Hoatu he ika ki te tangata, ka kai ia mō te rā, akohia ki te hī, ka kai ia mō ake tonu atu.

Give a man a fish and he will eat for a day, teach him to fish and his future is assured.

Fisheries

Catching the tide

For Māori, fish have always been both a vital food source and a trade item. Iwi (tribes) vigorously guarded their fishing rights – in both fresh and saltwater.

The Treaty guaranteed Māori their fisheries for as long as they wished to retain them. In practice, this protection was not provided.

Erosion of rights

In the first years after the Treaty, the government often ignored Māori fishing rights. There was no set policy, although early bounded sales sometimes included fishing reserves.

Within decades Māori fishing rights were being eroded by Pākehā settlement. New laws brought in various restrictions, and Māori began to battle for rights offshore as well as in freshwater, estuaries, rivers, and harbours.

In 1877 the government passed legislation that included Treaty-based fishing rights, but these were increasingly confined to special rights in specific cases. This provision continued, and was included in the 1983 Fisheries Act. However, the law gave no guarantees, and officials saw Māori fishing rights as customary and not commercial, whereas Māori saw them as both.

The Sealord deal

In 1992, the government made an agreement with Māori that involved purchasing fishing assets, valued then at $170 million. The Sealord deal, as it became known, bought Māori interests in New Zealand’s commercial fishing 122 per cent.

The government also agreed to give the Māori Fisheries Commission 20 per cent of the quota for each new species that went into the Quota Management System, both the 1989 and 1992 deals were implemented in law.

Divvying up the fish

Debates between Māori and how to share the settlement took years, as did settling the necessary Iwi organisations to manage the proceeds.

The Māori Fisheries Act 2004 led to the first distribution to Iwi of fish quotas, cash, and shares in Ahuriana Fisheries Ltd in September 2005.

This outcome is a significant recognition of Treaty-based fishing rights. However, it has come with a price for Māori. To clinch the Sealord deal, they had to relinquish all rights over commercial sea fisheries.

Other rights

- The commercial aquaculture settlement in 2001 provides Māori with assets equivalent to 20 per cent of marine farming coastal space and is consistent with the principles of the 1992 fisheries settlement.
- Customary and commercial fishing rights are now governed by regulations introduced late in the 1990s.
- Some rights in Lāna’i Taupō and Rotorua were recognised in laws passed during the 1970s.
- Treaty settlements can include specific rights and allow for participation in existing trades.

Quota crisis

In the 1980s, the government drew up plans to protect New Zealand’s fishing resources by introducing a Quota Management System. Fishing rights in certain species would be allocated to fisheries, who could trade those rights.

However, allocation of such rights was to be on the basis of catch history. The scheme would shut out many Māori, who fish seasonally. The government realised that its handling of Māori fishing rights was in disarray.

In 1987, Māori groups succeeded in legal action to halt the allocation of fish quota. The government then struck a deal in 1989 that went some way to providing for Māori commercial fishing and set up the Māori Ocean Fisheries Commission.