

# ICAS, AEWC clash on whaling authority

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The Inupiat tribal government of the North Slope has declared any United States scientists involved in whaling census activities to be trespassing on sovereign Inupiat territory and has ordered all government representatives to "confirm themselves" to that tribal government.

In a telegram sent last week, Billie Neakok, president of the Inupiat Community of the Arctic Slope, directed that any census agreement between the Alaska Eskimo Whaling Commission and the National Oceanic Atmospheric Administration to be null and void.

Neakok's telegram stated that the United States and the Inupiat people never have entered into a treaty for land rights and therefore "the Inupiat people retain intact all attributes of our original rights, titles, ownership, dominion and sovereign jurisdiction which have not been expressly

relinquished or abandoned."

The ICAS is fighting a court battle to have all land north of the "PYK Line," the line formed by the Porcupine Kuskokwim Yukon Rivers line declared as sovereign Inupiat territory.

Eugene Brower, chairman of the Alaska Eskimo Whaling Commission, said last week that the ICAS has no authority in the matter of regulating whaling activities because the ICAS in 1978 passed a resolution forming the AEWC and granting the AEWC the authority to handle the whaling matters.

Brower said the ICAS is "way over their jurisdiction" in the matter and he stressed that the whaling captains in the AEWC support his stand. "The ICAS doesn't have control over the Inupiat whalers. The whalers control themselves," said Brower.

Neakok said that the ICAS decided at its April 2 and 3

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# Whaling disagreement

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annual meeting to outlaw the annual whaling census which is conducted by national scientific organizations.

The census this year will be aided in great part by the North Slope whaling captains themselves, because of recent agreements between the NOAA and the AEWC but the telegram would indicate that no outside census would be acceptable.

He said that formerly agreed-upon take limits also will be cast aside. The telegram stated that the Inupiat position on the "Inupiat level of harvest will be no more than two percent of the best known population."

That harvest could well be more than the bowhead catch limit mandated by the International Whaling Commission which two years ago set as the total three-year maximum catch limit. The IWC estimates a low of 2,500 whales in the bowheads to live throughout the world. A two percent take of that population would be 50 whales.

That population estimate has been disputed repeatedly by the whaling captains, however, who met with scientists this winter in the first conference of captains and scientists. The conference was sponsored by the AEWC and the census methods were the main topic of discussion.

At that meeting, the whaling captains agreed to help in

this year's whale census.

Both men point to the 1978 resolution as the basis for their different positions on the matter.

Neakok maintains that resolution 78-14 only formed the AEWC but didn't state that the AEWC could operate without ICAS permission.

The AEWC, says Neakok, is seeking to "set up a country of its own. Legally, the ICAS in all suits is the only one to represent the people.

"Resolution 78-14 didn't spell out the duties of the AEWC," said Neakok.

Brower disagrees and says that the AEWC is the only group to represent the whalers because it is made up of whaling captains.

Brower also seems to dispute the ICAS sovereignty battle when he points out that the ICAS was established by a federal law. "If they were formed under the federal law, then they don't exist if their claim is true. The North Slope Borough is a duly constituted government and its representatives are duly elected by the people from the North Slope."

"The AEWC has the authority to count the population and we will count," said Brower.

*As the Tundra Times was nearing press time Monday night, we learned that the first whale of the 1982 season was taken in Savoonga. The whale was reportedly a 44-foot female but further information was unavailable.*