

Yale First Nation Final Agreement Fact Sheets: Certainty

The Yale First Nation Final Agreement was negotiated by the Government of Canada, the Government of British Columbia and Yale First Nation. The Final Agreement provides Yale First Nation with certain rights and benefits regarding land and resources, and self-government over its lands and resources and its members. It provides certainty with respect to ownership and management of lands and resources and the exercise of federal, provincial and Yale First Nation governmental powers and authorities.

The Benefits of Certainty

A fundamental goal of a treaty is to achieve certainty with respect to the Aboriginal rights, ownership and the use of lands and natural resources. Section 35(1) of the *Constitution Act, 1982* recognizes and affirms existing Aboriginal rights. However, there is uncertainty about the nature, scope and content of those rights. A treaty sets out the First Nation's ownership of Treaty Settlement Lands, as well as other rights in respect of the use of lands and resources. A treaty will bring certainty not only to Yale First Nation Members, but also the surrounding region.

A treaty will provide Yale First Nation with modern governance tools to build strong and workable relationships with federal, provincial and local governments. It will provide Yale First Nation with certain rights, benefits and obligations regarding self-government, Treaty Settlement Land, and rights to harvest resources in its claimed traditional territory.

The Final Agreement will provide Yale First Nation with the authority to create laws and other tools for managing its affairs, including the use of Treaty Settlement Land and the exercise of the rights to use other lands and resources.

Full and Final Settlement

Once ratified, the treaty will provide full and final settlement in respect of Aboriginal rights, including title, of Yale First Nation in Canada. It will set out the section 35 rights of Yale First Nation and the attributes and geographic extent of those rights, and limitations to those rights, to which Canada, British Columbia and Yale First Nation have agreed. The treaty can be amended after it is ratified, but all three parties – Canada, British Columbia and Yale First Nation – must be in agreement.

Dispute Resolution

In ratifying the Final Agreement, Canada, British Columbia and Yale First Nation agree to develop respectful working relationships to identify and resolve issues early, efficiently, and collaboratively. In the event of a dispute, the parties will participate in a prescribed dispute resolution process.