



Briefing for the UN Expert Mechanism on the Rights of Indigenous Peoples

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Te Ao Māori – The Māori World

- Our whānau (extended families), hapū (groups of whānau) and iwi (nations) have always been and remain those who hold mana (those who hold ultimate power and authority derived from the gods). The British acknowledged our mana as sovereignty in 1835.
- Te Tiriti o Waitangi 1840 set out the conditions to allow British immigration to our country. We still adhere to it. The British have always ignored it.
- British instead implemented the Doctrine of Discovery – set up an illegitimate government to take over the lives, lands, resources and power of Māori
- DoD and its colonisation remain in place today and continue to actively harm Te Ao Māori.

Some Statistics

Mainly 2013 census

Māori

- Māori by ethnicity – 598,605
- Māori by descent – 668,724
- ~128,00 in Australia
- 84.4 % live in urban areas
- 21% speak Māori
- Median age 24 years
- Bachelor's degree or higher 9.1%
- Median net wealth \$23,000
- Unemployment 15.6%
- Life expectancy male ~73 years
- Life expectancy female ~76 years
- Prison population 56% - women 63%

General Population

- European – 2,969,391 – 74%
- Māori – 598,605 – 15%
- Asian – 471,708 – 12%
- Pacific – 295,941 – 7%
- 3% speak Māori
- 38 years
- 20%
- \$87,000
- 5.8%
- ~80 years
- ~84 years
- European 37% - women 33%

Te Tiriti Framework

agreed to by two Ministers supported by Prime Minister

| Kāwanatanga Governance | Rangatiratanga Self-determination | Rite Tahī Non-discrimination |
|---|--|---|
| <p>Rangatira gave and the Crown accepted an authority to govern tauiwi and to act in a partnership with Rangatira, the primary partner</p> | <p>Rangatira kept and the Crown promised to protect their Tino Rangatiratanga including self-determination</p> | <p>The Crown gave whānau the guarantee of full participation, enjoying the same rights as British subjects</p> |
| <p>Legislation policy and practices for tauiwi will be developed in partnership with Rangatira and be inclusive of tikanga</p> | <p>Tino Rangatiratanga, reo, tikanga, wairuatanga, marae, mātauranga will be protected and revitalised</p> | <p>Whānau will participate in their communities as equals, without discrimination</p> |

National Iwi Chairs' Forum

- Informal group of chairs of mandated **iwi** or **hapū** representative bodies – 73 members registered – established 2005
- Meets four times a year in different **iwi** territories
- Purpose:
 - To bring **hapū** and **iwi** together to share information and expertise;
 - To support each other and work together on issues of importance to all our **whānau, hapū** and **iwi**;
 - To advocate the collective priorities of the **iwi** within the Forum in discussions with others, recognising the **rangatiratanga** (self-determination, sovereignty) of **iwi**.
- Works in background, is supposed to keep a low media profile – some coverage on Māori media

NICF Working Groups – Iwi leaders' Groups

- Constitutional Transformation – Matike Mai Aotearoa
- Monitoring Mechanism (UNDRIP)
- Freshwater
- Climate Change
- Whānau Ora
- Resource Management
- Mining and Oil Drilling
- Education
- Housing
- Issues also include treaty claims settlements, child protection (covenant), suicide prevention...

Monitoring Mechanism

- Established by NICF 2014 to monitor NZ government's compliance with the UNDRIP
- 15 members appointed by iwi and several advisors
- Reports to NICF and to UNEMRIP
 - 2015 – notifies its establishment and intention to report – invites government to contribute
 - 2016 – reports on NZ non-compliance in respect of treaty claims settlements, Trans-Pacific Partnership Agreement and local government; recommends a national plan for implementation of UNDRIP & sets out principles

Monitoring Mechanism (cont)

- 2017 – our key priorities for a National Plan of Action
 - **Constitutional transformation**
 - **Self-determination** – decision-making, free prior and informed consent – child protection, local government
 - **Lands, territories and resources** – treaty claims settlements extremely problematic; fiduciary duties; climate change
 - **Cultural rights** – language – very small improvements; tikanga (law) still marginalised
 - **Equality and non-discrimination** – poorer outcomes in health, education, justice, employment, housing and income; high incarceration; poverty especially children
 - **Practical implementation** and technical assistance

Monitoring Mechanism (cont)

2018 – reported progress on 2017 priorities

- **Constitutional transformation** – need engagement
- **Self-determination** – need engagement – Te Arawhiti Māori-Crown Relationships positive step; free prior and informed consent still extremely problematic except for Whānau Ora;
- **Lands, territories and resources** – climate crisis (Zero Carbon Bill); extractive industries & ownership of water still extremely problematic
- **Cultural rights** – need support for language and to address racism and discrimination against Māori and our language
- **Equality and non-discrimination** – need public education on racism, discrimination, Te Tiriti, indigenous and human rights especially of Māori disabled and Māori women;
- **Practical implementation** – National Plan of Action starting

References and Acknowledgements

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