

# Whalers take case to state Legislature

*Editor's Note: Although the heat and emotion and frustration of the December meeting of the International Whaling Commission has passed, the Alaska Eskimo Whaling Commission is continuing its efforts to legalize an adequate quota of Bowhead whales for Inupiat whaling communities. After an intense meeting in Barrow last month, Whaling captains decided that the best way to protect their whaling and their autonomy was to abide by the quota for this season, if several conditions were met:*

1. The status and regulations of the AEWC must be recognized by the Federal government.
2. Immediate Federal funding of research on subsistence whaling weapons improvement must be made available.
3. Federal commitment to provide for nutritional needs with other subsistence resources must be made.
4. Assurance of full AEWC participation in future IWC negotiations, and Federal commitment to negotiate for a restoration of exemption of Native subsistence whaling from IWC regulation, must be given.

Senator Frank Ferguson of Kotzebue has introduced several pieces of legislation in support of the whalers' efforts to participate in bowhead research and expand recognition of their right to hunt the bowheads. Jacob Adams, chairman of the Alaska Whaling Commission, offered the following testimony in favor of the legislation:

Mr. Chairman, my name is Jacob Adams, and I am chairman of the Alaska Eskimo Whaling Commission. I am here with Mr. Arnold Brower, president of the Barrow Whaling Captains Association. Our Barrow whaling community is the largest of eight whaling villages in Alaska. The others are Kaktovik (Barter Island), Wainwright, Pt. Hope, Kivalina, Savoonga and Gambell. The Alaska Eskimo Whaling Commission was organized when the Barrow Whaling Captains Association joined with the North Slope Borough to hold the first statewide Whaling Captains Conference in Barrow last August. This was an historic gathering of our whaling captains, important to the history of the entire Arctic, and important to the development of effective management of Alaska's subsistence resources, particularly our migratory species. The meeting was called to deal with the International Whaling Commission's decision to regulate Native subsistence whaling, and to place a "zero" subsistence quota on the bowhead.

Had we been asked early on to organize to help the U.S. respond to IWC concerns, there would have been no bowhead whale controversy today and much of the political reaction that resulted in the 1978 quota of just 12 bowhead whales for Alaska could have been avoided.

Since its organization, the Alaska Eskimo Whaling Commission, constituted of whaling captains from each of Alaska's nine whaling communities, has met in Barrow to adopt its own bowhead whaling regulations, copies of which have been provided you. The basic provisions of the AEWC management plan is to provide for the manner in which the bowhead whale harvest will take place, reporting requirements by whaling captains, method of determining the level of harvest, attempts to harvest by each village and providing for penalties.

Mr. Chairman, the National Marine Fisheries Service will spend about \$700,000 on bowhead research this year. This will enable the employment of scientists and whalers to cooperate in air and surface surveillance of the spring bowhead migration. Most of us whalers believe that there are many more whales than the 1,300 estimated by the government. We feel that a more accurate count will justify the restoration of our subsistence exemption from regulation by the IWC, and thus the removal of our subsistence whaling from the international politics of commercial whaling.

We were pleased to hear that the legislation before you had been introduced. This legislation will provide the State Department of Fish and Game with the authority to actively participate as we establish the first cooperative management system for an important migratory subsistence species. This week, we learned that the House version of the d-2 bill will probably provide for state jurisdiction over Native subsistence hunting in Alaska. This concession will not be popular in rural Alaska. I would like to suggest that this legislation will enable the state to join with subsistence hunters and the Federal Government to design a prototype cooperative management system able to deal with a single migratory species throughout its range. The work and experience of the Alaska Eskimo Whaling Commission will have significant impact upon the early development of cooperative subsistence resource management regimes capable of honoring and upholding Native subsistence hunting rights. Once such a regime is in place for the bowhead, its principles can be ap-

plied to other marine mammals, and to the caribou. There has been talk of transferring jurisdiction over the subsistence hunting of other marine mammals from the Federal Government to the State. And there is the problem of the U.S./Canadian Arctic caribou herds. All of these are subsistence species management problems the solutions for which could be based upon the experience of the Alaska Eskimo Whaling Commission. Successful state experience here could help reduce Native opposition to state regulation of subsistence hunting.

The expenses of the Alaska Eskimo Whaling Commission have been paid from a \$100,000 appropriation by the North Slope Borough Assembly that was made shortly after the commission was formed. However, we would like to see the commission become independent of the North Slope Borough, and the money authorized and appropriated by the legislation before you would make this possible. The commission would use the money to employ a small staff to work closely with State and Federal agencies involved in whale research and whaling surveillance; to organize and direct ongoing whaling weapons improvement programs; and in the practical problems of enforcement of the AEWC's own regulations. All of this will require a serious whaling village education program aimed at local understanding of the need for quota compliance and AEWC regulation of our previously unregulated hunt of the bowhead whale. Early state support of the AEWC would strengthen our status and negotiations with the National Marine Fisheries Service.

Mr. Chairman, the legislation before you was not requested by the Alaska Eskimo Whaling Commission, but it reflects the good will that we have enjoyed from all of Alaska as we have battled in Washington, D.C. and Tokyo to defend our subsistence whaling. Thanks to a sensitive legislature, we didn't have to ask for the legislation, but we appreciate its introduction and your expeditious hearings.

Thank you very much.