

in last year's harvest, 33.3 percent were females.

This population is shared with Quebec (see discussion under Foxe Basin), the NWT, and Ontario. In Ontario, polar bears are protected under the Game and Fish Act, 1980. Treaty Indians are allowed to hunt polar bears with an annual permissible kill of 30 animals (GNWT). Ontario has supported the adoption of guidelines for dividing the quota for polar bear populations shared with the NWT and Quebec, but there is no joint management agreement. There are no officers located in the villages where polar bears are hunted. At the 1994 PBTC meeting, it was reported that fewer kills are being reported by hunters, resulting in incomplete data. If the quota is exceeded, which is uncommon, hunters are encouraged to count the excess polar bears against the next year quota. Bears in dens and females with cubs are not specifically protected, but the take of such animals is believed to be rare.

7. Scientific Review

The language of the MMPA Amendments requires that a scientific review of the impact of permits issued on the polar bear population stocks be undertaken periodically. The Service published a proposed rule in the **Federal Register** (60 FR 70) on January 3, 1995, that discussed the scientific review process and proposed permit procedures. The first scientific review of the impact of permits issued on the polar bear population stocks is to be undertaken within 2 years after enactment, that is by April 30, 1996. This review is to provide an opportunity for public comment and the final report will include a response to such public comment. The Director will not issue permits to allow for the import of polar bears taken in Canada after September 30, 1996, if the Service determines that the issuance of permits is having a significant adverse impact on the polar bear population stocks in Canada. The Director may conduct an annual review of this determination. The review provides for the monitoring of the effects of permit issuance on Canada's polar bear population stocks and a means to guarantee the cessation of imports should there be an indication of an adverse impact on the sustainability of the Canadian population stocks. These reviews are to be based on the best scientific information available. If the Director does undertake a review, the Act requires that the review be completed by January 31 of the year in which the review was undertaken. The Director may not, however, refuse to issue permits solely on the basis that the

review has not been completed by January 31.

D. CITES and Other International Agreements and Conventions

1. Proposed Finding

The MMPA requires that the Service find that the export from Canada and subsequent import into the United States are consistent with CITES and other international agreements and conventions. Based on the discussion below, the Service proposes to find that the provision of CITES will be met for the export and import of polar bear trophies taken in Canada. The International Agreement was discussed previously. At this time, the Service is not aware of any other agreements or conventions that need to be considered.

2. CITES

CITES is a treaty established to protect species impacted by international trade. Canada and the United States, along with 126 other countries, are Parties to CITES. The polar bear has been protected under Appendix II of CITES since 1975. Appendix II includes "species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival" (Article II of CITES). A CITES export permit must accompany each shipment from the country of origin. The export permit for dead specimens can be issued for any purpose as long as the scientific authority of the country of export determines that the shipment will not be detrimental to the survival of the species and the management authority of that country determines that the specimen was obtained legally.

For the export of polar bear from Canada, control of the polar bear harvest is demonstrated by quotas enforced by legislation and co-management agreements, and by development of a management plan. In the NWT, only the DRR Headquarters in Yellowknife and its Regional Offices can issue CITES permits for polar bears and polar bear products. A CITES permit for a polar bear product originating in the NWT may be issued from another Canadian province or territory only if the product was exported from the NWT with a Northwest Territories Wildlife Export Permit. This permit must be validated by Customs Canada upon export.

For import into the United States, all wildlife and wildlife products requiring a permit under CITES and the MMPA must meet inspection and clearance

requirements as outlined in regulation (50 CFR Part 14), including entry through one of the ports designated for wildlife import and completion of a Wildlife Declaration Form (3-177).

E. Illegal Trade in Bear Parts

1. Proposed Finding

The Service proposes to find that the export and subsequent import of sport-hunted polar bear trophies to the United States would not be likely to contribute to the illegal trade in bear parts if the conditions proposed are adopted. The Service notes that this finding covers the illegal trade in parts of all species of bears. To ensure that the gall bladders of polar bears taken by U.S. hunters do not enter into trade, the Service proposes to condition any import permit that the permittee certify that the gall bladder was destroyed. To ensure that all polar bears that enter the United States can be identified as legally taken sport-hunted trophies and do not contribute to the illegal trade in polar bear parts, the Service proposes that the permittee make an appointment at least 72 hours prior to import with Service personnel at a designated port for wildlife to have a permanent tag affixed to the trophy upon import.

2. Trade in Gall Bladders

There is a diversity of opinion on trade in polar bear gall bladders. Resolution 5 of the 1993 PBSC meeting recommended that each party consider restricting the traffic in polar bear gall bladders. This was done in recognition that worldwide trade in bear parts, particularly gall bladders, threatens the survival of several species of bear, and that the legal availability of gall bladders of any species of bear makes it impossible to control the illegal trade, encouraging further illegal take of all species of bears, including polar bear (PBSC 1995). Canada's PBTC endorsed the resolution which allows each party to make its own decision. The PBTC recommended the PBAC discuss the issue and consider recommending a ban on trade of gall bladders from all bear species. Although legally harvested bear gall bladders can be sold in the NWT, the GNWT is currently reviewing the practice. Between 1992 and 1994, NWT Export Permits were issued for 61 polar bear gall bladders.

The Service is unaware of any published source that documents a demand for polar bear gall bladders, but there are several anecdotal episodes that suggest they are not in commercial demand. Dr. Derek Melton, Director, Wildlife Management, DRR, NWT, wrote the Service that Judy Mills, co-