



## Backgrounder – Public consultations: creating a new Nunavut Wildlife Act

### Overview: A Made-In-Nunavut Wildlife Act

The creation of a new Wildlife Act is a priority for the Government of Nunavut (GN). Development of the legislation is being guided by a three party working group made up of the GN, Nunavut Wildlife Management Board (NWMB) and Nunavut Tunngavik Inc. (NTI). Terms of reference for a joint working group are consistent with the Clyde River Protocol and recognize that the new legislation can only be successful if developed on a partnership basis.

The public consultations are the result of extensive cooperation, research and preparations. To provide background information and stimulate public debate, a comprehensive discussion paper in Inuktitut, Inuinnaqtun, English and French will be distributed throughout Nunavut, and to all interested groups and stakeholders across Canada.

The new Wildlife Act is scheduled for introduction in the Legislature this fall once Nunavut-wide public consultations are completed. When it is passed, it will become an historic first -- a Wildlife Act made in Nunavut, by Nunavummiut.

### Why change the Act?

A Wildlife Act is needed that provides the legislative tools to meet the present and future wildlife management needs of Nunavut. The current Wildlife Act was written in 1978. Since that time many advancements have been made in the wildlife management field. And, one very important development has taken place - the creation of Nunavut.

The new Act will:

- Better reflect the traditions and concerns of Nunavummiut;
- Incorporate wildlife provisions and organizations created by the Nunavut Land Claims Agreement (NLCA);
- Include national and international wildlife obligations that have come into effect, and which Nunavut is bound by, since 1978

Incorporating the terms of the NLCA is integral to this process. The existing Wildlife Act was adopted from the Northwest Territories, with the understanding that the Nunavut Government would both modernize it and adapt it to include provisions of the NLCA.

The NLCA defines a co-management system in which the NWMB, Regional Wildlife Organizations (RWO's) and the Hunters' and Trappers' Organizations (HTOs) play major roles in managing wildlife in Nunavut. Part of a joint working group's task is the formation of a new Act built around the framework described in the NLCA and one that provides the legislative

tools necessary to meet the government's mandate for wildlife management.

## **History and Development**

In 1997, while preparing for Division, the Nunavut Headquarters of the Government of Northwest Territories' (GNWT) Department of Resources Wildlife and Economic Development (RWED) initiated background studies on the development a new Wildlife Act. After April 1, 1999 this process was continued by the Nunavut's Department of Sustainable Development (DSD). In November 1999, DSD submitted a legislative proposal to Cabinet for development of a new Wildlife Act. This proposal was given approval and adopted as a Cabinet priority. A formal Working Group of GN, NTI and the NWMB was established to guide the development of the Act. Extensive background legal analysis and studies have been completed. Nunavut-wide consultations will take place in April and May of 2002. Draft legislation is scheduled to be delivered in the Legislature in the fall of 2002.

The three fundamental objectives in drafting the new act are:

- Incorporating the provisions of the NLCA

There are basic provisions of the NLCA that must be incorporated into the new Wildlife Act, and options for how they are to be included need to be discussed. Other provisions of the NLCA do not necessarily require inclusion in a new Wildlife Act, but present an opportunity for the NLCA and a new Act to compliment each other.

- Incorporating issues arising from national and international wildlife and habitat agreements

Nunavut is party to, or is bound by, a number of national and international agreements, which impact wildlife management. These include: the International Convention on Biological Diversity, the International Agreement on Humane Trapping Standards and the pending Species at Risk Legislation. These external factors, while not all necessarily in need of inclusion in a new Wildlife Act, will be reviewed, and their implications for Nunavut considered.

- General updating of wildlife management and enforcement provisions

Many changes in approach have occurred in the field of wildlife legislation. Comparative reviews with other legislation have shown that there are newer legislative tools and approaches that should be considered in a new Act. Many provisions of the current act are outdated and do not reflect the current realities of wildlife management or Canadian Law.

## **Action Plan for Public Consultation**

The government has made these efforts to ensure that people understand the reasons for creating a new Wildlife Act, and that everyone has the opportunity to have their say on what they feel is important:

- Since February, wildlife officers, working with HTOs, have held discussions in communities across Nunavut. They encouraged debate on wildlife legislation issues and focused attention on issues that people said were important to them. This approach will promote more productive discussions, and result in more effective panel meetings.

- Two consultation panels will travel throughout Nunavut from April 15 through May 16, 2002. Each panel will be made up of representatives of the GN, NTI and NWMB. Public consultations will be held in all Nunavut communities to ensure that everyone has the opportunity to express their concerns, ideas, comments and suggestions on the new Wildlife Act.
- The panel tour schedules will be advertised in communities throughout Nunavut via radio announcements, posters and direct communications with HTO's and hamlet councils. Regular media releases and public service announcements will also be provided.
- A discussion paper will be published and distributed throughout the Territory in Inuktitut, Inuinnaqtun, English and French.
- Community Radio stations will be supplied with recorded programs explaining the reasons for the consultation process, and inviting public participation.
- A toll-free number has been established for anyone in Nunavut who wishes to comment, as well as a web site, and an email address for comments or submissions.
- Results of all public consultations will be compiled and summarized in a report to be used in drafting the legislation.

### **Key Issues**

The panels expect to hear recommendations and concerns on a very broad scope of wildlife related issues. The discussions that wildlife officers have been facilitating have already produced a list of some of the issues that are important to communities. Some of the key issues that people have said they want to address are:

#### **Hunting methods:**

- Should rules on humane and responsible harvesting vary by community?
- Should "traditional hunting" be defined in the Act?

#### **HTOs:**

- Should HTO By-Laws be enforceable under the new Wildlife Act?

#### **Residency:**

- The current residency requirement for hunting purposes for non-Inuit in Nunavut is two years. Should this change?

#### **Wastage:**

- How can we ensure that all edible game meat is used and not spoiled?
- What about feeding big game meat to dogs?

#### **Harassment of wildlife:**

- When do you cross the line between responsible harvesting and harassment?
- How do we ensure traditional respect for our wildlife?

#### **The NLCA and the Wildlife Act:**

- The NLCA sets out Inuit harvesting rights and the extent to which they can be limited. How can the Wildlife Act accurately reflect those rights and limitations?

For additional information:

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