



Agreement on Haida Aboriginal Title

Fact Sheet



For more than 20 years, the Council of Haida Nation and B.C. have engaged innovative, constructive and successful approaches to reconciliation. Since 2002, both parties have been preparing for a court case on the question of Aboriginal title on Haida Gwaii, while also working to find a solution through negotiation. Our shared goal in talks over the past few years has been to recognize Haida Aboriginal title through a negotiated agreement. The Council of Haida Nation and B.C. signed the Gaayhllxid • Gíhlagalgang “Rising Tide” Haida Title Lands Agreement on April 14, 2024, which was adopted into law on May 16, 2024, and came into effect on July 5, 2024.

The legislation and agreement:

- result in formal recognition by B.C. of Haida Aboriginal title to land on Haida Gwaii;
- confirm that Haida Aboriginal title will not impact private property or local government jurisdiction and bylaws on Haida Gwaii; and
- set out a process for the Council of Haida Nation and B.C. to reconcile governance on Haida Gwaii.

This fact sheet provides answers to general questions about the agreement. 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 do the provincial agreement and legislation mean?

Recognizing Haida Aboriginal title means lands on Haida Gwaii are recognized as Haida Aboriginal title lands. Through a process, the Province and Haida Nation will reconcile jurisdictions and laws. Provincial leases, permits or other approvals on Haida Gwaii remain in effect during this time.

Highways, airports, ferry terminals, health care and schools are not affected. Residents will continue to receive public services and pay property taxes in the same way. There is no change for private property, local governments and public infrastructure.

What changes can Haida Gwaii residents expect?

Change will happen over time. The Council of the Haida Nation and the Province will work together and negotiate how provincial and Haida Nation laws can work together, engaging with local governments, residents and others. Through the transition process land and resource decisions will continue to be made through existing processes, subject to Haida Aboriginal title.

Why is this agreement and legislation necessary?

The Government of B.C. and Council of the Haida Nation have been working together for many years. We signed agreements along this reconciliation path in 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 a court decision declaring Aboriginal title, we took the approach to work together on a solution that recognizes Haida Aboriginal title to lands on Haida Gwaii, while confirming private property, local government, and other existing interests on the islands.

What happens to private property and local governments?

There is no change for private property, now or in the future. Local governments, public infrastructure, programs and services will all continue under the current laws. Municipal governments will continue to provide services to Haida Gwaii residents as they do now, as does the Province for health care, schools and the like. The agreement does not change private property, which continues under provincial jurisdiction, whether the property is used for residential, business or industrial purposes.

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

No, private property owners will continue to pay their taxes as they do now (to local governments or to the Province in the regional district).

How will 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 we've structured the agreement to minimize this possibility. Existing interests on Haida Gwaii – like tenures, permits, licences or leases – will continue under the current system over a transition process. The Council of the Haida Nation and B.C. will also continue to use existing collaborative decision-making processes. Over time, and through an orderly process, both governments will work to reconcile jurisdictions on Haida Gwaii while engaging with local governments, residents, and other interested parties.

What are the transition process priorities?

The priorities are to transition jurisdiction in protected areas and forestry and to address issues related to fishing lodges.

What does this mean for businesses on Haida Gwaii?

The agreement does not change private property, including properties owned by businesses or for industrial purposes. Business licenses, building permits and zoning continue to be managed by the Province through the transition process.

Existing tenures, permits, licences or leases that have been issued by the Province also continue under the current system during the transition period. A clear and orderly reconciling of jurisdictions will contribute to a predictable social and economic environment on Haida Gwaii.

What does this agreement mean for protected areas on Haida Gwaii?

The Council of the Haida Nation and B.C. are committed to maintaining protected areas to a high standard for current and future generations. Existing protected areas will be managed as they are now through the transition, while B.C. and the Council of the Haida Nation determine how best to reconcile jurisdictions.

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

This is not about a veto – the Parties are committed to making decisions consistent with an agreed upon process, which is transparent and accountable. The Solutions Table and Haida Gwaii Management Council use a collaborative framework and will continue to make decisions that follow a due and fair process.

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

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

The Haida Nation and Haida Gwaii are unique in B.C. Haida Aboriginal title is very clear, there are no other First Nation claims on Haida Gwaii, and the Council of the Haida Nation and B.C. have been working together for decades. Haida Nation governance is also well-established, with the Council of the Haida Nation celebrating 50 years of existence in 2024, supported by a constitution that has been in place since 2003.