

Quw'utsun Nation



Cowichan Tribes
5760 Allenby Road
Duncan, BC V9L 5J1
Phone: 250-748-3196



Stz'uminus First Nation
12611 TransCanada Hwy
Ladysmith, BC V9G 1M5
Phone: 250-245-7155



Penelakut Tribe
11330 Clam Bay Rd. N.,
Penelakut Island, BC V0R 5K0
Phone: 250-246-2321



Halalt First Nation
7973 Chemainus Road
Chemainus, BC V0R 1K5
Phone: 250-246-4726



Lyackson First Nation
8017 Chemainus Road
Chemainus, BC V0R 1K5
Phone: 250-246-5019

Quw'utsun Nation Celebrates Victory in Legal Fight for Recognition of Title at Tl'uqtnus Village Lands and Aboriginal Right to Fish

For Release: August 8, 2025

Quw'utsun (Cowichan) Territory, B.C. – After 513 days at trial and over 20 months since closing arguments, the B.C. Supreme Court has issued judgment on the Quw'utsun Nation's Tl'uqtnus land and fishery recovery case relating to the south arm of the Fraser River (historically known as the Quw'utsun River). As the Quw'utsun Nation's member communities, the plaintiffs Cowichan Tribes, Stz'uminus First Nation, Penelakut Tribe, and Halalt First Nation, as well as the supporting Lyackson First Nation, are celebrating a historic victory with the Court's declarations that:

- The Cowichan have Aboriginal title to the Cowichan Title Lands (at our Tl'uqtnus village lands) within the meaning of s. 35(1) of the Constitution Act, 1982;
- The Crown grants of fee simple interest in the Cowichan Title Lands, and the Crown vesting of the soil and freehold interest in certain highway lands in the Cowichan Title Lands, unjustifiably infringe the Cowichan's Aboriginal title;
- Canada and Richmond's fee simple titles and interests in the Cowichan Title Lands are defective and invalid (but for the Vancouver Airport Fuel Delivery Project Lands);
- With respect to the Cowichan Title Lands, B.C. owes a duty to the Cowichan to negotiate in good faith reconciliation of the Crown granted fee simple interests held by third parties and the Crown vesting of the soil and freehold interest to Richmond with Cowichan Aboriginal title, in a manner consistent with the honour of the Crown; and
- The Cowichan have an Aboriginal right to fish the south arm of the Fraser River (historically known as the Cowichan River) for food within the meaning of s. 35(1) of the Constitution Act, 1982 (which we anticipate exercising shortly).

We, the Chiefs of the Quw'utsun Nation, continue to meet and review the judgment with legal counsel. At this time, we raise our hands to the generations of leaders who fought with nuts'a'maat shqwaluwun (one mind, one heart, and one spirit) for the return of our settlement lands at Tl'uqtnus and our fishing rights in the south arm of the "Fraser River", ever since the Crown began its unauthorized alienation of our lands there in the 1870s. It is in their honour and for the wellbeing of our future generations that the Elders, Knowledge Holders, and Chiefs who have gone before us brought this case forward to recognize our Aboriginal title and fishing rights, as a basis for truth and reconciliation, through the courts.

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Many of our Knowledge Holders spoke as witnesses in this case to share the history of our powerful presence on the south arm and at Tl'uqtnus, and the abundance that our people knew there, including: late Chief William Seymour Sr., former Chief Lydia Hwitsum, Arvid Charlie, late Norbert Sylvester, Ernie Elliott, Larry George, late Wes Modeste, Chief John Elliott, Councillor Ken Thomas, late Florence James, and Grand Chief Pahalicktun (Richard Thomas). Unfortunately, some of our Elders are no longer with us to hear this judgement.

We also recognize the leadership of our past Chiefs who have led our Nations through various portions of this long process: Cowichan Tribes' late Chief William Seymour Sr. and Chief Lydia Hwitsum, Stz'uminus First Nation Chief Roxanne Harris, Penelakut Tribe late Chief Earl Jack and Chief Joan Brown, and Lyackson Grand Chief Pahalicktun.

Huy tseep q'u siiem to the legal team at Woodward and Co. and Rosenberg Law, led by David Robbins. We sincerely appreciate their expertise and long-term commitment to support us as we have fought for justice for our people.

Chief Sulsulxumaat, Cindy Daniels, Cowichan Tribes
Chief Tholmen, John Elliott, Stz'uminus First Nation
Chief Chakeenakwaut, Pam Jack, Penelakut Tribe
Chief Sulsimutstun, James Thomas, Halalt First Nation
Chief Laxele'wuts'at, Shana Thomas, Lyackson First Nation

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Media Advisory

Quw'utsun Nation Chiefs and legal counsel from Woodward and Co. will hold a press conference regarding the significance of this judgment.

Date: Monday, August 11, 2025

Time: 10:30 am

Location: Comeakin Room, Khowutzun Heritage Centre, 200 Cowichan Way, Duncan, B.C.

For media unable to attend in person, a livestream will be available.

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Media Contacts:

Tara Zwaan, Communications Manager
Cowichan Tribes
Tara.Zwaan@cowichantribes.com
(250) 732-7502

Trevor Gatzke, Director of Administration
Stz'uminus First Nation
trevor.gatzke@stzuminus.com

Rob Morton, Chief Financial Officer
Penelakut Tribe
rob.morton@penelakut.ca

Caroline Gladstone, General Manager
Halalt First Nation
director@halalt.org

Laurel Ann Stark
Remarkable Communications (for Lyackson First Nation)
laurel@remarkablecommunications.com
(250) 216 5039