

Modern Land Claims Agreements in Canada's North

Modern land claims agreements have recognized Aboriginal ownership of large tracts of land in the territories. See, for example, the following:

- James Bay and Northern Quebec Agreement (1975)
- (Western Arctic) Inuvialuit Claims Agreement (1984)
- Gwich'in Comprehensive Land Claim Agreement (1992)
- Nunavut Land Claim Agreement (1993)
- Sahtu Dene and Métis Comprehensive Claim Agreement (1993)
- Umbrella Final Agreement between The Government of Canada, The Council for Yukon First Nations and The Government of the Yukon (1993)
- Teslin Tlingit Council Claim Agreement (1995)
- First Nation of Nacho Nyak Dun Claim Agreement (1993)
- Champagne and Aishinik First Nations Claims Agreement (1995)
- Vuntut Gwich'in First Nation Claim Agreement (1995)
- Selkirk First Nation Final Agreement (1997)
- Little Salmon/Carmacks First Nation Final Agreement (1997)
- Tr'ondek Hwech'in First Nation Final Agreement (1998).

There are also two historical treaties in the Northwest Territories: Treaty 8 (1899) and Treaty 11 (1921).

Canada's unique approach to modern treaty making developed after the *Calder* case in 1973, a landmark decision of the Supreme Court of Canada on Aboriginal rights. Under the current comprehensive land claims policy, adopted in the mid-1980s, most settlements now include title to lands, financial compensation, terrestrial and marine wildlife harvesting rights, and guaranteed participation for Indigenous communities in decision-making processes relating to lands and environmental management.

The first comprehensive modern-day treaty was the James Bay and Northern Quebec Agreement (1975). Involving the Inuit of Nunavik and the Cree of James Bay, this agreement represented a new stage in treaty negotiations with governments and created impetus for the Government of Canada to negotiate other modern-day treaties with northern Indigenous communities.

One of the most important features of these land claims agreements is the establishment of co-management regimes for lands and resources. Co-management boards, involving the federal, territorial, or provincial government and Indigenous communities, provide decision-making authority on most matters related to the use and management of lands and resources. Great care is taken to ensure that these regimes respond to the evolving needs and priorities of Indigenous communities, their knowledge, perceptions, and research skills. To be effective, these regimes must be based on mutual respect and sensitivity to cross-cultural dynamics. These boards operate in Indigenous languages as well as English and French.

"I would like my children and my grandchildren to know the ways of the Inummaritt (elders), but I would also like them to succeed in obtaining a good modern education, get good jobs, and to be comfortable in the world of computers."

—John Kaunaq, Naujaat, Nunavut