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United Nations Permanent Forum on Indigenous Issues

Item 3: Resolving Land Disputes and Land Claims

Statement by Lucy Te Moana, Director of the Treaty
Relationships Directorate

Te Puni Kokiri (Ministry of Māori Development)

12 May 2014

Thank you Mr Chair,

The New Zealand Government is actively pursuing efforts to comprehensively complete historic Treaty settlements that include land claims with indigenous Māori claimant groups who have asserted breaches by the Crown of the Treaty of Waitangi. The primary vehicle through which indigenous land claims are addressed is the Treaty settlement process.

Treaty settlement negotiations provide claimants with the opportunity to discuss and reach an agreed position on land disputes and claims with the Crown. The agreed position, including the mechanisms for recognising Māori interests in land, are recorded in a Deed of Settlement signed between the Crown and the claimant group, and given effect through subsequent settlement legislation.

Mechanisms to recognise Māori interests in land include recognition of cultural, spiritual, historical and traditional associations with areas or natural resources; protection of wahi tapu (sacred areas); recognition of the role of Māori as the guardians of the natural environment; access to resources of cultural significance. Claimant groups also have the opportunity to purchase surplus Crown lands.

The Government has increased the resources dedicated to the settlement process including providing extra funding to the Office of Treaty Settlements and to claimants to participate in the settlement process. Operational changes in the way the Office of Treaty Settlements approaches and resources the Treaty settlement negotiation process have allowed concurrent as well as innovative negotiations to take place across New Zealand, resulting in an increase in settlements achieved in the last four years. The recognition of interests in, and where possible, return of lands, has been a key component in each of these settlements.

Thank you Mr Chair.