

BACKGROUNDER

PROPOSED *NATIONAL PARKS OF CANADA WILD ANIMALS REGULATIONS*

USE OF FIREARMS FOR PROTECTION

Background

The Parks Canada Agency is proposing the *National Parks of Canada Wild Animals Regulations* (the Regulations) to replace the *National Parks Wildlife Regulations*.

The proposed Regulations would allow certain categories of park users to carry and use firearms for self-protection and the protection of others from bears in northern national parks and national park reserves (national parks)¹.

The proposed Regulations do not apply to Aboriginal peoples while exercising their rights to carry out harvesting and/or harvesting-related activities in the national parks; or to local users in Wapusk National Park who carry out traditional renewable resource harvesting, under the park establishment agreement (*Federal-Provincial Memorandum of Agreement for Wapusk National Park*).

The current *National Parks Wildlife Regulations* do not explicitly permit park users to carry and use firearms for protection. These regulations were developed before the establishment of most national parks in northern Canada, and do not take into account the unique context surrounding their establishment and management, which includes:

Economic Commitments

Land claim agreements, impact and benefit agreements and park establishment agreements for northern national parks include provisions relating to economic benefits for local communities. Some of these agreements specifically provide that beneficiary guides may carry and use firearms for self-protection and the protection of their clients.

Visitor Safety Risks

Increased interest in Canada's North has resulted in an increased potential for visitation in northern national parks. Polar bears are present in ten of Parks Canada's northern national parks and there is a documented history of human-bear interactions in many parks. The impacts of climate change on sea ice may result in changes in the density and behavior of polar bears on land in these parks.

These factors bring an increased risk of dangerous human-bear encounters, not only for visitors but also for other park users such as researchers and members of sovereignty operations.

¹ For more information on the Regulations, please see the "Backgrounder on the Proposed *National Parks of Canada Wild Animals Regulations* – Summary of Significant Provisions".

Sovereignty Operations

The Government is asserting its presence in the North to protect Canada's Arctic sovereignty. In recent years there has been an increase in the Department of National Defence (DND) patrols in northern national parks along the coast and this is expected to continue. DND members and Canadian Rangers, when they are conducting sovereignty operations in northern national parks, may require the use of firearms for protection from bears.

Application of the Firearms Provisions in the proposed *National Parks of Canada Wild Animals Regulations*

Parks Canada proposes to allow certain categories of park users to carry and use firearms for self-protection and the protection of others from bears. These users would be required to obtain a Parks Canada Firearm Permit (firearm permit).

Firearm permits would only be issued in northern national parks where polar bears are known to be present for all or part of the year (see Appendix – Polar Bear Parks) or in national parks for which the agreements with respect to their establishment provide for the use of firearms for protection.

Who may be authorized to carry and use a firearm for protection²?

The following categories of park users may be authorized to carry and use firearms for self-protection and the protection of others from bears:

1. **Bear monitors** - in all national parks to which the provisions apply. Must be beneficiaries (this requirement does not apply in Wapusk National Park).
2. **Beneficiary guides** - in all national parks to which the provisions apply.
3. **Non-beneficiary guides** - only in Polar Bear Parks provided beneficiary guides are not available. This requirement does not apply in Wapusk National Park. Non-beneficiary guides can hire bear monitors to provide protection for their clients.
4. **Researchers** – in Wapusk National Park, and in the other Polar Bear Parks when bear monitors are not available or if it is logistically unfeasible to hire a bear monitor.
5. **Local users** – in Wapusk National Park. Local users are defined in the *Wapusk National Park of Canada Park Use Regulations*.
6. **Commercial sport hunting guides** – only Inuvialuit guides who must traverse through Aulavik National Park and Tuktot Nogait National Park or Inuit guides who must traverse through Sirmilik National Park, Auyuittuq National Park or Quttinirpaaq National Park.
7. **Members of sovereignty operations** – in national parks where an agreement exists between Parks Canada and the Department of National Defence.

² See table “Who may be authorized to carry and use a firearm for protection” for more information.



Firearm Permit Criteria

The superintendent may issue a firearm permit to the categories of users listed above, taking into account the following criteria³:

- 1) the person has a valid registration certificate issued under the *Firearms Act* for the firearm to which the application applies;
- 2) the person is authorized under the *Firearms Act* to possess the type of firearm and to carry and transport the firearm; and
- 3) the person has submitted with their application a detailed summary of the knowledge, skills and experience that qualify the applicant to safely carry, transport and use a firearm for self-protection and the protection of others from bears in the type of environment to which their application pertains.

Bear Deterrents

Firearms should only be used as a last resort for emergency protection in case of a bear attack. Parks Canada will continue to strongly encourage park users to apply precautionary methods, avoidance and other forms of deterrent for protection from bears.

Consultation Timeline

Parks Canada officials responsible for northern national parks are consulting on the proposed Regulations with Aboriginal peoples, partners, stakeholders and interested Canadians starting July 2011. This is part of a national consultation process that will continue until December 31, 2011. Following these consultations, the proposed Regulations will be revised as appropriate. Information on how the proposed Regulations were amended following the consultations will be available at www.parksCanada.gc.ca/consultations-animals.

The revised Regulations will then be published in the *Canada Gazette*, Part I for 90 days to provide an additional opportunity for comments.

More information on the proposed Regulations or on how to participate in the consultations can be found on the Parks Canada Website at www.parksCanada.gc.ca/consultations-animals.

³ See table "Parks Canada Firearm Permit Criteria" for more information.

Appendix – Polar Bear Parks

Parks where polar bears are known to be present all or part of the year:

- Aulavik National Park
- Auyuittuq National Park
- Ivvavik National Park
- Quttinirpaaq National Park
- Sirmilik National Park
- Torngat Mountains National Park
- Tukturnogait National Park
- Ukkusiksalik National Park *
- Vuntut National Park
- Wapusk National Park

*Once Ukkusiksalik National Park is listed under Schedule 1 of the *Canada National Parks Act*, the Act and all relevant regulations will apply to this park.