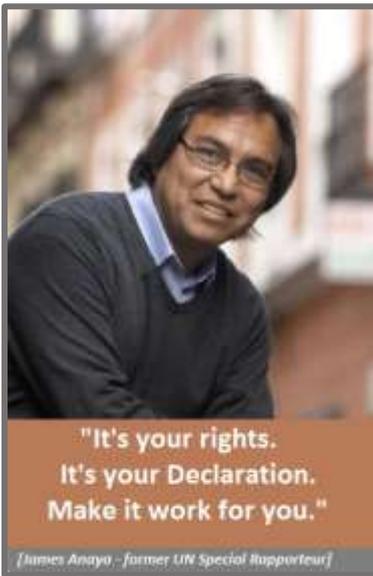


¹ In any discussion of constitutional transformation, [Matike Mai o Aotearoa](#) (the Independent Iwi Working Group) accepts the importance of the [United Nations Declaration on the Rights of Indigenous Peoples](#). Like other documents such as the [Mataatua Declaration](#) it provides an international benchmark against which the exercise of rangatiratanga may be defined and measured.

The rights it espouses, and particularly the right of self determination, are living rights that inhere in humans as peoples, not as subjects of some political order. The UN Declaration is therefore an absolutely appropriate baseline to be considered in the development of a new and inclusive constitution.

It is an international mirror of rights and authority that [Māori](#) have always had, and is thus an adjunct to [Te Tiriti](#) and what it should mean in terms of self determination as both a human right and a capacity to once again make our own decisions.

Most of all the Working Group acknowledged the [mana](#) that Māori accord the Declaration –



"We are now trying to use the UN Declaration whenever we can. I remember when [James Anaya](#) (the former [UN Special Rapporteur](#) on the Rights of Indigenous Peoples) was here he said something like, 'It's your rights. It's your Declaration. Make it work for you.' And it does recognise all those things we talk about in the treaty."

"We wanted it (the Declaration) in our [Deed of Settlement](#), but the [Crown](#) refused. But we still see it as a kind of supplement to [Te Tiriti](#) and [He Whakaputanga](#) ... It's an international statement of the things our people have been saying since 1835, and can be another benchmark for what we are talking about now."

Although the Declaration is concerned with existing relationships with States that are quite different to those contemplated in this constitutional transformation process, it is nevertheless relevant because it is the sum of what literally thousands of Indigenous Peoples have regarded as a minimum international set of human rights.

Symbolically it is also important because the inclusion of the right to self determination was only achieved after years of struggle by Indigenous Peoples against governments (including the [government of New Zealand](#)) that sought to deny it.

The success of that struggle can give hope and reassure people that the difficulties involved in constitutional transformation can be overcome.

Next week we will begin considering indigenous constitutions in practice.

¹ Twentieth edited extract from pp. 62 – 63 of [He Whakaaro Here Whakaumu Mō Aotearoa – The Report of Matike Mai o Aotearoa](#)