



Human Rights
Commission
Te Kāhui Tika Tangata

Te Mana i Waitangi

Human Rights and the Treaty of Waitangi

To be used in conjunction with the
Powerpoint presentation
Te Mana i Waitangi



Human Rights
Commission
Te Kahui Tika Tangata

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Treaty of Waitangi 1840

[English Text]

Her Majesty Victoria, Queen of the United Kingdom of 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 thereof, 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.

Reference: Treaty of Waitangi Act 1975 schedule 1

Treaty of Waitangi 1840

[A literal English translation of the Māori Text]

VICTORIA, the Queen of England, in her kind (gracious) thoughtfulness to the Rangatira and Hapu of New Zealand, and her desire to preserve to them their Rangatiratanga and their land, and that peace and quietness may be kept with them, because a great number of the people of her tribe have settled in this country, and (more) will come, has thought it right to send an officer as one who will make a statement to (negotiate with) Maori people of New Zealand. Let the Maori Rangatira accept the governorship (KAWANATANGA) of the Queen over all parts of this country and the Islands. Now, the Queen desires to arrange the governorship lest evils should come to the Maori people and the Europeans who are living here without law. Now, the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy to be Governor for all places of New Zealand which are now given up or which shall be given up to the Queen. And she says to the Rangatira of the Confederation of the Hapu of New Zealand and the other Rangatira, these are the laws spoken of.

THIS IS THE FIRST

The Rangatira of the Confederation and all the Rangatira who have not joined that Confederation give absolutely to the Queen of England for ever all the Governorship (KAWANATANGA) of their lands.

THIS IS THE SECOND

The Queen of England agrees and consents (to give) to the Rangatira, hapu, and all the people of New Zealand the full rangatiratanga of their lands, their villages and all their possessions (taonga; everything that is held precious) but the Rangatira give to the Queen the purchasing of those pieces of land which the owner is willing to sell, subject to the arranging of payment which will be agreed to by them and the purchaser who will be appointed by the Queen for the purpose of buying for her.

THIS IS THE THIRD

This is the arrangement for the consent to the governorship of the Queen. The Queen will protect all the Maori people of New Zealand, and give them all the same rights as those of the people of England.

WILLIAM HOBSON

Consul and Lieutenant-Governor

Now, we the Rangatira of the Confederation of the Hapu of New Zealand, here assembled at Waitangi, and we, the Rangatira of New Zealand, see the meaning of these words and accept them, and we agree to all of them. Here we put our names and our marks.

Governor Hobson's Statement

The Catholic Bishop, Pompalier and the Anglican Missionary, William Colenso recorded a discussion on what we would call religious freedom and customary law. In answer to a direct question from Pompalier, Hobson agreed to the following statement. It was read to the meeting before any of the Rangatira had signed the Treaty.

"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."

Reference: Treaty of Waitangi Act 1975 schedule 1

Te Mana i Waitangi

Human Rights and the Treaty of Waitangi

Tūia te rangi e tū nei. Tūia te papa e takoto nei. Tūia te here tangata. Ka rongō te pō, ka rongō te ao. Tihei Mauriora.

Tūia rātou kua wehe atu ki te pō uriuri, te pō tangotango, te maimai aroha. Haere ngā mate, haere atu rā.

I whakapūmautia e Te Tiriti o Waitangi he kohikohinga kōrero o ngā tika me ngā kawenga me he hononga i waenga i te Karauna me ngā Rangatira, e toitū ana i tēnei rā. I hangaia mai he anga mana whakahaere (kāwanatanga), whakakoia te mana motuhake ā te Tangata Whenua (rangatiratanga) ā ka whakaoati he iwi whenua me ngā tika ōrite mā te katoa (rite tahi).

Kua whakaahuatia te Tiriti hei:

“He kupu oati o ngā hunga e rua kia manaaki tētahi ki tētahi”

Kai roto ngā tika tangata katoa me ngā tika taketake i ngā korahi tika tangata o Te Tiriti o Waitangi

Te Mana i Waitangi has been developed by the Human Rights Commission to help identify the human rights dimensions of the Treaty of Waitangi. It works towards a greater understanding of the human rights aspects of the Treaty and the implications in our lives today.

One of the Commission's functions under the Human Rights Act is to “promote by research, education, and discussion a better understanding of the human rights dimensions of the Treaty of Waitangi and their relationship with domestic and international human rights law” (section 5(2) (d)). This resource was developed to help fulfill this obligation. Its development has encompassed more than 400 workshops and education sessions before being tested on about thirty groups. Feedback has

been positive with participants advising us that it encouraged them to:

- read and discuss the Treaty
- be better informed about human rights and the Treaty
- feel competent to discuss the Treaty, with some authority, amongst friends, whānau and colleagues
- see the relevance of the Treaty to their whānau, community and workplace.

The Treaty is in three parts; the preamble, the articles and the concluding statement of agreement. This resource helps to articulate, advise and empower people about the human rights dimensions of the Treaty by exploring its different aspects. It promotes the Treaty as:

- a promise of two peoples to take the best possible care of each other
- the founding document of our nation
- belonging to all citizens and residents of Aotearoa New Zealand, including Tangata Whenua, multi generational New Zealanders and recent migrants.

Te Mana i Waitangi also identifies links to international human rights instruments and standards and draws attention to some areas that are unresolved, most of which need legal or political resolution. It can be used in individual or group situations. If you'd like help with facilitating your sessions using this resource, then please contact us. This booklet has been designed to be used in conjunction with a Powerpoint presentation available at www.hrc.co.nz/treaty.

With a greater understanding of the Treaty and its very real implications for Aotearoa today, the Treaty can realise its promise of two peoples to take the best possible care of each other.

Glossary

Aotearoa	New Zealand
Hapū	Traditional family groupings based on whakapapa. Political entity
Iwi	Political entity based on hapū groupings and whakapapa
Kawa	The values, rules, and institutions through which people govern themselves
Kāwanatanga	Governance
Mana Atua	Spiritual authority
Pākehā	New Zealand settlers and their descendants
Rangatira	Leader of whānau, hapū, marae or iwi
Rangatiratanga	Self determination
Tangata Whenua	People of the land, original indigenous peoples
Tauīwi	Landed or landing people. People who arrived after Tangata Whenua
Tikanga	Laws, rules that determine and guide behaviour
Treaty	An international agreement between sovereign peoples
Tūrangawaewae	Authority to belong
Whakapapa	Genealogy
Whānau	Multi-generational families
Constitution	The values, rules, and institutions through which people govern themselves
Self determination	The right all peoples have to determine their own economic, social and cultural development

Slide 1

“A promise of two peoples to take the best possible care of each other.”

Te Mana i Waitangi

Human Rights and the Treaty of Waitangi



“A promise of two peoples to take the best possible care of each other.” – Bishop Bennett



Te Mana i Waitangi (the authority established at Waitangi) can be used as a tool to explore the Treaty of Waitangi in such a way that workshop participants will come to a better understanding of the Treaty and what it means to New Zealanders today. It aims to capture what was in the hearts and minds of our tīpuna/ancestors at the signing of the Treaty in 1840 and looks at its relevance here and now. This resource promotes the Treaty as:

- a promise of two peoples to take the best possible care of each other
- belonging to all of us
- the founding document of Aotearoa, New Zealand.

Te Mana i Waitangi provides a framework to consider how the Treaty's promise can be realised.

The two peoples are:

- Tangata Whenua (people of the land) represented by Rangatira from whānau, hapū and iwi of Aotearoa
- Taiwi (landed or landing people) represented by the Crown.

Dr Merimeri Penfold

All people have human rights and responsibilities.

This Treaty resource aims to explore and explain the rights and responsibilities of the parties to the Treaty. It focuses on where the two texts agree.

The constitutional basis of the Treaty remains unresolved between the Crown and Rangatira.

Note: Bishop Manuhua Bennett's quote is from the Te Roroa Report to the Waitangi Tribunal, 1992.

Reflections

- Consider if you are Tangata Whenua, Taiwi, or both. Describe your situation at the time of signing the Treaty. What are the issues confronting you? Why would you want/not want to sign the Treaty?
- What does the promise involve?
- What were the motivations for the promise? What did Rangatira want for their whānau? What did the Crown want for their whānau?

Slide 1: King, Marcus, 1891-1983 (*The signing of the Treaty of Waitangi, February 6, 1840*) 1938. [Ref. No. G-821-2] Alexander Turnbull Library. Archives New Zealand/Te Rua Mahara o te Kāwanatanga. Wellington Office. [Ref. IA9/9]

Slide 2

**The Treaty
belongs to all
of us**

Tūrangawaewae



*“A standing place from
where you gain the
authority to belong.”
(Hiwi and Pat Tauroa)*

The Treaty belongs to all of us.



The Treaty is often thought to be a Māori only treaty. In fact, the Treaty protects all New Zealanders, giving all New Zealand citizens a tūrangawaewae. Tūrangawaewae is our authority and right to belong. It also involves both rights and responsibilities.

UMR survey results

A Human Rights Commission survey conducted in 2010 showed that 51 per cent of New Zealanders believe the Treaty belongs to all of us.

“But then we must not forget that the Treaty is not just a bill of rights for Māori. It is a bill of rights for Pākehā, too. It is the Treaty that gives Pākehā the right to be here. Without the Treaty, there would be no lawful authority for the Pākehā presence in this part of the South Pacific.”

Chief Judge Eddie Durie

Tūrangawaewae: It is a standing place from where one gains the authority to belong.

Hiwi and Pat Tauroa,
Te Marae: A guide to Customs and Protocol,
Raupo Publishing (NZ) Ltd, 2004

Tū = stand,
Tūranga = standing place,
Waewae = feet

Reflections

- Where is your tūrangawaewae?
- What are your rights and responsibilities to your tūrangawaewae?
- What icons identify this place?
- Why have you identified this place as your tūrangawaewae?

Slide 3

The Treaty is the founding document of our nation

The Treaty of Waitangi 1840



The Treaty of Waitangi created tūrangawaewae for all New Zealanders.

It also affirms the tūrangawaewae status that tangata whenua already possessed.

The Treaty is the founding document of our nation.

Tangata Whenua have always had tūrangawaewae status in Aotearoa New Zealand. The Treaty established this status for all other New Zealanders by building a foundation for Māori and all New Zealanders to live together.

UMR survey results

A Human Rights Commission survey conducted in 2010 showed that 60 per cent of New Zealanders believe the Treaty is the founding document of our nation. However, only a third of New Zealanders say they have reasonable knowledge of the Treaty.

Reflections

- Why is so little known about the Treaty?
- As the founding document of our nation, how does the Treaty affect our lives? (E.g. our whanau/ community/ workplace)
- How does the Treaty influence our constitutional arrangements?

Slide 4

Preamble

The Preamble tells us		
Who	Why	How
<ul style="list-style-type: none"> • Queen Victoria • William Hobson • Native Chiefs • Confederated and Independent Chiefs • Rangatira • Hapū • Her Majesty's Subjects • Aborigines of New Zealand • Native population • Her subjects/people • Māori • Europeans • Australians 	<ul style="list-style-type: none"> • Recognition of Her Majesty's Sovereign authority • Establish a settled form of Civil government • Preserve rangatiratanga and their land • Peace and quietness • Her tribe have settled in this country and (more) will come • Rapid extension of immigration • Protect just rights and property • Avert the evil consequences which must result from the absence of the necessary Law and Institutions 	<ul style="list-style-type: none"> • Treat with the Aborigines of NZ • Concur • Make a statement • Negotiate with • Accept and agree • Constitute and appoint a functionary

*All text is taken from the Treaty

This next section looks at what the Treaty says. There are three parts to the Treaty:

- the preamble provides a context and tells us who (it was for), why and how
- the articles tell us what was agreed
- the concluding statement authorises the Treaty.

When working through this resource, read the Treaty texts on pages 4 and 5.

The preamble provides a context for the Treaty. It tells us:

- who it was for (parties involved)
- why they wanted it
- how they were going to go about drawing up a Treaty.

The text on this slide is copied from the Treaty text.

The Treaty of Waitangi and Immigration in 1840

The Treaty is recognised as the first immigration agreement between Māori and Pākehā (European settlers). Originally, the Treaty allowed settlers to emigrate peacefully to New Zealand under the British flag. The Treaty was an important document. Firstly, it controlled the thousands of future emigrants to Aotearoa New Zealand, and secondly, it protected the rights of Māori people. The benefits to both parties were clear – settlement rights for Pākehā and the natural rights of Tangata Whenua would be respected and affirmed.

01 The Treaty of Waitangi, An introduction to the Treaty of Waitangi for Migrants, Immigration New Zealand

Reflections

- Who are the parties to the Treaty identified in the preamble?
- Who were they represented by?
- What benefits were being sought through the Treaty? Who would benefit?

Slide 5

Kāwanatanga/ Governance

Article One – Kāwanatanga	
Purpose	Governance/Kāwanatanga
Who	Crown/Government
What	Rangatira gave and the Crown gained an authority to govern
Rights – for example:	To make laws Gather taxes Set up institutions Make agreements with other peoples Represent the State Create property rights
Responsibilities – for example:	Ensure laws are fair Observe principles of natural justice Protect our constitution Provide services Ensure democracy Act in good faith Promote and protect human rights Respect the Treaty



The articles of the Treaty tell us what was agreed.

Article One established the Crown as a party to the Treaty with Rangatira giving the Crown an authority to govern. This authority came with rights and responsibilities.

The English text claims sovereignty as the extent of governance and the Reo text claims Kāwanatanga (governance). This difference remains unresolved between Rangatira and the Crown.

The rights and responsibilities associated with Kāwanatanga are protected by law and regulation.

Reflections

- There are differences in interpretations of the two texts. Where do the texts agree?
- What was agreed? What was gained/given/affirmed?
- What are the rights and responsibilities associated with this agreement?
- What does that mean in practice especially the promise of two peoples to take the best possible care of each other?

Slide 6

**Rangatiratanga/
Self
determination**

Article Two: Rangatiratanga	
Purpose	Self Determination, Rangatiratanga
Who	Rangatira
What - 1	The Crown promised to protect and Rangatira affirmed their authority over their taonga
What - 2	Rangatira gave and the Crown gained the pre-emptive right to purchase properties Rangatira wished to sell
Rights – for example:	To protect and develop their laws (tikanga, kawa) Approve the use of their resources (rauemi) Protect and develop their institutions (whānau, hapū, marae) Make agreements with other peoples (whanaungatanga) Self determination (rangatiratanga) Maintain their distinct identity (whakapapa) Protect and develop beliefs (wairuatanga) Own property (hoko whenua)
Responsibilities – for example:	Respect the rights of others (manaakitanga) Exercise fair judgement (kawa) Sustainable protection of land, people and values (kaitiakitanga) Act in good faith (whakapono) Promote and protect human rights (mana tangata) Protect their world views (mātauranga) Respect the Treaty

Article Two established Rangatira as a party to the Treaty. This article has two parts. Rangatira affirmed their authority over their taonga and the Crown guaranteed to actively ensure the protection of their rangatiratanga (self determination).

In addition, Rangatira gave the Crown the pre-emptive right to purchase properties Rangatira wished to sell. The relationship between Tangata Whenua and their land (we belong to the land) was supplemented by “property rights” (and the land belongs to us).

The rights associated with rangatiratanga are indigenous rights. They are protected by tikanga and kawa, and in some cases, by law and regulation.

The United Nations Declaration on the Rights of Indigenous Peoples explains the standards to be pursued for indigenous rights to be achieved.

The Treaty settlement process provides evidence that the rights of Tangata Whenua have been breached by the Crown.

There is a difference in the translations between the two texts. The English text claims “possession” will remain with Rangatira and the Reo text claims “rangatiratanga”(self determination). The difference remains unresolved between the Crown and Rangatira.

Reflections

- There are differences in interpretation. Where do the texts agree?
- What was agreed? What was gained/given/ affirmed?
- What are the rights and responsibilities associated with this?
- What does this mean in practice especially the promise of two peoples to take the best possible care of each other?

Slide 7

Equality, Rite Tahī and Tūrangawaewae

Article Three: Rite Tahī	
Purpose	Rite Tahī, Equality, Tūrangawaewae
Who	Citizens and Residents
What	The Crown gave Tangata Whenua the same rights as British subjects, who gained the authority to belong
Rights – for example:	Equality before the law Fair process Free speech, thought and beliefs Good health and education Culture Vote To belong (tūrangawaewae) Own land or property
Responsibilities – for example:	Obey the law Participate in community Pay taxes Vote Promote and protect human rights Protect and assist youth Look after people who are vulnerable Respect the Treaty

Article Three gave Tangata Whenua the same citizenship rights as British subjects (tauīwi), who had gained an authority to belong through the Treaty. The notion of citizenship has expanded beyond these two groups and now includes all citizens and residents.

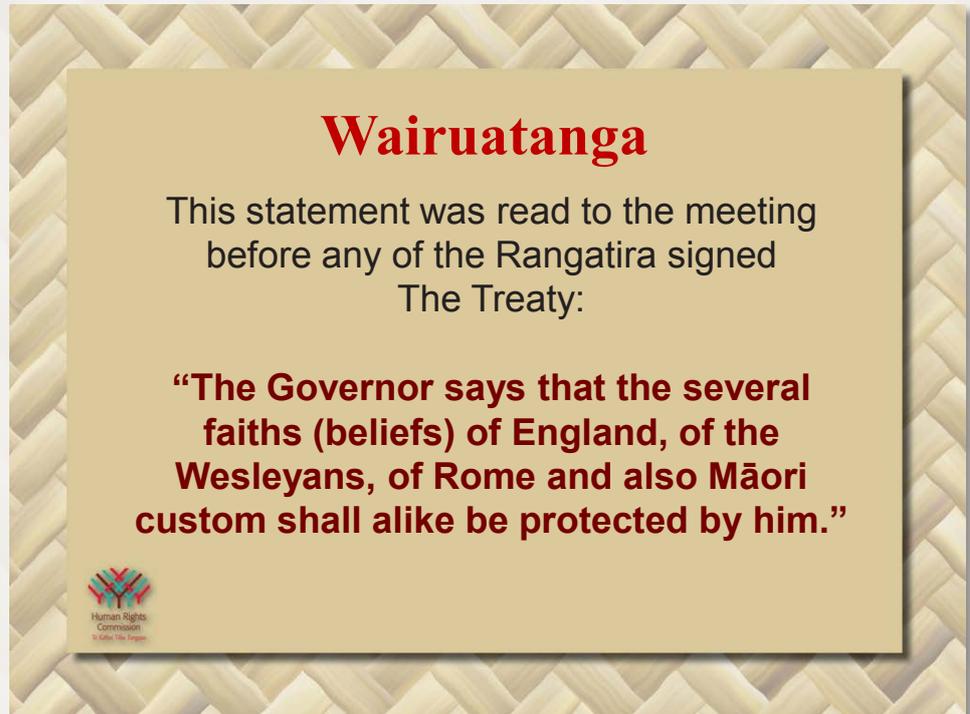
Citizenship has rights and responsibilities and the examples on this slide reflect a sample of rights and responsibilities identified by participants of previous *Te Mana i Waitangi* workshops.

Newly arrived tauīwi (e.g. from the Pacific, Europe, Asia and Africa) often ask how the Treaty relates to them. The Treaty entitles all citizens and residents the full protection of the human rights dimensions of the Treaty of Waitangi. These rights are generally protected by law and regulation, and in some cases, by kawa and tikanga.

Many Pacific peoples have whakapapa links to Tangata Whenua. These links have still to be fully realised in the Treaty today.

Reflections

- Where do the texts agree?
- What was agreed? What was gained/given/affirmed?
- What are the rights and responsibilities associated with this?
- What does this mean in practice especially the promise of two peoples to take the best possible care of each other?

Slide 8**Wairua and Spirituality**


Wairuatanga

This statement was read to the meeting before any of the Rangatira signed The Treaty:

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

 Human Rights Commission
Te Kaitiaki Take Kōwhiri

Catholic Bishop Pompallier and Anglican missionary William Colenso recorded a discussion on what we would now call religious freedom. In answer to a direct question from Bishop Pompallier, Lieutenant Governor Hobson agreed to the statement on this slide. This was a verbal agreement.

The religions listed were the only organised religions present in the country at the time of the signing of the Treaty. However, this is seen as the right to practice religion and customs along with the right of freedom to choose a religion. This is often called the 4th Article.

“It is unlikely Tangata Whenua would have signed if this was not agreed. The rest of the Treaty is about land and people. This is the Mana Atua (spirituality) dimension that makes sense to Tangata Whenua values and practices.”

Dr. Merimeri Penfold

Reflections

- What are the rights and responsibilities associated with this ‘article’?
- What does this mean for secular societies?
- What does this mean in practice especially the promise of two peoples to take the best possible care of each other?

Slide 9**International Standards**

International Standards

Declarations and Treaties help to:

- Establish standards
- Affirm the rights and responsibilities of the parties

Examples:

- Universal Declaration of Human Rights (UDHR)
- Declaration on the Rights of Indigenous Peoples (UNDRIP)
- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social & Cultural Rights (ICESCR)



United Nations human rights instruments (e.g. charters, covenants, conventions, declarations, protocols, treaties) establish international human rights standards.

The UN Universal Declaration of Human Rights (1948) sets out a universal set of human rights standards. Signed in 1948, it was the international community's commitment to human rights for everyone, everywhere. Since then, the UN has developed treaties to which member countries sign up and report against periodically. Some of the better known treaties are:

- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Covenant on Civil and Political Rights (ICCPR)
- International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)
- International Convention on the Elimination of Racial Discrimination (CERD)
- Convention on the Rights of the Child (UNCRC)
- Convention on the Rights of Persons with Disabilities (CRPD).

In 2007, the UN adopted the Declaration on the Rights of Indigenous Peoples which New Zealand endorsed in 2010. This declaration's aim is to be achieved in a spirit of partnership and mutual respect.

Reflections

- What are the rights and responsibilities associated with international standards?
- What does this mean in practice especially the promise of two peoples to take the best possible care of each other?
- How well does NZ perform to these standards?
- How do international standards relate to the Treaty of Waitangi?

Slide 10

Current Issues

Current Issues

- Sovereignty vs Kāwanatanga
- Rangatiratanga vs possession
- Indigenous Rights
- Settlement of grievances
- Relevance today: Constitution
- Forums for engagement

What other Treaty issues are current?




There are a number of issues that are unresolved and not clearly understood by many New Zealanders. Most need political or legal resolution. The ones in this slide are recurring themes with participants.

Following are some statements that highlight the issues.

Māori/English versions

There are differences in the text that have caused conflict. The international law of “contra proferentem” means that where there are two versions of an agreement or Treaty the preference goes against the drafter of the text. In the case of the Treaty of Waitangi, preference would go to the te reo Māori text as the Crown drafted the Treaty. In New Zealand, domestic legislation requires the Waitangi Tribunal to give equal weight to both texts – as both carry signatures.

“Today we are strong enough and honest enough to learn the lesson of the last 150 years, and to admit that the Treaty has been imperfectly observed. I look upon it as a legacy of a promise.”

Queen Elizabeth II
(Treaty of Waitangi celebrations, 1990)

Settlement of grievances:

“Very few New Zealanders know that Iwi settlements to date are settled at 1-2 per cent of the value of the land and other assets that were confiscated or illegally purchased. Iwi systematically contribute 98-99 per cent of their redress entitlements back to the nation.”

Bill Hamilton, Ngā Rauru Negotiator

Constitution:

“A constitution is simply the values, rules, and institutions through which people govern themselves. Every country develops its own constitution just as it develops its own law to reflect its own unique view of the world and then implements it through a concept and site of power that are also unique to it.”

Moana Jackson, Constitutional Expert

Reflections

- How significant are these issues regarding “the promise of two peoples to take the best possible care of each other”?
- What other Treaty issues are current?

Slide 11

Te Mana i Waitangi

The Treaty of Waitangi established a set of rights and obligations and a relationship between the Crown and Rangatira which remains in place today. It created a governance framework for the nation (kāwanatanga), affirmed the existing rights of Tangata Whenua (rangatiratanga) and guaranteed shared citizenship and equal rights for all (rite tahi).
The Treaty has been described as:

“The promise of two peoples to take the best possible care of each other.”

The human rights dimensions of the Treaty of Waitangi include both universal human rights and indigenous rights.

Human Rights Commission, Statement of Intent 2009-2010



One of the Commission's functions under the Human Rights Act is to "promote by research, education, and discussion a better understanding of the human rights dimensions of the Treaty of Waitangi and their relationship with domestic and international human rights law" (section 5(2)(d), Human Rights Act 1993). This resource helps us to articulate, give advice and empower people about the human rights dimensions of the Treaty.

This slide includes the Commission's statement about the Treaty.

Reflections

- How do you think the promise has been kept?
- How can we keep the promise in our own lives/ workplace/school/etc?
- How do you feel the Treaty applies to you/your whānau/ workplace/community?

For help with facilitating this discussion contact us on treaty@hrc.co.nz.

Please feel free to provide feedback on this resource by completing the form on page 19.

Feedback form

Did this resource help to you to:

Become better informed about human rights and the Treaty?

Yes

No

Discuss human rights and the Treaty, with some authority, amongst friends, whānau and colleagues?

Yes

No

See the relevance of the Treaty to your whanau, community and workplace

Yes

No

Further comments:

What are the best features of the resource?

What will improve the resource?

Do you wish to be part of the Commission's Treaty network? If so, please provide your details below.



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