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Expert Mechanism on the
Rights of Indigenous Peoples

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Te Kāhui Tika Tangata

EM14 Karen153

E ngā mana, e ngā reo, e ngā maunga, e ngā awaawa, e ngā pātaka o ngā taonga
tuku iho, tēnā koutou katoa.

[*To all expert colleagues, all voices, the mountains, the rivers, the treasure houses,
greetings to all of you.*]

Mr. Chairman, thank you for this opportunity to speak on behalf of the New Zealand
Human Rights Commission about the promotion and protection of the rights of
indigenous peoples in disaster risk reduction initiatives.

The 2010 Canterbury earthquakes in Aotearoa New Zealand have highlighted the
important role that indigenous knowledge has to play in disaster risk reduction
initiatives. An understanding of local culture, knowledge and indigenous practices is
increasingly recognised as critical to the success and sustainability of interventions
at a community level.¹

The Canterbury earthquakes have created human rights challenges on a scale
seldom seen before in New Zealand, particularly in relation to the right to adequate
housing. The earthquakes caused loss of life, serious injury and disruption in homes,
jobs, businesses, schools, sports and recreation. They caused damage to more than
90 per cent of the housing stock in greater Christchurch. The total rebuilding costs
are estimated by Treasury to be approximately NZ\$40 billion, close to 20 per cent of
New Zealand's annual GDP.²

¹ Indigenous Knowledge for Disaster Risk Reduction: good practices and lessons learned from experiences in
the Asia-Pacific region, Bangkok, July 2008, p.iii.

² New Zealand Government, Minister of Finance Budget Speech 2013, <http://purl.oclc.org/nzt/b-1545>.

The impact of the earthquake on Māori and Pacific peoples has been considerable. The eastern part of Christchurch bore the brunt of the earthquakes. This area covers a number of the lowest economic areas of Christchurch where there is a higher proportion of Māori (tangata whenua) and Pacific Island communities.

Of those who were forced to leave their homes, many moved in with family and were able to access the support services of marae. (A marae is a cultural community centre where Māori culture is celebrated, Māori language is spoken, and iwi (tribal) obligations are met.

Marae were used in different ways after the earthquakes. Some became crucial hubs for emergency services and for the coordination of the earthquake response. Others were used as a temporary location for the Justice Department law courts. In the immediate aftermath of the disaster Māori values of manaakitanga and whānaungatanga, which are about practical support and care, were extended spontaneously, and as a matter of course to non- Māori in community settings such schools and marae.

As the recovery enters its fourth year the results of the Canterbury Earthquake Recovery 2013 Wellbeing Survey indicate that residents are adapting to a 'new normal' as progress is being made in a number of areas.

However, there are still some groups that are being affected more than others and where recovery is taking longer. These include Māori - in temporary housing, living with a health problem or disability, on lower incomes and in rental accommodation.

The survey results indicate that Māori are less likely to rate their overall quality positively and more likely to be living in housing of such poor quality that it is having a strong negative impact on their everyday life.³

³ CERA Wellbeing Survey, September 2013 Report. See: <http://cera.govt.nz/wellbeing-survey>

Two positive initiatives

Two positive initiatives in the recovery include the Iwi (tribal) Māori Recovery Programme and the development of two disaster risk reduction resources targeted at vulnerable groups.

The Iwi Māori Recovery Programme was established by the Canterbury Earthquake Recovery Authority in order to assist central and local government to address their respective obligations under the Treaty of Waitangi and the Universal Declaration on the Rights of Indigenous Peoples ("UNDRIP").⁴ It aims to facilitate opportunities for effective engagement of the iwi authority Ngāi Tahu,⁵ and other Māori leaders and decision makers⁶

Ngāi Tahu has noted that a large part of the rationale underlying the proposal to develop the Iwi Māori Recovery Programme was to ensure a greater voice for the wider Māori community. This acknowledged Ngāi Tahu's obligations in providing manaaki (care and respect) for the wider Māori community within its tribal district. It also recognised that the overarching recovery statutory framework, did not specifically include provision for Māori communities.

The development of two 'Best Practice Guidelines'

The earthquakes also resulted in an acknowledgement by local and central government agencies that they did not know how to best engage with culturally and linguistically diverse ("CALD") communities. Two notable initiatives that emerged in the recovery context include the publication by the Christchurch City Council of *'Best practice guidelines for engaging with culturally and linguistically diverse (CALD) communities in times of disaster'*, and a second resource, published by the Ministry of Civil Defence and Emergency Management called : *'Including culturally and linguistically diverse communities: information for the civil defence and emergency management sector.'*

⁴ See for example, articles 10, 18, 24 and 28.

⁵ Ngāi Tahu, the local iwi (tribe) is the largest iwi in the South Island. The iwi authority, Te Rūnanga o Ngāi Tahu, is the governing body that oversees the iwi's activities. Te Rūnanga o Ngāi Tahu constitutes representatives from 18 rūnanga that are hapū-based and geographically spread across te Rohe o Ngāi Tahu (the Ngāi Tahu region), generally based around traditional Māori settlements.

⁶ See Canterbury Earthquake recovery Authority, Iwi Māori Recovery Programme.

While these resources are not explicitly directed at improving natural disaster risk reduction for indigenous communities, they provide a pragmatic starting point for more inclusive response mechanisms, including for people with disabilities.

Recommendations

The Commission recommends the inclusion of indigenous knowledge and perspectives on disaster risk reduction in the Post-2015 Framework for Risk Reduction.

Furthermore, in its 2013 report *Monitoring Human Rights in the Canterbury Earthquake Recovery*, The New Zealand Human Rights Commission made a number of recommendations which address a national audience but which the Commission submits as having international application.

These are that:

- the central government departments and regional authorities involved in the earthquake recovery embed a human rights approach and recognition of the human rights dimensions of the Treaty of Waitangi in their major initiatives, with support from the Human Rights Commission as appropriate
- government agencies ensure adequate allocation of funding to respond to ongoing mental health issues and psychosocial stressors focusing primarily on addressing pre-existing inequities for hard to reach and vulnerable families and whānau
- the Canterbury Earthquake Recovery Authority develop plans to consult with the public and territorial authorities about the transfer of responsibilities and functions when its statutory functions cease, and ensures responsibilities to indigenous authorities are maintained in the transfer

- the government ensures that accessibility and universal design are embedded in the building process from the design phase through to completion.

No reira, tēnā koutou, tēnā koutou, tēnā koutou katoa (*and finally,greetings to you all*).

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