

For Immediate Release

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Tsilhqot'in ruling heightens need to resolve the land question in BC

VANCOUVER— Thursday June 26, 2014. For the first time in Canada's history Aboriginal title has been affirmed by the Supreme Court of Canada (SCC). "The *Tsilhqot'in Nation* decision provides a stronger foundation for reconciliation by making the resolution of the land question in BC a Constitutional and legal obligation. In our view modern treaties are the best expression of this Constitutional imperative," says the BC Treaty Commission.

This legal foundation started with the *Calder* decision and was further strengthened by *Delgamuukw*, *Haida* and *Taku*. These landmark decisions helped shape and support both the BC treaty negotiations process and the Tsilhqot'in to pursue recognition of their title through the courts. Both started around the same time over twenty years ago, and the pace of reconciliation, whether through the courts or negotiations takes time. The Treaty Commission hopes this decision will bring greater urgency to resolve the land question in BC.

The BC Treaty Commission has consistently stated that in order for governments to meet their Constitutional obligations they must make Section 35 an overriding policy directive. This would bind all departments in cooperating with their governments in fulfilling the Honour of the Crown.

In response to today's decision Canada stated that negotiated settlements must "balance the interests of all Canadians." The Treaty Commission views the Tsilhqot'in case as confirmation that s.35 is a Constitutional priority, and not just another aboriginal program to be managed with other Canadian interests.

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About the BC Treaty Commission The Treaty Commission is the independent body responsible for overseeing treaty negotiations among the governments of Canada, BC and First Nations in BC. It has three roles: facilitation, funding, and public information and education. Visit www.bctreaty.ca to learn more about the Treaty Commission.