



January 10, 2012

### **A Brief Overview of Section 5.6.25 of the Nunavut Land Claims Agreement**

It is the responsibility of the Nunavut Wildlife Management Board (NWMB or Board) to ascertain the basic needs level (BNL) for wildlife within the Nunavut Settlement Area, as per the *Nunavut Land Claims Agreement* (NLCA), sections 5.2.33 (e) and 5.6.19 to 5.6.25.

The BNL is not a quota or a total allowable harvest.<sup>1</sup> Rather, it is the level of harvesting by Inuit required to meet their basic needs, as determined through the decision-making process set out in Article 5 of the NLCA:

*“The basic needs level shall constitute the first demand on a total allowable harvest. Where the total allowable harvest is equal to or less than the basic needs level, Inuit shall have the right to the entire total allowable harvest.”*  
(NLCA s. 5.6.20)

For most species, the BNL is determined after the Board has established a total allowable harvest (NLCA s.5.6.19), and is based on data collected during the NWMB’s 1996 to 2001 Nunavut Wildlife Harvest Study (NWHS) – or on a combination of NWHS data and more recent harvest data - using the calculations set out in NLCA sections 5.6.21 to 5.6.24.

However, section 5.6.25 of the NLCA provides different instructions to the NWMB in regard to the establishment of BNLs for beluga, narwhal, and walrus:

*“The NWMB shall establish the basic needs levels for beluga, narwhal and walrus by March 31, 1997; taking into account the fact that they are in short supply in some areas and therefore that the harvest by Inuit has been and is artificially low in relation to their full level of needs.”*

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<sup>1</sup>A total allowable harvest is an amount of a stock or population of wildlife able to be lawfully harvested as established by the NWMB pursuant to Sections 5.6.16 to 5.6.18 of the Nunavut Land Claims Agreement.

To date, the establishment of the BNLs for these three species of marine mammals has remained an outstanding NWMB obligation. To satisfy that obligation, the Board has decided to hold a public hearing on March 27<sup>th</sup> and 28<sup>th</sup> 2012 – in order to gather relevant information, and to provide government departments, Inuit organizations, and interested members of the public with the opportunity to express their views concerning the establishment of BNLs for beluga, narwhal and walrus.

Following the hearing, the Board will carefully consider the evidence and arguments presented during the hearing process, make its BNL decisions, and forward them to the Minister of Fisheries and Oceans, pursuant to the requirements of the NLCA (sections 5.3.16 to 5.3.23).

In the future, the NWMB will also decide upon total allowable harvests for beluga, narwhal and walrus (NLCA sections 5.6.16 and 5.6.17). However, that will happen through a separate process requiring additional public hearings.

Initial written submissions and supporting documents for the BNL hearing can be provided to the NWMB by 5:00 p.m. (Iqaluit time) on February 12<sup>th</sup>, 2012. For additional information on the hearing process or how to file a written submission, please visit our website at [www.nwmb.com](http://www.nwmb.com).