Water is Life:
Governance, Policy and Local Responsibility in Pacific Case Studies 2008–2010.

Winston Churchill Fellowship.

Betsan Martin **May 2011**

Overview

These snapshots of responsibility for waterways and water resources in Samoa, Fiji, Vanuatu, Fiji and Hawaii include national level issues, policy and village initiatives for water. Some reference to Aotearoa-New Zealand is included and brief reference to a framework on responsibility being developed in Australia. These studies are examples of developed and developing countries in the region with an indication of common pressures on water and yet contrasting jurisdictions.

The Pacific 'water continent' provides an important reference to sustainability for regional and global interests in water. Imperatives for development in both developed and developing countries bring pressures on water ways and water resources.

The integrated approaches of indigenous communities lead from priorities of intergenerational obligation and collective accountabilities. Customary tenure over land and water forms a backdrop to indigenous enterprise with world views of a 'woven universe' informing concerns for the health of communities, water provisions and the healthy functioning of water ecosystems.

Marturia T Falelima

Case Studies:

Hawai'i…

In Hawai'i the concerns about the condition of waterways, legislation and governance, and water policy have parallels with those in Aotearoa-New Zealand. For this study the visit in Hawai'i was with a group involved with water and environmental resource management with Kamehameha Schools, Earth Justice and a University of Hawai'i law academic. In Hawai'i as in Aotearoa, indigenous concerns about water are giving the lead on collective and intergenerational obligations to safeguard water. In Hawai'ian law water is under Public Trust doctrine. This is concept of "common property" which cannot be privately owned, and it is for common use by everybody. Common property includes the sea, the seashore, the harbours and all navigable rivers.

Indigenous Hawai'ians are seeking the return of water to waterways via a legal challenge to the depleted rivers. Riveres have been rendered as ecologically dead zones from diversions of water for irrigation for the sugar cane industry. The battle is taking shape around the return of environmental flows to rivers of the Na Wai 'Ehu water system. While judicial decisions have ordered some levels of stream flows these are insufficient to support traditional kalo (taro) agriculture, native fisheries, wetlands, estuaries and communities associated with the streams.

Samoa…

In Samoa a centralized water system provided though the Samoa Water Authority and funded by the European Union, is a user pays system. In many respects this sits in tension with subsistence village economies where there are few cash resources. Metered water creates pressure on few financial resources in remote villages. Sili village is the site of a major river and source of water has resisted Samoa Water Authority proposals for a dam. Instead they have installed a water supply system for surrounding villages to ensure free access to water.

Tanks, gutterings and pipes for rainwater harvesting in Falelima

Another village Falelima does not have access to the central supply. The response of the village Council and Women's committee is to install guttering and tanks for rain water harvesting as a sustainable solution to water supply. Water harvesting is an important climate change response which addresses increasing salinity of ground water, longer periods of drought and local water storage as a hazard protection.

Vanuatu….

In Ni Vanuatu villages manual water collection from rivers and village bores is the norm. This study included Emua village where a village environmental committee is taking responsibility for restoring the coastal marine habitat by cleaning up the river and managing the inshore marine area. Upstream a gravel mining company is degrading the water and causing silt and pollution in the ocean outlet. The village have entered into agreements with the company for management of silt and with a waste collection business and the coastal waters are now clear for fishing and for supporting an ecotourism venture.

On a larger scale an Integrated Water Resource Management programme for the Sarakata Watershed with a hydro system for renewable energy is underway on the large island of Santo. It provides water for subsistence farming, commercial ventures and water for 20,000 local people.

Fiji…

A Pacific wide network for Local Management of Marine areas is based in Fiji and supports village initiatives to manage water, fisheries and marine resources. These are a locally initiated counterpoint to the implementation of more centrally-led marine reserves. While marine reserves are widely regarded as vital to conservation of ocean waters and marine biodiversity the Locally Managed areas combine biodiversity enhancement with support for livelihoods. In other words marine reserves are usually set aside as 'no-take' areas and the local or village managed areas are managed for sustainable takes of fish and sea resources. Sustainable management means application of taboos, rahui, tapu (restrictions) as needed to protect and replenish resources.

The Local Marine Areas villages retain ownership and control over their land and in some cases such as Nitivili enter into agreements for development and business opportunities. Nivitili has made an agreement to make land available to a hotel business and the hotel supplies the village with fresh water and offers employment opportunities. The village manages the rivers and marine area for environmental benefit and this in turn supports village fisheries requirements and tourism.

Reflections and Proposal for Responsibility as a Framework for Governance and Policy Development on Water

The study shows that the optimum management of water resources is located in communities and where policy development and decision-making derive from engagement with indigenous and local communities and ensure discussions and information are in local languages. Local management and decision making draws on historical knowledge as well as being cognizant of change, of development interests and of climate futures. Development which is respectful of indigenous interests and is in tandem with community experience and aspiration is most likely to ensure long term sustainability for community benefit and environmental enhancement.

Much 'development' can be shown to endanger water, environmental resources and the health of ecosystems. While there are differences in conservation 'reserve' style approaches

and traditional forms of water management with sustainable use, there are environmental and livelihood benefits in both systems. Traditional forms of management are guided by intergenerational obligations and by communities being directly dependent on local water and land resources. Spirituality which recognizes the life force of all living entities, including waters, endears indigenous peoples to guardianship in human and environmental dimensions.

More comprehensive international studies such as those of Filkret Berkes and Carl Folke (1998) and Economics Nobel prize winner Elinor Ostram (1990) affirm that the best environmental outcomes are achieved where there is local ownership of resources and local long term interests in the sustainable use of resources. In all these studies indigenous communities are engaging with their interests in development from their primary obligation to safeguard waterways.

A proposal of this study is for Responsibility be considered as framework for the management of waterways and water resources. While acknowledging the importance of rights, responsibility encompasses both accountability and responsive dimensions of decision-making. It includes the need to ensure that policy is responsive to local knowledge and local engagement, and has some correspondence with indigenous ethics of obligation and relational values.

The governance and policy challenges of climate change futures require new frameworks for responsive planning – with uncertainty as one of the main dimensions which has not previously been at the centre of decision-making and policy development. The precautionary principle advocated for by sustainability forums and Climate protocols may well be better provided for through development of decision-making and policy guidelines developed from the notion of Responsibility.