

Ministry Statements and Speeches 2010

Ninth session of the United Nations Permanent Forum on Indigenous Issues, 19 - 30 April 2010

Statement by Hon Dr Pita Sharples, Minister of Maori Affairs, 19 April 2010

Mihi to United Nations Permanent Forum on Indigenous Issues (Tauparapara)

E nga mana whenua, e te iwi Onondaga, na koutou nga karakia i tuku ki te wahi ngaro kia pai ai tatou, tena koutou.

E nga mate, o tena iwi, o tena iwi, haere, haere, haere ki te okiokinga tuturu mo te tangata.

E te whare o nga iwi o te ao, karanga mai, karanga mai. Karanga mai ki tenei waewae tapu manuhiri) mai i Aotearoa.

E te hunga ora, e nga mangai o nga iwi taketake o te ao, tena koutou katoa.

Kei te mihi atu ki o koutou maunga, ki o koutou awa, ki o koutou whenua, i takea mai ai o koutou tipuna, tae noa mai ki a koutou e huihui nei i tenei ra.

I haere mai au me te ngakau mahaki, ki te whakanui i te Whakaputanga o nga Mana o nga Iwi Taketake. Kua roa te Kawanatanga o Aotearoa e whiriwhiri ana i tenei take, katahi ano ka tau te whakaaro, me tautoko.

No reira kei te mihi atu ki nga rangatira, ki nga iwi, ki nga ropu i oti i a koutou tenei kaupapa o te Whakaputanga, hei whakaae ma nga Kawanatanga o te ao.

To the inherent powers of this land; to the Onondaga people, who have offered spiritual acknowledgement to the unseen world to bless us, greetings to you.

To the spirits of the deceased, of each and every nation, we farewell you to the ultimate resting place of humankind.

To this house of the peoples of the world, please welcome this newcomer from New Zealand.

To the living representatives of indigenous peoples of the world, I salute you all.

I greet your mountains, your rivers, your lands, (the places) where your ancestors originated, including you who are meeting here today.

I come with a humble heart to celebrate the Declaration of the Rights of Indigenous Peoples. The

New Zealand Government has long discussed this matter, and has recently decided to support it.

So I salute the leaders and chiefs, the many peoples and groups who established the foundation of the Declaration, for assent by the Governments of the world.

Announcement of New Zealand's support for the Declaration on the Rights of Indigenous Peoples

In September 2007, at the United Nations, 143 countries voted in favour of the Declaration on the Rights of Indigenous Peoples. New Zealand was one of four countries that voted against the Declaration.

Today, New Zealand changes its position: we are pleased to express our support for the Declaration.

In keeping with our strong commitment to human rights, and indigenous rights in particular, New Zealand now adds its support to the Declaration both as an affirmation of fundamental rights and in its expression of new and widely supported aspirations.

Māori hold a distinct and special status as the indigenous people, or tangata whenua, of New Zealand. Indigenous rights and indigenous culture are of profound importance to New Zealand and fundamental to our identity as a nation. A unique feature of our constitutional arrangements is the Treaty of Waitangi, signed between representatives of the Crown and Māori in 1840. It is a founding document of New Zealand and marks the beginning of our rich cultural heritage. The Treaty establishes a foundation of partnership, mutual respect, co-operation and good faith between Māori and the Crown. It holds great importance in our laws, our constitutional arrangements and the work of successive governments.

The Declaration contains principles that are consistent with the duties and principles inherent in the Treaty, such as operating in the spirit of partnership and mutual respect. We affirm this objective, and affirm the Government's commitment to build and maintain constructive relationships with Māori to achieve better results for Māori, which will benefit New Zealand as a whole.

The Declaration is an historic achievement: the result of many years of discussions – 22 years in fact – and of hard work and perseverance by many people. I acknowledge the long involvement of Māori in the elaboration of the Declaration and the extent of their investment in its development.

The Declaration acknowledges the distinctive and important status of indigenous peoples, their common historical experiences and the universal spirit that underpins its text. The Declaration is an affirmation of accepted international human rights and also expresses new, and non-binding, aspirations.

In moving to support the Declaration, New Zealand both affirms those rights and reaffirms the legal and constitutional frameworks that underpin New Zealand's legal system. Those existing frameworks, while they will continue to evolve in accordance with New Zealand's domestic circumstances, define the bounds of New Zealand's engagement with the aspirational elements of the Declaration.

In particular, where the Declaration sets out aspirations for rights to and restitution of traditionally held land and resources, New Zealand has, through its well-established processes for resolving Treaty claims, developed its own distinct approach.

That approach respects the important relationship Māori, as tangata whenua, have with their lands and resources both currently and historically, and the complementary principles of rangatiratanga and kaitiakitanga that underpin that relationship. It also maintains, and will continue to maintain, the existing legal regimes for the ownership and management of land and natural resources.

New Zealand acknowledges and understands the historic injustices suffered by Māori in relation to their land and resources and is committed to addressing these through the established Treaty settlement process. Many Māori groups have already benefited from the transfer of considerable land, forest and fisheries assets through negotiated Treaty settlements; many more are in the process of negotiations with the Government towards settling their claims. These settlements contribute to the re-establishment of an economic base as a platform for future development. Redress offered in Treaty settlements is, however, constrained by the need to be fair to everyone and by what the country as a whole can afford to pay.

Further, where the Declaration sets out principles for indigenous involvement in decision-making, New Zealand has developed, and will continue to rely upon, its own distinct processes and institutions that afford opportunities to Māori for such involvement. These range from broad guarantees of participation and consultation to particular instances in which a requirement of consent is appropriate.

In those processes and institutions, we acknowledge that our ongoing national dialogue is grounded in the Treaty of Waitangi. We further recognise that Māori have an interest in all policy and legislative matters and acknowledge the determination of Māori that custom, worldviews and cultural heritage should be reflected in the laws and policies of New Zealand. Māori have been, and continue to be, active in developing innovative responses to issues with a strong indigenous perspective and in engaging with successive governments on possible paths forward.

We will continue that conversation within the relationship that the Treaty and New Zealand's constitution as a whole affords. Further, we will continue to work in international fora to promote the human rights of indigenous peoples. New Zealand acknowledges the ongoing process of dialogue and debate over the meanings that may be given to the aspirations put forward by the Declaration.

New Zealand's support for the Declaration represents an opportunity to acknowledge and restate the special cultural and historical position of Māori as the original inhabitants - the tangata whenua - of New Zealand. It reflects our continuing endeavours to work together to find solutions and underlines the importance of the relationship between Māori and the Crown under the Treaty of Waitangi. Its affirmation of longstanding rights supports and safeguards that ongoing relationship and its proclamation of new aspirations gives us all encouragement and inspiration for the future.

No reira, tena koutou, tena koutou, tena koutou katoa.

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