

UN Permanent Forum on Indigenous Issues
23rd Session
Agenda Item 3: Indigenous Peoples, Human Health, Planetary and Territorial Health and
Climate Change: A Rights Based Approach
18 April 2023

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Tēnā koutou kātoa,

My name is Claire Charters. I come from Ngāti Whakaue, Tainui, Tūwharetoa and Ngā Puhī. I am Professor of Law at the University of Auckland and Rongomau Taketake | Indigenous Rights Governance Partner at the NZ Human Rights Commission.

Regions of Aotearoa New Zealand recently experienced severe flooding and Cyclone Gabrielle, with devastating impacts to lands, housing and territories, and loss of life.

[Reports showed that in some locations](#) more than 70% of homes that were damaged by flooding were occupied by Māori, and more than 60% were rentals. Marae, our ancestral tribal houses, were filled with silt and forestry slash.

Māori are more likely to live in places vulnerable to climate change. Māori are also more likely to be poor, less healthy, uninsured, and either homeless or living in substandard and crowded housing.

Not waiting for the government to do it for us, Māori have cleaned up marae, provided shelter, and support for our people to rebuild homes in the Cyclone Gabrielle recovery. A lot of this was completed before civil emergency support even arrived.

Māori must be supported in our efforts to respond to the impacts of climate change on us. . The value of a self-determination approach is proven by more than 50 years of research into at Harvard University. We commend the government for its support of Māori to provide for-Māori support.

Cyclone Gabrielle exposed the human rights dimensions of climate change-related disaster, from the right to life to the right to a decent home, and the obligations on business to respect and remedy breaches of human rights.

Recently, in little more than a day, the Government announced and closed submissions on its [Severe Weather Emergency Recovery Bill](#). That is one of two laws that will affect the long recovery from [Cyclone Gabrielle](#).

It falls short of the Crown's obligation to upholding our self-determination, that proved so successful in the response to the devastation caused by flooding and Cyclone Gabrielle. It does not mention our constitutionally foundational agreement between Māori and the Crown, te Tiriti o Waitangi.

Further, the bill's provisions do not meet standards set out in a raft of international agreements, from the UN Declaration on the Rights of Indigenous Peoples, the OECD, to [climate change](#) agreements.

All states need to live up to their international obligations to put indigenous peoples' rights front and centre of their emergency response and its climate change laws and policies.

Māori rights must be part of all climate change and emergency policy and law – including New Zealand's Severe Weather Emergency Recovery Bill. Māori also have a right to participate meaningfully in state laws on climate change mitigation, adaptation and response.

We call on the Permanent Forum to support a rights based approach to climate change.

Tēnā koutou, tēnā koutou, tēnā koutou kātoa.