



Daylu Dena Council
Lower Post, B.C.



Kwadacha Nation
Fort Ware, B.C.



Dease River First Nation
Good Hope Lake, B.C.

NEWS RELEASE

For Immediate Release
February 8, 2021

BC KASKA LEADERS STATEMENT RE: THE SUPREME COURT OF CANADA DISMISSAL OF LEAVE TO APPEAL APPLICATIONS IN TREATY 8 BOUNDARY CASE

Lower Post, BC – The Supreme Court of Canada dismissed the applications of the Province of British Columbia and McLeod Lake Indian Band for leave to appeal the decision of the British Columbia Court of Appeal in *West Moberly First Nations v. British Columbia, 2020 BCCA 138* (the “Treaty 8 Boundary Decision”). In the Treaty 8 Boundary Decision, the Court of Appeal upheld a declaration that the western boundary of Treaty 8 falls along the continental divide between the Arctic and Pacific watersheds. The case has now ended.

Kaska Leaders strongly disagree with the decision of the BC Court of Appeal but note that this decision does not affect Kaska Rights and Title within our Traditional Territory. The Appeal Court’s declaration about the western boundary is a matter of importance only to those Nations who have signed or otherwise become part of Treaty 8. This does not include the Kaska. Moreover, the Court of Appeal did not decide that Treaty 8 Nations possess or can exercise Treaty Rights within the Kaska traditional territory.

Kaska have no doubt whatsoever that Kaska Rights and Title continue to exist throughout our traditional territory as they have since time immemorial.

Danny Case, the Chair of Kaska Dena Council, stated: “The Kaska Dena have always held the view that the issue of boundaries and shared areas in particular is a matter to be sorted out by agreement amongst Indigenous Nations themselves.”

Kaska elders have long known the areas where Kaska people maintain a relationship with our neighbours, the Treaty 8 Nations. Throughout our proud history, we have respectfully accommodated each other’s needs. We have shared certain lands and resources where appropriate. The Leaders of our respective Nations have a lengthy tradition of meetings and discussions with each other to maintain the historical friendship between our peoples as supportive neighbours.

It is the solemn intention of the Kaska to maintain a peaceful, respectful, and supportive relationship so both the Kaska Nation and Treaty 8 Nations can move forward in the important work of protecting the lands and waters of our respective homelands for the benefit of our peoples.

For Kaska Dena, this means moving forward based on our unextinguished Rights and Title and our own sacred traditions and laws. We respectfully expect and look forward to nothing less from Treaty 8 Nations.

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