



## Justice Select Committee

### Submission Principles of Treaty of Waitangi Bill

#### Purpose

This is a submission on Principles of the Treaty of Waitangi Bill to the Justice Select Committee.

#### About Global Women

Global Women's vision is to see remarkable women running and raising our countries, companies, and our communities. We recognise the inequalities that exist in Aotearoa New Zealand and want to be part of the movement for change.

Over four hundred Global Women members use their leadership and influence to push for diversity in leadership, together and as individuals. Our Champions for Change Partners, Chairs and Chief Executives of major Aotearoa New Zealand businesses committed to diversity and inclusion, represent more than 170,000 employees.

We want to see Aotearoa New Zealand's ethnic diversity represented in leadership across the country with Māori represented and recognised as our country's first people. Through our work, we are committed to supporting wāhine Māori and recognise the significance of the Treaty of Waitangi as a founding document as well as an ongoing basis for partnership.

Our decision to submit on the Principles of the Treaty of Waitangi Bill was first raised by our members at our Annual Hui at Waitangi in May 2024. Since that time, our Board has consulted individual members on our submission who have expertise in constitutional law, Māori economic and social prosperity, demographic change and tikanga Māori.

These members include women recognised by the New Zealand Honours System, the New Zealand legal fraternity, and other distinguished Māori wahine.

## Summary of Submission

Our submission focuses on the purpose of the Bill and its overall effect. Our submission has four substantive points:

- The Bill seeks to solve a problem that does not exist
- It risks creating unnecessary social division
- It would disproportionately impact Māori women's economic and social advancement, which in turn impacts Aotearoa New Zealand's overall social and prosperity
- It undermines decades of progress in Treaty settlements and partnerships that have benefited all New Zealanders

We consider that the Bill should not progress in any form.

## Analysis

### **The Bill seeks to solve a problem that does not exist**

We consider that the existing Treaty of Waitangi principles (Treaty principles) framework has evolved thoughtfully for well over four decades through careful judicial consideration, public sector implementation, and community engagement. These principles have proven effective at providing a bridge and practical guidance while maintaining the flexibility needed to address contemporary challenges. The framework has fostered meaningful partnerships between Crown and Iwi, and enabled innovative approaches to healthcare, education, and social services that help us consider and address specific needs of our indigenous people and benefit all New Zealanders. We do not consider that the Bill is informed by sufficient evidence of systemic problems with the current principles that would justify such a fundamental and inferior change to our constitutional arrangements.

### **The Bill will create unnecessary social division**

The Bill risks deep and unnecessary divisions within New Zealand society at a time when we should be focusing on strengthening our shared future and overall social and economic prosperity. By attempting to redefine and constrain Treaty principles that have evolved through decades of careful development and community dialogue, our members are concerned that the Bill has already begun to create unnecessary anxiety, tension, and uncertainty in communities where Treaty relationships are positive and productive. We consider that the Treaty of Waitangi has contributed significantly to strengthening social cohesion, tolerance, and inclusivity and that this has benefited, and will continue to benefit, all New Zealanders. We are also concerned about the impact on younger generations who have grown up with a more nuanced and constructive understanding of the Treaty relationship, and who see it as a source of national strength rather than division. We are further concerned about the potential impact of this division on our global reputation for upholding indigenous rights. The negative impact of this Bill should not be underestimated.

### **The Bill would disproportionately impact Māori women's economic and social advancement, which in turn impacts New Zealand's overall social and economic prosperity**

The proposed legislation risks damaging the demographic and social reality of modern New Zealand, where Māori women are playing an increasingly vital role in our nation's future. The young, fast-growing wāhine Māori population will play a vital role in the future workforce of New Zealand. Between 2018 and 2043, the wāhine Māori population is expected to grow by over 50 percent, meaning that by 2043, wāhine Māori will comprise 22 percent of the total wāhine working-age population.<sup>1</sup> Māori women, who often hold together both whānau and communities while pursuing professional advancement, have been at the forefront of implementing Te Tiriti and Treaty principles in practical and innovative ways. In our view, wāhine Māori have pioneered approaches that blend tikanga Māori with contemporary leadership, creating new models of success that benefit all New Zealanders. These models of leadership are well recognised and commended internationally, with various other countries adopting similar approaches.

Our view of the impact of the effect of this Bill is informed by the work undertaken by the Ministry for Women including the application of leadership in Te Ōhanga Wāhine Māori. This dual role means they are uniquely positioned to drive both economic growth and social cohesion. The current Treaty principles framework has provided the constitutional foundation for initiatives that recognise and support this vital role. By acknowledging and protecting Māori rights and interests, these principles have enabled wāhine Māori to advance professionally, make significant economic contribution, and strengthened Māori and Aotearoa New Zealand's national identity and cultural continuity. Undermining this framework with this unattuned and restrictive legislation would not only impact current leaders but would create barriers for the growing population of young Māori women who represent a crucial component of New Zealand's future workforce and leadership pipeline. This would in turn negatively impact our country's overall social and economic prosperity.

**The Bill undermines decades of progress in Treaty settlements and partnerships that have benefited all New Zealanders, including women.**

We believe that the broader Treaty of Waitangi framework has been instrumental in creating a more prosperous and equitable Aotearoa New Zealand. Through this framework, we have seen the successful resolution of historical grievances through the Treaty settlement process, which has returned over \$3 billion in compensatory assets to iwi, enabling significant economic development that benefits entire regions.

Across Aotearoa New Zealand, we see examples of how Treaty-based partnerships have revitalised regional economies and created employment opportunities for all New Zealanders. Our own organisations have materially benefited from examining our own relationship under the Treaty of Waitangi and its relevance toward progressing outcomes that advantage all New Zealanders. These achievements represent carefully constructed relationships built on mutual understanding and respect reflecting the direct application of Treaty principles including equity, partnership, protection and participation. We consider that the Bill's attempt to redefine and constrain Te Tiriti and these principles risks unravelling decades of collaborative work that has created tangible benefits for Aotearoa New Zealand's social, cultural, and economic development.

<sup>1</sup> Ministry of Women, Te Ōhanga Wāhine Māori The Māori Women's Economy Report 2024

## Conclusion

In conclusion, the current Treaty principles framework has proven to be a vital tool in advancing Māori women's economic, social, and cultural prosperity, while fostering meaningful partnerships that benefit all New Zealanders. The Bill risks undermining decades of progress, creates unnecessary divisions and will constrain the advancement of Māori women, who are key drivers of both economic growth and social cohesion in Aotearoa New Zealand. We urge the Parliamentary Select Committee to carefully consider the far-reaching consequences of this proposed legislation and return the Bill to the house as quickly as possible with a recommendation that it does not proceed. New Zealand needs to continue to build on the strengths of the existing Treaty framework. By doing so, we can continue to honour our Treaty obligations, ensure the continued success of Māori women, and contribute to a united, thriving future for all New Zealanders.