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IN THE WAITANGI TRIBUNAL

WAI 3325

WAI

IN THE MATTER OF	The Treaty of Waitangi Act 1975
AND IN THE MATTER OF	The Climate Change Priority Inquiry
AND IN THE MATTER OF	A claim by Tāmati Cairns for the New Zealand Māori Council

STATEMENT OF CLAIM FOR THE NEW ZEALAND MĀORI COUNCIL

21 August 2024

RECEIVED
Waitangi Tribunal
21 Aug 24
Ministry of Justice
WELLINGTON

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THE CLAIMANT SAYS

1. The Claimant is Tamati Cairns, of Waiohiki, Napier, a Māori, for myself and the New Zealand Māori Council, a statutory body under the Māori Community Development Act 1962, of which I am a Pou, and which as a statutory mandate to represent all Māori.

The Claim

2. The New Zealand Government's response to the threat of global climate change represents a breach of the Crown's Treaty of Waitangi obligations towards Māori who will continue to suffer prejudice as a result.

3. The specific breaches include:

(a) The operation of the Emissions Trading Scheme (ETS) and in particular overreliance on planting pine forests to offset Aotearoa's emissions resulting in:

(i) Low carbon prices for emitters and low returns for the trust and other Māori forest owners;

(ii) Harmful effects on the environment such as slash running down rivers and associated soil erosion after clear-felling plantations.

(iii) Discouraging restoration of indigenous forests that Māori have kaitiaki responsibilities for and Te Tīriti rights to the protection of.

(b) Failure to support Māori communities in adapting to the effects of climate change that these communities are suffering more significantly than the general population.

(c) Failure of the Government to provide support for the development of equitable and just transition plans and processes to support a rapid emissions reduction and economic development based on circular and regenerative local economies rather than extractive, unsustainable industries.

(d) General failure of Government policies in reducing Aotearoa's emissions.

Prejudice to as a result of Treaty of Waitangi breaches

4. As a result of the New Zealand Government acting in breach of the Crown's Te Tiriti o Waitangi obligations in its response to the threat of Climate Change Maori within the rohe of * District Maori Council have and will continue to suffer prejudice from worsening climate change.

Relief Sought

5. A finding that the New Zealand Government's inadequate response to the threat of Climate Change is in breach of the Crown's obligations under the Treaty of Waitangi Maori within the rohe of * District Maori Council have and will continue to suffer prejudice.

6. A recommendation that the New Zealand Government provide additional assistance to Maori within the rohe of * District Maori Council in adapting to the effects of climate change.

7. A recommendation that the New Zealand Government introduce and implement policies that will be effective in reducing greenhouse gases which are causing of climate change.

8. A recommendation that the New Zealand Government specifically introduce policies that will mitigate the ongoing effects of climate change on Māori within the rohe of * District Maori Council and provide them with support to make and implement their own measures to adapt to climate change.

9. Compensation.

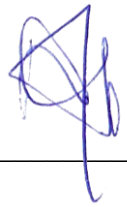
This Document is filed by **Donna Hall** , Solicitor for the Claimants of the firm **Woodward Law** of Lower Hutt. Counsel acting is **Michael Sharp**, Barrister of Mount Maunganui.

Documents for service on the Claimant may be:

(a) Mailed to the solicitor at PO Box 30411, Lower Hutt.

(b) Emailed to the solicitor at info@mokia.co.nz; and to counsel at michael@michaelsharp.co.nz.

Dated at Wellington this 21 August 2024



Donna Hall

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