

TE HUI O TE KOTAHITANGA DECLARATION

Kotahi te kohao o te ngira

e kuhuna ai

te miro ma

te miro whero

te miro pango

Tuia i runga, tuia i raro, tuia i roto, tuia i waho

Tuia te here tangata

Ka rongo te po ka rongo te ao

Tuia i te kawai tangata i heke mai i Hawaiiikinui,

i Hawaiiiki roa, i Hawaiiiki pamaomao, i hono ki te wairua,

ki te whaiao, ki te ao marama



TE HUI O TE KOTAHITANGA

A hui organised by IHI Action Group entitled “Maori and Local Government- Beyond the Supercity. ko tehea te huarahi tika?” was held 4 December 2009 at Te Noho Kotahitanga Marae, UNITEC, Auckland.

Representatives of Iwi, Hapu, Whanau, Marae and Tangata Tiriti from throughout the motu attended this hui. Everyone gathered agreed the following declaration represented the views of participants at this hui and should be known as “Te hui o te kotahitanga”.

BACKGROUND

In 2007, the Labour Government initiated a Commissioner’s enquiry into the workability of local government arrangements in Auckland. In March 2009, the Royal Commission Report on Auckland Governance was completed with a set of recommendations that “sought to be forward-looking and to produce a structure capable of meeting the needs of the region as it evolves over the next 20-50 years”. There was a strong recommendation that Maori should be represented on the Auckland Council in the form of three seats, shared between manawhenua and Maori. The Royal Commission also recommended the appointment of a manawhenua forum with powers to appoint members of Watercare’s Maori Advisory Group.

In April 2009, the incoming National and Act led government rejected the recommendations of reserved Maori representation in the Local Government (Auckland Council) Bill and they have continued to ignore the legitimate call for reserved Maori seats on Local Government through to the third Bill.

It was expected that the establishment of a single, region-wide unitary authority within the rohe of nga iwi me nga hapu o Tamaki Makaurau, Te Taitokerau and Tikapa Moana would overcome fragmentation and lead to more effective governance. However, the National and Act government have merely offered an advisory role to manawhenua and tangata whenua. On reflection, this is no different to the treatment of the Maori Local Government Reform Consultative Group’s recommendations 20 years ago in 1988 which were similarly ignored.

INTRODUCTION

The Declaration of Independence, Te Tiriti o Waitangi and the Treaty of Waitangi provide the basis of any governance structure in Aotearoa New Zealand. This has been restated throughout the entire review of the Auckland local governance process. Submitters (both Maori and non-Maori) to the Royal Commission inquiry and to the second bill have continued to strongly recommend the inclusion of Maori representation on local government as a Treaty right and appropriate for democracy in Aotearoa New Zealand considering our history and understanding of manawhenua and tangata whenua rights.

Injustices and breaches of the Treaty have been recorded and seek to be resolved through the efforts of the Crown and Iwi/Hapu. To prevent such grievances from reoccurring, manawhenua need to have a voice at every political level. Provision for manawhenua to have



decision-making powers in the new Auckland Governance structure is paramount. The provision for any advisory board needs to follow-on from the provision of Maori representation at the governance level as a means to an end rather than an end in itself.

The key points set out in this declaration are not new to the Crown but a reaffirmation of the relationship Maori have been seeking for a very long time. These matters have been raised in previous local government reforms and various discussions between Iwi/Hapu and the Crown. Again, we ask that the government adopt the key points of this declaration from “Te Hui o te Kotahitanga” and amend the Local Government (Auckland Council) Bill.

OUR VISION FOR MAORI AND LOCAL GOVERNMENT

All local government legislation should provide for and acknowledge the constitutional relationship between Rangatiratanga and Kawanatanga as affirmed in Te Tiriti o Waitangi and the Treaty of Waitangi.

KEY POINTS

The following statements were reaffirmed at the hui to reflect the discussions held. These are a starting point for further discussions with whanau, hapu and iwi and communities.

1. The functions and responsibilities of local government should be interpreted and implemented in a manner consistent with and giving effect to, the Declaration of Independence, Te Tiriti o Waitangi and the Treaty of Waitangi.
2. A genuine Treaty partnership would reflect equal 50/50 representation of tangata whenua and tauwi at governance level, however as a very minimum there should be three guaranteed seats for Maori representation and more importantly manawhenua representation as recommended by the Royal Commission.
3. That Maori Advisory Units at an operational level be established and adequately resourced to support Council to meet both statutory and non-statutory responsibilities to Te Tiriti o Waitangi and the Treaty of Waitangi for the cultural, spiritual, economic and social wellbeing of Maori communities.
4. That a Maori Local Government Commission be established to deal with those aspects of the Local Government Commission’s jurisdiction and activities that impact on Maori and Te Tiriti o Waitangi.
5. That an independent Treaty of Waitangi Audit Office be established to audit local government for compliance with Te Tiriti o Waitangi rights and obligations.



RESOLUTIONS

1. That the Waitangi Tribunal Claim filed by Eru Thompson on behalf of Waiohua be formally endorsed by the hui
2. That the hui formally endorse the Maori Party to undertake to amend the Local Government Act and subsequent Super City legislation to ensure the mandatory adoption of Maori seats at local government level
3. That the hui supports the efforts to continue to educate and mobilise our people at every level
4. That IHI (Iwi Have Influence) continue to take a leadership role in mobilising our people and to take this declaration to appropriate members of parliament and Government ministers
5. That this kaupapa be pursued as a key discussion point at Waitangi to ensure that it remains a central agenda for Maori in 2010 and beyond
6. That the hui endorse the New Zealand Government signing the Declaration on the Rights of Indigenous Peoples, including self-government
7. That the hui endorses the engagement of Iwi in a process of Constitutional Transformation consistent with Te Tiriti o Waitangi in upholding our rangatiratanga and mana motuhake mai rano
8. That the hui acknowledges the ongoing support of tangata tiriti who continue to support the interests of Maori in local government

REFLECTING ON THE PAST

The recent history of the relationship between Local Government and Iwi was articulated as being 'remarkable'. It is remarkable that there are some of the same people in politics today who rejected the 1988 recommendations and who have rejected them again in 2009.

IMPLEMENTATION OF THE LEGISLATIVE FRAMEWORK

The distance between legislation and implementation is increasingly obvious. Where there is no real penalty for non-compliance, Local Government do not feel compelled to do anything to advance the relationship between Iwi and the Crown. They have become even more creative in avoiding their Treaty responsibilities. In fact, few Councils will even admit to being representatives of the Crown.

FUTURE IWI INVESTMENTS POST-SETTLEMENT

Iwi are currently undergoing a cultural renaissance which includes all aspects of social, economic, political and environmental sustainability. It is a fact that the Maori asset base will be identifiable and will be used to ensure the ongoing investment in small and large scale development.



ORIGIN

This declaration was drafted on the 4th of December 2009 at Te Noho Kotahitanga Marae from the National Hui 'Maori and Local Government Beyond the Supercity – ko tehea te huarahi tika?' and finalised on the 9th of December 2009

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