NGĀ TOKI WHAKARURURANGA

The importance of reference in free trade agreements to protecting the "responsibilities and duties" alongside "rights and interests" of Māori under Te Tiriti o Waitangi.

Within the Māori and Indigenous worldview generally, 'rights' sit alongside 'responsibilities' and obligations. Indeed, it can be said that one must first fulfil ones 'obligations and responsibilities' before one can exercise a 'right.'

Acknowledging the spiritual dimension of the universe and respecting the *mauri* (central life force) and *whakapapa* (genealogical interconnection) of every thing was, and is, fundamental to the Māori worldview. Reciprocity of 'duties and responsibilities' to these *atua* (deities), *tupuna* (ancestors) and *mokopuna* (future generations) are balanced against the right to use and exploit natural resources, *mātauranga* (knowledge), and all other *taonga* (tangible and intangible things that are prized).

'Rights', in the Māori and Indigenous worldview, do not exist in isolation from the 'responsibilities and duties' that attend those rights. It is a methodology for how humans can engage in a *respectful* way with each other and with the natural world/resources upon which we all depend for our survival.

It is also an acknowledgment from a Māori worldview, that humans are, in a whakapapa sense, the *teina* (junior line) to the *tuakana* (senior line) of *ngā atua* who created the forests, oceans, winds, land and sky. It is an acknowledgment of shared *whakapapa* between humans and all other living (and non-living) things with which we share this precious earth. As the *teina* in this relationship it is our responsibility and duty to respect and care for our *tuakana* – much the same as a child inherits the responsibility to take care of his or her parents. It is *whanaungatanga* (kinship type relationships) in action.

Te Tiriti o Waitangi affirmed and guaranteed Māori would continue to exercise the rights, and the responsibilities and duties that sit alongside those rights, over all *taonga*, referred to as *rangatiratanga* (authority) and *kaitiakitanga* (guardianship). If one just focuses on the exercise of 'rights' to resources without acknowledging that there are concomitant responsibilities, duties and obligations that mediate or mitigate the exercise of those rights, then we are led into a situation where greed, arrogance and over consumption and materialism becomes the norm. Where sadly, resources become depleted or exhausted, species and plants become extinct and our world as we know it begins to crumble around us.

In a modern-day context and in terms of international trade agreements, Māori continue to regard themselves as *kaitiaki* (guardians) of the natural world. This means that they continue to have duties and responsibilities to protect and conserve *Papatuanuku* (Earth Mother) and *Ranginui* (Sky Father) and all their children who make up the natural world. Natural resources do not *just* exist for humankind to use and exploit, or there will continue to be adverse consequences as we are seeing play out with climate change and continuing loss of the planet's biodiversity and extinction of species.

The same duties and responsibilities apply to *taonga* affected by contemporary trade agreements, such as traditional food systems, production and certification (*māra kai*); protection of biodiversity and generation of seeds (*te mana o te Taiao*); healing practices and medicines (*rongoā*); exercise and protection of language, culture and creative arts (*toi Māori*); data sovereignty and digital governance (*mātauranga Māori*); environmental protection and climate action (*te Taiao me ngā mahi ahuarangi)*; among others.

From a Māori worldview, the drive for more profit and prosperity must therefore be balanced against the need to protect the planet and provide more care for its people. That is the essence of what Māori mean by needing to protect their ability to exercise their 'duties and responsibilities', and not just advance their rights and interests, under trade agreements. These duties and responsibilities to the planet should be taken seriously by all Nations who enter into trade agreements, because all peoples and nations will benefit from their protection.