTUNITIES FOR ENGAGEMENT

The following list of events present opportunities for Canada to engage with Yukon First Nations. We must prioritize collaboration to ensure our priorities and concerns remain on the federal agenda and we welcome the opportunity for Canada to engage.

Assembly of First Nations Yukon Region, Reception – Westin Hotel, Ottawa, Ontario (December 2, 2019)

On the evening of December 2nd, 2019 AFN Yukon Region will be hosting a Parliamentary Reception at the Governor General Room in the Westin Hotel in Ottawa. At this reception we will honour the ten Indigenous Members of Parliament that were elected on October 21st. Yukon First Nations representatives will be in attendance along with representatives from across the North. This reception will be an opportunity for elected officials and senior staff to engage with northern representatives on key issues and we encourage all to attend.

⁹ <https://www.yukon-news.com/news/yukon-promises-review-of-child-and-family-services-act/>

Assembly of First Nations Special Chiefs Assembly – Westin Hotel, Ottawa, Ontario (December 3-5, 2019)

Each winter, the Assembly of First Nation hosts a Special Chiefs' Assembly in Ottawa/Gatineau which brings together First Nations leaders from across Canada to discuss, debate and direct the AFN Executive to act on important issues through resolution.

In addition to the reception on December 2nd, AFN Yukon Region will be hosting caucus sessions for Yukon Chiefs and leaders each morning and lunch from December 3-5. This is an opportunity for Ministers and senior federal officials to meet with Yukon First Nations on our priorities.

Yukon First Nation Lobby Days – Ottawa, Ontario (December 2-3, 2019)

December 2-3, 2019 will be Yukon First Nation Lobby Days on the Hill in Ottawa. Several Yukon First Nations will be in Ottawa to meet with Ministers and senior federal officials before the Assembly of First Nations Special Chiefs' Assembly. Yukon First Nations have already begin reaching out to schedule these meetings.

Intergovernmental Forum

The Inter-Governmental Forum was established in 2002, by Canada, Yukon, and Self-governing First Nations to create an opportunity for the signatories to the agreements to meet and strengthen intergovernmental relationships, the effective implementation of the agreements, and to consider matters of common interest in governance in the Yukon. The three Yukon First Nations who do not have self-government agreements are also invited to attend the Intergovernmental Forum meetings. The Intergovernmental Forum has met four times since 2017.

Assembly of First Nations Annual General Assembly – Halifax World Trade & Convention Centre Halifax, Nova Scotia (July 15-17, 2020)

Each summer, the Assembly of First Nation hosts an Annual General Assembly (AGA) which brings together First Nations leaders from across Canada to discuss, debate and direct the AFN Executive to act on important issues through resolution.

The 2020 AGA will be held in Halifax, Nova Scotia. AFN Yukon Region will be holding caucus sessions with Yukon First Nations (breakfast and lunch) throughout the three days of the AGA. We invite federal ministers to attend our caucus sessions to speak with Yukon First Nations about addressing our priorities.

CONCLUSION & NEXT STEPS

The federal government must commit to working collaboratively with Yukon First Nations with respect to the priorities outlined in this Discussion Paper. We expect that the federal government demonstrate its commitments to Yukon First Nations and to northerners that were made in the previous Parliament, as well as throughout the election campaign. There are several policy and mandate decisions and development that needs to take place in order to address the concerns outlined above, including significant steps towards implementation of our Final Agreements.

Now that cabinet has been appointed, we look forward to working with Ministers and their senior officials immediately so that we can address the priorities outlined, ensure that our relationships are built on understanding and respect and work towards a better future for our children, as Yukon First Nations, Yukoners and Canadians .

APPENDIX A: ABOUT YUKON FIRST NATIONS

*Yukon First Nations*¹⁰

There are 14 First Nations located in what is now known as the Yukon Territory. Eleven of these First Nations have self-governing agreements. The following section provides a list and very brief overview of all 14 Yukon First Nations and is not intended to be a descriptive characterization of those First Nations but rather a high-level introduction:

Carcross/Tagish First Nation* has been self-governing since 2005 and is located in the town of Carcross. The traditional territory extends from the Carcross Cut off, to Carcross, Tagish, Squanga and past the BC border. The original inhabitants of this area are the Tagish people who belong to the Tagish linguistic grouping of the Athapaskan language family. This area also became the home of Tlingit traders from (what is now) southeast Alaska who (200-300 years prior to contact) ventured into the interior of the Yukon for trade purposes. Today many of the Carcross/Tagish First Nation people are descendants of both Tagish and Tlingit.

Champagne and Aishihik First Nations* (CAFN) are named after two historic settlements: Shadhäla (Champagne), located on the Dezadeash River; and Äshèyi (Aishihik), at the headwaters of the Asek River drainage. CAFN Traditional Territory spans 41,000 square kilometers in total (29,000 in the Yukon and 12,000 in British Columbia). The eastern edge of CAFN's Traditional Territory lies in the Yukon River watershed, while the larger, westerly portion lies in the Asek River watershed which flows into the Gulf of Alaska. Today, the main government offices of CAFN are located in Haines Junction, in addition to an office in Whitehorse. The CAFN Self-Government Agreement came into effect in 1995.

First Nation of Na-Cho Nyak Dun* is the most northerly community of the Northern Tutchone language and culture group and resides in the community of Mayo. First Nation of Na-Cho Nyak Dun's Traditional Territory covers 162,456 square kilometers of land (131,599 km² in the Yukon and 30,857 km² in Northwest Territories). The First Nation signed a Final Agreement and Self-Government agreement in 1993.

Kluane First Nation* grew from the shores of Kluane Lake. The traditional territory of the Lù'àn Män Ku Dän (the Kluane Lake People) stretches from the shores of Kluane Lake in all directions to the Ruby and Nisling mountain ranges to the northeast and the St. Elias Mountains to the southwest. The majority of Kluane First Nation people identify themselves as descendants of Southern Tutchone speakers. Other ancestors of the Kluane First Nation came from Nations such as the Tlingit, Upper Tanana and Northern Tutchone.

Kwanlin Dün First Nation* people are originally of Tagish Kwan ancestry, but today includes people of Southern Tutchone, Tagish and Tlingit descent. A large part of the over one thousand Kwanlin Dün citizens live in the Whitehorse area, with others dispersed throughout Canada, the U.S. (predominantly Alaska) and abroad. Traditional territory of the Kwanlin Dün First Nation includes the headwaters and along the Yukon River and also includes the waterway now called Miles Canyon through to the Whitehorse Rapids.

¹⁰ Asterisks (*) indicate those Yukon First Nations that have signed Final Agreements and Self-Government Agreements.

Liard First Nation is one of five distinct Kaska Dena communities located in Southeast Yukon and Northeastern British Columbia. The people of Liard First Nation inhabit a broad area in the southeastern Yukon and live predominantly in and around the present-day town of Watson Lake. The current population of Liard First Nation is approximately 1,400 members. Dene Zágé' (the Kaska language) is the language of Liard First Nation. Liard First Nation has not signed a self-government agreement.

Little Salmon Carmacks First Nation* is located in the community of Carmacks in the south-central Yukon along the Yukon River. The Little Salmon Carmacks First Nation people are part of the Northern Tutchone language and cultural grouping and became self-governing in July, 1997. The registered population of First Nation members is numbered at approximately 500, half of whom live outside the community.

Ross River Dena Council is a First Nation located in the eastern Yukon Territory. The main centre is located in Ross River, Yukon at the junction of the Campbell Highway and the Canol Road, near the confluence of the Pelly River and the Ross River. The language originally spoken by the people was mainly Kaska, although a number of the First Nation's citizens are Slavey speakers. Ross River Dena Council has approximately 550 registered members. Ross River Dena Council has not signed a self-government agreement.

Selkirk First Nation* were known as the Hucha Hudan people, meaning Flatland People in reference to the landscape at Fort Selkirk, their traditional home. Citizenship population is approximately 671 with about 40% of the citizens residing in Pelly Crossing (halfway point between Whitehorse and Dawson City) while the other 60% live elsewhere in the Yukon and across Canada. Selkirk First Nation are part of the Northern Tutchone language and culture group.

Ta'an Kwäch'än Council* became a self-governing First Nation on April 1, 2002. The Ta'an Kwäch'än take their name from the Tàa'an Män (Lake Laberge) in the heart of their traditional territory. Their ancestral lands extend north to Hootalinqua at the confluence of the Yukon and Teslin Rivers, south to Marsh Lake, west to White Bank Village at the confluence of the Takhini and Little Rivers, and east to Winter Crossing on the Teslin River. Linguistically, the Ta'an Kwäch'än are affiliated with the Southern Tutchone, but its citizens are comprised of Southern Tutchone, Tagish and Tlingit descent.

Teslin Tlingit Council* (TTC) is a self-governing First Nation based in Teslin in Southern Yukon Territory. Teslin Tlingit people have shared ancestry with the coastal Tlingit people of Southeast Alaska and the Inland Tlingit people of Taku River First Nation and Carcross-Tagish First Nation. The name Teslin is derived from the Inland Tlingit word *tás ten*, or "long sewing sinew" which refers to the 148 kilometre-long and narrow Teslin Lake flowing from British Columbia into southeast Yukon.

Tr'ondëk Hwëch'in* are a First Nation based in Dawson City with a citizenship of roughly 1,100. Tr'ondëk Hwëch'in citizens are a mix of descendants of the Hän-speaking people, who have lived along the Yukon River for millennia, and a diverse mix of families descended from Gwich'in, Northern Tutchone and other language groups. The Tr'ondëk Hwëch'in Self-Government Agreement came into effect on September 15, 1998.

Vuntut Gwitchin* is one of 19 communities in the Gwitchin Nation with their traditional territory expanding across the north in the Yukon, Alaska and the Northwest Territories. The language spoken by its citizens is Gwich'in and the name Vuntut Gwitchin means "people of the lakes." Vuntut Gwitchin is located in Old Crow, Yukon, which is only accessible by plane (or by boat in the summer and snow-machine in the winter). This isolation has proved to be a blessing, as it has allowed the community to preserve their language and traditional pursuits – particularly hunting the Porcupine Caribou Herd.

White River First Nation (WRFN) is located in the western Yukon Territory with its main population centre in Beaver Creek. The language originally spoken by the by the contemporary membership of the White River First Nation were the Athabaskan languages of Upper Tanana, whose traditional territory extends from the Slims River into neighbouring Alaska, and Northern Tutchone, whose traditional territories included the lower Stewart River and the area south of the Yukon River on the White and Donjek River drainages. WRFN participated in land claim negotiations but were unable to reach a final agreement.

Yukon History of Land Claims¹¹

Yukon First Nations have been asserting claims to land as early as 1901 and 1902 when Chief Jim Boss of the present-day Ta'an Kwäch'än wrote letters to the Superintendent General of Indian Affairs in Ottawa and to the Commissioner of the Yukon. Those letters clearly outlined the concerns being felt by many of Chief Boss' people in terms of alienation of lands and resources in their traditional territories and their need to have a say in their own governance and self-determination.

In 1988, the government of Canada, the government of the Yukon and the Council for Yukon Indians reached an agreement-in-principle which was finalized in 1990 as the Umbrella Final Agreement. This agreement is the overall umbrella agreement of the Yukon Land Claims package and provides for the general agreement made by the three parties in a number of areas. The Umbrella Final Agreement is a political agreement made between the three parties that provides a framework within which individual Yukon First Nations will conclude a final claim settlement agreement. The individual Final Agreements contain the text of the Umbrella Final Agreement with the addition of provisions which are specific to the individual First Nations.

Provincial Territorial Organizations

In the Yukon Territory there are two Provincial Territorial Organizations.

The Council for Yukon First Nations (CYFN) has a mandate to serve as a political advocacy organization for First Nations holding traditional territories in the Yukon to protect their rights, title and interests. The political spokesperson of the CYFN is Grand Chief Peter Johnston. Members of CYFN include nine Yukon First Nations with final agreements and four First Nations from the Mackenzie River Delta.

¹¹ Source: Council of Yukon First Nations

The Assembly of First Nations (AFN) Yukon Region was formed in 2017 at the direction of Yukon First Nations and under Regional Chief Kluane Adamek, building on the work done by previous Yukon Regional Chiefs. The Yukon Regional Chief leads the AFN Yukon Region regional office and sits on the AFN's National Executive, along with the AFN National Chief and nine other Regional Chiefs from across the country.

The AFN Yukon Region works with all 14 Yukon First Nations to support advancing their priorities and interests on a national level, at their direction.