REVIEW BOARD DECISION

October 14, 2026

REQUEST FOR REVIEW OF AN APPLICATION FOR CULTURAL PROPERTY EXPORT PERMIT

Application No.: 0495-26-03-13-002
Northwest Coast gold bracelet, late 19th century, possibly by Charles Edenshaw or Duncan Ginaawaan

Held:

The Review Board finds that the Object is included in the Canadian Cultural Property Export Control List, is of outstanding significance, and is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

The Review Board also finds that an institution or public authority in Canada might make a fair offer to purchase the Object within six months of this decision. The Review Board therefore establishes a delay period of six months ending **April 14, 2027**, during which it will not direct that an export permit be issued in respect of the Object.

BACKGROUND

1. On March 10, 2026, Bonhams Canada (the Applicant) applied to the Canada Border Services Agency (CBSA) for a permit to export the work, a Northwest Coast gold bracelet (the Object).
2. On March 16, 2026, a permit officer employed by the CBSA sent to the Applicant a written notice of refusal with respect to the Object. The refusal was based on the advice of Sharon M. Fortney, PhD, Museum of Vancouver (the Expert Examiner), who determined that the Object is of “outstanding significance” and “national importance” per the *Cultural Property Export and Import Act* (the Act).
3. On April 10, 2026, the Applicant requested a review of its application for an export permit (the Request for Review) by the Canadian Cultural Property Export Review Board (the Review Board).
4. On April 27, 2026, in response to a request by the Review Board, the Applicant filed a written statement and images of the Object in support of its Request for Review (the Written Statement).
5. On August 7, 2026, the Review Board sought the opinion of Karen Duffek (the Adviser) to prepare an independent adviser report (the Adviser Report) pursuant to subsection 22(1) of the Act. The Review Board asked that the Adviser Report address: 1) the attribution of the Object, and 2) “whether the Object was made,

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reworked or adapted for use by an Aboriginal person in the territory now known as Canada."

6. The Adviser Report was provided to the Review Board on August 31, 2026. It was shared with the Applicant, who was provided with an opportunity to comment on the report per section 26 of the Act. The Applicant did not provide a response to the Review Board.

ANALYSIS

Legislative Framework

7. According to subsection 29(3) of the Act, when reviewing a refused application for an export permit, the Review Board shall determine whether the object:
    a) is included in the Canadian Cultural Property Export Control List (Control List);
    b) is of outstanding significance by one or more reasons set out in paragraph 11(1)(a):
        - its close association with Canadian history or national life,
        - its aesthetic qualities, or
        - its value in the study of the arts or sciences; and
    c) meets the degree of national importance referred to in paragraph 11(1)(b): is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

8. Where the Review Board determines that an object fails to meet one or more of the criteria set out in subsection 29(3), it shall direct a permit officer to issue an export permit forthwith (subsection 29(4)).

9. In accordance with subsection 29(5), where the Review Board determines that an object meets all the criteria in subsection 29(3):

    a) if it is of the opinion that a fair offer to purchase the object might be made by an institution or public authority in Canada within six months after the date of its determination, the Review Board shall establish a

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delay period of not less than two months and not more than six months during which it will not direct that an export permit be issued in respect of the object; or

b) in any other case, direct a permit officer to issue an export permit forthwith.

Is the Object included in the Control List?

10. The Review Board finds that the Object is included in the Canadian Cultural Property Export Control List (the Control List).

11. An object that falls under the Control List cannot be exported from Canada without a permit. The Control List applies to an object that:
    - is 50 or more years old;
    - was made by a natural person who is no longer living; and
    - meets specific criteria including age or a minimum dollar value, as set out in the Control List.

12. The Applicant identified the Object on the export permit application by reference to “Group II 1(b)” of the Control List. The Review Board notes that paragraph 1(b) forms part of the interpretation section of Group II, specifically the definition of “object of ethnographic material culture,” and is not itself a category of objects in the Control List.

13. In the Written Statement dated April 27, 2026, the Applicant stated that the Object was “made in within the territory that is now Canada.” The Review Board notes that Group II 2(a) of the Control List applies to “an object of ethnographic material culture that has a fair market value in Canada of more than $3,000 and was made, reworked or adapted for use by an Aboriginal person of Canada.”

14. In its submissions, the Applicant attributed the Object, acquired from the Haida Nation in the late nineteenth or early twentieth century, to either the Haida Master “Charles Edenshaw” (1839-1924) or “Duncan Ginaawaan” (1820-1876). However, the Request for Review only included supporting information relating to Charles Edenshaw, namely a brief biography and copies of two secondary-source articles concerning him.

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15. The Expert Examiner implicitly attributes the Object to Charles Edenshaw, referring to “Haida Master Artist, who died in the 1920s.”

16. The Adviser, in her Adviser Report, expressed the opinion that the Object is attributable to Duncan Ginaawaan. Based on the Adviser’s specialized expertise in Haida art and the works of Haida masters, and the thorough analysis set out in the Adviser Report, the Review Board finds that the Object is attributable to Duncan Ginaawaan, a 19th-century Kaigani Haida chief and accomplished silversmith from the Alaskan village of Klinkwan. The homeland of the Kaigani Haida was originally the islands of Haida Gwaii; in the 18th century, the Kaigani migrated north to Klinkwan in the Prince of Wales area, today part of Alaska.

17. According to the independent adviser opinion set out in the Adviser Report, Duncan Ginaawaan could have made the Object in the territory now known as Canada (British Columbia), although it is more likely that he made it in the territory now known as the United States (Alaska), given Haida conceptualization of their communities and territories, which extend into Haida Gwaii and beyond to Kaigani Haida villages in what is now known as Alaska.

18. Based on the Adviser Report, the Review Board finds that the Object was likely created in Alaska.

19. As a result, the Review Board finds that the Object falls under Group II 2(b) of the Control List: an object of ethnographic material culture that has a fair market value in Canada of more than $10,000 and was made, reworked or adapted for use by an aboriginal person of the territory that is now
    (i) the United States,
    (ii) Greenland, or
    (iii) the part of the Russian Federation east of 135° longitude.

Is the Object of Outstanding Significance?

20. The Review Board finds that the Object is of outstanding significance by reasons of its close association with national life, its aesthetic qualities, and its value in the study of the arts.

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21. The Expert Examiner submitted that the Object is "a significant work for both the Haida community and Canadian art history."

22. The Applicant submitted that the Object is of outstanding significance.

Close association with national life

23. The Review Board has determined that the Object is of outstanding significance by reason of its close association with national life.

24. The Expert Examiner attested to the importance of the Object to "the Haida community." The Review Board agrees.

25. Duncan Ginaawaan's life and this bracelet reveal the strong connections that Haida people have maintained between the Alaskan village of Klinkwan and relatives in Haida Gwaii.

26. The families of Duncan Ginaawaan and his relation, Haida chief Albert Edward Edenshaw of Masset, Haida Gwaii, were intertwined. Ginaawaan became an influential mentor and teacher of metal work engraving for the renowned Haida artist and nephew of Albert Edward, Da•axiigang (Charles Edenshaw). Ginaawaan and Edenshaw lived and worked during a period of profound social, cultural, economic and political change as well as population decline for Indigenous peoples of the coast. Haida art practices were closely tied to ceremony and governance, and many artists including Ginaawaan and Edenshaw persevered in building upon the integrity of Haida traditions and iconography, and adapting their practices to new mediums, circumstances and audiences, demonstrating both continuity and innovation.[1]

27. The Object is integral to this history and closely associated with cultural traditions, generational knowledge, and enduring identity of the Haida Nation, one of the foundational and most influential Indigenous cultures of the Northwest Coast. It

[1] McLennan, Bill, and Karen Duffek. "Placing Style: A Look at Charles Edenshaw's Bracelets Through Time." In *Charles Edenshaw*, edited by Robin K. Wright and Daina Augaitis, 126–149. London: Black Dog Publishing, in association with the Vancouver Art Gallery, 2013.

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embodies the Haida visual language and cultural authority during the pivotal period when Haida master artists responded creatively to colonialism and its impact. As such, the Object is closely associated with national life through its specific place in Haida culture and history. It stands as a testimony of the resilience of Haida culture and the enduring vitality of Haida artistic traditions and cultural expressions.

Aesthetic qualities

28. The Review Board has determined that the Object is of outstanding significance by reason of its aesthetic qualities.

29. The Object exemplifies a unique work in the known oeuvre of Duncan Ginaawaan. Indigenous artists of his era did not sign their works, and their names were rarely recorded. Attributions therefore depend on stylistic comparison or solid documentation of provenance. The bracelets were hammered from gold coins, which were accessible to Ginaawaan by the 1850s and 1860s, making them typically yellow-gold in colour like the Object; each band is widest at the centre and tapers towards the closure, which became typical of Haida bracelets. One of the telltale signs of Ginaawaan besides his style is his use of a compass to create eyes, meaning that the pupils all have a little hole in them from the point of the compass. Stylistically, the cartouche is a strong factor: the enclosing form made up of a double line filled with short vertical lines, which was often found in Ginaawaan pieces.[2]

30. The Object showcases Ginaawaan's artistic vision and technical mastery based on a sophisticated interpretation of Haida formline design and remarkable ability to work with the medium of gold. The refined composition, technical execution, and creative integration of traditional design elevates metalwork through elegance, exceptional craftsmanship and an expert rendition of uniquely designed motifs.

[2] See footnote 1 and Karen Duffek, Adviser Report, August 31, 2026.

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Value in the study of the arts

31. The Review Board has determined that the Object is of outstanding significance by reason of its value for the study of the arts.

32. The Object contributes to a growing understanding of the Haida artist Duncan Ginaawaan's oeuvre and artistic trajectory which, in turn, contributes to knowledge of Haida art history and specifically Haida metalwork in the 19th century. This Haida art form from that time continues to inform contemporary Indigenous artistic practice, scholarship, museum interpretation, and public understanding of Indigenous art in Canada and beyond.

33. The Object provides exceptional insight into the development of Haida artistic traditions, the adaptation of traditional forms to new materials, and the evolution of Indigenous art during a period of profound change. It reinforces the central role of Haida cultural heritage in the history and continuing development of Canadian art.

Is the Object of such a degree of national importance that its loss to Canada would significantly diminish the national heritage?

34. The Review Board finds that the Object is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage. The Review Board makes this finding on the basis of the Object's provenance, rarity, contextual associations and research value.

35. The Expert Examiner found that the Object is of national importance. The Applicant submitted that the Object is of "strong national importance."

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Provenance

36. The Object was acquired by George Mercer Dawson from the Haida Nation around 1878, during an important period in the history of Haida artistic production. The Object's provenance situates it firmly within one of Canada's most significant Indigenous artistic traditions, substantially enhancing its historical and cultural importance.

Rarity

37. The Review Board finds that gold bracelets attributed to Duncan Ginaawaan are exceptionally rare. Examples with secure provenance and attribution do not often appear on the market or become available for acquisition. The Object has not been exhibited or featured in publications. It represents a rare and significant example of nineteenth-century Haida artwork in gold.

Contextual associations

38. The Object is a testament to the innovation and continuity of Haida artistic practice and cultural history during a period of profound political, social, and cultural change. It embodies the evolution of Haida culture and demonstrates how Haida artists maintained the integrity of cultural traditions while responding creatively to the then relatively new use of metal as an artistic medium, changing markets, and evolving historical circumstances. Its significance endures within Canada's shared cultural heritage, reflecting the central place of Indigenous, Pacific Northwest, and Haida artistic achievement in the nation's life, art and culture.

Research value

39. The Object holds tremendous research value for the study of Haida, Northwest Coast, Indigenous, and Canadian art history and artists. The Object also provides an important point of reference for understanding Ginaawaan's enduring influence on subsequent generations of Haida artists, museum collections, and the broader study of Indigenous art in Canada, while also supporting ongoing efforts to attribute historical works and indicate stylistic influences and relationships.

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Might there be a Fair Market Offer within Six months of the determination?

40. Paragraph 29(5)(a) of the Act requires the Review Board to determine if it is of the opinion that a fair offer to purchase the object might be made by an institution or public authority in Canada within six months after the date of its determination. The threshold is therefore just a possibility – far less than a probability or a certainty.

41. The Applicant states that a fair offer to purchase the Object will be considered by the owner.

42. In light of the Object's rarity and the evidence of current institutional interest in Haida art and cultural material, the Review Board considers that an institution or public authority in Canda might make a fair offer to purchase the Object within six months after the date of the determination.

Will a delay period be established?

43. When the Review Board is of the opinion that an institution or public authority in Canada might make a fair offer to purchase an object within six months after the date of the determination, the Review Board must establish a delay period of not less than two months and not more than six months during which the Review Board will not direct than an export permit be issued in respect of the object.

44. The Applicant believes that a six-month delay period is reasonable.

45. The Review Board establishes a delay period of six months, ending **April 14, 2027,** during which it will not direct that an export permit be issued in respect of the Object.

46. In establishing this delay period, the Review Board considered the time required for an institution or public authority to consider the acquisition and to gather the financial resources to make an offer.

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DETERMINATION

47. The Review Board finds that the Object is included in the Control List, is of outstanding significance, and is of such a degree of national importance that its loss to Canada would significantly diminish the national heritage.

48. The Review Board also finds that an institution or public authority in Canada might make a fair offer to purchase the Object within six months of this decision. The Review Board therefore establishes a delay period of six months ending **April 14, 2027**, during which it will not direct that an export permit be issued in respect of the Object.

Decision by:
Joanne Stober, Chair
Stephen Borys, Member
Daniel Chouinard, Member
Tzu-I Chung, Member
Monte Clark, Member
Laurie Dalton, Member
Patricia Feheley, Member
Susan Mackenzie, Member