



# GITXAALA NATION

PO Box 149 11 Ocean Drive, Kitkatla, B.C. V0V 1C0  
Phone 250-848-2214 Fax 250-848-2238

June 21, 2024

## FOR IMMEDIATE RELEASE

### **Gitxaala Nation Opposes Initialling of Kitselas and Kitsumkalum Modern Treaties by Canada and British Columbia.**

**Lach Klan, Dolphin Island, BC** – Gitxaala Nation is deeply distressed that in the coming days the governments of Canada and British Columbia will be initialing final agreements to settle land claims with Kitselas and Kitsumkalum First Nations. These modern treaties will directly impact Laxyuubm Gitxaala, the territory on the north coast of British Columbia that has been home to Gitxaala Nation for over 10,000 years.

Canada and British Columbia have not upheld the honour of the Crown and accommodated Gitxaala for those adverse impacts; another example of colonial processes impeding on First Nations rights and title.

Instead, driven by the impending provincial election, both Crowns have rushed to initial these final agreements before resolving outstanding and unresolved issues with Gitxaala. Canada and British Columbia have not addressed Gitxaala concerns on how these treaties will give away lands, harvesting rights and governance rights in Laxyuubm Gitxaala in contravention of Gitxaala laws expressed in their adaawx, ayaawx and gugwilx'ya'ansk.

“These actions directly contravene UNDRIP and the honour of the Crown which legally require the governments to negotiate with Gitxaala in these circumstances prior to initialling these modern treaties,” stated Sm'ooygit Txagyet (Clarence Innis). “Gitxaala would prefer to stand together with its Indigenous neighbours at Kitselas and Kitsumkalum to celebrate their achievements in these modern treaties. Gitxaala has reached out to both communities to establish protocols to reconcile their prospective treaty rights with Gitxaala adaawx, ayaawx and gugwilx'ya'ansk, but that conversation remains unfinished.”

Gitxaala has a long tradition of defending Laxyuubm Gitxaala, as it did in relation to Enbridge's Northern Gateway project and more recently mineral claim staking under the Mineral Tenures Act. Gitxaala is prepared to assert their rights and title again, if necessary, given the cavalier disregard to Gitxaala's concerns by the two governments in their race to initial these modern treaties.



# GITXAALA NATION

PO Box 149 11 Ocean Drive, Kitkatla, B.C. V0V 1C0  
Phone 250-848-2214 Fax 250-848-2238

-30-

## ***MEDIA CONTACT:***

Clarence Innis  
Lu Sa Hax Hoyaxgm Wil'nat'aal Gitxaala Nation  
Tel: 250.600.4368  
Email: [specialprojects@gitxaalanation.com](mailto:specialprojects@gitxaalanation.com)

Todd Corrigall  
Senior Vice President  
Central Strategies  
Tel: 250-613-1633  
Email: [todd@centralstratiges.ca](mailto:todd@centralstratiges.ca)

Michael Uehara  
Committee Secretary  
Lu Sa Hax Hoyaxgm Wil'nat'aal  
Tel: 604-551-0145  
Email: [ceo@gitxaalanation.com](mailto:ceo@gitxaalanation.com)

## **BACKGROUNDER**

### **What is Laxyuubm Gitxaala?**

Laxyuubm Gitxaala is the territory on the north coast of British Columbia that has been home to Gitxaala Nation for over 10,000 years. Laxyuubm Gitxaala includes territorial lands and waters extending from Prince Rupert Harbour, southward to Aristazabal Island (including Banks Island, McCauley Island, and Pitt Island), and portions of the mainland adjacent to Grenville and surrounding waterways (including a portion of the Gitxaala Nation's territory in the Nass Harbour just south of Gingolx).

### **What is Lu Sa Hax Hoyaxgm Wil'nat'aal?**



# GITXAALA NATION

PO Box 149 11 Ocean Drive, Kitkatla, B.C. V0V 1C0  
Phone 250-848-2214 Fax 250-848-2238

Lu Sa Hax Hoyaxgm Wil'nat'aał is the joint committee of hereditary and elected council, “to make things whole” for Gitxaala Nation.

## **What is Adaawx?**

Gitxaala “adaawx” is Gitxaala histories and stories, that allow the sharing of values, beliefs, and ethics among Gitxaala Nation members, and include information on the survival of ancestors such as the methods for harvesting, preparing food and managing resources.

## **What is Ayaawx?**

Gitxaala “ayaawx” is Gitxaala laws that guide the relationship amongst Gitxaala Nation members and the lands and waters themselves, directing management, harvesting and resource use within Laxyuubm Gitxaala as well as governing waap (house) and wil'naat'al (clans) and their interactions.

## **What is Gugwilx'ya'ansk?**

Gitxaala “gugwilx'ya'ansk” means Gitxaala inheritance, being the process, structure, and tradition of passing territory and names from one generation to the next that is unique to Gitxaala Nation.

## **What are the Adverse Impacts of the Final Agreements?**

The Kitselas and Kitsumkalum Final Agreements will convey land in fee simple to each First Nation to coastal sites within Laxyuubm Gitxaala. The Final Agreements will also provide constitutionally guaranteed harvesting rights to fish, land-based animals, and plants through the northern half of Laxyuubm Gitxaala. Finally, the Final Agreements will create management regimes in which Kitselas and Kitsumkalum will be able to participate in decision making about such resources within Laxyuubm Gitxaala.

## **What have the Crown Governments Done?**

The governments of Canada and British Columbia have admitted that the honour of the Crown requires them to engage in deep consultation with Gitxaala Nation about the adverse impacts of the two Final Agreements to Laxyuubm Gitxaala. But they have repeatedly cancelled meeting and delayed providing substantive responses to Gitxaala Nation on these issues for the past year. Crown negotiators are not scheduled to meet with Gitxaala again until July 9<sup>th</sup>, after the scheduled initiallings of the Final Agreements.

## **How has Gitxaala Nation defended Laxyuubm Gitxaala in the past?**



# GITXAALA NATION

PO Box 149 11 Ocean Drive, Kitkatla, B.C. V0V 1C0  
Phone 250-848-2214 Fax 250-848-2238

Gitxaala Nation has defended Laxyuubm Gitxaala numerous times, most notably against the proposed Northern Gateway pipeline project (see *Gitxaala Nation v. Canada*, 2016 FCA 187) and most recently against the province's mineral claim staking regime under the *Mineral Tenures Act* (see *Gitxaala v. British Columbia (Chief Gold Commissioner)* 2023 BCSC 1680).

## **Is Gitxaala Nation negotiating directly with Kitselas and Kitsumkalum First Nations?**

Yes. While in no way releasing either Canada or British Columbia from its duty to accommodate given the adverse effect of the two Final Agreements on Laxyuubm Gitxaala, Gitxaala is actively trying to negotiate protocol agreements with Kitselas and Kitsumkalum to reconcile Gitxaala adaawx, ayaawx and gugwilx'ya'ansk with their prospective treaty rights. To date, Kitselas has refused to engage in such discussions. Kitsumkalum has engaged with Gitxaala but the outcome of that discussion remains unresolved at this time.