



COMPENDIUM OF CANADA'S ENGAGEMENT IN INTERNATIONAL ENVIRONMENTAL AGREEMENTS AND INSTRUMENTS

Agreement between the Government of Canada and the Government of the United States on the Conservation of the Porcupine Caribou Herd

SUBJECT CATEGORY:

Biodiversity / Ecosystems

TYPE OF AGREEMENT / INSTRUMENT:

Canada – United States

FORM:

Legally-binding treaty

STATUS:

- Signed by Canada: July 17, 1987
- Ratified by Canada: July 17, 1987
- In force in Canada: July 17, 1987
- In force internationally: July 17, 1987
- Ongoing

LEAD & PARTNER DEPARTMENTS:

Lead: Environment and Climate Change Canada

FOR FURTHER INFORMATION:

Web Links:

- [Text of the Agreement](#)

Contacts:

[ECCC Inquiry Centre](#)

COMPENDIUM EDITION:

August 2022

PLAIN LANGUAGE SUMMARY

The Porcupine caribou herd migrates annually between Canada and the United States. The International Porcupine Caribou Agreement is important to Canada because First Nations in the Yukon and Northwest Territories rely on this caribou herd for sustenance. The agreement coordinates conservation efforts by the two countries and ensures opportunities for customary and traditional uses of the herd by rural residents of the Yukon and Northwest Territories, and of Alaska.

The agreement established an international board with equal representation by Canada and the U.S. The board recommends actions to conserve sensitive habitats; and its management activities include harvest plans and data collection activities designed to maintain the health of the herd. Monitoring shows that the herd population is in good shape.

OBJECTIVE

The objectives of this agreement are:

- To conserve the Porcupine Caribou Herd and its habitat through international cooperation and coordination so that the risk of irreversible damage or long-term adverse effects as a result of use of caribou or their habitat is minimized;
- To ensure opportunities for customary and traditional uses of the herd by rural Alaska residents, Yukon and Northwest Territories, Native users as defined by sections A8 and A9 of the Porcupine Caribou Management Agreement (1985);
- To enable users of Porcupine Caribou to participate in the international coordination of the conservation of the Porcupine Caribou Herd and its habitat;
- To encourage cooperation and communication among governments, users of the Porcupine Caribou and others to achieve these objectives.

The International Porcupine Caribou Agreement provides for the coordinated conservation of the Porcupine Caribou Herd (PCH), which migrates annually between Canada and the United States.

KEY ELEMENTS

The Agreement requires that an international board be established with 4 members appointed by Canada and 4 appointed by the U.S.

The Board advises on and recommends:

- programs for monitoring herd status;
- actions for the collecting and sharing of harvest data;
- overall harvest allocation and harvest limits for each country;
- actions for monitoring and conserving the habitat of the herd;
- ways of ensuring opportunities for customary and traditional uses of the herd;
- ways to enable user groups (recreational hunters, First Nations and Alaska Indian Tribes) participation in the international coordination of Porcupine caribou conservation;
- ways to encourage, and to facilitate, communication among governments, users and others.

Identify, advise on and recommend actions to conserve sensitive habitats for the Porcupine caribou herd.

EXPECTED RESULTS

This Agreement is expected to achieve coordination in the conservation of the PCH and its habitat. The Board has established a technical committee comprised of Canadian and U.S. experts from the participating jurisdictions that actively monitor and track the health of the Herd and its habitat. Monitoring information is used to set harvest management strategies and make management decisions related to habitat and harvest by jurisdictions with land management authority within both Canada and the United States.

CANADA'S INVOLVEMENT

This Agreement is important to Canada because the Porcupine Caribou Herd is a transboundary species that First Nations in the Yukon and Northwest Territories rely on for sustenance. Recognition of First Nations' harvest rights associated with this Herd is well established in Land Claims dating back to the Inuvialuit Final Agreement. In Canada, the Vuntut and Ivvavik National Parks protect habitat for the Porcupine Caribou Herd and are managed by Parks Canada Agency.

The Canadian Porcupine Caribou Management Agreement was signed in 1985, established initially in the Inuvialuit Land Claim Agreement, and has since been incorporated into subsequent land claim agreements in the Yukon and Northwest Territories. A [Porcupine Caribou Management Board \(PCMB\)](#) was set up as an advisory board to this domestic Agreement,

made up of Canadian representatives from the governments of Northwest Territories, Yukon and Canada as well as all the First Nations that have traditionally used the herd.

Following signature of the Porcupine Caribou Management Agreement, the International Porcupine Caribou Agreement was established to allow for international cooperation for the conservation of this transboundary herd.

Canada is the co-chair of the International Porcupine Caribou Board (IPCB). Duties include the following:

- organize and attend meetings;
- facilitate the appointment of Canadian members to the board;
- carry out the activities set out in the Agreement (see actions required).

The three other Canadian members represent the Yukon Territory, the Northwest Territories and First Nations.

RESULTS / PROGRESS

Activities

Canada provides ongoing leadership as the Co-chair of the IPCB. Face-to-face meetings alternate annually between Alaska and Canada. In February 2020, the Board met in Whitehorse, Yukon, and held a virtual meeting with the community of Old Crow, YT. Vuntut Gwitchin First Nation's Chief Dana Tizya-Tramm expressed interest in having the Board advocate for community involvement in future research activities and voiced his appreciation for the forethought of the 1987 Treaty and the importance of being able to access healthy caribou. During the official Board meeting, the IPCB engaged in a debate on how to operationalise giving advice relative to the Treaty regarding future regulatory processes, discussed the roles of the Board members relative to their home organizations and membership of the Technical Committee. The IPCB commended the Committee and other herd management agencies on their successes on herd management activities. Significantly, a majority of U.S. Board members indicated that providing formal advice to the governments regarding the oil and gas leasing program in the Arctic National Wildlife Refuge was not in scope of the Board's mandate. Canadian members unanimously disagreed. As a result, the Board made no public or internal advice regarding the oil and gas leasing program.

In 1989, the IPCB formally recognized a Porcupine Caribou Technical Committee (PCTC). The PCTC is co-chaired by Canada and is made up of individuals who

are knowledgeable of Porcupine Caribou biology and herd management. The PCTC is responsible for monitoring the health of the herd and its habitat. The committee's work plan outlines key activities and priorities for research and monitoring and their work includes updating a 1993 report on sensitive habitats.

The Yukon government led the development of an international conservation plan, and in 1995 it was approved by the IPCB. Early on, the IPCB co-sponsored a harvest reporting workshop for the PCH. The workshop led to the formation of a sub-committee, which recommended a protocol for monitoring the harvest between the two countries. The IPCB does not formally coordinate research, but does provide a forum to discuss and report on current research and monitoring activities within the range of the herd.

The IPCB produced five "annual" reports since its inception. The last report was produced in 1998.

The Board's rules and procedures were updated in 2015.

The PCMB meets in February of each year with signatories to the Harvest Management Plan for the Porcupine Caribou Herd in Canada to determine appropriate harvest levels based on scientific and traditional knowledge. The PCMB also organizes a public meeting to share information on the current status of the herd.

Reports

The Board intends to create a communication plan, establish a web presence, update a PCH Sensitive Habitat report and publish a Board report. All historical documents and reports collected by Canada and the U.S. are available from the Canadian Wildlife Service, Whitehorse office. All documents should be available online following the establishment of a web presence.

Results

Canada uses the Board to influence its U.S. counterparts to continually improve the collection of harvest data from Alaskan Native communities to improve management of the herd.

Canada uses the Board to highlight the importance of the Arctic National Wildlife Refuge, including the so-called "1002 area", as a caribou birthing and rearing area for the well-being of the herd and its Canadian user groups.

Management activities supported by the Board include harvest plans and data collection activities designed to maintain the health of the herd. Surveys done and analysed cooperatively between the U.S. and Canada have shown that the population of the herd is in good shape. According to a July 2017 population survey, the population has grown from an estimated 198,000 in 2013 to 218,000 caribou. The herd has grown annually at a rate of 3.7% since the 2010 estimate of 169,000. While recent population surveys have not been possible, as of 2021 other biological metrics indicate the herd continues to be healthy.