



Co-convenors: Pita Tipene, Moana Maniapoto

SUBMISSION TO STANDING ORDERS COMMITTEE ON TREATY MAKING

1. Ngā Toki Whakarururanga was established through a Mediation Agreement with the Crown in 2021 in the Wai 2522 Waitangi Tribunal Inquiry into the Trans-Pacific Partnership Agreement (TPPA).
2. That formal Agreement mandates us to bring a Te Tiriti o Waitangi perspective to the trade-related policy space, to advance and protect Māori duties, responsibilities, rights and interests under Te Tiriti o Waitangi and set the bar for achieving trade policy, negotiations and agreements that are consistent with Te Tiriti o Waitangi.
3. This submission addresses the third item in the terms of reference for the Standing Orders review: “views on whether improvements could be made to the House's oversight of treaty-making and examination of international treaties.”
4. At the heart of the kaupapa of Ngā Toki Whakarururanga is the mana to exercise rangatiratanga in inter-national treaty making, according to the laws and processes of tikanga. Our tupuna affirmed that authority in He Whakaputanga o te Rangatiratanga o Nu Tireni and Te Tiriti o Waitangi. We have never ceded that mana and sovereign authority to the English Crown. The Crown’s claim to have a prerogative treaty making power is a fiction.
5. The reality of Te Tiriti o Waitangi, sourced in He Whakaputanga o te Rangatiratanga o Nu Tireni, informs our claim to the Waitangi Tribunal’s Tomokia ngā tatau o Matangireia – the Constitutional Kaupapa Inquiry (WAI 3300) to which we are a full party. The attached report sets out the basis on which that position is founded.
6. The responsibilities and duties associated with mana and rangatiratanga in international treaty making underpins the relationship with the Crown under the Mediation Agreement of rangatiratanga and kāwanatanga.
7. Since our establishment we have made detailed interventions in a number of international trade and investment negotiations and conducted assessments of them against te Tiriti o Waitangi, as envisaged in our Mediation Agreement with the Crown. These assessments have been referred to in the National Interest Analysis of the agreements, but there is no requirement that they are.
8. Our Tiriti o Waitangi assessments have been presented as submissions to the Crown’s Parliament in the form of the Foreign Affairs Defence and Trade select committee. This has been an entirely unsatisfactory experience, demeaning of our mana:
 - 8.1 The Standing Orders that relate to international treaty examination do not recognise the relationship under te Tiriti o Waitangi, in particular the rangatiratanga responsibilities and rights of Māori in and the duties and limited authority of the Crown as kāwanatanga.

- 8.2 There is no Tiriti relationship of rangatiratanga to kāwanatanga, nor any recognition or practice of tikanga Māori, in the process conducted under those Standing Orders.
- 8.3 Requests that the Māori Affairs committee members are part of that process have not been met.
- 7.3 We are allocated a mere 10 minutes to present our submission. Often the Committee asks no questions because time has expired, and they have no apparent interest in their responsibility to examine the Tiriti dimensions of the agreement.

We propose that your Committee establishes an inquiry to enable a Tiriti-compliant review of this process.

We wish to speak to this submission.

23 September 2025



Moana Maniapoto

Co-Convenor



Pita Tipene

Co-Convenor

Contact: Hinemoa@ngatoki.nz