

*Conversations about Indigenous Rights: The UN Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand*

Edited by Selwyn Katene and Rawiri Taonui. Massey University Press, Auckland, 2018.

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Reviewed by Linda Te Aho

This collection brings together a range of viewpoints and disciplines to emphasise the importance of the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration). Authors reflect on the Declaration's impact 10 years after it was adopted by the United Nations General Assembly, and on ways to continue the journey towards implementation.

Professor Margaret Mutu's powerful foreword reminds us of the need for the Declaration: "For Māori in New Zealand, it has not been apparent that the government has moved on from its reliance on the Doctrine of Discovery. Despite assertions made in the United Nations Forums that they are adhering to the Declaration, the situation at home has remained dire. Fundamental human rights . . . continue to be denied to Māori." For David Rutherford, former Chief Commissioner for the Human Rights Commission, "The Declaration breathes life into the existing human rights obligations of New Zealand towards Indigenous peoples."

The editors introduce the collection with a brief background to each chapter. The book is then divided into four parts: Adopting the Declaration; National Contexts in Aotearoa New Zealand, Canada, and Australia; Case Studies; and The International Context.

### **Part 1: Adopting the Declaration**

The chapters in Part One provide background information about the Declaration (Rawiri Taonui); valuable insights into the drafting of the Declaration (Moana Jackson); and an insider's perspective on the announcement of New Zealand's decision to support the Declaration, ending its three year opposition (Sir Pita Sharples). The historical background and the statistics presented in Rawiri Taonui's chapter demonstrate the importance of the book—that Indigenous peoples matter, and that they are vulnerable: "Most live under the yoke of the cumulative transgenerational impacts of colonisation. They suffer ongoing political, economic, social and cultural marginalisation." Despite this portrayal, Taonui acknowledges that Indigenous peoples have come a long way, and celebrates the adoption of the Declaration as "testament to the courage, dignity and suffering of Indigenous peoples, and to a generation of leaders who stood up and spoke face-to-face in the crucible of international law with the governments of the peoples who oppress them." Moana Jackson's chapter is written in his popular lyrical style and brings to light the contribution made by Māori such as Dame Nganeko Minhinnick and Irihapeti Murchie (both no longer with us) to the language and spirit of the Declaration. It is well-known that New Zealand opposed the endorsement of the Declaration for some three years. During his time as Minister of Māori Affairs, Sir Pita Sharples had the privilege of announcing New Zealand's endorsement of the Declaration to the world. Sharples tells the story of his upbringing, shares his views about the importance of the Māori language (and the need for correct pronunciation), and his aspirations for cultural and practical changes in our communities. Like many of the authors, Sharples sees the Declaration as complementary to Te Tiriti o Waitangi, and as a platform that enables us "to take control of our lives and our destiny and to ensure our survival as Māori."

## **Part 2: National Contexts in Aotearoa New Zealand, Canada and Australia**

In Part Two, the chapters provide a national context to the Declaration in New Zealand (Dame Naida Glavish); in Canada (Sheryl Lightfoot); and in Australia (Steven Larkin). The range of viewpoints and writing styles is clearly evident in this part when reading the particularly conversational chapter by Dame Naida Glavish, who weaves between English and Māori languages and draws heavily from the teachings of her ancestors, followed by Sheryl Lightfoot's chapter, which undertakes a critical examination of government rhetoric about the Declaration vis-à-vis their actions, focussing upon the Canadian experience. Steven Larkin's chapter refers to the Northern Territory intervention and highlights the importance of maintaining pressure on governments using UN rights mechanisms. Larkin ends his chapter with optimism by citing positive changes currently unfolding in Australia.

## **Part 3: Case Studies**

To open Part Three, Andrew Erueti and Fleur Te Aho identify ways in which UN documents (in addition to the Declaration) can be used in domestic advocacy. The authors have chosen the extraction of natural resources as their first case study and the timely topic of State care of Māori children as their second. They illustrate that there are a number of international instruments that affirm Indigenous peoples' rights, and a large volume of bodies that produce commentary on those rights that can be drawn upon in advocacy work, not just those that focus exclusively on Indigenous peoples. Jessica Ngatai's chapter explains how the Declaration can assist the advocacy and monitoring work of New Zealand's Human Rights Commission by providing "a 21st Century International Dimension to the Treaty of Waitangi" that can assist with interpreting and applying the Treaty. In Chapter 9, Selwyn Katene sets out the challenges facing Indigenous leadership and lessons learned from the establishment of a global centre for Indigenous leadership education. In Chapter 10, Jason Mika highlights the Declaration's importance as an "enabler" of Indigenous development, and in Chapter 11 Pushpa Wood recognizes the Declaration's role in providing for the "economic wellbeing" of Indigenous Peoples as part of self-determination.

## **Part 4: The International Context**

In Part Four, Tracey Whare reviews the impact of the Declaration on the work of UN forums that focus on Indigenous Peoples' rights, both in terms of substance, and practice. Rawiri Taonui's final chapter looks forward to the implementation and future of the Declaration.

## **Discussion**

This collection is a timely and enlightening addition to the growing body of literature about the Declaration. The chapters are easy to read, though they do assume a level of background knowledge about the Declaration.

Every author accentuates the positive potential of the Declaration, despite its imperfections. Each chapter demonstrates the deep significance of the document. In the wake of the fraught processes of drafting and achieving both UN and domestic support for the Declaration, this collection provides hope in the form of a new generation seeking to unlock the potential of the Declaration.