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FOR IMMEDIATE RELEASE

B.C.'s Human Rights Commissioner applies for intervenor status in cases that could set important precedent for the interpretation of B.C.'s Declaration Act

Vancouver B.C. – BC's Human Rights Commissioner has filed applications for leave to intervene in two cases concerning B.C.'s *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act). The Declaration Act was passed by the provincial government in 2019 to affirm the application of the United Nations Declaration on the Rights of Indigenous People (UNDRIP) to the laws of British Columbia.

Gitxaala Nation v. Chief Gold Commissioner of B.C. et al. and *Ehattlesht First Nation v. His Majesty the King in right of B.C. et al.* have the potential to set important precedent for the interpretation and implementation of the Declaration Act and its status as human rights legislation in B.C.

Both cases, to be heard before B.C.'s Supreme Court, are seeking a judicial review of the *Mineral Tenure Act* and the process used by the provincial government to grant mineral claims on the territories of First Nations. Currently, these are granted without consultations with the respective First Nations. Both First Nations are arguing that the Declaration Act provides a legal right for First Nations to be consulted about potential adverse effects on their Aboriginal rights and title before claims are granted.

“The interpretation of the Declaration Act plays an important role in ongoing decolonization and reconciliation efforts in our province.” – Kasari Govender, B.C.'s Human Rights Commissioner

The Declaration Act and UNDRIP exist to protect the fundamental human rights of Indigenous Peoples. The interpretation of the Declaration Act plays an important role in ongoing decolonization and reconciliation efforts in our province,” said Kasari Govender, B.C.'s Human Rights Commissioner.

“The cases brought by Gitxaala and Ehattlesht First Nations against British Columbia will be the first legal tests of B.C.'s Declaration Act. As such, I am applying to intervene to make legal arguments about the importance of the Declaration Act as a human rights statute, as part of my mandate to ensure compliance with international human rights law,” she concluded.

Resources

- [Gitxaala Nation and Ehattesaht First Nation challenge B.C. mineral tenure regime](#)

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Media contact

To request an interview with Commissioner Kasari Govender, please contact Charlotte Kingston, Director, Communications, at media@bchumanrights.ca or 1-250-216-4534.

Media kit

[Download](#) our media kit for images of Commissioner Kasari Govender.

About BCOHRC

BC's Office of the Human Rights Commissioner exists to address the root causes of inequality, discrimination and injustice in B.C. by shifting laws, policies, practices and cultures. We do this work through education, research, advocacy, inquiry and monitoring. Learn more at: bchumanrights.ca

About the Commissioner

B.C.'s Human Rights Commissioner, Kasari Govender, started her five-year term on Sept. 3, 2019. Since then, our Office has been working swiftly to build a strong team, to listen deeply to the concerns of British Columbians, to deliver education materials on our rights and responsibilities, to issue policy guidance to protect marginalized communities and to lay a human rights-based foundation for our work. As an independent officer of the Legislature, the Commissioner is uniquely positioned to ensure human rights in B.C. are protected, respected and advanced on a systemic level throughout our society.

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