



TREATY TRIBES COALITION

“Ko Te Ihi o Te Tiriti o Waitangi, Ko Manawhenua, Manamoana”

MEDIA RELEASE – 25 JULY 2007

IWI PRESENT FORESHORE AND SEABED CONCERNS TO U.N. FORUM

The Government's actions in over-riding the rule of law over the foreshore and seabed are at the centre of a Treaty Tribes Coalition presentation to a U.N. Committee next week in Geneva, Switzerland.

Ngahiwi Tomoana, the Chairman of Ngati Kahungunu, said Treaty Tribes will ask the U.N. Committee on the Elimination of Racial Discrimination (CERD) to make recommendations to repeal the Foreshore and Seabed legislation that removes iwi's ability to seek customary title to parts of the foreshore and seabed.

The CERD found in March 2005 that the Foreshore and Seabed Act 2004 was discriminatory against Maori.

“The Committee is very much aware that the foreshore and seabed legislation stripped from iwi the rights for ensuring total self-determination by stopping Maori from seeking customary title to parts of the foreshore and seabed. The Committee has also indicated that it intends to call the Government to account on its failure to implement its recommendations that the Act be amended, in consultation with Maori.”

“The Government's legislation was very much a modern example of a coloniser wrongly exercising power at the expense of indigenous people,” Mr Tomoana said. “We would like to see a number of recommendations that include the repealing of the foreshore and seabed legislation and call for the development of a more appropriate judicial process allowing for customary title claims,” he said.

Mr Tomoana said that these recommendations had already been made by the Committee in 2005. It is envisaged that the Committee will reiterate its previous recommendations and build upon the findings of the Special Rapporteur in 2006.

Other concerns include time limits on claims against the Crown for historic Treaty breaches, the removal of Treaty references in legislation and the under-funding of the Waitangi Tribunal. Mr Tomoana said the Coalition would also be putting arguments for constitutional change including providing properly for the Treaty of Waitangi in New Zealand legislation.

The Coalition's submission to the 71st session of the U.N. Committee also looks at concerns that the Treaty of Waitangi has not been constitutionally entrenched.

Treaty Tribes is a Maori non-governmental organisation formed in 1994 to represent its constituent members of Hauraki, Ngati Kahungunu, Ngai Tamanuhiri and Ngai Tahu. It represents approximately 20 percent of the Maori population.

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