

**13th Session of the
Expert Mechanism on the Rights of Indigenous Peoples**

Asia-Pacific Regional Meeting
1 December 2020

**The impact of COVID-19 on the rights of indigenous peoples under the
UN Declaration on the Rights of Indigenous Peoples**

Tēnā koutou katoa,

Greetings Madam/Mr Chair, and all participants.

I make this statement on behalf of the New Zealand Human Rights Commission Te Kāhui Tika Tangata, to highlight some of the **challenges and good practices** we have seen in Aotearoa.

We applaud the strength and resilience shown by Indigenous Peoples and acknowledge the hardship and loss that our peoples have borne throughout this pandemic.

The leadership of tangata whenua (Indigenous Peoples) in Aotearoa has been demonstrated in numerous ways, including: adapting tikanga (indigenous laws and practices), distributing care packages, caring for elders, and establishing [checkpoints](#) to monitor tribal borders and protect communities.

The [Human Rights Commission](#) highlighted Iwi-led checkpoints as a positive model of the partnership required by our founding treaty, Te Tiriti o Waitangi. We acknowledged the authority of Iwi to exercise rangatiratanga (including self-determination) to protect and manage their territories. We welcomed the partnership approach adopted by Police who worked with Iwi to support the checkpoints. We urged the Government to adopt this type of partnership and support for Rangatiratanga, across its pandemic response.

While the Commission commended New Zealand's overall response to COVID-19, we have found a key challenge to be that Te Tiriti and human rights have not been consistently integrated across government responses. This is a continuing challenge.

Government must ensure that Te Tiriti and the Declaration on the Rights of Indigenous Peoples are central to all planning and decision-making for ongoing responses and for our economic and social recovery. A coordinated whole-of-government strategy could build on the work begun last year towards a national action plan for the Declaration. That work unfortunately has been paused due to the pandemic, but remains crucial.

For our own part the Human Rights Commission is on a journey to becoming authentically Tiriti-based. In this work we are assisted by our partners, the Aotearoa Independent Monitoring Mechanism and the National Iwi Chairs Forum. I acknowledge both these groups, and the statement presented by the Monitoring Mechanism today.

To ensure that Te Tiriti was central to the Commission's COVID-19 work, we developed a framework grounded in Te Tiriti and the Declaration. As an example of the framework in action, the Commission established an Advisory Group with equal indigenous and non-indigenous membership, co-chairs and Tiriti-based methods of working.

As we progress in our Tiriti journey, a key gap we must address is the ongoing lack of an appointed Indigenous Commissioner.

Thank you Madam/Mr Chair. Tēnā rā tātou katoa.