



**Nisga'a Lisims Government**

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**NISGA'A LISIMS GOVERNMENT FILES LAWSUIT IN SUPREME COURT OF BRITISH COLUMBIA AGAINST ILLEGAL OCCUPANTS OF NISGA'A TREATY AREAS FOR INTERFERING WITH TREATY RIGHTS**

*Nisga'a Lisims Government becomes first modern treaty nation to take legal steps to enforce its constitutionally-protected treaty rights against persons who are not party to the treaty*

**Gitlaxt'aamiks, British Columbia** – A group referring to themselves as the “Raven Clan Outlaws” is illegally occupying and undertaking harmful activities at a site within Nisga'a traditional territory and the Nass Wildlife Area.

The occupants' activities at the site include: damaging forest resources by clear-cutting trees; erecting permanent cabins and structures; marketing accommodations; operating a farm; raising and selling livestock near waterways (now at risk of contamination). They also appear to be growing and selling cannabis without a license. They have stated they do not recognize provincial or federal laws, and we understand that they have not applied for or received approval from any government to use this land.

Under the Nisga'a Treaty, Nisga'a citizens have constitutionally-protected harvesting rights within the Nass Wildlife Area. As part of its responsibility to Nisga'a citizens and to protect Nisga'a treaty rights as well as the environment, Nisga'a Lisims Government has launched a lawsuit in the Supreme Court of British Columbia against the occupants to stop the occupation.

The Nisga'a Treaty, which came into effect on May 11, 2000, is the first modern treaty in British Columbia. The Nisga'a Nation, along with the Governments of British Columbia and Canada, are parties to the Nisga'a Treaty. The treaty has the force of law and applies to everyone, including the occupants.

The actions of the occupants are limiting Nisga'a citizens' ability to exercise their treaty rights to safely harvest wildlife in the area; hunting in the vicinity of an occupied site would not only be dangerous but is also against Nisga'a laws. The occupants are also having a negative impact on the environment by clear-cutting forests, not complying with environmental and cannabis legislation, polluting the grounds with farm waste and potentially contaminating nearby waterways.

“Nisga'a Lisims Government is taking this action to protect our citizens' rights, our traditional lands and the larger Nass Wildlife Area,” said Nisga'a Lisims Government President, Eva Clayton. “The occupiers are causing real harm to the environment and cannot be allowed to continue to undertake their unlawful activities at the site. The Nisga'a Treaty provides our citizens with the right to hunt and harvest wildlife to provide for their families, as they always have. We will do everything we can to protect these hard-won rights.”

Nisga'a Lisims Government urgently wants a resolution to the illegal occupation of and damage to our lands, and to stop the unlawful interference with its treaty rights. To this end, Nisga'a Lisims Government has filed a lawsuit in the Supreme Court of British Columbia against these occupants of traditional Nisga'a lands.

This lawsuit appears to be the first instance of a modern treaty nation taking steps to enforce its treaty rights against persons who are not a party to that treaty.

"We believe that we have a very strong case, since the Nisga'a Treaty clearly outlines our rights," said President Clayton. "In addition, the *United Nations Declaration on the Rights of Indigenous Peoples* states that the Nisga'a Nation has the right to the recognition, observance and enforcement of our treaty. We are taking the steps necessary to have our treaty respected and enforced. This illegal occupation is undermining our rights, which means the terms of the Nisga'a Treaty are not being honoured."

Nisga'a Lisims Government and community leaders in the Nisga'a Nation have attempted to engage with the individuals at the site, but the occupiers have made it clear that they do not intend to cease their activities.

A copy of the claim is available [here](#).

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## **Backgrounder Attached**

### **About the Nisga'a Lisims Government**

Proud British Columbians and Canadians, Nisga'a citizens are responsible for building and maintaining our own institutions. The Nisga'a Nation is represented by Nisga'a Lisims Government (NLG) — a modern, forward-thinking administration based on traditional culture and values. Nisga'a Lisims Government has the authority to pass laws on a broad range of matters. At the same time, Nisga'a lawmaking authority is concurrent with federal and provincial authority. Designed to assure democracy, transparency, and accountability, Nisga'a Government is comprised of Nisga'a Lisims Government, the four Nisga'a Village Governments, and three Urban Locals.

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