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Titiraviani Aulatijimagik
Nunavut Tunngaviup

Office of the Chief Operating Officer
Nunavut Tunngavik Incorporated

January 13, 2005

Jim Noble
Executive Director
Nunavut Wildlife Management Board
PO Box 1379
Iqaluit, NU
X0A 0H0

Dear Jim,

Re: Non-quota limitations on polar bear harvesting

Nunavut Tunngavik Incorporated (NTI) is pleased to see that the Nunavut Wildlife Management Board's (NWMB) increases in this year's total allowable harvests (TAHs) for polar bear are being put in place in time for this season's harvest. NTI looks forward to continuing the current discussions in the Working Group on Wildlife Legislation (Working Group) as to appropriate levels in future.

NTI has received a copy of the NWMB's related decision dated October 6, 2004 establishing non-quota limitations (nqls) that prohibit the harvesting of females accompanied by cubs, cubs (subject to some exceptions) and bears that are in or constructing dens. According to the NWMB's correspondence, the Minister accepted this decision on November 17.

As you know from the discussions that have taken place in the Working Group on Wildlife Legislation (Working Group), NTI is not satisfied that the basis for these nqls was explained fully and accurately to the HTOs that endorsed the MOUs containing them. In particular, the HTOs appear to have been told that these nqls are requirements of the International Polar Bear Agreement (IPBA). This is incorrect. The IPBA only requires that "sound conservation practices" be followed in managing the traditional harvest of polar bears. (The specialist group that drafted and oversees the IPBA acknowledges this, stating in its most recent report that "The Agreement did not provide for protection of female polar bears or for the cubs themselves.") In fact, different types of limitation are used to satisfy this requirement across Canada, and there is at least one other jurisdiction (Ontario), where these nqls are not used. Since Inuit harvesting is subject to legislation implementing the terms of pre-NLCA international agreements, this error may have led some HTOs to think, mistakenly, that the NLCA does not require these nqls to be justified.

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Arctic Bay
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Qikiqtarjuaq
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Cape Dorset
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Clyde River
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Grise Fiord
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Hall Beach
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Igloodik
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Iqaluit
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Kimmirut
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Pangnirtung
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Pond Inlet
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Resolute Bay
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Sanikiluaq

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Kivalliq

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Arviat

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Baker Lake

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Chesterfield Inlet

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Coral Harbour

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Rankin Inlet

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Repulse Bay

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Whale Cove

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Kitikmeot

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Cambridge Bay

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Kugluktuk

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Gjoa Haven

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Kugaaruk

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Taloyoak

Of equal concern is that these nqls appear to compound rather than support the restrictive effect of the TAHs that the Board has established, beyond what conservation would require. NTI has explained this concern in detail to the Working Group.

The timing of the NWMB's and Minister's decisions did not permit NTI to have a full hearing of its concerns relating to these nqls. As I noted in my November 29 letter to Deputy Minister Simon Awa, cc'd to you, and as indicated by NTI representatives Gabriel Nirlungayuk and Glenn Williams at the NWMB's December meeting, NTI had understood that the NWMB and Government were dealing with this issue in the Working Group.

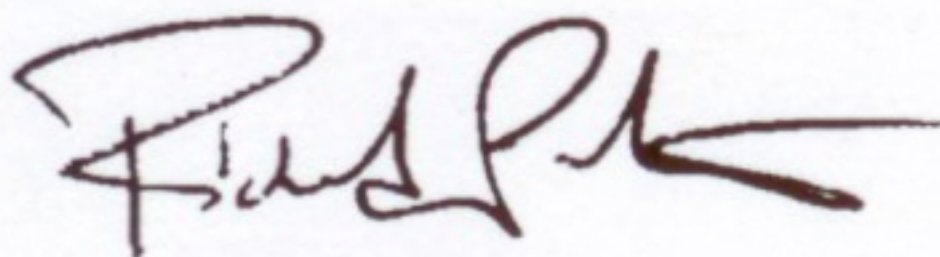
In the result, NTI is doubtful that the members of the NWMB have yet had the full opportunity to consider NTI's concerns.

In this circumstance, NTI requests that the NWMB revisit this issue and consider whether to remove these nqls by July 1, 2005.

I would also ask the NWMB to provide NTI with its complete reasons for the October 6 decision regarding these nqls as soon as possible.

Thank you for your consideration. I look forward to your reply as soon as possible.

Sincerely,



Richard Paton
Chief Operations Officer,
Nunavut Tunngavik Incorporated

CC Simon Awa, Deputy Minister, Department of Environment, Government of Nunavut