

Te Tiriti o Waitangi: Position statement



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Section 01

Our intent

E ngā mana, e ngā reo, e ngā kārangatanga. Tēnā koutou katoa.

In a nutshell

MAS Foundation will actively and honourably implement Te Tiriti o Waitangi, through its role, scope, and function, as a responsible 'citizen' of Aotearoa/New Zealand.

Our intent

The MAS Foundation recognises that Te Tiriti o Waitangi is a founding document of Aotearoa/New Zealand. We also recognize that as a responsible 'citizen' of New Zealand, we have many obligations opportunities to implement Te Tiriti actively and honourably through our role, scope, and function.

Te Tiriti is interpreted via its Articles and the Principles. We agree that the Articles and Principles support meeting tangata whenua rights and needs.

Aotearoa, can play a role as a kaitiaki of its philanthropy system and ensure positive impact for tangata whenua, and all New Zealanders. We accept this responsibility and most importantly, opportunity.

Article II: Tino Rangatiratanga

This article recognises the importance of tangata whenua authority and autonomy. It can be practised by enabling Māori to exercise authority over their self-determined wellbeing. As per Article 1, the Foundation has a role to play and accepts this responsibility and opportunity.

Article III: Ōritetanga

This article requires equitable outcomes for tangata whenua. It can be practiced by ensuring that roles and functions prioritise achieving equity of access, experience, and outcomes for tangata whenua. The Foundation accepts this responsibility and opportunity.

Section 02

Articles

Te Tiriti o Waitangi has three Articles and the Ritenga Māori Declaration. These articles and the declaration underpin our obligations and opportunities.

Article 1: Kāwanatanga

This article reflects tangata whenua's agreement to enable tangata Te Tiriti to govern in New Zealand. The right to govern was linked to governance practices that were honourable and supported shared benefits. This article can be practised through kaitiakitanga (stewardship) of systems¹. The Foundation, as a responsible 'citizen' of

¹ Ministry of Health (2020) Whakamaua Māori Health Action Plan 2020-2025. Ministry of Health: Wellington.

Section 03

Ritenga Māori Declaration: Wairuatanga

This declaration (sometimes referred to as the fourth article) upholds the importance of tangata whenua belief systems, worldviews, and values. The Foundation accepts this responsibility and opportunity.

Principles

The principles of Te Tiriti o Waitangi have most recently been articulated by the Waitangi Tribunal². These principles are contextualised with respect to the health and disability system. However, the principles are applicable to other systems.

The principles are:

- Tino rangatiratanga: The guarantee of tino rangatiratanga, which provides for Māori self-determination and mana motuhake in the design, delivery, and monitoring of health and disability services.
- Equity: The principle of equity, which requires the Crown to commit to achieving equitable health outcomes for Māori.
- Active protection: The principle of active protection, which requires the Crown to act, to the fullest extent practicable, to achieve equitable health outcomes for Māori. This includes ensuring that it, its agents, and its Treaty partner are well informed on the extent, and nature, of both Māori health outcomes and efforts to achieve Māori health equity.
- Options: The principle of options, which requires the Crown to provide for and properly

resource kaupapa Māori health and disability services. Furthermore, the Crown is obliged to ensure that all health and disability services are provided in a culturally appropriate way that recognises and supports the expression of hauora Māori models of care.

- Partnership: The principle of partnership, which requires the Crown and Māori to work in partnership in the governance, design, delivery, and monitoring of health and disability services. Māori must be co-designers, with the Crown, of the primary health system for Māori.

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² Wai 2575 Claim: <https://waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/health-services-and-outcomes-inquiry/>. Accessed 4 September 2020.

