

Ms Tui Shortland  
Te Kōwhiri, Indigenous and local  
Knowledge Centre  
(Iwi Monitoring  
Mechanism)

Item 3: New mandate of the Expert Mechanism on the Rights of Indigenous Peoples: Activities and methods of work

Kia ora Mr Chair,

1. ~~My name is Tui Shortland.~~ I have been asked to read this statement on behalf of the Independent Monitoring Mechanism for the UN (Declaration on the Rights of Indigenous Peoples) of Aotearoa New Zealand.

2. The Monitoring Mechanism is a working group created by Māori in 2015 and is independent of government. Members have been selected by their iwi (tribal nation) and endorsed by the National Iwi Chairs Forum (~~the Forum~~) to act as independent experts. The objective of the Monitoring Mechanism is to promote and monitor the implementation of the UN (Declaration on the Rights of Indigenous Peoples (~~the Declaration~~)) in Aotearoa/New Zealand. The Monitoring Mechanism makes the following two recommendations:

2.1- That the EMRIP receive the third annual report of the Monitoring Mechanism;

2.2- and, that the EMRIP consider the three annual reports submitted since 2015 in light of its new mandate and in particular, that the EMRIP consider what advice it could provide in order to address the issues identified in the annual reports.

3. We are very pleased to participate in this agenda item and note the strengthened mandate of the EMRIP compliments work that we are already doing. We see that the EMRIPs processes are now more relevant to indigenous peoples' priorities and the substance of what it can achieve has been improved. It is our hope that the EMRIP will be able to better utilise the annual reports that we produce and that it can assist us in the implementation of the Declaration in Aotearoa New Zealand.

4. Our annual report this year highlights some areas of positive progress – such as new legislation to support Māori language revitalization; increasing numbers of children learning Māori language; and new resource management processes to provide for Iwi (tribal nations) participation. The report also notes ongoing challenges – including participation in decision-making, the exercise of self-determination over lands and resources, and lack of Government action to respond to climate change.

4. Overall, the Monitoring Mechanism considers that:

- Firstly, self-determination is not fully recognized or protected
- Secondly, law and policy processes don't guarantee Māori participation in decision making
- Thirdly, a fundamental shift in approach is needed to ensure that tikanga (Māori law and culture) is properly valued and is reflected in law and policy and
- ~~Finally~~, urgent action is required to address the persistent and severe inequalities experienced by Māori.

5. The Monitoring Mechanism's overarching priority is the need for constitutional transformation, as the key mechanism for achieving greater recognition and realisation of indigenous rights in line with Te Tiriti o Waitangi and the Declaration.

6. Finally, we note that this year there has been a renewed willingness on the part of the New Zealand government to engage with us. We therefore urge the New Zealand government to prioritise this work.

7. Thank you Mr Chair.