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Kaimoana Strategy Workshop



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a bountiful sea will sustain us all

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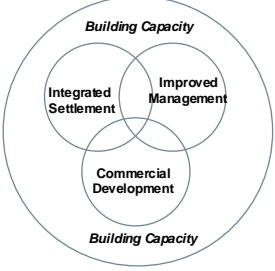
Integrating our common interests in fisheries



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This presentation

Part 1

- Understanding where we are now


Part 2

- Broadscale fisheries management alignment with customary interests

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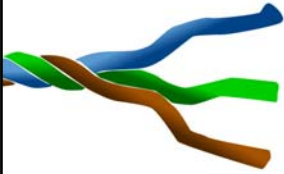
Part 1:
Understanding where we are now
Customary fishing rights: part of a bigger bundle of rights



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Maori Customary Rights
in Takutai Moana

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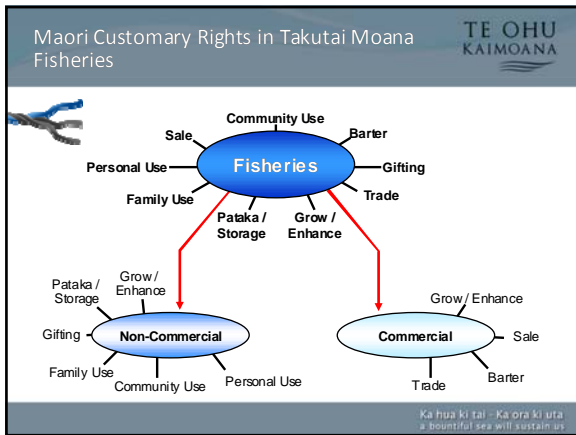
Fisheries

- Commercial
- Non-commercial

Aquaculture

Foreshore and Seabed

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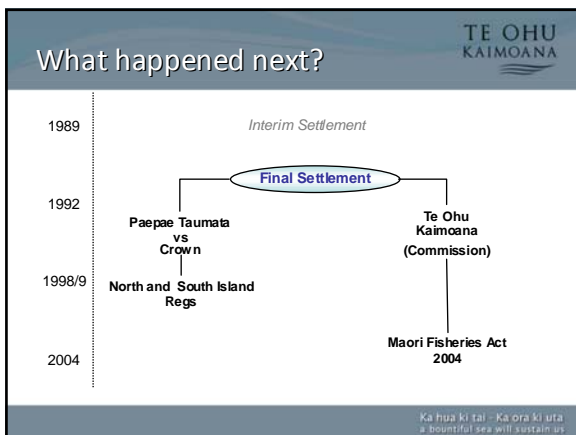


The Deed of Settlement 1992

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- Full and final settlement of all Maori claims to commercial fishing
- Non-commercial fishing rights not extinguished however no longer have legal effect, but
 - continue to give rise to Treaty obligations on the Crown
 - can only be given effect through government policy

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The commercial “strand”



Allocation – to whom and how?

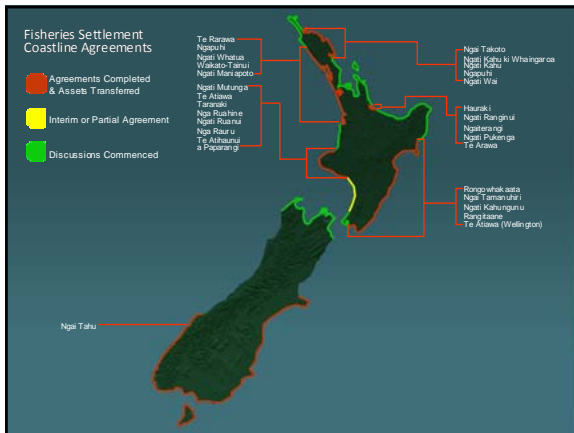
- 57 iwi eligible for allocation
- Each must have:
 - a Mandated Iwi Organisation (for population assets)
 - Coastline agreements with neighbouring iwi in QMAs (for inshore quota)
- Allocation aligned with QMS framework

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Fisheries Management Areas

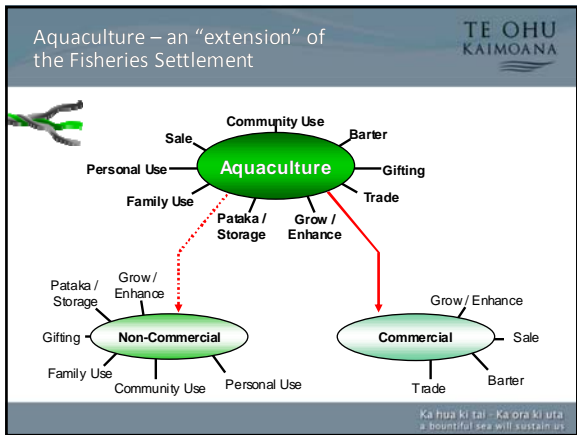


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Allocation – to whom and how?

- Of the 57 “fisheries” iwi, those with coastline are eligible to receive assets
- Each must have:
 - An Iwi Aquaculture Organisation (which must be a Mandated Iwi Organisation)
 - Coastline agreements with neighbouring iwi in Regional Council areas

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What have we learnt?

- Incentives for progress:
 - requirement for clearly mandated iwi organisations to reach agreements an incentive for progress (MIOs/IAOs)
 - No agreement means referral to formal dispute resolution
- Coastline process highlights shared histories and overlapping interests
- Iwi ready to take the initiative to agree on solutions [collaboration on pre-commencement space]

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The non-commercial "strand"



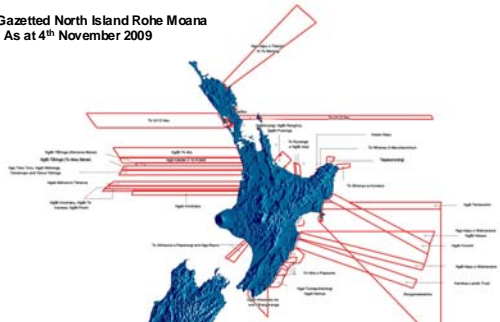
Customary Regs

- rohe moana and kaitiaki proposed by tangata whenua
- tangata whenua can be iwi, hapu, or whanau
- proposals confirmed by Minister if no objections
- dispute resolution processes poor
- rohe moana – determine where non-commercial customary authorisations can be issued.

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Examples

Gazetted North Island Rohe Moana
- As at 4th November 2009



Mataitai

- exclude commercial fishing
- conditions of approval, e.g.
 - can't prevent persons with a commercial interest in a species taking their quota entitlement or ACE within relevant QMA

Mataitai (cont'd)

Current process flawed:

- Lacks a strategic approach (piecemeal and uncoordinated)
- Proposals developed in absence of good information drawn from wider management areas
- Poor consultation (early dialogue not promoted)
- Cumulative effects mean "first come first served"

What are we really wrestling with?

Disjointed governance arrangements mean:


- tribal relationships undermined
- a strong Maori voice in management is frustrated
- government makes decisions for us
- little incentive for other sectors to engage constructively

A "dis" integrating settlement?



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What do iwi and hapu want
from their fisheries?



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An assumption...

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- Commercial
 - Driven by ACE sales – return on investment
 - Market demand
 - Reliable supply
- Non-commercial
 - Driven by identity, place and customary obligations
 - Priority of access (US 1st)

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But overall purpose is the same



- Benefits from commercial and non-commercial fisheries are intended to flow to the same groups of people
- Both sets of objectives can be complementary
- Both rely on sustainable and abundant fisheries
- However achieving this requires collaboration

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Lets go back to basics



“The key to Maori ownership is not survey definitions but kinship”

Waitangi Tribunal

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Making things work



- Collaboration
 - 1st at home within the iwi
 - between iwi
 - between iwi and industry
 - between iwi, industry and recreationalists

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What scale ?

- What spatial scales do we need to consider to be effective?

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