



For Immediate Release – May 21, 2026

Gitxaala Mineral Tenure Case to be Heard at Supreme Court of Canada

LAX KLAN / KITKATLA, Gitxaala Territories, BC – Today, the Supreme Court of Canada granted BC's application for leave to appeal in *Gitxaala v. British Columbia (Chief Gold Commissioner)*. Canada's highest court has been asked to rule on the legal enforceability and interpretation of BC's Declaration on the Rights of Indigenous Peoples Act (DRIPA). The court is expected to hear the case in spring 2027.

The Gitxaala elected and hereditary leadership issued the following statement regarding today's decision:

"Gitxaala brought our mineral tenure case because BC's out-of-date, colonial mineral tenure regime is inconsistent with Canadian, international and Gitxaala law. The BC Court of Appeal agreed with us, and we are confident that justice will prevail at the Supreme Court of Canada.

In bringing our challenge to BC's gold-rush era 'free entry' mineral tenure regime, the Gitxaala Nation, and the Smgyigyet (chiefs) and Sigidmhanax'nax (matriarchs) of Gitxaala uphold our legal responsibilities to our territory and people under our own laws: Malsk, Adaawx, Ayaawx and Gugwilx'ya'ansk.

While we would have preferred that BC respect the BC Court of Appeal decision, we agree that the case raises "novel issues of national importance" and are unsurprised that the Supreme Court of Canada agreed to hear the case.

The Supreme Court of Canada will determine whether the commitments made by BC in DRIPA are legally enforceable in Court, or as BC claims, merely political promises. From the get-go, BC has attempted to deny accountability for its promises to align laws with Indigenous human rights standards, even going as far as to threaten amendments to DRIPA to deny Nations access to the courts.

We welcome the opportunity to make our case to the Supreme Court of Canada. Despite recent fear-based commentary about legal risk, guidance from the courts has been instrumental over the years in establishing the foundations of Crown-Indigenous relations and setting the stage for meaningful negotiated outcomes."

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About Gitxaala Nation

The people of the Gitxaala Nation have lived on the North Coast of British Columbia, including the Prince Rupert Harbour Area, since time immemorial and are one of the most ancient societies in the region.

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