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Institutions and Mechanisms Designed to Progress the Goals of Māori

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About the Authors

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Acknowledgements

1.   Purpose

The purpose of this working paper is to list and briefly describe institutions and mechanisms that actively pursue the goals of Māori.

As part of the process of researching Report 7, *Exploring the Shared Goals of Māori: Working towards a National Sustainable Development Strategy* (SFI, in press [a]), it became evident that there exist numerous institutions and mechanisms aimed at progressing the goals of Māori. This working paper has been prepared to inform Objective 3 of Report 7. The five objectives of Report 7 are:

> **Objective 1:** To investigate shared Māori goals that are identified in published literature.
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> **Objective 2:** To investigate challenges in measuring these shared Māori goals.
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> **Objective 3:** To investigate existing institutions and mechanisms capable of progressing Māori goals.
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> **Objective 4:** To understand future challenges and opportunities the New Zealand Māori population may face.
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> **Objective 5:** To synthesise the findings of the above objectives in order to understand the areas of synergy and tension that exist between Māori goals, institutions and mechanisms, and the development of a National Sustainable Development Strategy.
>
> (ibid.: 13)

1.1   Project 2058

This research is part of a larger project called *Project 2058*. The strategic aim of *Project 2058* is to promote integrated long-term thinking, leadership and capacity-building so that New Zealand can effectively seek and create opportunities, and explore and manage risks, over the next 50 years. In order to achieve this aim, the *Project 2058* team will work to:

1. Develop a detailed understanding of the current national planning landscape, and in particular the government's ability to deliver long-term strategic thinking;

2. Develop a good working relationship with all parties that are working for and thinking about the 'long-term view';

3. Recognise the goals of iwi and hapū, and acknowledge te Tiriti o Waitangi;

4. Assess key aspects of New Zealand's society, asset base and economy in order to understand how they may shape the country's long-term future, such as government-funded science, natural and human-generated resources, the state sector and infrastructure;

5. Develop a set of four scenarios to explore and map possible futures;

6. Identify and analyse both New Zealand's future strengths and weaknesses, and potential international opportunities and threats;

7. Develop and describe a desirable sustainable future in detail, and

8. Prepare a *Project 2058* National Sustainable Development Strategy. (SFI, 2009a: 3)

Report 7, *Exploring the Shared Goals of Māori: Working towards a National Sustainable Development Strategy*, and the supporting working papers (SFI, 2009b; 2009c; 2009d; in press

[b]) have been designed to progress the third point above: Recognise the goals of iwi and hapū, and acknowledge te Tiriti o Waitangi.

2. Methodology

The purpose of this working paper is to establish a broader picture of the institutions and mechanisms that exist today to progress the goals of Māori. To this end, we have identified and provided a brief description of a range of local, national and international institutions. Following this, we outline mechanisms available to progress the goals of these institutions.

2.1 Terminology

This paper recognises the linkages between institutions and mechanisms, in that institutions may select one or a number of mechanisms to achieve its goals.

The term *institution* is used to refer to an organisation based on custom, convention or law, and recognised within society as encompassing a group of people with a shared goal.

For the purposes of this paper, we made the distinction between local, national and international institutions. Local institutions are entities affiliated with an iwi or region, which have similar comparable institutions nationwide. National institutions are single entities that work across New Zealand, whereas international institutions include international conventions and declarations, developed by international institutions and indigenous networks with the responsibility or mandate to support indigenous communities. See full list in Table 1.

In contrast to institutions, a *mechanism* describes a process by which goals might be achieved. For the purposes of this paper, Table 2 reports on mechanisms more commonly used by the institutions listed in Table 1.

2.2 Data collection

Information was gathered from academic, government and iwi publications, as well as published media.

2.3 Limitations and Boundaries

This working paper has been produced to supplement Report 7, *Exploring the Shared Goals of Māori: Working towards a National Sustainable Development Strategy.* It is not a comprehensive list or analysis of every institution or mechanism employed to progress Māori goals; it simply explores the landscape. There are therefore inherent limitations with regard to the completeness of this information. A comprehensive analysis of every institution or mechanism would require the authors to take a view on the extent to which each institution or mechanism has gained a certain level of mana, achievement, wealth and/or size, all of which is beyond the purpose of this paper. For this reason, there are likely to be relevant institutions or mechanisms that are not included in the list below. If readers are aware of significant omissions in the selection of institutions and mechanisms included, please contact

the Institute, as we would appreciate the opportunity to ensure the working paper is as accurate and useful as possible.

The interaction and partnerships between tribal and national institutions is significant, however, these are not explored in this paper. Furthermore, we have not attempted to explore the range of commercial opportunities that Māori are utilising in order to advance their goals. This is undoubtedly an important area for further research.

The authors acknowledge that a wealth of unpublished material exists in this area, with countless conversations and discussions taking place both publicly and privately that do not reach publication. Since the Institute is not a key participant in these conversations, this paper is informed only by material published in the public arena.

3.   Institutions

What follows is a brief description of institutions designed to progress the goals of Māori. Table 1 lists the relevant institutions discussed within this paper. In the remainder of this section we discuss each institution in more detail.

These institutions are listed in chronological order based on their date of establishment to show how the landscape has evolved over time. Despite the importance of local iwi, hapu and marae-based institutions for the progression of Māori goals, the majority of the institutions listed below are national institutions. It is important to recognise that rūnanga, Māori Trust Boards and urban Māori organisations represent hundreds of organisations across New Zealand, and to appreciate the role national and international institutions play in complementing and supporting local institutions.

Table 1   Relevant Institutions in Existence Today

Type	Established	Institution	Summary
Local	1856	Rūnanga	Ongoing tribal governance institutions called rūnanga were first observed in Waikato in 1856 (Ballara, 1998: 288).
	1955	Māori Trust Boards	Set up to receive and dispense compensation payments from the government for various injustices (Durie, 1998: 224).
	1980s	Urban Māori organisations	Organisations that emerged to 'foster the economic, social and community development of urban Māori' (Meredith, 2009a).
National	1858	Kīngitanga	The Māori King Movement (MCH, 2007).
	1951	Māori Women's Welfare League	The kaupapa of the Māori Women's Welfare League is to 'work with Māori women and their families to promote health, culture, history and the well being of all Māori' (Ministry of Consumer Affairs, 2005: 5).
	1962	The New Zealand Māori Council	Makes submissions to government on matters affecting Māori, particularly on Treaty of Waitangi issues (MCH, 2009a).
	1975	The Waitangi Tribunal	Makes recommendations on claims by Māori that relate to 'actions or omissions of the Crown, which breach the promises made in the Treaty of Waitangi' (Waitangi Tribunal, 2010a).

Type	Established	Institution	Summary
	1987	Federation of Māori Authorities (FoMA)	A business network aimed at fostering and promoting the development, sound management and economic advancement of Māori authorities and, in turn, wider Māori communities. (FoMA, n.d.).
	1989	Crown Forestry Rental Trust	Facilitates the settlement of claims relating to Crown forest land (CFRT, n.d.).
	1989	Wānanga and universities	Wānanga are traditional Māori institutions of learning which were first given statutory recognition in s162 of the Education Act 1989.
	1991	Te Puni Kōkiri	Seeks the success of Māori as New Zealanders, global citizens, and as Māori, secure, confident and expert in their culture (TPK, 2008: 10).
	1993	The Māori Land Court	Hears matters relating to Māori land (MoJ, n.d.).
	1995	The Office of Treaty Settlements	Negotiates settlements of historical Treaty of Waitangi claims on behalf of the Crown (OTS, 2002).
	2005	Iwi Chairs Forum	The Forum meets regularly 'to discuss and enable Māori aspirations in the spheres of cultural, social, economic, environmental and political development' (Iwi Chairs Forum, 2008).
	2006	Hui Taumata Trust	Fosters 'Māori-led economic development through partnerships between Māori, business and government' (Hui Taumata, n.d.[a]).
		Other institutions	There exist a number of government institutions whose functions include fostering the achievement of Māori goals, such as the Department of Conservation, Ministry for the Environment, Ministry of Social Development and the Parliamentary Commissioner for the Environment, as well as local councils and Crown Research Institutes.
International	1993	United Nations – Convention on Biological Diversity	In 1993 New Zealand ratified the UN Convention on Biological Diversity of which Article 8(j) refers to the rights of indigenous people (CBD, 1992: 2,7–8).
	1993	International networks of indigenous peoples – Mataatua Declaration	In 1993 the First International Conference on the Cultural and Intellectual Property Rights of Indigenous Peoples was held in New Zealand, resulting in the Mataatua Declaration (Commission on Human Rights, 1993).
	2010	United Nations – Declaration on the Rights of Indigenous Peoples	In April 2010, New Zealand reversed its initial decision and endorsed the declaration (UN Economic and Social Council, 2010).

3.1   Local Institutions

A variety of iwi and hapū governance institutions exist today. Te Puni Kōkiri's *Te Kāhui Māngai: Directory of Iwi and Māori Organisations* includes tribal organisations whose mandates to represent their iwi or hapū have been recognised by the New Zealand government. These include:

- Recognised iwi organisations and mandated iwi organisations in the Māori Fisheries Act 2004;

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- Mandated bodies recognised for Treaty of Waitangi settlement purposes, including Treaty negotiations and post-settlement governance entities;

- Iwi authorities for the purposes of section 35A of the Resource Management Act 1991 (RMA);

- Groups which represent hapū for the purposes of the RMA and have requested that their information be provided on this site for the purposes of section 35A of the RMA, and

- National and urban Māori organisations that have statutory associations with representative iwi organisations. (TPK, n.d.[a])

Rūnanga, Māori Trust Boards and urban Māori organisations are discussed in more detail below.

1.   Rūnanga

A Rūnanga is an institution similar to a council or board, which governs and manages a specific iwi. Rūnanga deal primarily with aspects of tribal development such as 'the health and welfare of hapū, whānau and individual members' (Durie, 1987: 4). Ballara (1998: 288) notes that reports of 'continuous institutions called Rūnanga' were first observed in Waikato in the 1850s and after this time became increasingly common. Initially their main function was to act as a court for individual hapū, however with the increasing need for iwi to negotiate with government it became necessary for iwi to form an ongoing corporate body (Ballara, 1998: 316).

The establishment of the Waitangi Tribunal in 1975 and the requirement for iwi and hapū to have a mandated authority in order to be eligible for settlement, increased debate about appropriate iwi decision-making processes and governance structures. This led to the Rūnanga Iwi Act 1990 which was the first piece of legislation to recognise the status of New Zealand tribes. Although the Act was short-lived (its repeal was initiated in 1991 by the then Minister of Māori Affairs, Winston Peters), it was intended to provide clear iwi and hapū mandates prior to engagement with the Crown (Durie, 1998: 225).

The concept of Rūnanga can be either iwi or hapū specific and often will act as an umbrella institution, incorporating multiple legal entities depending on individual requirements. As treaty settlements are made, iwi are turning their minds to the effective management of settlement assets (Farrell, 2005: 54) and consequently today exist under a variety of legal structures including Maori Trust Boards (see below) and independent legislation (TPK, 2005a).[1] An example of an iwi who have moved away from the Maori Trust Board system by developing their own legislation is Te Rūnanga o Ngāi Tahu which was established by the Te Rūnanga o Ngāi Tahu Act 1996 (TRONT, 1996). While many iwi choose to operate as Māori Trust Boards under the Māori Trust Boards Act 1955, a number of rūnanga are also established as trust boards under individual legislation, for example, Te Rūnanga o Ngāti Porou, Te Rūnanga o Ngāti Awa and Te Rūnanga o Ngāti Whatua (TPK, 2005b).

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[1]   For example: Te Rūnanga o Ngāti Porou Act 1987, Te Rūnanga o Ngāti Whātua Act 1988, Te Rūnanga O Ngai Tahu Act 1996, Te Rūnanga o Ngāti Awa Act 2005.

2. Māori Trust Boards

Under the Māori Trust Board Act 1955, Māori Trust Boards were originally set up to receive and dispense compensation payments from the government for various injustices (Durie, 1998: 224).[2] However, with the establishment of the Waitangi Tribunal settlement process they were found to be inappropriate structures for tribal governance and the independent management of settlement assets (Durie, 1998: 224). The main disadvantages of Māori Trust Boards as governance mechanisms are that the board is largely accountable to the Crown rather than the iwi and hapū they represent, and that approval from the Minister of Māori Affairs is required to conduct commercial business (TPK, 2005b; Durie, 2003: 173 - 174).

3. Urban Māori organisations

In 1945, 26% of Māori lived in urban areas; by 1986 the figure had reached almost 80% (Meredith, 2009b). In the 1980s, a number of organisations emerged to help urban Māori advance their goals. These urban Māori organisations are pan-tribal or multi-tribal authorities working in urban centres. Te Whānau o Waipareira Trust is a well-known example of an urban Māori organisation; the Trust was established in 1984 to connect and strengthen smaller pan-tribal organisations working in West Auckland (Te Whānau o Waipareira Trust, 2009).

3.2   National Institutions

'From the 1960s onwards there has been a steady movement towards a greater acceptance of aspects of Māori culture in New Zealand' (Mead, 2003: 3). This revival filtered through many different avenues, contributing to the evolution of national institutions over time. The summary table above (Table 1) provides a snapshot of the key players in 2010. These and other national institutions are outlined below in chronological order based on their date of establishment.

As key institutions for furthering the goals of Māori through the Treaty settlement process, the Waitangi Tribunal and the Office of Treaty Settlements (OTS) are discussed in more detail in Working Paper 2010/05 (SFI, in press [b]).

1. Kīngitanga – The Māori King Movement

Kīngitanga was established in 1858. The movement emerged as the European population grew, resulting in what Michael King described as 'a sense of Māoriness that made it possible for Māori to distinguish between a Māori and non-Māori world and think beyond their tribal affiliations' (MCH, 2007). The leaders of Kīngitanga-aligned tribes, which include Tuwharetoa, Taranaki, Whanganui and all Tainui iwi, are responsible for appointing the individual who leads the movement (*NZ Herald*, 2006a). Although theoretically not hereditary, leadership has followed the Te Wherowhero bloodline and remained within the Waikato (ibid.). Following the passing of Dame Te Atairangikahu in 2006, her son Tuheitia Paki assumed the leadership role (*NZ Herald*, 2006b).

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[2]   For more detail on the history of the claims process, see Working Paper 2010/05 (SFI, in press [b]).

Kīngitanga is still an important and enduring expression of Māori unity today (MCH, 2008). The current Māori King, King Tuheitia, believes 'Māoridom and the country could be an example for world leaders as they worked towards unity across the globe' (Tahana, 2009). There are also calls from iwi for a council to be established around the King, allowing iwi to have greater access to him (ibid.).

2.   Maori Women's Welfare League

The kaupapa of the Māori Women's Welfare League is to 'work with Māori women and their families to promote health, culture, history and the well being of all Māori' (Ministry of Consumer Affairs, 2005: 5). It was established in 1951 and went on to become a significant player in managing social change for Māori women (Meredith, 2009c). The League also aims to enhance the relationship between Māori and European women, and to form relationships with other women's organisations, whilst maintaining traditional education, arts and culture (Croker, 1966).

In 1986, the League set up the Māori Women's Development Fund to promote self-employment for Māori women; this fund remains today although it is independent of the League (Department of Labour, 2005: 1). The League remains a powerful voice on issues such as crime, education, parenting, health, electoral enrolment, enterprise, kohanga reo and racism (Maori Television Service, 2004). In 2005, the League had a membership of over 3000 in over 150 branches in both rural and urban locations throughout New Zealand, making it one of the few pan–tribal organisations (Department of Labour, 2005: 1, 7; Ministry of Consumer Affairs, 2005: 5).

3.   The New Zealand Māori Council

The New Zealand Māori Council (NZMC) was established under the Māori Welfare Act 1962. The NZMC makes submissions to government on matters affecting Māori, particularly on Treaty of Waitangi issues (MCH, 2009a). In 1987, the NZMC took the Crown to court for breaching the State-Owned Enterprises Act (1986), and the Treaty of Waitangi principles within the Act (MCH, 2009a). This court case resulted in the passing of the Treaty of Waitangi (State Enterprises) Act (1988).

4.   Te Rōpū Whakamana i te Tiriti o Waitangi – The Waitangi Tribunal

The Waitangi Tribunal was created under the Treaty of Waitangi Act 1975. It is a permanent Commission of Inquiry, whose job is to make recommendations to government (the Office of Treaty Settlements) on claims made to it by Māori. Claims relate to actions or omissions of the Crown that are inconsistent with the principles of the Treaty (Treaty of Waitangi Act 1975, s6 (1) [d]). The Waitangi Tribunal:

> has exclusive authority to determine the meaning and effect of the Treaty as embodied in the two texts and to decide issues raised by the differences between them. (Waitangi Tribunal, 2009a: 1)

These interpretations are subject to change both within the Waitangi Tribunal and as interpreted by the courts (TPK, 2001: 77). Historian W. H. Oliver argued in 1991 that 'a glance

at the record of proceedings in any major report will show that the Tribunal has opted for thorough investigation rather than the expeditious dispatch of claims' (Oliver, 1991: 17).[3]

As at September 8, 2009, 2125 claims had been registered with the Waitangi Tribunal (each claimant group may encompass multiple claims). There are 1341 claims still pending, however many of these will likely not meet the statutory requirements for registration (Waitangi Tribunal, 2009b). Multiple claims are often grouped under one comprehensive claimant group (usually large iwi/hapū groups) for analysis and settlement. This means that the overall number of claims will not equate to the number of final settlements (Waitangi Tribunal, 2009c). Since 1992, 28 settlements have been made through the OTS at a total value of more that NZ $1 billion (OTS, 2010a: 11).

Claims may be historical or contemporary, and they may relate to either specific pieces of land or a generic government policy (MCH, 2009b). In 2006 an additional amendment was made to the Treaty of Waitangi Act 1975 whereby s6(AA) was inserted to place a deadline on applications of claims. Under Section 6, claims made prior to midnight on the 1st of September 2008 are still able to be processed (and previously registered historical claims may still be amended at any stage) and new contemporary claims may still be lodged.[4] See Working Paper 2010/05: *The Treaty Settlement Process: An overview of the Waitangi Tribunal and the Office of Treaty Settlements* (SFI, in press [b]) for more detailed information on the treaty settlement process.

5. Federation of Māori Authorities (FoMA)

The Federation of Māori Authorities, established in 1987, is a business network with a voluntary membership of Māori Incorporations, Māori Land Trusts, Māori Trust Boards and rūnanga. Each of the 11 rohe, or electoral districts, are represented by one member on the Executive Committee of the Federation of Māori Authorities. The mission of the network is to progressively foster and promote the development, sound management and economic advancement of Māori Authorities and in turn wider Māori communities (FoMA, n.d.). At the time of writing, mention of FoMA has been made in the press concerning the management and investment challenges it is currently facing (Donoghue, 2010).

6. The Crown Forestry Rental Trust

The Crown Forestry Rental Trust was established under the Crown Forest Assets Act 1989. The Trust facilitates the settlement of claims relating to Crown forest land (CFRT, n.d.).

7. Wānanga and universities

The first of New Zealand's universities was established in 1869 (University of Otago, n.d.), and today there are eight in the country; Māori academia is a strong emerging body within these institutions. There are also three wānanga, traditional Māori institutions of learning,

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[3] For a detailed account of the claim process, see Oliver (1991: 7–17).

[4] An historical claim is defined under Section 2 of the Treaty of Waitangi Act 1975 as 'a claim made under section 6(1) that arises from or relates to an enactment referred to in section 6(1)(a) or (b) enacted, or to a policy or practice adopted or an act done or omitted by or on behalf of the Crown, before 21 September 1992'. 'Claims based on Crown actions or omissions after this date are known as contemporary claims, and are dealt with through separate processes' (OTS, 2009).

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throughout New Zealand: Te Wānanga o Aotearoa, Te Wānanga o Raukawa and Te Whare Wānanga o Awanuiarangi (Waitangi Tribunal, 1999: 11). These institutions were given statutory recognition by section 162 of the Education Act 1989 (ibid.). The combination of wānanga and universities that now operate nationwide means a significant body of critical thought and activity is developing among Māori academics. This is particularly evident in the establishment of the Manu Ao Academy as a 'National Inter-University Māori Academy for Academic and Professional Advancement'. This institution is specifically designed to strengthen Māori leadership and scholarship, and the links between Māori academics and other professionals (Manu Ao Academy, 2010).

8.   Te Puni Kōkiri – Ministry of Māori Affairs

Departments and ministries with a specific focus on Māori affairs have long been present in government, though their forms and functions have been diverse (see Luxton, 2008). Under section 8 of the Ministry of Māori Development Act 1991, Manatu Maori (Ministry of Maori Affairs) and the Te Tira Ahu Iwi (Iwi Transition Agency) were replaced by Te Puni Kōkiri (TPK). It is now the primary government institution responsible for Maori Affairs. TPK monitors policy and legislation and provides government with policy advice. It has the strategic aim of 'Māori succeeding as Māori', and the purpose of 'realising Māori potential'. In other words, TPK seeks the success of Māori as New Zealanders, as global citizens, and as Māori; secure, confident and expert in their culture (TPK, 2008: 10). It works to build and maintain close and interactive connections with Māori through a network of regional offices. The responsibilities of TPK are:

> (a) Promoting increases in the levels of achievement attained by Māori with respect to – i) Education, (ii) Training and employment, (iii) Health and (iv) Economic resource development [and]

> (b) Monitoring, and liaising with, each department and agency that provides or has a responsibility to provide services to or for Māori for the purpose of ensuring the adequacy of those services. (Ministry of Māori Development Act, 1991, s5)

Te Puni Kōkiri's *Statement of Intent 2009–2012* recognises the following strategic objectives:

> (i) Maintaining an overview of government policy initiatives pertaining to Māori and ensuring they are responsive to their needs,

> (ii) Interventions and investments to be responsive to Tino Rangatiratanga and Whānau Ora

> (iii) Stakeholder relationships to be driven off outcomes, and messages and behaviours to be consistent. (TPK, 2009: 29)

9.   Te Kooti Whenua Māori – The Māori Land Court

The Māori Land Court was set up under Te Ture Whenua Māori Act 1993. It initially had the role of defining Māori land rights under customary law, and within rights and customary titles recognised under European law. The main aim was to transfer Māori customary land into Māori freehold land,[5] recognised within the Torrens system of land registration.[6] About

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[5]   Section 129(2)(a) of Te Ture Whenua Māori Act 1993 states: 'Land that is held by Māori in accordance with tikanga Māori shall have the status of Māori customary land'. Section 129(2)(b)

1.3 million hectares in New Zealand is now designated as Māori freehold land, just under 5% of the total 26.4 million hectares in the country (Waitangi Tribunal, 2010b). The amount of Māori customary land is unknown, but it is estimated to be relatively minimal (TPK, 2007a).

The special bond between Māori people and the land is recognised by the Māori Land Court, and the records held by this court form an invaluable part of the whakapapa of all Māori.[7] Issues relating to multiple ownership of land and the law relating to succession of ownership mean Māori land transactions can be complex. At the Māori Land Court these transactions are dealt with in a traditional and appropriate manner. For example, Court sittings may be conducted in te reo Māori and may begin and end with a karakia (MoJ, n.d.).

10.   Te Tari Whakatau Take e pa ana ki te Tiriti o Waitangi – Office of Treaty Settlements
In 1989 the New Zealand government set up a policy unit to examine Treaty of Waitangi settlement issues; in 1995 this unit became the Office of Treaty Settlements (OTS).[8] Over the 15 years the OTS has been in existence, the framework for resolving Māori grievances has developed an 'interest based' negotiation brief (Cody, 2003). This framework involves 'both parties at the negotiation table commit to explore their respective interests in good faith, with the aim of reaching solutions together. Positional bargaining is avoided as much as possible' (ibid.).

In 2000, the Crown reviewed settlement policies and processes and announced the following guiding principles for negotiating Treaty settlements:

– Good faith in conducting negotiations;

– Restoration of relationship between Māori and the Crown;

– Just redress;

– Fairness and consistency between claims;

– Transparency of information; and

– Government-negotiated nature of process (OTS, 2010b: 30).

The OTS negotiates settlements of historical Treaty of Waitangi claims on behalf of the Crown (relating to acts and omissions prior to 21 September 1992). To begin negotiations for a claim

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states: 'Land, the beneficial ownership of which has been determined by the Māori Land Court by freehold order, shall have the status of Māori freehold land'.

6   The Torrens system is a Western system of registration of title to land, the main purpose of which is 'to provide a simple and cheap method of recording the transfer and other dealings with land and at the same time to ensure security of title by a system of State guarantee' (McLintock, 1966).

7   This unique approach is summarised in Parliament's directive to the Court, as contained in section 2(2) of Te Ture Whenua Māori Act 1993: '… it is the intention of Parliament that powers, duties, and discretions conferred by this Act shall be exercised, as far as possible, in a manner that facilitates and promotes the retention, use, development and control of Māori land as taonga tuku iho by Māori owners, their whānau, their hapū, and their descendants.'

8   OTS expenses for the 2008/09 financial year included 'Policy advice for Treaty Negotiations': $11,097,000; 'Crown Representation at Waitangi Tribunal': $1,619,000, and 'Property Portfolio Management': $4,908,000 (OTS, 2010a: 14).

it must be registered with the Waitangi Tribunal. Claimants choose to have their claims heard by the Tribunal before entering negotiations with the Crown (OTS, 2010b: 38). The OTS also reports and provides advice on policy and negotiations directly to the Minister for Treaty of Waitangi Negotiations, and is responsible for surplus Crown land that can be used in settlements.[9] See Working Paper 2010/05: *The Treaty Settlement Process: An overview of the Waitangi Tribunal and the Office of Treaty Settlements* (SFI, in press [b]) for more detailed information on the treaty settlement process.

11. Iwi Chairs Forum

The Iwi Chairs Forum met for the first time in Kaikoura in 2005. Since then it has met approximately every four months in different parts of New Zealand. The chair of any iwi has an open invitation to participate and contribute. Collectively, the forum represents more than 400,000 Māori, which is over two-thirds of the Māori population (Iwi Chairs Forum, 2008). The forum is built upon the principle of kotahitanga: 'that together through sharing our experiences, knowledge and resources we can grow and support each other and work to create a better future for our people' (TRONT, 2008: 16). It meets regularly 'to discuss and enable Māori aspirations in the spheres of cultural, social, economic, environmental and political development' (Iwi Chairs Forum, 2008). At this stage the forum does not lobby on specific issues or seek publicity for its mahi; rather it focuses on developing co-operative relationships that bring iwi together to plan for the future (ibid.). In addition, Crown representatives, Members of Parliament and stakeholder and community groups are regularly invited to present on projects and issues that concern iwi (ibid.). Recent developments have seen the Forum branch out to create the Iwi CEO Forum which meets twice a year in conjunction with the Iwi Chairs Forum (ibid).

Notably, the Forum has recently been acting as a 'sounding board and source of advice to both the government and the Māori Party' (Smellie, 2010: 6). Five groups have emerged from the Forum to advise the government in the areas of: foreshore and seabed ownership, freshwater management, the Emissions Trading Scheme, public-private partnerships and whānau ora healthcare policy (ibid.). As well as this, in the lead-up to Waitangi Day 2010, the Forum held a hui with leaders from 47 iwi, John Key and Cabinet Ministers in attendance (ibid.). Although the Forum does not claim to have the mandate to speak for all Māori, there is some concern that this group is gaining significant influence with government (ibid.: 7).

12. Hui Taumata Trust

The Hui Taumata Trust was established in 2006, to carry forward the work programme developed by the Hui Taumata in 2005.[10] The Hui Taumata Trust has representatives from 'Māoridom, the business community and unions', and has the purpose of fostering 'Māori-led economic development through partnerships between Māori, business and government' (Hui Taumata, n.d.[a]).

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[9] As at November 2008, the OTS held a landbank of 794 properties to the approximate book value of $325 million (OTS, 2008: 16).

[10] The Hui Taumata in 2005 was 'attended by a broad spectrum of New Zealand's eminent leaders, representatives of a wide range of organisations, and Members of Parliament', and sought to update the findings from the first Hui Taumata, held in 1984 (Hui Taumata, n.d.[b]).

13.   Other institutions

There exist a number of other government institutions, such as the Department of Conservation, Ministry for the Environment, Ministry of Social Development and the Parliamentary Commissioner for the Environment,[11] as well as local councils and Crown Research Institutes, whose responsibilities include fostering the achievement of Māori goals. The hard work of individuals and groups who work within most government departments to progress and provide assistance in achieving the goals of Māori should not be overlooked.

3.3   International Institutions

Dr Huhana Smith, Senior Curator Māori at the Museum of New Zealand Te Papa Tongarewa, has noted how international standards for the protection of global indigenous peoples and their cultural heritage, and of natural environments, can influence central government and domestic law in New Zealand (Smith, 2007: 245). While New Zealand has arguably breached international standards in the past, for example in the Foreshore and Seabed Act 2004,[12] Smith has proposed that 'international law can provide moral influence upon domestic legislation formation' (ibid.: 258–260). An opportunity exists for New Zealand to gain international credibility by supporting international initiatives and adhering to international standards.

1.   United Nations – Convention on Biological Diversity (UNCBD)

New Zealand ratified the Convention on Biological Diversity in 1993. Article 8(j) of the Convention obliges signatory governments to 'respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity' (CBD, 1992: 149). In addition, Goal 9 of the Convention's 2010 goals is designed to maintain the socio-cultural diversity of indigenous and local communities:

> Goal 9.1: Protect traditional knowledge, innovations and practices
>
> Goal 9.2: Protect the rights of indigenous and local communities over their traditional knowledge, innovations and practices, including their rights to benefit sharing.
>
> (Secretariat of the Convention on Biological Diversity, 2006: 61)

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[11]   The Parliamentary Commissioner for the Environment (PCE) is an independent officer of Parliament established under the Environment Act 1986, with wide-ranging powers to investigate environmental concerns (PCE, n.d.). A publication of note is *He rangahau ki te aria ko te Tiriti te putake e whakatuturutia ai nga tikanga mo te taiao: Exploring the concept of a Treaty-based environmental audit framework* (PCE, 2002), which initiates a discussion on ways in which te Tiriti could contribute to environmental auditing systems.

[12]   On 16 June 2010 Attorney-General Christopher Finlayson announced that government would be introducing legislation to repeal this act, 'replacing it with a non-ownership model of the public foreshore and seabed and restoring the right of iwi to seek customary title in Court' (NZ Govt, 2010a).

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These United Nations-led international initiatives are an indication of work happening globally in this area, in which not only the New Zealand government, but also indigenous communities, are participants.[13]

2.   International networks of indigenous peoples – Mataatua Declaration

In 1993 the First International Conference on the Cultural and Intellectual Property Rights of Indigenous Peoples was held in New Zealand. Issues covered included 'the value of indigenous knowledge, biodiversity and biotechnology, customary environmental management, arts, music, language and other physical and spiritual cultural forms' (Commission on Human Rights, 1993: 1). The Mataatua Declaration was signed on the final day of the conference, and was subsequently presented to the UN Working Group on Indigenous Peoples in Geneva. The declaration called for a global moratorium on the commercialisation of traditional plants, medicines and human genetic materials until adequate and appropriate protection mechanisms were developed and accepted by indigenous communities and the international community (ibid.: 4).

3.   United Nations – Declaration on the Rights of Indigenous Peoples (UNDRIP)

In September 2007, 144 countries voted in favour of UNDRIP, resulting in the adoption of the declaration at the United Nations General Assembly (Wiessner, 2009: 3). New Zealand, and three other countries (Canada, Australia and the United States), voted 'against' the adoption of UNDRIP, though in April 2009 Australia formally endorsed the declaration (UN News Centre, 2009). In April 2010, the New Zealand government also endorsed the declaration (UN Economic and Social Council, 2010), a move which was commended internationally, but produced mixed responses domestically. Expectations around the implications of this decision vary. The government has said the document is an expression of 'aspiration' and that it will not interfere with existing national frameworks (NZ Govt, 2010b), whereas outside of government there has been talk that the move brings with it increased responsibility to address issues of self-determination with Māori (Armstrong, 2010).

4.   Mechanisms

Table 2 outlines some common mechanisms (in alphabetical order) and gives examples of where they have been applied in New Zealand. While not a comprehensive list, it provides some insight into the tools currently available to iwi, hapū and other institutions to progress the goals of Māori through national policy processes. These range from methods of exploring and gaining understanding of goals to methods for progressing them in partnership with other stakeholders. This table only includes mechanisms that are well-recognised ways in which to explore and advance Māori goals in the national policy processes. Table 2 does not include internal mechanisms used by iwi and hapū to progress their goals locally, such as the practice of kaitiakitanga,[14] and the passing of mātauranga across generations.[15]

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[13] For insight into indigenous experiences and networks in this area internationally, see Mead and Ratuva (Eds.) (2007).

[14] Kaitiakitanga describes a Māori resource management system and its practitioners – kaitiaki – who work at the interface between the secular and the spiritual worlds; kaitiakitanga is an ancestral

In addition, Table 2 does not address protest as a mechanism. For example, hīkoi have been utilised by Māori as a method of peaceful protest against existing or proposed government policy or activity. Examples include the 1975 Māori land hīkoi (a call for the halt of alienation of Māori land) (Royal, 2009); two 'GE-free hikoi' in 2001 (SFI, 2008: 18–19), and a 2004 hīkoi (protesting the government's proposed Foreshore and Seabed Act) (MCH, 2010).

Table 2   Mechanisms Used to Explore and Advance Māori Goals in National Policy Processes

Mechanism	Summary	Example
Hui	A hui is a gathering of iwi Māori or Māori organisations, which runs according to a tikanga Māori framework. Hui have adapted to the changing social environment and today address diverse iwi, social, political, business and religious issues.	The 1984 Hui Taumata Māori Economic Development Summit was a significant national hui (see Levine & Vasil, 1985: 197–204).
Legislation	(a) Where ministers must, when submitting bids for inclusion in the legislation programme, comply with certain legal principles, including the principles of the Treaty of Waitangi (DPMC, 2008: 95).	An example of this can be found in Section 8 of the Resource Management Act 1991, which states that '[i]n achieving the purpose of this Act, all persons exercising functions and powers under it … shall take into account the principles of the Treaty of Waitangi'.
	(b) Where traditional Māori institutional values of customary law are introduced to work in modern state jurisdiction.	In response to comments by the Waitangi Tribunal, the Resource Management Act 1991 showed a direct correlation between the Tribunal's findings and the inclusion of tikanga Māori within s6(e), 7(a) and 8. The courts have recognised this equal balancing of Māori and non-Māori interests in their judgements, stating that they are at the central interface between common law and concepts of Māori customary law, which upholds Article 2 of te Tiriti, and its promise to protect Māori custom and cultural values (Bennion & Joseph, 2002: 6).

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responsibility (HMTB, 1999: 44). The use of rāhui is an example of a kaitiakitanga practice, being a conservation technique (Barlow, 2004: 105) to aid the regeneration of resources (Marsden, 2003: 70). This technique was applied over the kūkupa by Ngāti Hine in order to protect the resources from further human use and to promote replenishment, as discussed in Case Study 1 of Report 7a (SFI, 2009c).

[15] This may be done not only to progress social goals but also to recreate the historical ecological landscape and to identify customary environmental indicators. In Case Study 2 of Report 7a (SFI, 2009c), kaumatua interviews provided extensive knowledge on Hauraki's historical environment. Elders of Hauraki, the 'keepers of customary lore', were able to share their knowledge as understood by their tūpuna (HMTB, 1999: 8).

Mechanism	Summary	Example
Memorandums of Understanding	Many iwi have Memorandums of Understanding (MoUs) with territorial councils and other key stakeholders.	One such example is the MoU between Waitakere City Council and Te Kawerau ā Maki. The iwi has service-level agreements with the city council that provide for: • Preliminary consultation in respect to resource consent applications; • Preliminary consultation on any council project of relevance to the iwi, and • Detailed involvement, by negotiation, in council projects of particular interest and relevance to the iwi. (Waitakere City Council, 2009)
Partnerships	Collaborative partnerships between iwi and Crown agencies and/or territorial authorities continue to emerge.	The Auckland Regional Mana Whenua Framework is now being used as an integration point for the various tangata whenua groups of the region and the public sector. The Auckland Regional Growth Forum (2007) envisions decision-making undertaken in a manner that: • Recognises Mana Whenua as the indigenous peoples of the region • Accords value to Te Ao Māori • Gives due effect to te Tiriti o Waitangi/the Treaty of Waitangi • Contributes to Māori needs and aspirations. The Auckland Sustainability Framework is also tasked to give due consideration to: • Mana Whenua relationships with ancestral taonga, their cultural practices and traditions and future development • Effects of sustainability challenges on Mana Whenua and their relationships to land and people • Effects of strategy and policy on Mana Whenua relationships. (Auckland Regional Growth Forum, 2007: 34)

Mechanism	Summary	Example
Reports and publications	Many iwi and established institutions have produced, or are in the process of producing, their own strategy documents in order to help shape and control their futures.	Examples include: (i) *For Māori Future Makers* (TPK, 2007b). This report aims to share ideas and stimulate debate in the predicted context of an innovation economy, redistribution of world economic power, and climate change. (ii) Ngāi Tahu's vision and strategy document focused on the year 2025 (TRONT, 2001). This strategy document shows a high level of inclusiveness, consultation and accountability, and a management process which makes space for regular reviews, visioning and reflection.
Submissions	Iwi regularly make submissions to Royal Commissions, Parliamentary Select Committees, and through invitations to comment from government departments.	This is demonstrated in Case Study 6 of Report 7a, which discusses Te Rūnanga o Ngāi Tahu's submission to the Royal Commission on Genetic Modification in 2001 (SFI, 2009c).

5.   Observations

A number of national, regional and local institutions have been established to pursue the goals of Māori. The institutions and mechanisms explored within this paper make up only a small fraction of the existing groups and processes; however, based on the above, we make the following observations:

- The Treaty of Waitangi claims and settlements process started in 1995, fifteen years ago, on the basis of settlements being full and final. The National-led government's target for settling all historical Treaty claims is 2014. The completion of the Treaty settlement process will be a key milestone in setting a new context for the future of New Zealand. See Working Paper 2010/05: *The Treaty Settlement Process: An overview of the Waitangi Tribunal and the Office of Treaty Settlements* (SFI, in press [b]).

- The Iwi Chairs Forum is a relatively new institution (established in 2004), which is independent of government. Some consider it is moving into the national space previously occupied by the New Zealand Māori Council and the Federation of Māori Authorities (Smellie, 2010). The continued independence of the Forum is vital in order to keep its roles and functions distinct from government organisations such as Te Puni Kōkiri. It is also important to develop and maintain clarity over the Māori interests represented by such organisations.

- The endorsement of UNDRIP in April 2010 is likely to be a key driver of change (Armstrong, 2010). Such international agreements acknowledge and enhance the rights of indigenous people. The support of this declaration creates an opportunity for New Zealand to develop as a leader in the area of indigenous rights.

- Wānanga and universities are emerging as key contributors of academic thought in regard to the future of Māori (for example, see Manu Ao Academy, 2010). These

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institutions play an important role in offering independent analysis and critique, and developing innovative ideas for the advancement of Māori goals.

- More research is needed in order to understand not just how a single institution operates, but how its goals and functions interact and interconnect with other institutions. It is clear that institutions do not operate in isolation, but are nested within broader local, national and international frameworks.

This working paper raises a number of questions, which demand further examination:

- How effective has the settlement process been in terms of achieving quality processes (full and final completion) and quantity outcomes (time/value)? Is compensation, through the settlement process, resolving injustices and improving outcomes for Māori, in a manner that is fair for all Māori?

- What is the role of independent pan-tribal institutions in pursuing the shared goals of Māori within the nation-state? How can the independence and representativeness of these institutions be optimised, so that all Māori can access and benefit from the work of these institutions?

- The ongoing process of globalisation continues to facilitate the emergence of international institutions and networks as a powerful force in society. They hold considerable potential to enhance accountability and transparency of national policy processes, build capacity and share knowledge of both Māori and national institutions. How can New Zealand effectively harness this potential to advance the goals of Māori and the nation-state as a whole?

- Do the institutions outlined have any common or shared goals? If they do, how are they, or how might they be, collectively recognised and pursued? Further to this, what might be the benefits and challenges of doing so?

- This working paper presents a number of mechanisms available for institutions to explore and advance goals through national policy processes. How are the institutions outlined using these mechanisms? To what extent are these mechanisms currently supporting, or able to further support, these institutions to advance these goals?

These questions will feed into a wider discussion in Report 7, *Exploring the Shared Goals of Māori: Working towards a National Sustainable Development Strategy*, which investigates how a National Strategy for Sustainable Development can support the achievement of the goals of Māori.

Glossary

Note: Unless otherwise stated we have primarily used the online version of the *Te Aka Māori-English, English-Māori Dictionary and Index* to source these definitions (see http://www.maoridictionary.co.nz).

Glossary	
hapū	a sub-tribe; most iwi are comprised of two or more hapū, although a number of smaller iwi have marae but no hapū (TPK, n.d.[b])
hīkoi	protest march, walk (Barlow, 2004: 23)
iwi	a Māori tribe descended from a common named ancestor or ancestors, … usually comprised of a number of hapū (TPK, n.d.[b])
kaitiakitanga	guardianship
karakia	incantation, prayer, grace, blessing, service, church service, ritual chant, chant, intoned incantation – chants recited rapidly using traditional language, symbols and structures
kohanga reo	Māori language preschool
kūkupa	New Zealand pigeon (northern dialects), kererū, *Hemiphaga novaeseelandiae* – a large green, copper and white native bush pigeon
mahi	work
mana	prestige, authority, control, power, influence, status, spiritual power, charisma – mana is a supernatural force in a person, place or object
Māori	aboriginal inhabitant of New Zealand
mātauranga	education, knowledge, wisdom, understanding, skill
ora	be alive, well, safe, cured, recovered, healthy, fit; to survive
rāhui	to put in place a temporary ritual prohibition, closed season, ban, reserve - traditionally a rāhui was placed on an area, resource or stretch of water as a conservation measure or as a means of social and political control for a variety of reasons which can be grouped into three main categories: pollution by tapu, conservation and politics
rūnanga	council, tribal council, assembly, board, boardroom
tangata whenua	local people, hosts, indigenous people of the land – people born of the whenua, i.e. of the placenta and of the land where the people's ancestors have lived and where their placenta are buried
taonga tuku iho	gift of the ancestors, precious heritage (Mead, 2003: 367)
Te Puni Kōkiri	Ministry of Māori Development
te reo Māori	the Māori language
te Tiriti o Waitangi	the Māori version of the Treaty of Waitangi
wānanga	seminar, conference, forum, a tertiary institution that caters for Māori learning needs – formally established under the Education Act 1989
whānau	to be born, give birth; extended family, family group, a familiar term used to refer to a number of people

References

Armstrong, J. (2010, April 20). Nats give in to Māori over rights declaration. *New Zealand Herald.* Retrieved April 20, 2010 from http://www.nzherald.co.nz/politics/news/article.cfm?c_id=280&objectid=10639516&pnum=0

Auckland Regional Growth Forum (2007). *Auckland Sustainability Framework: An agenda for the future.* Auckland: Auckland Regional Council. Retrieved February 18, 2009 from http://www.aucklandoneplan.org.nz/subsites/fms/OnePlan/Supporting%20Documents/ASF/Auckland%20Sustainability%20Framework.pdf

Ballara, A. (1998). *Iwi: The dynamics of Māori tribal organisation from c.1769 to c.1945.* Wellington: Victoria University Press.

Barlow, C. (2004). *Tikanga whakaaro: Key concepts in Māori culture.* Melbourne: Oxford University Press.

Bennion, T., & Joseph, R. (2002). *Māori values and tikanga consultation under the RMA 1991 and the Local Government Bill: Possible ways forward.* Retrieved July 22, 2009 from http://lianz.waikato.ac.nz/PAPERS/Rob/2002TePapa2.pdf

Cody, P. (2003). *The Treaty settlement process in New Zealand.* Presented at 16th Annual IACM conference, Melbourne, Australia. Retrieved June 17, 2003 from http://papers.ssrn.com/sol3/papers.cfm?abstract_id=400740

Commission on Human Rights (1993). *The Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples.* Retrieved June 16, 2010 from http://www.nzherald.co.nz/politics/news/article.cfm?c_id=280&objectid=10639516&pnum=0

Convention on Biological Diversity (CBD) (1992). *Convention on Biological Diversity (with annexes).* Retrieved June 29, 2009 from http://www.cbd.int/doc/legal/cbd-un-en.pdf

Croker, O. R. (1966). Māori Womens Welfare League. In A. H. McLintock (Ed.), *An encyclopaedia of New Zealand.* Retrieved June 9, 2010 from http://www.TeAra.govt.nz/en/1966/womens-organisations/6

McLintock, A. H. (1966b). Differences between the systems. In A. H. McLintock (Ed.), *An encyclopaedia of New Zealand.* Retrieved August 27, 2009 from http://www.TeAra.govt.nz/en/1966/property-law-of-real/3

Crown Forestry Rental Trust (CFRT) (n.d.). *A matou: About the Trust.* Retrieved September 9, 2009 from http://www.cfrt.org.nz/about/

Department of the Prime Minister and Cabinet (DPMC) (2008). *Cabinet manual 2008.* Wellington: Department of the Prime Minister and Cabinet. Retrieved July 30, 2009 from http://cabinetmanual.cabinetoffice.govt.nz/node/68

Department of Labour (2005). *Briefing paper to Coordinating Minister, Race Relations on Māori Women's Development Fund. Appendix One: Māori Women's Development Fund.* Retrieved June 9, 2010 from http://www.ssc.govt.nz/display/document.asp?docid=4577&pageno=1#P1_0

Donoghue, T. (2010, April 21). Mark to head troubled Māori business network. *The Dominion Post.* Retrieved 28 April, 2010 from http://www.stuff.co.nz/dominion-post/national/3603297/Mark-to-head-troubled-maori-business-network

Durie, M. (1987). *Tribal authorities as advocates for Māori health.* Wellington: New Zealand Board of Health, Māori Health Committee.

Durie, M. (1998). *Te mana te kawanatanga: The politics of Māori self-determination.* Auckland: Oxford University Press.

Durie, M. (2003). *Launching Māori futures.* Wellington: Huia.

Education Act (1989, s162). *Establishment of institutions.* Retrieved June 15, 2010 from http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM183668.html?search=ts_act_education+act_resel&p=1#DLM183668

References

Farrell, J. (2005). *Maori tribal governance arrangements and their relevance to local government.* Retrieved 19 May, 2010 from http://www.lgnz.co.nz/library/files/store_012/Maori_Tribal_Governance_Arrangements_Their_Relevance_to_Local_Government.pdf

Federation of Māori Authorities (FoMA) (n.d.). Retrieved August 26, 2009 from http://www.foma.co.nz/about_foma/corporate_statements.htm

Hauraki Māori Trust Board (HMTB) (1999). *Hauraki customary indicators report to Ministry for the Environment.* Wellington: Ministry for the Environment. Retrieved February 10, 2009, from http://www.mfe.govt.nz/publications/ser/tech-report-57-maori-jun99.pdf

Hui Taumata (n.d.[a]). *About.* Retrieved September 14, 2009 from http://www.huitaumata.com/about/Pages/about.aspx

Hui Taumata (n.d.[b]). *Our history.* Retrieved September 14, 2009 from http://www.huitaumata.com/about/history/Pages/history.aspx

Iwi Chairs Forum (2008). *About: Iwi Chairs Forum.* Retrieved March 23, 2010 from http://www.iwichairs.maori.nz/About/

Levine, S., & Vasil, R. (1985*). Māori political perspectives: He whakaaro Māori mo ngā ti kanga kāwanatanga.* Auckland: Hutchinson.

Luxton, J. (2008). *Te Puni Kokiri: The Ministry of Māori Development. Te oranga o te iwi Māori: A study of Māori economic and social progress.* Working Paper 4. New Zealand Business Roundtable. Retrieved April 26, 2010 from http://www.nzbr.org.nz/documents/publications/Te_Puni_Kokiri.pdf

Manu Ao Academy (2010). *Manu Ao Academy.* Retrieved 28 April, 2010 from http://www.manu-ao.ac.nz/index.php?p=home

Māori Television Service (2004). *New Years Viewing on MTS.* Retrieved 9 June, 2010 from http://www.scoop.co.nz/stories/CU0412/S00148.htm

Marsden, M. H. (2003). Kaitiakitanga: A definitive introduction to the holistic world view of the Māori. In T. A. C. Royal (Ed.), *The woven universe: Selected writings of Rev. Māori Marsden.* Masterton: Estate of Rev. Māori Marsden.

McLintock, A. H. (1966). Differences between the systems. In A. H. McLintock (Ed.), *An encyclopaedia of New Zealand.* Retrieved August 27, 2009 from http://www.TeAra.govt.nz/en/1966/property-law-of-real/3

Mead, A. T. P. & Ratuva, S. (Eds.) (2007). *Pacific genes and life patents: Pacific indigenous experiences and analysis of the commodification and ownership of life.* Call of the Earth Llamado de la Tierra and the United Nations University Institute of Advanced Studies.

Mead, H. M. (2003). *Tikanga Māori: Living by Māori values.* Wellington: Huia.

Meredith, P. (2009a). Urban Māori: Urban and tribal authorities. *Te ara: The encyclopedia of New Zealand.* Retrieved August 25, 2009 from http://www.teara.govt.nz/en/urban-maori/5

Meredith, P. (2009b). Urban Māori: Urbanisation. *Te ara: The encyclopedia of New Zealand.* Retrieved June 16, 2009 from http://www.teara.govt.nz/en/urban-maori/1

Meredith, P. (2009c). Urban Māori. *Te Ara – the Encyclopedia of New Zealand.* Retrieved 9 June, 2010 from http://www.TeAra.govt.nz/en/urban-Māori/3/1

Ministry for Culture and Heritage (MCH) (2007). *A challenge to European authority.* Retrieved June 29, 2009 from http://www.nzhistory.net.nz/politics/the-maori-king-movement/challenge-to-european-authority

Ministry for Culture and Heritage (MCH) (2008). *Origins of the Māori King.* New Zealand History Online. Retrieved April 30, 2010 from http://www.nzhistory.net.nz/politics/maorikingmovement

workingpaper

Ministry for Culture and Heritage (MCH) (2009a). *Treaty events since 1950 – Treaty timeline*. New Zealand History Online. Retrieved September 9, 2009 from http://www.nzhistory.net.nz/politics/treaty/treaty-timeline/treaty-events-1950

Ministry for Culture and Heritage (MCH) (2009b). *Treaty: Frequently asked questions*. New Zealand History Online. Retrieved September 9, 2009 from http://www.nzhistory.net.nz/politics/treaty/treaty-faqs

Ministry for Culture and Heritage (MCH) (2010). *Foreshore and seabed hikoi.* New Zealand History Online. Retrieved June 16, 2010 from http://www.nzhistory.net.nz/media/photo/foreshore-and-seabed-hikoi

Ministry of Consumer Affairs (2005). *Briefing paper to Coordinating Minister, Race Relations on two programmes. Appendix One: Ministry's report to the MRU, on two programmes.* Retrieved 9 June, 2010 from http://www.ssc.govt.nz/display/document.asp?docid=4575&pageno=2#P24_482

Ministry of Justice (MoJ) (n.d.). *About the Māori Land Court*. Wellington: Ministry of Justice. Retrieved April 30, 2010 from http://www2.justice.govt.nz/maorilandcourt/aboutmlc.htm

Ministry of Māori Development Act (1991, s5). *Particular responsibilities of Ministry of Māori Development*. Retrieved July 8, 2009 from http://www.legislation.govt.nz/act/public/1991/0145/latest/DLM257770.html

New Zealand Government (NZ Govt) (2010a). *Repeal of Foreshore and Seabed Act announced.* Retrieved June 16, 2010 from http://www.beehive.govt.nz/release/repeal+foreshore+and+seabed+act+announced

New Zealand Government (NZ Govt) (2010b). *National Govt to support UN rights declaration.* Retrieved April 23, 2010 from http://www.beehive.govt.nz/release/national+govt+support+un+rights+declaration

New Zealand Herald (NZ Herald) (2006a, June 16). Leaders to debate succession and Kingitanga's future. *New Zealand Herald*. Retrieved June 16, 2010 from http://www.nzherald.co.nz/maori-queen/news/article.cfm?c_id=1501103&objectid=10396429

New Zealand Herald (NZ Herald) (2006b, August 21). Tuheitia new Māori king. *New Zealand Herald*. Retrieved June 16, 2010 from http://www.nzherald.co.nz/maori/news/article.cfm?c_id=252&objectid=10397245

Office of Treaty Settlements (OTS) (2002).*Office of Treaty Settlements/Home*. Wellington: Office of Treaty Settlements. Retrieved June 25, 2009 from http://www.ots.govt.nz/

Office of Treaty Settlements (OTS) (2008). *Briefing for the incoming minister: Vote Treaty negotiations*. Wellington: Ministry of Justice. Retrieved June 17, 2010 from http://www.beehive.govt.nz/sites/all/files/Treaty_Negotiations.pdf

Office of Treaty Settlements (OTS) (2009). *What is a Treaty settlement?* Wellington: Office of Treaty Settlements. Retrieved August 20, 2009 from http://www.nz01.2day.terabyte.co.nz/ots/LiveArticle.asp?ArtID=-1171992630

Office of Treaty Settlements (OTS) (2010a). *Office of Treaty Settlements four monthly report November 2009– February 2010*. Wellington: Office of Treaty Settlements. Retrieved April 22, 2010 from http://nz01.terabyte.co.nz/ots/DocumentLibrary/FourMonthlyReportNov09toFeb10final.pdf

Office of Treaty Settlements (OTS) (2010b). *Ka tika ā muri, ka tika ā mua: Healing the past, building a future*. Wellington: Office of Treaty Settlements. Retrieved June 25, 2009 from http://nz01.terabyte.co.nz/ots/fb.asp?url=LiveArticle.asp?ArtID=1715811693

Oliver, W. H. (1991). *Claims to the Waitangi Tribunal.* Wellington: Department of Justice.

Parliamentary Commissioner for the Environment (PCE) (2002). *He rangahau ki te aria ko te Tiriti te putake e whakatuturutia ai nga tikanga mo te taiao: Exploring the concept of a Treaty-based environmental audit framework.* Wellington: Office of the Parliamentary Commissioner for the Environment. Retrieved February 1, 2010 from http://www.pce.parliament.nz/reports_by_subject/all_reports/local_government/treaty

References

Parliamentary Commissioner for the Environment (PCE) (n.d.). *About us.* Retrieved February 4, 2010 from http://www.pce.parliament.nz/about_us

Resource Management Act (1991, ss. 6–8, 35A). Retrieved June 15, 2010 from http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html

Royal, T. A. C. (2009). Māori. *Te ara: The encyclopedia of New Zealand*. Retrieved March 4, 2010 from http://www.TeAra.govt.nz/en/maori/5/1/2

Secretariat of the Convention on Biological Diversity (2006). *Global biodiversity outlook 2*. Montreal. Retrieved September 3, 2009 from http://www.cbd.int/doc/gbo/gbo2/cbd-gbo2-en.pdf

Smellie, P. (2010, March 11). New iwi group Key's best bet for meeting Treaty claims. *The Independent*, pp. 6–7.

Smith, H. (2007). *Hei whenua ora*. Doctoral thesis, Massey University, Palmerston North, New Zealand.

Sustainable Future Institute (SFI) (2008). *The history of genetic modification in New Zealand.* Wellington: Sustainable Future Institute. Retrieved June 16, 2010 from http://www.sustainablefuture.info/Site/Publications/Project_Reports.aspx

Sustainable Future Institute (SFI) (2009a). *Project 2058 methodology: Version 3.* Wellington: Sustainable Future Institute. Retrieved March 1, 2009 from http://www.sustainablefuture.info/Site/Publications/Project_Reports.aspx

Sustainable Future Institute (SFI) (2009b). *A methodological approach to Māori-focused research.* Working Paper 2009/02. Wellington: Sustainable Future Institute. Retrieved April 6, 2010 from http://www.sustainablefuture.info/Site/Publications/Working_Papers.aspx

Sustainable Future Institute (SFI) (2009c). *Identifying the shared goals of six Māori organisations.* Working Paper 2009/03. Wellington: Sustainable Future Institute. Retrieved April 6, 2010 from http://www.sustainablefuture.info/Site/Publications/Working_Papers.aspx

Sustainable Future Institute (SFI) (2009d). *Environmental goals of iwi and hapū: Six case studies.* Report 7a. Wellington: Sustainable Future Institute. Retrieved April 6, 2010 from http://www.sustainablefuture.info/Site/Publications/Project_Reports.aspx

Sustainable Future Institute (in press [a]). *Exploring the shared goals of Māori: Working towards a National Sustainable Development Strategy.* Report 7. Wellington: Sustainable Future Institute.

Sustainable Future Institute (in press [b]). *The Treaty settlement process: An overview of the Waitangi Tribunal and the Office of Treaty Settlements.* Working Paper 2010/05. Wellington: Sustainable Future Institute.

Tahana, Y. (2009, August 22). Followers want more access to King. *Weekend Herald,* p. A6. Retrieved August 30, 2009 from http://www.nzherald.co.nz/maori-king/news/article.cfm?c_id=1501107&objectid=10592432

Te Puni Kōkiri (TPK) (2001). *He tirohanga ō kawa ki te Tiriti o Waitangi /A guide to the principles of the Treaty of Waitangi as expressed by the Courts and the Waitangi Tribunal*. Wellington: Te Puni Kōkiri. Retrieved March 31, 2010 from http://www.tpk.govt.nz/en/in-print/our-publications/publications/he-tirohanga-o-kawa-ki-te-tiriti-o-waitangi/download/tpk-treatyprinciples-2001-en.pdf

Te Puni Kōkiri (TPK) (2005a). *Types of Maori organisations.* Retrieved 19 May, 2010 from http://governance.tpk.govt.nz/why/types.aspx

Te Puni Kōkiri (TPK) (2005b). *Maori trust boards.* Retrieved 19 May, 2010 from http://governance.tpk.govt.nz/why/maoritrustboard.aspx

Te Puni Kōkiri (TPK) (2007a). *Māori land information/ What is Māori land*. Wellington: Te Puni Kōkiri. Retrieved April 26, 2010 from http://www.tpk.govt.nz/en/services/land/maori/

Te Puni Kōkiri (TPK) (2007b). *For Māori future makers*. Wellington: Te Puni Kōkiri. Retrieved August 25, 2009 from http://www.tpk.govt.nz/en/in-print/our-publications/publications/for-maori-future-makers/download/tpk-maorifuture-2007-en.pdf

workingpaper

Te Puni Kōkiri (TPK) (2008). *Te Puni Kōkiri annual report 2008*. Wellington: Te Puni Kōkiri. Retrieved September 3, 2009 from http://www.tpk.govt.nz/en/in-print/our-publications/corporate-documents/annual-report-for-the-year-ended-30-june-2008/download/tpk-annrep-2008-en.pdf

Te Puni Kōkiri (TPK) (2009). *Statement of intent 2009–2012*. Wellington: Te Puni Kōkiri. Retrieved June 26, 2009 from http://www.tpk.govt.nz/en/in-print/our-publications/corporate-documents/statement-of-intent-2009-12/download/tpk-soi-en-2009.pdf

Te Puni Kōkiri (TPK) (n.d.[a]). *Te kāhui māngai: Directory of iwi and Māori organisations*. Retrieved April 22, 2010 from http://www.tkm.govt.nz/

Te Puni Kōkiri (TPK) (n.d.[b]). *Definitions*. Retrieved April 22, 2010 from http://www.tkm.govt.nz/definitions/

Te Rūnanga o Ngāi Tahu (TRONT) (1996). *Governance.* Retrieved 19 May, 2010 from http://www.ngaitahu.iwi.nz/Te-Runanga/Governance/

Te Rūnanga o Ngāi Tahu (TRONT) (2001). *Ngāi Tahu 2025*. Christchurch: Te Rūnanga o Ngāi Tahu. Retrieved March 30, 2009 from http://www.ngaitahu.iwi.nz/Publications/Governance/#2025

Te Rūnanga o Ngāi Tahu (TRONT) (2008). *Te Rūnanga o Ngāi Tahu annual report 2008*. Christchurch: Te Rūnanga o Ngāi Tahu. Retrieved February 4, 2010 from http://www.ngaitahu.iwi.nz/Publications/Governance/NTAR08.pdf

Te Ture Whenua Maori Act 1993/Maori Land Act (1993, ss. 2, 129). Retrieved April 30, 2010 from http://www.legislation.govt.nz/act/public/1993/0004/latest/DLM289882.html?search=ts_act_Te+Ture_resel&p=1

Te Whānau o Waipareira Trust (2009). *About.* Retrieved April 22, 2010 from http://www.waipareira.com/about.html

Treaty of Waitangi Act (1975, ss. 1, 2, 6AA). Retrieved April 26, 2010 from http://www.legislation.govt.nz/act/public/1975/0114/latest/DLM435368.html#DLM435370

United Nations Economic and Social Council (2010). *Permanent Forum on Indigenous Issues Ninth Session.* Retrieved April 20, 2010 from http://www.un.org/News/Press/docs/2010/hr5012.doc.htm

United Nations News Centre (2009, April 3). Experts hail Australia's backing of UN declaration of indigenous peoples' rights. *UN News Centre*. Retrieved August 13, 2009 from http://www.un.org/apps/news/story.asp?NewsID=30382

University of Otago (n.d.). *Welcome from the Vice-Chancellor.*Retrieved June 16, 2010 from http://www.otago.ac.nz/about/welcome/index.html

Waitakere City Council (2009). *Mana whenua and the Waitakere City Council*. Retrieved July 13, 2009 from http://www.hrc.co.nz/home/hrc/humanrightsandthetreatyofwaitangi/crown-tangatawhenuaengagement/manawhenuaandthewaitakerecitycouncil.php

Waitangi Tribunal (1999). *The Waitangi Capital Establishment Report. WAI 718.* Wellington: Ministry of Justice. Retrieved 28 April, 2010 from http://www.waitangi-tribunal.govt.nz/reports/downloadpdf.asp?reportid=39E13093-2F4D-4971-ACA0-28E811572755

Waitangi Tribunal (2009a). *Waitangi Tribunal practice note: Guide to the practice and procedure of the Waitangi Tribunal.* Wellington: Ministry of Justice. Retrieved April 22, 2010 from http://www.waitangi-tribunal.govt.nz/doclibrary/public/GuidetoPractice2009.pdf

Waitangi Tribunal (2009b). *Waitangi Tribunal progresses historical claims.* Wellington: Ministry of Justice. Retrieved September 11, 2009 from http://www.scoop.co.nz/stories/PO0909/S00082.htm

Waitangi Tribunal (2009c). *Frequently asked questions*. Wellington: Ministry of Justice. Retrieved June 29, 2009 from http://www.waitangi-tribunal.govt.nz/about/frequentlyaskedquestions.asp#16

Waitangi Tribunal (2010a). *About the Tribunal/ Waitangi Tribunal Introduction,* Wellington: Ministry of Justice. Retrieved April 22, 2010 from http://www.waitangi-tribunal.govt.nz/about/intro.asp

References

Waitangi Tribunal (2010b). *About the Tribunal/ Māori Land Court Judges/Introduction.* Wellington: Ministry of Justice. Retrieved April 22, 2010 from http://www.waitangi-tribunal.govt.nz/about/mlc_judges/

Wiessner, S. (2009). *United Nations declaration on the rights of indigenous peoples.* United Nations: United Nations Audiovisual Library of International Law. Retrieved April 26, 2010 from http://untreaty.un.org/cod/avl/pdf/ha/ga_61-295/ga_61-295_e.pdf

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