



May 8 2025

**Environment and Climate Change Canada (ECCC) - closing statement for the public hearing on the “Consideration for Non-Quota Limitations (NQLs) for Polar Bears in the Eeyou Marine Region (EMR) and Nunavik Marine Region (NMR)”**

Environment and Climate Change Canada (ECCC) would like to thank the Nunavik Marine Region Wildlife Board (NMRWB) and the Eeyou Marine Region Wildlife Board (EMRWB) for organizing Phase 1 and 2 of the public hearing on the “Consideration for Non-Quota Limitations (NQLs) for Polar Bears in the Eeyou Marine Region (EMR) and Nunavik Marine Region (NMR).” The process has been engaging for co-management partners. Over the course of Phase 1 and Phase 2 ECCC submitted over 20 documents as part of information requests, delivered 4 oral presentations during the hearings themselves (2 on polar bear science & 2 on polar bear management), provided written answers to questions submitted to ECCC in writing by the Boards and fulfilled undertakings after the conclusion of Phase 2. ECCC's contributions are posted to the online hearing record at [POLAR BEAR PUBLIC HEARING – Phase 2 Hearing record – Eeyou Marine Region Wildlife Board](#) and [Polar Bear – 2024-2025 Public Hearing – Consideration of Non-Quota Limitations in NMR and EMR – NMRWB](#). ECCC's closing statement is guided by the materials available on the public hearing record as well as the questions posed within the EMRWB and NMRWB's joint “Notice to Parties – Guidance for Closing Statements” received on April 3, 2025.

ECCC acknowledges the perspectives and information shared during the hearing by all participants with regards to the consideration of establishing non-quota limitations (NQLs) for the Foxe Basin (FB) and Davis Strait (DS) polar bear subpopulations, as well as the reconsideration of the current Total Allowable Take (TAT) and NQLs in place for the Southern Hudson Bay (SH) polar bear subpopulation. ECCC understands the EMRWB intends to hold a Polar Bear Knowledge Sharing Workshop in 2026 to gather more information before deciding whether to consider the necessity for the establishment of TAT and NQL for the areas of the EMR where the EMRWB have exclusive jurisdiction (i.e. the Cree Zone and the rest of the EMR area south of the Cree Zone).

Through Phase 1 and Phase 2, both Western Science and Inuit Knowledge were shared on “Harvest levels,” “Polar Bear Knowledge” and “Management approaches and techniques” for the DS, FB and SH polar bear subpopulations. ECCC appreciates the effort that has gone into publicly posting presentation materials and supporting documents from all participants to the hearing records on both the EMRWB and NMRWB websites. ECCC is in the process of reviewing the full hearing transcripts that were made available publicly on May 6<sup>th</sup>, 2025. The transcripts are valuable records, especially with

regards to the wealth of oral contributions shared at the hearing. Due to their large volume (1045 pages) ECCC's review is ongoing.

The primary threat to polar bears is the loss of sea ice habitat due to climate change. ECCC acknowledges managing polar bear populations in a changing climate is complex and the continued importance of effective co-management to support healthy polar bear populations, especially for polar bear subpopulations shared by multiple jurisdictions. Through Phase 1 and Phase 2, both Western Science and Inuit Knowledge were shared with regards to the current population and health status of the Davis Strait, Foxe Basin and Southern Hudson Bay polar bear subpopulations. All three subpopulations have experienced significant reductions in the availability of sea ice habitat over the last 40 years, a trend that is forecasted to continue. Although local indigenous knowledge notes that most bears are in good body condition in DS, FB and SH, loss of sea ice habitat has resulted in increased human-bear conflicts, declines in polar bear body condition and reduced survival in other subpopulations and is therefore a conservation concern. Without accurate harvest reporting, protection of vulnerable components of subpopulations (e.g. females and cubs) and/or the identifications of sustainable take, harvest can also become a conservation concern. ECCC is committed to working with Nunavik Inuit and the Crees of Eeyou Istchee to help establish a harvest management system to support the long-term persistence of polar bears in the region.

The Nunavik Inuit Land Claims Agreement (NILCA) and the Eeyou Marine Region Land Claims Agreement (EMRLCA) recognize the rights of Nunavik Inuit and the Crees of Eeyou Istchee to ownership and use of lands and resources, including marine resources in the Nunavik Marine Region (NMRW) and Eeyou Marine Region (EMR). ECCC recognizes the important roles of the NMRWB and the EMRWB as institutions of public government and their authority under the Nunavik Inuit Land Claims Agreement and Eeyou Marine Region Land Claims Agreement to manage and regulate wildlife. With regards to the questions in the "Notice to Parties – Guidance for Closing Statements", the ECCC Minister would be guided by the NILCA and EMRLCA in their decision-making process for any decision put forward by the EMRWB and NMRWB. Sections of particular interest may include the following:

- Article 5 of the NILCA establishes a co-management structure for conserving and managing wildlife in the NMR: principles and objectives to guide the co-management system for wildlife in the NMR are outlined in section 5.1.2 and 5.1.3, while principles of conservation are outlined in s.5.1.4 and 5.1.5. The NMRWB, as the main instrument for wildlife management in the NMR (NILCA s.5.2.3), is empowered to make polar bear management decisions, which includes but is not limited to Total Allowable Take (TAT) and Non-Quota Limitations (NQLs). Furthermore, the NILCA s.5.5.3 and 5.5.4.1 set out criteria for decisions that restrict or limit Nunavik Inuit Harvesting by the NMRWB or Minister. NILCA s. 5.5.7, 5.5.8 and 5.5.9 specify how NMRWB decision(s) are forwarded to the Minister for decision.

- Part III of the EMRLCA establishes a co-management structure for conserving and managing wildlife in the EMR: principles and objectives to guide the co-management system for wildlife in the EMR are outlined in s.10.1 and s.10.2, while principles of conservation are outlined in s.10.3 and 10.4. The EMRWB, as the main instrument for wildlife management in the EMR (EMRLCA s.13.2.1), is empowered to make polar bear management decisions, which includes but is not limited to Total Allowable Take (TAT) and Non-Quota Limitations (NQLs) (s.13.5 and s.13.8). Furthermore, the EMRLCA s.15.2 sets out criteria for decisions that restrict or limit Cree Harvesting by the EMRWB or Minister. EMRLCA s.15.3 specifies how EMRWB decision(s) are forwarded to the Minister for decision.

Within this context, ECCC would like to draw particular attention to the sections 10.1 of the EMRLCA and 5.1.2 of NILCA principles that both specify “e) a long-term, healthy, renewable resource economy is both viable and desirable;” and “g) there is a need for a system of Wildlife management that provide optimum protection to the Wildlife resource economy;” that similarly state that “h) the Wildlife management system and the exercise of Cree Harvesting rights are governed by and subject to the principles of conservation; and “(h) the wildlife management system and the exercise of Nunavik Inuit harvesting rights are governed by and subject to the principles of conservation;” and “j) Government has ultimate responsibility for Wildlife management and agrees to exercise this responsibility in the EMR in accordance with the provisions of Part III” and “(j) Government has ultimate responsibility for wildlife management and agrees to exercise this responsibility in the NMR in accordance with the provisions of this Article.” As such, ECCC recognizes the polar bear as an important “resource” to the Cree and “wildlife” of the Inuit, as defined under the EMRLCA and NILCA respectively. The ECCC Minister may consider implications under the *Species at Risk Act* and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). This could include taking into consideration how a management approach could affect Canada’s ability to demonstrate sustainability or could affect the current positive non-detriment finding (NDF) and/or potentially risk an uplisting of polar bear to Appendix I of CITES, as the outcomes could negatively impact the principles and objectives under the EMRLCA and NILCA.

For any changes proposed to the current polar bear management in DS, FB and SH, ECCC would be interested in exploring whether co-management partners must share an understanding of what constitutes a conservation concern to effectively manage polar bear subpopulations; what types of control measures co-management partners would be comfortable supporting in an effort to mitigate conservation concerns and what the proposed mechanism for monitoring and reporting conservation concerns would be. ECCC would like to highlight that throughout Phase 1 and Phase 2 it was noted that the Québec, Nunavik Marine Region, and Eeyou Marine Region (QC-NMR-EMR) polar bear management plan can act as a basis to co-develop an effective management framework through the implementation of components of the plan (enumerated under Objective 1). This includes, for example, a review of the harvest registration process and harvest management system that provides the tools necessary to achieve agreed-upon management objectives and long-term persistence of polar bears populations. The

preliminary information provided by Makivvik regarding the Harvest Monitoring App seem to align with the QC-NMR-EMR plan.

In conclusion, ECCC recognizes that Inuit stewardship principles and management practices help reduce the impact of hunting on polar bear populations while maintaining the relationship between Inuit and polar bears. We acknowledge the safety concerns expressed around increased encounters between humans and polar bears and we recognize the importance of ensuring the safety of people. A harvest management system involving NQLs and TAT as management tools should not preclude the protection of public safety/infrastructure.

ECCC looks forward to continued engagement with the EMRWB, NMRWB and other co-management partners in the process of “Consideration for NQLs for polar bears in the EMR and NMR.”