

UFA Objectives

WHEREAS:

The Yukon First Nations assert aboriginal rights, titles and interests with respect to their Traditional Territories;

the Yukon First Nations wish to retain, subject to Settlement Agreements, the aboriginal rights, titles and interests they assert with respect to Settlement Land;

the parties to the Umbrella Final Agreement wish to recognize and protect a way of life that is based on an economic and spiritual relationship between Yukon Indian People and the land;

the parties to the Umbrella Final Agreement wish to encourage and protect the cultural distinctiveness and social well-being of Yukon Indian People;

the parties to the Umbrella Final Agreement recognize the significant contributions of Yukon Indian People and Yukon First Nations to the history and culture of the Yukon and

Canada;

the parties to the Umbrella Final Agreement wish to enhance the ability of Yukon First Nations and Yukon Indian People to participate fully in all aspects of the economy of the

Yukon;

the Constitution Act, 1982 recognizes and affirms the existing aboriginal rights and treaty rights of the aboriginal peoples of Canada, and treaty rights include rights acquired by way of land claims agreements;

the parties to the Umbrella Final Agreement wish to achieve certainty with respect to the ownership and use of lands and other resources of the Yukon;

the parties to the Umbrella Final Agreement wish to achieve certainty with respect to their relationships with each other;

the parties to the Umbrella Final Agreement intend to negotiate land claims agreements securing for Yukon First Nations and Yukon Indian People the rights and benefits set

out therein;

the Yukon First Nations, Canada and the Yukon have authorized their representatives to sign this land claims agreement;

NOW THEREFORE,

in consideration of the terms, exchange of promises, conditions and provisos contained herein,

the parties to the Umbrella Final Agreement agree to the following.

CHAPTER 7 - EXPROPRIATION

7.1.0 Objective

7.1.1 The objective of this chapter is, in recognition of the fundamental importance of maintaining the geographic integrity of Settlement Land, to ensure that development requiring expropriation shall avoid Settlement Land where possible and practicable.

CHAPTER 9 - SETTLEMENT LAND AMOUNT

9.1.0 Objective

9.1.1 The objective of this chapter is to recognize the fundamental importance of land in protecting and enhancing a Yukon First Nation's cultural identity, traditional values and life style, and in providing a foundation for a Yukon First Nation's self-government arrangements.

CHAPTER 10 - SPECIAL MANAGEMENT AREAS

10.1.0 Objective

10.1.1 The objective of this chapter is to maintain important features of the Yukon's natural or cultural environment for the benefit of Yukon residents and all Canadians while respecting the rights of Yukon Indian People and Yukon First Nations.

CHAPTER 11 - LAND USE PLANNING

11.1.0 Objectives

11.1.1 The objectives of this chapter are as follows:

11.1.1.1 to encourage the development of a common Yukon land use planning process outside community boundaries;

11.1.1.2 to minimize actual or potential land use conflicts both within Settlement Land and Non-Settlement Land and between Settlement Land and Non-Settlement Land;

11.1.1.3 to recognize and promote the cultural values of Yukon Indian People;

11.1.1.4 to utilize the knowledge and experience of Yukon Indian People in order to achieve effective land use planning;

11.1.1.5 to recognize Yukon First Nations' responsibilities pursuant to Settlement Agreements for the use and management of Settlement Land; and

11.1.1.6 to ensure that social, cultural, economic and environmental policies are applied to the management, protection and use of land, water and resources in an integrated and coordinated manner so as to ensure Sustainable Development.

CHAPTER 12 - DEVELOPMENT ASSESSMENT

12.1.0 Objective

12.1.1 The objective of this chapter is to provide for a development assessment process that:

12.1.1.1 recognizes and enhances, to the extent practicable, the traditional economy of Yukon Indian People and their special relationship with the wilderness Environment;

12.1.1.2 provides for guaranteed participation by Yukon Indian People and utilizes the knowledge and experience of Yukon Indian People in the development assessment process;

12.1.1.3 protects and promotes the well-being of Yukon Indian People and of their communities and of other Yukon residents and the interests of other Canadians;

12.1.1.4 protects and maintains environmental quality and ensures that Projects are undertaken consistent with the principle of Sustainable Development;

12.1.1.5 protects and maintains Heritage Resources;

12.1.1.6 provides for a comprehensive and timely review of the environmental and socio-economic effects of any Project before the approval of the Project;

12.1.1.7 avoids duplication in the review process for Projects and, to the greatest extent practicable, provides certainty to all affected parties and Project proponents with respect to procedures, information requirements, time requirements and costs; and

12.1.1.8 requires Project proponents to consider the environmental and socio-economic effects of Projects and Project alternatives and to incorporate appropriate mitigative measures in the

design of Projects.

CHAPTER 13 - HERITAGE

13.1.0 Objectives

13.1.1 The objectives of this chapter are as follows:

13.1.1.1 to promote public awareness, appreciation and understanding of all aspects of culture and heritage in the Yukon and, in particular, to respect and foster the culture and heritage of Yukon Indian People;

13.1.1.2 to promote the recording and preservation of traditional languages, beliefs, oral histories including legends, and cultural knowledge of Yukon Indian People for the benefit of future generations;

13.1.1.3 to involve equitably Yukon First Nations and Government, in the manner set out in this chapter, in the management of the Heritage Resources of the Yukon, consistent with a respect for Yukon Indian values and culture;

13.1.1.4 to promote the use of generally accepted standards of Heritage Resources management, in order to ensure the protection and conservation of Heritage Resources;

13.1.1.5 to manage Heritage Resources owned by, or in the custody of, Yukon First Nations and related to the culture and history of Yukon Indian People in a manner consistent with the values of Yukon Indian People, and, where appropriate, to adopt the standards of international, national and territorial Heritage Resources collections and programs;

13.1.1.6 to manage Heritage Resources owned by, or in the custody of, Government and related to the culture and history of Yukon Indian People, with respect for Yukon Indian values and culture and the maintenance of the integrity of national and territorial Heritage

Resources collections and programs; 13.1.1.7 to facilitate reasonable public access, except where the nature of the Heritage Resource or other special circumstances warrant otherwise;

13.1.1.8 to identify and mitigate the impact of development upon Heritage Resources through integrated resource management including land use planning and development

assessment processes;

13.1.1.9 to facilitate research into, and the management of, Heritage Resources of special interest to Yukon First Nations;

13.1.1.10 to incorporate, where practicable, the related traditional knowledge of a Yukon First

Nation in Government research reports and displays which concern Heritage Resources of that Yukon First Nation;

13.1.1.11 to recognize that oral history is a valid and relevant form of research for establishing the historical significance of Heritage Sites and Moveable Heritage Resources directly related to the history of Yukon Indian People; and

13.1.1.12 to recognize the interest of Yukon Indian People in the interpretation of aboriginal Place Names and Heritage Resources directly related to the culture of Yukon Indian People.

CHAPTER 14 - WATER MANAGEMENT

14.1.0 Objective

14.1.1 The objective of this chapter is to maintain the Water of the Yukon in a natural condition while providing for its sustainable use.

CHAPTER 16 C FISH AND WILDLIFE

16.1.0 Objectives

16.1.1 The objectives of this chapter are as follows:

16.1.1.1 to ensure Conservation in the management of all Fish and Wildlife resources and their habitats;

16.1.1.2 to preserve and enhance the renewable resources economy;

16.1.1.3 to preserve and enhance the culture, identity and values of Yukon Indian People;

16.1.1.4 to ensure the equal participation of Yukon Indian People with other Yukon residents in Fish and Wildlife management processes and decisions;

16.1.1.5 to guarantee the rights of Yukon Indian People to harvest and the rights of Yukon First Nations to manage renewable resources on Settlement Land;

16.1.1.6 to integrate the management of all renewable resources;

16.1.1.7 to integrate the relevant knowledge and experience both of Yukon Indian People and of the scientific communities in order to achieve Conservation;

16.1.1.8 to develop responsibilities for renewable resource management at the community level;

16.1.1.9 to honour the Harvesting and Fish and Wildlife management customs of Yukon Indian People and to provide for the Yukon Indian People's ongoing needs for Fish and Wildlife;

16.1.1.10 to deal fairly with all Yukon residents who use Fish and Wildlife resources in the Yukon; and

16.1.1.11 to enhance and promote the full participation of Yukon Indian People in renewable resources management.

CHAPTER 22 - ECONOMIC DEVELOPMENT MEASURES

22.1.0 Objectives

22.1.1 The objectives of this chapter are as follows:

22.1.1.1 to provide Yukon Indian People with opportunities to participate in the Yukon economy;

22.1.1.2 to develop economic self-reliance for Yukon Indian People; and

22.1.1.3 to ensure that Yukon Indian People obtain economic benefits that flow directly from the Settlement Agreements.

CHAPTER 25 - TRANSBOUNDARY AGREEMENTS

25.1.0 General

25.1.1 Government, the Council for Yukon Indians and the affected Yukon First Nations shall cooperate in negotiating Transboundary Agreements.

25.1.2 Government, the Council for Yukon Indians and the affected Yukon First Nations shall endeavour to secure the cooperation of the Government of British Columbia, the Government of the Northwest Territories and transboundary aboriginal groups in negotiating Transboundary Agreements.

CHAPTER 26 - DISPUTE RESOLUTION

26.1.0 Objectives

26.1.1 The objectives of this chapter are as follows:

26.1.1.1 to establish a comprehensive dispute resolution process for resolving disputes which arise out of the interpretation, administration or implementation of Settlement Agreements or Settlement Legislation; and

26.1.1.2 to facilitate the out-of-court resolution of disputes under 26.1.1, in a non-adversarial and informal atmosphere.

CHAPTER 28 - IMPLEMENTATION AND TRAINING FOR SETTLEMENT IMPLEMENTATION

28.1.0 Objectives

28.1.1 The objectives of this chapter are as follows:

28.1.1.1 to establish a process and fund for the implementation of Settlement Agreements;

28.1.1.2 to promote the participation of Yukon Indian People in the implementation of Settlement Agreements;

28.1.1.3 to establish timely and effective implementation of the Settlement Agreements to ensure that Yukon First Nations benefit from Settlement Legislation and Yukon First Nation Final Agreements;

28.1.1.4 to assist Yukon Indian People to take full advantage of the Settlement Agreements to strengthen their communities;

28.1.1.5 to establish implementation plans that foster the socio-economic development and prosperity of Yukon Indian People;

28.1.1.6 to ensure that Yukon Indian People receive training in order to participate effectively in opportunities arising from and associated with the implementation of Settlement Agreements; and

28.1.1.7 to provide a trust fund for training which may be directed towards meeting training priorities

identified by Yukon First Nations and established in the training plan.