

## **United Nations Permanent Forum on Indigenous Issues – Item 12: 1 May 2019**

My name is Sarah Smith and I would like to thank Ali El Issa of The Ingrid Washinawatok Flying Eagle Woman Fund.

Madam Chairperson, Ladies, Gentlemen.

In the World Conference Outcome Document, States committed to developing and implementing national plans of action to implement the Declaration on the Rights of Indigenous Peoples. New Zealand has recently committed to developing a national action plan. That plan must provide for concrete steps to improve legal protection of mātauranga Māori, Māori traditional knowledge.

First, we thank all those who have been involved with the Waitangi Tribunal Wai 262 claim in relation to mātauranga Māori, the Mataatua Declaration, and the Declaration for their commitment to safeguard mātauranga Māori.

In 2018, the Ngā Taonga Tuku-Iho Conference brought together 300 experts, policy makers and Māori stakeholders to discuss the protection of mātauranga Māori in New Zealand. The outcome of the recent conference was that a strong message was delivered to the Crown that covered the following:

The Wai 262 claim concerned the New Zealand government's obligations under the Treaty of Waitangi with respect to tāonga Māori (Maori treasures). The Waitangi Tribunal's 2011 report on the claim made recommendations on how the New Zealand government could better uphold its Treaty obligations. The government is yet to respond to the report and its recommendations and should do so as soon as possible, and communicate its response to Māori.

New Zealand should make it a priority to develop cohesive law and policy addressing taonga Māori. The national plan of action should include a clear account of the actions the government will take to protect mātauranga Māori.

In the interim, the government must initiate a systematic review of existing intellectual property laws to ensure they are Treaty of Waitangi compliant, including new norms to afford greater protection from misappropriation of taonga Māori and preservation of Māori cultural heritage.

The government must establish a Ministerial Advisory Group of Māori with respect to mātauranga Māori to support the development of new comprehensive law and policy. This Ministerial Māori advisory group would co-design solutions with Māori. Some solutions will be for the Crown to action, some will be for Māori alone to action, and other initiatives will need to be actioned jointly.

Consistently with the World Conference Outcome Document, Māori must be allocated funds to actively participate in national and international fora relevant to the protection of mātauranga Māori. Government funding will empower whānau, hapū, and iwi to participate in global conversations concerning their knowledge and intellectual property.

It is time to commit to a way forward based on a foundation of taha Māori (a Māori perspective), taha wairua (spiritual well being), trust and leadership.

Tēnā koutou, tēnā koutou, tēnā koutou katoa.