

In June 2000, the NWMB decided that the community beluga quota for Pangnirtung should increase from 35 to 41. That final decision was accepted by the DFO Minister.

We note that the correspondence between the NWMB and DFO did not mention the recognition of two populations of beluga within Cumberland Sound, even though the Inuit of Pangnirtung have reported that the different two populations have been recognized by the Inuit of Pangnirtung for many years.

During October 2010 to June 2011, the NWMB reviewed proposals by DFO to list beluga in Cumberland Sound as “threatened” under the Species at Risk Act. The DFO Minister ultimately rejected decisions of the NWMB and listed the beluga as “threatened”.

During the listing process, an especially contentious issue centered at the intersection of readily available IQ vs. unavailable scientific information. Based on generations of IQ and more recent Inuit testimony, the Pangnirtung HTA emphasized that two separate beluga populations have occurred within Cumberland Sound for many human generations. That IQ-based position was accepted by the NWMB in 2011 but was rejected by the DFO Minister, contrary to subsection 5.12(e) of the Nunavut Agreement. In 2011, the NWMB found that the IQ supporting the existence of two separate beluga populations in Cumberland Sound was “reliable and persuasive”.

In December 2012, the NWMB decided that the basic needs levels of beluga and some other marine mammals would equal the total allowable harvest as established and modified by the NWMB from time to time.

After repeated requests from the Pangnirtung HTA, DFO conducted genetic analyses of samples taken from beluga whales in 2022. In December 2022 DFO presented the genetic results to the Cumberland Sound Beluga Working Group. Of 24 samples evaluated, the majority were from the CSB population (74%), or Clearwater beluga. The remainder (26%) were most similar to whales from the Western Hudson Bay (WHB) population, or “small” beluga. It is unknown whether these proportions from each population were representative of the total harvest in Cumberland Sound, the relative abundance of the two populations in the Sound, or only the coincidental proportions from the small number of samples analyzed.

The above genetic classification of the beluga is generally consistent with IQ. Note that the two populations within Cumberland Sound are referred to differently in the PHTA’s current harvesting by-laws for consistency with local references. The “Clearwater” beluga in the PHTA’s by-laws are larger animals and concentrate in the area of Clearwater Fiord during early summer, and appear to be comparable to CSB whales from the DFO genetic analyses. On the other hand, the “small” beluga in the PHTA’s current by-laws occur mainly on the south side of Cumberland Sound mainly east of Irvine Inlet and appear to be very similar to WHB whales based on ancestral and current IQ, and as suggested by DFO’s recent genetic analyses.

In June 2023, DFO confirmed that there is no quota or total allowable harvest for WHB beluga. Nevertheless, DFO has applied the current annual quota of 41 and previous lower quotas to all beluga harvested in Cumberland Sound, despite the consistent objections of the Inuit of Pangnirtung and their HTA for more than 25 years since beluga quotas were first imposed by DFO.

DFO's application of a quota to WHB beluga only within Cumberland Sound appears to be in contradiction of section 5.3.3 of the Nunavut Agreement. The quota of 41 in Cumberland Sound should apply **only** to Clearwater beluga in accordance with the Pangnirtung HTA's current beluga harvesting by-laws.

Inuit harvesters in Pangnirtung can readily determine which population that a harvested beluga may come from based on physical size and other characteristics, and this classification will be recorded in future.

In an email message sent to the Cumberland Sound Beluga Working Group in March 2024 by DFO staff, both the NWMB and DFO reportedly support management of beluga in Pangnirtung based on Inuit-based community management systems. These systems are described by the HTA's beluga harvesting by-laws, and as Recommended below. Once implemented, these measures would be in accordance with sub-section 5.1.2(e) and section 5.3.3 of the Nunavut Agreement.

Consultations:

In 2026, DFO provided documentation about quota changes that occurred in 2000. Neither DFO nor the NWMB provided the Pangnirtung HTA with records of public consultations leading to the current quota level, or to the previous quota levels of 35 or other prior quotas.

According to records of the Cumberland Sound Beluga Working Group in March 2024, both NWMB and DFO support management of beluga in Pangnirtung by Inuit-based community management systems, as long as management details are shared with NWMB and DFO.

In May 2026, M. Ferguson of the Qikiqtaaluk Wildlife Board (on behalf of the Pangnirtung HTA) met with C. Friesen of DFO to discuss potential concerns that DFO may have regarding implementation of the current version of the HTA's beluga by-laws. Four concerns or requests were identified: 1) potential inadvertent harvesting of Clearwater beluga after an initial harvest of 41 while Inuit may continue harvesting small (WHB) beluga, 2) potential geographic separation of harvesting of Clearwater and small beluga, 3) potential timing separation of harvesting of Clearwater and small beluga, and 4) more collections of samples from small beluga to continue to examine their genetic differences from Clearwater beluga. Follow-up responses from the Pangnirtung HTA Board were: 1) Although unlikely, any inadvertent harvesting of Clearwater beluga above or below 41 will be compensated by a commensurate adjustment in the quota in the following year, 2) and 3) geographic zones and timing schedules of the two types of belugas are difficult to prescribe because these aspects of their ecology and movements may vary between years, although the two types are not seen in the same places at the same time, and 4) the harvesters and the PHTA will continue to support DFO to collect samples from harvested beluga in Cumberland Sound, although higher payments and more DFO staff assistance should be negotiated.

Recommendations:

The Pangnirtung HTA requests approval from the NWMB of the following:

- Modify the description of the **current quota or Basic Needs Level of 41** for “the Pangnirtung community quota for beluga” (as per item i) in NWMB letter of 17 July 2000 to DFO Minister) **to apply only to Clearwater beluga** in Cumberland Sound.
- Modify the current quota or Basic Needs Level for Clearwater beluga to **enable annual adjustments**, if applicable, for any inadvertent harvesting of Clearwater beluga above or below 41 by a commensurate adjustment in the quota in the following year;
- Modify the description of the **current quota or Basic Needs Level of 41** for “the Pangnirtung community quota for beluga” (as per item i) in NWMB letter of 17 July 2000 to DFO Minister) **to clearly exclude any limitation of harvesting of small beluga, as per the PHTA’s beluga harvesting by-laws.**
- Explicitly recognize the ability of Pangnirtung harvesters to distinguish and identify both the larger Clearwater beluga and the smaller beluga as per the Pangnirtung HTA’s beluga harvesting by-laws.
- Recognize the Pangnirtung HTA’s willingness to continue to provide harvest data and samples from harvested beluga, subject to terms and conditions to be negotiated between the PHTA and DFO.

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Date: May 15, 2026

**Cumberland Sound Beluga Harvesting and Conservation By-laws
Pangnirtung Hunters and Trappers Association (HTA)**

Approved during the Annual General Meeting of the HTA. December 14, 2024,

Updated based on an HTA Board decision on May 11, 2026 (see 2.1.2)

1. Introduction

1.1. The Nunavut Agreement and Recognition of Inuit Systems of Wildlife Management

These Beluga Harvesting and Conservation By-laws are guided by Article 5 for Wildlife of the Nunavut Agreement, especially sections 5.1.2 – Principles, 5.1.5 – The Principles of Conservation, 5.3.3 – Restricting or limiting Inuit harvesting only to the extent necessary, and 5.7.3 – The powers and functions of HTOs.

The Pangnirtung HTA recognizes that the Nunavut Agreement is part of the Constitution of Canada, and therefore provisions of the Agreement supersede provisions of federal legislation, acts and regulations, which may differ in part from the Agreement. The powers and functions of the Pangnirtung HTA are derived directly from the Nunavut Agreement, not from the Nunavut Wildlife Management Board or from the federal Fisheries Act.

Important elements of the Nunavut Agreement considered for these By-laws include but are not limited to the following:

5.1.2 This Article recognizes and reflects the following principles:

- (e) there is a need for an effective system of wildlife management that complements Inuit harvesting rights and priorities, and recognizes Inuit systems of wildlife management that contribute to the conservation of wildlife and protection of wildlife habitat;

5.1.5 The principles of conservation are:

- (c) the maintenance of vital, healthy, wildlife populations capable of sustaining harvesting needs¹ as defined in this Article; and

5.3.3 Decisions of the NWMB or a Minister made in relation to Part 6 [Harvesting] shall restrict or limit Inuit harvesting only to the extent necessary:

- (a) to effect a valid conservation purpose; ...

¹ Article 5 addresses harvesting needs only in terms of the Basic Needs of Inuit, which the NWMB may review and adjust based on section 5.6.26 of the Agreement.

or

(c) to provide for public health or public safety.

Sub-section 5,1,2(e) of the Nunavut Agreement “recognizes Inuit systems of wildlife management” in Nunavut, while other general systems of wildlife management (e.g., scientific systems) are not explicitly recognized in Article 5 of the Nunavut Agreement. Therefore, the Pangnirtung HTA asserts that Inuit systems of beluga management have primacy over such other systems.

1.2 Types or Sub-populations of Cumberland Sound Beluga

The Inuit of Pangnirtung and the Pangnirtung HTA have long recognized that the beluga in Cumberland Sound are made up of two different types or sub-populations, as described below:

- (a) The beluga that calve in Clearwater Fiord (see Fig.1 below) are readily recognized by experienced Inuit of Pangnirtung based on their larger body size as adults, fatness and skin colour, even when these beluga are outside Clearwater Fiord while migrating to and from the fiord. Upon arrival in Clearwater Fiord in late June or early July in big groups, their outer layer of skin is yellow and in its early stage of shedding. These beluga are fat, and most float when killed.;² In these by-laws these beluga are referred to as “Clearwater beluga”. and
- (b) Smaller beluga in Cumberland Sound are readily recognized by experienced Inuit of Pangnirtung based on their smaller body size as adults, by having less fat, spending more time in faster currents, and having different migratory movements, and distribution as follows (in these by-laws these beluga are referred to as “smaller beluga”):
 - (i) Smaller beluga are usually first seen near the floe edge in Cumberland Sound during April – June, are whiter in colour and do not show any sign of shedding as Clearwater beluga do; are seen in smaller groups; and are generally easier to harvest than Clearwater beluga;³ and
 - (ii) Smaller beluga are also seen in July and later months before freeze-up on the west side of Cumberland Sound, when their skin (Maayak) is thicker with a stronger taste⁴

² Kilabuk, P. 1998. A Study of Inuit Knowledge of the Southeast Baffin Beluga. Nunavut Wildlife Management Board. Section: Distinguishing the Different Populations, Population 1 Page 53.

³ Kilabuk, P. 1998. A Study of Inuit Knowledge of the Southeast Baffin Beluga. Nunavut Wildlife Management Board. Section: Distinguishing the Different Populations, Population 2 Page 53.

⁴ Kilabuk, P. 1998. A Study of Inuit Knowledge of the Southeast Baffin Beluga. Nunavut Wildlife Management Board. Section: Distinguishing the Different Populations, Population 3 Page 53.

2.1.2 Harvest Limitations and Potential Annual Adjustments for Clearwater Beluga

- (a) Subject to 2.1.2(c), the total annual allocation for harvesting of Clearwater beluga is 41, while Clearwater beluga may be outside of the Clearwater Beluga Conversation Area. The harvest year begins on April 1 and ends on March 31 of the following calendar year.
- (b) Each HTA member will be limited to a maximum of one Clearwater beluga annually provided that the total quota for Clearwater beluga has not been reached.
- (c) The annual allocation for harvesting of Clearwater beluga may be adjusted, if applicable, for any inadvertent total harvest of Clearwater beluga above or below 41 by a commensurate adjustment in the total harvest allocation in the following year;

2.1.3 Proposed Prohibition of Non-Traditional Land Use Activities in Clearwater Beluga Conservation Area

- (a) The Pagnirtung HTA supports prohibition of all of the following non-tradition land and marine activities in and near the Clearwater Beluga Conservation Area (Fig. 1):
 - Mineral Exploration and Production
 - Oil and Gas Exploration and Production
 - Seismic Testing
 - Sonar
 - Disposal at sea
 - Obnoxious Land Use
 - Quarries
 - Hydro-electrical and related infrastructure
 - Linear Infrastructure
 - Tourism
 - Exploitive Scientific Research
 - All ship traffic, smaller vessels and watercraft.
- (b) For clarity, activities of local tourism outfitters and guides who are also members of the Pagnirtung HTA are not subject to the tourism prohibitions listed in 2.1.3(a).
- (c) A Indigenous Protected and Conserved Area on the waters and adjacent lands of the Clearwater Beluga Conservation Area was proposed.

2.2 Conservation of Smaller Beluga in Cumberland Sound

2.2.1 Recognition of Smaller Beluga in Cumberland Sound

The Inuit of Pangnirtung and the Pangnirtung HTA readily recognize smaller beluga based on their distinctive physical and other characteristics compared to Clearwater beluga (see section 1.2).

Fisheries and Oceans Canada (DFO) has recently summarized data on genetic differences between these two types of beluga. Classification of Clearwater beluga and smaller beluga in Cumberland Sound are recognized herein based on Inuit Qaujimajatuqangit, and is not dependent on scientific differences. The similarities of smaller beluga in Cumberland Sound with Western Hudson Bay beluga has been recognized by Pangnirtungmiut and the Pangnirtung HTA for decades or longer.

DFO has imposed quotas on all Cumberland Sound beluga without distinguishing between the two sub-populations, despite Inuit Qaujimajatuqangit about the distinctiveness of the two types. Western Hudson Bay beluga are not subject to any harvesting quotas in other parts of their range.

The Pangnirtung HTA no longer recognizes any quota on smaller beluga in Cumberland Sound. Inuit system of wildlife management is recognized in the Nunavut Agreement and therefore takes primacy in these by-laws.

2.2.2 Elimination of Harvest Limitations on Smaller Beluga in Cumberland Sound

Harvesting of smaller beluga in Cumberland Sound will not be limited by quota.

2.2.3 Reporting the Type of Each Beluga Harvested in Cumberland Sound

As per section 3.5 below, each harvester must record and report the type of beluga that he or she may have harvested.

3. Beluga Harvesting Rules, Guidelines and Policies

3.1 Overall Management of the Beluga Harvest

- (a) The Pangnirtung HTA has the authority and responsibility to manage the harvesting of beluga by its members under section 5.7.3 of the Nunavut Agreement.

- (b) All members of the Pangnirtung HTA must follow these rules, guidelines and by-laws while engaged in any attempt to harvest any beluga.
- (c) The Pangnirtung HTA has the authority to enforce these By-laws among its members under the Nunavut Agreement.
- (d) The Board of the Pangnirtung HTA may temporarily stop HTA members from actively harvesting beluga for the following reasons:
 - (i) public safety or related concerns,
 - (ii) respect for any wildlife in the harvesting area, and/or
 - (iii) avoid or limit the potential waste of any beluga.
- (e) The Board of the Pangnirtung HTA may reprimand or temporarily remove a member's beluga harvesting right if that member has broken any of the HTA's beluga harvesting by-laws, decisions, guidelines, rules or policies, after investigating the matter and passing a motion by the Board: A reprimand or removal of beluga harvesting rights may include the following:
 - (i) Having an Elder speak to the member,
 - (ii) Determining other consequences for the HTA member if the member has been found to have broken any HTA by-law, guideline, rule or policy; and/or
 - (iii) Permit the member to keep the beluga that he or she may have already caught.
- (f) At the discretion and by motion of the Board of the Pangnirtung HTA, additional allocation or non-quota restrictions, limitations, or conditions may be established, removed or modified for the harvesting of beluga by any or all HTA members, specifying whether specific limitations, restrictions or conditions apply to Clearwater beluga or small beluga or both.

3.2 **Equipment and Firearm Guidelines**

- 3.2.1 HTA members engaged in beluga harvesting must provide and have available and use all tools, equipment and firearms needed for successful harvesting, including but not limited to the following:
- (a) A **harpoon** and a buoy (avataq)
 - (b) A 243 or stronger rifle
 - (c) Dragging equipment (to recover any sunken beluga)
 - (d) Enough flotation/life vests for all passengers on the boat
 - (e) Retrieval hook with adequate line
 - (f) Sampling kit (if applicable)

3.3 Harvesting Guidelines

- (a) Any outfitter with tourists on board his or her boat is not allowed to go into active beluga harvesting areas. This is to avoid potential activity conflicts and ensure public safety.
- (b) All HTA members engaged in beluga harvesting must assess and predict likely weather and sea conditions, including but not only: the travelling distances by boat and the load in the boat in order to avoid leaving their catch behind due to environmental conditions.
- (c) Younger harvesters should be accompanied by an experienced harvester to ensure proper harvesting and butchering methods are used.
- (d) Harvesters will not harvest a calf or an adult female with a calf.
- (e) Harvesters must not injure a beluga and leave it behind. The harvester must make every reasonable effort to land any injured beluga.
- (f) Harvesters must not sink a beluga on purpose.
- (g) The first person to hit or strike the beluga is known to have caught the beluga.
- (h) Anyone that did not harm a beluga with a rifle will be known as not having caught the beluga.
- (i) HTA members must kill any and all beluga that they have injured and continue to only go after any injured beluga before going after another one.
- (j) HTA members are not to leave behind any meat from harvested beluga that may be deemed edible. Generally, all meat of a beluga is considered edible. An Elder may be consulted if necessary.
- (k) Any beluga meat should not be left on the ice or on the shore, and harvesters should give away any meat that is not suitable for humans to dog owners.
- (l) Any beluga trapped because of ice conditions and later caught by an HTA member will not be taken from the quota. Nevertheless, all harvesting information about the harvest of the entrapped beluga will be recorded by the HTA member and reported to the HTA. (See section 3.4 below.)

3.4 Recording and Submission of Harvest Information and Samples

- (a) Each member of the HTA must write down on a note pad, paper or electronic device all pertinent information about his or her harvest whenever he or she catches a beluga.

- (b) Each member of the HTA must provide the information about each beluga that he or she harvested to the HTA on the next day after he or she returns to the community.
- (c) Each member of the HTA that harvests a beluga must provide the following information⁵ to the HTA Manager/Harvest Monitor. If the information is submitted to the Conservation Officer employed by the Government of Nunavut's Department of Environment, or a DFO Fisheries Officer, a copy should also be provided to the HTA:
 - (i) Name and Home Address of Harvester
 - (ii) Date of Harvest
 - (iii) Location of Harvest: Name and GPS Coordinates
 - (iv) Type of Beluga: Clearwater, Smaller; Other (specify)
 - (v) Sex: Male, Female, Unknown, Other (specify)
 - (vi) Age Class: Adult with a calf, Adult without a calf, Juvenile, Calf, Other.
 - (vii) Tissue(s) submitted (specify)
 - (viii) Quota Tag Number (if applicable)

4. Natural Deaths of Beluga in Cumberland Sound

4.1 Abandoned Calves and Natural Death of Older Beluga in Cumberland Sound

A naturally abandoned calf or any other beluga found dead or near death will be recorded as a natural death and not counted against the annual quota.

4.2 Ice-related Entrapment or Other Hazards Endangering Beluga in Cumberland Sound

Any beluga that may be found entrapped by ice or otherwise likely to die due to a natural or human-made hazard, provided that the situation or injury was not a result caused during harvesting, netting or trapping, may be killed as a humane action where the Conservation Officer (CO) or a Qaujimanilik recognized by the HTA will certify that the beluga was or were near death or likely to die due to the circumstances. After certification by the CO or the Qaujimanilik, the humane kill(s) (or euthanization) will not be counted against the annual quota.

⁵ Harvesters could use the SIKU smartphone app for recording information in either Inuktitut, English or French in the field. The SIKU app needs to be set up initially while connected to the internet. The SIKU app is available on the Google Play store or the Apple iOS Play store or at siku.org. The SIKU app is owned by the Arctic Eider Society.