

CHECK AGAINST DELIVERY

Human Rights Council
Expert Mechanism on the Rights of Indigenous Peoples
Eighth session
20 – 24 July 2015

Agenda item 8: United Nations Declaration on the Rights of Indigenous Peoples

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Thank you Mr Chair. This statement is submitted by the Monitoring Mechanism of the National Iwi Chairs Forum. The Monitoring Mechanism is a working group established by the National Iwi Chairs Forum to monitor the implementation of the UN Declaration on the Rights of Indigenous Peoples by the New Zealand government. The National Iwi Chairs Forum is a collective of chairpersons who represent their iwi/tribal nations, which meets regularly to work on issues of common interest and to engage with government representatives, politicians and others to further the rights of our people.

The Monitoring Mechanism was established in 2014. It has produced a report which provides further background on the establishment and objectives of the Monitoring Mechanism as well as an analysis of what the New Zealand government has done to implement the UN Declaration on the Rights of Indigenous Peoples since its endorsement of the Declaration in 2010. Our report is available as a UN document during this session of the EMRIP, the reference number is Conference Room Paper 3.

In preparing the report and to initiate discussion on the implementation of the UN Declaration on the Rights of Indigenous Peoples, the Monitoring Mechanism invited both the Minister of Māori Development and the Prime Minister to meet. In response we were informed that the Minister responsible for Treaty of Waitangi negotiations would meet with the Monitoring Mechanism. To date an invitation has been received from the Minister responsible for Treaty of Waitangi negotiations but no date has been set. An invitation was also sent to the Ministry of Māori Development to contribute to the preparation of the Monitoring Mechanism's report but that invitation was declined.

Our report notes that the New Zealand government has not undertaken any comprehensive planning to determine whether existing or new legislation, policies or activities are consistent with the UN Declaration on the Rights of Indigenous Peoples. There is no focal point within government who is responsible for the implementation of the Declaration and no targeted resources to ensure its implementation. The absence of proactive government and departmental commitment to develop a national plan to deliver on its obligations under the Declaration make it difficult for the government and for independent bodies to monitor and measure progress, impact or performance against the Declaration. This is particularly concerning given New Zealand's proactive engagement during the preparations for the special session of the General Assembly in September 2014 known as the

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World Conference on Indigenous Peoples and the commitments made in the outcome document of that conference to realise a number of Indigenous Peoples' rights at the national level. At the very least it is incumbent upon the New Zealand government to honour commitments made in international fora at the national level and one concrete way to realise such commitments is for the New Zealand government to develop a national action plan in partnership with Māori to implement the UN Declaration on the Rights of Indigenous Peoples.

We therefore make the following three recommendations:

1. That the EMRIP notes that the National Iwi Chairs Forum has established a Monitoring Mechanism to independently monitor the New Zealand government's implementation of the Declaration and that the Monitoring Mechanism plans to report regularly to the EMRIP on its work;
2. That the EMRIP notes the inaugural report of the Monitoring Mechanism (Conference Room Paper 3); and
3. That the EMRIP notes that the New Zealand government has yet to develop and implement a national plan of action for the implementation of the UN Declaration on the Rights of Indigenous Peoples.

Thank you Mr Chair.