



Issue 1 – Caribou Allocations and Enforcement

The Amaruq HTO would like to bring following topics of discussion to the attention of the NWMB:

1. The Issue – There are two general issues related Caribou allocations that the Amaruq HTO is concerned about:
 - a) The NWMB is currently relying on outdated information and previous ineffective policies to determine harvesting quotas.
 - i. Research should be conducted every 2 years to more accurately determine the actual size of the Caribou population.
 - ii. HTOs should have a greater role in the research that supports the harvesting quotas.
 - b) The lack of clear guidelines and an understanding of the roles and responsibilities amongst the parties that are task with management of the allocations.
 - i. The current system of issuing tags to HTOs is not flexible enough to ensure that the total number of tags are ultimately harvested.
 - ii. GN enforcement of harvesting quota does not appear to follow the terms set out in the Nunavut Agreement.

2. Amaruq HTO Position – The Amaruq HTO board is specifically concerned about the following:
 - a) Research – The NWMB currently utilizes outdated data (2009 to 2014) to determine harvesting quota.
 - i. The Caribou population on Baffin Island has been increasing annually yet the allocations do not reflect that. To ensure that the allocations are properly determined, the NWMB should work with HTOs or closely and expand its data collection methods.
 - ii. HTO members can provide additional information on Caribou herd growth and movement. As per the Nunavut Agreement, Inuit knowledge must be incorporated into the information that determines the ultimate allocations. When this knowledge is excluded, the accuracy and credibility of the data collected is in question.

The Amaruq HTO and its members are interested in having a greater role in conducting the research that supports harvesting allocations both through existing methods as well as the use of newer technology such as drones.

 - b) Wildlife Management and Enforcement – Tags issued for harvesting should be fully utilized to ensure that Inuit have full access to the available harvest. Additionally, enforcement of the wildlife harvest should follow the terms of the Nunavut Agreement.



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- i. Allocations – Recently, the Amaruq HTO encountered a situation which demonstrates a shortcoming in the current tag distribution method. The Amaruq HTO received and then distributed 33 tags for Caribou harvesting which were utilized by its members. The Arctic Bay HTO had not used all its tags, so a member travelled the Amaruq HTO area to harvest some Caribou.

The Amaruq HTO has concluded that this activity may negatively impact its members as additional Caribou are harvested within its region by members from another HTO could reduce future availability. If additional Caribou can be harvested close to its community, should be done so by its own HTO members who are in the better position to determine any potential risks to their community from this activity.

- ii. Enforcement – Recently, an Amaruq HTO member was fined by the GN for harvesting Caribou without a tag. According to section 5.7.11 of the Nunavut Agreement, Inuit harvesters should not be prevented from harvesting for the purpose of meeting the consumption needs of themselves or their dependents. It is unclear to the HTO why this member was charged when they were harvesting for their own use.

3. Recommended Action – The Amaruq HTO recommends the following actions be taken to address the previously identified issues:

- a) Credible Data Collection – The board of the Amaruq HTO recommends that the NWMB take the following actions to help improve the quality of the data on which Caribou allocations are made:
 - i. Establish a strategic plan that ensures that wildlife research (which is ultimately used to determine harvesting allocations) should be conducted every 2 years and rely on various data collection techniques from multiple sources including Inuit knowledge (i.e., fresh tracks, picture taking, etc.), HTO members, and modern technology. This is a stock population request.
 - ii. Advocate for additional funding (with letters of support from HTOs and RWOs) from both the Government of Nunavut and the Government of Canada to support additional research activities including those that utilize newer technology such as drones.
 - iii. Develop guidelines for better coordinating with HTOs for the collection of data including HTO member wildlife sightings and the inclusion of Inuit knowledge.
 - iv. Ensure that when other survey work is being done within the settlement area, those surveyors, using credible data, also report other wildlife sighted in the area. That data within the incorporated into all the other information used to determine harvesting allocations.



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- b) Wildlife Management and Enforcement – Develop a clear set of guidelines for HTOs and RWOs that:
 - i. Clarifies how tags are managed within the Nunavut settlement area. These guidelines should also include other considerations that ensure that the total number of tags issued for a region are ultimately harvested. This could include for example, the redistribution of tags. If such considerations do not exist, the NWMB should investigate potential additional methods in consultation with the HTOs.
 - ii. Clearly outline the role that HTOs and others have in the management, tracking and enforcement of wildlife harvesting. It should be specifically noted that HTOs are not responsible for the tracking and enforcement of quotas as that is the sole responsibility of the Government of Nunavut.

Issue 2 – Bylaw/Guideline Precedent

The Amaruq HTO would like to discuss the issue of bylaw and/or guideline conflicts between HTOs, RWOs, and NWMB. This includes the process of resolving such conflicts as well as their communication with individual HTO members.

1. The Issue – HTOs need guidance as to whose bylaws and/or guidelines take precedent when NWMB/RWO/HTO bylaws and/or guidelines caseloads conflict and the conflict is not specifically addressed in the Nunavut Agreement. For example:
 - a) When conflicts do arise, who decides on which bylaw and/or policy prevails and how is that process mediated?
 - b) If the HTOs' bylaws and/or policies are superseded by either the NWMB or RWO, who is responsible for communicating infractions to HTO members as well as the enforcement of any potential discipline and or penalties?

Examples of specific conflicts include:

- i. Under what authority does the NWMB/NIWS force the HTOs to pay \$12,000 a year each to help fund the NIWS?
 - ii. Under what authority can the NWMB and/or the NIWS dictate to HTOs (particularly when that directive conflicts with the HTO's bylaws) who they should be negotiating with regarding their operational funding?
 - iii. Why would the RWO proceed with a challenge of a defensive kill of a polar bear without notifying the member's HTO and including them in the decision process?
2. Amaruq HTO Position – The Amaruq HTO board is requesting clarification on the previously identified issues.
 - a) Bylaw Conflicts – The Nunavut Agreement states that (Section 5.7.9) “the NWMB, RWOs and HTOs shall develop guidelines indicating the extent to which each HTO shall be obliged to conform to by-laws and decisions of the RWO in its region”.



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The only reference in the Nunavut Agreement to a hierarchy that may determine which organization's (NWMB/RWO/HTO) bylaws take precedence, is found in section 5.7.10 states that the HTOs “shall be obliged to conform to RWO bylaws and decisions in relation to allocation of regional basic need levels and adjusted basic needs levels”.

Based on a reading of section 5.7.10, it appears that the NWMB and the RWO do not have the expressed right to create bylaws that run counter to HTO bylaws other than those that relate to the allocation of regional basic need levels and adjusted basic need levels. If there are no other guidelines and/or regulations that establish additional precedents, could the NWMB please explain the following:

- i. Under what authority where the HTOs obligated to pay \$12,000 per year to the NIWS?
 - ii. Since the Amaruq HTO (and most likely many others) have in their bylaws that they are to negotiate with the NWMB as per the Nunavut Agreement, under what authority can the NIWB and/or the NWMB obligate the HTOs to disregard their own bylaws and negotiate with the NIWS, and organization not identified in the Nunavut Agreement?
- b) Member Communication and Enforcement – The Nunavut Agreement (5.7.3.d and 5.7.6.d) states that both the HTO and RWO are generally responsible for “the management of harvesting among members”. Unfortunately, these 2 clauses create some confusion as to which organization is ultimately responsible for enforcing bylaws and regulations as well as representing the ultimate interest of individual HTO members.

If it is assumed that both organizations are ultimately interested in ensuring that individual members understand and participate in the efficient management of harvesting activities in their areas, greater clarity needs to be established regarding communication between the NWMB and RWOs and individual HTO members.

- i. RWOs should ensure that HTOs are fully aware of and can provide feedback on any actions they are considering taking against any HTO member. For example, recently the QWB challenged an Amaruq HTO member's defensive kill of a polar bear without informing or consulting with the HTO prior to acting.
3. Recommended Action – The Amaruq HTO recommends the following actions be taken to address the previously identified issues:
- a) The NWMB should work with HTOS and RWOs to develop and distribute the guidelines (as outlined in Section 5.7.9 of the Nunavut Agreement) to all HTOs including a thorough description of the process that was used to develop the guidelines and any relevant discussions that impacted the development of those guidelines. These guidelines should include references to the following:



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- HTO bylaws will take precedence as long as they do not contravene existing laws and/or regulations.
 - Inuk beneficiaries are the sole deciders as to which organization they want to utilize to pursue any claims.
 - Application approval process for Outpost Camps is the sole responsibility of the applicable HTO.
- b) A thorough review of all member HTO bylaws should be done by each RWO to determine whether any conflicts exist between their bylaws and their member HTO bylaws.

Any conflicts that are identified should be discussed, mediated, and reconciled during a general meeting of members of that RWO. Once the conflict is resolved, if applicable, the RWO should assist the member HTOs in the updating of their bylaws.

- c) The NWMB should create a policy for RWOs that ensures that before any enforcement actions are taken against an HTO member, the HTO is consulted and can provide feedback on the issue at the heart of the enforcement action.

Issue 3 – HTO Funding

The Amaruq HTO would like to discuss the issue of general HTO funding, in particular, some of the current practices that are negatively impacting that funding and impeding the functioning of the HTOs.

1. The Issue – In Article 5 (Wildlife), Part 7 (Special Features of Inuit Harvesting), Clause 13, the Nunavut agreement states that “adequate funding for the operation of HTOs and RWOs shall be provided by the NWMB”.

There are several previous actions and current practices that have impacted the funding of the HTOs to their detriment.

These issues are:

- a. HTOs submit funding requests to RWOs rather than directly to the NWMB.
 - b. The creation of the Nunavut Inuit Wildlife Secretariat.
2. Amaruq HTO Position – The 2 issues mentioned previously have created a situation where the organization responsible for ensuring that HTOs have “adequate funding” (NWMB) is not communicating directly with those organizations to determine their needs and has taken actions that have not been approved by the HTOs yet negatively impact their budgets.
 - a. HTO Operational Funding – Currently, each HTO submits their annual funding requests to the appropriate RWO who then submits that information to the NWMB. This situation creates an extra level of bureaucracy where the specific needs and



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concerns of each HTO may or may not be transmitted to the NWMB who, as per the Nunavut agreement, has a responsibility for negotiating the overall funding with the Government of Canada.

Since the NWMB has been designated the responsibility of negotiating the HTO funding with the Government of Canada (not NTI), they should be in direct contact with the HTOs to ensure that they are fully aware of the requirements/needs of HTOs across the territory. RWOs should also be aware of those requirements so they can add their support funding discussions and better represent the needs of their HTOs.

HTO bylaws also establish that they are to negotiate with NWMB on funding as per the Nunavut Agreement, not with the RWOs. Which organizations guidelines, rules, or bylaws take precedent in these situations was also discussed previously.

- b. The Nunavut Wildlife Secretariat was created (without consultation/approval with the HTOs) to assist HTOs with their finances. \$12,000 per HTO has been taken from their annual budgets (\$300,000 total) to help fund the NIWS. Every HTO has have their budgets reduced by this amount regardless of whether they require the assistance of the NIWS. In addition, issues and solutions that have been implemented for HTOs that require assistance are then imposed on all HTOs regardless of the need of any individual HTO.

The Amaruq HTO understands that unfortunately, some HTOs do require the support of the NIWS at some point in their history and the NIWS can provide valuable assistance on those occasions. The concern of the Amaruq HTO is not whether the NIWS has a role and/or should exist but rather whether the HTOs should be contributing to the funding of the organization.

Annual HTO operational budgets should reflect their own forecasted needs each year and should not be used to assist with the funding of another organization. If the NWMB wants to provide such support services, they should fund such an organization through separate funding agreements with the government of Canada and/or Nunavut and/or NTI, and not through the operational funding for each HTO.

The most efficient way for the NWMB to provide such additional services would be by increasing its own capacity to provide the services rather than to create another organization. This would be more efficient from both a management perspective (reducing the bureaucracy and management oversight) as well as from a cost perspective.

Additional questions/concerns:

- If NIWS was established to assist HTOs with their finances, why are some HTOs still 5 years behind in filings? How effective is the NIWS in their role?



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- The Nunavut Agreement does not mention NIWS so where do they get their authority to negotiate 10-year funding agreements for funds used by the HTOs?
3. Recommended Action – The Amaruq HTO would like to see the following corrective actions taken to ensure that all HTOs receive the adequate funding for their operations as per the Nunavut Agreement.
- a. HTO Operational Funding – All HTOs should submit their funding requests to the NWMB while cc'ing the relevant RWO to ensure better communication between the body responsible for negotiating the funding of HTOs and the Government of Canada.
 - b. Nunavut Wildlife Secretariat – Contributions to the NIWS (\$12,000 per year per HTO) from the annual HTO operational budgets, should no longer be required. The NWMB, NTI and RWOs should fund the NIWS (and other similar organizations should they be established in future years) through their own budgets or through separate contribution agreements with NTI, Government of Nunavut, Government of Canada, or others. The NWMB should also ensure that the NIWS, or other similar organizations established by the NWMB, are established in the most efficient way and build upon NWMB's existing capacity rather than create additional bureaucratic layers.

Issue 4 – Meeting Notice & Submission Deadlines

The Amaruq HTO would like to bring to the attention of the NWMB the meeting notice and submission deadlines.

1. The Issue – The length of time between when the meeting notice is distributed, and the submission deadlines are established is relatively short and therefore difficult for HTOs to meet.
2. Amaruq HTO Position – Once the notice of the meeting is distributed to HTOs, along with the agenda for the meeting, HTOs must review the agenda, discuss potential issues that they wish to address at the meeting and develop written submissions and presentations for the meeting. Given that the positions on the HTO boards are voluntary and the technical and/or internal capacity limitations that most HTOs face, this process requires a minimum of 6 weeks (ideally 8 weeks) to complete.

For this February 26 meeting, the original notice was sent out on November 14, 2024 with the deadline for submissions being January 3, 2025. No consideration is given to the extended Christmas holiday breaks that are common across the territory. Once the holiday break is taken into consideration, HTOs had only about 4 weeks to review, discuss, and prepare responses for any issues they identified.



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It should be noted that there was less time allotted to HTOs to prepare their submissions (49 days) than the NWMB had (54 days) to review those submissions even when counting the holidays. Once the holiday break is considered, the HTOs had approximately 26 business days to complete their work while the NWMB was given 37 days to review the submission and prepare their own responses even though the NWMB has considerably more internal capacity to review submissions send the HTOs.

In the case of the Amaruq HTO, this required contracting of a consultant to assist in the preparation of the issues that the HTO wanted to present at the meeting and necessitated work to be conducted over the holiday break, something the NWMB did not have to inconvenience itself with.

3. Recommended Action – The NWMB must always ensure that HTOs have at least 8 weeks/40 business days notice (excluding holidays) for submissions to the NWMB prior to meetings.