

AUCKLAND COMMITTEE ON RACISM & DISCRIMINATION

P.O.Box 47-155
Auckland 1
12th November 1985

Hon. C.Moyle
Minister of Fisheries
Parliament Buildings

Dear Sir,

We call on you to take three important steps to affirm the rights of Maori people over kai moana as granted in the Treaty of Waitangi.

Place an export prohibition ban on kina (*Evechinus chloroticus*) now. You will have received a copy of the ACORD publication KINA and know that the Waitangi Tribunal recognised such kai moana as a taonga over which the Treaty granted Maori people "te tino rangatiratanga" (complete dominion). Unless your department has been amiss in briefings, you will also know that there is no protection of kina from export oriented exploitation except by the imposition of an export prohibition ban.

That first step is urgent given that the NZ Fishing Industry Board has received a study of the Japanese market for kina roe; the Fisheries Research Division have defined some areas of kina as "excess" and available for exploitation"; and that some trial shipments have been sent.

The two further steps seek to prevent such violations of the solemn promises of the Treaty in the future. In consultation with the New Zealand Maori Council you should appoint Maori people to all statutory boards and committees that deal with fisheries together with departmental committees that decide on priorities or the allocation of resources. Further there must be, on any given body, sufficient Maori people to provide support and encouragement.

Secondly, in consultation with the Maori people, rewrite the legislation controlling fishing in this country so that it clearly recognises the priority of Maori rights with respect to kai moana.

These last two steps are required because your department and other powerful groups involved with fisheries continue to ignore Maori interests. The current practice is non-consultative, Maori people may not know that their kai moana are under threat until they see the fishers:

at work. At such time their protests are seen as interfering with the "normal processes". A properly consultative process, as required by the Treaty, should ensure that Maori people retain control of their kai moana.

As you know, the White Paper on the draft of a Bill of Rights talks of the Treaty of Waitangi as "always speakin". We are asking that you both listen and take the necessary steps to ensure that fisheries in this country operate in accordance with the Treaty.

Yours sincerely

Ray Nairn
for ACORD

Ministry of Agriculture and Fisheries
Fisheries Research Centre
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19 November 1985

Ref: 8/-

Mr Ray Nairn
ACORD
P O Box 47-155
AUCKLAND 1

Dear Mr Nairn

The Director has asked me to reply to your letter of 13 November concerning a report on kina.

This Division has done no research on kina and we know of no report on kina resources around New Zealand.

I have checked with Fisheries Management Division's Head Office and they know of no such report either. You may care to contact the Regional Fisheries Management Officer in Auckland, Mr Rick Boyd (Fisheries Management Division, P O Box 3437, Auckland).

Yours sincerely



M.F. Beardsell
Scientific Liaison Officer

Tasty Bating — for Some

The Japanese pay \$39 million a year for kina, or sea urchin, roe, but although she has been researching this oriental delicacy for years Bridgette Kerrigan would never let one past her lips.

She is one of a group of

University of Auckland marine biology students who have been researching the life and habitat of the kina, and now much of their work could prove of direct commercial value.

The roe of sea urchins takes prime place in Japanese sushi (raw fish)

dishes and it is only recently that the Japanese have discovered that New Zealand has a reasonably large natural resource.

Its exploitation is now tied up in a Maori fishing rights wrangle after a national fisheries hut asked the Government to

protect traditional Maori shellfish resources from commercial exploitation.

At Leigh, Bridgette Kerrigan, who is studying kina for a master's degree in marine biology, is looking at the relationship of intertidal populations with those kina that live

below the low-tide mark.

The significance of that, she says, is that most people take the shallow water kina first. If it is shown that most kina start their juvenile lives in shallow water over tidal reefs and then migrate to deep waters, the harvesting of shallow-water stocks could have a detrimental effect on the total population.

It is known that deep-water kina stocks tend to be more dense and made up of large-sized shellfish, she says.

She sticks clay coloured beads on the shells of kina and watches their movements to check migration patterns.

About 325 tonnes of kina was harvested last year. It is believed that a total harvest of about 2000 tonnes a year may be safely taken each year from New Zealand waters, but scientific data on the topic is scant, according to the chief fisheries management officer at the Ministry of Agriculture and Fisheries, Mrs Jo Akroyd.

"Our kina may fetch good prices at certain times of the year, but the

whole marketing business is up in the air at present," she said.

Good prices could probably be obtained only from late November until February when the roe are produced.

The Japanese eat most of their fish raw and some literally straight out of the tank, so it would be a matter of airfreighting the kina to get them there in prime condition.

The leader of the ministry's aquaculture research section, Dr P. Dinamani, says there is tremendous interest in the kina roe. But there are doubts about the extent of exploitation possible.

While it is technically possible to farm kina, the economics of it would have to be proved first, he says.

As a \$68-a-week bursary student, Bridgette Kerrigan admits there is no big money in the business for her.

She began part-time work on the project some years ago and now spends about half her life in wetsuit studying them.

But she admits to never having eaten one.



Bridgette Kerrigan with some of the kina she is studying at the University of Auckland marine laboratory at Leigh.

Name Egmont 'Protected Under Law'

NZPA Wellington

The New Zealand Geographic Board has no legal power to change the name of Mt Egmont, a lawyer told the board yesterday.

The board's power to alter any place name contained in the New Zealand Geographic Board Act 1946 is overridden by the Mount Egmont Vesting Act 1978, said Mr Dennis King, a New Plymouth lawyer.

Mr King was presenting a submission to the board for the Save Mt Egmont's Name Committee, which is trying to stop board plans to change the name to Mt Taranaki.

The chairman of the committee, Mr Cliff Emeny, said that the board would be taken to court if it changed the name.

"Should Mt Egmont's name be officially changed to Mt Taranaki, then we will immediately launch a New Zealand-wide campaign to challenge such a decision in the High Court," he said.

The committee presented a 20-page submission covering legal technicali-

ties, historical arguments and policy questions.

"Pushing the name Mt Taranaki through against clearly proven majority preference for Mt Egmont is undemocratic and widely resented in Taranaki," Mr Emeny said.

Key arguments against the change included the inconvenience a name change would entail, the existence of another mountain called Taranaki in the Southern Alps, the fact that the original name of Mt Egmont was not Taranaki but Pukehaupapa, and the fact that the name Egmont had historical links with the voyages of Captain James Cook.

Having the names Egmont for the mountain and Taranaki for the province provided an ideal balance between European discovery and development and earlier Maori occupation, traditional values and mythology, Mr Emeny said.

The board decided to seek legal advice on the points raised in the submission and will meet again to consider the name change on January 29.

Every dollar invested with



OFFICE OF THE MINISTER OF FISHERIES

Mr R Nairn
Auckland Committee on Racism
and Discrimination
P O Box 47155
AUCKLAND 1

WELLINGTON, N.Z.

22 January 1986

Dear Mr Nairn

I refer to your letter of 12 November 1985 in which you draw my attention to your Committee's opposition to the development of an export market for sea-egg roe, on the grounds that it contravenes the provision made for Maori fisheries rights in the Treaty of Waitangi.

I have noted your Committee's opposition to the development of an export market for this product and your call for the immediate imposition of an export prohibition ban.

With regard to your Committee's suggestion that present fisheries legislation be rewritten in accord with the Treaty of Waitangi, I should point out that various recommendations for its inclusion into law are now before the Government. Until such time as there is an indication of the status to be given the Treaty of Waitangi, my Ministry cannot take unilateral action to recognise legally the Treaty's provision for Maori fisheries rights.

It is my Ministry's concern to see that the utilisation of this resource is carried out with due consideration to all the values involved, particularly those of the Maori people. A policy for the harvesting of kina is to be developed in the near future, and all interested parties will be consulted.

The Ministry in conjunction with the Department of Maori Affairs and the Maori Council's Fisheries Committee has recently held Te Runanga a Tangaroa at Takapuwahia Marae as part of the first stage in an ongoing programme of consultation with the Maori people. A remit presented from the Hui, that seeks to place Maori representation on all Boards and Committees dealing with Fisheries matters, is now under consideration. I am confident that consultation in forums such as this will lead to acceptable management measures for all those concerned.

Yours sincerely

Minister of Fisheries

AUCKLAND COMMITTEE ON RACISM & DISCRIMINATION

P.O.Box 47-155
Auckland 1
25th Feb 1986

Hon. C. Moyle
Minister of Fisheries
Parliament Buildings

Dear Sir,

In your letter replying to our request for an export prohibition ban on kina (12/11/85) you argued that you would not act because the Treaty of Waitangi is currently not embodied in law and you would not "take unilateral action to recognise legally the Treaty's provision for Maori fishing rights."

Will you please confirm that this is the policy of the government of which you are a minister.

Returning to the original issue. We did not base our request on the concept of "Maori fishing rights" but on the "te tino rangatiratanga" confirmed to the Maori people over all their taonga by the Treaty. The Waitangi Tribunal recognised kai moana as such a taonga and that means Maori people are entitled to control access to kina and other seafood.

In this we are arguing on the same grounds as the Interdepartmental Committee on Maori Fishing Rights which took as its affirmation of the Treaty the following two quotations from the Waitangi Tribunal Motunui report:

"The Treaty represents the gift of the right to make laws in return for the promise to do so so as to acknowledge and protect the interests of the indigenous inhabitants."

"The protection envisaged by the Treaty involves at one level the physical protection of the fishing grounds from abuse and deterioration as a result of pollution or destruction. At another level the protection envisaged by the Treaty involves recognising the rangatiratanga of the Maori people to both the use and the control of their fishing grounds in accordance with their own traditional culture and customs and any necessary modern extensions of them."

The clear consequence is that you ought to respond to Maori feeling when it is expressed. The export ban would allow time for the consultative process to determine the long-term policies. Otherwise consultation merely provides time for the exploitation to become 'established practice'.

Since I wrote we have become aware that your department has acted in an essentially irresponsible way in encouraging the development of an export market for kina roe. When Mr Jarman, General Manager of the Fishing Industry Board, spoke with us on 12th November (1985) he was under the impression that the department had undertaken studies of the kina population around New Zealand and had confirmed that there was sufficient resource to sustain such exploitation. A request to the department (19/11/85) produced the response:

"This division has done no research on kina and we know of no report on kina resources around New Zealand."

Why was the Board given such an incorrect picture of the knowledge about kina?

Soon after that a report (New Zealand Herald, 10/12/85) reported a marine researcher, Bridgette Kerrigan who is studying the migration of kina. She made it clear that it is not currently known whether most kina live their juvenile lives in shallow water before migrating to deeper water. Such knowledge is essential for the prediction of long-term population trends yet your department has condoned the exploitation of kina in the absence of such basic information.

A department with such a poor record needs to change radically. It is not sufficient to do, as some of your officers did at Takapuwahia, merely listen. There needs to be a strong commitment to Maori priorities because they include a respect for the children of Tangaroa that seems to be lacking in departmental practice.

Yours sincerely

R.G.Nairn
on behalf of ACORD