



Guidelines for the Sale, Trade and Barter of Porcupine Caribou Meat

September 2011

Why develop guidelines?

The *Porcupine Caribou Management Agreement (PCMA)* directs the Porcupine Caribou Management Board to establish guidelines with respect to the sale of caribou meat among aboriginal groups who are signatory to the PCMA.

The PCMA directs that there shall be no commercial harvest of Porcupine Caribou in Canada; however, barter or trade of caribou meat with other Native users is permitted. Sale of caribou meat by Native Users to other Native Users is allowed under certain circumstances, subject to guidelines developed by the PCMB in consultation with the RRCs and wildlife management committees of the User Communities. These guidelines outline those circumstances and situations in which sale of caribou meat would be permitted, specifically:

1. the circumstances that qualify a Native User as disadvantaged;
2. the circumstances that create an emergency situation;
3. the categories of costs that may be considered reasonable expenses; and
4. the procedures for expeditious consideration for individual situations.

The PCMB has regularly heard concerns about inappropriate situations related to the sale of caribou meat for profit. One example where comments were systematically documented includes the feedback received on this issue during the 2008 community tour for the draft PCH Harvest Management Plan: 34 of 39 people (87%) who answered the specific question said they had heard of caribou meat being sold. Eighteen thought sales happened “lots”. Most people also heard about dry meat being sold as well as meat.

The purpose of this document is to provide guidance on aspects of sale, trade and barter of caribou meat and what is considered “commercial”.

Excerpt from the *Porcupine Caribou Management Agreement (1985)*:

L. Commercial Harvest

1. There shall be no commercial harvest of Porcupine Caribou in Canada.
2. Notwithstanding paragraph 1 above, Native Users may:
 - (a) barter or trade with other Native Users for caribou meat; and
 - (b) subject to paragraphs 2(c) and 2(d) of this Part, sell caribou meat to other Native Users who are unable to hunt by virtue of age, illness or other disadvantages or where there is an emergency situation when access for the hunting of caribou is not feasible for a Native User community, provided that the money received for the sale does not exceed the reasonable expenses incurred.
 - (c) The Board shall establish guidelines from time to time on:
 - (i) the circumstances that qualify a Native User as being disadvantaged, for example when a family does not have a provider;
 - (ii) categories of costs which may be considered reasonable expenses;
 - (iii) the circumstances that would create an emergency situation when access for the hunting of caribou is not feasible for a Native User community.
 - (d) The Board shall establish procedures for the expeditious consideration of individual situations contemplated by paragraph 2(b) of this Part which do not fall within the guidelines established pursuant to paragraph 2(c) above.
3. Native users shall be permitted to sell the non-edible parts of legally harvested Porcupine Caribou.
4. This part does not apply to commercial guiding or outfitting activities.

What's the difference between sale, trade and barter?

The PCMB considers “barter” and “trade” to mean the same thing: a simple exchange of some goods or service for caribou meat. For example a hunter may be given some fish in trade or exchange for caribou meat that he harvested. Or perhaps someone will trade caribou for some time fixing a skidoo.

“Sale”, on the other hand, involves exchange of money for caribou meat or non-edible parts.

What are the recommended guidelines?

1. Circumstances that qualify a Native User as being “disadvantaged”

“Disadvantaged” users are defined as those who are single parents, elders, widows, low-income families and those who are unable to go hunting due to disability or prolonged illness. Other circumstances may be considered on a case-by-case basis by the respective RRCs, HTC's or First Nations.

2. Circumstances that create an Emergency

For the purpose of these guidelines, an emergency situation is where the caribou do not migrate near enough to a community to meet Native Users' needs in Canada. The User Communities will work together to meet needs of Native Users in accordance with these guidelines.

3. Categories of cost that may be considered reasonable expenses

The money received for Porcupine Caribou meat must not exceed reasonable expenses incurred. This means no one should profit from the sale of Porcupine Caribou.

- a) Hunters who plan to sell caribou to other Native Users for reasonable expenses must be pre-authorized by the local First Nation government, RRC or HTC.
- b) Hunters who are paid to hunt as individuals should be paid “reasonable expenses” for the trip and not according to the number of caribou taken.
- c) These reasonable expenses should include gas/oil, ammunition, and some costs for wear and tear on the vehicle/equipment with a limit of \$200 or as determined by the local First Nation, RRC or HTC. This amount should be consistent with the actual expenses incurred for the caribou hunting trip, not on a per-caribou basis.
- d) Other expenses that may be considered (if necessary) are basic food provisions and safety equipment.

For greater certainty, the above expenses are not to be considered the value of the caribou.

4. Procedures for expeditious consideration of Individual situations

All aboriginal groups within the Canadian range of the herd have land claim agreements, all of which have implications for the implementation of these guidelines. Therefore, the expeditious consideration of individual situations will be dealt with in a timely fashion by the appropriate claimant organization under their existing processes.

What is the review process?

These guidelines will be reviewed for the first time three years after finalizing and then every five years or at the request of a PCMA signatory.

Who do these guidelines apply to?

The PCMA says that Native Users may trade and barter caribou meat with other Native Users. Native Users may also sell caribou meat to other Native Users, as outlined in the guidelines above. According to the PCMA, Native User means:

- “... a person whose entitlement to the subsistence harvest of Porcupine Caribou has been recognized by a Native User community and who is:
- an aboriginal person who is a traditional user of the Porcupine Caribou or the descendant of such a person; or
 - an aboriginal person who is a current user of the Porcupine Caribou at the time of signing this Agreement [in 1985] and meets a reasonable residency requirement satisfactory to his Native User community; or
 - A Canadian aboriginal person who has not traditionally or currently harvested the Porcupine Caribou but meets a reasonable residency requirement satisfactory to the Board.”

The PCMB is also directed in the PCMA to “maintain a list of eligible Native Users for each Native User community”. Land claim agreements are now in place for all User Communities as identified in the PCMA (Tuktoyaktuk, Inuvik, Aklavik, Tsiigehtchic, Fort McPherson, Old Crow, Dawson and Mayo). The PCMB will consider individuals included on PCMA-recognized First Nation and Inuvialuit beneficiary lists, maintained by the respective claimant groups, to be Native Users for the purposes of these guidelines.

It is recognized that each Native User Community has its own process that grants permission to hunt within relevant traditional territories. However, other Aboriginal people who are granted permission to hunt Porcupine Caribou are not permitted to sell, trade and barter the caribou meat.

These guidelines do not apply to non-Native Users.

These guidelines do not apply to commercial guiding or outfitting activities.

How were these guidelines developed?

The following information sources were consulted:

- the PCMA;
- relevant land claim agreements;
- written feedback from First Nations/Inuvialuit and community organizations solicited by the PCMB in 2005; and
- a report generated from the community tour presenting the consultation draft of the *Harvest Management Plan for the Porcupine Caribou Herd in Canada* (2008).

What is considered “commercial”?

There shall be no commercial harvest of Porcupine Caribou in Canada. Trade and Barter of edible portions with other Native Users is allowed. Sale is allowed to other Native users under certain circumstances [PCMA L(b)]. Native Users shall be permitted to sell, give, trade or barter non-edible portions of legally harvested caribou. For further clarity:

- Non-edible portions include hide and antlers
- Products made from non-edible portions of caribou such as carvings, hide slippers, jewelry, traditional productions and implements are not considered commercial
- Other products such as dry meat, caribou soup **sold** to individuals or at gatherings or celebrations are considered commercial
- Caribou served for free at schools, community gatherings or celebrations is not considered commercial

Native Users may sell caribou meat only when another Native User is disadvantaged or in an emergency situation, provided the sale does not exceed reasonable expenses.

Community hunts organized by First Nations and Inuvialuit for the purpose of providing meat to disadvantaged users reduces the necessity for such users to rely on individuals who sell meat.