



**Interactive Dialogue: EMRIP and Special Rapporteur
on the Rights of Indigenous Peoples
24th session, Human Rights Council
Delivered by Alana Messent
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New Zealand joins with others in expressing our appreciation to the members of the Expert Mechanism for your work on the study on access to justice. As the study identifies, there are some very real and complex challenges relating to access to justice for indigenous peoples, many of which are reflected in New Zealand's own experience of this issue.

Today we would like to comment on the issue of administration of criminal justice as we agree with you that this is a key area that needs to be addressed when looking at the question of access to justice for indigenous peoples. We acknowledge that the Special Rapporteur also identified this as a particular challenge for New Zealand following his visit in 2010. New Zealand is a country where the over-representation of Māori in the criminal justice system both as offenders and victims is a major concern. To address this concern, the Government has a particular focus on reducing offending and re-offending and victimisation among Māori people. While more remains to be done, our approach involves several of the remedies highlighted by the study including addressing the social, economic and cultural issues that are the underlying causes of these high rates and through programmes and alternative court processes that draw on and reflect Māori cultural values, concepts and justice systems.

Your study provides the New Zealand example of Rāngatahi Courts, which are courts premised on the idea that reconnecting young Māori with their culture and involving their families and iwi in the process contribute to reduced risks of reoffending. A further example is the establishment of a Matariki Court. In this court, offenders have an opportunity to call on people to speak to the particular personal, family, community or cultural background of the offender and how that background might have related to the commission of the offence. In this way the Court can also help facilitate alternative pathways to address the underlying causes of offending.

Special Rapporteur Anaya, New Zealand thanks you for your report on extractive industries and indigenous peoples. Your report provides a number of conclusions that warrant further consideration as states consider best practice approaches to extractive industries.

New Zealand also welcomes the Special Rapporteur's response to the communication from the Mangakahia Whanau, which acknowledged the challenges that New Zealand has faced in assessing how best to negotiate with the numerous groupings of Māori as part of the Treaty of Waitangi process.

Finally, Mr President, allow me to express sincere gratitude to the Special Rapporteur for his constructive approach, personal commitment and valuable contribution he has made throughout his mandate. We particularly thank you Professor Anaya for your visit to New Zealand, as well as the time you have taken to receive and respond to Māori individuals and groups through your communication procedure. We wish you the best in your future endeavours.