

First Nations Summit

NEWS RELEASE

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Despite continued rhetoric and red herrings from Federal and Provincial Conservatives, private property rights not at risk

(xʷməθkʷəyəm (Musqueam), Skwxwú7mesh (Squamish) and səliłwətał (Tsleil-Waututh)/Vancouver, BC) - Pierre Poilievre's trip to BC to announce his intention of tabling a bill that he claims will protect private property rights, cites the Cowichan decision and the Musqueam bilateral agreement with Canada as rationale. The Conservatives are seeking to direct the federal government to restore its outdated denialism and extinguishment arguments, arguments that are already settled in law, from Supreme Court of Canada decisions Delgamuukw, Haida and Tsilhqot'in. The opposition motion is scheduled for parliamentary vote on Monday May 25, 2026.

The ruling in the Cowichan case recognized First Nations title in a specific area following years of historical evidence and constitutional analysis. Contrary to the Conservatives' misinformation on private property rights, the court did not order the seizure of homes, did not invalidate the ownership of any private property anywhere in British Columbia, and did not eliminate BC's current land title system.

The decision primarily addressed lands involving Crown and municipal interests and explicitly left questions involving private fee-simple lands to future negotiation processes, such as those in the BC treaty negotiation process, other reconciliation processes, or other legal proceedings.

"Poilievre is desperately trying to remain relevant as Prime Minister Mark Carney's popularity is on the rise, attempting to villainize the inherent rights and title of First Nations will not save his political future. It is unfortunate that the Conservatives do not understand constitutional law, as their motion will not override the Canadian Constitution," said Laxele'wuts'aat, Chief Shana Thomas of the First Nations Summit political executive.

"The Cowichan decision is not and never was about taking away people's homes or private fee-simple property, the court simply reaffirmed principles that have existed in Canadian law for decades — namely that First Nations title was never automatically extinguished by the Crown. What the ruling clearly calls for is reconciliation processes and the negotiation of treaties, agreements and other constructive arrangements, and not panic," added Chief Thomas.

"We are hearing the same old rhetoric and fear mongering that we heard at the beginning of the treaty negotiation process more than thirty years ago, as well as after previous landmark court decisions such as Delgamuukw and Tsilhqot'in, yet the sky has not fallen and private property systems continued to function," said Robert Phillips of the FNS political executive.

"We cannot address reconciliation and build a stronger future through fear mongering," concluded Hugh Braker of the FNS political executive. "This case reflects longstanding constitutional obligations and historical realities. Reconciliation requires dialogue and mutual respect — not a trip back to the dark ages."

First Nations leaders have been clear; the recent Cowichan decision does not create a province-wide threat to private property ownership. Instead, it reinforces the responsibility of governments to work collaboratively with First Nations where unresolved title issues exist through processes such as the BC treaty negotiations framework.

The First Nations Summit also encourages British Columbians to take the necessary time to understand the real legal facts and information rather than political rhetoric and misinformation or social media speculation.

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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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