



MEDIA RELEASE

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MĀORI TAKE LEGAL ACTION AGAINST KERMADEC SANCTUARY

Statement from Mr Jamie Tuuta, Chairman,
Te Ohu Kaimoana (Māori Fisheries Trust)

Te Ohu Kaimoana has filed proceedings in the High Court in Wellington to protect iwi fishing interests in Fisheries Management Area 10, New Zealand's Exclusive Economic Zone around the Kermadec Islands.

Legal action is a last resort but necessary in light of the fact the Government has ignored iwi over the impacts the proposed Kermadec Ocean Sanctuary will have on their fishing interests. The Sanctuary will extinguish all iwi customary commercial and non-commercial fishing rights in FMA10.

The 1992 Deed of Settlement (colloquially known as the Sealord Deal) is a pan-iwi, pan-Māori agreement with Government. The full-and-final Settlement recognises Māori fishing interests as ongoing. It returned customary commercial and non-commercial fishing rights to Māori and guaranteed that the Crown would involve Māori and their representative organisations in statutory decisions, including consulting fully with affected iwi and their agents (Te Ohu Kaimoana) on matters relating to the management of fisheries and ecosystems. This has not occurred with respect to the Sanctuary proposal.

All iwi – not only those located in Northland – have fishing rights in FMA10, specifically including development rights to particular fisheries. This was included as part of the Settlement. These rights – like all quota and customary non-commercial rights – endure and are not limited in time irrespective of whether iwi (or their members) have or have not fished in the area.

The Government's sanctuary proposal will leave iwi with quota for fisheries whose Quota Management Area (QMA) is FMA10 only, and other fishstocks that include FMA10 as part of their QMA, eg, highly-migratory species. But iwi will be prohibited from catching any fish in FMA10, even though fishing for this quota will be sustainable and not affect biodiversity in the region.

The Kermadec Ocean Sanctuary Bill further states that no compensation will be provided for as a result of this change. While iwi agreed, as part of the Settlement, that access would be subject to sustainability, the Government's proposals goes much further. In doing so, the Government is riding rough-shod over Māori and iwi fishing interests.

The Crown's handling of its Kermadec Ocean Sanctuary proposal should raise alarm bells in respect of the durability of past, and future, iwi settlements. The broader community should also be concerned as the Government's actions effectively remove incentives for industry to invest in better fisheries management.

Te Ohu Kaimoana is supported in this action by Northland iwi leaders (Ngāti Whatua, Ngātiwai, Ngāpuhi) and others around the country – iwi of Hauraki; Ngāti Apa-Ngā Wairiki (Rangitīkei); Ngāti Toa Rangātira (Porirua), among others.

ENDS

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