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Delivered by
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Tihei mauriora.

Ki te whai ao, ki te ao marama.

Nga mate kua hinga atu, haere, haere, haere.

Te hunga e tau nei, tena koutou, tena koutou, kia ora tatou katoa.

Madame Chairperson, distinguished members of the Working Group, ladies and gentlemen. It is my pleasure to report on developments in Aotearoa (New Zealand) insofar as Maori people are concerned. Because I am Maori myself, just as my predecessor here in 1989 was, I feel even more privileged in being able to present this statement.

1990 is a significant year in the history of New Zealand. It marks the 150th anniversary of the signing of the founding document of our country, the Treaty of Waitangi. The Treaty is a brief but profound document. It comprises but three articles.

Article I gave the British Crown the right of kawanatanga (governorship) over New Zealand.

Article II guaranteed Maori people "tino rangatiratanga" (absolute chieftainship) over their lands, their homes and all their treasures.

Article III guaranteed Maori people full and equal rights of British citizenship.

Over the 150 years since its signing in 1840 the gap between the promises made in the Treaty and the day to day reality for Maori people has never been completely closed. As Her Majesty Queen Elizabeth II said at the ceremony marking the 150th anniversary of the signing of the Treaty of Waitangi earlier this year:

"Today we are strong enough and honest enough to learn the lessons of the last 150 years and to admit that the Treaty has been imperfectly observed. I look upon it as a legacy of promise. It can be a guide to all New Zealanders of goodwill, to all those whose collective sense of justice, fairness and tolerance will shape the future."

A fundamental requirement for the honouring of the Treaty of Waitangi is for all of the people of Aotearoa to recognise that traditional Maori methods of doing things can validly be applied in contemporary society. I would like to use the example of natural resource management as an illustration of what this means. I choose this as an example because one of the trends in Aotearoa in the past few years has been the major reform of environmental administration and legislation - and wise environmental management is fast becoming a topic of concern across the globe.

[To Maori, the natural environment is a taonga or treasure of great value, providing the iwi (tribe) with physical, spiritual and economic sustenance. Maori knowledge of the environment is based on perceptions and observations learned from close interaction with the environment. Kaumatua, kuia and tohunga (Maori elders and experts) are the repositories of this knowledge. Knowledge is inherited from our tupuna (ancestors) and entrusted in the present generation so that they will manage the resources wisely for the benefit of future generations. There is an inherent obligation on the kaitiaki (the guardians and managers of today) to ensure that cultural and spiritual values remain intact, while responding to the demands for social and economic development.]

You can see from this brief description that far from being a new concept, the currently fashionable catchword "sustainable management" is fundamental to Maori practices. Maori knowledge can therefore be of value, alongside Western scientific knowledge, in seeking solutions for the environmental problems of this planet. In Aotearoa, this is already happening. A major new piece of environmental legislation (the Resource Management Bill) makes reference to the concept of kaitiakitanga or guardianship. [The question of "who owns the past?" is being addressed in respect of waahi tapu, the sacred sites of our ancestors. In the past, these sites have been interpreted and desecrated in a manner completely insensitive and inappropriate to Maori custom, because they were seen as "archaeological sites". This is changing as Maori are able to assert their own understanding of waahi tapu.]

sacred sites

These are just a few examples of how the value of indigenous knowledge is being recognised in Aotearoa. But what I am saying has relevance for indigenous populations everywhere. We need to look more closely at the role of indigenous peoples world-wide in addressing these global problems.

Madame Chairperson, the past year has seen a number of other developments that have had - and will continue to have - a significant impact on Maori people.

The restructuring of the Government's Maori Affairs portfolio, outlined in New Zealand's statement last year, has progressed. Where once there was a single Department of Maori Affairs there are now two agencies working solely for the betterment of Maori people. The Iwi Transition Agency (Tira Ahu Iwi), has set about its task of helping iwi develop their operational base in order to have more control of their own affairs. Legislation designed to help achieve this is currently being drafted. The Runanga Iwi Bill, as it is known, has received mixed reaction. Some are suspicious that it might simply be yet another example of government intervention. Others are encouraged that at last the Government has recognised the importance of iwi in Maori thinking. In fact, until this Bill, formal recognition of the iwi concept in New Zealand legislation has been sadly lacking.

The other new government "Maori" agency, the Ministry of Maori Affairs (Manatu Maori), has had a good first year. Amongst its more notable achievements has been the establishment of a group of Maori experts (Nga Pou Tikanga Maori), elected by iwi, to advise the Government on the best and most appropriate ways of incorporating Maori practices (tikanga Maori) in the New Zealand Public Service. In doing so, they will also be looking to protect the integrity of tikanga Maori in the New Zealand Public Service.

Madame Chairperson, the process of selection of Nga Pou Tikanga Maori was under way at the time when you were scheduled to make a second visit to New Zealand. For Maori people it was a practical example of the attempts being made to increase Maori participation in the Government policy development process, something hitherto relatively unknown. Furthermore, it recognised that kaumatua (Maori elders and experts) are the repository of tikanga Maori and that their skills and knowledge are infused with the confidence of their iwi.

The disparity between the educational achievement of Maori and non-Maori continues to be of concern. The development of iwi and community based initiatives in the field of education shows a strong commitment and willingness by Maori people themselves to provide resources for programmes in the face of a system which has failed to adequately address their needs.

The Kohanga Reo (language nest) programme for pre-schoolers now reaches a third of Maori children under the age of five. Pilot schemes for total immersion schools (Kura Kaupapa Maori) at primary school level have been introduced. However, there is still a need to improve the services provided by the mainstream education system attended by the majority of Maori children. This process should be aided by restructuring of the total New Zealand education system aimed at providing a framework more responsive to local needs. It remains to be seen, however, whether this commitment will extend to structural changes which would allow for the development of an education system more acceptable to Maori people.

[Restructuring of the New Zealand economy has clearly had an impact on Maori people. There has been a disproportionate increase in Maori unemployment over the years, primarily because they tend to be employed in those sectors of the economy marginalised by the restructuring. A number of government schemes have attempted to address this problem, with varying success. Perhaps, yet again, the greatest hope lies in iwi-based initiatives which could result from measures to restore and strengthen the operational base of iwi.]

For this to be achieved, it is argued, iwi need to have greater control over their own resources. In this regard over the past year there have been some significant developments.

Probably the major one has been the passing of the Maori Fisheries Act in December 1989. This Act has gone some way towards recognising the historic treaty-based claim to fisheries by Maori people, and partially restores Maori fishing rights put at risk by the 1986 Fisheries Act. However, whilst it gives Maori people 10% of the total New Zealand fishing quota, it is considered by Maori people generally to be an interim step only.

The privatisation of state-owned enterprises resulting from the economic restructuring has also brought to the fore the question of ownership of resources. The Treaty of Waitangi (State Owned Enterprises) Act 1988 was designed to protect existing and future claims before the Waitangi Tribunal relating to land presently in Crown ownership.

[In 1989, a landmark decision by the Court of Appeal, brought about by a claim by the Tainui people acknowledged that land rights not only applied to the land itself but also to the resources under that land. The Tainui people come from an area of the North Island of New Zealand rich in coal. Provided they can claim ownership of the land, an ownership interest in the coal is implicit.]

This case raised an interesting constitutional issue on the role of the Executive and the Court system in New Zealand regarding the final power of ruling on solutions to Maori claims based on the Treaty of Waitangi.]

In December 1989 the Government decided that it alone would make the final decisions on Treaty claims. A Task Force of Ministers was set up to handle this. Part of the function of the Task Force was to provide an avenue for direct negotiations between the Crown and Maori claimants. If that failed, claimants still had access to the Waitangi Tribunal. Though the Task Force has been operational for only a few months it has been successful in resolving a number of issues.

One such example, is settlement of a longstanding claim by the people of Ngati Maniapoto to the well known Waitomo glow worm caves and surrounding land in their area. Through a process of negotiation both parties reached a mutually agreeable settlement. The Crown would own a quarter and the Maori claimants the rest.

In this instance the Government conceded that land, including the Waitomo Caves, was taken from Maori by legislation rather than agreement. The transfer amounted to a breach of the Treaty of Waitangi.

Both sides now believe that a fair and amicable legal settlement has been made to this specific claim.

Meanwhile, claims before the Waitangi Tribunal continue to be heard. As of now, the Tribunal has heard seven claims, on which it has made fifty nine specific recommendations. Of these, eight have been partially implemented and thirteen have been fully implemented. A further thirty two have been, or are being addressed, but no tangible results have yet been seen. The remaining six have been rejected.

Earlier I mentioned that iwi-based organisations perhaps provide the best hope for progress towards the kind of society visualised by the Treaty signatories. I would like to conclude this statement by telling you of an important event that took place only a few days ago.

26 { At a hui (meeting) of iwi from throughout the country a "National Maori Congress" - referred to in last year's statement - was finally established. It is made up of representatives from each iwi, and its objectives include:

- (1) the advancement of all Maori people
- (2) the exercise, by each iwi, of tino rangatiratanga (absolute chieftanship)
- (3) the provision of a national forum for iwi representatives to address economic, social, cultural and political issues within tikanga Maori
- (4) the promotion of constitutional and legislative arrangements that enable Maori people to control their own right to development and self-determination.

This development Madame Chairperson, is an extremely significant one. It is based on the philosophy of whakakotahi (which means to unite) and promises to give Maori people a unified voice in dealing with government. It is also based on the principle of Maori mana motuhake, the right of Maori people to decide their own destiny. The strength gained by Maori from this development will be significant in realising the partnership promised by the Treaty of Waitangi.