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New Zealand Permanent Mission to the United Nations



Te Māngai o Aotearoa

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New Zealand Statement

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*E nga iwi o tena whenua, o tena whenua o te ao
Tenei ahau e kawe nei I nga mihi o Aotearoa Niu Tirenī ka a koutou
i raro i te maru o o matou maunga me o matou awa
Ka mihi o matou maunga, ki o koutou maunga
Ka mihi o matou awa, ki o koutou awa
Ka mihi a matou reo, ki a koutou reo
Tihei mauri ora!*

Translation:

*To the peoples of the countries/lands of the world
I bring to you the greetings of Aotearoa New Zealand under the aegis of our mountains
and rivers
Our mountains greet your mountains
Our rivers greet your rivers
Our many voices, greet your voices,
Tis life!*

The New Zealand Government welcomes the opportunity to discuss the Doctrine of Discovery and the impact of this policy on indigenous peoples around the world and their right to redress for past conquests.

The Doctrine of Discovery is a concept constructed by colonising nations to manage relations with indigenous people. The idea was that "discovery" gave title to a government against other European governments, and did not require the consent of indigenous peoples. Any sovereignty of original inhabitants was impaired, but indigenous peoples had rights in land, though the right to freely dispose of those lands was denied. Those were the concepts articulated in the Marshall Court decisions of the 19th century which became well-known in the then British colonies, including New Zealand.

Land lies at the heart of the relationship between many indigenous peoples and their states. We recognise that by denying indigenous title, the Doctrine of Discovery has created historic injustices, and has had a wholly negative impact on the relations between indigenous peoples and state governments.

In New Zealand, however, our history is particular. The relationship between the indigenous people of New Zealand, Māori and the New Zealand Government has long been, and remains, based on a single Treaty, the Treaty of Waitangi, signed by some representatives of iwi Māori and the British Crown on and after 6 February 1840. The Treaty remains of fundamental constitutional and historical importance for New Zealand.

Despite the existence of the Treaty of Waitangi, the indigenous people of New Zealand suffered injustices due to the government's failure to comply with its Treaty obligations. Breaches of the Treaty included the confiscation of land, the unjust waging of war, unfair purchases by the government and the impact of legislation that defined the ownership of indigenous people's land.

The New Zealand government has embarked on a process to provide redress for the impacts of colonisation through the settlement of claims for breaches of the Treaty. These "Treaty settlements" are agreements that provide for the government's acknowledgement of, and apology for, past injustices, the return of land, commercial opportunities and the restoration of relationships between the government and the indigenous people.

The New Zealand government is proud of its unique framework for settling the grievances of its indigenous people. It acknowledges that the process has its challenges; but it aims to be flexible in the application of policy and is in continuous dialogue with Māori on ways to improve the settlement process and framework. Improvements are reflected in the evolution of settlements, for example in the last few years more and more settlements have facilitated the greater involvement of Māori in the management of natural resources.

The New Zealand government is only able to embark on this process through the generosity of the indigenous people. The compensation cannot provide full financial redress; rather Treaty settlements aim to provide a platform for the cultural, social and economic development of Māori.

New Zealand has accorded the completion of Treaty settlements a key priority. The majority of iwi (tribes) have either reached major settlement milestones or are participating in the mandating and negotiations process. There is now real momentum in settling historical Treaty claims.

Through the Treaty settlement process and ongoing engagement over many features of our contemporary society, the New Zealand Government aims to work constructively with Māori to build a future based on mutual trust and respect. This can only serve to benefit all New Zealanders.

Thank you.