

Enabling EBM - Tūhonohono: Tikanga Māori me te Ture Pākehā ki Takutai Moana

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Sustainable Seas Vision

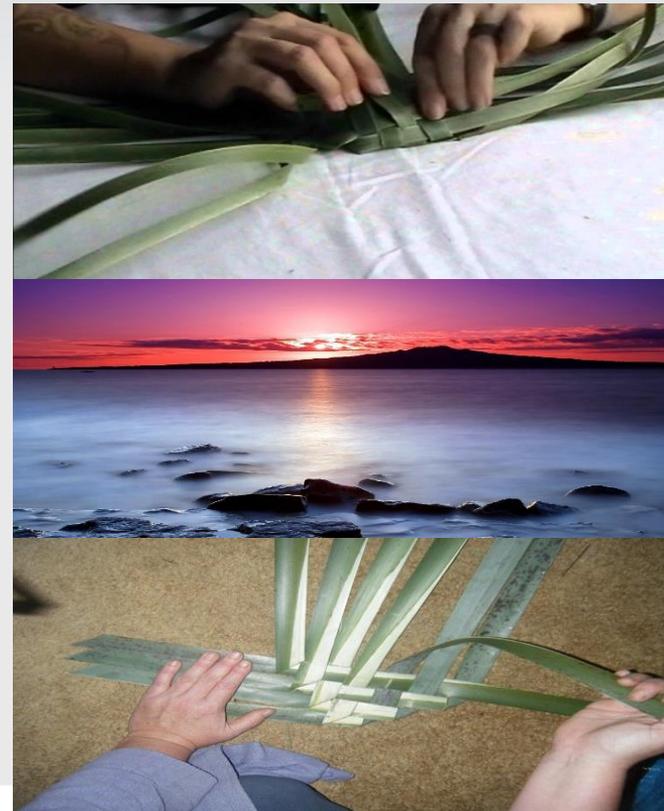
New Zealand has healthy marine ecosystems
providing value for all New Zealanders

Tūhonohono Project Overview

SUSTAINABLE
SEAS

Ko ngā moana
whakauka

- Tuhonohono – ‘Binding Together’
- Understanding the relationship between mātauranga and tikanga Māori and New Zealand State law and
- How to apply both so that they are mutually beneficial to both cultures over the marine coastal area
- Ecosystem based management (EBM).
- New Zealand marine policy and legal enablers and barriers with particular emphasis on those specific to Māori.



Tūhonohono

SUSTAINABLE
SEAS

Ko ngā moana
whakauka

- Tūhonohono expresses the cohesive vision of New Zealand jurisprudence over the coastal marine area
- To explore the possibilities for the evolution of laws and institutions in Aotearoa New Zealand that reflect the best of the values and concepts of both founding peoples of the New Zealand state – Māori and European
- To enhance the utilisation of the marine resources within environmental and biological constraints
- To realise the value, increase use, and to maintain the ecosystem health of our vast oceanic and coastal assets.



MIGC Team

- Dr Robert Joseph
- Professor Tom Roa
- Professor Jacinta Ruru
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- Dr Rogena Stirling
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- Ms Mary Jones
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- Ms

Methods

- Literature Reviews
- Key Informant Interviews
- Comparative Work – Canada and the USA, elsewhere

Literature Reviews

- EBM
- Tikanga Maori
- Rahui
- Tikanga and the RMA
- Tikanga and Local Government
- International Law, Indigenous peoples and marine environment
- Fisheries
- EEZ
- Marine Protected Areas – Kermedec Ocean Sanctuary Bill
- Treaty Settlements and Co-Management Agreements

Interview Key Informants

- Te Tau Ihu focal area
- Interviews in Te Tau Ihu – focal area - and Ngai Tahu
- Ngati Koata, Toarangatira, Te Ati Awa, Rarua, Kuia,
- Ngai Tahu,

Defining Ecosystem-Based Management

“Ecosystem-based management is concerned with the processes of change within living systems and sustaining the services that healthy ecosystems produce. Ecosystem-based management is therefore designed and executed as an adaptive, learning-based process that applies the principles of scientific method” (Secretariat CBD, 2004)

Common Features:

- Connections: Ecosystemic relations
- Cumulative Impacts: Considers the broad range of effects on marine welfare
- Multiple objectives: Versatile, simultaneous objectives

Collaborative decision-making

Collaborative, co-designed and participatory decision-making processes involving all interested parties.



Tailored

Place and time specific, recognising all ecological complexities and connectedness, and addressing cumulative and multiple stressors.



Co-governance

Governance structures that provide for Treaty of Waitangi partnership, tikanga and mātauranga Māori.



EBM Ecosystem-based management for Aotearoa

A holistic and inclusive way to manage marine environments and the competing uses for, demands on, and ways New Zealanders value them.



Human activities

Humans, along with their multiple uses and values for the marine environment, are part of the ecosystem.



Sustainability

Marine environments, and their values and uses, are safeguarded for future generations.



Knowledge-based

Based on science and mātauranga Māori, and informed by community values and priorities.



Adapts

Flexible, adaptive management, promoting appropriate monitoring, and acknowledging uncertainty.

EBM

- Congruent with tikanga Maori
- Values based, relational, holistic
- Treaty of Waitangi precedent
- Recognise tikanga – acknowledge Maori legal system
- Collaboration
- Enhance, protect environment
- EBM must include tikanga Maori

Enablers

- Legislative incorporation of the Treaty of Waitangi and tikanga Maori
- Numerous legislation – eg RMA, Local Government, EEZ, Marine Protected Areas
- Settlement Legislation
- Co-Management
- Special legislation

Limitations

- Recognition of tikanga Maori, values, concepts
- Neither provided for nor given substantive effect in practice
- Practical implementation key challenge eg s. 33 RMA
- Tyranny of majority
- Authority, resources, capacity

Overseas Lessons

- Canada – Great Bear Initiative, BC
- USA – Native Indian Reservations on Coast – Yurok (California), Makah & Quinault (Washington State), Mississippi Choctaw, Coconut Creek, Seminole, Tampa (Florida), Wampanoag, Narragansett (Massachusetts), Passamaquoddy (Maine)
- Great Lakes Reserves – Tuscarora, Mohawk, Oneida, Cattaraugus

Summary

- Treaty settlements not RMA more enabling
- Co-management agreements – new partnerships
- Waikato-Tainui, Te Urewera, Whanganui,
- Iwi participation arrangements (IPAs) RMA – Mana Whakahono a Rohe – s 58M
- Negotiate between iwi and Local Authority, review, monitor relationship

Summary

- Radical approach - EBM – holistic approach
- Authority, resources, capacity – Treaty partners
- Share and devolve power – s. 33 RMA, s 58 RMA – IPAs
- Jurisdiction – authority, capacity, resources
- Collaboration – must work together
- Good will
- Shift – policy, approach, institutions, laws
- EBM – radical changes

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