

Eskimos file suit against bowhead quota

BARROW—A lawsuit seeking an injunction against enforcement of the new whaling quota by the U.S. Department of Commerce was filed Friday by three North Slope plaintiffs. The suit contests the jurisdiction of the International Whaling Commission over subsistence whaling, and seeks a declaration that National Marine Fisheries Service regulations promulgated under the authority of treaties establishing the IWC are without legal authority.

Meeting of Whalers Called

Meanwhile, a meeting of Alaskan Eskimo Whaling Commission members and North Slope village representatives was called by the Inupiat Community of the Arctic for Thursday night, July 20. The purpose of the meeting is to discuss the events at the IWC meeting in London last month, the lawsuit, and other recent events having a bearing on subsistence whaling and other hunting.

Plaintiffs in the suit, filed in U.S. District Court in Anchorage, are Eben Hopson, North Slope Borough mayor; Lloyd Ahvakana, NSB director of Finance and Administration; and Elijah Rock, whaling captain from Point Hope, a village within the North Slope Borough.

"Although we Inupiat contend the IWC was established only to regulate commercial whaling and not aboriginal whaling, we have avoided challenging the authority of the IWC

until now, in the hopes that the IWC would work out a fair and equitable method of treating aboriginal whaling, not intertwined with the politics of commercial whaling," said Hopson in a press release issued Friday.

Hopes Dashed in London

"Our hope was dashed at the recent IWC meeting in London, where the IWC voted to allow us only 18 whales for 1979, far less than the numbers the U.S. Government pleaded was necessary for our subsistence, and far less than would have been justified under the proposed program of scientific research and Inupiat management."

"We tried hard to stay within the framework of the IWC. We struggled this spring to live with a quota which, to our minds, did not satisfy our nutritional or cultural needs and was not necessary to assure continued species recovery. We worked to educate the United States and develop support for a reasonable solution. The unwillingness of the IWC to cooperate led to our withdrawal from the U.S. delegation. We have notified the IWC of our objection to the action taken at the London meeting."

Internal, Not

International Regulation

"Our Bowhead whaling will not be conducted under the management regime of the Alaskan Eskimo Whaling Commis-

sion. The AEWC is a body constituted by our whalers for internal regulation of their hunt. The AEWC has conducted, and will continue to conduct scientific studies of the bowhead whale. The AEWC will set and enforce hunt limits that will ensure continued reproduction of the whale stock. The lawsuit does not mean that the hunt will be unregulated or the whale population endangered. It simply means that internal rather than international regulations will be followed."

U.S. National Oceanic and Atmospheric Administration head Richard Frank, the U.S. commissioner to the IWC, announced last week that the federal government probably would attempt to enforce the new quota despite attempts by the Eskimos to remove themselves from IWC jurisdiction.

Second Lawsuit

On October 25, 1977, the United States refused to order the United States to file an objection on the original deletion of the Eskimo exemption to an international ban on bowhead whaling. The decision was handed down hours before the deadline for filing such an objection in response to a lawsuit filed by the AEWC.

The U.S. District Court for the District of Columbia, John Sirica presiding, issued an order earlier that week which directed the Department of State to object. However, on appeal

to the U.S. Court of Appeals, Sirica's order was overturned, and then the Supreme Court upheld that appellate decision. The present lawsuit challenges (See BOWHEAD, Page 9)

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es the IWC's assumption of jurisdiction over aboriginal hunting. The IWC was established to control the overharvest of whales by commercial operations