

CHAPTER 15

INDIGENOUS PEOPLES ECONOMIC AND TRADE COOPERATION

ARTICLE 15.1 Definitions

For the purposes of this Chapter:

“**well-being**” from a Te Ao Māori perspective refers to the holistic balancing and inter-connection of numerous factors required for individuals and groups to be truly well and thrive, including taha tinana (physical), taha hinengaro (mental), taha wairua (spiritual), whenua (land), taiao (environment), moana (sea or waterways), whakapapa (genealogy) and kaitiakitanga (stewardship). It can also include environmental, economic, and cultural aspects;

“**Mānuka**” (and its spelling variations including “**Manuka**” and “**Maanuka**”) is a Māori word and *taonga* used exclusively for the tree *Leptospermum scoparium* grown in Aotearoa New Zealand and products including honey and oil deriving from that tree;

“**taonga**” refers to a highly valuable or prized object, element, natural resource or possession, and can be tangible or intangible; and

“**cultural expressions**” are those expressions that result from the creativity of individuals, groups and societies, and that have cultural content.

ARTICLE 15.2 Objective and Principles

1. The objective of this Chapter is for the Parties to cooperate to enable and advance Māori and Indigenous Peoples (hereinafter referred to as “Indigenous Peoples”) to fully benefit from the trade and investment opportunities created by this Agreement.
2. In implementing this Chapter, the Parties recognise:
 - (a) that Māori, Indigenous and Emirati Peoples have been engaged in trade since time immemorial, and that trade is fundamental to maintaining and promoting their histories, identity, relationships, values, culture, customs, traditional knowledge, and well-being;
 - (b) the value and importance for Indigenous Peoples to maintain and develop their economic systems, institutions, priorities and strategies, to engage freely in all their traditional and other economic activities, to be actively

involved in determining and developing their economic programmes, and to promote their development in accordance with their aspirations and needs;

- (c) the important contribution that Indigenous traditional knowledge can make to innovation, sustainable development, and the ecologically sound management of the environment;
- (d) the value and importance of Indigenous Peoples' genetic resources, traditional knowledge (including traditional knowledge associated with genetic resources), and traditional cultural expressions in their participation in international trade and investment, including the names and uses of plants, traditional foods, languages, and sciences including health sciences;
- (e) the value and importance of Indigenous Peoples' cultural expressions, including visual and performing art, handicrafts, designs, music, literature, film, architecture, textile and fashion design, songs, stories, carvings and works of art;
- (f) the ancestral connections that Indigenous Peoples have with their traditionally owned or occupied lands, their dependency on biological diversity, and the contribution this can make to achieving their economic, social and cultural development and well-being; and
- (g) the value of enhancing people and business connections to support the trade and investment opportunities created by this Agreement for both Parties.

3. The Parties agree to implement this Chapter consistent with their respective constitutional frameworks, which for New Zealand includes Te Tiriti o Waitangi/The Treaty of Waitangi. The Parties recognise the importance of relevant multilateral instruments to which both Parties are party, including:

- (a) The United Nations Declaration on the Rights of Indigenous Peoples, adopted in New York on 13 September 2007;
- (b) United Nations Agenda "Transforming our world: the 2030 Agenda for Sustainable Development", adopted on 25 September 2015 by United Nations General Assembly Resolution A/RES/70/1 and its Sustainable Development Goals;
- (c) The UNESCO Convention on the Protection and Promotion of Diversity of Cultural Expressions, adopted in Paris on 20 October 2005; and

- (d) The Convention on Biological Diversity, adopted in Rio de Janeiro on 5 June 1992 and its Protocols.

ARTICLE 15.3
Provisions across the Agreement

In addition to this Chapter, there are provisions in other Chapters of this Agreement that aim to enhance Māori participation in trade and investment opportunities under this Agreement. These include:

- (a) Chapter 2 (Trade in Goods);
- (b) Chapter 8 (Investment Facilitation);
- (c) Chapter 10 (Digital Trade);
- (d) Chapter 13 (Intellectual Property);
- (e) Chapter 14 (Trade and Sustainable Development);
- (f) Chapter 16 (Small and Medium-Sized Enterprises);
- (g) Chapter 17 (Economic Cooperation); and
- (h) Chapter 21 (Exceptions) including Te Tiriti o Waitangi/The Treaty of Waitangi.

ARTICLE 15.4
Cooperation Activities

1. To achieve the objective of this Chapter, the Parties agree to cooperate to enable and advance Indigenous Peoples' trade and economic opportunities under this Agreement. Cooperation activities may include:

- (a) developing programmes and initiatives to enhance the ability for Indigenous-owned enterprises to access and fully benefit from the opportunities of international trade and investment, including through exchanges on good practices, projects and programmes;

- (b) developing and enhancing links between the UAE and Indigenous-owned enterprises, including Indigenous women-led enterprises, to facilitate access to existing and new supply chains as well as trade in goods and services;
- (c) sharing experiences to enhance the ability of Indigenous Peoples and businesses to participate in and benefit from both Parties' energy transitions;
- (d) enabling and strengthening the digital inclusion for Indigenous Peoples and businesses and their participation in electronic commerce and digital trade;
- (e) identifying potential areas of cooperation between businesses for the mutual benefit of both Parties, and developing, supporting and strengthening business networks, cooperation and partnerships, including through trade missions;
- (f) promoting trade and investment in sectors relevant for Indigenous-owned enterprises, including businesses that relate to or derive from traditional knowledge and traditional cultural expressions such as arts and crafts, dance and music, tourism, food and agri-business, biological diversity and environmental management, and the green economy and resources;
- (g) promoting the inclusion of Indigenous Peoples and businesses in agri-food and agricultural trade and related activities;
- (h) sharing information on promoting and protecting Mānuka honey; and
- (i) any other area of mutual interest that the Parties may agree to.

2. In implementing the cooperation activities under this Chapter, the Parties may invite the views and participation of relevant stakeholders, and in the case of Aotearoa New Zealand of Māori in accordance with Te Tiriti o Waitangi/The Treaty of Waitangi.

3. All cooperation activities shall be at the request of a Party, on mutually agreed terms in respect of each cooperation activity and subject to resource availability.

ARTICLE 15.5
Contact Points

1. Each Party shall designate and notify a contact point for implementing this Chapter.
2. Each Party shall promptly notify the other Party of any change to its contact point.
3. The contact points shall facilitate communication, coordination, and information exchange between the Parties:
 - (a) on any matter the Parties consider relevant to this Chapter;
 - (b) as required for monitoring the implementation of this Agreement as it relates to Indigenous Peoples; and
 - (c) as required for coordinating between any committee, working group or other subsidiary body established by this Agreement, on any matter covered by this Chapter.

ARTICLE 15.6
Dispute Settlement

Neither Party shall have recourse to dispute settlement under Chapter 20 (Dispute Settlement) for any matter arising under this Chapter.