



Te Tiriti o Waitangi The Treaty Of Waitangi

Original Maori Text (with literal translation)

He kupu whakataki: Ko Wikitoria, te Kuini o Ingarani, i tana mahara atawai ki nga Rangatira me Nga Hapu o Nu Tirani, i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga, me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te ata noho hoki, kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai whakarite ki nga tangata maori o Nu Tirani. Kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini, ki nga wahi katoa o te wenua me nga motu. Na te mea hoki he tokomaha ke nga tangata o tona iwi kua noho ki tenei wenua, a e haere mai nei.

Na, ko te Kuini e hiahia ana kia wakaritea te Kawanatanga, kia kua ai nga kino e puta mai ki te tangata maori ki te pakeha e noho ture kore ana.

Na, kua pai te Kuini kia tukua a hau, a WIREMU HOPIHONA, he Kapitana i te Roiara Nawa, hei Kawana mo nga wahi katoa o Nu Tirani, e tukua aianei amua atu ki te kuini, e mea atu ana ia ki nga Rangatira o te Wakaminenga o nga Hapu o Nu Tirani, me era Rangatira atu, enei ture ka Korerotia nei.

Ko te Tuatahi

Ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa hoki, kihai i uru ki taua Wakaminenga, ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu te Kawanatanga katoa o o ratou wenua. *The Chiefs of the Confederation, and all the Chiefs who have not joined in that Confederation give absolutely to the Queen of England for ever the complete government over their land.*

Ko te Tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaee ki nga Rangatira, ki nga Hapu, ki nga tangata katoa o Nu Tirani, te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa atu, ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua, ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona. *The Queen of England agrees to protect the Chiefs, the Subtribes, and all the people of New Zealand in the unqualified exercise of their chieftanship over their lands, their villages, and all their treasures. But on the other hand the Chiefs of the Confederation and all the other Chiefs will sell land to the Queen at the price agreed by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.*

Ko te Tuatoru

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani. Ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani. *For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand, and will give them all the rights and duties of citizenship as the people of England.*

[signed] W. Hobson
Consul and Lieutenant-Governor

Na ko matou ko nga Rangatira o te Wakaminenga o nga Hapu o Nu Tirani, ka huihui nei ki Waitangi. Ko matou hoki nga Rangatira o Nu Tirani, ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaetia katoatia e matou. Koia ka tohungia ai o matou ingoa o matou tohu. Ka meatia tenei ki Waitangi, i te ono o nga ra o Pepuere, i te tau kotahi mano, e waru rau, e wa tekau, o to tatou Ariki.

The Fourth Article: Two churchmen, the Catholic Bishop Pompallier and the Anglican Missionary William Colenso, recorded a discussion on what today would be called religious freedom and customary law. In answer to a direct question from Pompallier, Hobson agreed to the following statement. It was read to the meeting before any of the chiefs had signed the Treaty.

E mea ana te Kawana ko nga whakapono katoa o Ingarani, o nga Weteriana, o Roma, me te ritenga Maori hoki e tiakina ngatahitia e ia.

English text

Her Majesty Victoria, Queen of the United Kingdom and Great Britain and Ireland, regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand, and anxious to protect their just Rights and Property, and to secure to them the enjoyment of Peace and Good Order, has deemed it necessary, in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand, and the rapid extension of Emigration both from Europe and Australia which is still in progress, to constitute and appoint a functionary properly authorized to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands. Her Majesty, therefore, being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the Native population and to Her subjects, has been graciously pleased to empower and to authorize me, William Hobson, a Captain in Her Majesty's Royal Navy, Consul, and Lieutenant-Governor of such parts of New Zealand as may be, or hereafter shall be, ceded to Her Majesty, to invite the confederated and Independent Chiefs of New Zealand to concur in the following Articles and Conditions.

Article the First

The Chiefs of the Confederation of the United Tribes of New Zealand, and the separate and Independent Chiefs who have not become members of the Confederation, cede to Her Majesty the Queen of England, absolutely and without reservation, all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess, over their respective Territories as the sole Sovereigns thereof.

Article the Second

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand, and to the respective families and individuals thereof, the full, exclusive, and undisturbed possession of their Lands and Estates, Forests, Fisheries and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in their possession, but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Pre-emption over such lands as the proprietors and persons appointed by Her Majesty to treat with them in that behalf.

Article the third

In consideration therefore, Her Majesty the Queen of England extends to the Natives of New Zealand her Royal protection and imparts to them all the Rights and Privileges of British Subjects.

W. Hobson
Lieutenant-Governor

Now, therefore, We, the Chiefs of the Confederation of the United Tribes of New Zealand, being assembled in Congress at Victoria, in Waitangi, and We, the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made to fully understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof: in witness of which, we have attached our signatures or marks at the places and the dates respectively specified. Done at Waitangi, this Sixth day of February, in the year of Our Lord one thousand eight hundred and forty.

Translation: The Governor says that the several faiths (beliefs) of England, of the Wesleyans, of Rome, and also Maori custom shall alike be protected by him.

The Treaty of Waitangi (1840) is New Zealand's founding document and has major significance for human rights and harmonious race relations in New Zealand. The four articles of the Treaty reflect fundamental human rights principles.

Article 1 reflects the right to self-determination for incoming settlers, democratic rights such as citizenship rights and legal rights protected by the rule of law. Article 2 reflects the right to self-determination for tangata whenua, indigenous rights and property rights. Article 3 reflects the right to equality and non-discrimination in the realisation of civil, political, economic and social rights. Article 4 reflects the right to freedom of religion and beliefs.

(Commission's submission to the UPR process 2013)

