

# Certainty

The Lheidli T'enneh Final Agreement was negotiated by the Government of Canada, the Government of British Columbia and the Lheidli T'enneh Band. It is the first Final Agreement reached in the province under the British Columbia treaty process.

The Final Agreement provides Lheidli T'enneh with certain rights and benefits regarding land and resources, and self-government over its lands and resources and its citizens. It provides certainty with respect to ownership and management of lands and resources and the exercise of federal, provincial and Lheidli T'enneh governmental powers and authorities.

The negotiation of a Final Agreement marks Stage Five of the six-stage British Columbia treaty process, and is the conclusion of substantive treaty negotiations. Once ratified by all parties, the Final Agreement will become a treaty through legislation.

It will be a constitutionally-protected, legal agreement that creates mutually binding obligations and commitments.

## THE BENEFITS OF CERTAINTY

Section 35(1) of the *Constitution Act, 1982* recognizes and affirms existing Aboriginal rights and title; however, in the absence of a treaty, there is uncertainty around the nature, scope and content of those rights.

A fundamental goal of a treaty is to achieve certainty. This means that the ownership and use of lands and resources will be clear and will result in predictability for continued development and growth in the province. Ongoing uncertainty has sometimes delayed or disrupted economic activities, resulting in lost investment estimated to be in the billions of dollars. Court

cases have been and continue to be costly and divisive.

A treaty will bring certainty with respect to Lheidli T'enneh's rights to use, own and manage lands and resources throughout the Lheidli T'enneh claimed traditional territory. It will provide Lheidli T'enneh with modern governance tools to build strong and workable relationships with other governments, including federal, provincial and local governments.

Canada, British Columbia and Lheidli T'enneh expect that a treaty will resolve long-standing issues regarding undefined Aboriginal rights and title, and bring certainty and economic

benefits not only to Lheidli T'enneh but also to the whole Prince George region.

## FULL AND FINAL SETTLEMENT

Once ratified, the treaty will provide full and final settlement in respect of the Aboriginal rights, including title, of Lheidli T'enneh. It sets out the section 35 rights of Lheidli T'enneh, the attributes and the geographic extent of those rights, and the limitations to those rights to which Canada, British Columbia, and Lheidli T'enneh have agreed.

The treaty can be amended after it is ratified, but all three parties – Canada, British

Columbia and Lheidli T'enneh – must be in agreement. Once the treaty is ratified, there is no provision to allow one party to alter it unilaterally.

## DISPUTE RESOLUTION

In ratifying the Final Agreement, Canada, British Columbia and Lheidli T'enneh agree to develop respectful working relationships and 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.

## LHEIDLI T'ENNEH

Lheidli T'enneh, “the people from the confluence of two rivers,” is a Carrier-speaking First Nation that has traditionally occupied and used the land around Prince George, east to the Alberta border. The main Lheidli T'enneh community is located on the Shelley reserve, 20 kilometres northeast of Prince George. The band has 320 members, about 100 of whom live in Shelley. The majority of the other members live in Prince George.

*If you would like more information about the Lheidli T'enneh Final Agreement, contact:*

**Canada**

Indian and Northern Affairs Canada  
British Columbia Region  
600 - 1138 Melville Street  
Vancouver, BC V6E 4S3  
1-800-567-9604  
[www.inac.gc.ca/bc/ftno](http://www.inac.gc.ca/bc/ftno)  
[infopubs@inac.gc.ca](mailto:infopubs@inac.gc.ca)



**Lheidli T'enneh**

Lheidli T'enneh Treaty Office  
1040 Whenun Road  
Prince George, BC V2K 5X8  
250-963-8451  
[www.lheidli.ca](http://www.lheidli.ca)



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Ministry of Aboriginal Relations  
and Reconciliation  
PO Box 9100 Stn Prov Govt  
Victoria, BC V8W 9B1  
1-800-880-1022  
[www.gov.bc.ca/arr](http://www.gov.bc.ca/arr)  
[ABRInfo@gov.bc.ca](mailto:ABRInfo@gov.bc.ca)