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**Human Rights Council**
**Expert Mechanism on the Rights of Indigenous Peoples**

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**United Nations Declaration on the Rights of Indigenous
Peoples: good practices and lessons learned**

 Report of the Independent Monitoring Mechanism regarding the implementation of the UN Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand, June 2018

 I. Introduction

1. This is the fourth annual monitoring report of the Independent Monitoring Mechanism for the United Nations Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand (the Monitoring Mechanism).

2. The Monitoring Mechanism is a working group created by Māori in 2015 and is independent of government. Members of the Monitoring Mechanism have been selected by their iwi (tribal nation) and endorsed by the National Iwi Chairs Forum (the Forum)[[1]](#footnote-2) to act as independent experts. The Monitoring Mechanism is supported in its work by technical advisers. The objective of the Monitoring Mechanism is to promote and monitor the implementation of the UN Declaration on the Rights of Indigenous Peoples (the Declaration) in Aotearoa/New Zealand.

 II. Engagement with Government

3. Since its establishment the Monitoring Mechanism has sought to engage with the New Zealand Government (the government). Recent developments have led to the creation of a formal relationship with Te Puni Kōkiri - the Ministry of Māori Development (TPK) and government funding to support the Monitoring Mechanism in its work.

 III. Structure of this Report

1. In its 2017 report the Monitoring Mechanism developed a monitoring framework based on six key priorities:

(a) An overarching priority of Constitutional Transformation – this year the Monitoring Mechanism has also added Climate Crisis as another key, overarching priority;

(b) Self-determination, underpinned by participation in decision-making and free, prior and informed consent;

(c) Lands, Territories and Resources;

(d) Cultural Rights;

(e) Equality and Non-discrimination; and

(f) Practical implementation of the Declaration and Technical Assistance.

1. The following sections of this report, comment on recent developments under these priorities and progress towards their achievement. In preparing this report, the Monitoring Mechanism held five thematic workshops with Iwi groups to discuss their experiences, issues and recommendations.

A. Overarching Priorities

1. Constitutional Transformation

Recommendation 1:

**In accordance with recent UN recommendations, that the government work with the Monitoring Mechanism to progress constitutional transformation discussions and implement the recommendations of the 2016 Matike Mai Aotearoa report.**

6. Constitutional transformation is required because the rights affirmed in Te Tiriti are not reflected in the current constitutional system. Establishing a rights-based constitutional foundation is critical to making any meaningful improvements in the realisation of Māori rights – including addressing the severe, ongoing disparities that Māori continue to experience.

7. The 2016 Matike Mai Aotearoareport,[[2]](#footnote-3) proposed models for an inclusive constitution, based on Te Tiriti and which have a focus on improved relationships that reflect self-determination, partnership and equality. The report recommended further dialogue over the next five years – amongst Māori and with other groups and the government – to develop, agree and implement an inclusive, Tiriti-based constitution.

8. In the past year, two UN Committees have recommended that the government take action to progress constitutional discussions.[[3]](#footnote-4) Most recently, the UN Committee on Economic, Social and Cultural Rights (CESCR) has urged the government to:[[4]](#footnote-5)

*“Take immediate steps, in partnership with Māori representative institutions, to implement the recommendations of the Constitutional Advisory Panel regarding the role of the Treaty of Waitangi within its constitutional arrangements together with the proposals put forward in the (2016) Matike Mai Aotearoa report”.*

 2. Iwi Workshop: Constitutional Transformation: 27 April with Ngati Kahu

9. Workshop participants noted an overarching failure by successive governments to adhere to existing constitutional documents, He Whakaputanga and Te Tiriti, and to implement Māori rights. Participants also highlighted failures to include Māori in constitutional and related decision-making. As a result, government systems don't work for Māori; and actively cause harm.

10. Examples included:

(a) The health system – Māori family members receiving low standards of care.

(b) Prisons and the justice system – examples and research show that non-Māori get lesser sentences for the same offences and the disproportionate and increased risk for Māori of imprisonment.

(c) The state care system – continues to remove Māori children from their whānau (extended family) and provides them with a poorer standard of care.

(d) The education system – takes Māori cultural terms and concepts and misuses and dilutes them. Māori education continues to be under-resourced and under supported.

(e) Housing – more Māori are living on the streets, in tents and cars because they are homeless.

(f) Local government – Māori pay their property taxes because they are frightened they will lose their homes, not because they are getting good services as Māori from local government.

11. As well as pinpointing specific issues, workshops also offered up solutions. Where Māori values and ways of doing things have been able to continue, despite a lack of support or recognition, Māori are flourishing because elders are able to provide solutions and guidance. Examples of this included: kapahaka, the arts, kaupapa Māori education, whaikōrero, pū kōrero, and whare wānanga.

 3. Climate Crisis

 Recommendation 2:

* 1. That the government cease all fossil-based fuel production combined with investment in renewable energy production and support infrastructure, and
	2. Ensures active protection of Te Tiriti obligations in the further development, execution, monitoring and review of its climate crisis mitigation/adaptation efforts

12. In March 2018 the Forum held an inaugural Māori Leaders Climate Change Summit. Over 120 Māori leaders attended. The summit outcomes form the basis of recommendation 2.

13. The previous National led government continued to subsidise and support fossil fuel production despite Paris Agreement emissions reduction targets, including the latest COP commitments.[[5]](#footnote-6) The government was also found to have acted unlawfully in failing to fulfil its duty to review New Zealand’s 2050 target with each new IPCC report.[[6]](#footnote-7) In addition, local government are only beginning to address the climate crisis as evidenced by Auckland City Council, only mentioning the term “climate change” in their Regional Growth Strategy last year.[[7]](#footnote-8)

14. The current Labour coalition government has committed to improve climate change “action” including public consultation on a Zero Carbon Bill, and the establishment of a Climate Change Commission.[[8]](#footnote-9) It will be important to ensure Māori representation on the Commission, as well as resourcing of the Commission’s work. The need for climate change policies to be developed and implemented in partnership with Māori has been reinforced by the CESCR in its recent recommendations.[[9]](#footnote-10)

1. Self Determination (underpinned by participation, good faith cooperation and free, prior and informed consent)

 Recommendation 3:

**That government establish, support and sustain effective mechanisms to engage with their Tiriti partner in order to recognise and protect self-determination in its laws, policies and practices.**

15. The Monitoring Mechanism has previously raised concerns about the extent to which the right to participate in decision-making is given effect, including in relation to law and policy making. These concerns continue.

 1. Iwi Workshop: Participation in Decision-Making, 13 April at Heretaunga

16. For Māori, meaningful participation in decision-making is not a reality. Consultation and engagement does not reflect the obligations of Te Tiriti or the Declaration standards of free, prior and informed consent. Most consultation and engagement is tokenistic, decisions are pre-determined or ultimately made by a government agency rather than those it engages with or who are affected.

17. A major source of frustration was constantly having to work within Pākehā/ Western frameworks. The exercise of mana motuhake (autonomy), living according to tikanga and mātauranga Māori (Māori knowledge) and the strength and resilience of Māori and Māori culture were seen as key along with Māori frameworks and practices.

 2. Crown-Māori Relations Portfolio

18. The creation of a Crown-Māori Relations Ministerial portfolio and department by the new government has been a positive step, recognising the significance of the Tiriti partnership and the need to strengthen this relationship.

19. The Minister held 18 public regional meetings to discuss the nature, purpose and underlying values of the Crown-Māori relationship. Many of the issues raised in those meetings reflect the same issues that were discussed during the Monitoring Mechanism workshops.[[10]](#footnote-11)

20. The Monitoring Mechanism welcomes the establishment of the Crown-Māori Relationships portfolio and the open and participatory approach that has been taken. The Monitoring Mechanism hopes that this indicates a genuine commitment to listen and engage as equal partners under Te Tiriti.

 3. Free, Prior and Informed Consent – Trade Agreements

 Recommendation 4:

1. **That the government does not ratify the CP-TPPA, in light of Māori concerns regarding the substance and process of the agreement, and its compliance with Te Tiriti and the Declaration, and**
2. **Ensures its trade policy is compliant with Te Tiriti and with its obligations of free, prior and informed consent.**

21. The Monitoring Mechanism’s 2016 report raised concerns about the Trans-Pacific Trade Agreement (TPPA). Concerns related to both the substance of the agreement (and the extent to which it would impact the government’s ability to meet its Tiriti obligations), and the lack of consultation with Māori during negotiations**.**

22. In March the government signed a revised version of the agreement, called the Comprehensive Progressive Trans Pacific Partnership Agreement (CP-TPP). The text for CP-TPP is the same as the original TPPA, with a small number of provisions suspended until the United States rejoins.

23. In February, the Forum reiterated its opposition to the signing of the CP-TPP, as the suspended provisions do not address Māori concerns.[[11]](#footnote-12) The government continues to make international agreements that impact upon Te Tiriti without consulting Māori or seeking their free, prior and informed consent. Other issues of concern include:[[12]](#footnote-13)

(a) That by extending the interests of foreign investors into areas such as intellectual property and environmental regulation, the CP-TPP places further obstacles to Te Tiriti being properly recognised;

(b) The exception clause to address Te Tiriti in the CP-TPP is insufficient to protect Māori rights;

(c) That consultation with Māori in relation to the CP-TPP has been extremely limited and certainly not of the standard required by the Declaration;

(d) That recommendations from the Waitangi Tribunal’s report on the TPPA (as well as its 2011 report on the Wai-262 claim), have still not been addressed – including the recommendation that the Crown work with Māori to develop a protocol to govern Investor-State Dispute Settlements (ISDS) where Te Tiriti implications are raised.

 4 Free, Prior and Informed Consent – Whānau Ora

 Recommendation 5:

**That government, through the Whānau Ora review, investigate options for extending Whānau Ora across government and commit sufficient resources to support this**.

24. Whānau Ora is an example where the right of free, prior and informed consent is being realised. Whānau Ora is a government programme sourced in tikanga, aimed at supporting whānau well-being and development. The programme is overseen by a Governance Group made up of government and Iwi representatives. In this context and within the Whānau Ora framework, decisions are routinely made in partnership and with the free, prior and informed consent of Iwi representatives.

25. Unfortunately, Whānau Ora has insufficient resources to support its work.[[13]](#footnote-14) Also, the Whānau Ora model has not been implemented consistently across government agencies, despite being developed as a whole-of-government integrated service delivery model, with the potential to be more effective than mainstream services in meeting Māori needs.

26. In April 2018 an independent review of Whānau Ora was announced, with the stated aim of ensuring “that Whānau Ora is providing better outcomes in the community to respond to the diverse needs of whānau and families”. The terms of reference for the review include scoping the applicability of a whānau-centred approach across government, particularly in the social sector.

5. Self-determination and Free, Prior and Informed Consent – Disability Sector

 Recommendation 6:

**That the government incorporate a Whānau Ora approach to its proposed transformation of the disability support system.**

27. The government in consultation with the disability community are considering how to improve the provision of disability supports to disabled persons in New Zealand. The Enabling Good Lives (EGL) model is the proposed framework. The intent of EGL is to give disabled people and their whānau more options and decision-making authority about their supports and lives. However, the EGL model centres on the individual and has been designed in accordance with Pākehā/Western models of service design and practice.

28. The 2013 Disability Survey found that Tāngata Whaikaha (Māori disabled people) had a disability rate of 32%, compared with 24% for Pākehā/Europeans, 26% for Pacific, and 17% for Asian. The Monitoring Mechanism is concerned that Tāngata Whaikaha and whānau right to self-determination will remain marginalised because the proposed EGL model does not fully accommodate Māori principles and practices.

 C. Lands, Territories and Resources

 1. Iwi Workshop: Extractive Industries, 30 April with Ngā Rāuru

 Recommendation 7:

**That the government establish bi-partisan forums where significant Tiriti issues and environmental decisions are addressed independently of party-politics.[[14]](#footnote-15)**

29. Workshop discussions centred on seabed mining off the Taranaki coast. In August 2017, the Environmental Protection Authority (EPA) granted Trans-Tasman Resources 35-year consents to annually mine up to 50 million tonnes of iron sand in the South Taranaki Bight. The iwi, Ngā Rāuru is one of seven groups who appealed the decision to the High Court. The appeal decision has yet to be delivered.

30. Specific barriers to effective engagement by Māori included:

(a) location of hearings away from the affected Māori communities;

(b) being expected to provide translations of Iwi expert evidence given in Te Reo (the Māori language);

(c) unreasonably short timeframes to review and respond to reports and information; and

(d) overwhelming information requests, followed by long periods without any information, and having to monitor the EPA website for updates.

31. Workshop participants highlighted a lack of meaningful participation in decision-making, and consultation practices where opportunities for Māori input are limited. There was a strong view that these processes didn't reflect or enable rangatiratanga (self-determination) or meet the standards of free, prior and informed consent. There was also frustration at the lack of commitment to genuine partnership and disappointment at the lost opportunities for real co-governance, innovation and change.

2. Water

 Recommendation 8:

**(a) That government provide for Māori rights in water, in accordance with articles 25-29 of the Declaration, and**

**(b) Takes urgent steps to enable meaningful Māori participation in water allocation decision-making**.

32. Māori rights in water have been the subject of ongoing discussions with government and remain unresolved. The issue is complicated because the three political parties comprising the coalition government each differ in their approach to the issue.[[15]](#footnote-16) The Waitangi Tribunal is continuing the second stage of its *Fresh Water and Geothermal Resources Inquiry*, looking at whether the current law and freshwater management reforms are consistent with the principles of Te Tiriti.[[16]](#footnote-17)

33. Other concerns in relation to water include: water quality and management;[[17]](#footnote-18) protection of waterways; access to drinking water;[[18]](#footnote-19) and the granting of permits by local government to large commercial water users. This has led numerous experts to declare that New Zealand is in a state of water crisis[[19]](#footnote-20) with major environmental, health[[20]](#footnote-21) and economic implications[[21]](#footnote-22) echoing trends around the globe.[[22]](#footnote-23)

34. Both central and local government have come under scrutiny in relation to the right of free, prior and informed consent and, Māori consultation[[23]](#footnote-24) and participation[[24]](#footnote-25) standards, despite recent legislation to enhance Māori engagement and protect the ‘life force’ of water itself.[[25]](#footnote-26)

 D. Cultural Rights

 Recommendation 9:

**(a) That government provide adequate resourcing and support for te reo initiatives, including subsidies and incentives to encourage people to learn and teach te reo, and**

1. **Address institutional racism and discriminatory attitudes towards Māori and Māori language.**
2. Iwi Workshop: Cultural Rights, 30 May with Hoani Waititi Marae

35. Te reo is inextricably linked to Māori identity and culture. As the first language and an official language of Aotearoa New Zealand, many workshop participants felt that te reo should be the primary language used. Yet only around 21% of Māori speak te reo, and around 3% of the overall population.[[26]](#footnote-27)

36. Barriers encountered when trying to use te reo included:

(a) Lecturers in tertiary education institutions objecting to assignments written in te reo;

(b) Requests to use te reo in court were likely to be viewed unfavourably by the judge or jury, and to disadvantage your case;

(c) Programmes and support for children with learning and behaviour issues are not available in te reo, despite a large number of Māori children needing these services;

(d) Government agencies ‘cherry picking’ aspects of culture and language where these suit their purpose, and relying on Māori staff without providing adequate resources or development opportunities to support them;

(e) Inequitable resourcing and support for Kōhanga Reo (Māori preschool); and

(f) Overall lack of funding and resources for Māori language education, including insufficient investment in teachers of te reo.

37. Racism and discriminatory attitudes were also identified as major barriers. Recent attacks on te reo by public and political figures were cited.[[27]](#footnote-28) People also spoke about buying into the racism and stereotypes themselves, feeling ashamed to be Māori and hiding their identity as a result.

38. In comparison, young people who have been raised and educated through Kōhanga Reo, Kura Kaupapa (Māori primary school) and Whare Kura (Māori high school), spoke of being confident and secure in their identity and able to thrive within a Māori world.

39. Hoani Waititi Marae, the workshop venue, is a centre of Māori cultural programmes and activities, and has been the catalyst for many initiatives to support Māori language and culture. However, the Marae faces some significant barriers, including a lack of provision of basic services, such as roading and lighting. The Marae is a prime example of Māori leading efforts to revitalise te reo and culture in the face of systemic barriers and lack of support.

 E. Equality and Non-Discrimination

 Recommendation 10:

**(a) The government establishes programmes to educate the broader public about issues of discrimination, racism, intersectionality, indigenous and human rights, and Te Tiriti.**

**(b) That every government agency or contractor be required as part of their accounting/funding processes to demonstrate how Te Tiriti and the Declaration are being implemented through policy design and implementation.**

40. Statistics continue to highlight inequalities for Māori across a range of areas, including: health, mental health, education, justice, employment and standard of living.[[28]](#footnote-29)

1. Iwi Workshop: Equality and Non-discrimination, 11 May at Ōtautahi

41. Serious concerns were raised about inequalities, racism and lack of government action and accountability for addressing these issues. Of particular concern were inequalities in the education and justice systems and the role of structural and institutional racism in maintaining inequalities.

42. Negative experiences of the state care system were cited for example, Māori children being removed from their whānau with limited justification, or without proper consideration being given to whānau placement options.

43. The lack of an effective and urgent government response, particularly in the face of ample evidence and research into inequalities and discrimination was also concerning.

*"How much research do we have to do before it's recognised? There are screeds of academic papers - which are just ignored. What more do you have to do? Even when you do everything, what's the pick up*?"

44. The non-Māori majority population often oppose targeted measures aimed at addressing disparities because they are seen as giving extra rights or special privileges to Māori. Local referendums where both Māori and non-Māori can vote were recently held to decide whether to establish dedicated Māori representation in local government. Only one local authority has successfully instituted Māori representation through this process.[[29]](#footnote-30)

 2 Tāngata Whaikaha (Māori Disabled People)

 Recommendation 11:

**That government engage in meaningful dialogue and establish a co-design approach directly with Tāngata Whaikaha**.

45. In 2014, the UN Committee on the Rights of Persons with Disabilities (UNCRPD) released its Concluding Observations on its review of New Zealand which noted:[[30]](#footnote-31)

(a) Māori disabled children have difficulty in accessing some government services, including health and education services;

(b) Māori disabled find it more difficult to access information in their own language;

(c) Māori people have the poorest health outcomes in New Zealand;

(d) The prevalence of disability is higher in the Māori population as a result of poverty and disadvantages;

(e) The employment levels in New Zealand for Māori disabled are still low.

46. Research by Statistics New Zealand hasrecorded that higher rates of disability among Māori contribute to poorer socio-economic outcomes.[[31]](#footnote-32) Key issues include low income, poor housing quality and discrimination. Māori have higher rates of moderate impairments, which relate to environmental factors such as ill health, poor housing, or injury from hazardous occupations.

47. Tāngata Whaikaha Māori whānau acknowledge the Government’s attempts in responding and resolving the issues and upholding the rights of disabled persons under the UNCRPD. In relation to reducing the concerns raised in the 2014 UNCRPD report, there is no evidence to ascertain how effective government has been in reducing Tāngata Whaikaha Māori whānau economic, education, health or social disparities.

 3. Māori Women

 Recommendation 12:

1. **That the government enables Māori women’s participation and leadership to address the discrimination and disparities experienced by Māori women, and**
2. **Recognises and upholds Mana Wāhine, including by supporting the Waitangi Tribunal’s Kaupapa Inquiry and committing to implement its recommendations.**

48. Māori women continue to experience poor outcomes particularly in employment, in the justice system, and in rates of violence. The unemployment rate of Māori women is 11.1% which is more than twice the national rate.[[32]](#footnote-33) While there is a gender pay gap of 9.4%, the gap is even greater for Māori women when compared to Pākehā males - 25% and Pākehā females - 14%.[[33]](#footnote-34) In the justice system, Māori women make up 61% of women in prison.[[34]](#footnote-35) Māori are over-represented in family violence statistics: Māori are twice as likely experience violence from an intimate partner; and Māori women make up 29% of women using Refuge services.[[35]](#footnote-36)

49. A forthcoming Waitangi Tribunal Inquiry will examine issues relating to the mana (inherent dignity and rights) and rangatiratanga of Māori women. Originally filed in 1993 the claim alleges that the Crown’s actions and policies since 1840 have systematically discriminated against Māori women, depriving them of their spiritual, cultural, social and economic well-being which is protected by Te Tiriti. Claimants argue that this lack of status has contributed to the high rates of abuse and violence against Maori women. The Tribunal’s Kaupapa Inquiry will also look at issues for Māori men, Mana Tāne.[[36]](#footnote-37)

 F. Practical Implementation and Technical Assistance

 1 National Plan of Action

 Recommendation 13:

1. **The the government work with the Monitoring Mechanism to develop and implement a National Plan of Action for the implementation of the Declaration, and**
2. **Continue its cooperation and support to the Monitoring Mechanism to enable its independent monitoring of the Declaration’s implementation.**

50. While there are a range of government initiatives aimed at improving outcomes for Māori, there is still no coordinated, overarching plan or strategy for the Declaration’s implementation, and so progress is ad hoc. In particular, there are major gaps in relation to the key rights of self-determination and participation.

51. As well as a National Plan identifying actions and indicators to implement and monitor the Declaration, there is a need for: comprehensive planning across government; reviewing legislation for consistency with the Declaration; clear responsibility for the Declaration within government, and targeted resources for its implementation.

1. The Iwi Chairs Forum is the national collective of Iwi chairpersons who represent hapū (groupings of extended families) and iwi. It functions in accordance with tikanga (Māori law) and on the basis of He Whakaputanga o te Rangatiratanga o Nu Tireni (He Whakaputanga), Te Tiriti o Waitangi (Te Tiriti) and the Declaration. It meets regularly to discuss and act collectively on issues ranging from constitutional transformation, resource protection and recovery and economic development. The Forum also addresses government policy and practice as it impacts on iwi and hapū and engages in regular dialogue with government on priorities, issues and projects. [↑](#footnote-ref-2)
2. *He Whakaaro Here Whakaumu mō Aotearoa: Report of the Independent Constitutional Transformation Working Group* (2016). Accessible at: <http://www.converge.org.nz/pma/MatikeMaiAotearoaReport.pdf>. [↑](#footnote-ref-3)
3. UN Committee for the Elimination of Racial Discrimination, (2017), *Concluding Observations: New Zealand*, CERD/C/NZL/CO/21-22, at para 13(a). [↑](#footnote-ref-4)
4. UN Committee on Economic, Social and Cultural Rights, (2018), Concluding Observations on the fourth periodic report of New Zealand (Advanced Unedited Version), E/C.12/NZL/CO/4, at para 9(a). [↑](#footnote-ref-5)
5. Presenters at the Pacific Climate Change Conference 20-23 February 2018, Wellington reinforced that setting targets for emissions reduction is necessary but not sufficient to mitigate the worst effects of climate crisis. (<http://www.confer.co.nz/pcc2018/at-a-glance/>). [↑](#footnote-ref-6)
6. “I took the climate change minister to court and won – kind of. Now I’m looking at you, James Shaw” (4 November 2017), at https://thespinoff.co.nz/society/04-11-2017/i-took-the-climate-change-minister-to-court-and-won-kind-of-now-im-looking-at-you-james-shaw/. [↑](#footnote-ref-7)
7. “Auckland Council unveils plan to combat climate change” (24 August 2017) at <https://www.stuff.co.nz/auckland/95915800/auckland-council-unveils-plan-to-combat-climate-change>.

Local Government is also bound by the Resource Management Act 1991. Section 7(i) states, in achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to— […] the effects of climate change”. [↑](#footnote-ref-8)
8. “Prime Minister announces formulation of Zero Carbon Act, climate change commission” (18 December 2017), at <http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11961862>. [↑](#footnote-ref-9)
9. CESCR, (2018), at para 9(d). [↑](#footnote-ref-10)
10. Feedback from the government public regional meetings are available at: <https://www.justice.govt.nz/maori-land-treaty/crown-maori-relations/read-notes-from/>. [↑](#footnote-ref-11)
11. <https://itsourfuture.org.nz/wp-content/uploads/2018/04/Treaty-of-Waitangi-2.pdf>. [↑](#footnote-ref-12)
12. For example, see: C. Jones, Submission to Foreign Affairs, Defence and Trade Select Committee on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership. [↑](#footnote-ref-13)
13. See: [https://www.waateanews.com/waateanews/x\_news/MTg3MjE/National/
Whanau%20Ora%20still%20waiting%20for%20state%20putea](https://www.waateanews.com/waateanews/x_news/MTg3MjE/National/Whanau%20Ora%20still%20waiting%20for%20state%20putea). [↑](#footnote-ref-14)
14. Examples already exist for example, legislation that recognised the Whanganui River and Te Urewera National Park as legal entities, with rights. This legislation also provided for co-management bodies, mandated to act in the interests of those natural resources. [↑](#footnote-ref-15)
15. <https://www.stuff.co.nz/national/politics/103954970/no-freshwater-rights-for-mori-on-our-watch-nz-first-mp-shane-jones>. [↑](#footnote-ref-16)
16. <https://www.waitangitribunal.govt.nz/inquiries/urgent-inquiries/national-fresh-water-and-geothermal-resources-inquiry/> The New Zealand defence forces are also complicit in polluting waterways <https://www.radionz.co.nz/news/national/348951/toxic-water-it-s-the-uncertainty-that-s-the-killer>. [↑](#footnote-ref-17)
17. See <http://www.aljazeera.com/programmes/peopleandpower/2017/08/polluted-paradise-170831042123144.html>. [↑](#footnote-ref-18)
18. For example, see <https://www.stuff.co.nz/auckland/local-news/western-leader/99550944/water-shortages-could-be-a-sign-of-things-to-come> and “Report links fourth death to Havelock North water crisis”, <http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11955292>. [↑](#footnote-ref-19)
19. See Dr Mike Joy, lecturer at Massey University, “Our Fresh Water Crisis”, at <https://millionmetres.org.nz/why-streams/>. [↑](#footnote-ref-20)
20. See “Editorial: Water woes are a clear health crisis”, at <https://www.stuff.co.nz/national/politics/opinion/99628685/editorial-water-woes-are-a-clear-health-crisis>; also with 60 of Auckland city's 84 beaches being unswimmable – see “Auckland swimmers unaware of contamination on beaches” at <https://www.radionz.co.nz/news/national/350225/auckland-swimmers-unaware-of-contamination-on-beaches>. [↑](#footnote-ref-21)
21. See <https://www.stuff.co.nz/southland-times/opinion/101287773/we-have-resilience-lessons-to-learn>. [↑](#footnote-ref-22)
22. See “The lessons New Zealand could learn from the Cape Town water crisis”,

<http://www.newshub.co.nz/home/new-zealand/2018/01/the-lessons-new-zealand-could-learn-from-the-cape-town-water-crisis.html>. [↑](#footnote-ref-23)
23. See email to Northland Regional Council raising concerns about the lack of Māori consultation about a water resource consent application, at <https://www.facebook.com/groups/1105337399603221/permalink/1107177082752586/>, and <https://www.facebook.com/groups/1105337399603221/permalink/1107303406073287/>. [↑](#footnote-ref-24)
24. See email to Northland Regional Council raising concerns about the lack of Māori consultation regarding Councils obligation to appoint hearing commissioners with expertise in tikanga Māori (Māori values, customs and traditions), at

[https://www.facebook.com/groups/1105337399603221/permalink/1145715332232094/?comment\_id=1145717512231876&comment\_tracking=%7B%22tn%22%3A%22R4%22%7D](https://www.facebook.com/groups/1105337399603221/permalink/1145715332232094/?comment_id=1145717512231876&comment_tracking=%257B%2522tn%2522%253A%2522R4%2522%257D). [↑](#footnote-ref-25)
25. See information on the Mana Whakahono-ā-rohe arrangements introduced in April 2017, at

<http://www.scoop.co.nz/stories/PA1704/S00082/making-history-with-mana-whakahono-a-rohe-agreements.htm>. [↑](#footnote-ref-26)
26. [http://archive.stats.govt.nz/browse\_for\_stats/people\_and\_communities/
maori/measuring-te-reo-maori-speakers/comparison-rates.aspx](http://archive.stats.govt.nz/browse_for_stats/people_and_communities/maori/measuring-te-reo-maori-speakers/comparison-rates.aspx). [↑](#footnote-ref-27)
27. <https://www.tvnz.co.nz/one-news/new-zealand/don-brash-utterly-sick-use-te-reo-maori-reporters> and <https://www.newshub.co.nz/home/new-zealand/2017/11/don-brash-s-scathing-statement-on-te-reo-usage.html>. [↑](#footnote-ref-28)
28. See: <https://www.stuff.co.nz/national/politics/101231280/fact-check-disparities-between-mori-and-pkeh>. [↑](#footnote-ref-29)
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31. Statistics New Zealand, (2015), *He Hauā Māori: Findings from the 2013 Disability Survey*. Accessible at: [http://archive.stats.govt.nz/browse\_for\_stats/health/disabilities/He-haua-Māori-findings-from-2013-disability-survey.aspx](http://archive.stats.govt.nz/browse_for_stats/health/disabilities/He-haua-maori-findings-from-2013-disability-survey.aspx). [↑](#footnote-ref-32)
32. <https://www.stats.govt.nz/infographics/women-in-the-workforce-2017>. [↑](#footnote-ref-33)
33. <http://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7479>. [↑](#footnote-ref-34)
34. <https://www.stats.govt.nz/information-releases/prison-and-community-sentence-population-statistics-june-2017-fiscal-year-nz-stat-tables> and <https://www.stuff.co.nz/national/101732572/editorial-why-are-more-new-zealand-women-going-to-jail>. [↑](#footnote-ref-35)
35. <http://tpk.govt.nz/en/a-matou-mohiotanga/health/maori-family-violence-infographic>. [↑](#footnote-ref-36)
36. [https://www.waateanews.com/waateanews/x\_news/
MTg2MzY/National%20News/Mana-Wahine-Claim-takes-attack-on-whakapapa](https://www.waateanews.com/waateanews/x_news/MTg2MzY/National%20News/Mana-Wahine-Claim-takes-attack-on-whakapapa). [↑](#footnote-ref-37)