



AFN Convention (October 2009)

By Jim Stotts, ICC Chair

Food Security (The Happy Criminal Life)

Honored elders, emerging youth, Co-chairmen Tim Towarak and Albert Kookesh, President Julie Kitka, delegates, honored guests.

Good morning. It's been a while since I've participated in an AFN Convention and I want to apologize to you for that, I want to apologize for slacking.

There are many issues that I could talk to you about, but I only have 15 minutes. So, I will talk to you this morning about something that concerns us all, an issue that we have struggled with since the passage of the Alaska Native Claims Settlement Act. That issue is aboriginal hunting and fishing rights. The Inuit Circumpolar Council chooses to call this issue food security. So, I'm going to talk to you about food security.

I am a criminal, yes it's true, I am a criminal and many of you out there are criminals too. Maybe all of you out there are criminals, well, maybe not the Governor. Hey, AFN Co-chairman Albert Kookesh is a criminal too. We are all guilty of the crime of living our lives, living our cultures.

With all due respect, I want to thank Al for getting busted. I want to thank him for being the prominent leader that he is and for being a catalyst in bringing the issue of food security back to the floor of AFN. Al, I think it's safe to say that we are all behind you despite the fact that you are a criminal. I think we should thank and honor all those others that have suffered the frustration and indignity of being labeled criminals for the crime of securing their food.

Times are tough in village Alaska. We are becoming criminals in our own territories. Elements of our culture are being outlawed or severely curtailed through regulation and legislation. Many of these onerous laws concern fish and game resources and our ability to harvest them to feed our families. At times it feels like we're on the verge of getting starved out.

The ICC is a member of the Arctic Council Indigenous Peoples Secretariat. The members of the IPS are the six permanent participants to the Arctic Council. The other five members are: the Arctic Athabaskan Council, the Aleut International Association, the Sami Council, the Gwitchin Council International, and the Russian Association of Indigenous Peoples of the North. Collectively these organizations represent all of the Arctic's indigenous peoples.

The Arctic Council is an intergovernmental organization of the eight Arctic nations that concerns itself with national and international Arctic Policy issues. The United States is a member.

In September 2008, the Indigenous Peoples Secretariat held a Climate Change Adaptation Strategies Workshop in Copenhagen, Denmark. The workshop considered strategies for Arctic indigenous communities to use to survive climate change. Food security was near the top of the list of actions that we need to undertake to survive climate change.

The findings and recommendations from this Adaptation Strategies Workshop were presented as the Arctic contribution to an ICC project, the Indigenous Peoples Global Summit on Climate Change, held last April in Anchorage. The Global Summit was a gift from ICC to the world's indigenous peoples.

Before I continue, an over simplified history of Inuit aboriginal settlements within the four ICC nations is in order.

In Alaska, land and resource ownership was negotiated and settled nearly 40 years ago. The issues of governance and hunting and fishing rights were never properly brought forth and addressed to the satisfaction of our peoples. In other words, we have an incomplete settlement of our aboriginal rights. We all know this. Many of us have been saying this for years.

In Canada, Inuit had the benefit of taking a good look at Alaska's settlement and realized that governance and food security were crucial to any settlement of their aboriginal claims. Inuit in Canada negotiated vastly superior settlements than the one we have. I encourage you to study the Inuvialuit, Nunavut, Nunavik, and Nunatsiavut Agreements as settlement models that we here in Alaska could learn from. They secured governance and food security.

In Greenland, Kalaallit took another approach. First they negotiated the right to govern themselves including the right to manage their fish and game. Ownership of mineral resources including offshore resources was negotiated in steps. The transition last June in Greenland from Home-Rule to Self-Rule government now clearly gives ownership of mineral resources to the Greenland people.

In Chukotka, times are still hard for our people and progress towards aboriginal settlement is away off in the future.

What I just described to you is an over simplification of what are actually quite complex settlements. But I hope you get the point about the incompleteness of ANCSA and the fact that subsequent Inuit aboriginal settlements were superior to ours.

Much of the support that our villages have come to depend on is failing us now. The global economic and energy crisis is affecting our ability to continue living in our communities due to sky high prices and a lack of jobs. It's hard to pay the high cost of fuel that we need to go hunting to secure our foods. Climate change is affecting us all. Some villagers will have to experience the ultimate climate change adaptation, the complete relocation of their village. The State and Federal government have shown little inclination to come to our aid and rescue so far.

Now, the one resource that has allowed us to survive for millennia is being contested. We are being denied access to the foods that we depend on for much more than simple nutritional need. Our hunting life defines who we are as peoples. We need to make the commitment collectively to fight for food security. It doesn't get much simpler than that. We owe it our future generations.

At this time ICC is preparing to enter into discussions across the Arctic with Inuit hunters through regional and national Inuit organizations on existing and newly developing international sustainability covenants that both strengthen and promote Inuit rights to use animal resources in a wise and prudent manner. ICC is further tasked with promoting the redefinition of Inuit hunting and harvesting activities as a profession within all international human rights forums. Both of these initiatives come from the ICC General Assembly held in Barrow in the summer of 2006. Clearly, our work is cut out for us.

Many of you will recall an ICC project from the mid 1980's called the Alaska Native Review Commission. The project was managed by Tom Berger, a retired Canadian Justice, which resulted in a report that he titled Village Journey. This report was the result of Berger's travels to native communities from all corners of the State to record what our peoples thought about ANCSA. Hearings were also held in the urban centers to ensure those perspectives would be captured. Village Journey was a gift from ICC to the native peoples of Alaska.

The Alaska Native Review Commission was initially met with skepticism and resentment from the native leadership of the day. However, once the project got going there was near unanimous agreement that it was timely and necessary. Village Journey is now used as a text book in schools where native studies are taught. I

know many of you out there in the audience participated in this ICC project. Individual testimonies from those hearings are some of the most powerful statements ever made by our peoples.

Two issues came out loud and clear from the Village Journey. These issues are as relevant today as they were then. Today, I would classify these two issues as unfinished business. The first issue is aboriginal governance. The second issue is aboriginal hunting and fishing rights or food security. Resolution of aboriginal governance and food security are still unfinished business here in Alaska.

Tom Berger is an internationally recognized legal scholar and expert in the field of aboriginal rights. He made a number of recommendations in Village Journey. For me personally, the one recommendation that still sticks in my mind was his advice to our peoples to continue living their lives, to continue living their culture. In other words, to practice sovereignty we have to live as though we are sovereign.

So, we have caribou hunting problems near Pt. Hope, duck hunting problems near Bethel, and salmon fishing problems near Angoon. These three examples are just the tip of the iceberg. Our right to provide food for our families is under assault. Our hunting and fishing activities have become politicized. We have to win this battle if our societies are going to survive. We will never stop hunting and fishing. Our cultures will not allow us to.

It's important to say right now, at this exact moment, that our enemy is the State of Alaska. The State of Alaska is competing with our peoples for access and control of these resources. Our food security is at risk.

We have other formidable foes in this battle – they are the extreme environmental and animal rights groups. A battle is now brewing over marine mammals which have special significance for Inuit and other coastal peoples. Our hunting rights have become a pawn in the debate over climate change and resource development in the Arctic Ocean. Polar bears, walrus, and seals have already been targeted. Could the whales be next?

Over the years numerous proposals to address food security have been tabled at the AFN. This AFN Convention is no different. I'm aware of a Resolution sponsored by Sealaska Corporation and there are other proposals out there. ICC would like to offer some suggestions on the Sealaska proposal in the hopes of making it better.

First, the proposal does a good job laying out the history of subsistence, although we disagree with the statement that ANCSA extinguished aboriginal hunting and fishing. The proposal has solid objectives. We like the notion of a Native Plus Rural subsistence priority.

We suggest the proposal include reference to international laws and instruments that support our right to use and manage the living resources necessary for our food security. In particular we draw attention to the United Nations Declaration on the Rights of Indigenous Peoples. There is a growing awareness and acceptance of indigenous rights within the international community. Let's take advantage of that.

We think it's wise to compare and contrast ANCSA with aboriginal settlements in other nations to show there is international precedence for what we are seeking.

Finally, we suggest the proposal include specific mention of hunting rights for marine mammals. This is of particular concern to Inuit and other coastal peoples in light of increased interest from the outside world due to climate change concerns and industrial development in the Arctic Ocean.

We offer these suggestions in the spirit of making the proposal stronger.

Thank you for this opportunity on behalf of the 160,000 Inuit living in the Arctic. ICC pledges its solidarity and support. We're ready to help in any way possible. We wish you a productive and successful conference.

So, let's all go out there and live the happy criminal life. And while we're enjoying our happy criminal lives, let's work to change the situation for the better. Let's quit bickering amongst ourselves, roll up our sleeves and work hard for our food security.

And remember, please remember, to teach your children and grand children how to live the happy criminal life.

Thank You.