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New Zealand Permanent Mission to the United Nations



Te Māngai o Aotearoa

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Implementation of the Declaration on the Rights of Indigenous People

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As delivered

[Traditional Greeting]

Rau rangatira mā o ngā whenua o te Ao,
Tātou e hui tahi nei,
Tēnā koutou katoa.
E mihi māhāna ana,
Mai i ngā maunga, ngā awa, me ōku Tipuna Māori,
No reira,
Tēnā koutou, Tena Kotou, Tena Koutou katoa.

[Translation of greeting]

Distinguished fellow delegates from across the World
All gathered at this conference
Greetings to you all.
We bring warm greetings from
Our mountains, our rivers and our Māori ancestors,
Greetings to us all gathered.

Tena koe, Mr Chair

I greet you and all of us gathered in my native language and congratulate you on your recent appointment as the chair of this forum and commend you on your excellent leadership of these important deliberations.

The New Zealand Government remains committed to ensuring the fulfillment of the rights of indigenous peoples, as supported by the General Assembly's Declaration on the Rights of Indigenous Peoples. The Declaration provides an important mechanism for the pursuit of indigenous peoples' rights and we are pleased to be able to reaffirm our support for the Declaration, its principles and its aspirations.

In New Zealand, the principles and aspirations of the Declaration inform and are informed by the continued dialogue between Māori, the indigenous people - the tangata whenua, and the New Zealand Government. The rights reflected in the Declaration are given effect through a range of measures in human rights and other law and under the Treaty of Waitangi - the founding document of Aotearoa New Zealand. This process is an evolving one that commenced well in advance of New Zealand moving to support the Declaration in 2010.

In particular, the New Zealand Government has put considerable effort into developing processes that recognise the unique status of Māori as tangata whenua to resolve their grievances, and to

provide for their participation and involvement in governance matters. The Declaration provides a further connection between New Zealand's continually evolving practices and principles, and current and developing international human rights standards.

When the Special Rapporteur Professor James Anaya, visited our country in 2011, he concluded that "significant strides" to advance the rights of Māori had been made in New Zealand. He noted that in seeking to address the historical grievances of Maori, New Zealand's Treaty settlement process is – though not, in his view, beyond criticism – "one of the most important examples in the world"-

Since direct negotiations between the Crown (as the state) and tribes began in earnest in the 1990s, 62 Deeds of Settlement have been signed to resolve historical grievances. 36 of these Deeds have been achieved since 2009. We are now well over half way through completing all historical Treaty claims in New Zealand and there is a strong commitment to maintain momentum to complete all remaining settlements. It has been a long and at times frustrating process for Maori claimants and the government, understandably because it is a complex process to address nearly 175 years of grievance, since the Crown representatives and the tribes signed the Treaty of Waitangi in 1840.

However, the Government continues to engage in good faith, energy and urgency in the negotiations process – and focuses on enhancing its relationship with the tribes in a positive and empowering manner. The balance of influence in this context is changing as a critical mass of Maori development occurs. The government is now needing to plan for a future relationship which sees more than 80 tribes operating with significant asset and economic bases, and revitalised cultural, social and political institutions. It is this development that will support and strengthen the recognition of rights and the social, economic and cultural autonomy of the tribes and Maori communities throughout New Zealand.

The Special Rapporteur also found in his 2011 visit that there is still unacceptable disadvantage in the relative social and economic conditions of Māori in New Zealand. As a result of our Treaty negotiations process, there is now a new opportunity in the post-settlement environment for the government to address these disparities more effectively through the relationships established between the government and the collective leadership of tribes resulting from the settlement process. For example, the government is committed to working with a collective tribal leadership group, known as the Iwi Leaders Group, to find more effective public policy and service solutions that can be owned by the whole public service system. The public service performance improvement programme adopted by the current government has concrete targets for improving the health, education, economic and other key outcomes for all New Zealanders. State agencies must necessarily focus on and take particular responsibility for improving the well-being of Maori in order to meet these targets.

It is the combination of focussed government efforts and reinvigorated social cultural and economic tribal institutions with the experience, capacity and capability to work in partnership with the Government on more effective social policy solutions for Maori, that has created a new and extremely promising era of relations between Maori and the government in New Zealand.

The Deed of Settlement negotiated between the government and the Tuhoe tribe, is scheduled to be signed early next month. This is a particularly important settlement not only because it is one of the largest settlements to be negotiated in recent times, but because it also involves the vesting of one of New Zealand's most highly valued National Parks – Te Urewera – in Te Urewera itself. That is, it is proposed that Te Urewera, currently a National Park vested in the Crown, will be recognised as a legal personality and taonga or treasure of Tuhoe, and established as a legal entity by the New Zealand Parliament through dedicated and unprecedented legislation, the Te Urewera Act 2013. In addition to a significant cash component, this settlement also comprises a social accord between Tuhoe and the government, which will empower Tuhoe to be directly involved in the design and delivery of central government services to Tuhoe people within their traditional tribal area of interest.

In this context, the Declaration continues to contribute to our discourse. It has been translated into Te Reo Māori by the Human Rights Commission and, more concretely, it has been cited by the Waitangi Tribunal and a recent and leading decision of New Zealand's highest court, which found its principles to reinforce that Court's approach to the Treaty of Waitangi and the safeguarding of the rights of Maori through legislation and through the government's commitments to those rights.

Thank you Mr Chair