

Questionnaire to Governments

Please submit your completed questionnaire at your earliest convenience but no later than **31 January 2014** to:

Secretariat of the Permanent Forum on Indigenous Issues
Division for Social Policy and Development
Department of Economic and Social Affairs
Room: S- 2954
United Nations Headquarters
New York, USA 10017
Telephone number 917-367-5100; fax number 917- 367-5102
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The full questionnaire can also be completed online or downloaded in word format from <http://undesadspd.org/IndigenousPeoples/UNPFIIISessions/Thirteenth/Questionnaire.aspx>

Introduction

This questionnaire is divided into two sections and is designed to obtain information for the United Nations Permanent Forum's thirteenth session 12 - 23 May 2014 as well as information on the achievements of the Second International Decade of the World's Indigenous People (2005 – 2014) in accordance with General Assembly A/RES/67/153, para 13, adopted on 20 December 2012.

This resolution requests the Secretary-General, in collaboration with Member States, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the rights of indigenous peoples, the International Labour Organization, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and other relevant funds, programmes and specialized agencies of the United Nations system, to prepare a comprehensive last report on the achievement of the goal and objectives of the Second Decade, and its impact on the Millennium Development Goals, which shall serve as an input to the preparatory process for the World Conference and to the discussion on the United Nations development agenda beyond 2015.

SECTION 1 - Evaluation of the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People

Q1. In accordance with the objectives of the Second International Decade of the World's Indigenous Peoples, please provide information on:

- Your Government's provision to secure the political representation of indigenous peoples within the governing structures on a local, regional level as well as their inclusion in the national system;
- Constitutional provisions, Government laws, policies, resources, programmes and projects that are specifically addressed to indigenous peoples;
- Government guidelines on formulating public policies with the participation and involvement of indigenous peoples;
- Budgetary allocations for projects/activities for indigenous peoples;
- Use of indigenous languages in the State apparatus and public service;
- Highlight any good practices.

Q1.
Political representation of indigenous peoples within the governing structures on a local, regional level as well as their inclusion in the national system;

National Level

There are 7 Māori electorates in NZ for the NZ Parliament:

<http://www.elections.org.nz/voting-system/maori-representation>

The Electoral Act 1993 makes provision for this:

http://www.legislation.govt.nz/act/public/1993/0087/latest/DLM308513.html?search=qs_act%40bill%40regulation%40deemedreg_Maori+representation+ resel_25_h&p=1

There is also a Minister of Māori Affairs.

The political representation of Māori was considered in the Constitutional Review.

See this pamphlet for details:

http://www.ourconstitution.org.nz/store/doc/MOR_Booklet.pdf

The Constitution Advisory Panel recommended that the conversation needs to continue and that the current arrangements for representation of Māori in Parliament should remain while this happens. A copy of the recommendations is here

<http://www.ourconstitution.org.nz/Recommendations>

Local and Regional Level

There is provision in the New Zealand Public Health and Disability Act 2000, s 34 for Māori representation on a community and public health advisory committee:

<http://www.legislation.govt.nz/act/public/2000/0091/latest/DLM80838.html?search=q>

[s_act%40bill%40regulation%40deemedreg %22maori+representation%22_resele_25h&p=1&sr=1](http://www.legislation.govt.nz/act/public/2001/0035/latest/DLM93914.html)

Local and regional councils may make provision for Māori wards and Māori constituencies (although representation is not guaranteed) (Local Electoral Act 2001, ss19Z-19ZH):

<http://www.legislation.govt.nz/act/public/2001/0035/latest/DLM93914.html>

The Waikato Regional Council has established two Māori seats for the 2013 elections - <http://www.waikatoregion.govt.nz/Services/Regional-services/Iwi-relationships/>
<http://www.waikatoregion.govt.nz/Council/About-us/Our-council/representation/>

The Bay of Plenty regional Council has three Māori constituencies (Bay of Plenty Regional Council (Maori Constituency Empowering) Act 2001):

<http://www.boprc.govt.nz/council/kaupapa-maori/maori-seats/>

Nelson also has provision for a Māori ward:

<http://my.lawsociety.org.nz/branches/nelson/news/nelson-praised-for-mori-council-ward>

Constitutional provisions, Government laws, policies, resources, programmes and projects that are specifically addressed to indigenous peoples:

The Treaty of Waitangi, signed in 1840, is an agreement between the Crown and Māori. It has always retained its importance as a founding document of New Zealand. It is therefore a constitutionally significant document and part of the fabric of New Zealand society. Legislation is expected to comply with the principles of the Treaty of Waitangi and Government papers seeking approval for the introduction of a Legislative Bill must advise whether the Bill complies with the principles of the Treaty of Waitangi and, if not, the reasons why it does not comply. Although the Treaty of Waitangi does not directly create legal rights or obligations, the Courts will generally presume that Parliament intends to legislate in accordance with the principles. For this reason, it is important that the consistency of a Bill with the principles of the Treaty of Waitangi is carefully considered before the Bill is passed. The Government last year put in place new requirements to disclose the steps that have been taken to determine whether the policy of a Government Bill is consistent with the Treaty principles, as part of wider measures to improve the quality of regulation.

There are three main ways in which the principles of the Treaty, rather than the words of the Treaty itself, are given effect:

- The Waitangi Tribunal can inquire into claims by any Māori that the Crown has acted in breach of Treaty principles, and make recommendations on redress (see below). In limited circumstances some of these recommendations can become binding.

- The courts can apply Treaty principles when legislation allows them to do so, and many agencies and departments are required by legislation to consider Treaty principles when carrying out their functions.

- The Crown has accepted a moral obligation to resolve historical grievances in accordance with the principles of the Treaty of Waitangi and does so through the Treaty settlement process (see below).

The Treaty of Waitangi Act 1975 provides for Māori to bring claims to the Waitangi Tribunal who investigate the breaches of the principles of the Treaty of Waitangi. Māori can no longer bring historical claims (classified as involving incidents occurring before 21 September 1992) (s 6AA) but contemporary claims are still able to be investigated by the Tribunal.
<http://www.legislation.govt.nz/act/public/1975/0114/latest/whole.html#DLM435534>

As a result of the recommendations of the Tribunal and other developments the government began to co-ordinate its response to Māori claims under the Treaty and to develop clear and consistent policies for settlements.

In 1993 Cabinet created the portfolio of Minister in Charge of Treaty of Waitangi Negotiations to give clear leadership to the negotiations process and the Office of Treaty Settlements was created in January 1995 as a separate unit within the Ministry of Justice that reports directly to the Minister for Treaty of Waitangi Negotiations on historical Treaty settlement issues.

The main functions of the Office of Treaty Settlements are to:

- negotiate settlements of historical claims directly with claimant groups, under the guidance and direction of Cabinet;
- provide policy advice to the Minister for Treaty of Waitangi Negotiations and Cabinet on generic Treaty settlements issues and on individual claims;
- co-ordinate the government departments that are involved in the negotiation and settlement process;
- review and provide advice to the Minister for Treaty of Waitangi Negotiations about the mandates of claimant groups and their proposed post-settlement governance entities;
- oversee the implementation of settlements; and
- acquire, manage, transfer and dispose of Crown-owned land for Treaty settlement purposes.

A comprehensive guide to Treaty of Waitangi settlement process can be found here:
<http://nz01.terabyte.co.nz/ots/fb.asp?url=LiveArticle.asp?ArtID=1715811693>

The Marine and Coastal Area Act

The Marine and Coastal Area (Takutai Moana) Act was enacted on 1 April 2011. The Act takes account of the intrinsic, inherited rights of iwi, hapū, and whānau derived in accordance with tikanga and based on their connection with the [common marine and coastal area](#) and on the principle of manaakitanga. It translates those inherited rights

into legal rights and interests that are inalienable, enduring, and able to be exercised so as to sustain all the people of New Zealand and the coastal marine environment for future generations.

The Act also guarantees free public access in, on or over the entire [common marine and coastal area](#) and makes it an offence for anyone to interfere with free public access.

For more information about the Marine and Coastal Area (Takutai Moana) Act see: <http://www.justice.govt.nz/treaty-settlements/office-of-treaty-settlements/marine-and-coastal-area-takutai-moana>

Te Puni Kōkiri is a government Ministry established under the Ministry of Māori Development Act 1991. The Ministry provides policy advice to the Minister of Māori Affairs. Its functions are “to promote increases in levels of achievement by Māori in education, training and employment, health and economic resource development” and “to monitor and liaise with other government departments and agencies to ensure their services for Māori are adequate” - <http://www.tpk.govt.nz/en/about/>. The Ministry also provides policy advice to the Minister for Whānau Ora.

Due to Te Puni Kōkiri most government departments have strategies and programmes for Māori. Examples are listed:

Health

Whānau Ora is a programme designed to provide health and social services to NZ families in need: <http://www.tpk.govt.nz/en/in-focus/whanau-ora/>

There are several Māori health programmes run by the government, through the Ministry of Health, including Whānau Ora: <http://www.health.govt.nz/our-work/populations/maori-health>

Education

The education system in New Zealand provides for Māori-medium education.

In early childhood education children have access to Kōhanga Reo, which teach Māori language and culture.

Most schools teach in English but some also teach partly or mainly in the Māori language. Kura Kaupapa Māori are schools in which the principal language of instruction is Māori and education is based on Māori culture and values. The secondary component of composite status, Kura Kaupapa Māori, are Wharekura and are stand-alone secondary schools.

Wānanga are tertiary institutions characterised by teaching and research that maintains, advances, disseminates and assists the application of knowledge regarding ahua Māori according to tikanga Māori.

- The Māori education strategy: Ka Hikitia – Accelerating Success 2013-2017 - <http://www.minedu.govt.nz/theMinistry/PolicyandStrategy/KaHikitia.aspx>

- Te Reo Matatini Māori Medium Literacy Strategy - <http://www.minedu.govt.nz/NZEducation/EducationPolicies/MaoriEducation/PolicyAndStrategy/TeReoMatatiniMaoriMediumLiteracyStrategy.aspx>

- Schools: kōhanga reo (Māori medium early childhood education), kura kaupapa (Māori medium schools) and kura reo-rua (bilingual and Māori language immersion classes in mainstream schools).

- Māori Tertiary Education Framework - <http://www.minedu.govt.nz/NZEducation/EducationPolicies/MaoriEducation/PolicyAndStrategy/MaoriTertiaryEducationFramework.aspx>

Government guidelines on formulating public policies with the participation and involvement of indigenous peoples;

Te Puni Kōkiri is the Principal Advisor to the Crown on its relationship with Maori whanau, hapū and iwi and provides advice on policy affecting Māori wellbeing.

The Minister of Māori Affairs has primary responsibility for ensuring his government considers the rights, interests and needs of Maori are considered in government decision making.

Use of indigenous languages in the State apparatus and public service;

Te reo Māori is an official language of NZ. Alongside English and NZ Sign Language, it may be studied as a first or additional language – Māori Language Act 1987.

The Māori Language Commission, by Te Taura Whiri i te Reo Māori was established to promote the Māori language. Mā te Reo is a Government funded programme established by the Minister of Māori Affairs in 2001 and administered by Te Taura Whiri i te Reo Māori. The fund is available to support projects, programmes and activities that contribute to local level Māori language regeneration. <http://www.ma-tereo.co.nz/>

The Government has recognised the Māori language as a taonga, and has committed to taking all reasonable steps to support its revitalisation. Significant gains have been achieved in the health, acquisition and usage of the Māori language over recent years. Te Puni Kōkiri co-ordinates and monitors government's Māori Language Strategy, and during the current year, will lead a review of the strategy with Te Taura Whiri i te Reo Māori. Te Puni Kōkiri also manages the Crown's relationship with, and ownership interests in, Te Taura Whiri i Te Reo Māori.

Māori broadcasting: The Māori broadcast-ing sector has grown rapidly over the last two decades, and currently includes radio, television and related e-media (for example, Māori interests hold stakes in cellular and internet spectrum). Te Puni

Kōkiri has a leadership role in this sector, with key outputs including policy leadership on the Māori Broadcasting and E-media Framework, leading the review of the Māori Television Service Act, and managing the Crown's relationships with, and ownership interests in, Te Māngai Pāho and the Māori Television Service.

He Rautaki Reo Māori– The Māori Language Strategy:
http://www.dol.govt.nz/services/LMI/maori/korero/korero_02.asp

There are proposed changes to this strategy as of Dec 2013:
<http://www.beehive.govt.nz/release/change-governance-proposed-m%C4%81ori-language-strategy>

Q2. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

- Your Government's implementation of indigenous peoples involvement in national public policies in the areas of education, culture, health, human rights, environment, or social and economic development;
- Integration of indigenous learning systems and traditional knowledge in national education curriculum;
- Integration of indigenous peoples' culture and traditional knowledge in public health policies and plans at national/regional and local level;
- Application by Government of the principle of free, prior and informed consent in the negotiations with indigenous peoples regarding access and use of their traditional lands and territories and natural resources, especially in case of mega-infrastructure and development projects;
- Involvement of indigenous peoples into the country's land titling laws / land reform processes.

Q2.

Implementation of indigenous peoples involvement in national public policies in the areas of education, culture, health, human rights, environment, or social and economic development

Te Puni Kōkiri (above) has a network of regional offices, enabling whanau hapū and iwi and Maori communities to communicate their ideas at a local level and have these expressed at a national level:

<http://www.tpk.govt.nz/en/about/who-we-are/>

The Maori Community Development Act 1962 established 3 mechanisms (New Zealand Maori Council, Maori Wardens and Community Officers) to facilitate communication between Maori and Government:

<http://www.legislation.govt.nz/act/public/1962/0133/latest/whole.html#DLM341095>

It is common practice to consult with Maori before decisions are made or action is taken on major issues (e.g. Government consultation with Maori about the policy of

mixed-ownership of State-Owned Enterprises:

<http://www.treasury.govt.nz/publications/reviews-consultation/mixed-ownership>)

<http://www.pco.parliament.govt.nz/lac-chapter-5>, *New Zealand Maori Council v Attorney-General* [1989] 2 NZLR 142, 152

Integration of indigenous learning systems and traditional knowledge in national education curriculum

From 2010 schools with children in Years 1-8 have been using National Standards in reading, writing and maths. These give teachers, children, parents, families and whānau a clear idea of where children are at and what they have to do next in their learning.

There are 2 national curriculum frameworks in New Zealand: the New Zealand Curriculum and Te Mārautanga o Aotearoa. The latter provides a specific framework for Maori-medium schools:

<http://www.minedu.govt.nz/Boards/TeachingAndLearning/NewZealandCurriculum.aspx>

In 2012 Ngā Whanaketanga Rumaki Māori (National Standards for Maori medium) were implemented and describe te reo and pāngarau skills that students need to learn at different stages of their schooling.

For Māori students in kura and Māori medium settings, Ngā Whanaketanga Rumaki Māori are used to support literacy and numeracy across *Te Marautanga o Aotearoa*, the curriculum for the Māori medium education. These standards are not translations of the National Standards, but have been independently developed, in consultation with the Māori medium sector, to support *Te Marautanga o Aotearoa*.

Ka Hikitia - Accelerating Success 2013–2017 (above) seeks to reinforce aspects of Maori culture (e.g. teaching identity, language and culture, the Treaty of Waitangi, and involvement whanau, hapū, iwi and community in learning and teaching):

<http://www.minedu.govt.nz/theMinistry/PolicyandStrategy/KaHikitia.aspx>

The Maori language (Te Reo Maori) is a recognised subject in English-medium schools:

<http://tereomaori.tki.org.nz/Curriculum-guidelines>

Integration of indigenous peoples' culture and traditional knowledge in public health policies and plans at national/regional and local level

National

He Korowai Oranga: Māori Health Strategy recognises and seeks to reduce the health inequalities that affect Māori:

<http://www.health.govt.nz/our-work/populations/maori-health>

Local

Maori Health Providers are contracted to District Health Boards and deliver services to predominately Maori clients:

<http://www.health.govt.nz/our-work/populations/maori-health/maori-health-providers>

District Health Boards produce Maori Health Needs Assessments and Maori Health Plans to inform and improve health services to Māori:

<http://www.health.govt.nz/our-work/populations/maori-health/dhb-maori-health-plans-and-health-needs-assessments>

Application by Government of the principle of free, prior and informed consent in the negotiations with indigenous peoples regarding access and use of their traditional lands and territories and natural resources, especially in case of mega-infrastructure and development projects

The specialist Maori Land Court addresses grievances relating to native land:

<http://www.justice.govt.nz/courts/maori-land-court>

To have the right to occupy Maori land, the occupier must obtain a licence from the owners (or trustees) or an order issued by the Maori Land Court:

<http://www.communitylaw.org.nz/community-law-manual/chapter-21-maori-land/building-on-and-occupying-maori-land/>
http://legislation.govt.nz/act/public/1993/0004/latest/DLM292863.html?search=ts_act%40bill%40regulation%40deemedreg_Te+Ture+Whenua+M%C4%81ori+Act+1993_resel_25_a&p=1

The Maori Land Act 1993 recognises the cultural significance of Maori land and promotes the retention of such land by Maori owners:

http://legislation.govt.nz/act/public/1993/0004/latest/DLM289882.html?search=ts_act%40bill%40regulation%40deemedreg_Te+Ture+Whenua+M%C4%81ori+Act+1993_resel_25_a&p=1

An administering body of a natural reserve must consult with and have regard to the views of Maori before making decisions or undertaking action in relation to the reserve

<http://www.doc.govt.nz/about-doc/role/legislation/guides-and-bylaws/a-guide-for-reserve-administering-bodies/chapter-6-the-treaty-of-waitangi-as-it-applies-to-reserve-administration/obligation-to-consult-with-maori/>

Involvement of indigenous peoples into the country's land titling laws / land reform processes

The Maori Land Act 1993 requires owners of Maori freehold land to use the land administration structures contained in that Act (trusts, incorporations and reservations):

<http://www.tpk.govt.nz/en/services/effective/governance/organisation/teturewhenua/>

Q3. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

- Your Government's initiatives to develop and/or implement measures for protecting and promoting cultural diversity and inter-culturality;
- Initiatives to recover or preserve and protect indigenous peoples' heritage sites and other parts of their tangible and intangible heritage;
- Public mechanisms or institutions focused on the protection of indigenous peoples' traditional knowledge and genetic resources.

Q3.

Your Government's initiatives to develop and/or implement measures for protecting and promoting cultural diversity and inter-culturality;

Māori Language Week is one example, run by the Māori Language Commission:
<http://www.tetaurawhiri.govt.nz/english/>

Whānau Ora (see above).

Māori Television (the Crown is a stakeholder):
<http://www.maoritelevision.com/about/about-maori-television>

Crown-Maori Relationship Instruments are agreements or arrangements that establish an ongoing collaborative relationship between the Government and Maori communities:

<http://www.tpk.govt.nz/en/in-print/our-publications/publications/crown-maori-relationship-instruments/download/tpk-crmi-2006-en.pdf>

Initiatives to recover or preserve and protect indigenous peoples' heritage sites and other parts of their tangible and intangible heritage;

Separate from the Treaty settlement process, the Government accepts a responsibility to protect wāhi tapu (sacred places) and other sites of historical, spiritual and cultural significance to Maori on surplus Crown land. This responsibility is administered by Te Puni Kokiri, through a "Sites of Significance" process, which is separate from the Protection Mechanism. Further information on this process can be found in the following link:

<http://nz01.terabyte.co.nz/ots/fb.asp?url=LiveArticle.asp?ArtID=707685083>

The Protection Mechanism is a way for the Government to consult with claimants when government departments, District Health Boards or Crown Research Institutes wish to sell some surplus land. If Maori express an interest in the land, and if the Crown agrees to retain ownership, the Office of Treaty Settlements will purchase the property and hold it for potential use in a future Treaty settlement.

Land protected is not held for any particular iwi, even though it may have been protected on the basis of one group's application. Further information on this mechanism can be found in the following link:

<http://nz01.terabyte.co.nz/ots/fb.asp?url=LiveArticle.asp?ArtID=576153151>

The Waitangi Tribunal makes recommendations (although it is an independent commission of inquiry). Historical claims have seen large areas of land transferred back to Māori ownership

The New Zealand Historic Places Trust has initiatives to protect Māori heritage:
http://www.historic.org.nz/protectingourheritage/maoriheritage/protectingmaoriheritage.aspx?sc_lang=en

Public mechanisms or institutions focused on the protection of indigenous peoples' traditional knowledge and genetic resources.

The Waitangi Tribunal.

Te Puni Kōkiri (see above).

Q4. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

Q4(a) Does your Government have a particular focus, programmes, laws and institutions to address indigenous children and youth in your country? If “Yes”, please provide a brief description of these programmes.

Q4.(a)

Yes:

The Children, Young Persons, and Their Families Act 1989 states that the well-being of children and youth must be promoted in ways that are appropriate to their cultural and ethnic group:

<http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147088.html#DLM149436>

He Toki ki te Rika – Inspiring Māori Leadership in Trades is an initiative supported by Te Puni Kōkiri to increase the participation of Maori in trades (recognising high levels of Maori youth unemployment):

<http://www.cpit.ac.nz/study-options/our-study-interest-areas/trades-innovation-institute/maori-trades-training>

Q4 (b) Does your Government have a particular focus, programmes, laws and institutions to address indigenous women in your country? If “Yes”, please provide a brief description of these programmes.

Q4 (b).

Yes:

There is a Ministry of Women's Affairs which is the Government's principal advisor on achieving better outcomes for women:

<http://mwa.govt.nz/>

Whanau Ora is an initiative implemented by Te Puni Kokiri, the Ministry of Social Development and the Ministry of Health recognises the role of Maori women in families and is implemented by over 200 health, social and community providers:
<http://mwa.govt.nz/m%C4%81ori-women>

Q4 (c) Does your Government have targeted policies, programmes, projects, benchmarks and budgets for indigenous peoples in the areas of education, health, environment, social and economic development?

Q4 (c).

Yes:

Education

The education system in New Zealand provides for Māori-medium education. IN early childhood education children have access to Kōhanga Reo, which teach Māori language and culture.

Most schools teach in English but some also teach partly or mainly in the Māori language. Kura Kaupapa Māori are schools in which the principal language of instruction is Māori and education is based on Māori culture and values. The secondary component of composite status Kura Kaupapa Māori are Wharekura and are stand-alone secondary schools.

Wānanga are tertiary institutions characterised by teaching and research that maintains, advances, disseminates and assists the application of knowledge regarding ahua Māori according to tikanga Māori.

The Maori Language Strategy (published 2003) is a framework for revitalising the Maori language:

<http://www.tpk.govt.nz/en/in-print/our-publications/publications/the-maori-language-strategy/download/tpk-maorilangstrat-2003.pdf>

Ka Hikitia - Accelerating Success 2013–2017 is a Maori education strategy to improve the education system for indigenous students:

<http://www.minedu.govt.nz/theMinistry/PolicyandStrategy/KaHikitia.aspx>

Tau Mai Te Reo – The Māori Language in Education Strategy 2013-2017 (in addition to Ka Hakita) aims to increase use of the Maori language in education

<http://www.minedu.govt.nz/theMinistry/PolicyAndStrategy/TauMaiTeReo.aspx>

Health

He Korowai Oranga: Māori Health Strategy is a framework for Maori health development in the health and disability sector.

Whakatātaka Tuarua: Māori Health Action Plan 2006-2011 sets out how the health and disability sector will implement the Maori Health Strategy.

The New Zealand Health Strategy and New Zealand Disability Strategy are the Government's platforms for action on health and disability, including Māori health.

<http://www.health.govt.nz/our-work/populations/maori-health/strategic-direction-maori-health>

Social and Economic Development

The Maori Economic Development Strategy and Action Plan is a blueprint for Maori economic development until 2014:

<http://www.med.govt.nz/business/economic-development/the-maori-economic-development-strategy-and-action-plan>

The Māori Economic Taskforce works to enhance Maori economic prosperity and has an annual budget of \$4.5 million:

<http://www.tpk.govt.nz/en/in-focus/archive/taskforce/>

Q5. In accordance with the objectives of the Second International Decade of the World's Indigenous People, please provide information on:

- Existence of disaggregated data and statistics on indigenous peoples, including through national census;
- Existence of official reports or research on the situation of your country's indigenous peoples.

Q5.

2013 Census data regarding Māori: <http://www.stats.govt.nz/Census/2013-census/profile-and-summary-reports/quickstats-about-maori-english.aspx>

The Human Rights Commission looks at human rights and the Treaty of Waitangi: <http://www.hrc.co.nz/human-rights-and-the-treaty-of-waitangi>

Reports include:

- Te Mana i Waitangi
- Human Rights and the Treaty of Waitangi chapter in Human Rights in New Zealand 2010: http://www.hrc.co.nz/hrc_new/hrc/cms/files/documents/15-Dec-2010_12-38-58_Chapter_4pp38-55.pdf

Waitangi Tribunal reports are official.

Q6. Does your Government have a national institution (ministry, department, ombudsman, etc.) on indigenous peoples' issues? If "Yes", please provide a brief summary of the focus and activities of the institution as well as the names and contact details of the focal point on indigenous peoples' issues.

Q6.

Yes:

Te Puni Kōkiri (above) is a government Ministry which provides policy advice to the Minister of Māori Affairs. Its functions are “to promote increases in levels of achievement by Māori in education, training and employment, health and economic resource development” and “to monitor and liaise with other government departments and agencies to ensure their services for Māori are adequate” - <http://www.tpk.govt.nz/en/about/>. The Ministry also provides policy advice to the Minister for Whānau Ora.

The Minister for Maori Affairs is Hon Dr Pita R. Sharples CBE

Contact details:

Parliament Buildings

Wellington 6160

The Associate Minister of Māori Affairs is Hon. Christopher Finlayson

The Minister for Whānau Ora is Hon. Tariana Turia

Q7. Does your Government have any formal or ad hoc capacity-building programmes on indigenous peoples' issues for civil servants? If “Yes”, please provide a brief description of these programmes.

Q7.

The NZ Human Rights Commission's programme Te Mana i Waitangi, which delivers workshops to a range of community and Government audiences on the Treaty of Waitangi and the declaration of Independence.

Q8. Please provide a brief account of some of your Governments' efforts regarding indigenous peoples and the Millennium Development Goals.

Q8.

The Maori Potential Approach is a public policy framework developed by Te Puni Kokiri in 2004. This Approach recognises that Maori are culturally distinct and have the capability and potential to improve the quality of life for themselves and their community. The Approach guides other Maori policy (e.g. Ka Hikitia Maori education strategy): <http://www.tpk.govt.nz/en/about/mpa/>
<http://mfat.govt.nz/Media-and-publications/Media/MFAT-speeches/2008/0-24-April-2008a.php>

Q9. Please list information on how your Government currently promotes and/or implements the U.N. Declaration on the Rights of Indigenous Peoples.

- Through the Treaty of Waitangi Settlements Process (detailed above)
- Ongoing government consultation on policy proposals and issues of national significance (Māori Language Strategy, Te Ture Whenua, UPR, Water Rights, Sale of State Owned Assets, etc)
- Consideration of Constitutional Issues (Constitution Advisory Panel) in relation to the Treaty of Waitangi and Māori representation. This work has now come to an end.
- The NZ Human Rights Commission's programme Te Mana i Waitangi delivers workshops regarding the Treaty of Waitangi and the Declaration of Independence.

SECTION 2 - Preparation for the Thirteenth session of the UN Permanent Forum on Indigenous Issues

The report of the 12th Session of the UN Permanent Forum on Indigenous Issues provides a number of recommendations within its mandated areas, some of which are addressed to Member States.

Question 1

Briefly state what recommendations from the Twelfth Session of the United Nations Permanent Forum on Indigenous Issues (UNPFII)¹ or recommendations from previous sessions (not addressed in previous reports) were addressed by your Government.

New Zealand's actions to implement the recommendations from the United Nations Permanent Forum on Indigenous Issues have been covered under the responses to Section One, and also in New Zealand's most recent Universal Periodic Review of human rights (A/HRC/WG.6/18/NZL/1), which was presented to the Human Rights Council on 27 January 2014.

Question 2

At its thirteenth session in 2014, UNPFII will address the follow theme "Principles of good governance consistent with the United Nations Declaration on the Rights of Indigenous Peoples: articles 3 to 6 and 46". The provisional agenda for the thirteenth session also includes Half-day discussion on the Asian region; Discussion on the World Conference on Indigenous Peoples; and Discussions on a number of ongoing priorities and themes, such as indigenous children, indigenous youth, the Second International Decade of the World's Indigenous People and the Post-2015 Development Agenda.

Briefly state how your Government deals with these issues in regards to indigenous peoples.

Q2 (a). The theme on Good governance

Q2 (a). The Treaty of Waitangi is considered a founding document of New Zealand. It is designed to protect New Zealand has a well-developed system for settling historical Treaty grievances with Māori, known as the Treaty settlement process. Through this process, the Government is pursuing efforts to comprehensively settle Treaty grievances that Māori

¹ The following paragraphs of the Report on the Twelfth Session of the Permanent Forum (E/2013/43) contain recommendations addressed to Member States: 7 (b), 7 (c), 7 (e), 12, 14, 15, 16, 17, 19, 20, 24, 28, 29, 30, 31, 32, 34, 37, 38, 41, 45, 46, 47, 48, 49, 50, 51, 52, 89, 91, 95, 96, 97, 98, 100, 102, 103, 112, 115, 118, 120, 122.

claimant groups assert the State has committed. The Government seeks to negotiate settlements that are timely, fair and durable.

These settlements may include land, money, and a Government apology. The New Zealand Parliament passes legislation supporting each Treaty settlement. In most cases, the legislation is approved by all parties in Parliament. This process in Parliament reaffirms both the importance New Zealand places on reconciliation of historical harms but also means that all of New Zealand has a stake in durable settlements.

The State and claimant groups have signed 67 deeds of settlement relating to Treaty of Waitangi claims. It is expected that approximately another 60 will be signed. The New Zealand Government is aiming to reach agreements with all willing and able claimant groups in the next few years. The majority of treaty settlements are forward-looking, which provides for ongoing engagement between the State, Local Government, and iwi (tribes).

New Zealand's Ministry of Justice has recently established a Post Settlement Commitments Unit in recognition of the ongoing relationship matters that arise out of the treaty settlements. The unit looks at measures that can be adopted to ensure the durability of settlements, to look after the commitments made in settlements, and also to build on the opportunities settlements create

New Zealand's Treaty settlement process has been acclaimed internationally. The Special Rapporteur on the Rights of Indigenous Peoples has described it as one of the most important examples in the world of addressing historical and on-going grievances. New Zealand is proud of what it represents, as a strengthening of the ongoing partnership between the State and Māori

Q2 (b). Ongoing priorities for indigenous children and youth

Q2 (b).

In addition to the information provided in Section One, and in New Zealand's Universal Periodic Review, New Zealand's Whānau Ora programme is targeted towards addressing poor outcomes for Māori in health, education, housing and employment, and is an important element in the Government's strategy to improve outcomes for vulnerable children.

Whānau Ora in this context is a Māori term which broadly translates as Whānau meaning Family and Ora meaning Well-being. Whānau also means a strong sense of kinship and relationships. New Zealanders understand and appreciate the importance of whanau and family. Whanāu Ora is an inclusive approach to providing services and opportunities to all New Zealand families in need. It requires multiple government agencies to

work together, often facilitated by non-government agencies who together with the whānau and family have developed aspirational plans for change. In many ways the Whānau Ora approach will strengthen the whānau and family as a whole.

Since its inception in 2010, the Government's investment in Whānau Ora has focused on achieving outcomes for whānau and families through service and organisational transformation as well as whānau integration, innovation and engagement.

More than 150 health and social service providers from throughout the country have come together as Whānau Ora collectives and were selected to develop whānau-centred services. Collectives work directly and intensively with whānau and families to identify their needs and aspirations. They develop plans to meet those needs and then broker their access to services that meet their goals. Common themes in whānau plans include better lives for children; employment; housing and home ownership; education and skills development; and health and cultural wellness. Whānau Ora works in a range of ways, influenced by the approach the whānau chooses to take. Some families may choose to work on this with a hapū (sub-tribe), iwi (tribe) or non-government organisations.

Participating families have reported high levels of satisfaction with services and support they have received from provider collectives, leading to positive changes for whānau members.

Early results show positive signs of change for whānau and families are occurring through Whānau Ora. Although the lives of whānau and families are complex and multi-dimensional, it appears the approach supports whānau to progress towards aspirations holistically. Results include families and whānau indicating more confidence in parenting/care-giving, an improved housing situation, and an improved income. Though initial results are very positive, New Zealand is continually assessing our whānau-centred services to ensure they are refined and improved where possible.

The New Zealand Government is also broadening the scope of Whānau Ora to focus on creating opportunities for whānau and family capability building.

Child poverty does exist in New Zealand and the Government is taking steps to address this. Based on the latest available comparisons, New Zealand's child poverty rates are in the middle of international league tables published by the Organisation for Economic Co-operation and Development and the European Union. Poverty in New Zealand is generally understood as "exclusion from a minimum acceptable way of life in one's own society because of a lack of adequate resources" and that children in New Zealand have access to free education, health care, and where necessary, welfare for their parents.

In addressing child poverty in New Zealand, the Government's primary approach is to promote social mobility and to move families out of poverty. This is achieved through a focus on moving parents into paid employment driven by economic growth, and improved educational performance, while ensuring that New Zealand's social security safety net continues to support people who cannot support themselves.

New Zealand is taking an innovative approach to trial a change in the way social services are delivered. Social Sector Trials, which is supporting decision-making at the local level, building on existing networks and strengthening coordination at every level of government and within the community.

The Minister of Maori Affairs will report later this year to the New Zealand Cabinet on the recommendations of the Maori Affairs Select Committee Inquiry into the determinants of well-being for Maori Children.

The Government is firmly focused on children's engagement and success in education. There is a deliberative policy drive to increase participation in early childhood education particularly for children considered vulnerable. Government is also looking at those parts of our education system where children tend to disengage. The overall emphasis is on increasing achievement and success.

New Zealand children aged between 5 and 19 years have a right to free education. The Government recognises that some children face particular challenges in accessing education, particularly Māori and Pasifika children and children with disabilities. The Government has developed specific plans and programmes to tackle these issues, including the Pasifika Education Plan and the Māori Education Strategy. The Government also has a target for all schools to demonstrate inclusive practice by 2014.

New Zealand does not have an official poverty line, but regularly reports on a range of measures of income poverty and material wellbeing. The Government remains concerned many children live in poor households. New Zealand's 2013 Budget contained a number of additional initiatives with a poverty and child poverty focus. These examples are working together with a number of important sectors including local communities, health and education agencies, and private partnerships. One example is the Government's \$9.5 million investment over five years to help extend the KickStart school breakfast programme. This was extended to five days a week in higher needs schools in 2013, with all schools eligible from 2014. The Government will also provide \$500,000 a year over three years to help charity KidsCan provide health products, raincoats and shoes for children in need. Additionally, the Government has invested \$45 million into the Rheumatic Fever Prevention Programme to support vulnerable children, including through working with Australia to collaboratively identify a potential vaccine.

New Zealand's Better Public Services Programme, which was launched in 2012, is also a key step in improving outcomes for indigenous children and youth. This programme sets goals for the New Zealand public sector to track and achieve in order to provide faster, smarter and more effective public services to New Zealanders. It represents a clear shift for the public service, moving away from generalised goals and focusing instead on meeting measurable targets. The bottom line is that public sector services must make a positive difference to the lives of New Zealanders and that difference should be measurable.

The five goals of the Better Public Services Programme are reducing long-term welfare dependence, supporting vulnerable children, boosting skills and employment, reducing crime, and improving interaction with Government. Each goal is associated with a number of targets to be achieved by 2017. For example one of the targets is for youth crime offending to be reduced by 25 percent by 2015.

Many of the programmes contain a focus on reducing the inequality between Māori and Pacific peoples and the rest of New Zealand. The Government is seeing positive trends on each target of the Programme. The number of New Zealanders on welfare support is reducing along with the rate of youth crime, young adults are receiving higher levels of education and the incidence of rheumatic fever is reducing.