The Sea I Never Gave: Ngāti Kahu and the Māori Fisheries Settlement

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Introduction

• Ngāti Kahu did not support the settlement
• Our negotiator was instructed that Te Tiriti o Waitangi guaranteed our sovereignty and 100% of the fisheries is ours. We will determine how fisheries are to be managed. In QMS we accept nothing less than 50% of all quota
• We do not accept that the Crown could and did remove our rights under Te Tiriti to our fisheries and create a property right (quota) which it then handed to those who were stealing our fish
• We do not accept that the Crown can arbitrarily divide Māori fisheries into commercial and non-commercial and then reduce non-commercial to regulations controlled by the Crown
**Allocation**

- The allocation of the quota to iwi was always going to be the debacle it turned into – imposition of an artificial, foreign regime.
- It drained Ngāti Kahu physically, financially and ā-wairua, creating divisions that still exist today.
- Ngāti Kahu eventually stopped fighting because of the toll it was taking, and took what it was allocated, but still does not accept the system that was imposed. Does acknowledge the high quality of the work done by TOKM to make the best out of a bad deal.
- It has delivered a very small amount of income to our marae but continues to deny our right to our fisheries and our right to trade as we see fit – including local fisherpeople supplying the local fish shop.

**Quota Management System**

- Did return our stocks to a level where we could feed our whānau and our tangi and hui.
- But we continue to see overfishing and to within 100m of our shoreline in our toka (fishing reefs) by both commercial and recreational interests.
- Our tikanga remains the first law of Ngāti Kahu and we issue public notices of rāhui to manage our fisheries when QMS fails – latest is Te Whānau Moana at Maitai and Waikura.
“Customary” fisheries

• Crown reduced our “customary fisheries” to regulations promulgated by the Crown

• Māori wrote and agreed to regulations that were consistent with both Te Tiriti and settlement legislation – hapū retained tino rangatiratanga and determined by-laws for fisheries within their territories – Ministry of Fisheries’s role is to support hapū management of their customary fisheries

• Ministry of Fisheries wrote own regulations vesting all decision-making in the Minister.

• Ngāti Kahu will not allow Ministry’s regulations to be implemented in our territories

Reference: