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Committee Secretariat
Justice Committee
Parliament Buildings
Wellington
TreatyPrinciples@parliament.govt.nz

Submission on the Principles of the Treaty of Waitangi Bill

About B Lab Australia & Aotearoa New Zealand

A leader in economic systems change, B Lab certifies companies — known as B Corps — for proactively meeting its high standards of environmental and social performance, transparency, and accountability. Established in 2006 in the US and 2012 in Australia and Aotearoa New Zealand, the global B Corp community includes more than 9,500 businesses. Representing more than 920,000 workers in 105 countries and across 161 industries, businesses across the movement are committed to creating an inclusive, equitable, and regenerative economy that benefits all.

To date, over 170 Aotearoa New Zealand-based businesses are Certified B Corporations, including significant and influential brands such as Kiwibank, Kathmandu (KMD Brands), ecostore, and Sharesies. Kiwi-headquartered B Corps contribute \$7 billion to Aotearoa's economy.

Our position

B Lab Australia & Aotearoa New Zealand advocates for the Treaty Principles Bill to be abandoned.

The Waitangi Tribunal's Report on the Treaty Principles Bill highlighted that the *"Crown's process to develop the Bill has purposefully excluded any consultation with Māori, breaching the principle of partnership, the Crown's good-faith obligations, and the Crown's duty to actively protect Māori rights and interests."* We are compelled by the Waitangi Tribunal's findings that *"the Crown has breached the Treaty principles of partnership and reciprocity, active protection, good government, equity, and redress."*

In Principle 3, the Bill states that: (1) Everyone is equal before the law. (2) Everyone is entitled, without discrimination, to (a) the equal protection and equal benefit of the law; and (b) the equal enjoyment of the same fundamental human rights.

It is our view that groups who face disadvantage or discrimination through systems, structures, and policies cannot enjoy the same fundamental human rights without specific and intentional plans to protect those human rights. The Bill seeks to remove protections for Māori and therefore threatens their human rights under the law.

In the latest version of B Lab's standards for certification, B Corps are required to take continuous, measurable action on human rights and justice, equity, diversity, and inclusion. This reflects the leadership of B Corps as well as changing social and cultural norms for business. Customers, employees, and other stakeholders increasingly expect businesses to protect human rights and build diverse, inclusive workforces.

Trust in government institutions is declining in New Zealand, with government leaders now 'distrusted.' Business remains the only institution seen as both competent and ethical¹. If the people of Aotearoa expect protection of human rights and equity from businesses, this expectation extends to governments as well. This Government risks eroding trust and credibility even further, not only from its citizens but also from people and governments around the world.

B Lab Australia & Aotearoa New Zealand recommends that the Government stops the Treaty Principles Bill from proceeding, and acts upon the recommendation of the Tribunal report (Ngā Mātāpono - The Principles) into this Bill.

¹ [Acumen Edelman Trust Barometer 2023](#)