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Observations on the State of Indigenous Human Rights in Light of the Declaration on the Rights of Indigenous Peoples

New Zealand

Prepared for

United Nations Human Rights Council: Universal Periodic Review

November 10, 2008

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CULTURAL SURVIVAL

Cultural Survival is an international indigenous rights organization with a global indigenous leadership and consultative status with ECOSOC. Cultural Survival, which is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States, monitors the protection of indigenous peoples' rights in countries throughout the world and publishes its findings in its magazine, the Cultural Survival Quarterly, and on its website: www.cs.org. In preparing this report, Cultural Survival collaborated with student researchers from Harvard University and consulted with indigenous and human rights organizations, advocates, and other sources of verifiable information on New Zealand.

EXECUTIVE SUMMARY

Race relations between New Zealand's native Māori and European settlers have been tense since colonization. In recent decades the government has promised to build a bicultural society, has set up a tribunal to negotiate indigenous land claims under the Treaty of Waitangi, and has produced a host of programs and councils ostensibly to improve Māori well-being. Yet these efforts have not substantially improved Māori economic, social, or cultural rights, eliminated discrimination against them, or resulted in significant remediation of historic wrongs against Māori communities, particularly with respect to the theft of Māori traditional lands and resources. In November 2006, New Zealand led the fight against United Nations adoption of the Declaration on the Rights of Indigenous Peoples.

BACKGROUND

The Māori, who trace their ancestry to original Polynesian inhabitants, and the Pakeha, descendants of the European colonists that arrived in the early 19th century, have had an uneasy relationship since Britain annexed New Zealand (Aotearoa) in 1840 by entering into the Treaty of Waitangi with the sovereign Māori rangatira (chiefs).¹ Violations of the treaty began almost immediately; Māori lands were expropriated and Māori people were subjected to systematic efforts at assimilation.

Since the 1970s, the government has taken action to compensate Māori and to reestablish itself as a bicultural community. Māori currently comprise 15% of the population, a proportion that is increasing.² The Māori population is young: in 2001, more than one-third (36%) of Māori were 14 years of age or younger.³ As that population comes of age and begins to search for jobs, housing, health care, and higher education, areas in which Māori traditionally have been at a disadvantage, the debate over the socioeconomic status of the Māori will become even more heated, and undoubtedly will contribute to the exodus of Māori to Australia, where one in seven Māori now live.⁴

POLITICAL PARTICIPATION AND SELF-DETERMINATION

While the Māori tribal system is generally recognized and respected by New Zealand's government, the incongruity between the traditional iwi and hapu tribal substructures and the national government system creates obstacles to Māori political participation and empowerment. In an effort to reflect the population's composition in Parliament, New Zealand established the Mixed Member Proportional system, which assured the Māori seven seats in the country's 121 member Parliament. In 2005, the Māori formed their own political party, thereby gaining four additional seats, but this is still not a sufficient number to ensure that Māori rights are given the protection they deserve.

On the local level, the participation of Māori in political affairs is even more disparate. Roughly 15% of the population is Māori, but less than 5% of members elected to local councils are Māori.⁵ Surveys conducted by local governments show a decrease in the number of Māori elected to councils over the past 10 years.⁶ The Local Electoral Act of 2001 opened the door to the establishment of Māori electoral wards, but instead of doing so, regional councils have consistently retained the status quo.⁷

The Māori's most prevalent complaint is the government's unwillingness to respect their collective rights as indigenous peoples. The full extent of governmental opposition to group rights became apparent in 2006 when New Zealand led the fight to oppose UN General Assembly adoption of the Declaration on the Rights of Indigenous Peoples. In a statement issued along with the United States and Australia, New Zealand argued that "[t]he draft text also appears to confer upon a minority, a power of veto over the law of a democratic legislature."¹⁰ The statement further claimed that the definition of self-determination in the Declaration "could be misrepresented as conferring a unilateral right of self-determination... and possible secession upon a specific subset of the national populace, thus threatening the political unity, territorial integrity and indeed the security of existing UN Member States."¹¹

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LAND AND RESOURCES

The Treaty of Waitangi guaranteed the Māori “full exclusive and undisturbed possession of their Lands and Estates, Forests, Fisheries, and other properties which they may collectively or individually possess,”¹² and made assurances that the Crown would recognize the Māori’s resources, cultural heritage, and traditional chieftainship authority.¹³ ~~Nonetheless,~~ the government has ~~consistently~~ violated Māori rights to land and resources, and has ~~exacerbated their problems~~ by urbanizing the Māori population.

Under the Māori system, land ownership and use are communal, rendering individual titles and deeds irrelevant and useless. ~~The New Zealand government historically exploited this fact and seized almost all of the Māori’s traditional land.~~ As of January 2006, the Māori trustee controlled 135,400 hectares of land, valued at a total of \$117 million.¹⁴ ~~To address Māori land claims, the New Zealand government established the Waitangi Tribunal in 1975, but the treaty does not have the force of law and its findings cannot be challenged in court.~~ In 30 years, the Tribunal has registered 1,236 claims, 49 of which have been settled by the ~~government~~ and 35 ~~others~~ partially settled.¹⁵ ~~In 2008, two land claims were resolved in a step towards recognizing community ownership, although some Māori groups claim the settlements did not adequately reflect original tribal ownership.~~¹⁶ ~~The Waitangi Tribunal process requires protracted negotiations between the government and Māori groups seeking restoration of their lands. Moreover, it is the only procedure available to the Māori. New Zealand does not have a written constitution, and the country’s human rights legislation does not provide sufficient protective mechanisms regarding collective Maori rights emanating from the treaty. In addition, Māori complainants are required to waive their legal right to the protection of the courts when entering into settlement negotiations.~~¹⁷

The 2004 Foreshore and Seabed Act¹⁸ ~~which declared that the Crown retained property claims over the foreshore and seabed areas of the coast, which are integral to the cultural, social, and economic livelihood of the Māori,~~ brought many of these ~~problems to a head.~~ Claims that ~~the Act constitutes a violation of Māori human rights~~ sparked a backlash from ~~the media~~ in New Zealand, provoking assertions that Māori do not deserve special treatment in the political or legal arena.¹⁹ ~~Tensions escalated and in late 2004 some 30,000 to 50,000 people took part in a protest march (or hiko) in Wellington.~~²⁰

~~Lacking tribal lands, as high as 83% of Māori have moved to urban centers in search of work, pushed onward by the government’s urban relocation program.~~²¹ ~~Urbanization has broken down community ties and left Māori vulnerable to discrimination and poverty and associated criminal justice and health problems. The government has promised to address Māori concerns in a manner fitting a newly urbanized population, but the Māori do not want to be permanently installed in cities and accuse the government of using their plight as an excuse to avoid returning their traditional lands.~~

DISCRIMINATION

Māori are discriminated against in education, employment, housing, ~~healthcare,~~ and numerous other ~~ways.~~ ~~The media exacerbates the problem by perpetuating discriminatory stereotypes.~~ ~~New Zealand’s Human Rights Act makes it illegal to broadcast words or matter that is insulting or which “brings into contempt” any ethnic, racial, or national group.~~²³ Yet a 2004

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study on Māori and the media found that television programs denigrate, or use insulting comments about Māori, often portraying them as getting unfair benefits or being corrupt or incompetent.²⁴ Such perpetuation of stereotypes, coupled with a lack of land and relocation to urban areas has left the Māori vulnerable to many other forms of discrimination.

Discrimination in Housing

Housing is a critical issue for Māori who are four times more likely to live in overcrowded homes than the national average.²⁵ Home ownership rates are much lower for Māori than non-Māori and have declined over the past 10 years, a pattern that is expected to continue. The number of Māori renting homes is therefore higher than the proportion of non-Māori, which has led to increased complaints about discrimination and the quality of available rental properties. The government has responded by increasing state housing with traditional Māori design elements, but rental prices often are prohibitive.²⁶

Discrimination in the Justice System

Urban relocation has also resulted in an explosion of Māori involvement in gang violence and petty theft, and Māori now constitute half of New Zealand's prison population.²⁷ Contributing factors include lack of employment, discrimination in arrest procedures, and a lower quality of legal representation, among others. The government, working with Māori leaders, has set up various organizations to deal with these problems,²⁸ but such efforts ignore the urbanization, discrimination, and economic deprivation that are at their root.

In October 2007, police raided a Maori village (Ruatoki) and nearby town (Whakatane) to break up alleged terrorist camps. Although it is unclear whether any threat actually existed, complaints of police brutality and racial profiling have "set back relations between Māori and the government 100 years," said Pita Sharples, co-leader of the Māori Party.²⁹

Discrimination in Health Services

Discrimination and socioeconomic disparity have resulted in significantly reduced access to affordable healthcare for Māori. Life expectancy for Māori is 7.6 years shorter than for non-Māori.³⁰ Child health in particular remains a crucial problem. Epidemics of vaccine-preventable diseases, such as pneumonia and bronchitis, overload the healthcare system each winter. Vaccinations are not subsidized, so few Māori can afford them.³¹ Overcrowded housing contributes to the spread of meningitis, which predominantly infects Māori children.³² Hearing loss in Māori children is higher than in non-Māori children³³ and tends to be discovered later, resulting in fewer treatment options.³⁴ Suicide rates in New Zealand are extremely high, and rates for Māori are much higher than non-Māori.³⁶ Mental health services, for Māori children and youth are sorely lacking.³⁷ The most successful healthcare improvements have come from Māori initiatives. Today over 230 Māori healthcare providers serve Māori communities, but face severe funding and payment disparities. The New Zealand Nurses Organization has been lobbying for increased funding to address the extreme wage disparity between Māori healthcare providers and their non-Māori counterparts.³⁹ In order to address these issues, the government should focus on the socioeconomic factors that cause overcrowded housing, insufficient income to pay for vaccines, and limited health care access.

Discrimination in Education

For decades Māori were taught in English to encourage their assimilation, and Māori language education has been slow to recover.⁴⁰ Excellent headway has been made to reverse the

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former policies, which the government should continue. But it should also address the education problems associated with its assimilation policies and discriminatory practices. For example, as of 2006, only 39% of Māori students remained in school to age 17 as compared to 61% of New Zealanders of European extraction.⁴¹ In 2005, the proportion of Māori students leaving school with no formal attainment (25%) was 2.5 times higher than NZ European students (10%). This is particularly worrisome since New Zealanders lacking educational qualifications have a 50% higher unemployment rate.⁴² Participation in higher education also remains lower for Māori than the average population. Māori language schools have increased participation rates, but alone cannot counterbalance the other societal problems that cause students to drop out of school.

Discrimination in Employment

The disparity in education retention rates is both a cause and a result of other socioeconomic issues. Average incomes are 29% higher for New Zealanders with a tertiary education compared to those with only upper secondary education,⁴⁴ and one New Zealand study reports that the returns from education are even greater for Māori than non-Māori.⁴⁵ Given the strong association between education and income levels, it is not surprising that the average Māori income is only 77% of the national average.⁴⁶ From 1998 to 2005, Māori unemployment fell from 19% to 8.7%, which is a remarkable improvement, though Māori unemployment is still higher than the total population unemployment rate of 3.8%.⁴⁷ The decrease appears to indicate the gradual success of the government's "Focus on Employment" programs.⁴⁸ These programs involved Māori communities and promoted such community initiatives such as *Mahi a Iwi* (helping Māori communities identify opportunities for self-reliance) and *Wahine Pakari* (a business training program run by Māori women).⁴⁹

CULTURE

Since the 1971 Race Relations Act, which rejected New Zealand's prior program of assimilation,⁵⁰ the New Zealand government has made an increased effort to support Māori efforts to revive their culture. This may be the government's most successful area of work, though it tends to favor those aspects of Māori culture that benefit the promotion of tourism.

The New Zealand government has created multiple organizations to promote the daily use of Māori language (*te reo Māori*), and there has been some success. Although Māori is an official language, speaking it is still regarded as the mark of an inferior. The government currently funds two radio news services in Māori (*Ruia Mai* and *Mana News*), provides incentives to radio stations that produce shows in Māori,⁵¹ and funds bilingual Māori television.⁵² Still, a 2004 study on Māori and the media found that few newspapers and television programs covered subjects relevant to Māori and that Māori were unlikely to watch bilingual programs, calling them "frivolous."⁵³ Officially, Māori have the right to speak their language during legal proceedings,⁵⁴ to have a translator provided by the court, and to have documents translated into Māori,⁵⁵ but none of these processes is automatic and each requires extensive applications and timely notifications.⁵⁶ As a result, few, if any, people use Māori in court.

The promotion of Māori works of art is of great economic importance to a country where tourism is a mainstay of the economy. Currently, the Māori are using this to their advantage.

The government has taken steps to develop and protect a trademark for authentic Māori artwork and products.⁵⁷ In 1991, six Māori *iwi* brought a cultural property claim against the Waitangi Tribunal, accusing the Crown of failing to protect the indigenous plants and animals of New

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Zealand (a treasure, or *taonga*, of the Māori people protected under the Waitangi Tribunal). This claim raises issues regarding who is responsible for and who is involved in environmental conservation decisions. The claimants also accuse the Crown of failing to protect Māori sovereignty over *mātauranga Māori* (Māori traditional knowledge) regarding the flora and fauna, and related arts, carvings, and health and medicine.⁵⁸ The case has also raised implications for preservation of Māori *taonga*, such as traditional artifacts, carvings, or *mokomokai* (preserved heads). While the tribunal's final report has not yet been released,⁵⁹ the fact that this case has dragged on for a decade and a half illustrates how the government uses its legal bureaucracy to stall Māori development.

REFERENCES

- ¹ New Zealand History Online, *Treaty of Waitangi: Treating in Brief*, <<http://www.nzhistory.net.nz/politics/treaty/the-treaty-in-brief>>
- ² Based on relative fertility rates for Maori and non-Maori. Statistics New Zealand, *Births and Deaths December 2006 Quarter*, p4 <<http://www.stats.govt.nz/products-and-services/info-releases/births-and-deaths.htm>>
- ³ Statistics New Zealand., *Births and Deaths December 2006 Quarter*, p4 <<http://www.stats.govt.nz/products-and-services/info-releases/births-and-deaths.htm>>
- ⁴ [Call for Maori in Australia to come home, THE AGE, Sept. 29, 2007, available at http://www.theage.com.au/news/World/Call-for-Maori-in-Australia-to-come-home/2007/09/29/1190486595595.html.](http://www.theage.com.au/news/World/Call-for-Maori-in-Australia-to-come-home/2007/09/29/1190486595595.html)
- ⁵ *Whaiwahi ki nga Poti a-rohe (Participate in Local Elections)*, TE PUNI KOKIRI (MINISTRY MAORI DEVELOPMENT), July 2007, [http://www.localcouncils.govt.nz/lqip.nsf/Files/PDF/\\$file/LocalGovtFSLO.pdf](http://www.localcouncils.govt.nz/lqip.nsf/Files/PDF/$file/LocalGovtFSLO.pdf).
- ⁶ *Whaiwahi ki nga Poti a-rohe (Participate in Local Elections)*, TE PUNI KOKIRI (MINISTRY MAORI DEVELOPMENT), July 2007, [http://www.localcouncils.govt.nz/lqip.nsf/Files/PDF/\\$file/LocalGovtFSLO.pdf](http://www.localcouncils.govt.nz/lqip.nsf/Files/PDF/$file/LocalGovtFSLO.pdf).
- ⁷ *Report to Council, Group Manager – Special Projects to Chief Executive Officer*, Waikato Regional Council, Sept. 2, 2008, available at <http://www.ew.govt.nz/PageFiles/10663/1359680.pdf>.
- ¹⁰ Statement by Australia, New Zealand and the United States of America on the Declaration on the Rights of Indigenous Peoples, PERMANENT FORUM ON INDIGENOUS ISSUES, 17 May 2006, <http://www.treatycouncil.org/PDFs/PFII2006-AustNZUS-JointStatement.pdf>.
- ¹¹ *Id.*
- ¹² New Zealand History Online, *Treaty of Waitangi: English Text*, <http://www.nzhistory.net.nz/politics/treaty/read-the-treaty/english-text>.
- ¹³ *See In Focus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work*, INTERNATIONAL LABOUR OFFICE, 2003, http://64.233.169.104/search?q=cache:3PpMMzyh5W8J:training.itcilo.it/actrav/courses/2003/A4-00242_web/resource/SOPHIE/DECLARATION.ppt+ilo+member+obligations&hl=en&ct=clnk&cd=11&gl=us.
- ¹⁴ Te Hua Ōhanga Māori - Ā – Motu: *The Māori Asset Base*, http://www.tpk.govt.nz/Maori/work/fs_asset_base.pdf.
- ¹⁵ Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, *Country Report New Zealand 2006*, para 25. E/CN.4/2006/78/Add.3.
- ¹⁶ Marks, Kathy. (26 June 2008). [A \\$160m apology to the Maoris for shameful history of injustice. THE INDEPENDENT: Tuhoē and Tuwharetoa win lion's share of Treaty settlement. THE NEW ZEALAND HERALD \(24 June 2008\).](http://www.nzherald.co.nz/maori/news/story.cfm?content_id=C4111111)
- ¹⁷ *Id.* para 34.
- ¹⁸ *Foreshore and Seabed Act*, NEW ZEALAND MINISTRY OF JUSTICE, <http://www.justice.govt.nz/foreshore/main1.html>.
- ¹⁹ CERD/C/DEC/NZL/1, para. 3. The CERD Committee was “concerned about the political atmosphere that developed in New Zealand” following the Foreshore and Seabed Act and hopes that “all actors in new Zealand will refrain from exploiting racial tensions for their own political advantage.”
- ²⁰ *In Pictures: Maori protest march, “Walk of Hope”*, BBC, May 5 2004, http://news.bbc.co.uk/2/hi/in_depth/photo_gallery/3686309.stm.
- ²¹ *Aotearoa and the ‘Pakeha’ (White People)*, Australian Human Rights and Equal Opportunity Commission, www.humanrights.gov.au/bth/downloads/resources/international/nz.doc; *Maori Living in Rural and Urban New Zealand*, Statistics New Zealand, Te Puni Kokiri, 1999 <http://www.tpk.govt.nz/maori/population/rural.asp#rural>.
- ²³ *Human Rights Act 1993*, Human Rights Commission New Zealand, <http://www.hrc.co.nz/index.php?p=308>.

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Despite a few concessionary efforts to include the Māori in the political arena of New Zealand, the government has offered only transparent and ultimately inefficacious measures to present a façade of good faith to the international community, which has been repeatedly belied by the many obstacles it has placed in the way of a full realization of indigenous rights. Even the most concrete gains, such as the increasing number of Māori seats in the government system, force the Māori to forsake their own traditions, customs, and practices of self-governance in favor of assimilation into the mainstream culture and polity. Additionally, while claiming to support the rights of the Māori people through a wealth of government commissions, publications, and statistical analyses devo... [139]

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- ²⁴ Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples: Country Report New Zealand, para66 E/CN.4/2006/78/Add.3.
- ²⁵ *Id.* para 74
- ²⁶ *Maori State House Plans*, New Zealand History Online. <http://www.nzhistory.net.nz/media/photo/maori-housing-plans>.
- ²⁷ *Country Reports on Human Rights Practices: New Zealand*, US State Department, Bureau of Democracy, Human Rights, and Labor, updated March 6, 2007, <http://www.state.gov/g/drl/rls/hrrpt/2006/78785.htm>.
- ²⁸ *Id.*
- ²⁹ *Police raid on Maori village shocks New Zealand, opens old wounds*, INTERNATIONAL HERALD TRIBUNE, Dec. 16, 2007, <http://www.ihf.com/articles/ap/2007/12/16/news/Maori-Anger.php>; see also *Harawira accuses police of terrorizing Maori*, NZPA, Oct. 23, 2007, <http://www.stuff.co.nz/4247926a11.html>.
- ³⁰ *Births and Deaths December 2006 Quarter*, Statistics New Zealand, p5 <http://www.stats.govt.nz/products-and-services/info-releases/births-and-deaths.htm>.
- ³¹ *Emerging Infections Diseases among Indigenous Peoples*, US Center for Disease Control, www.cdc.gov/ncidod/eid/vol7no3_supp/pdf/butler.pdf.
- ³² *Id.*
- ³³ *Well Child Services: Service Specifications for Well Child Public Health Services*, Ministry of Health, New Zealand Government, [http://www.moh.govt.nz/moh.nsf/ea6005dc347e7bd44c2566a40079aef/918f5e9bcf2edf8dcc256c5400718cc0/\\$FILE/Well%20Child.doc](http://www.moh.govt.nz/moh.nsf/ea6005dc347e7bd44c2566a40079aef/918f5e9bcf2edf8dcc256c5400718cc0/$FILE/Well%20Child.doc).
- ³⁴ Greville, Anne, *Identification of Hearing Loss in Infants*, NZ MED JOURNAL, 1996, 109: 21-2, available at http://www.grevilleconsulting.co.nz/identification_of_hearing_loss.htm.
- ³⁶ *Latest suicide data – deaths down, hospitalizations leveling*, New Zealand Progressive Party, Nov. 28, 2006, available at <http://www.progressive.org.nz/modules.php?name=News&file=article&sid=2514>.
- ³⁷ *Committee on the Rights of the Child, Report New Zealand 2003*, CRC/C/133, para 35, available at <http://www.universalhumanrightsindex.org/hrsearch/displayDocumentVersions.do?lang=en&docId=486>.
- ³⁸ *Committee on the Elimination of Racial Discrimination, Report New Zealand 2002*, A/57/18, para 111 available at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CERD.C.362.Add.10.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CERD.C.362.Add.10.En?Opendocument).
- ³⁹ *Maori Primary Health Care – Wages Below Standard*, SCOOP INDEPENDENT NEWS, Sept. 17, 2008, <http://www.scoop.co.nz/stories/GE0809/S00104.htm>.
- ⁴⁰ *Aotearoa and the ‘Pakeha’ (White People)*, Australian Human Rights and Equal Opportunity Commission. www.humanrights.gov.au/bth/downloads/resources/international/nz.doc. The 1897 Native Schools Act made English the compulsory language of education for Maori. Primary education did not teach Maori until the 1980s when Maori groups began to establish their own education centers.
- ⁴¹ *Retention of Students in Senior Secondary Schools*, MINISTRY OF EDUCATION, EDUCATION COUNTS. <http://www.educationcounts.edcentre.govt.nz/indicators/engagement/simu20.html>.
- ⁴² *School Leavers with No Qualifications*, MINISTRY OF EDUCATION, EDUCATION COUNTS. <http://www.educationcounts.edcentre.govt.nz/indicators/edachievmnt/dsau3.html>.
- ⁴⁴ *Impact of Education on Income*, MINISTRY OF EDUCATION, EDUCATION COUNTS, <http://www.educationcounts.edcentre.govt.nz/indicators/edachievmnt/simu12.html>.
- ⁴⁵ Maani, S. (2002). *Education and Māori Relative Income Levels over time*. Wellington, The Treasury.
- ⁴⁶ *Income Survey*, Statistics New Zealand, <http://www.stats.govt.nz/datasets/work-income/income.htm>.
- ⁴⁷ *See id.*; see also *Labour Market Statistics 2006*, Statistics New Zealand, p 1, 8 <http://www.stats.govt.nz/census/2006-census-data/quickstats-about-maori/2006-census-quickstats-about-maori-revised.htm>.
- ⁴⁸ *Tackling Unemployment: The Government’s Response to the Recommendations of the Employment Task Force*, Ministry Social Development, New Zealand Government, <http://www.msd.govt.nz/documents/publications/msd/journal/issue06/spj6-tackling-unemployment.doc>.
- ⁴⁹ *Id.*
- ⁵⁰ Human Rights Commission, New Zealand. Report Chapter 18: Human Rights and Race Relations. <http://www.hrc.co.nz/report/chapters/chapter18/race01.html>.
- ⁵¹ *Committee on the Elimination of Racial Discrimination, Report New Zealand 2002*, A/57/18 p47, [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CERD.C.362.Add.10.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CERD.C.362.Add.10.En?Opendocument).
- ⁵² Te Mangai Paho. Maori Broadcasting Funding Agency. <http://www.tmp.govt.nz/>.
- ⁵³ Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples: Country Report New Zealand, para66 E/CN.4/2006/78/Add.3.
- ⁵⁴ *Maori Language Act 1987*, Maori Language Commission, <http://www.tetaurawhiri.govt.nz/act87/index.shtml>.

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- ⁵⁵ Committee on the Elimination of Racial Discrimination, *Report New Zealand 2002*, A/57/18 p47, [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CERD.C.362.Add.10.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CERD.C.362.Add.10.En?Opendocument).
- ⁵⁶ *Speak Maori In Your Court Case*, Ministry of Justice, New Zealand Government, <http://www.justice.govt.nz/pubs/courts-publications/054-Speaking-Maori-in-Court-Dec-05.html>.
- ⁵⁷ Stein, Ross, *Trade Mark Protection and ICIP: How does Australia Fare?*, ARTS LAW CENTER OF AUSTRALIA, <http://www.artslaw.com.au/ArtLaw/Current/06TradeMarkProtectionAndICIP.asp>; *Legislation New Zealand: Trade Marks Act 2002*, Knowledge Basket, <http://rangi.knowledge-basket.co.nz/gpacts/public/text/2002/an/049.html>.
- ⁵⁸ *Information Sheet: Treaty of Waitangi Claim Wai 262*, Ministry of Economic Development, New Zealand Government, http://www.med.govt.nz/templates/Page_____1207.aspx.
- ⁵⁹ *The indigenous flora and fauna and cultural intellectual property (Wai 262) inquiry*, WAITANGI TRIBUNAL, <http://www.waitangi-tribunal.govt.nz/inquiries/floraandfaunawai262/> (last updated Oct. 20, 2008).

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to give the appearance of action, when in reality this host thwarts the attempts by Māori to improve their status as a community. Statistical information provided by the government is almost overwhelming, but there has been little evidence of actions taken to mitigate the great disparities in rights, privileges, and quality of life between the Māori and the rest of New Zealand's population that are evident therein. Most significantly, in

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—the first legal protection of the principles of collective and minority rights in the international arena.

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Struggling to regain their native land and resources, Māori continue to be discriminated against, to experience low socioeconomic status, and to be treated as second-class citizens.

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New Zealand (Aotearoa) politics and culture have been dominated historically

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and settlers

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large numbers in

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To solve early tensions between colonists and Māori,

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although v

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although the Māori

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population is

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e relative to non-Māori

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As Māori numbers increase, economic and social disparities will become both more critical and more difficult to address. Moreover, the

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plight in New Zealand, 1

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shows even greater

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disparity.

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starker contrast between Māori and non-Māori New Zealanders.

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provided the

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possibility of t

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for electoral purposes

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creating Māori wards

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decided to “do nothing about Māori constituencies and retain[] the

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amongst the Māori concerns

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their treatment as a minority group rather than as individual citizens of New Zealand.

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Of course, as individuals, the Māori are protected in their personal rights by the laws and the government. However, where their protection is lacking is in their collective rights and representation.

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has consistently blocked motions

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by the Māori towards increased group rights and representation.		
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Most notably, in		
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threatened to “take procedural actions to derail the adoption of the		
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along with the United States and Australia. The three nations issued a joint statement		
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, drawing attention to the allegedly ambiguous and circuitous language of the Declaration, specifically citing a perceived incongruity between the definition of self-determination advocated by the Declaration and that supported by the preexisting body of international law. The nations		
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These textual concerns		
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which further assert that the Declaration as it stands places collective rights above individual rights as defined by international statutes,		
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undermine and insult the motivation behind the drafting of such a document, which is clearly not designed to override any existing rights, but rather to supplement them with safeguards against group discrimination. Ultimately, New Zealand’s attempts to obstruct the passage of the Declaration on technical grounds are a dangerous indication of the government’s lack of good will towards its own indigenous population.		
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. The Declaration on Rights of Indigenous Peoples (Articles 10, 11, 26, 27, 28) and the International Convention on Civil and Political Rights (Article 1) both guarantee the right of indigenous peoples to control their land, resources, and the wealth derived from them. Although New Zealand has not signed International Labor Organization Convention 169 concerning Indigenous and Tribal Peoples, New Zealand is one of the founding members of the ILO and is therefore bound by the main principles of the ILO which include the elimination of discrimination

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Despite these

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domestic and international

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New Zealand

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engaged in a program of assimilation

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has, in the past, exploited this fact, claiming the right to seize Māori lands due to lack of documentation of ownership, despite its knowledge of the communal system. Historically,

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land

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lly claimed by the Māori

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was appropriated by the government, and the Māori continue their struggle today to regain their lands.

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Before the 1840 British colonization, this figure included all of New Zealand's land.

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developed

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has been difficult for Māori to sue for restitution under

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because the Treaty of Waitangi		
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made official international law by Britain and		
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disposal, but even this system is not binding in the eyes of the Crown's law.		
Thus, the		
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success of the negotiations depends almost entirely on the voluntary benevolence of those in power, and the settlement of claims tends to take an extremely long time. Particular areas where potential for abuse arises include the procedure by which		
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, which granted ownership of the public foreshore and seabed,		

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to the forefront		
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concerns over land rights		
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and political participation for the Māori people		
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. Declaring that the Crown retained property claims over the foreshore and seabed areas of the coast, both of which are integral to the cultural, social, and economic livelihood of the Māori, the Foreshore and Seabed Act has alienated much of the indigenous community.		
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the Foreshore and Seabed		
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According to the Special Rapporteur on Indigenous Rights, this backlash has only fueled racial discrimination against Māori tribes.		
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a protest march (or <i>hikoī</i>) gathered		
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Wellington		
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With their		
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As a result, as much as 83% of Māori live in urban centers.

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: 36% of deaf and hearing impaired children in 1994 were Māori.		
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In 2006, the Māori infant mortality rate was 6.7 per 1,000, down from 11.5 per 1,000 in 1996, and only slightly higher than the 5.1 per 1,000 rate of non-Māori.		
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The United Nations Committee on the Rights of Child noted with concern the insufficient youth		
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The Declaration of Rights of Indigenous People and ILO Convention 169 establish the right of indigenous peoples to education in their native language.

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provision of education in

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its efforts towards furthering the provision of education in Māori language.

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Partially due to receiving education in a non-native tongue, retention has been a particularly pressing issue for Māori.

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Retention is a particularly important issue for Māori. Retention at the secondary school level (ages 16-17) has decreased roughly 5% since 1999, with an increasing gap between Māori and non-Māori students.

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16 (61%) was one-quarter lower than the proportion of New Zealand European students (83%). At

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was drastically lower than European New Zealanders

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the gap is even more extreme

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(39% Māori students stayed compared with 61% NZ Europeans),

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50% higher than those with a school qualification

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except in low-level tertiary certification programs

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And while

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Māori language and culture should not be relegated to special schools. Instead, the government should embrace the Māori language and culture as a subject relevant to all New Zealanders

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Such a step would go a long ways towards eradicating the discrimination that keeps the Māori disadvantaged.

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between Māori and non-Māori

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Māori students cite the cost of tertiary programs and loans as prohibitive and the Special Rapporteur has recommended that government subsidies could further increase Māori education participation.

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worrisome but

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: average weekly income was \$658 for Europeans, \$506 for Māori.

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in Māori unemployment, and unemployment rates in general,

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had a strong focus on

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y involvement

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Education reform and support for community initiatives are important and potentially successful approaches of rectifying the current inequalities between Māori and non-Māori employment opportunities.

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Culture is an important aspect of Māori life, and it represents both a means of preserving tradition and a resource for future development.		
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are useful for promoting		
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and for placating the international community		
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The Declaration on Rights of Indigenous People, Convention on the Rights of the Child, and ILO Convention 169 all support the right of indigenous people to maintaining and using their traditional languages.		
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of New Zealand		
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the use of Māori		
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rather than as a member of a truly bicultural society		
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despite Māori being an official language.

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The end result of this bureaucracy is

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that

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Rather than promote the use of Māori in business or government, the government promoted its use in television programming: a sign of the government's condescending attitude towards the merit of Māori people and language.

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people

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economic pull

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The New Zealand government has made some actions to protect Māori art and culture, though this appears to be an economic decision rather than a humanitarian one.

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The promotion of Māori works of art is of great economic importance to a country where tourism is a mainstay of the economy. Currently, the Māori people are using this economic pull to their advantage.

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the Crown

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often called the “flora and fauna claim” since the claimants

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CONCLUSIONS

Despite a few concessionary efforts to include the Māori in the political arena of New Zealand, the government has offered only transparent and ultimately inefficacious measures to present a façade of good faith to the international community, which has been repeatedly belied by the many obstacles it has placed in the way of a full realization of indigenous rights. Even the most concrete gains, such as the increasing number of Māori seats in the government system, force the Māori to forsake their own traditions, customs, and practices of self-governance in favor of assimilation into the mainstream culture and polity. Additionally, while claiming to support the rights of the Māori people through a wealth of government commissions, publications, and statistical analyses devoted to the issue, the government’s discriminatory seizure of land—most notably of late through the Foreshore and Seabed Act—is an outright affront to the ability of the Māori to survive (let alone thrive) within New Zealand, threatening their existence economically, socially, and culturally. Like the government’s obstruction of the Declaration on the Rights of Indigenous Peoples, New Zealand has systematically used the labyrinthine court system to delay or prevent the redress of Māori lands, even in cases pending from the country’s colonial past. The Treaty of Waitangi, one of the only

statutory bases for Māori land rights, is not treated by the government as a legal document, and the government has forced the Māori to cede all legal and political power to their white counterparts, who have little to no knowledge or interest in their internal structures. In essence, all of these outlets have corroborated to strip the Māori of any potential power within their rightful legal channels for compensation, undermining not only their collective rights but their individual rights as citizens of New Zealand.

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ⁱ Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, *Country Report New Zealand 2006*, E/CN.4/2006/78/Add.3.

ⁱⁱ Indigenous Peoples' Caucus Communiqué, http://www.7genfund.org/ip_caucus-UN_61session111306.pdf.

ⁱⁱⁱ *Maori Living in Rural and Urban New Zealand*, Statistics New Zealand, Te Puni Kokiri, 1999
<http://www.tpk.govt.nz/maori/population/rural.asp#rural>.

^{iv} *Births and Deaths December 2006 Quarter*, Statistics New Zealand, <http://www.stats.govt.nz/products-and-services/info-releases/births-and-deaths.htm>.

^v Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples: *Country Report New Zealand*. Para 60, E/CN.4/2006/78/Add.3.