

**SPC Fisheries 23/IP 30
5 August 1991**

ORIGINAL:ENGLISH

**SOUTH PACIFIC COMMISSION
23RD REGIONAL TECHNICAL METING ON FISHERIES
(5 TO 9 AUGUST, 1991)**

**CONFFLICT RESOLUTION IN THE DEVELOPMENT OF THE COOK ISLANDS
PEARL INDUSTRY**

by

Julian Dashwood

ORIGINAL:ENGLISH

CONFLICT RESOLUTION IN THE DEVELOPMENT OF THE COOK ISLANDS
PEARL INDUSTRY.

by

Julian Dashwood

BACKGROUND: Before the establishment of the colonial government in the Cook Islands at the turn of the century, the management of the lagoons and its resources had largely evolved over a considerable period of time. Families over the years had lain claim to certain areas of the lagoon, usually as an extension, or in close proximity, to where their dwellings were, or to land that they owned. These claims to ownership of parts of the lagoon formed the basis for management. The lagoon was divided into several areas, with the outer limits of each area clearly demarcated by visible coral outcroppings or islets. Maps that show the apportioning of the lagoon to the various families are still in existence. Each family had total jurisdiction over the exploitation of the resources within its particular area of the lagoon. This system, by all accounts, worked quite well. However, it was not unusual for members of another family to seek permission to fish or harvest pearl oysters in another family's area of the lagoon.

At the turn of the century, traditional lagoon management measures that had always served the people well over the past, began its sure and steady slide into obscurity. The colonial government based 700 miles away in the capital Rarotonga, had unilaterally decided what was best for the people on these remote atolls. Traditional practices were swept aside and western-type laws were introduced and rigidly enforced. A number of well intentioned legislation for the management of the pearl oyster resources of these atolls were implemented during this colonial era. For example, there was a moratorium placed on the harvest of pearl oysters, and this could only be lifted at the discretion of the Resident Commissioner who was based in Rarotonga. There was also the introduction of a legal minimum size limit placed on the harvesting of pearl oysters. These were all excellent management measures, however, the manner in which they were brought into force without consultation with the owners of the resource left a lot to be desired.

In 1965 the Cook Islands became internally self governing. This major political change did not, however, give rise to any change in the manner that decisions were arrived at with respect to matters affecting the management of the resources within the lagoons of the northern Cook Islands. Laws inherited from the colonial era as they related to pearl oyster management, remained in force until the early 1980's.

In 1975, the Cook Islands government entered into a pearl farming agreement with an Australian company without consultation with the people of Manihiki or its island council. The island council, which is an elected body, has the responsibility of ensuring that the collective will of the people are taken care of through representation to

government. In the case of this Australian company, the government had not sought the views of the people, through the island council, with respect to this new development. As a foreign entity carrying out business in a very remote location, and without the people's blessing, the Company naturally came into conflict with the inhabitants of the island. The Company, which had to purchase oysters from the people for its farm (it was not permitted to carry out this activity on its own), found it difficult to meet its target, not because there were insufficient oysters, but because the people were reluctant to sell. The Company was forced to purchase oysters of a lower quality as people sold their best oysters to traders for mother of pearl. Company equipment would mysteriously disappear and the Company found it difficult to impose the 8 hour working day on its labour force. Apart from the problems that the Company was experiencing with local attitudes and prejudices, it was also having great difficulties in recruiting and maintaining the services of Japanese pearl seeding technicians because of the extreme isolation of Manihiki. By the late 70's, the Company was facing financial difficulties and was finding it hard to keep up its licence payments to the island council. This was the opportunity that the council had been waiting, as grounds for approaching the government to terminate the Company's licence. In 1981, the Company was finally forced to curtail its pearl farming activities on Manihiki.

DEVELOPMENTS OVER THE LAST DECADE: The 1980's can perhaps be labelled as the decade that pearl farming became established in Manihiki. It was also the period in which government decided to repeal legislation pertaining to the management of pearl oyster resources that had been in force since the colonial era. New legislation was introduced in 1982, which effectively gave island councils total control over management of the living marine resources in their respective lagoons. For the people of Manihiki, this was a very welcome move. A treasured heritage was no longer being controlled and managed by bureaucrats from the capital 700 miles away.

One of the first decisions that was made by the island council under this new management regime was to open the hitherto closed lagoon to the harvest of pearl oysters. This open harvest season continued unabated until very recently, despite the appearance of several indicators showing that the stocks of wild oysters were at dangerously low levels. The bulk of the oysters that were harvested from 1982 to 1987 were killed and sold off as mother of pearl.

By the mid 80's, one local Manihikian began establishing a pearl farm. By 1987, this person had collected over 30,000 oysters which were in various stages of readiness for nucleation. During the same year, approaches were made to the island council and government, by no less than 5 pearl farming entities that were operating out of neighbouring French Polynesia, for permission to establish a pearl farm. One company received permission from the island council, and started operations the same year.

Under the terms of the licence, the Company was given permission to cultivate up to 30,000 oysters and to have these oysters seeded. In the meantime, the sole Manihikian who had been cultivating oysters for a number of years was still unsuccessful in obtaining a pearl farming licence from the island council. He feared this because in order for him to be allowed to hire pearl seeding technicians. Threats of court action by this person only lead to a greater resolve on the part of the island council not to issue this person with a licence.

One must understand that up to this point, no person, other than the foreign company, had been given a licence to produce black pearls. What most of the people had received from the island council was permission to collect wild oysters and to set spat collectors. As most people were selling and receiving good prices from this Company for oysters that they either collected from the wild or from their spat collectors, they were not in the least concerned at the implications that the future held for them if the island council steadfastly refused to issue Manihikians with what became known as pearl seeding licences. The matter was finally resolved when the Minister invoked his power of veto and granted the farmer in question with the necessary approvals to bring in pearl seeding technicians. This action led to a deterioration of trust and cooperation between government and the island council. However, it did break the impasse as well as opening up the release, by the island council, of pearl seeding licences to the local populace.

One area that is often overlooked in terms of good cooperative approaches to management is the lack of effective communications. Prior to the middle of last year, there were no scheduled flights to Manihiki. Sea transportation was at its worst ever, prior to the introduction of regular air service to Manihiki. It was during this period that relations between government and the island council were at its lowest. Opportunities for face to face dialogue with the island council and the people of Manihiki were extremely limited. A great many of the problems and mistrust that were inherent on both sides could have been laid to rest if the opportunities for frequent dialogue were available. With the greater interaction that now occurs between government and the people of Manihiki as a result of regular air transportation, problems of management and user group conflicts are slowly being resolved.

The island council has recently appointed a representative based on Rarotonga to service the needs of the pearl industry and to liaise with government on matters affecting the industry. The pearl farmers on Manihiki have formed an association and therefore are able to deal directly with government if they wish to do so.

Government, through its Ministry of Marine Resources, continue to provide management and scientific advice to the industry through the island council and extension services.

Pearl farming has grown rapidly in Manihiki over the last 3 years with total numbers of oysters under cultivation approaching 500,000. It is estimated that the capacity of the lagoon to sustain a safe population of farmed oysters is between 500,000 to one million oysters. The 500,000 figure will be reached this year. Unlike other islands in the Cooks, the population of Manihiki has been steadily growing, as the promise of wealth and worsening unemployment in New Zealand combine to give effect to this.

The future of the pearl industry on Manihiki lies with the island council. The time is fast approaching when it will have to make hard management decisions such as putting a cap on the numbers of oysters that can be farmed. It will also have to deal with many issues that will prove extremely unpopular, such as limiting the number of licences and allocating oyster numbers for each licence. Government will continue to give the industry the best advice that it can, however, one thing is absolutely certain, and that is the industry cannot continue to grow unchecked if an outbreak of disease is to be avoided.