



December 11, 2020

MS. FRIEDA MARTSELOS
MLA, THEBACHA

Oral Question OQ476-19(2) Enforcement on Reserve Lands

This letter is in follow up to the oral question that you raised on November 4, 2020 regarding enforcement on reserve lands. The question was asked to the Minister of Lands, but I will be responding as the Minister of Environment and Natural Resources (ENR).

Enforcement on Reserve Lands is a complex issue given federal jurisdiction over Reserve Lands. In cases where there are federal laws or approved Band Council bylaws that conflict with Government of the Northwest Territories (GNWT) laws, the federal laws or bylaws would apply to the extent of any inconsistency. As I mentioned in the House, the GNWT does not have the authority to enforce federal statutes, as such ENR and other GNWT officers do not have the power to enforce the Indian Act or any Band Council bylaws.

As you are aware, I made a commitment to both yourself and the Salt River First Nation (SRFN) Chief that I will support the trilateral process with the GNWT, federal Government and SRFN that is working on this issue. The Trilateral Working Group has been focused on the development of a Memorandum of Understanding (MOU) to address enforcement activities on the Salt River Reserve.

We hope this MOU will clearly identify the roles and responsibilities of all parties when it comes to enforcement. Officials from ENR will continue to work with EIA, as the GNWT representative on the Trilateral Working Group to get updates on the status of these discussions, and will provide updates as they become available.

As the Minister of ENR, I take poaching (illegal harvesting) seriously. If you or your constituents have knowledge of active poaching activities on the Salt River Reserve, I would ask that they provide that information to my office, their local ENR office or to the Report-A-Poacher line at 1-866-762-2437.

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I hope you will find the above information useful. Please feel free to reach out to my office should you have any further questions or require any additional clarification.



Shane Thompson
Minister
Environment and Natural Resources

c. Clerk of the Legislative Assembly

Dr. Erin Kelly, Deputy Minister
Environment and Natural Resources

Legislative Coordinator
Executive and Indigenous Affairs