Protecting and Enhancing Māori Interests in Freshwater Fisheries

Te Wai Māori ANNUAL PLAN 2013
The purpose of Te Wai Māori and its place within the Te Ohu Group

Te Wai Māori Trust was established to advance Māori interests in freshwater fisheries.

Wai Māori is part of the Te Ohu Kaimoana group and operates in line with its constitutional documents and tikanga Māori. Wai Māori works to balance the core values of the Te Ohu Group: integrity, relationships and leadership.

Our work on freshwater fisheries and their habitats aligns with the Kaimoana Strategy and strategic priorities of the Group, in particular, working with iwi to protect and enhance their rights and interests.
Two issues that are relevant to freshwater fisheries have gained prominence this year, and will form the basis of Wai Māori’s work programme.

**THE FIRST**, related to the impending sale of State-owned Energy Companies and the August 2012 Waitangi Tribunal report on the National Freshwater and Geothermal Resources claim – has served as a reminder that there remain unanswered questions about the extent of Māori proprietary rights in freshwater and how those interests might be recognised. In the midst of debate about how such interests might be recognised, there is a need for some clear and critical thinking about the issues in order to move to a set of solutions that is practical and sustainable.

It is unclear at this stage what the Government’s final response to the Waitangi Tribunal’s recommendations will be. It is possible that further legal action will be taken by the claimants. Wai Māori has made it clear over the last two years its interest in exploring what legal avenues are available to clarify Māori rights in freshwater and to provide a means for iwi to negotiate for a greater say in the management of freshwater than is possible presently. In addition, Wai Māori supports iwi to secure a share of the economic benefits that arise from the use of water. If further legal action is taken by claimants, and this has the potential to provide impetus for greater recognition of Māori rights (and hence a greater number of options for iwi to have access to in their individual negotiations with the Crown), Wai Māori will consider its role in supporting that. Wai Māori intends to promote discussion about the issues and options through dissemination of information and analysis of proposals for freshwater management, and recognition of Māori rights. This work has begun with a commentary on the Waitangi Tribunal’s report and an outline of the implications of “Shares Plus” from a company perspective. This work will also form the basis of advice that Wai Māori will provide to iwi and government on proposals for freshwater management and reform as it affects freshwater fisheries. We envisage that given the nature of government policy processes and reform, this work will span multiple years.

**THE SECOND** issue concerns debate about the sustainability of the eel fishery, particularly the long-fin eel fishery. There are clearly divergent views about the status of this fishery with some arguing it is in good shape, and others arguing that it is threatened and commercial fishing should be stopped. Wai Māori has commenced work in this area by holding a workshop with Māori eel fishers to identify what needs to be done to ensure better management. The hui confirmed there is scope for the customary non-commercial and commercial sectors to work together to ensure that the fishery is protected (for example by joining forces to advocate on behalf of the fishery in consent processes). It was agreed that a pilot project involving joint work between the sectors would be a good way to build a working relationship. Wai Māori will move to implement this proposal during 2012 – 2013. It is possible that this work will further require ongoing analysis and assessment beyond this year.

Finally, Wai Māori is aware there are many iwi and hapu are interested in carrying out programmes to manage and protect their freshwater fisheries, and that in the last few years have collectively begun to manage common interests in fisheries and explore how they might collaborate to implement freshwater fisheries programmes. Wai Māori intends to re-establish a contestable fund to assist these groups in their endeavours. We envisage the first funding round will commence before the end of 2012.
Wai Māori’s work plan contributes to two of the output classes identified across the Te Ohu Kaimoana Group. Our three priority work areas fall within the output class “Protect and enhance Māori rights” while our management activities fall within the Governance (External) and Governance (Internal) output classes. Staff resources for Te Wai Māori’s work will be drawn from Te Ohu Kaimoana.

**STRATEGIC PRIORITIES**

**WORKING WITH IWI TO PROTECT & ENHANCE THEIR RIGHTS AND INTERESTS**
- Provide assistance to iwi in gaining recognition of Māori rights and interests in freshwater
  - KPI - Technical and independent advice papers to iwi on different aspects that make up Māori rights and interests in freshwater are prepared and made available on Wai Māori’s website
  - KPI - Advice and options are developed that identify the issues and offer practical solutions

**FACILITATE AN EFFECTIVE VOICE FOR IWI WITHIN INDUSTRY & IN GOVERNMENT**
- Influence government freshwater policy reform processes, to protect and enhance the fisheries settlement in respect of freshwater fisheries
  - KPI - Proposals for reform of freshwater management are analysed and practical solutions are offered.
  - KPI - Assistance is provided to iwi in discussions with the government on freshwater reforms, where appropriate.

**GOVERN THE GROUP**
- Provide funding to iwi and hapu to promote and advance Māori interests in freshwater fisheries development, research and education
  - KPI - Establish a contestable fund that promotes Māori interests in freshwater fisheries through development, research and education
  - Help foster an effective voice for iwi on government and industry policy as it affects freshwater fisheries and their habitats
  - KPI - Develop a pilot project to bring together customary and commercial perspectives on eels
  - KPI - Hold a National or series of Regional Māori hui on Eels

**FORMALISE AND MAINTAIN RELATIONSHIPS WITHIN GROUP**
- Enhance key relationships with iwi and hapu, Industry and Government organisations
  - KPI - Te Wai Māori is recognised as an active and valued contributor on freshwater issues for Māori

**Rights and Interests in Freshwater**
- Provide assistance to iwi in gaining recognition of Māori rights and interests in freshwater

**Freshwater Fisheries development**
- Provide funding to iwi and hapu to promote and advance Māori interests in freshwater fisheries development, research and education

**Governance (External)**
- Enhance key relationships with iwi and hapu, Industry and Government organisations

**Governance (Internal)**
- Meet all statutory obligations as required (eg audits; annual reports); monitor investment portfolio; and continue to enhance directors skills

**KPI - Technical and independent advice papers to iwi on different aspects that make up Māori rights and interests in freshwater are prepared and made available on Wai Māori’s website**

**KPI - Advice and options are developed that identify the issues and offer practical solutions**

**KPI - Proposals for reform of freshwater management are analysed and practical solutions are offered.**

**KPI - Assistance is provided to iwi in discussions with the government on freshwater reforms, where appropriate.**

**KPI - Establish a contestable fund that promotes Māori interests in freshwater fisheries through development, research and education**

**KPI - Develop a pilot project to bring together customary and commercial perspectives on eels**

**KPI - Hold a National or series of Regional Māori hui on Eels**

**KPI - Te Wai Māori is recognised as an active and valued contributor on freshwater issues for Māori**

**KPI - All statutory obligations have been met as required**

**KPI - Provide training to directors if needed**

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<th>Freshwater Fisheries development</th>
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