

Māori interests in the EU-NZ FTA

The EU-NZ free trade agreement will recognise the special status of the Treaty of Waitangi, and New Zealand officials will continue to consult with Maori as negotiations progress.

The Government is committed to dedicated and ongoing engagement with Māori on the development of its trade agenda, including the negotiation of an FTA with the EU. This will include upcoming consultation with iwi, hapū and whanau as part of *Trade for All*, further consultation under processes already established and discussions with other Māori groups and businesses. Please contact maori@mfat.govt.nz if you would like to receive information on trade policy engagement with Māori. You can also find information on the [Ministry of Foreign Affairs and Trade website](#).

The New Zealand Government will seek improved market access for goods and services of export interest to Māori and will ensure that the agreement does not impair the ability of the Crown to honour its obligations to Māori, including under the Treaty of Waitangi.

The Government will ensure that the specific obligations contained in the EU-NZ FTA are drafted so as not to impair the ability of governments to make legitimate public policy and to take measures to implement such policy. The general regulatory flexibility that we will seek to include will help to ensure that the Government can continue to take measures that are in the interests of Māori.

As with other trade agreements, there will be a range of general protections in the FTA that will provide further flexibility for governments where a policy might otherwise breach an obligation. This includes exceptions for human, animal and plant health, environment, national treasures of artistic, historic or archaeological value, national security, taxation and situations involving serious problems like food shortages or balance of payments difficulties (i.e. when a country can't pay its debts). Many of these will be of relevance to Māori interests.

New Zealand and the EU agreed during scoping that a Treaty of Waitangi exception should be included in the FTA. Combined with other provisions in the Agreement, the inclusion of this exception will protect the ability of the Crown to implement domestic policies that fulfil its obligations to Māori, including under the Treaty of Waitangi, without being obliged to offer equivalent treatment to members of the EU.

In the intellectual property chapter of the EU-NZ FTA, New Zealand will seek to ensure that it preserves the ability to put in place protections necessary for Māori interests. During scoping discussions, the EU agreed with New Zealand that negotiations should explore issues related to genetic resources, traditional knowledge and folklore.

While all of the elements set out in this note will contribute to protecting Māori interests, this is not an exhaustive list. As the negotiations progress, we will be considering how other provisions within the EU-NZ FTA affect Māori interests. We will monitor this closely over the course of the negotiation of the FTA and will seek views from affected Māori groups.

Further, we will be taking into account any ideas or concerns raised during the forthcoming consultation processes on *Trade for All* and specifically on Māori interests in the EU-NZ FTA. *Trade for All* will look at issues relating to trade and gender, indigenous peoples, small and medium-sized enterprises, and domestic regional economic development, as well as trade and sustainable development approaches, such as how FTAs can support work on climate change.