

# Frequently Asked Questions

about  
the Tlicho Agreement

**Q. What is the Tlicho Agreement?**

- A.** The Tlicho Agreement was negotiated by the Dogrib Treaty 11 Council, the Government of the Northwest Territories (GNWT), and the Government of Canada. It is the first combined comprehensive land claim and self-government agreement in the Northwest Territories. The Agreement provides certain rights and benefits to land, resources and self-government to Tlicho Citizens, as well as a tax-free payment. In addition, any mineral royalties received by government annually from the Mackenzie Valley will be shared with the Tlicho.

**Q. Over what geographic area will the Tlicho Agreement apply?**

- A.** The Tlicho Agreement applies to four geographic areas. The largest such area is “MonfwiGogha De Niitlee”, which is the traditional use area of the Tlicho. In this area, the Tlicho will be able to exercise most of the rights set out in the Agreement and all four of the Tlicho communities fall within this area.

The second area is a resource management area, called “Wekeezhii” which falls within Monfwi Gogha De Niitlee. It is bordered by land claims settlement areas and traditional areas of neighbouring Aboriginal groups.

The third geographic area also falls within Monfwi Gogha De Niitlee, and is called “Tlicho Lands”. These are the lands that the Tlicho will own in fee simple.

A fourth geographic area is “Ezodziti”, an area of historical and cultural importance to the Tlicho. The Tlicho do not own this land, nor do they have any additional harvesting or management rights here. However, the area has been protected in the interest of preserving its historical and cultural importance to the Tlicho people. Please refer to the attached map for further information.

**Q. What rights and benefits related to land, resources and self-government will the Tlicho receive under the Tlicho Agreement?**

- A.** The Tlichō will receive approximately 39,000 square kilometres of land in a single block surrounding the four Tlichō communities of Behcho Ko (Rae-Edzo), Wha Ti (Lac la Martre), Gameti (Rae Lakes) and Wekweti (Snare Lake).

This area of land is approximately half the size of New Brunswick or slightly smaller than the area of Switzerland. On their lands, the Tlicho will own both the surface and mineral (subsurface) resources. In addition to Tlicho lands, the Tlicho will receive approximately \$100 million paid over 14 years, and a share of resource royalties from development in the Mackenzie Valley. Under the Agreement's self-government provisions, a Tlicho Government will be able to make laws over a wide range of areas, primarily over Tlicho lands and Tlicho Citizens, and will be actively involved in resource management in Wekeezhii.

**Q. In general terms, how will the Tlicho benefit from the Tlicho Agreement?**

- A. Through the Tlicho Agreement, the Tlicho will gain additional tools and resources to strengthen their economy, and a greater ability to protect and promote Tlicho culture, language, heritage, lands and resources. It is expected that the Tlicho Agreement will create a climate that will encourage economic investment and partnerships. The Agreement also paves the way for new jobs and educational opportunities.

Under the Agreement's self-government provisions, the Tlicho will acquire new governance arrangements and powers. They will be able to make decisions in many subject areas directly related to the well being of Tlicho communities and culture.

The Tlicho Agreement states that the Tlicho Government will be responsible for matters related to their membership, culture, language and communities. The Tlicho Government will also be able to design and manage programs through agreements with the territorial and federal governments that respect and promote the Tlicho way of life. The Agreement also guarantees Tlicho representation in new Tlicho community public governments to ensure their interests and culture are reflected.

**Q. What benefits to the region, and to the Northwest Territories in general, are expected as a result of the Tlicho Agreement?**

- A. The Tlicho Agreement provides greater certainty and clarity about ownership and management of land and resources. By providing certainty, the Agreement will create a much more predictable decision-making environment with the potential to attract investment and economic growth.

The Agreement will also provide the Tlicho with the opportunity to enhance their participation in the economy of the region and the territory as a whole, and to become more self-reliant. For example, through the land, resources and financial benefits they receive from the Agreement, the Tlicho will be in a better position to undertake new business ventures or partnerships with industry. Other residents may also benefit from the Tlicho Agreement (e.g., as new economic development initiatives get underway, jobs and other opportunities will likely be created).

**Q. What are some of the unique characteristics of the Tlicho Agreement?**

- A. The Tlicho Agreement is the first combined land claim and self-government agreement in the territories. Another unique feature is that the Tlicho will own a single block of land including sub-surface minerals. As well, Tlicho lands will surround or be adjacent to community lands. In other land claim settlements, lands were selected in a checkerboard fashion and dotted throughout the settlement area. The access provisions are also unique since any person, who is not engaged in a commercial activity, may have access to Tlicho lands and the waters overlying those lands, subject to Tlicho laws.

Finally, the Tlicho Agreement applies a new approach to achieving certainty with respect to the use and ownership of land and resources, and to the jurisdictional rights provided in the Tlicho Agreement. While the Tlicho have agreed that they will not exercise any land rights outside of the Tlicho Agreement, the non-assertion approach to certainty provides that the Tlicho may approach the government should they find that they are entitled to a non-land right, such as a self-government right, that is not mentioned in the Agreement. Government and the Tlicho may negotiate for the exercise of this right. If Government refuses to accept that the right exists, the parties may turn to the court to determine the Tlicho's entitlement and to add this right to the Tlicho Agreement.

**Q. Now that the Tlicho Agreement has been signed, what are the remaining steps before it comes into force?**

- A. The Tlicho Agreement must be ratified by all three parties in order to come into effect. Each party follows a three-step process to ratify the Tlicho Agreement.
- The Dogrib Treaty 11 Council approved the Tlicho Agreement in March, 2003. Tlicho eligible voters voted in favour of the Tlicho Agreement in June 2003 - over 84% of eligible voters voted in favour. Finally, Grand Chief Joe Rabesca signed the Tlicho Agreement at the signing ceremony on August 25, 2003.
  - The Government of the Northwest Territories (GNWT) is in the process of ratifying the Tlicho Agreement. The Executive Council of the GNWT approved the Tlicho Agreement for signing in Spring 2003 and the Minister of Aboriginal Affairs signed the Tlicho Agreement on August 25, 2003. Finally, the GNWT must draft and enact legislation to put the Tlicho Agreement into practice. This legislation will create the four Tlicho community governments, amend other territorial legislation for consistency with, and give effect to, the Tlicho Agreement.
  - The Government of Canada (Canada) is also in the process of ratifying the Tlicho Agreement. The federal Cabinet approved the Agreement and the Minister of Indian Affairs and Northern Development signed the Tlicho Agreement on August 25, 2003. Canada is now drafting and must enact legislation for the coming into effect of the Tlicho Agreement. Other federal legislation must also be amended for consistency with the Tlicho Agreement.

**Q. What is a “Tlicho Citizen”?**

A. Eligible Tlicho people who are interested in becoming beneficiaries of the Tlicho Agreement will need to apply to be listed on the Tlicho Citizens register. A “Tlicho Citizen” is a beneficiary to the Tlicho Agreement, whose name is on the Tlicho Citizens Register, and is defined in the Agreement to be a person who is:

- a “Tlicho person”, or meets the conditions of the “community acceptance process set out in the Tlicho Constitution
- a Canadian citizen, or a permanent resident of Canada, or is Tlicho and as a result of adoption became a citizen of a country other than Canada
- is not enrolled under a different land claims agreement.

The Eligibility Committee for the Tlicho Agreement coordinated the voting process for the ratification of the Tlicho Agreement and will coordinate the registration of Tlicho Citizens.

**Q. What subjects are contained in the Tlicho Agreement?**

A. The Tlicho Agreement contains 27 chapters that include the following topics, among others:

- Enrolment
- Tlicho Government
- Tlicho Community Governments
- Tlicho Lands
- Access to Tlicho Lands
- Wildlife Harvesting Rights
- Wildlife Harvesting Management
- Land and Water Regulation
- Subsurface
- Resources
- Mineral Royalties
- Protected Areas
- Heritage Resources
- Economic Measures

**Q. How will existing governments change in Tlicho communities?**

A. Tlicho community public governments, with guaranteed Tlicho representation, will replace existing local governments. Each Tlicho community government will have a Chief and councillors elected by its Aboriginal and non-Aboriginal residents, and will have law-making powers over areas that are municipal, or local, in nature.

The four existing Indian Act bands and the Dogrib Treaty 11 Council will be succeeded

by a new Tlicho Government which will manage rights and benefits on behalf of Tlicho Citizens and make decisions for the Tlicho as a whole. The Chief and at least two councillors from each community public government will be part of the Tlicho Government.

**Q. How will residents of Tlicho communities who are not Tlicho Citizens be represented?**

A. The new restructured public governments in the Tlicho communities will serve and represent all residents. In each of the community governments, all eligible voters will have opportunities to vote, to nominate candidates and to run for office. The only limitation is that only Tlicho Citizens can be elected as Chief. The *Canadian Charter of Rights and Freedoms* will apply to all governments established under the Tlicho Agreement, and all governments will be accountable to the people they represent.

**Q. How will land, water and resources be managed in the area covered by the Tlicho Agreement?**

A. The Wekeezhii Renewable Resources Board will oversee the management of wildlife and habitat and make recommendations about wildlife, forest and plant resources, and commercial activities. The Mackenzie Valley Land and Water Board will continue to be involved in issuing water licences and land use permits in the Valley and its new regional panel, the Wekeezhii Land and Water Board, will be involved in issuing licences and permits in Wekeezhii.

**Q. How will programs and services be delivered in Tlicho communities?**

A. For the first ten years after the Tlicho Agreement is in effect, an Intergovernmental Services Agreement among the Tlicho, the GNWT and the Government of Canada would provide for the administration and delivery of key programs and services such as health care, education and other social programs and services in each of the four Tlicho communities. Programs and services will be delivered in a way that respects Tlicho heritage and culture.