



Draft Agreement on Haida Aboriginal Title

General Fact Sheet



Since 2002, the Council of Haida Nation and the Province of B.C. have been preparing for a court case on the question of Aboriginal title on Haida Gwaii, while trying to find a solution through negotiations. Our shared goal in talks over the past few years has been to recognize Haida Aboriginal title through a negotiated agreement. B.C. and the Haida Nation have reached a draft agreement on the next phase of title implementation, which we hope to finalize and approve this spring.

For more than 20 years, B.C. and the Haida Nation have been engaging constructively on new, successful approaches to reconciliation. The draft agreement we have now reached is the next step on a long path of reconciliation together. If approved, the agreement would mean provincial Crown land on Haida Gwaii is formally recognized as Haida Aboriginal title lands. The draft agreement is clear: recognizing Haida Aboriginal title will not impact anyone's private property, or local government jurisdiction and bylaws on Haida Gwaii. It would also confirm that provincial laws continue to apply. The agreement sets out a process for the Haida Nation and the Province to reconcile their governance of the lands the Haida Nation have stewarded for millennia.

This fact sheet provides information to answer general questions people may have. For further information or clarification on anything contained within this document, please visit <https://gov.bc.ca/Haidatitle> or contact IRRCoastNegotiations@gov.bc.ca.

What will this agreement mean?

Recognizing Haida Aboriginal title would mean provincial Crown land on Haida Gwaii is known as Haida Aboriginal title lands. Over time, the Province and Haida Nation would negotiate agreements about how governing the land shifts to the Haida Nation. Provincial leases, permits, or other approvals to use Crown lands remain in effect during this time.

Highways, airports, ferry terminals, health care, and schools would not be impacted. Residents would continue to receive municipal services and pay property taxes in the same way they do today. There would be no change for private property, and local governments, public infrastructure, programs, and services will continue under current B.C. laws.

When is the agreement expected to come into effect?

We are working to finalize the agreement this spring. The Haida Nation and the Province are also working on legislation to implement the agreement.

What changes can residents of Haida Gwaii expect after the agreement comes into effect?

Changes will happen over time. The Council of the Haida Nation and the Province would work together and negotiate how provincial and Haida Nation laws can work together, engaging with local governments, residents and others about those discussions. Land and resource decisions would continue to be made through existing processes during this time.

Why is this agreement necessary?

The Government of B.C. and Council of the Haida Nation have been working for many years together to recognize Haida Aboriginal title on Haida Gwaii. We signed agreements along this path already 2009, 2021 and 2023 – this is the next step.

Haida Nation has a very strong Aboriginal title case to Haida Gwaii. Rather than waiting for the uncertainty of a court decision declaring Aboriginal title, a better approach is to work together on a solution – one that recognizes Haida Aboriginal title to lands on Haida Gwaii, while confirming and continuing to uphold the existing private property, local government and business interests of everyone on the islands.

What happens to private property and local governments?

There would be no change for private property, and local governments, public infrastructure, programs, and services will all continue under the current laws. Local governments continue to provide all the same services to residents of the islands, as does the Province for health care, schools and the like. The draft agreement explicitly does not affect any private property, whether used for residential, business or industrial purposes - private property remains under B.C. jurisdiction in perpetuity.

Would people who own property on Haida Gwaii have to pay property taxes to Haida Nation?

Private property owners would continue to pay their taxes as they do now.

Would infrastructure and services on Haida Gwaii now be provided by the Haida Nation?

No. Nothing in this agreement affects the ongoing provision of public services on Haida Gwaii by local, provincial or federal governments. This includes roads and highways, airports, ferries, schools, health care, and fire and emergency services.

How would important industries like tourism, forestry and fisheries on Haida Gwaii be affected?

We know lack of certainty on the land can cause economic unease, and that's just what we're working to avoid with this agreement. Existing interests on Haida Gwaii – like tenures, permits, licences or leases from the provincial government – will continue under the current system over a transition period of a couple of years, with decisions made under the existing collaborative decision-making process.

If the agreement is approved, changes will happen over time. The Council of the Haida Nation and the Province would work together and negotiate how Provincial and Haida Nation laws can work together, engaging with local governments, residents and others about those discussions.

In the meantime, land and resource decisions would continue to be made through existing processes, where the focus is on reaching consensus. We will consult with business and industry as these future discussions take place, including getting feedback about any new processes for approvals.

What does this mean for businesses on Haida Gwaii?

The proposed agreement does not impact any private property, whether used for residential, business or industrial purposes. Private property remains under B.C. jurisdiction in perpetuity.

Local government administration like business licences, building permits or zoning is not affected either.

Existing tenures, permits, licences and leases issued by the Province on Haida Gwaii on what is currently provincial Crown land would continue under the current system during the transition period. The Province currently makes these approval decisions using an existing collaborative decision-making process with Haida Nation. During a several-year transition period, decisions about use of Haida Aboriginal title lands would continue as they do now.

What would this agreement mean for parks and protected areas on Haida Gwaii?

The Haida people have stewarded the lands on Haida Gwaii since time immemorial. The Haida Nation has been very clear that all the existing protected areas will remain protected. As a priority for implementing the agreement, B.C. and Haida Nation will negotiate the laws, decision-making and management responsibilities for what have been provincial parks.

Would this agreement give the Haida Nation a veto over land use on Haida Gwaii?

No. Under agreement neither the Haida Nation nor the Province has a veto.

Will the provincial government recognize title for other First Nations elsewhere in B.C.?

The provincial government is working with First Nations across British Columbia on mechanisms to recognize rights and title, including through negotiated agreements.

The Haida Nation and Haida Gwaii are unique. Haida Aboriginal title is very clear. The Province and the Council of the Haida Nation, which has existed for 50 years, have been working together for decades. The Haida Nation has formally had a constitution in place since 2003. No other First Nation claims Haida Gwaii.

