

SUBMISSION TO THE
NUNAVUT WILDLIFE MANAGEMENT BOARD
May 2019

FOR

Information: X

Decision:

Issue: Development of Nunavut Fishery Regulations

Background:

Although the *Nunavut Agreement* (NA) came into effect in 1993 and Nunavut was established in 1999, Nunavut fisheries are still managed under various regulations including the *Northwest Territories Fishery Regulations*, the *Atlantic Fishery Regulations* and the *Marine Mammal Regulations*.

In this context, the new Nunavut Fishery Regulations (NFR) aim at updating the regulatory framework application to fisheries in Nunavut and adjacent marine areas, notably by recognizing and respecting the rights of Inuit, the roles of Hunters and Trappers Organizations (HTOs) and Regional Wildlife Organizations (RWOs), and the role of the Nunavut Wildlife Management Board as the main instrument of wildlife management in the Nunavut Settlement Area, as set out in the *Nunavut Agreement*.

A joint statement was released on July 9, 2018 – the 25th anniversary of the signing of the *Nunavut Agreement* – indicating the parties' renewed commitment to co-develop fisheries regulations for the Nunavut Settlement Area.

In September 2018, Makivik Corporation joined the discussions to represent Nunavik Inuit interests as the Areas of Equal Use and Occupancy in the *Nunavut Agreement* also fall within the Nunavik Inuit Land Claims settlement area. A formal Nunavut Fishery Regulations Working Group was formed to lead the co-development of the drafting of the NFRs and is comprised of Fisheries and Oceans Canada (DFO), Nunavut Tunngavik Incorporated (NTI), Nunavut Wildlife Management Board (NWMB), the Government of Nunavut (GN), and Makivik Corporation.

In October 2018 the parties agreed to consider extending the application of the proposed NFR. The proposed scope of the regulations currently applies to all fish (including marine mammals) and includes the areas within the Nunavut Settlement Area (including the Areas of Equal Use and Occupancy). It is also intended to include the Nunavik Marine Region, Hudson Bay and James Bay. This adds further complexity and may result in delays due to increased engagement and consultation requirements as well as consideration of additional regulatory boundaries and consequential amendments.

A target date of December 2019 has been established for pre-publication in Canada Gazette, Part I. All parties recognize that this timeline is extremely ambitious, especially given the area of application has expanded considerably since the July 9, 2018 Joint Statement.

Consultations:

Engagement and consultations on the NFR have begun and are anticipated to continue throughout 2019. On November 27-28, 2018, a workshop was held in Iqaluit with the regional wildlife organizations from

Nunavut and Nunavik to discuss the NFR development concepts and gather information and perspectives from the different regional wildlife organizations.

The co-development parties undertook an extensive community engagement tour of 19 Nunavut communities in February and March, 2019. Additional engagement and consultations with other potentially affected rights holders and stakeholders will continue into the spring and summer of 2019.

A Communications Working Group has been formed and is comprised of communications managers from the co-development organizations. The purpose of the Communications Working Group is to develop a Communications Plan and strategic engagement/consultation activities focused on the communities that will be impacted by the NFR.

A Consultation Website has been established: <http://dfo-mpo.gc.ca/fm-gp/peches-fisheries/comm/consultation/nunavut-eng.htm>

A Policy Intention document will be drafted for review by the co-development working group in June 2019. This will include a report on the engagement and consultation activities. This document will form the basis of drafting instructions, which will take place between June and October 2019.

Recommendation:

The timeline is extremely ambitious. The inclusion of the Nunavik Marine Region and all fish (as defined by the *Nunavut Agreement* and the *Fisheries Act*) adds additional complexity, which may require the timeline to be modified.

While broadening the application of the proposed regulations will lead to a more robust regime, the added complexity, along with the coming election, may result in unavoidable delays.

In order to realize the ambitious timelines, we need the continued and active engagement of all co-development organizations, including the Nunavut Wildlife Management Board.

Prepared by: Nunavut Fishery Regulations Co-development Working Group
(DFO, NTI, NWMB, GN and Makivik)

Date: May 15, 2019