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Waitangi Tribunal

**28 Nov 25**Ministry of Justice  
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# Appendix “A”

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## Relevant publications

### Book Chapters

Stoddart-Smith, C. (2016). “Radical Kaupapa Māori Politics” in M. Godfery (ed.) *The Interregnum: Rethinking New Zealand* (BWB: Wellington).

Stoddart-Smith, C. (2023). “Whanaungatanga (Collective Wellbeing)” in K. Errington & H. Walker *Reconnecting Aotearoa* (BWB: Wellington).

Schwartz, R. & Stoddart-Smith, C. (2024). “Infusing Indigenous Worldviews of Sustainability into Trade Agreements” G. Vidigal & K. Claussen (eds.) in *The Sustainability Revolution in International Trade* (OUP).

Schwartz, R. & Stoddart-Smith, C. (n.d.). “Trade and Indigenous Peoples” in T. Cottier & K. Nadakavukaren (eds.) *Elgar Encyclopedia of International Economic Law* (Edward Elgar Publishing). – *Forthcoming*

Stoddart-Smith, C. & Mika, J.P. (n.d.). “Te Pae Tawhiti: Thirty Years of Māori Trade Engagement” in S. Kelly, H. McDougall & M. Doidge (eds.) *Against the Tide: Aotearoa New Zealand in World Affairs Vol. V* (VUW: Wellington). – *Forthcoming*

### Articles

Stoddart-Smith, C. (2023). An evolving relationship. *New Zealand. International Review*, 48(6), 16–18.

Donovan, B. & Stoddart-Smith, C. (2023). *Unlocking Indigenous Potential in Mining Regions: Circular Economy*. OECD. <https://oecdcoogito.blog/2023/10/19/unlocking-the-potential-of-indigenous-knowledge-in-mining-regions-circular-economy/>

### Reports and White Papers

Westpac. (2021). *Māori Economy: Obstacles and Opportunities* – with BERL. Online at: <https://www.westpac.co.nz/assets/About-us/sponsorship/documents/The-Maori-economy-obstacles-and-opportunities-Westpac-NZ-Oct-2021.pdf>

Ngā Toki Whakarururanga (2023). *Te Tiriti o Waitangi Assessment: EU–NZ FTA* – with Prof. J. Kelsey.

Stoddart-Smith, C. & Schwartz, R. (2024). “Indigenous Peoples’ Worldviews on International Trade & Sustainability”, Report, INDIGI-X.

Soumaré, M., Stoddart-Smith, C. & Verghese, A.S. (November 2025). “Enabling Indigenous Trade: Business and Indigenous-Led Practices”, White Paper, World Economic Forum. Online at: [https://www3.weforum.org/docs/WEF\\_Enabling\\_Indigenous\\_Trade\\_Business\\_and\\_Indigenous\\_Led\\_Practices\\_2025.pdf](https://www3.weforum.org/docs/WEF_Enabling_Indigenous_Trade_Business_and_Indigenous_Led_Practices_2025.pdf)

Stoddart-Smith, C. & Verghese, A.S. (March 2025). “Enabling Indigenous Trade: Actionable Guidance for Governments”, White Paper, World Economic Forum. Online at: [https://reports.weforum.org/docs/WEF\\_Enabling\\_Indigenous\\_Trade\\_2025.pdf](https://reports.weforum.org/docs/WEF_Enabling_Indigenous_Trade_2025.pdf)

# Appendix “B”

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## Third Committee: General Discussion on the Rights of Indigenous Peoples – Item 68.

10 October 2023

Statement delivered by Adviser, Ms. Leah Carrell

Tēnā koutou katoa – Greetings to everyone.

Thank you, Chair. We thank the Special Rapporteur on the Rights of Indigenous Peoples for his report.

I acknowledge the Lenape people, on whose Indigenous lands we gather.

The rights of Indigenous Peoples are an international human rights priority for Aotearoa New Zealand. Collective and individual rights and interests of Māori, as indigenous tangata whenua, [people of the land] are recognised, protected, supported, and invested in.

The Government of Aotearoa New Zealand is steadfast in honouring the Treaty of Waitangi, our founding document, and remains committed to the common objectives of the Treaty and UN Declaration on the Rights of Indigenous Peoples.

We remain dedicated to enhancing the participation of indigenous voices at the United Nations. We support Indigenous Peoples’ call to establish a unique category for their participation in the UN system. We do not support those who say Indigenous Peoples should only be included in national delegations. This undermines opportunities to share unique perspectives and shape discussions across the work of the UN. Indigenous Peoples must be able to influence global decision-making through meaningful and inclusive participation in UN processes.

We acknowledge multiple and intersecting forms of discrimination that disproportionately impact the most vulnerable. We must ensure the full, effective and meaningful participation of Indigenous women, Indigenous persons with disabilities and Indigenous LGBTIQ+ persons in decision-making on matters in the UN as well as in Aotearoa New Zealand.

A recent review of 2016 Māori Language Act celebrated the momentum that Māori language revitalisation is gaining with greater levels of public awareness and more people speaking te reo Māori [Māori language]. Our partnership approach for revitalisation, established by the Act, recognises that iwi [tribes] and Māori have a leading role in the revitalisation of the Māori language, and that the role of the Government is to create the societal conditions for revitalisation. While the review has found that we have made progress towards our goals, more can be achieved to ensure sustained growth of a strong, healthy, thriving te reo Māori [Māori language]. We are currently implementing the recommendations from the Review through amendments to the Act, and other policy adjustments.

We continue to support all countries in their vision to preserve, revitalise, and promote Indigenous languages, and recognize the importance of Indigenous languages as a driver for the achievement of the Sustainable Development Goals. We remain strongly committed to the SDGs and the 2030 Agenda. The Government is dedicated to working with Māori on economic, environmental, and social policy issues over which the SDGs provide a frame of reference for domestic policy development.

We welcome Special Rapporteur’s report on the theme “Tourism and the Rights of Indigenous Peoples”. The New Zealand-Aotearoa Government Tourism Strategy drives productive, sustainable, and inclusive tourism growth noting the Government’s role ensuring meaningful engagement with Māori through New Zealand Māori Tourism. This independent incorporated society promotes and helps

Māori tourism sector lead visitor experience and build leadership, commercial and cultural skills of Māori. Operating under the whakatauki [Māori proverb], He Toa Takitini, the organisation recognises ‘Strength is in Unity’ and the significant relationships between Māori tourism operators, Government departments, business associations, and iwi [tribes], hapū [sub-tribes], and whānau [families].

CEDAW Recommendation 39 outlines the leading role of Indigenous women and girls in climate adaptation, mitigation, and global movements to improve planetary health. We call on all States to work collaboratively with Indigenous peoples, including women and girls, to address the impact of climate change in a sustainable way, ensuring no one is left behind.

Indigenous Peoples’ traditional and ancestral knowledge as well as the scientific and technical knowledge should be a proactive part of preparations and responses to the impacts of climate change. Through recent significant weather events in Aotearoa New Zealand, we understand the benefit of Indigenous led, nationally supported solutions. Māori values of kaitiakitanga [guardianship], manaakitanga [generosity and care] and whanaungatanga [connectedness] are central to the intergenerational Māori approach to safeguarding the environment. Working in partnership and strengthening self-determination for Māori will better enable us to tackle global challenges.

Ngā mihi nui ki a koutou – Many thanks to you all.

# Appendix “C”

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## New Zealand Statement to the UNGA Third Committee

7 October 2025

Delivered by Shannon Tau, Counsellor, Permanent Mission of New Zealand to the United Nations.

Chair, excellencies, distinguished delegates,

Chair, New Zealand is pleased to participate in the important work of the Third Committee. We thank you for your leadership and for the opportunity to engage on the critical human rights issues before us.

New Zealand remains steadfast in its commitment to the promotion and protection of human rights for all. Our position is unequivocal: human rights are universal, indivisible, and must be upheld without discrimination.

We approach this work with humility—acknowledging our own national challenges—and with a determination to contribute constructively to global progress.

For a small state like New Zealand, whose security and prosperity for the past 80 years has relied on a functioning multilateral system, the erosion of that system is hugely troubling, and costly. We continue to witness concerning trends as fundamental rights and freedoms are undermined in regions across the world. Such regressions have grave, and increasingly severe human impacts which simply cannot be ignored.

On this the 80th Anniversary of the United Nations, we believe that a reformed UN should maintain a balance between the three core pillars of international peace and security, sustainable development and human rights, which are interlinked and mutually reinforcing.

We reaffirm our commitment to working collaboratively with Member States, civil society, and the UN system to deliver meaningful outcomes for all.

In our multilateral engagement on human rights, we are particularly focused on advancing the rights of persons with disabilities, advancing women and girls rights, abolishing the death penalty, combating discrimination against the LGBTQIA+ community, preventing torture and arbitrary detention, and safeguarding freedoms of religion, belief, and expression.

Chair,

The universal realisation of human rights is facing unprecedented challenges. After decades of progress, the international human rights system is under sustained pressure from actors seeking to narrow its scope, impose hierarchies among rights, and roll back long-established norms.

New Zealand is deeply concerned by the intensification of armed conflict, the erosion of international law, and the shrinking of civic space. The global humanitarian toll, including in Ukraine, Gaza, Myanmar, Sudan, and the Democratic Republic of the Congo is devastating. We reiterate our strong support for international humanitarian law, and accountability for violations of human rights, such as torture and arbitrary detention and attacks on civilians.

Chair,

In this context, it is more important than ever for the UN system to advance the rights of those whose voices are too often marginalised—including persons with disabilities.

Together with Mexico, New Zealand is proud to lead a resolution during Third Committee on the implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Our resolution highlights the diverse contexts that influence how persons with disabilities, experience and access their rights including in situations of poverty, conflict, humanitarian emergencies, care and support contexts, institutionalization and forced and internal displacement.

The resolution aims to affirm the need for inclusive, rights-based responses that reflect the diversity of the disability community. This includes addressing laws and practices that restrict persons with disabilities or fail to provide them with adequate support in the exercise of their legal capacity on an equal basis with others.

In this regard, we welcome the Amman-Berlin Declaration and its emphasis on practical inclusion, particularly in disaster relief. We also recognise the importance of international cooperation and financing mechanisms, such as the UN Global Disability Fund, in supporting its implementation.

New Zealand also commends the progress made under the UN Disability Inclusion Strategy and calls for sustained leadership, accessibility, and the full participation of persons with disabilities in shaping the policies that affect them.

This year, New Zealand is refreshing its national Disability Strategy. The proposed vision for the Strategy is New Zealand as an accessible and equitable society for disabled people and their families and whānau – a place where disabled people thrive, lead, and participate in all aspects of life. Disability rights and inclusion are also central to our International Development Cooperation programme, with 22% of our development initiatives pursuing disability inclusion as an objective.

Chair

Our focus on inclusive participation reflects a broader principle: human rights are strongest when every voice is heard. This principle is deeply embedded in New Zealand's history, as the first country to grant women the right to vote. A legacy that shapes our enduring commitment to advancing the rights of all women and girls.

Domestically, New Zealand's gender pay gap has fallen to 5.2%—the lowest in our history. Women hold 38% of parliamentary seats and currently occupy some of the highest leadership roles in our democracy – including the Governor-General and the Chief Justice of New Zealand.

This year, we also launched our Women, Peace and Security National Action Plan, recognising that women's leadership is essential to effective peacebuilding and humanitarian responses.

New Zealand acknowledges the work we still have to do as a country. For example, our data shows that approximately 1 in 4 women in New Zealand have experienced intimate partner violence during their lifetime, and that the overwhelming majority of sexual assault offences go unreported to Police. More work is needed.

This year marks 30 years since the adoption of the Beijing Declaration and Platform for Action—a milestone in the global pursuit of gender equality. While progress has been made, it remains uneven, and in some regions is reversing under the weight of conflict, increased frequency and intensity of natural disasters, and rising authoritarian influence.

The global statistics remain sobering: 800 women die each day from preventable pregnancy-related causes. The global push-back on sexual and reproductive health and rights has seen a regression in legislation, jurisprudence, and freedoms; and access to related services has been restricted or denied.

New Zealand calls for renewed global commitment to safeguard the progress made since Beijing, and to ensure that all women and girls—especially those facing intersecting forms of discrimination—can live free from sexual and gender-based violence and inequality.

We also reaffirm our commitment to the rights of the LGBTQIA+ community and call for the end to discriminatory laws and policies. We welcome the recent renewal of the mandate for the UN Independent Expert on Sexual Orientation and Gender Identity.

Chair,

In a context where freedom of expression, media freedom, and the rule of law are undermined, progress toward equality is also at risk.

New Zealand is deeply concerned by the global rise in the repression of protest and the criminalisation of human rights defenders. These trends erode democratic institutions and threaten the rule of law.

We are particularly troubled by the shrinking space for individuals to freely express their views in some countries, and by reports of arrests and harassment targeting opposition political figures, civil society organisations, and media.

In 2025 alone, 37 journalists have been killed and more than 500 are currently detained. Media freedom is a cornerstone of a free and inclusive society. Journalism must not be prosecuted under the guise of national security—it is essential to holding governments accountable and exposing violations of human rights.

New Zealand also recognises the importance of safeguarding human rights in digital spaces. We support efforts to ensure that technology is used in ways that uphold privacy, freedom of expression, and protection from online abuse—particularly for women, children, and marginalised communities. This year, we strengthened our legal protections against image-based abuse and online sexual harassment.

Chair,

When the rule of law is weakened and civic freedoms are curtailed, the danger of harmful practices becomes most acute – including the death penalty, which can be imposed arbitrarily to silence dissent or target vulnerable and marginalised groups, absent due process.

New Zealand maintains a principled and practical opposition to the death penalty. We consider it a violation of the right to life and human dignity, and akin to torture. It is irreversible, disproportionately applied to marginalised groups, and there is a lack of credible evidence of its supposed deterrent effect.

We continue to advocate for universal abolition, including through our support for the biennial resolution on a moratorium and our financial contributions to the International Commission Against the Death Penalty.

More broadly, and in order for our societies to thrive, we need the participation of civil society and National Human Rights Institutes both domestically and internationally. This year, the New Zealand Human Rights Commission chaired the UN accreditation process for national human rights institutions and we welcome ongoing work in that context.

Chair,

As we mark the 30th anniversary of the Beijing Declaration and 80 years since the founding of the United Nations, we must recommit to the principles that underpin our shared humanity. We must stand firm in defence of universal human rights, and ensure that no one is left behind.

New Zealand remains resolute in its commitment to this work.

Thank you.

# Appendix “D”

- to the Brief of Evidence of Carrie Stoddart-Smith

## **60th session of the Human Rights Council: Interactive Dialogue with the Expert Mechanism on the Rights of Indigenous Peoples**

24 September 2025

Delivered by Permanent Representative Deborah Geels.

Thank you, Mr. President.

New Zealand welcomes the opportunity to engage with the EMRIP and we thank them for their presentation. We affirm our commitment to supporting Indigenous Peoples’ participation in traditional economies.

The Māori economy is a vital and growing contributor to New Zealand’s overall economic prosperity, representing approximately 9% of GDP. Māori are a young and dynamic population, projected to comprise 20% of the workforce by 2040.

To support this growth, the Government has launched a strategic framework to unlock the potential of the Māori economy. This includes reforms to increase infrastructure investment, accelerate exports and unlock the potential of Māori land.

Māori have a long history of utilising geothermal resources and are actively involved in commercial uses, such as electricity generation, food production, and tourism. The Government is finalising a strategy that acknowledges their unique role in geothermal development and supports Iwi (tribe)-led initiatives to facilitate co-investment in infrastructure projects and build investment capability.

New Zealand recognises the value of Māori traditional knowledge. Work is underway to support Māori-led biodiscovery and commercial uses of Indigenous flora and fauna, ensuring Māori knowledge systems are respected and protected.

Through such initiatives, New Zealand affirms its commitment to supporting Māori participation in their traditional and contemporary economies, and to advancing Indigenous economic development as a core part of our national growth.

Thank you.