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The British Columbia Court of Appeal rejects the territorial theory of Aboriginal title and dismisses the appeal by the Tsilhqot'in Nation

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On June 27, 2012 the British Columbia Court of Appeal issued its highly anticipated decision in the case *William* v. *British Columbia*. In a unanimous decision, the Court affirmed many of the trial judge's holdings regarding the claims to Aboriginal rights and title brought by the Tsilhqot'in Nation and the Xeni Gwet'in First Nations Government. However, the most important issue on which the Court of Appeal and the trial judge disagreed related to the type of occupancy necessary to sustain a claim to Aboriginal title: the Court rejected the "territorial theory" and held that Aboriginal title can only be proven by evidence of intensive physical occupation of specific sites.

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