

Fisheries Co-Management in the Canadian North: Nunatsiavut and Nunavut

Canada's approach to fisheries management was widely criticized after the infamous closure of the cod fishery in 1992. Newfoundland is profoundly linked to the cod and the moratorium severely impacted the livelihoods of those reliant upon the fishery. As an undergraduate student studying marine biology in the late 1990s, the cod collapse was discussed in most of my ecology and fisheries coursework. I fully expected that what happened with the cod fishery would catalyze immediate change in Canadian fisheries management. The reality, of course, is that change takes time and, in this case, it was anticipated that if we gave the cod enough of a break from being fished, the stocks would come back. Nearly 22 years have passed since the moratorium was put into place, and yet, not much has changed for the cod or in how Canada manages its fisheries.



Big Cod Fish From The Trap, Battle Harbour, Labrador/ Robert Edwards Holloway [1901]. The Rooms Provincial Archives Division, VA 21-18 / R E Holloway. From: <http://bit.ly/1muEVKP>

Canadian fisheries are managed by the Department of Fisheries and Oceans (DFO) taking credible, science-based, affordable and effective practices into account. When the outcome of this hierarchical (or top-down) management system is not an economically successful and ecologically sustainable fishery, conversations turn to alternative approaches. One potential alternative would be community-based management. For example, what would happen if we were to flip the management process upside down so that the fishing community would be the decision makers? Or what if the harvesters and the Government entered into the management process as equals and co-management partners? The fisheries management and science-based decision making framework in Canada was not designed to incorporate the input of those involved in the fishery. In fact, the Canadian Constitution Act (1867/1982) assigns the responsibility for managing seacoast and inland fisheries solely to the Federal Government. In recent years however, efforts have been made to include the knowledge and experience of fishers in the stock assessment processes and research activities. While options for alternative management regimes are limited within Canada, there are some regions which have negotiated the right to participate in the decision-making processes leading to fisheries management outcomes.



Arctic char drying in Makkovik, Nunatsiavut, July 2012

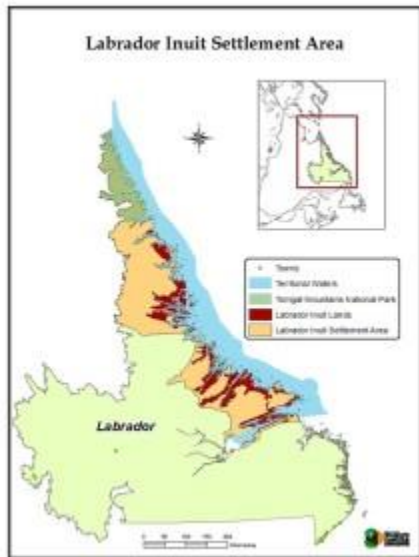
In the spring of 2012 I applied for a contract position with the [Torngat Wildlife, Plants & Fisheries Secretariat](#) (TWPFS) in [Happy Valley-Goose Bay](#), Labrador. The job ad indicated that the TWPFS, a co-management board, was looking to hire a researcher to conduct snow crab surveys in collaboration with Nunatsiavut fishers on the Labrador Sea. I was extremely excited by the potential to work in Labrador and with the Canadian snow crab fishery, but I needed to figure out two very important details. First, I Google searched, “where is [Nunatsiavut](#)?” followed by, “what is a co-management board?” (Note: I [got the job](#), saw icebergs AND ate my weight in smoked wild Arctic char at the [Adlavik Inn](#)!)



Iceberg in the Labrador Sea, July 2012

I learned that [Nunatsiavut](#) is a self-governing region created by entering into [land claim](#) negotiations, initiated by the Labrador Inuit Association, with the Newfoundland and Labrador and Canadian Governments [beginning in 1977](#). The Labrador Inuit Settlement Area, and the Nunatsiavut Government, were officially established in 2005. [The Labrador Inuit Land Claims Agreement](#) (2005) also created two institutions of public government (meaning that they do not have any political affiliations): the [Torngat Joint Fisheries Board](#) and the [Torngat Wildlife and Plants Co-Management Board](#), collectively known as the [Torngat Wildlife, Plant & Fisheries Secretariat](#). The Secretariat provides the information needed for the Boards to make decisions, which may be biological, scientific, Inuit Knowledge, consultations, or social science, in addition to administrative advice and support. I was actually employed by the Joint Fisheries Board which is the primary body advising the

Minister of Fisheries and Oceans on the conservation of species and habitat and the management of commercial fisheries in the Labrador Inuit Settlement Area. They also have advisory powers in adjacent waters.



Map of the Labrador Inuit Land Claim and area of responsibility for the TWPFS co-management board (Map from <http://www.torngatsecretariat.ca/home/tjfb.htm>)

As the Torngat Joint Fisheries Board's role implies, in Canada, while co-management and joint boards are in place, it is not true co-management because, while DFO must take their recommendations into account, the Canadian Government retains ultimate control. My time in Nunatsiavut with the TWPFS was an important introduction to land claim agreements and the public governments and management processes created through them. It laid the groundwork for my work with Fish-WIKS (which is to describe the federal government's decision-making processes regarding the fisheries in regions across Canada), but particularly in the partner region of Nunavut.

The [Nunavut Land Claims Agreement Act](#) brought [Nunavut to life](#) (something that I didn't quite understand in 1993), officially separating from the Northwest Territories in 1999. Decision making in wildlife and fisheries harvests takes place under the guidance of a co-management board named the [Nunavut Wildlife Management Board](#) (NWMB), also an institution of public government, created by the Nunavut Land Claims Agreement. While the NWMB puts forward [decisions made with the co-management partners](#) to the Minister of Fisheries and Oceans, ultimately, the decision lies with the Canadian Government to accept, modify, or deny the request. If you're interested in learning more about how decisions are made and view records of public consultations, all of these documents are made available as part of the public record on the NWMB [website](#).



Nunavut Wildlife Management Board sign, Iqaluit, NU, March 2013

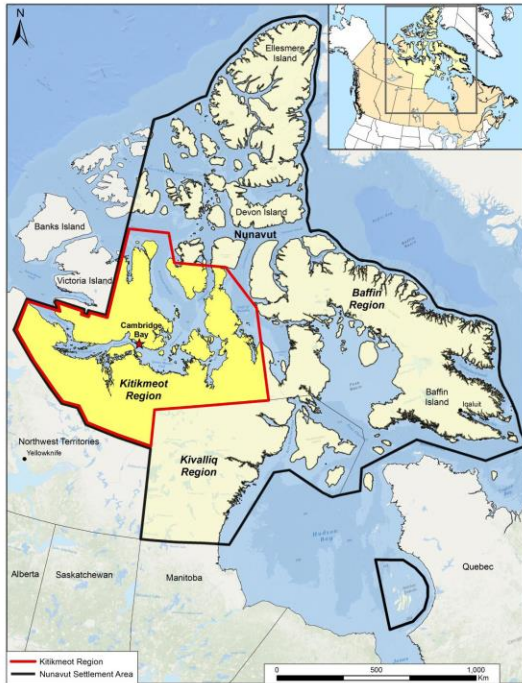
The fisheries of both regions are governed by their respective land claims, specifically [Chapter 13 in Nunatsiavut](#) and [Articles 5 and 15 for Nunavut](#). Decision making takes place through community consultations to incorporate community and traditional knowledge, in addition to the best available science. One key thing I've learned through my research is that the land claims agreements protect Inuit fishing rights, giving food security and access to traditional foods special attention. In Nunavut it is called the "[Basic Needs Level](#)" and in Nunatsiavut, "[The Inuit Domestic Harvest Level](#)". Some of the relevant clauses for each region are posted below:

In **Nunatsiavut**, Part 13.6 details the Inuit Domestic Harvest Level:

- 13.6.1 – The Inuit Domestic Harvest Level is intended for the protection of the Inuit Domestic Fishery and is a basis for management of Harvesting of the species or stock of Fish or Aquatic Plant to which it relates.
- 13.6.2 – The Inuit Domestic Harvest Level constitutes a first demand against a Total Allowable Catch or Total Allowable Harvest, ...
- 13.6.6 – The Inuit Domestic Harvest level is an estimate of the quantity of a species or stock of Fish or Aquatic Plant in the Labrador Inuit Settlement Area needed annually by Inuit for their food, social and ceremonial purposes that is based on all relevant available information, ...

In **Nunavut**, Article 5.6 addresses Harvesting:

- 5.6.1 – Where a total allowable harvest for a stock or population of wildlife has not been established by the NWMB ..., an Inuk shall have the right to harvest that stock or population in the Nunavut Settlement Area up to the full level of his or her economic, social, and cultural needs, ...
- 5.6.20 – The basic needs level shall constitute the first demand on the total allowable harvest. Where the total allowable harvest is equal to or less than the basic needs level, Inuit shall have the right to the entire total allowable harvest.
- 5.6.53 – ..., a person may kill and consume wildlife where it is necessary to prevent starvation.



Map of the Nunavut Settlement Area detailing the Kitikmeot Region and the community of Cambridge Bay. (from the DFO document, PDF: <http://bit.ly/1jQkaok>)

Separate from Basic Needs and Inuit Domestic Harvest fisheries, the Boards have commercial fisheries policies to guide commercial quota allocation and ensure that benefits return to their regions. The NWMB's [Allocation Policy for Commercial Marine Species](#) was developed in 2007, whereas [TJFB has consulted](#) more recently throughout Nunatsiavut as the Nutatsiavut Government has developed its [commercial fisheries policy](#).

Given all of the work put into the land claims and management boards, I wonder, how often does the Minister accept the recommendations from the management boards? How is Inuit Knowledge being incorporated by the Boards and [DFO](#) and what influence has it had on decisions affecting the management of fisheries? And an observation that while the land claims protect Inuit rights to harvest, the approach and language used to negotiate with the Government was (necessarily) very "western". That said, both governments and management boards are doing innovative work for decision making to be more in line with the culture and custom of the people they represent. These [modern day treaties](#) have definitely laid the groundwork for different approaches to fisheries management and good food for thought.



Bowhead whale bones in Fish-WIKS partner community of Repulse Bay, Nunavut. March 2013. The community has harvested 4 bowheads since 1996: <http://bit.ly/QfkLaM>