Reasons for Decision of the NMRWB in relation to the reconsideration of the Northern Boundary of the Eastern Hudson Bay Arc Region Seasonal Total Allowable Take

Background

Beluga management in the Nunavik Marine Region is currently governed by the 2021-2026 Beluga Management System (herein "management system") which is the result of the Minister of Fisheries and Oceans November 26, 2020 acceptance and variation of the Nunavik Marine Region Wildlife Board (NMRWB) and the Eeyou Marine Region Wildlife Board's decisions submitted to the Minister on September 20, 2020.

The management system is based on an understanding that Inuit led management is the preferred and most effective method of managing and conserving beluga stocks in the NMR and is designed to facilitate the move toward Nunavik Inuit-led management while continuing to apply and maintain the principles of conservation as outlined in the NILCA.

The management system established the Eastern Hudson Bay Arc Region and a seasonal Total Allowable Take for the region from May 1 to November 30 of each year in order to protect and promote the conservation needs for the beluga that summer in the region. This summering population is understood by management bodies as the Eastern Hudson Bay stock of beluga. The NMRWB acknowledges that Nunavik Inuit understand and describe beluga populations in a

different manner. This NMRWB decision relates to the boundaries of the Eastern Hudson Bay Arc Region.

Request for Decision

On December 11, 2023, the Anguvigaq (or RNUK) sent a Request for Decision to the Nunavik Marine Region Wildlife Board (NMRWB) formally requesting a reassessment of the Northern boundary of the Eastern Hudson Bay Arc Region (EHB Arc) as it was defined in the NMRWB beluga management plan at that time. The boundary in question, which runs along the 59th parallel, represents the northern boundary of the Eastern Hudson Bay Arc Region for which there is a seasonal Total Allowable Take (TAT) for beluga in place annually from May 1 to November 30. The Anguvigaq claimed that the Eastern Hudson Bay Arc Region seasonal TAT unjustifiably restricts harvesting rights and impacts food security, cultural practices, and the transfer of knowledge between knowledge keepers and youth in the communities of Kuujjuaraapik, Umiujaq, and Inukjuak.

In the Anguvigaq request it was asserted that local knowledge and recent observations challenge the assumption that all belugas in the Arc were from the Eastern Hudson Bay (EHB) beluga stock. Evidence from Inukjuak, where hunters observe mixed beluga groups and had harvested five non-EHB belugas just north of the community, suggested that the 59th parallel boundary does not accurately reflect the actual summer distribution of these beluga. Furthermore, they argued that there was no clear rationale found for the specific location where this boundary was established and that its impact on harvesting rights and Inuit cultural rights were unjustified.

The Anguvigaq therefore asked that the NMRWB reassess the location of the northern boundary of the EHB Arc Region further south, incorporating both scientific research and Inuit knowledge in their decision. The Anguvigaq asserted that this reassessment would result in management that better reflects the biological realities of EHB beluga and would support sustainable harvesting practices.

Public Hearing and Decision-Making Process

On December 14, 2023, the NMRWB reviewed the Request For Decision from the Anguvigaq. The NMRWB concluded that legitimate concerns had been raised and as a result the NMRWB launched a Written and Virtual Public Hearing to gather information for the purpose of decision-making. The NMRWB would assess and determine whether the northern boundary of the EHB Arc should be maintained or moved pursuant to 5.2.3 (a), 5.2.10 and 5.2.11 of the Nunavik Inuit Land Claim Agreement (NILCA). On March 6, 2024, a written Notice of the Hearing was issued.

Information Requests

Included in the Notice of Hearing was a Request for Information asking parties and the public for all relevant reports, studies, or information that would assist the Board in reaching a decision on the issue. The deadline for responding to the Request for Information was April 15, 2024.

Information Gathering

Prior to the deadline for submitting responses to the Request for Information the NMRWB provided the opportunity for members of the impacted communities of Inukjuak, Umiujaq and Kuujjuuaraapik to provide recorded statements to be included in the NMRWB record on the

matter. Statements were gathered from Nunavik Inuit from the impacted communities, most of whom were seasoned hunters and knowledge keepers. NMRWB staff also included sea ice images as part of the hearing registry.

The Anguvigaq also submitted to the NMRWB their own report containing Inuit Knowledge about beluga and beluga management approaches from Nunavik Inuit. Information was provided by Inuit from the communities in the Eastern Hudson Bay Arc Region and was gathered through the Anguvigaq's own process of interviewing and research.

The Department of Fisheries and Ocean and the Canadian Coast Guard (DFO) submitted a 24-page document detailing science and management information relevant to the hearing. This comprehensive document included more than twenty years of data including genetics, aerial survey results, and statistical modeling. The report was submitted as a Science Response under the DFO Canadian Science Advisory Secretariat peer review system.

Question and Answer Period

Following review of the responses to the Request for Information and the Statement Gathering a Question period was opened, wherein parties and members of the impacted communities had an opportunity to ask questions in relation to the issue and the information gathered. Questions could be submitted in writing, or posed verbally on April 25-26, 2024, during a two-day virtual Question and Answer session. During the virtual session answers to questions could be provided immediately, or answers were accepted in writing until May 13, 2024.

Closing Submissions

On May 23, 2024, a final virtual session was held to provide parties and impacted Nunavik Inuit an opportunity to make their final statements to the NMRWB verbally. Written submissions were also permitted prior to May 28, 2024, the conclusion date of the hearing.

NMRWB Deliberation

The NMRWB directors reviewed all the information on the Public Hearing record, which continue to be available on the hearing registry found on the NMRWB's website at the following link:

https://nmrwb.ca/beluga-northern-boundary-of-east-hudson-bay-tat-region-hearing/.

The NMRWB members held their deliberation and reached their decision based on the hearing record during the NMRWB in-camera meeting held on June 13, 2024, with NILCA-designated observers present.

Summary of information gathered and Submissions of the Parties

The following sections are summaries of major submissions. They do not represent the opinions nor the conclusions of the NMRWB. Note that these are intended as representations, not duplications, of the full breadth of party submissions. Certain important details may have been inadvertently left out of these summaries. Full non-summarized submissions are available on the website provided above.

DFO information and Submission Summary

The DFO submissions states that the primary management objective (varied from the NMRWB management objective by the Minister of Fisheries and Oceans in November 2020) is to sustain the BEL-EHB beluga whale population at or above 3,400 animals over the next 5 to 10 years, based on the 2015 assessment. Harvest levels should be controlled to ensure no more than a 50% probability of the population falling below this threshold. The 2021 stock assessment estimates a population of 2,900 to 3,200 beluga whales, indicating a slow annual decline of approximately 1% from 2001 to 2015, which has since accelerated to around 3% per year. Consequently, the population has dropped from 3,700-3,900 in 2015 to the current levels.

Historically, commercial whaling from the 18th to early 20th centuries significantly reduced beluga populations, a decline potentially exacerbated by climate change, habitat modification and harvesting. In 2023, a total of 142 BEL-EHB beluga whales were harvested across Nunavik. The data in the submission on beluga distribution and migration patterns reveals that harvesting and sightings peak in mid-June and mid-October, aligning with the migration periods. From 2006 to 2023, nine beluga whales were sighted and harvested around Inukjuak, mainly in July and occasionally in August, suggesting an extension of their summer distribution northward to this area. Reports indicate sightings and harvests between 58.5°N to 58.9°N, north of Inukjuak, though 50% of these reports lack precise location data, limiting detailed analysis.

Aerial surveys conducted between 1985 and 2021 show that 95%, 97.5%, and 99% of sightings occurred south of 57.8°, 58.0°, and 58.1°N, respectively, with the northernmost sighting at 58.4°N, approximately 9 km south of Inukjuak. These surveys suggest that over 95% of beluga whales in Eastern Hudson Bay and Belcher Islands are found south of 57.8°N in summer, with few sightings

as far north as 58.4°N. Satellite tracking data from beluga whales tagged between 1993 and 2004 reveals repeated inshore-offshore movements between the Eastern Hudson Bay shoreline and the Belcher Islands during summer, with some extending their range up to 58.6°N. The tracked beluga whales initiated a northward migration in mid-September, passing by Inukjuak and moving towards Ungava Bay and the Labrador Sea for the winter.

Beluga whales from the Western Hudson Bay (WHB) population utilize multiple migration routes. Primarily, they migrate along the west coast of Hudson Bay or west of the Belcher Islands. Notably, one tracked WHB individual followed a route along the Eastern Hudson Bay region coastline. In contrast, beluga whales tagged during the summer in James Bay (JB) remained in James Bay and did not migrate along the Nunavik coastline during the fall. The space use of beluga whales is dynamic and influenced by factors such as winds, waves, bathymetry, seabed composition, currents, upwellings, tides, and anthropogenic disturbances, which contribute to inter-annual variation in their migration patterns.

Genetic mixture analysis (GMA) is now used to estimate the stock composition of harvested beluga whales. However, sample sizes from Inukjuak are currently insufficient for conducting genetic re-analysis to accurately determine the stock composition in the northern portion of the TAT zone. Under the existing management system, all beluga whales harvested in Eastern Hudson Bay during all seasons are automatically classified as belonging to the BEL-EHB stock. Additionally, 50.1% of beluga whales harvested in the fall in Northeastern Hudson Bay, a migration route just north of the EHB region, were estimated to be from the BEL-EHB stock, but the sample size was insufficient to make estimates for the spring.

DFO recommends maintaining the current boundary, enhancing data collection, and sampling while exploring non-lethal methods, such as biopsy darting, to improve genetic data. Moving the

boundary further south lacks scientific justification and could increase the risk to the already declining BEL-EHB stock.

Anguvigaq Information and Submission Summary

The Anguvigaq submission emphasizes the importance of Inuit knowledge in understanding beluga migratory routes. According to Inuit observations, beluga whales migrate in mixed groups along the Hudson Bay coast and pass by Inukjuak, which is part of the migratory route rather than a summering area. Therefore, Inukjuak should be included in the non-quota limitation (NQL) system in Northeastern Hudson Bay instead of the TAT system. All beluga within the EHB region are considered to be 100% from the EHB stock, however, individual assignation analysis showed that five beluga samples harvested near Inukjuak, in Ikirasaaluq (58.52, 78.45), in May/June of 2022 were genetically non-EHB. Several biases have been identified in the genetic analysis of beluga populations. A sampling bias exists because most genetic samples are collected during the summer due to hunting restrictions. This results in the omission of mixed groups that migrate through the area in the spring and fall. Additionally, there is a confirmation bias in the sampling methods, which assumes that all beluga whales harvested in the EHB arc are from the EHB stock. This assumption fails to consider the potential presence of individuals from other stocks, leading to incomplete and potentially misleading conclusions about stock composition.

Under the current TAT system hunters must make long-distance hunting trips which are dangerous and costly, leading to meat spoilage and wastage while trying to transport harvested beluga meat home. Such challenges have resulted in deaths from drowning, and from botulism due to meat spoilage while being transported long distances in summer heat. Elders and youth cannot participate in long-distance hunts, leading to a loss of traditional knowledge transmission and cultural practices. Communities have had to buy mattaq from other areas due to hunting

restrictions, reducing the practice of sharing harvests and passing it down to younger generations as well as adding additional harvesting pressures on other areas. Moreover, different management rules for other communities considered to be along migration routes create frustration and perceived unfairness towards Inukjuamiut.

The current northern management boundary is seen as scientifically arbitrary and established without proper consultation with Inuit. Anguvigaq proposes moving the northern boundary of the EHB management zone to better reflect biological knowledge and Inuit harvesting rights, as shown in Appendix C of the Resolution #2024-06-03 (Henceforth "the Resolution"). Additionally, a voluntary summer closure from July 15 to September 30 is put forward by the local Anguvigaq of Inukjuak (or LNUK) and supported by the Anguvigaq, to prevent increased hunting pressure during the summering season, similar to the voluntary closure in Sanikiluaq. As indicated in the Inukjuak Anguvigait Resolution at Appendix F of the Resolution, this closure would be written as a bylaw upon acceptance of the boundary change by the minister.

The Anguvigaq submission concludes that the existing management boundaries do not align with beluga migration patterns and impose unnecessary restrictions on Inukjuamiut. Adjusting the boundary and the implementation of a voluntary closure by Inukjuak would align with conservation goals, Inuit harvesting rights, increased locally-led management, self-determination and would support traditional practices and safety.

Makivvik Information and Submission Summary

Makivvik supports the shift from an imposed quota system to an Inuit-led beluga management system, aligning with Anguvigaq's proposed boundary change. Inuit Knowledge indicates that beluga whales around Inukjuak migrate in mixed groups and do not use the area as a core

summering ground. Therefore, the management zones should reflect the biology and distribution of beluga whales, and the proposed boundary change would refine the EHB Arc zone accordingly. The impacts of the boundary change on the EHB stock should be considered as a next step since there is no strong evidence that the area in question is part of the core summer area.

Makivvik disagrees with DFO's recommendation to deny the proposed change based on the risk to BEL-EHB conservation and sustainable harvest. This decision lacks support from both Inuit Knowledge and reliable western science and represents an inappropriate “management shortcut.” Makivvik argues that the Inukjuak area should be included in the NEHB zone rather than the TAT zone based on beluga use of the area. Harvest levels should be addressed upon the renewal of the management system, not when discussing summering area locations. The willingness of the Inukjuak community to manage beluga is demonstrated by their resolution for a voluntary closure from July 15 to September 30, which is a very good initiative from the community and similar to what is in place in Sanikiluaq, Nunavut.

Makivvik recommends moving the boundary to the location proposed by Anguvigaq, which is supported by Inuit knowledge. The current boundary is not backed by reliable western science or Inuit knowledge and was decided without consulting Inuit.

Summary of Individual Statements and Submissions from Inukjuak, Umiujaq, and Kuujjuaraapik Inuit

Beluga whales are known to migrate extensively, following prey such as capelin along the coast and between islands. They are observed in mixed groups migrating down Hudson Bay to the northern area of the EHB arc zone (the area above the 58th parallel line) before splitting off to summer areas like around Patirtuuq (Nastapoka River), or further west (Churchill) and south

(James Bay). Inukjuamiut identified three distinct populations of beluga that migrate through the northern region of the EHB arc zone around their community. The qillalurakallait, EHB, are said to be a smaller size with narrow tails. The qilalurakutaat, WHB, are longer with longer tails. The qilalurait angi juit, JB, are very big with shorter tails.

Environmental changes, such as altered sea ice patterns and water levels due to hydro projects, affect beluga migration routes and habitats. The majority of the statements refer to a decrease in flow and water levels in the Nastapoka River, with water so low that larger boats struggle to enter the estuary when that was not the case 30-40 years ago. Many talk about how this could have been caused by the introduction of hydroelectric projects in Nunavik, as well as continued diversions of rivers in the area, causing these changes in habitat that could also be negatively impacting the beluga. The decreased flow and water levels could explain why the beluga are no longer seen in the Nastapoka River. The Inuit of the Hudson Bay Arc believe it is important to study these impacts, to have a better understanding of the industrial impacts on the EHB beluga habitat. The statements emphasize the importance of traditional knowledge and practices in beluga hunting. Inuit hunters have historically ensured sustainable harvesting by taking only what was needed and respecting the natural migration patterns of beluga whales. This approach has been crucial in maintaining beluga populations and aligning hunting practices with cultural values and environmental changes.

There was a consensus among the statements that the northern boundary should be moved further south. The current boundary line poses challenges for Inuit hunters who must travel long and dangerous distances, such as to Long Island, for beluga hunting. The boundary also represents a high risk to the harvesters of the community of Inukjuak which had 2 fatalities in relation to the long distances needed to travel outside the present boundary in the past 3 decades. Moving the

boundary line south would alleviate these issues, making hunting safer and more accessible. It would also help protect and restore cultural practices and values while better reflecting the distribution of the different beluga populations.

There is a strong sentiment that Inuit knowledge and autonomy have been overlooked in the decision-making processes regarding wildlife management. The statements call for more meaningful consultation and the inclusion of Inuit voices in these decisions, ensuring that management strategies respect and incorporate traditional knowledge and the needs of the communities.

The common evidence across the statements supports the argument that moving the boundary line further south would align better with beluga migration patterns, improve safety and accessibility for hunters, honor traditional knowledge, practices and values, and provide more equitable harvesting opportunities for Inuit communities.

NMRWB Decision

After careful consideration of the available scientific information, Inuit knowledge, and the commitment to a voluntary summer closure from Inukjuak, the NMRWB has decided to move the Northern boundary of the Eastern Hudson Bay Arc Region, wherein there is a seasonal TAT, to the location proposed by the Anguvigaq (RNUK) (57.78296, -78.61985 to 58.34808, -77.98643 shown in Appendix C, and defined in Appendix D of the Resolution). This decision, if accepted by the Minister, would come into effect upon implementation of a voluntary closure bylaw by the Anguvigaq / LNUK of Inukjuak for the area defined in Appendix D of the NMRWB Resolution and from July 15- to September 30 of each year.

This decision by the NMRWB is a modification of the current 5-year management system which is in place from February 1, 2021 to January 31, 2026. As such this decision will be reconsidered along with, and as a part of, the 5-year management system ahead of its expiry in February 2026. This time will give the Board and co-management partners time to assess the impacts of this change.

Rationale and Support for Decision

History and Purpose of the Northern Boundary

In the 2014 decision from the NMRWB, the reasoning for moving the northern boundary line south from the 62.10 parallel to the 59th parallel was based on evidence that mixed stocks of beluga migrate along the Northeastern Hudson Bay coast. The 2014 decision states, "Given mounting evidence that belugas passing through the northeastern Hudson Bay ('NEHB') region are of mixed origin (EHB and Western Hudson Bay), the NMRWB determined that it was inaccurate to assume that 100% of the beluga in this area are from the EHB stock" (NMRWB, 2014). The East Hudson Bay Arc zone was intended to define an area where 100% of the beluga are part of the EHB stock. However, evidence gathered during this 2024 hearing indicates that the northern portion of the zone defined in 2014 (north of the 58th parallel and south of the 59th parallel) is also a migration route for mixed stocks of beluga. Inuit knowledge from both the Anguvigaq submission and all community statements characterize the area as a migration route, with Inukjuamiut identifying three distinct groups of beluga migrating through their area.

The submission from DFO concluded that the northern portion of the zone is part of the summering grounds of the EHB beluga. However, a very small proportion of beluga found in the EHB Arc Region during aerial surveys are between the 58th and 59th parallel. Eight aerial surveys from

1985 to 2021 and satellite tagging over eleven years show that the majority of EHB beluga remain south of the 58th parallel, with the highest concentration further south, around the Nastapoka and Little Whale estuaries. Therefore, the aerial survey and satellite telemetry data indicate that the extreme northern part of the current EHB Arc Region is minimally used as a summering area and does not seem to be an important area for aggregation.

Given the purpose of the East Hudson Bay Arc region (to define an area of 100% EHB beluga), and the evidence before them, the Board determined it was reasonable to consider moving the northern boundary line of the region.

Angle of the new Northern Boundary

Questions were raised about the angle of the new northern boundary proposed in the Anguvigaq submission. Specifically, the boundary line would be diagonal, following a southwest trajectory from shore, and the Board considered whether it should follow a parallel instead.The NMRWB reasoned that the beluga sighted north of the new EHB Arc Region during aerial surveys were primarily observed far offshore. The beluga seen far offshore during aerial surveys would not be at increased risk of harvest since beluga hunting is mainly coastal. Thus, a diagonal boundary line would not meaningfully increase the chance of harvest of EHB beluga, particularly with the inclusion of the Inukjuak voluntary summer closure.

The Impact of the Inukjuak-lead Voluntary Closure (NQL)

The voluntary summer closure proposed by the community of Inukjuak would protect the small portion of EHB beluga that roam closer to Inukjuak during the summer. The community of Inukjuak, through their own authority as affirmed and defined under the article 5.7.2 of the NILCA, has proposed an NQL (the voluntary summer closure) to protect the small percentage of EHB

beluga that may swim further north of their main summering area between July 15 and September 30, while allowing for harvest from mixed stocks during migration. They have also committed to increased sampling which stands to improve the existing data for scientific analysis. The NMRWB strives for locally-led approaches to wildlife management wherever possible because they are the most appropriate under the objectives of Article 5 of the NILCA, and because they are the most likely to succeed and in-turn achieve the Board's wildlife management responsibilities. This change from a TAT to a voluntary closure in the area designated in Appendix D of the Resolution was locally conceived. The Board sees this change in management structure to be equally as focused on conservation as the current TAT. As such, the NMRWB favours the modification of the northern boundary as a means to lead toward effective local management. Given that the boundary change (and corresponding change from TAT to voluntary closure) will be reviewed alongside the 5-year Management system, the Board will have the opportunity to review this change and consider any adjustments that may be needed.

Impacts of Climate Change and development projects

The impacts of climate change, variations in sea ice conditions and hydroelectric projects on beluga habitat use and movements was raised several times during this hearing. The influence of spring sea ice conditions in influencing the number of belugas observed by hunters, counted during aerial surveys, and the subsequent abundance estimates has been frequently discussed at NMRWB meetings. Sea ice conditions were specifically cited as a reason for the lower population estimate in 2021. Preliminary analysis of sea ice images from Hudson Bay and the western part of Hudson Strait in the spring (early April to early June) suggests that heavy sea ice conditions significantly affect beluga movement and contribute to the reduced number of belugas observed in Eastern

Hudson Bay later in the season. Inuit hunters have repeatedly highlighted the impact of sea ice on beluga migration.

Limiting Inuit Harvesting Rights and Effective Conservation under the NILCA

There is insufficient justification for the harvesting restrictions placed on the community of Inukjuak by including the area near Inukjuak in the EHB Arc Region TAT, especially with the strong evidence from Inuit knowledge that indicates the area is primarily a migration route and not part of the EHB beluga summering area. Keeping the boundary where it is, given the information available and gathered during the hearing, would not align with the objectives of wildlife management systems outlined in the NILCA. These objectives include promoting the long-term social, economic, and cultural interests of Inuit and recognizing the value of Inuit approaches to wildlife management. The invaluable transmission of knowledge and culture across generations and the alleviation of the social issues outlined in the Anguvigaq submission would align with a better management system under the NILCA, which states as follows:

> "The objectives of wildlife management systems established under the NILCA are detailed in section 5.1.3 and seek to:
>
> (a) defines and protects Nunavik Inuit harvesting rights;
>
> (b) is governed by and implements the principles of conservation;
>
> (c) reflects levels, patterns and the character of Nunavik Inuit harvesting;
>
> (d) promotes the long-term economic, social and cultural interests of Nunavik Inuit;
>
> (e) provides for harvesting and continued access by persons other than Nunavik Inuit;
>
> (f) recognizes the value of Nunavik Inuit approaches to wildlife management and Nunavik Inuit knowledge of wildlife and wildlife habitat and integrates those approaches with knowledge gained through scientific research;

(g) integrates the management of all wildlife species and wildlife habitat within a comprehensive management system;

(h) provides for public participation and promotes public confidence in wildlife management, particularly amongst Nunavik Inuit;

(i) establishes the NMRWB to make decisions pertaining to wildlife management; and

(j) provides for effective coordination with other institutions responsible for the management of wildlife migrating between the NMR and other areas.

It is also noted that, as per section 5.5.3 of the NILCA, NMRWB decisions must only limit Inuit harvesting to the extent that is necessary to effect a conversation purpose in accordance with the principles of conservation (5.1.4 and 5.1.5), to give effect to an allocation system, or for public health or safety.

NMRWB does not find that this change of the Northern Boundary would meaningfully change the management systems' adherence to the principles of conservation. The principles of conservation stated under NILCA 5.1.5 are as follows:

(a) the maintenance of the natural balance of ecological systems within the NMR;

(b) the maintenance of vital, healthy wildlife populations capable of sustaining harvesting needs as defined in this Article;

(c) the protection of wildlife habitat; and

(d) the restoration and revitalization of depleted populations of wildlife and wildlife habitat.

Wildlife management under the NILCA requires decisions to be made that meet the objective of conservation and the protection and promotion of Nunavik Inuit harvesting rights. The Anguvigaq, the Anguvigait across Nunavik, NMRWB, and Minister are tasked with creating systems of management that promote the continuation of Nunavik Inuit harvesting practices and lifestyle and ensuring the continued presence of the wildlife to meet those needs.

Accessing and Incorporation of Inuit Knowledge and Approaches

The NILCA points wildlife management decision makers towards an approach that, among other things, "recognizes the value of Nunavik Inuit approaches to wildlife management and Nunavik Inuit knowledge of wildlife and wildlife habitat and integrates those approaches with knowledge gained through scientific research". Scientific research has always been the foundation of government-initiated wildlife management systems. Government and academic scientific research that has been gathered continues to be the foundation of the beluga management system for the NMR because this type of knowledge and approaches are easily accessible and accepted. But it is not without its deficits and biases. Inuit approaches and knowledge however continue to be harder to access and implement as it is often not accepted as viable alternatives to approaches rooted in scientific research. The NMRWB believes that successful wildlife management in the NMR needs the inclusion and acceptance of Nunavik Inuit Knowledge and approaches as well as science. Approaches that are rooted in the knowledge and approaches of Nunavik Inuit and advanced by scientific research will inherently resonate with harvesters, the Anguvigait and Anguvigaq and will result in greater support and effectiveness.

Wildlife Management, UNDRIP and Reconciliation

Wildlife management in the NMR must also recognize the broader considerations and journey of reconciliation in Canada. The Commissioner of the Truth and Reconciliation Commission, in their report What We Have Learned: Principles of Truth and Reconciliation, wrote:

> "To the Commission, "reconciliation" is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour."[1]

As an institution of public government created under the Nunavik Inuit Land Claim Agreement, a treaty within the meaning of section 35 of the Constitution Act, 1982, and where in reconciliation is a foundational objective of section 35, the NMRWB recognizes the role it must play in the journey of reconciliation with Nunavik Inuit. NMRWB process, deliberations and decisions include, in addition to the provisions of the NILCA outlined above, reconciliation as a foundational objective.

The TRC Commissioners provided principles to assist in the advancement of reconciliation and identified the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation at all levels and across all sectors of Canadian society.[2] Canada is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples and has passed the United Nations Declaration on the Rights of Indigenous Peoples Act, S.C. 2021, (UNDRIP Act) c. 14,

[1] Truth and Reconciliation Commission of Canada. (2015). What we have learned: Principles of truth and reconciliation. Truth and Reconciliation Commission of Canada. Retrieved from [https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Principles_English_Web.pdf],at page 113.
[2] *Ibid*, at page 125.

giving it legal effect in Canada. The UNDRIP Act requires Canadian laws to be consistent with the declaration. As the main instrument of wildlife management in the NMR, with a deep understanding of the connection between Inuit and wildlife and wildlife habitat, the NMRWB have given due regard to the provisions and principles of the declaration and the UNDRIP Act.

When it comes to beluga regulation in the NMR, the past is not history, it is a lived experience for many Nunavik Inuit. The commercial whaling industry pillaged the waters of the Nunavik marine Region of beluga with impunity. The Government of Canada's response when Nunavik Inuit called for the protection of beluga was to impose harvesting regulations including limits born and designed from a non-Inuit perspective. Those limits came too late to affect commercial whaling, and Inuit became the sole harvesters to bear the weight of beluga regulation. The testimonies of impacted Nunavik Inuit at this hearing, as well as at the 2020 NMRWB hearing, echoed the impacts of past and ongoing harm and hurt caused by DFO regulation. From the testimonies, and work of the Anguvigaq and the Inukjuak Anguvigait, it is clear there is desire to use Inuit knowledge and approaches to beluga management from the community level up to meet the objectives of NILCA compliant wildlife management.

The Board's decision reflects a commitment to better aligning beluga management in the NMR with the guiding principles and objectives outlined above. The information presented demonstrates the need to recognize the mixed-stock migration along the northern portion of the current EHB Arc Region and adjust boundaries accordingly. The revised boundary, alongside the voluntary summer closure proposed by Inukjuak, seeks to enhance the protection of the Eastern Hudson Bay beluga while respecting Inuit harvesting rights and cultural practices. This decision aims to balance the conservation of the Eastern Hudson Bay beluga stock by incorporating both scientific research and Inuit knowledge and management approaches. By integrating these approaches, the NMRWB

seeks to enhance the effectiveness and cultural relevance of wildlife management, promote reconciliation, and support the sustainable coexistence of Nunavik Inuit with the wildlife.