

First Nations Summit

NEWS RELEASE

**FOR IMMEDIATE RELEASE:
APRIL 22, 2024**

FNS pleased with first-of-its-kind provincial legislation that recognizes Haida title throughout Haida Gwaii

(x^wməθk^wəyəm (Musqueam), S^kwxwú7mesh (Squamish) and səilwətał (Tseil-Waututh), Vancouver, British Columbia – Leaders of the First Nations Summit applaud the Haida Nation and the Government of British Columbia for concluding an agreement that provides for the recognition of Haida title throughout Haida Gwaii and commend the Province for introducing ground-breaking legislation to implement the agreement.

Bill 25 - *The Haida Nation Recognition Amendment Act, 2024*, which was introduced in the legislature today, implements the *Gaayhllxid • Gíhlagalgang "Rising Tide" Haida Title Lands Agreement* between the Haida Nation and BC. In the agreement, British Columbia "recognizes and affirms the Haida Nation has Aboriginal title to Haida Gwaii protected under section 35 of the Constitution Act, 1982." The respective jurisdictions of the Haida Nation and British Columbia over Haida Gwaii will be reconciled through a two-year transition process set out in the agreement, which will initially focus on land and resource decision-making.

"This is the first time that a public government has recognized the inherent and Aboriginal title of a First Nation in Canada through legislation. The agreement and legislation recognize Haida ownership over every square inch of Haida Gwaii. This is an accomplishment that we didn't think that we would see in our lifetime. We're greatly encouraged about the potential for fair, equitable and just reconciliation that can now be accomplished resulting from this historic and ground-breaking development," said Cheryl Casimer of the First Nations Summit Political Executive.

While the legislation recognizes Haida title over all of Haida Gwaii, in the agreement the Haida Nation consents to fee simple interests on Haida Gwaii continuing under provincial jurisdiction. Other interests, including permits, licenses and leases created by BC before the effective date will continue under provincial jurisdiction in accordance with their terms as the Haida Nation and British Columbia work towards reconciling their respective jurisdictions and laws. Nor does the agreement affect the ongoing provision of services by British Columbia and local governments, such as health, education, transportation and fire and emergency services.

"The Haida Title Agreement and legislation clearly shows that an orderly transition can be accomplished that protects the interests of all British Columbians. Fee simple interests and resource tenures, leases and licenses will continue under provincial jurisdiction while the Haida Nation and the Province reconcile their respective jurisdictions. We look forward to the work that the Haida Nation and British Columbia will do throughout the transition period to build a better future for all citizens and residents of Haida Gwaii as part of their ongoing work to reconcile their respective titles and rights," added FNS political executive member Robert Phillips.

On September 4, 2019, Canada, British Columbia and the First Nations Summit endorsed the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia, a tripartite, co-developed policy. In addition to providing for the recognition of title, the policy also enables incremental approaches to the reconciliation of First Nation and Crown titles and rights through a series of agreements that could ultimately be rolled up into a comprehensive, constitutionally protected treaty.

"We've always said that recognition is the starting point for negotiations to reconcile First Nation and Crown titles. The groundwork has been laid for a new and innovative approach to reconciling First Nation and Crown titles and rights that are firmly grounded in the recognition of First Nation title. This has been accomplished through the *Recognition and Reconciliation of Rights Policy for Treaty Negotiations in BC* (RRR Policy) and is now buttressed by the Haida Title Agreement and legislation. We look forward to further legislative recognition of First Nation titles throughout BC and to this new approach to reconciliation becoming firmly entrenched in British Columbia," concluded Hugh Braker of the FNS Political Executive.

Learn More:

Learn more about the Haida Nation: www.haidanation.ca/

Haida Title Lands Recognition Agreement: <https://gov.bc.ca/HaidaTitle>

Recognition and Reconciliation of Rights Policy for Treaty Negotiations In British Columbia: <https://www.rcaanc-cirnac.gc.ca/eng/1567636002269/1567636037453>

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The First Nations Summit speaks on behalf of First Nations involved in treaty negotiations in British Columbia. The Summit is also an NGO in Special Consultative Status with the Economic and Social Council of the United Nations. Further background information on the Summit may be found at www.fns.bc.ca.

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