

# Public Access New Zealand

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NEWS MEDIA RELEASE

## **Treaty 'Partnership' a Myth**

A review of the Treaty of Waitangi and its implications for natural resources was released today by the lobby group, Public Access New Zealand.

"The Principle of 'Partnership' *and the Treaty of Waitangi*" reviews the validity of the existence of a 'partnership' between Maori and the Crown under the Treaty. Implications for New Zealand's public conservation estate are also examined.

Researched and written by Bruce Mason of Dunedin, the report concludes that there is no 'partnership' derived from the words of the Treaty.

The notion of a 'partnership' is the central principle widely deemed to arise from the Treaty, and is used by the Crown to justify sharing equally with Maori the control of public lands.

PANZ is concerned that handing public lands to a minority of the population could exclude the views and wishes of everyone else. "That would be undemocratic given that the lands concerned are held in trust by the government for the benefit of all New Zealanders, present and future", Mason said.

**The report was commissioned by PANZ in light of increasing demands by Maori claimants over national parks and other public lands.**

**Mason explained that** Government has assumed the role of sole arbitrator in respect of its liabilities under the Treaty and which assets it may use in settlement of claims. “Government insists on negotiating in secret and is asserting that it must exclude the public from the process”.

“Government has chosen to ignore developments in the Courts which debunk the notion of equal partnership. A climate of well-meaning rhetoric about honouring the Treaty, in some quarters mixed with a residue of guilt, is responsible. This means that it is politically dangerous and ‘culturally unsafe’ for anyone to question what’s going on”, Mason said.

The ‘equal partnership’ model is uncritically embraced by the Department of Conservation. DOC is divesting ownership of wildlife sanctuaries and forest parks to Maori contrary to, or in the absence of, favourable findings by the Waitangi Tribunal. There is also a major gulf between the protective purposes of national parks and similar lands and the utilisation aspirations of many iwi.

The report’s conclusions are based on examination of records of the Courts, official papers, and an extensive body of previously published material.

“The paper is not an attack on the Treaty of Waitangi. It is one contribution towards informed reflection on where New Zealand is at with its Treaty obligations and on the future of the public estate”, Mason concluded.

The report has been sent to every member of parliament.

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