

Chair
Cabinet Policy Committee

CLIMATE CHANGE-DIALOGUE WITH MÄORI: REPORT BACK ON ISSUES ARISING FROM THE INITIAL DIALOGUE PHASE

Proposal

- 1 This paper:
 - provides an overview of the issues arising from preliminary dialogue with Mäori about climate change issues from August 2000 - June 2001;
 - outlines the next steps for work on climate change issues relating to Mäori up to ratification of the Kyoto Protocol.

Background

2 On 7th February 2001, Cabinet directed officials to report back by March 2001 on the initial dialogue with Mäori on climate change issues. Cabinet also agreed on an overall communications approach for subsequent meetings and the formal consultation phase beginning in July 2001 (CBC (01) 1/2 refers).

3 This paper is the report back requested by Cabinet. It was delayed so that the results of additional hui in April and May could be incorporated into the paper.

Dialogue Hui September-October 2000

4 The hui provided an opportunity for Mäori to receive information and discuss issues and concerns with officials. Over 500 Mäori received invitations along with flyers providing background information and information on global warming and climate change communication for Mäori. Hui participants also collected over 300 information kits for distribution to their whanau/hapu and organisations.

5 The ten hui attracted 75 Mäori participants. The number was lower than anticipated. This is partially explained by the high number of hui called for by other Government initiatives during September-October, including the seven regional hui for the National Energy Efficiency and Conservation Strategy (NEECS) which were completed two weeks prior to the climate change hui. However it is noted that participants often represented a number of Mäori organisations with several hundred members/landowners.

Dialogue Hui April – June in collaboration with EECA/Ministry of Agriculture and Forestry

6 These hui were organised in response to requests during the September 2000 hui for more information prior to formal consultation beginning in June 2001. Unlike the process used for organising hui in September 2000 which relied on Te Puni Kokiri networks and offices, the recent phase was organised using local marae and local contacts. Over 2000 invitations and information packs were posted out two weeks prior to the hui and another 1500 information packs were collected at the hui for distribution. This dialogue was undertaken jointly with the Energy Efficiency and Conservation Authority (EECA) and included information about EECA's Draft National Energy Efficiency and Conservation Strategy.

7 In addition, opportunities to present climate change information occurred when the Ministry of Agriculture and Forestry from April-June hosted a series of 10 hui throughout New Zealand. The hui were a forum for officials to discuss the role of different groups within their Ministry including the contribution they make toward the climate change programme.

8 The numbers attending the hui have varied around the country. The highest number of attendees at a single hui was 25 with around 10-15 people attending in most locations. Again the number was significantly lower than anticipated.

Key Issues arising from the Hui

9 As previously reported by the Ministry of Agriculture and Forestry (POL (00) 210 refers) the presentation material covered a broad range of climate change information. Issues around land use, land use changes and forestry sinks tended to dominate the open discussions.

10 Attendees thought that reversion of land back to scrub that started occurring after the Government removed subsidies in 1980 for land development activities should be treated as a human induced activity. They argued that this meant that forests (or scrub) resulting from this reversion should be eligible for carbon credits.

11 There was also concern expressed that pre-1990 forests are highly unlikely to receive carbon credits. A great majority of the Māori forests, including the South Island Landless Natives Act (SILNA) forests are pre 1990 forests. Māori forest owners are generally concerned that the Kyoto Protocol will not benefit them. This was of particular concern to SILNA forest owners as they think that the Protocol is the second blow to SILNA, the first one being the perceived action to bring SILNA forest under the sustainable management regime.

12 Concerns were raised in regard to the property rights issues for the ownership of the carbon credit from the Kyoto forests. The basis of their concern is that a common arrangement for forestry on Māori land is that the land is owned by Māori Trusts but the trees are owned by a separate entity, such as a forestry investor (and this could be the Crown).

13 A number of attendees wanted to know how the burden of the fiscal implications of climate change policy would be shared amongst the emitting sectors, ie transport, agriculture etc. Questions were also raised about what social and economic analysis for Māori has been carried out on the policy options being considered. Concern was expressed about the ability of Māori in general and specifically Māori land owners to cope with any additional fiscal burdens that any climate change policy could cause. The unique nature of multiple-owned land and the impediments created by the legislative regime that govern Māori land (eg inability to sell or easily finance) were also factors that Māori identified could make it harder for Māori to quantify impacts and adapt to change.

14 Attendees representing the agricultural sector were concerned about the potential for charges on their sector in order to manage emissions from cattle and sheep. Farmers indicated that they would be interested to receive information about effective farming practices. However concern was expressed about the use of genetic engineering techniques which may be used to reduce emissions.

15 Indigenous taōnga species adaptability to climate change was highlighted as a concern and a number of participants raised concern about changes they had noticed which may be attributed to climate change. For example a reduction in the availability of some plants used for medicinal purposes.

16 At least two hapu groups identified climate change as a key issue in their hapu management plans submitted to local government.

17 Attendees noted that the uncertainty surrounding the Protocol and the lack of impact information available made it difficult for Māori to adequately identify the impact climate change would have on them.

Treaty Issues

18 Some participants expressed their concern with the Government's approach to signing the Kyoto Protocol. In their view the Government signed the Protocol in 1997 and have delayed informing Māori for three years. They feel that there has been inadequate input by the Māori Treaty partner to the development of policy thus far.

19 There was considerable interest concerning Māori participation and representation in the international negotiations. Many attendees thought that the government should facilitate this as acknowledgement to them as Treaty partners.

20 Attendees noted that enabling legislation for the Kyoto Protocol would require reference to the Treaty or a specific Treaty of Waitangi clause.

Responses to concerns raised at the hui

21 The following table sets out the current responses to the issues raised by Māori at the hui.

Table 1 - responses to concerns raised by hui participants

Issue	Comment
Concerns about land use, land use changes and forest sinks, including eligibility for carbon credits and property rights for carbon credits	An information document about sinks is ready for release. It is the precursor to a consultation document on sinks and land issues that is planned for the formal consultation round.
Social and economic implications for Māori and the Treaty	Further work in this area will be completed as part of the policy development programme and the National Interest Assessment that will be tabled with Climate Change Legislation.
The need for more information about effective farming practices	MAF is providing information on energy efficiency in irrigation systems. MAF is also coordinating research into abatement technologies related to agriculture.
Inadequate input from Māori to the development of climate change policy	The hui and future consultation with Māori are intended to address this concern. The consultation plan now under development will provide the basis for future consultation with Māori and other stakeholders. Officials are working on further opportunities for Māori to engage in the consultation process.
Uncertainty about impacts and the future of the Kyoto Protocol	An impacts report for New Zealand will be released that includes an assessment impacts on Maori. Uncertainty about the future of the Protocol affects all stakeholders, and will be dealt with as part of the greater consultation and communication programme.
Māori Participation in international negotiations	Paul Morgan, a representative from the Federation of Maori Authorities (FOMA), supported by Te Puni Kokiri, will be attending COP 6.5

22 It should be noted that other forest owners share many of the concerns raised by Māori relating to eligibility for credits for forests planted before 1990. The Kyoto Protocol does not allow for sink credits to be allocated to pre-1990 forests, so these concerns cannot be directly addressed within the Kyoto Protocol framework. These issues will be further discussed in the advice to Ministers after COP 6.5, prior to the formal consultation round.

Work plan leading up to formal Consultation

23 The two rounds of hui, combined with the normal communication activities for the programme have provided useful feedback on Māori concerns that will help to shape the policy development work for the programme.

24 Resources now need to be directed towards the development of policy that will address the concerns presented at the hui. Climate change officials are currently working on advice on the implications of climate change policy development for Māori and Treaty relationships. This advice will be integrated into future papers on

climate change policy, and incorporated into the series of papers on climate change policy planned for after COP 6.5.

25 To improve the management of engagement with Māori, a consultation plan is under preparation that will set out the process for formal consultation with stakeholders, including Māori. In addition, a Māori Engagement Task Group has been formed comprising of officials from Ministry for the Environment, Ministry of Economic Development, Ministry of Agriculture and Forestry and Te Puni Kokiri. The overarching purpose of the group is to identify the best ways to engage Māori during the key phases of consultation. The group will advise and monitor engagement and participation of Māori throughout the duration of the process until ratification, and identify the key times at which engagement/participation should occur.

Consultation

26 The following departments have been consulted by the Ministry for the Environment in the preparation of this paper and agree with its recommendations: Ministry of Agriculture and Forestry, Ministry of Economic Development, Ministry of Foreign Affairs and Trade, the Treasury and Te Puni Kokiri. The Department of Prime Minister and Cabinet has also been involved in the preparation of this paper.

Financial Implications

27 This paper has no financial implications.

Recommendations

28 It is recommended that the Cabinet Policy Committee:

- a. note that feedback from two rounds of hui in September/October 2000 and April/May 2001 focused mainly on issues around land use, land use changes, forestry sinks and property rights. Although many of the views expressed are common to other stakeholder groups some issues are unique to Māori in relation to multiple owned land ;
- b. note that dialogue and information dissemination at this stage of the policy process has set the foundations for the consultation phase planned for late-2001 and reflects commitment toward the Māori Treaty partner;
- c. note that concerns raised at the hui are being addressed by the climate change programme in a variety of ways, as outlined in table 1, page 4 of this paper;
- d. note that advice on implications of climate change policy development for Māori and Treaty relationships will be integrated into future papers on climate change policy;
- e. note that a Māori Engagement Task Group, comprising officials from Ministry for the Environment, Ministry of Economic Development, Ministry of Agriculture and Forestry and Te Puni Kokiri, has been formed to identify the best ways to engage Māori during the key phases of consultation. This advice

will be incorporated into a formal consultation plan, which is currently being prepared.

- f. Direct officials to report back to Cabinet on policy issues relating to Mäori, and the plan for further Mäori consultation as part of the series of papers setting out climate change policy and consultation after COP 6.5

Hon Pete Hodgson
Convenor, Ministerial Group on Climate Change

Annex 1 – Climate Change Programme responses to concerns raised by hui participants

Issue	Comment
Concerns about land use, land use changes and forest sinks, including eligibility for carbon credits and property rights for carbon credits	An information document about sinks is ready for release. It is the precursor to a consultation document on sinks and land issues that is planned for the formal consultation round.
Social and economic implications for Māori and the Treaty	Further work in this area will be completed as part of the policy development programme and the National Interest Assessment that will be tabled with Climate Change Legislation.
The need for more information about effective farming practices	MAF is providing information on energy efficiency in irrigation systems. MAF is also coordinating research into abatement technologies related to agriculture.
Inadequate input from Māori to the development of climate change policy	The hui and future consultation with Māori are intended to address this concern. The consultation plan now under development will provide the basis for future consultation with Māori and other stakeholders. Officials are working on further opportunities for Māori to engage in the consultation process.
Uncertainty about impacts and the future of the Kyoto Protocol	An impacts report for New Zealand will be released that includes an assessment impacts on Maori. Uncertainty about the future of the Protocol affects all stakeholders, and will be dealt with as part of the greater consultation and communication programme.
Māori Participation in international negotiations	Paul Morgan, a representative from the Federation of Maori Authorities (FOMA), supported by Te Puni Kokiri, will be attending COP 6.5