

# Indigenous harvest rights in Yukon

Long before Yukon became a territory, Indigenous peoples were on the land hunting, fishing and trapping. Indigenous peoples have rights to harvest wildlife for food and traditional purposes in their traditional territories. These rights are protected under the Canadian Constitution.

## First Nations Final Agreements

First Nations [Final Agreements](#) are constitutionally-protected modern-day treaties. They define First Nations rights within their Traditional Territory and on Settlement Land. Among other provisions, Chapter 16 addresses fish and wildlife management issues and defines subsistence harvest rights.

The Final Agreements give priority to First Nations subsistence hunters where harvest opportunities are limited because of conservation, public health or public safety, while also providing for the reasonable needs of others.

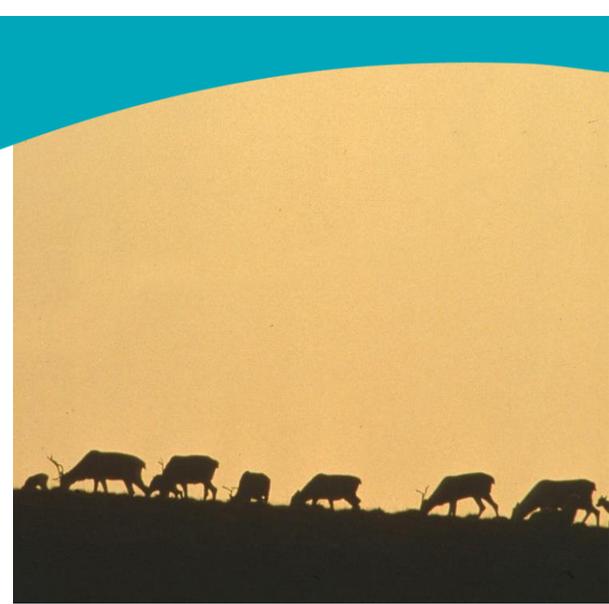
Specific sharing formulas are identified in each Final Agreement for key species. In many Moose Management Units, the total harvest already accounts for the entire sustainable harvest. In these situations, immediate action is needed to ensure species are managed within the limits of conservation.

The Final Agreements also describe the roles, responsibilities, and authorities of the Minister of Environment, the Yukon Fish and Wildlife Management Board, and Renewable Resources Councils in the management of Fish and Wildlife. This includes the requirement for the Minister to consult with the Yukon Fish and Wildlife Management Board on legislative amendments, and for the Yukon Fish and Wildlife Management Board to make provisions for public involvement while developing recommendations or making decisions.

## Transboundary treaties and First Nations without a land claim agreement

The Inuvialuit Final Agreement (the Western Arctic Claim) signed in 1984 defines subsistence harvest rights for Inuvialuit on Yukon's North Slope, Ivvavik National Park, Herschel Island-Qikiqtaruk and adjacent islands.

The Gwich'in Comprehensive Land Claim Agreement between Canada and the Gwich'in as represented by the Gwich'in Tribal Council was signed on April 22, 1992. Appendix C of the agreement defines subsistence harvest rights for the Gwich'in in part of northeast Yukon.



## Conservation

Conservation is the management of fish, wildlife and their habitats that includes the regulation of users to ensure the quality, diversity and long-term optimum productivity of fish and wildlife populations. A primary goal of management is to ensure use of fish and wildlife and sustainable harvest.



Yukon First Nations and transboundary First Nations without settled land claim agreements have subsistence harvest rights to harvest most species at any time of year without bag or catch limits within their asserted Yukon traditional territory.

## Harvest data

The Government of Yukon is engaging with First Nations governments about improved subsistence harvest data reporting through leadership at the Yukon Forum. We are addressing concerns about the state of moose inventory work and managing harvest opportunities for both subsistence and licensed hunters. Stewardship of the land requires a full suite of information for decision-making, including harvest data.

## How do First Nations manage fish and wildlife?

Under Self-Government Agreements, Yukon First Nations have treaty rights to manage, administer, and regulate the subsistence harvest of their citizens in their traditional territories. In some cases, First Nations governments have established a *Wildlife Act* or *Lands and Resources Act* to regulate citizen harvest rights, similar to how Government of Yukon manages fish and wildlife through the *Wildlife Act*.

In other cases, First Nations use resolutions supported by citizens and passed by Chief and Council to provide conservation direction. Likewise, First Nations without settled self-governing agreements use traditional laws and non-legislative means, such as resolutions to direct conservation.

Examples of First Nations conservation initiatives include the Southern Lakes Caribou Recovery Program, where five Yukon First Nations have refrained from hunting the herds for almost thirty years. Another is the recovery of the Fortymile caribou herd, where subsistence harvesters sacrificed their right to hunt the herd for more than twenty years, before starting to reconnect with the herd in recent years. Other voluntary measures implemented by First Nations include asking citizens to avoid hunting in certain areas, or to harvest lightly in sensitive areas and focus their harvesting activities elsewhere in their Traditional Territory. These are just some of the examples of conservation measures that have been initiated by First Nations.

The Government of Yukon continues to work closely in harvest management with First Nations to make sure we are both managing for sustainability and upholding rights.

## Learn more about Indigenous harvest rights

[Agreements with First Nations](#) >>

(See Chapter 16 for authorities)

