

N W T

# Plain Facts

On Land and Self-government



Indian and Northern  
Affairs Canada

Canada

## Terminology

### *What does it mean?*

#### Aboriginal title

The right to exclusive use and occupation of land. Aboriginal title gives those who possess it the right to use the land for various activities, including activities that are not Aboriginal rights.

#### Agreement-in-Principle

To reach an Agreement-in-Principle, the parties negotiate the issues previously agreed to. Reaching an Agreement-in-Principle (commonly called an 'AIP') often takes longer than any other stage in the negotiation process. The AIP should contain all the elements of the eventual settlement, describing the parties' agreements on substantive issues like land, resources, self-government, and financial benefits.

#### Comprehensive claim

Comprehensive land claims are negotiated to clarify the rights of Aboriginal groups to lands and resources, in a manner that will facilitate their economic growth and self-sufficiency. Comprehensive claims are negotiated in areas where Aboriginal title has not been dealt with by treaty or other legal methods.

#### Devolution

Devolution, in the context of government in the NWT, refers to the transfer of responsibilities from the Government of Canada to northern governments - both territorial and Aboriginal.

#### Final Agreement

A Final Agreement is the outcome of successful land claim and self-government negotiations. It details agreements reached between the Aboriginal group, the province or territory, and Canada on all issues at hand, including resources, self-government, financial benefits, and land ownership. A Final Agreement must be ratified by all parties.

#### First Nation

A term that came into common usage in the 1970s to replace the word "Indian," which many people found offensive.

#### Framework Agreement

At the first stage of negotiations, the groups involved agree on the topics and issues to be discussed, how they will be discussed, and on deadlines for reaching an Agreement-in-Principle. In essence, the Framework Agreement sets the agenda for substantive negotiations.

#### *Indian Act*

This is the Canadian federal legislation, first passed in 1876, that sets out certain federal obligations and regulates the management of Indian reserve lands.

#### Intergovernmental forum

The Intergovernmental forum is a meeting of Aboriginal, territorial, and federal government leaders to talk about issues of common concern facing the Northwest Territories as a whole.

#### Resource revenue sharing

Resource revenue sharing refers to the sharing of monies, currently collected from companies by the federal government for resources extracted in the NWT, among federal, territorial, and Aboriginal governments.

#### Self-government

As the first people to inhabit North America, Aboriginal peoples developed systems of government. Since North America was colonized, these traditional Aboriginal governments have been eroded. The Government of Canada recognizes that Aboriginal peoples have an "inherent right of self-government" guaranteed in the Canadian Constitution, and for that reason it has committed to negotiating self-government agreements with Aboriginal peoples.

#### Settlement area

The settlement area is defined by the comprehensive land claim agreement. This area includes the main area where the Aboriginal group traditionally lived and pursued their livelihood. Rights and benefits defined by the Final Agreement, such as rights to hunt and fish, or economic benefits, such as consultation on exploration and development, may extend to the whole settlement area..

#### Specific claim

Claims and grievances arising from treaty obligations or the Indian Act, are called specific claims. (See: Treaty Land Entitlement)

#### Subsurface rights

Subsurface rights are rights to exploit oil, gas and mineral resources and to benefit from the development of resources and minerals found beneath the ground.

#### Treaty

Between 1725 and 1923, treaties - or agreements - were signed between the Government of Canada and several Indian nations living in what was to become Canada. These treaties are known as historical Indian treaties. Today, land claim agreements are being negotiated with some First Nation and Aboriginal groups. These agreements have been called "modern-day treaties."

#### Treaty Land Entitlement

A Treaty Land Entitlement claim may be pursued when Treaty First Nations do not receive the full amount of land promised under a historical treaty. A Treaty Land Entitlement claim is a type of specific claim. (See: specific claim)

### *For more information contact*

Communications Directorate

Department of Indian and Northern Development, NWT Region

(867) 669-2576