



This is a statement for the New Zealand Maori Council pursuant to s18(1)(a) and s18(3) Maori Community Development Act 1962, to the Constitutional Review Panel in response to the Panel's request for responses on the New Zealand's Constitution and related matters.

The Council's statement focusses on the practical impact of rights in a constitution. In the past where Council has raised issues with government and taken court action, it has not succeeded with those cases where we did not have the constitution to define the right to take a case.

The key issues Maori in the constitutional review are:

- the role of the Treaty in constitutional arrangements
- the Maori seats
- the Maori electoral option
- Maori and local government

Council's view is that constitutions are about defining relationships, eg how Maori define ourselves in relation to the state and in relation to the Pacific. There are different definitions of citizenship.

Council highlights the issue of the constitutional status of Maori in New Zealand and the constitutional status of other people of the Pacific, eg Maori should be represented as of right at the Pacific Forum. Maori do have obligations to our Pacific relations.

Council believes that the constitution must be consistent with and provide the same rights as the United Nations Declaration of the Rights of Indigenous People. The constitution provides tools by which rights are advanced, ie can citizens utilise the constitution to their advantage.

Council will fiercely protect the Maori seats and the Maori Electoral Option.

Council insists that Maori participation in local government must be addressed. As an example, it is difficult to reverse situations such as local government taking the remnants of Maori land with only 4 percent of Maori being elected onto local government. The fact that local bodies are not answerable under the Treaty of Waitangi must be addressed.

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