

RIGHTS-BASED APPROACHES TO IMPROVING FOOD AVAILABILITY FOR TAMARIKI MĀORI

A narrative literature review and theory-based synthesis

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Abstract

Food availability refers to the adequacy of the supply of healthy food. It is a key concern for the well-being of tamariki Māori today. A narrative literature review methodology was applied to examine the literature and identify influences that enable the availability of healthy food for tamariki. Findings were synthesised and analysed using the Oranga Mokopuna framework—a rights-based approach grounded in tikanga Māori. Factors enabling healthy food availability for tamariki involve the fulfilment of their rights to (a) an environment that enables access to traditional foods and food practices, (b) be involved in decisions about their food environment, (c) the right to adequate food and (d) the highest attainable standard of health (and within this) to be protected from food marketing. There is limited evidence that the New Zealand government is meeting these obligations to tamariki. Thus, the right to healthy food needs to urgently be embedded across legislation, policy and practices.

Keywords

rights, Māori, children, food availability

Introduction

Food availability refers to the adequacy of the supply of healthy food in any environment, for

example, home, school or the wider community setting, including retail outlets (Caspi et al., 2012). It has always been a key concern for Māori and

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remains important to the well-being of tamariki today. Traditionally, Māori sourced food by gardening, fishing and gathering of the natural resources available, such as fish, shellfish, forest plants and birds (Anderson et al., 2014; Hond et al., 2019; McKerchar et al., 2015; Te Ara, 2010). This was informed by a complex understanding of the natural world. Following European colonisation of Aotearoa New Zealand, the loss of land and other resources disrupted Māori food systems and associated knowledge. Extensive land alienation also resulted in the loss of an economic base for Māori. This has led to intergenerational poverty for many (Beavis et al., 2019). Today, the majority of the Māori population live in urban centres (Statistics New Zealand, 2013), and are largely reliant on food available through the market system.

The Māori population is a youthful population: 33.8% were under the age of 15 years in 2013 (Statistics New Zealand, 2013). Two key issues that tamariki face in relation to food availability are food insecurity and unhealthy weight. Food security has been defined as the assured access to sufficient food that is nutritious, of good quality and safe; meets cultural needs; and has been acquired in socially acceptable ways (Russell et al., 1999), for example, food bought from food stores rather than obtained from food banks. Food insecurity, conversely, describes a state of food poverty in which people do not have enough resources to obtain healthy foods every day. It has been estimated that over one in four (28.6%) tamariki live in food-insecure households (Ministry of Health, 2019a). This is because Māori households are more likely to receive low incomes (Ministry of Health, 2019a). Food insecurity increases the risk of a child developing an unhealthy weight (Swinburn et al., 2011). This has ongoing consequences for health, including an increased risk of developing type 2 diabetes, heart disease and some cancers in adulthood (World Health Organization, 2016). For tamariki who experience a disproportionate rate of unhealthy weight, there is the added risk of experiencing stigma associated with increased body size in Western societies (LeBesco, 2011; Lupton, 2015). This compounds racism, already disproportionately experienced by Māori (Harris et al., 2012).

In 2019, UNICEF highlighted that children's undernutrition, hidden hunger and being overweight are the three forms of malnutrition resulting from a "broken food system". A broken food system is one that delivers "high value foods for richer and low value foods for poorer consumers"

(Dowler & O'Connor, 2012, p. 46). For instance, in Aotearoa today there are 13.7 fast food and takeaway outlets per 10,000 people in the most deprived areas, compared with 3.7 in the least deprived areas. There are also more convenience stores such as dairies (12.7 per 10,000 people) in the most deprived areas (Vandevijvere et al., 2018). Along with takeaway outlets, these are more likely to be found clustered around schools in the most deprived areas. The food available within stores is also socio-economically patterned, with supermarkets in more deprived areas devoting more shelf space to unhealthy foods (Vandevijvere et al., 2018). It is estimated that 15.5% of tamariki in Aotearoa are currently of an unhealthy weight (Ministry of Health, 2019b). This is influenced by deprivation, and children living in the most deprived areas are 2.7 times as likely to be an unhealthy weight than children living in the least deprived areas (Ministry of Health, 2019b).

Reid and Robson (2007) noted that health inequities between Māori and non-Māori could be conceptualised as stemming from a failure of the Crown to uphold Māori rights. Rights-based approaches to health and well-being align public health concerns with those of the human rights movement (Hunt, 2007). They take into account the social, political, historical and economic contexts that influence the way health outcomes are determined, and the way health and well-being are experienced (Meier et al., 2011). A rights-based approach implies an "explicit connection to normative documents in the field of human rights" (Beracochea et al., 2011, p. 3). International human rights documents relevant to children's food availability include the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), the United Nations Convention on the Rights of the Child (UNCRC, 1989), and in the case of Māori, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007).

The right to food as a human right was first declared in the Universal Declaration of Human Rights (1948), and reaffirmed in the ICESCR (1966), which states in Article 11, part 2 "The States' Parties to the present covenant recognize the right of everyone to an adequate standard of living for himself and his family [sic], including adequate food, clothing and housing" (p. 4).

In 1978, Aotearoa officially ratified the ICESCR but at the time did not ratify an optional protocol that submits parties to the jurisdiction of the UN Human Rights Committee, as a measure to increase accountability (Aotearoa Human Rights Lawyers Association, 2013). Since its inclusion

in the ICESCR, the right to food has also been further explored in General Comment 12 of the UN Committee of Economic, Social and Cultural Rights (UN CESCR, 1999), which defines the right to adequate food as that relating to physical and economic accessibility of food. The right to food is also recognised as an important determinant of the right to the highest attainable standard of health, as stated in General Comment 14 of the UN CESCR (2000).

The 1989 the UNCRC established children's rights internationally, and has been ratified by more governments (including Aotearoa) than any other human rights document (UNCRC, 1989). The UNCRC was the first international instrument to incorporate the full range of human rights (civil, cultural, economic, political and social) specifically in relation to children (Priest et al., 2010). For children, the UNCRC (1989) affirms their economic and social rights. Article 24 declares that "State Parties recognize the right of the child to the enjoyment of the highest attainable standard of health", and shall take appropriate measures "to combat disease and malnutrition . . . through the provision of adequate nutritious foods, clean drinking-water . . . and health care". Furthermore, Article 27(3) of the UNCRC declares that State Parties "shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing".

The UNDRIP (2007) also has special relevance to food availability for tamariki and includes a number of articles that affirm the right of Indigenous peoples to food sovereignty. This includes the right to self-determination; to own, use, develop and control traditional land and resources; and to respect and recognise Indigenous laws and traditions on land and resources; as well as the protection of environment, lands and resources.

The relationship between individuals or groups and the state forms the core of human rights doctrine. Individuals and groups are known as "right holders" and member states as "duty bearers" because they have the responsibility to protect the human rights of their citizens (Beracochea et al., 2011). There is also the recognition of the role of "non-state actors", both those who advocate for human rights to be upheld, for example, non-government or civil society organisations, and those who potentially have a negative impact on the fulfilment of rights through their actions, for example, multinational corporations (Beracochea et al., 2011).

While the absolute importance of international human rights' instruments is recognised, it

has been theorised that, beginning with Western human rights' instruments can be a problematic approach for Indigenous peoples (P. King et al., 2018). Indigenous peoples are not always considered "human", and therefore not the possessors of human rights (P. King et al., 2018; Maldonado-Torres, 2017). The process of colonisation relied on the dehumanisation of Indigenous peoples to justify the transfer of power and resources from Indigenous inhabitants to newcomers (Reid & Robson, 2007). Many of the countries in the UN, including Aotearoa, began as colonial states, founded on land formally owned by Indigenous peoples (Mikaere, 2007). P. King et al. (2018), critiqued existing rights-based frameworks applied to health and well-being in Aotearoa, to analyse their relevance for Māori. They argued that, while useful, the existing frameworks stemmed from an epistemological foundation different to one grounded in a Māori worldview. In which case:

whakapapa and the centrality of mokopuna are not foregrounded, individual rights are given primacy and collective rights are marginalised, tikanga Māori is not considered and there is no reference to the United Nations Declaration on the Rights of Indigenous Peoples. (P. King et al., 2018, p. 197)

Therefore, to support the articulation of a rights-based framework grounded in a Māori worldview, P. King et al. (2018) developed the Oranga Mokopuna framework. The vision of Oranga Mokopuna is for "mokopuna to thrive and flourish as our rangatira of today through the respect, protection and fulfilment of their tāngata whenua rights to health and wellbeing" (P. King et al., 2018, p. 198). Oranga Mokopuna (see Figure 1) uses the harakeke plant as its basis to illustrate the following concepts. Oranga Mokopuna states that rights for tamariki begin with Māori concepts, including whakapapa and tikanga Māori, and these are affirmed by he Wakaputunga o te Rangatiratanga o Nu Tireni (he Wakaputanga), sometimes known as the New Zealand Declaration of Independence, and te Tiriti o Waitangi (te Tiriti), the Māori language version of the Treaty of Waitangi, the founding document of Aotearoa signed between Māori and the Crown in 1840 (Orange, 1989). These rights are then further developed by international human rights instruments such as the UNCRC and, specifically, the UNDRIP. In this framework, it is not that international human rights instruments are not used; it is simply that the framework begins with Māori concepts and values. Therefore, this paper

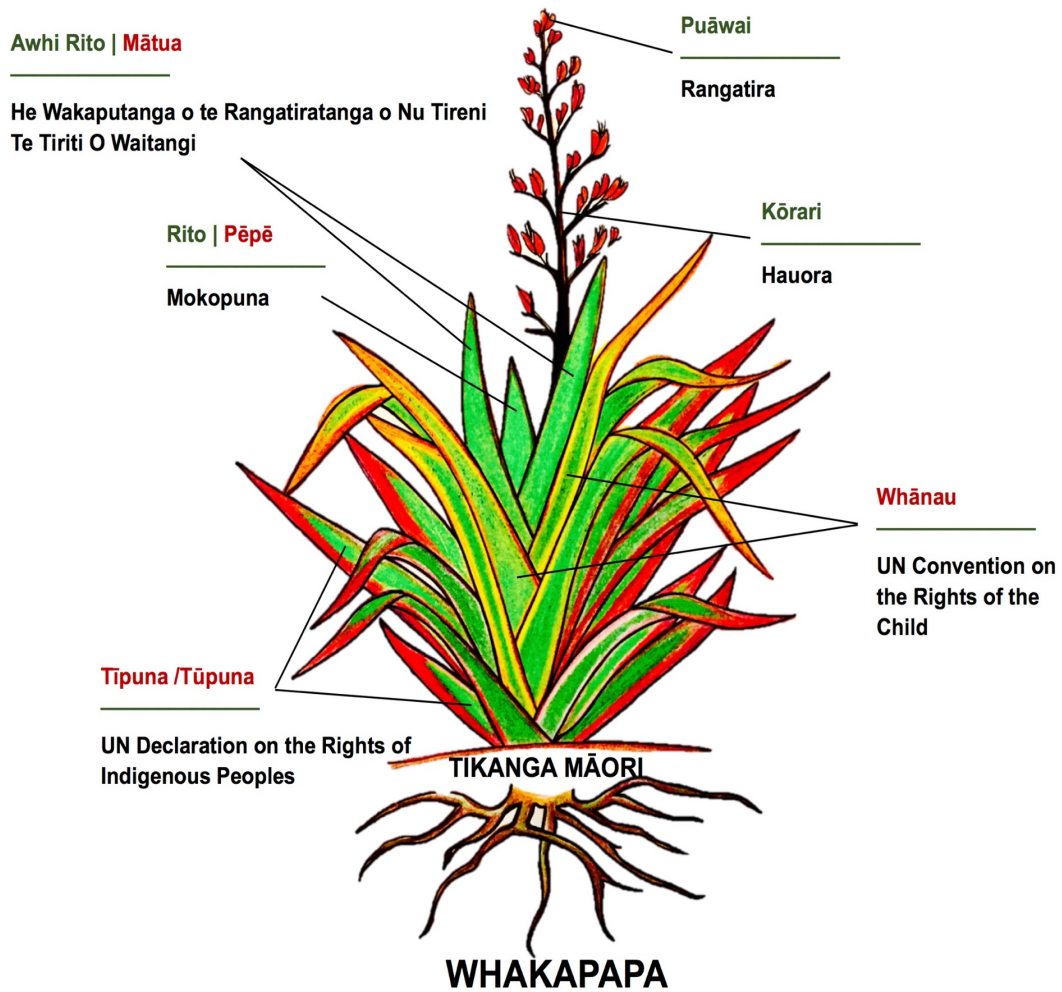


FIGURE 1 Oranga Mokopuna

examines the literature, and using a rights-based approach, identifies those influencing factors that enable availability of healthy food for tamariki within Aotearoa.

Methods

A narrative literature review methodology was applied to examine the literature and identify factors enabling the availability of healthy food for tamariki, with findings synthesised and analysed using the Oranga Mokopuna framework. From March 2019 to December 2019, a comprehensive search of databases was conducted to find published research, including studies and reports, related to food availability for Māori children. A wide range of databases were searched, including MEDLINE, CINAHL via EBSCO, PsycINFO via Ovid and Google Scholar. No limits were set on the date of publication. The initial search strategy was as: [(“Food supply/Food supplies”) OR (“Food environment”) OR (“Food

availability”) OR (“Food security”) AND (“Ethnic groups”) OR (“Indigenous”) OR (“Māori”) OR (“First Nation”) OR (“Aborigine”) Or (“Native American”) AND (“Human Rights/ or child advocacy”)/ OR (“Rights-based approach”) OR (“Right to Food”)]. Additional references were identified via “snowballing”, in which the reference lists of reviewed publications were assessed. In addition, grey literature in the form of reports and books were reviewed in line with the research questions. Publications were eligible for inclusion if they (a) studied Māori food availability, including related components such as food insecurity, or described a rights-based approach to food availability; (b) explored a rights-based approach in relation to food availability for children in Aotearoa or Indigenous populations; and (c) were available in English.

The inclusion criteria were deliberately broad because it was expected that there would be a limited number of publications that examined

rights-based approaches for tamariki in relation to food availability. For this reason, research relating to food availability or rights-based approaches with other Indigenous populations was also included. Following a broad iterative search of the literature, 10 papers were identified that specifically related to food availability, Indigenous peoples and rights-based approaches. A further 40 papers were identified for inclusion through reference lists and grey literature.

The content of the publications was analysed and grouped into themes related to those identified in Oranga Mōkōpuna. For example, the analysis considered how food availability related to the following: whakapapa and tikanga Māori, he Wakaputunga and te Tiriti, and international human rights instruments, including the UNCRC, ICSCER and UNDRIP.

Results

Key cross-cutting themes identified in the literature involved the right of tamariki to an environment that enables access to their traditional foods and food practices, to be involved in decisions about their food environment, to adequate food, to the highest attainable standard of health and to be protected from food marketing.

The right to an environment that enables access to traditional foods and food practices

Oranga Mōkōpuna begins by emphasising that tamariki hold sovereign tāngata whenua rights because of whakapapa (P. King et al., 2018, p. 191). Māori describe themselves as tāngata whenua, which means people of and belonging to the land (Hond et al., 2019). A Māori worldview acknowledges that children hold inherent rights because of their ancestry or whakapapa (P. King et al., 2018, p. 191). The concept of whakapapa represents people's genealogical relationships to one another, and connects them to their ancestors and to the wider world (Barlow, 1991). Prior to colonisation, "land remained a tangible expression of whakapapa" (Hond et al., 2019, p. 45). Therefore, a Māori worldview recognises the interconnected relationship between food, people and the environment (Phillips et al., 2016). This view is similar to many other Indigenous people's recognition that the right to food is inextricably linked to rights to land, resources, culture and self-determination (Damman et al., 2008; Delormier et al., 2017; Kuhnlein et al., 2013).

For Māori, the colonisation of Aotearoa and subsequent loss of land and other resources

resulted in the loss of access to traditional foods (McKerchar et al., 2015). Māori experienced a "nutrition transition", during which traditional foods and food habits were progressively replaced by foods from a globalised food system (Beavis et al., 2019; McKerchar et al., 2015). In an effort to hold on to the remaining traditional foods available, Māori have taken legal action both now and in the past against the New Zealand Government over the loss of food-gathering sites on land, sea and rivers (Waitangi Tribunal, 1984, 1991, 1998).

There are also many examples today of the Māori community reviving and restoring traditional food knowledge and practices through grassroots initiatives (Hutchings, 2015). These include numerous community-led gardening initiatives (Hond et al., 2019; Moeke-Pickering et al., 2015; Stein et al., 2018), as well as initiatives to reclaim traditional food-gathering practices or mahinga kai (McKerchar et al., 2015; Pehi et al., 2009; Phillips et al., 2016). Mahinga kai enables mātauranga Māori and tikanga to be passed on, such as the importance of kaitiakitanga and manaakitanga (Phillips et al., 2016). These values are similar to other Indigenous people's food customs (Delormier et al., 2017). Gardening is also a form of resistance to a globalised food system (Hond et al., 2019). Therefore, a rights-based approach to food availability for tamariki would first acknowledge the importance of the ancestral connection between people and their lands, the importance of traditional foods and traditional food practices and customs, and the ongoing work to restore these.

The right to be involved in decisions about their food environment

Oranga Mōkōpuna privileges the place of tikanga Māori in shaping the rights of tamariki. Early European observers noted the way in which tamariki were involved from young ages in the participatory decision-making processes of their communities (Elder, 1932). Therefore, in emphasising tikanga Māori, the right of tamariki to be involved in decision-making inherently aligns with Oranga Mōkōpuna. This is also supported by the inclusion of the UNCRC (1989) within Oranga Mōkōpuna because Article 12 of the UNCRC affirms a child's right to be heard.

Furthermore, Oranga Mōkōpuna states that integral to the recognition of rights for tamariki are the founding documents of Aotearoa: he Wakaputunga, the declaration of sovereignty by Māori in 1835, and te Tiriti o Waitangi, signed between Māori and the British Crown in

1840 (P. King et al., 2018, p. 193). In signing the Wakaputanga and later the Tiriti, Māori intended that their sovereignty be recognised internationally (Waitangi Tribunal, 2014a, 2014b). It was recognised in 1836 by the British, and this, in addition to the recognition of the sovereign flag, enabled Māori to continue their extensive international trade with a degree of legal protection.

The Wakaputanga was a forerunner to the Tiriti (Jackson, 1985). P. King et al. (2018) highlight that it is the Māori version of the Tiriti that should be used in accordance with the international law of *contra preferentem* (Jackson, 1985). In Article 2 of the Tiriti, *tino rangatiratanga* or sovereignty, established through the Wakaputanga, was reaffirmed (Orange, 1989). Through Article 1, the Tiriti enabled the establishment of government (*kāwanatanga*) over British citizens in Aotearoa (Waitangi Tribunal, 2014a, 2014b) with the caveat of ensuring Māori protection from “the deleterious consequences of colonisation” (Durie, 1998, p. 82). As stated by Reid and Cram (2005), “the act of protection . . . acknowledged Māori rights and the need for the newcomers to control themselves and operate within a set of boundaries” (p. 40).

Article 3 extended to Māori the full rights and privileges of British citizens, which has been interpreted as a guarantee of equity (Durie, 1998). Considering that the Wakaputanga and the Tiriti were both declarations of sovereignty, the expectation inherent in them is that Māori, including *tamariki*, should be collectively involved in a decision-making capacity over matters considered of importance. This includes food availability.

There are many historical examples of Māori leaders seeking to influence environments to support the availability of food. Dame Whina Cooper at 18 years of age led her community in a protest against the draining of mudflats from an estuary, thereby affecting the seafood and shellfish available to her community (M. King, 1983). Te Puea Herangi supported the establishment of farming by her community in Ngaruawahia so that people could enjoy the benefit of food grown by their own hands (M. King, 2003). However, from the 1940s the Māori population began moving from rural areas to cities (Pool, 1991), and were then largely reliant on food available within city shops (Beavis et al., 2019). Also significant was that from the mid-1980s the Aotearoa government moved towards economic neoliberalism, emphasising “free” trade and a reduction in the role of the state (Bargh, 2007).

Generally, a movement towards free trade tends to result in a country’s food markets becoming

flooded with energy-dense low-nutrient foods (Friel et al., 2013), and this was the case in Aotearoa. The overall supply of energy per capita increased from the 1980s onwards, and the bulk of the increase came from foods high in carbohydrates, especially sugar (Ministry of Health, 2006). World-renowned Indigenous academic and leader Professor Linda Tuhiwai Smith (2012) highlighted the reliance on food from overseas produced under conditions “that we do not wish to know” as an example of ongoing colonisation (p. 107). In recent times, Professor Sir Mason Durie, in emphasising that environments are included in Māori definitions of health (Durie, 2004), has advocated for a reduction of fast food outlets in communities (Martin, 2015). Currently, no Aotearoa council has specific rules for regulating the number and location of food outlets (Vandevijvere et al., 2018). Typical neoliberal policy responses to nutrition issues tend to emphasise the role of the individual consumer, who should make informed “choices” through access to nutrition information via labelling (Dowler & O’Connor, 2012). The supply of food in shops and the cost of food relative to wages are not regulated (Dowler & O’Connor, 2012). Beyond food labelling and food safety, the overall food supply in Aotearoa has limited regulation in terms of its health impacts (Swinburn et al., 2014). This reduction in the role of the state has been considered an example of the Crown devolving its responsibilities under the Tiriti (Theodore et al., 2015). It is likely that there are a range of opinions from Māori collectively, including *tamariki* about the issue of food availability, at both local and national levels. However, because food availability is conceptualised at the level of individual “choice”, there are very limited mechanisms for citizens, including *tamariki*, to collectively participate in policy decisions about their food supply and therefore food availability.

The right to adequate food

Oranga Māori also identifies international human rights instruments in the articulation of rights for *tamariki*, specifically, the ICESCR (1966), the UNCRC (1989) and the UNDRIP (2007). These instruments affirm for *tamariki* the right to adequate food and the right to the highest attainable standard of health. In Aotearoa, the right to adequate food came under increasing pressure from the mid-1980s with the reduction of the welfare state and a move towards economic neoliberalism post 1984 (O’Brien, 2014). This resulted in the creation of high levels of Māori unemployment due to economic changes

in industries in which Māori were employed, for example, manufacturing (Durie, 1998). Although the Māori unemployment rate has reduced from the peaks experienced in the early 1990s, Māori household incomes remain lower than non-Māori household incomes. Even for households that are earning income from paid work, the income tends to be \$10,000 less on average than it is for non-Māori households. The cost to Māori households annually of remaining on low incomes was estimated at \$2.6 billion less per year than if Māori in all age brackets earned the average income (Schulze & Green, 2018). It is not surprising, therefore, that Māori report high levels of food insecurity or food poverty, which affects the food available for tamariki at the household level (Carter et al., 2010). The levels of food insecurity that whānau, and therefore tamariki, experience have prompted politicians representing Māori constituents to try to introduce legislation to increase food available to households. In 2010, Minister of Parliament (MP) Rahui Katene drafted a private member's bill to exempt healthy foods from the goods and services tax, which at the time added 12.5% to the cost of foods (Goods and Services Tax (Exemption of Healthy Food) Amendment Bill 2010). In 2012, MP Hone Harawira drafted a private member's bill to introduce compulsory breakfast and lunch programmes to schools in low socio-economic areas (Education (Breakfast and Lunch Programmes in Schools) Amendment Bill 2012). Neither of these bills passed their first readings in the house; however, both of these measures suggest that Māori MPs, in responding to the needs of their constituents, have recognised the "right to food".

Instead, since the late 1980s the New Zealand Government approach has tended to privatise the right to food and rely on charitable and corporate responses to reduce food insecurity (O'Brien, 2014). For example, a breakfast in school programme has been led by food companies with half the costs paid for by government (O'Brien, 2014). This approach has been criticised as one that leaves the right to food vulnerable to the goodwill of charities or the willingness of corporations to continue to fund programmes (Jackson & Graham, 2017; O'Brien, 2014). There is some room for optimism with the current New Zealand Government piloting a lunch programme in low socio-economic schools as part of an overall stated commitment to reducing child poverty (Ministry of Education, 2019). A long-term approach would be for Aotearoa to ratify the ICESCR optional protocols and consider the ICESCR rights in legislation

(Aotearoa Human Rights Lawyers Association, 2013). This would allow the right to food to become entrenched, rather than leaving it vulnerable to changing political ideologies. Suggested policies that could result include increasing benefits and subsidies to include sufficient amounts for food (Graham, 2019), government and corporate commitment to a living wage or to a universal basic income (Jackson & Graham, 2017) and reducing the cost of healthy foods (Gerritson, 2019).

The right to the enjoyment of the highest attainable standard of health

The right to the highest attainable standard of health is included within the articles of the UNCRC for all children, and within the UNDRIP for Indigenous children. The impact of food availability on the health of tamariki was discussed in the introduction. In using Oranga Moko-puna as a framework, emphasis is placed upon the value of tamariki as "our rangatira of today" (P. King et al., 2018, p. 196) who are positioned within Te Ao Māori as the sacred reflection of our ancestors (P. King et al., 2018). Therefore, care needs to be taken with the labelling of tamariki as obese. This label can introduce a form of prejudice-termed weight bias that increases the risk of stigma and discrimination impinging on the rights of tamariki (Pearl, 2018). Adult Māori patients labelled as obese report experiences of being "fat-shamed" within the health system in relation to their weight (Warbrick et al., 2018). A focus on food environments, rather than on the individual, shifts the argument away from one that has the potential to further stigmatise Māori.

Related to the attainment of the highest standard of health is the right to be protected from marketing. Food marketing and food availability are closely linked. A store may have signage (marketing) promoting a product that is available (availability) within the store, easily identifiable by its branded package (marketing). Marketing is harmful to tamariki because it influences their preferences and behaviour (Cairns et al., 2013). Fundamentally, marketing reduces the role of tamariki to that of a consumer, which is contrary to tikanga Māori values expressed using Oranga Moko-puna. Tikanga Māori positions tamariki within a framework that acknowledges their inherent mana and tapu through whakapapa (P. King et al., 2018). Marketing also creates a constant need to possess more, which conflicts with the collective value systems of Indigenous peoples (Smith, 2012), such as kaitiakitanga, which places importance on caring for the environment for future generations

rather than short-term consumption. Article 17(e) of the UNCRC (1989) encourages state parties to develop “appropriate guidelines for the protection of the child from information and material injurious to his or her well-being”. Recent Aotearoa research found that children were exposed to an average of 27 unhealthy food marketing encounters a day (Signal et al., 2017). This was double the rate of healthy food marketing exposures. The main food marketing encounters were through product packaging and signs, including in outdoor settings (Signal et al., 2017).

In Aotearoa, the main body that regulates advertising is the Advertising Standards Authority, which is a self-regulatory body set up by the advertising and media industries (Advertising Standards Authority, 2018). Advertising is regulated through various codes, including the Children and Young Person’s Advertising Code (Advertising Standards Authority, 2017), and members of the public can make a formal complaint about an advertisement if they think an advertisement breaches the code. However, this situation has been heavily criticised by public health advocacy groups because it is limited in its capacity to protect tamariki from marketing (Swinburn & Vandevijvere, 2017). For instance, two of the main forms of marketing to tamariki—advertising on product packaging (Hebden et al., 2011) and sponsorship, especially of sport (Carter et al., 2013)—are not included within the code and therefore are completely unregulated (Swinburn & Vandevijvere, 2017). Therefore, self-regulation could be seen as another example of the New Zealand Government devolving its duty to govern and provide active protection, as part of its *te Tiriti* responsibilities, and failing in its stated commitment to uphold the UNCRC and UNDRIP.

Discussion

This narrative literature review provides a synthesis and analysis of a range of papers broadly related to food availability for tamariki. Most of the literature reviewed focused on a single aspect of the rights of tamariki, for example, the right to food or Indigenous food rights. The synthesis of the literature through the analytical lens of Oranga Moko-puna (P. King et al., 2018) allowed for a broad overview that identified factors enabling healthy food availability for tamariki. These involve realisation of their rights to an environment that enables access to their traditional foods and food practices; to be involved in decisions about their food environment; the right to adequate food; and to the highest attainable standard of

health (and within this) to be protected from food marketing. These various rights are interconnected and the recognition of one set of rights influences that of another. Therefore, the comprehensive integrated analysis of rights related to food availability is a strength of this review.

The use of Oranga Moko-puna as a framework enabled health outcomes for tamariki, including those related to food availability, to be analysed via a rights-based approach that privileges a Māori worldview. Findings emphasised issues that might not have been apparent or been given enough prominence using existing rights-based frameworks, for example, the importance of access to traditional foods and practices and an environment that supports this. Generally, most Western definitions of food availability tend to include only foods available through the commercial food supply rather than food available through fishing, food gathering and gardening (Panelli & Tipa, 2009). While the right for tamariki to be involved in decision-making is included as part of the UNCRC in this analysis, it is also strengthened through the affirmation of *tikanga* Māori and *tino rangatiratanga* inherent in the *Wakaputanga* and *te Tiriti*.

A general critique of rights-based approaches is that unless specific human rights are incorporated into domestic law, there will be limited mechanisms to hold nations to account. However, rights-based approaches have value in terms of reframing an issue (Priest et al., 2010). Their potential is in their ability to change the way problems are perceived and in defining the role of governments as duty bearers (Dowler & O’Connor, 2012). Analysing the food available to tamariki through a rights-based approach enables the discussion to move away from victim-blaming discourses, which are commonly used (Reid et al., 2000), to one that focuses on structural issues shaping the food supply.

Conclusion

An analysis of the right to adequate food shows that the New Zealand Government has not upheld this right for tamariki. Thus, the right to healthy food needs to be urgently entrenched across domestic legislation, policy and practices in Aotearoa. Similarly, the right of tamariki to the highest attainable standard of health and, within this, to be protected from marketing has not been realised, again as a result of the state’s failure to regulate in the face of the global food industry. This contradicts the UNCRC and also fails to deliver on the principle of active protection

inherent in te Tiriti (Waitangi Tribunal, 2019). An Indigenous rights-based approach therefore challenges the overarching neoliberal ideologies and policy responses adopted by successive New Zealand Governments, which have resulted in a situation in which the rights of tamariki are not upheld.

Glossary

harakeke	<i>Phormium tenax</i> , New Zealand flax
he Wakaputanga o te Rangatiratanga o Nu Tireni	Māori text of the Declaration of Independence of New Zealand
kaitiakitanga	guardianship of environment
kāwanatanga	authority, governorship
mahinga kai	food cultivation, food gathering sites and practices
mana	honour, respect
manaakitanga	hospitality, kindness, generosity, support
mātauranga	knowledge, wisdom
mokopuna	grandchild, grandchildren descendent
oranga	healthy, well
rangatira	chief, chieftainess
tamariki	children
tāngata whenua	people born of the land
tapu	sacrosanct, protected
Te Ao Māori	Māori worldview
tikanga Māori	customary system of values and practices that have been developed over times and are deeply embedded in the social context
tino rangatiratanga	sovereignty, self-determination, autonomy
whakapapa	genealogy, ancestry, familial relationships
whānau	family; nuclear/extended family

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