

Network *WAITANGI* NEWS SHEET

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OCTOBER 1995

HONOURABLE KAWANATAGA REGISTER LAUNCH

TAKAHUE BACKGROUNDER

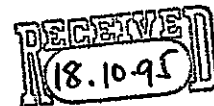
CHOGM ACTION

AFIA REQUEST

'FISCAL ENVELOPE' SUBMISSION

CULTURAL SAFETY SUBMISSION.

AUCKLAND NEWS



Greetings,

At the end of a long meeting sometime back in rainy winter, a group of us sat around discussing how the Prime Minister and the media kept making statements against Maori sovereignty on behalf of all pakeha. I was going on and on a bit about how we had to have a register of Pakeha/Tau iwi who we knew through our work and training sessions were very much in favour of a different constitutional arrangement based on honourable kawanatanga and tino rangatiratanga, when Mitzi suddenly said - 'Yes and we could call it the **Honourable Kawanatanga register**'... and we could have ritual signings all around the country...we all got a bit excited and lots of energetic suggestions starting with 'and we could..'flowed through the night. The action that has resulted from that discussion is that we have designed and printed the register, and are launching it with the Bishop's endorsement on the 27th.of October. We have both single pages and are having 1 or 2 books hand bound. We had planned to do more nationally but decided in the end, because of other commitments, that we would just focus locally.

If any of you wish to have pages or books made up and hold signings in your region, please contact us as soon as possible. We are happy to assist in organisation, background material, shared media releases or whatever.

CHOGM-Jane is putting together a Backgrounder/Media Kit for release around **CHOGM**-please send us any information you want included. This will be made available to local and international reporters.

Warm Regards

Karena.

NB-New Fax no-09 3078940

Jane's Fax-09 3765577

NETWORK WAITANGI & ASSOCIATES

P.O. Box 5510, Wellesley Street Tamaki Makaurau Telephone 09 378 9816 Fax: 307 8940



Network Waitangi & Associates cordially invite you to the national launch of

The Honourable Kawanatanga Register

Venue: Aotea Square

Date: Friday, 27 October 1995

Time: 6.00pm

Programme: Speakers, Food and Refreshments

copy for your information

The launch is happening on the eve of the 160th anniversary of the signing of The Declaration of Independence of New Zealand. The attached photocopy of the Register indicates the commitment demonstrated by those who publicly sign at the launch. The original pages will be hand bound in a book.

We believe a broad based display of solidarity with Tangata Whenua is crucial at this point in time. The Crown and public at large need to hear our desire to live in a nation developed from the restoration of Tino Rangatiratanga.

As an event at which the media will be present, the launch provides us with an opportunity to publicise alternative proposals for justice and nationhood and to challenge ideas which attempt to polarise Maori and non-Maori.

We hope you will join us at Aotea Square to celebrate our visions for the future. Please contact us if you would like more information about the launch or to let us know if you can attend.

See you in the Square . Warm regards,

Karena Way

Jane Cooper

Joan Macdonald

Mitzi Nairn

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Phone: 376 5577

Phone: 378 9816

TAKAHUE

Its the issue of the moment. Here's our ten cents worth. I'll start this article by looking back to the first statement as approved and released by the Takahue Occupation Committee.

BACKGROUND

- 0000 All the lands situated in what is now known as Takahue District, once belonged to our tupuna of Te Paatu, who were themselves of Aupouri, Ngati Kahu and Te Rarawa descent.
- 1875 4,500 acres of that land was purchased by the Crown from 3 people who had no right to sell. One of them was a pakeha land surveyor who assumed a Maori name; the second person wasn't even from Te Paatu; and the third person was only 15 years old at the time of the purchase. None of our rangatira from Te Paatu were signatories to the sale.
- 1884 Part of the land was set aside for a school which served the Takahue Community for almost 100 years. During that time Maori and Pakeha people within the community established a good relationship with one another, and the school played a large part in that development.
- 1973 The school was closed down, along with nine others in Northland. and it has since been used as an army training camp and for various community activities.
- 1990 We lodged a claim with the Waitangi Tribunal on behalf of the Te Paatu people to have the land returned to us. No response was ever received.
- 1993 Our claim was relodged with the Waitangi Tribunal. Again, no response was ever received.
- 1995 At 6.30 on the morning of Wednesday 29 March, we held a karakia within the schoolhouse - the first step in reclaiming the site. We have reoccupied the site to reaffirm the Maori claim to the land, and because we have no faith that the present system will return our lands to us.

SOVEREIGN CLAIM

We reclaim the site under the auspices of Te Paatu, and on behalf of the descendants of the Aupouri, Ngati Kahu and Te Rarawa peoples. The basis of our claim is that the original purchase was illegal; and the occupation is to reassert the traditional sovereignty and authority of Te Paatu. An "ownership" committee will be set up representing all the above iwi, and recognising the special status of Te Paatu. They will set the kaupapa and tikanga which will underpin all activities. The schoolhouse will become a marae for the local Maori community in Takahue

MANAGEMENT PROPOSALS

That the wider community be invited to support the return of the site. *We have set up a committee to run the occupation. Their jobs will include feeding and caring for visitors, writing up the history, keeping records and finances, rebuilding and maintaining the marae and negotiating for the return of the title to Te Paatu. We are asking you to support that committee, and to help wherever you can.* That the wider community be invited to share in the running of the site. *Once we have the land back, a separate committee of management will run the site. Te Paatu have asked that the management committee include the wider community of Takahue.* That the wider community be invited to help work out what can be run on the site. *A number of options have been already discussed, but the list is open to enable the wider community to include some of their own ideas.*

QUESTIONS AND ANSWERS

Now, there's been a lot of questions asked about whether or not the Kawariki was involved in the burning of the Takahue Hall and the Takahue School. And there's been a lot of sideways looks at Kawariki members since the incidents of last week. And a lot of people who used to say hello are all of a sudden turning the other way. That's never been the proper way to clear the air - so here's

where we clear the air on a few questions. So here we go - all you wanted to know about the Kawariki's role in the Takahue fires, but were too scared to ask.

Did the Kawariki burn down the Takahue Hall or the Takahue School? No we did not. Does the Kawariki support the burning down of the Takahue Hall or the Takahue School? No we do not. Wasn't the Kawariki support of the Takahue occupation responsible for the burning of the Takahue Hall and the Takahue School? No it was not. Are you saying that the Kawariki had nothing to do with the burning of the Takahue Hall and the Takahue School? That's exactly what we're saying. Is this how the Kawariki goes about practicing *tino rangatiratanga*? No it isn't. But weren't there members of the Kawariki arrested at Takahue last week? Yes there were, but there was also a member of the 28th Maori Battalion arrested - does that mean the Battalion was involved in the fire too - of course not !!

THE DIVISIONS

The Kawariki is deeply saddened by the arrest of the people at Takahue last week, but not surprised by it. We are also saddened by the massive divisions which have been created within the whanau of Takahue, and we know that it will take a lot of time and energy before those rifts are healed. The Kawariki supports the occupation and the reasons behind the occupation, but we also recognise the need for unity within Maoridom if the cause of *tino rangatiratanga* is to be advanced. The Kawariki will not ignore its whanaungatanga links with those on either side of the fence. We can't, and even if we wanted to, we wouldn't. I know that the next time my Uncle Syd catches up with me I'm going to get a serious kick in the backside - but them's the breaks. The Kawariki is committed to the kaupapa of *tino rangatiratanga* through the good times, and the bad times.

THE MEDIA

The Pakeha media has reacted to the firing of the schoolhouse like a pack of mad dogs - ignoring completely the reasons behind the occupation, and focussing on the fire itself, and the reaction against it. If you ever thought that the media was unbiased, you only had to follow the television reports on the incident to realise what a myth that is. The Pakeha dominated News at Six on both channels entered into a frenzied attack on the occupiers. Only the Marae programme on Sunday night which is controlled entirely by Maori, tried to give a relaxed and non-confrontational view of the background, the people, and the incident itself. The press rang me and asked "Is Takahue a sign that Maori have lost patience with the Crown." My response was to say "That began when Hone Heke sacked Kororareka," and that people would do well to remember that sensationalising the incidents of the day can never change the realities of the past.

THE REACTION

We know that many people will seize on the fire as an opportunity to scream out loud "I told you so - you can't trust those radicals!". And we get petty attacks on people applying for assistance from Social Welfare as a way of trying to highlight contradictions in those calling for *tino rangatiratanga* and getting the dole. At the other end of the spectrum, ~~was~~ this Pakeha chap said to me the other day "Why did the government have to call in the police? They said they were going to give the land back. Why didn't they? Then it would have been all over, and then Ben and them, and the rest of the community could have sorted out the running of the place like they'd agreed to right back at the start."

WHERE TO FROM HERE

We know that the firing of the schoolhouse at Takahue has been a setback for our cause and we know that our cause will suffer because of it. But it will not stop the drive to achieve *tino rangatiratanga*. Politicians would do well to remember that their jobs are temporary. Our jobs last for a lifetime. Our whanaungatanga lasts even longer. And *tino rangatiratanga* lasts forever.

CHOGM ACTION COALITION

Commonwealth Heads of Government Meeting, Auckland, November 1995
PO Box 3813, Auckland 1, Ph 09 302 2496 Fax 09 377 4804

NEWSLETTER 18 SEPTEMBER 1995

Kia ora tatou and welcome to those of you who have recently become part of the CHOGM Action Network. Remember, if you need more information at any time, or would like to share ideas, suggestions or criticisms with us, do feel free to get in touch. Our numbers are growing all the time, both in terms of individuals and groups, and we hope to make our week of action as inclusive and solidarity-building as possible.

CONFIRMATION OF DATES, TIMES AND VENUES

At our most recent organising meeting on September 13, we made more detailed decisions on the details of our planned actions and associated activities, as follows:

Monday 6 November - All day training session for core activists at a venue in the Auckland region. Security considerations will apply, but we are keen that as many people from different groups and regions who plan to play an active role on the demonstrations do participate in this, as it will be a chance to learn and plan tactics together, and build trust between us.

Wednesday 8 November - 1pm - Rally and demonstration, as close to Aotea Square as we can get. Meet outside the Public Library in Lorne St (just behind Queen St off Wellesley St).

Thursday 9 November - 6.30pm - Demonstration. Meet at the Public Library.

Friday 10 November - 8.15am and 12.30pm - Demonstrations. Meet at Library.

Friday 10 November - Evening - Social for CHOGM Action Coalition supporters - at a venue to be advised.

Monday 13 November - 8.15am and 11.00am - Demonstrations. Meet at Library.

It is likely other activities may be organised, but at this stage these are the public gathering points and times.

NEXT MEETING OF THE COALITION

Tuesday 26 September 10am, 1st floor, the Peoples Centre, 33 Wyndham St, Auckland 1. All supporters welcome.

CHOGM WEEK OF ACTION

JOIN US!

Meeting place for all rallies and demonstrations:

Outside the public library in Lorne St, Central Auckland - first right off Wellesley St heading up from Queen St towards Albert Park.

Wednesday 8 November 1pm

Rally and demonstration highlighting issues raised by CHOGM, & questions of citizens' right of access to Auckland's public places.

Thursday 9 November 6.30pm

Rally and demonstration - the Queen receives the Heads of Government.

Friday 10 November 8.15am and 12.30pm

Two demonstrations - the CHOGM meeting opens

Monday 13 November 8.15am and 11am.

Two demonstrations - the CHOGM meeting ends.

Meet at the public library, Lorne St.

CHOGM

Commonwealth Heads of Government Meeting

WEEK OF ACTION

NOVEMBER 8 - 13 1995

JOIN US IN

Name.....

Address.....

.....

I can help/would like to be kept informed.

Enclosed is a donation (a receipt will be sent)

Return to:
 CHOGM ACTION COALITION PO BOX 3813, AUCKLAND 1
 PH 09 302 2496, FAX 09 377 4804

Exposing the ~~Maori~~ Government for what they've done to the people of this country - they no longer have a right to rule.

Demanding the full decolonisation of Aotearoa.

Calling on all Commonwealth countries, including our own, to urgently address issues of poverty and human rights, so that we can all have true 'Common Wealth'.

CHOGM ACTION COALITION, PO BOX 3813, AUCKLAND 1.

ACTION FOR AN INDEPENDENT

PH (03) 3662803 OR 3829118
FAX (03) 3652919

AOTEAROA BOX 1905 OTAUTAHI (Christchurch)
AOTEAROA (New Zealand)

PUBLISHERS OF TREATY TIMES MAGAZINE

26/09/95

Dear Joan and friends at Project Waitangi,

Greetings from AFIA.

We are writing to you to request financial assistance to fund Moana Jackson of Nga Kaiwhakamarama i Nga Ture (Wellington Maori Legal Service) to attend an important meeting with major implications for Maori and the world's indigenous peoples which will be held in Geneva, November 1995.

As you may know some governments (including New Zealand) have succeeded in changing the process for the drafting of the United Nations Draft Declaration on the rights of Indigenous Peoples. Part of that change has been to move the drafting away from the UN Working Group which will meet in Geneva in November.

It is of course impossible for most Indigenous Peoples to make both meetings so organisations such as Nga Kaiwhakamarama i Nga Ture have had to make priority decisions about which one to attend.

A very practical effect of the changed process is that a UN Fund which had been available to assist the attendance of Indigenous Peoples has been restricted to Working Group meetings, making it very difficult for them to be at the new group drafting the Declaration.

Moana Jackson has had a long involvement with the drafting of the Declaration and the vital and ongoing struggle of raising the issue of tino rangatiratanga and the continued denial of this by the Crown in international fora such as the UN. Given the way in which the hard work of those indigenous peoples involved in the UN Draft Declaration is being undermined it is especially important that Mr Jackson is able to go to Geneva in November. Mr Jackson has asked us to contact groups and organisations such as yours to help cover the total costs of travel and accommodation.

If you are able to contribute towards this important request, please let us know at the above address, fax or phone number as soon as possible.

Please find enclosed an article from the February 1995 **Treaty Times** which will give you some background information on the issues outlined in this letter.

If you require further information please contact Moana Jackson at Nga Kaiwhakamarama i Nga Ture, Box 1268, Te Whanganui A Tara (Wellington) Ph. (04) 473 1249 Fax (04) 473 1781.

A Lot of Fuss About Everything!

Moana Jackson in Geneva

Moana Jackson of Nga Kaiwhakamarama i Nga Ture (the Maori Legal Service) returned recently from yet another session in Geneva battling for international - i.e. United Nations - recognition of the rights of indigenous peoples.

From 25 - 29 July, 1994, Mr. Jackson attended the United Nations Working Group on Indigenous Peoples.

While there, the 532 indigenous delegates from colonized nations around the globe had to fight heavy pressure from U.N. member governments to water down the Draft Declaration of the Rights of Indigenous Peoples, which they had gathered to debate and hopefully to finalise.

One of the ringleaders in exerting pressure to weaken the Declaration was the New Zealand government, which had earlier gone to extraordinary lengths to prevent Mr. Jackson from being able to attend the session in the first place.

However, with the help of some funding from AFI/A, Corso and the Student Christian Movement, Moana Jackson was able to make his unique and very substantial contribution to the Geneva deliberations.

Just as well, because the NZ government got up to all its usual tricks and some new ones besides. For instance, early on in the conference, plans for a U.N. Decade of Indigenous Peoples were being

discussed. The NZ government opposed a suggestion to make 'self determination and self government' the focus of one of the years in the proposed Decade.

But the NZ government wasn't the only offender there. The indigenous caucus considering the U.N.'s plans for the Decade raised six points of concern with the proposal as outlined by a U.N. Committee. But the Committee eventually issued a report in which none of these concerns was even mentioned!

This response (or lack of it) led the indigenous delegates to call a special caucus, which resulted in two spokespersons being elected to make submissions of protest: Moana Jackson and Aucan Aha (of Chile). The Chairperson of the offending Committee allowed Moana to speak, but refused to recognize Aucan Aha. At this, the indigenous delegates stood and surrounded the Chairperson with upraised arms until Aucan was able to speak. Writes Moana: "It was a quiet but powerful protest which illustrated the depth of indigenous anger and frustration."

It also worked: the Chairperson subsequently agreed to draft a new document.



Another area of discussion centred on the United Nations Year for Indigenous Peoples, 1993. Moana reports that the NZ government was guilty of "biaxian misrepresentation and lies" on its activities during this U.N. Year. For instance, it claimed credit for the Mataatua Conference on Indigenous Intellectual Property, citing the Conference as evidence of NZ's commitment to the year. In reality, it was organized by Ngati Awa and most funding was sourced overseas. As well, there is evidence that Te Puni Kokiri (which used to be the Maori Affairs Dept.) instructed its staff not to attend!

This and other examples provide living proof of the need for Maori to monitor the government's lies abroad about the situation at home. Where the hell are the news media when you really need them?

The Indigenous Caucus proper, organized by Kenneth Deer of the Mohiawk Nation, and chaired by

Kenneth Deer and Moana Jackson, met over two days prior to the Working Group meeting itself.

The Caucus discussed developments in the Draft Declaration of the Rights of Indigenous Peoples, and confirmed again, this time unanimously, the necessity to retain the word 'peoples' in the Declaration to refer to indigenous communities. Once again, the word is under attack from settler governments. New Zealand tabled a discussion document prepared by Te Puni Kokiri which expresses "reservations" about the existence of the right to self-determination articulated in Article III of the Draft Declaration. Article III refers to "Indigenous Peoples".

"Governments, including that of NZ, have consistently sought to use some other term than Indigenous Peoples in the Declaration" reports Moana Jackson.

"Suggested alternatives have included Indigenous Populations, People (in the singular) or ethnic minorities. The major reason given for this usage has been that the term 'peoples' has a technical meaning particularly in relation to the right to self-determination. The U.N. instruments make a distinction between 'peoples' and 'ethnic minorities' within a state. The term 'peoples' implies that those covered by the term enjoy the right of self-determination, but minorities are not normally recognized to have such a right."

In other words, what seems to be a minor disagreement over wording is in fact a thinly disguised attempt by the NZ government among others to deny not only Maori people, but indigenous peoples all around the world their right to self-determination as defined by the United Nations!

This year, there was a new attempt

to take the sting out of the self-determination Article in the Draft Declaration. It involved an attempt to keep the word "peoples" in the Declaration, but to define it in such a way that it would not carry the U.N. meaning. Instead, it would be specifically defined as something less, as in the International Labour Organization (ILO)'s documentary charters.

The Canadian Cree Jurist Sharon Verne argues that any attempt to limit the right of self-determination, as in the use of the ILO language, actually means that "our right to self-determination does not exist. To limit the right is in fact to deny it."

The NZ government's position is one of outright opposition to the

... a thinly disguised attempt by the NZ government to deny not only Maori people, but indigenous peoples all around the world their right to self-determination!

whole concept of self-determination. In 1992, it expressed its view in these terms:

"The (NZ) government's position remains that it is not able to support the inclusion of the right of self-determination or the present terminology of the paragraph and in the Declaration unless its meaning is made clear and it is *adequately qualified*" (our italics).

Of course, the right to self-determination is the basic tenet in the Declaration. As Moana puts it:

"For Indigenous Peoples, this is the base Article from which all other rights in the Declaration flow. Without an indigenous right of self-determination, without a right to determine or decide for ourselves, the other rights in the Declaration will lack both practical force and symbolic meaning."

The Working Group on Indigenous Peoples will continue to meet, and the Draft Declaration will continue to make its slow way through the watering-down pits of the United Nations.

Eventually, the Draft Declaration will become a fully fledged U.N. Declaration, and will stand alongside the other U.N. Declarations as documents that governments around the world will cheerfully pay lip service to while ignoring them in their actions. The U.N. Declaration will eventually be just that - a United Nations document, not a statement from indigenous peoples.

"We have always been quite clear that the Declaration will never be an Indigenous declaration of Indigenous rights but will remain, by virtue of the U.N. process, a governmental definition of our status and place" as the submission from Nga Kaiwhakamarama i Nga Ture put it.

But in the process of this Declaration's difficult and disfiguring birth, hundreds, even thousands of indigenous peoples have come to Geneva to work together on defining and achieving their rights. This process has had its own rewards, and the ultimate achievement of the Declaration may be the lasting legacy of that process. As Moana's report concludes:

"The frustrations and commitment however remain worth it. The internationalization of Indigenous concerns is now a growing movement with real implications for Iwi Maori. We need to remain part of it."

The lengths the NZ government appears prepared to go to to prevent Mr. Jackson from taking part in the Working Group on Indigenous Peoples serves to underline the importance of the work he does there. Who is going to help find the money next time? ●

Office of Treaty Settlements
Department of Justice
Private Box 180
Wellington

Submission: *Crown Proposals For The Settlement of Treaty Claims*

Prepared on 25 August 1995 by Jane Cooper.

The following submission has been written in consultation with and on behalf of the membership of Network Waitangi Tamaki Makaurau. Our organisation provides education on Te Tiriti O Waitangi through publications and within seminar/workshop formats. Our primary objective is to facilitate non-Maori understanding of our responsibilities under Te Tiriti O Waitangi and their relevance and implementation today.

Introduction

We are opposed to the *Proposals* and deeply concerned that despite their explicit rejection by Maori at each of the Crown's consultative hui, the government appears to be preparing their passage into legislation.

Network Waitangi endorses the recommendations of the Hirangi Hui(29/1/95) convened by Arikinui Sir Hepi Te Heuheu, notably :

To maintain good faith and honour there must be a clear indication that the government is ready to change its plans for settlement of Treaty claims and even start afresh if that is what the people consulted wish.

TE TIRITI O WAITANGI

1.1 The application of **honourable kawanatanga** by the Crown requires not only the abandoning of these *Proposals*, but the recognition that the development of a durable process for redressing claims is dependent first and foremost upon the enshrining of Te Tiriti O Waitangi as the Constitution of this country.

Failure to address this fundamental issue, will merely perpetuate the unacceptable, unilateral decision-making which characterises the *Crown Proposals*.

Network Waitangi did not support the **Principles for Crown Action On The Treaty Of Waitangi** drawn up by the previous Labour government which interpreted the Article 1 provision of Kawanatanga as giving the Crown the sole right to govern and make laws which determine the destiny of this country.

Equally we reject the current *Crown Proposals* refusal to acknowledge the political authority of Maori, confirmed in Article 2 of Te Tiriti O Waitangi.

1.2 Until **Tino Rangatiratanga** is actively acknowledged and new constitutional arrangements are set in place, all settlement proposals of this nature will be flawed by their paternalism and Crown unwillingness to relinquish the sole administration of this nation .

The position adopted by Justice Minister Doug Graham in his May 3 speech to Waikanae Rotary, that the Crown's rule has been legitimised through conquest, demonstrates a callous disregard for Maori Treaty rights and status as Tangata Whenua . Do NZ officials promote Minister Graham's belief in "might is right" at international forums such as the United Nations where the rights of indigenous people are under close scrutiny.? Will the National Government advance the "success of British revolutionary takeover" as the basis of the Crown's relationship with te iwi Maori at this year's CHOGM ?

1.3 Network Waitangi considers the *Proposals* constant references to the "interests of all New Zealanders" to be an underhand attempt to polarise Maori and a supposedly hostile non-Maori population with the government positioned as impartial mediator. This allows the government to determine the terms of the settlement process and insist upon :

- * the imposition of the \$1 billion cap
- * limitations placed on redress - removal of conservation estate & natural resources
- * insistence that settlements be full & final

In the many educational programmes Network Waitangi runs, rarely do we encounter non-Maori participants who once informed of the issues, are opposed to the restitution of Treaty rights to Maori or the **just** redress of claims. As long as the government keeps the general public ignorant of the basis of Treaty claims, they can continue to threaten the emergence of an armed white backlash to deny Maori justice.

1.4 We consider the **\$1billion cap** insulting and endorse the call for an independent assessment of the value of Treaty claims.

We recall that the money given to establish the Tainui Trust Board and then paid yearly in perpetuity was seen as a **full and final settlement** at that period for raupatu. Yet justice is not frozen in time, and we can not accept the idea of denying Maori access to the Courts etc to seek further redress if justice was not fully provided by the Crown. You can not legislate Treaty rights out of existence and if an iwi "settles", their decision to accept the terms imposed by the Crown may be motivated more by commercial expediency at the time, particularly when government economic policy is based on the sale of the country's assets , thereby continuously reducing the availability for return of ancestral lands and resources currently in Crown ownership .

1.5 For a settlement to be durable it should be seen as a step in what is achievable today within an agreed process of constitutional reform, thereby creating commitment to the negotiating terms and outcome.

LAND & RESOURCES

2.1 We reject outright Crown assertions of ownership of natural resources. Where these were illegally alienated from hapu, they must be available for settlement. The return of ownership to hapu/iwi does not preclude standard commercial lease arrangements, extraction/use rights etc if that is what the hapu desire.

2.2 We question the government's preference for selling natural resources to private or foreign owners. We believe these belong with hapu/iwi who are the rightful Kaitiaki, and who we believe are the only ones who will manage these resources in an environmentally sustainable manner.

2.3 The *Proposals* use standover tactics in demanding that all **memorials on titles in tribal territory be lifted**, as a condition of Crown settlement. (Summary pg 16) This appears designed to facilitate the sale of more Crown land & resources into private ownership and raise our investment potential with transnational companies. It could equally be argued that the Crown is seeking to undermine the resumptive clause of the State Owned Enterprises Act 1988. This is supported by the *Proposals* intention that hapu/iwi negotiate directly with iwi and avoid the Waitangi Tribunal, with its authority under the SOE Act to order the return of land.

2.4 We endorse the call for an immediate moratorium on all sales of lands and natural resources in Crown ownership, including SOEs and local authorities.

2.5 **The Conservation Estate** must be available for claim settlements in accordance with Article 2 of Te Tiriti O Waitangi. As the many Waitangi Tribunal claims concerned with the effects of pollution testify, Maori are acutely concerned about & eminently qualified to manage & preserve the natural heritage of Aotearoa. If they choose to do that in partnership with DOC is their prerogative, but the essential point is that the birthright of hapu must not be denied by these *Proposals* with their patently false assumption that non-Maori conserve the environment better.

2.6 This arrogant belief is mirrored in the opinions of one marginal branch of the environmental lobby, notably the Federated Mountain Clubs. This organisation's leadership adamantly oppose the return of taonga highly cherished by their iwi, eg. Mt Hikurangi, Mt Taranaki, the Arahura Valley, Codfish Island etc and seek the removal of Section 4 of the Conservation Act. They are out of step with the country's leading environmental groups who are seeking to work in collaborative & respectful relationships with tangata whenua. FMC are of the white, male school of thought that the world is theirs for the taking and they should be able to access any Maori lands as of right, irrespective of whether it be wahi tapu or subject to any other restrictions.

2.7 Network Waitangi has major concerns about the operations of the Consultative Clearance Process, referred to in the *Proposals* as the **Protection Mechanism for Surplus Crown Land**.

We support Waitangi Tribunal Claim 518 , relating to the Crown's failure to actively protect surplus Crown lands capable of being returned to iwi. The CCP was devised with no input from Iwi or the Waitangi Tribunal and the Maori Congress opposed it. There is no independent assessment of applications, thereby allowing the Crown to more easily dispose of assets under the pretence of protecting Maori interests. The proof lies in the minute number of applications which receive Crown protection: 36 out of 3911 as of 21/4/95. In comparison the government sold \$47 million worth of surplus properties in 1994 !

When you examine the history of Maori land dispossession in this country and the illegal means by which the Crown has come to acquire most of its land base, it is shameful to see how greedy and mean spirited government officials and politicians continue to be over even small parcels of "surplus" land.

The CCP not only sets a cap on the total value of the landbank. ("we can't let those Maori get an effective capital base !"), but gives the Crown the right to liquidate the landbank's contents, if Iwi haven't found the resources to fully research their claim & proceed to negotiation. Who would want to negotiate under those conditions ?.

The argument that the disposal of Crown assets is designed to fund government programmes for the benefit of all, holds little sway with a general population who experience underresourced government services daily . The **interests of all New Zealanders** (Summary pg 6) would be better served if the government came clean on the effects of Structural Adjustment Policies on the future of this country and stopped fuelling the lie that taxpayers are bearing an enormous burden for compensating Maori claimants who should therefore be eternally grateful.

As non-Maori we in fact expect our Kawanatanga representatives to enact their Treaty obligations by actively protecting the whenua, kainga and taonga of Maori and accepting the political authority and jurisdiction of Rangatiratanga.

Conclusion .

Abandon the *Proposals*. Respect the recommendations of the Hirangi Hui that :

At least until a more comprehensive system is in place, the Waitangi Tribunal, the Courts and direct negotiation should remain in place as avenues for deciding on Treaty of Waitangi claims.

Time & resources should be allocated to enable the development of an alternate Maori proposal - the same time and the same level of resources which were available to the Crown.

Network Waitangi would further recommend that the operating budget of the Waitangi Tribunal be substantially increased to accelerate the processing and hearing of claims.

PROJECT **WAITANGI** (Inc)

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To the Members of the Education and Science Select Committee

Submission to the Inquiry into the Cultural Safety Component of the Nursing Education Curriculum

7 September 1995

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Introduction

Project Waitangi Tamaki Makaurau was formed in 1985 and from its inception was involved in providing Treaty of Waitangi Training and Consultancy to health sector employees. Our current client base includes:

- Auckland Healthcare Ltd
- Hillsborough Hospital
- School of Nursing & Midwifery, AIT
- Waitemata Health
- Child & Family Service, South Health
- Lakeland Health, Mental Health Services
- Regional Alcohol & Drug Service
- School of Social Work, ACE

On the basis of our experience in the provision of cultural safety education, we request the opportunity to appear before the Education & Science Select Committee to address and enlarge upon the recommendations outlined below.

Recommendations

1.1 Project Waitangi acknowledges the origins, rationale and objectives of Kawa Whakaruruhau whose unique contribution to the development of nursing theory and practice is recognised internationally.

We fully endorse the Nursing Council of New Zealand to maintain responsibility for the overall design and review of the cultural safety component of the nursing education curriculum.

We further submit that full authority for the Standards for Registration of Nurses and Midwives in New Zealand remain with the Nursing Council of New Zealand.

1.2 Some negative responses are inevitable (particularly when delivered by unqualified tutors) to course content which challenges students to :

- a) explore cultural identity and the shaping of attitudes and prejudices
- b) analyse the detrimental effects of monocultural nursing practice upon client wellbeing/recovery .
- c) examine Te Tiriti O Waitangi, New Zealand history and the impact of colonisation upon te iwi Maori
- d) respond to Maori aspirations/expectations of culturally appropriate/effective health service delivery
- e) fulfil governmental and RHA policy directives and obligations for Maori health

We therefore recommend that the cultural safety component of the nursing curriculum be facilitated only by tutors with relevant training and expertise and who have been assessed by the Komiti Kawa Whakaruruhau of each Technical Institute's School of Nursing.

We believe that organisations such as Project Waitangi are in a position to offer expert advice in the formation and ongoing training of tutors.

Conclusion

Project Waitangi strongly urges the Select Committee to reject any proposals which seek to undermine the development of cultural safety education within nursing training and remove the responsibility of the Nursing Council in overseeing it.

In the final analysis, the success of cultural safety training can only be measured by the response of marginalised client groups to changes in the delivery of health services to meet their cultural needs and particularly in the case of Tangata Whenua , to fulfil Treaty of Waitangi rights and responsibilities.

We welcome the opportunity to share examples we know of ways in which cultural safety education has contributed to positive changes in hospital and community care.

PROJECT WAITANGI, TAMAKI MAKAU RAU-winter 95

Karena is facilitating an Accelerated Learning techniques workshop for Treaty trainers on December 2nd and 3rd. This will be open to all Treaty trainers who are interested in applying modern learning processes into their workshops. Numbers will be limited and costs will be charged-please contact if you are interested.

A modular Treaty Programme is being formulated with Karena and the staff of the University of Auckland medical School, specifically for Medical professionals, including GPs. The programme will be piloted at Auckland Hospital, and already other organisations are interested. A bit of a breakthrough up here!

After the Kawanatanga register launching comes CHOGM-after that we are preparing ourselves for the international Conference on Racism being held in Auckland on the 9th-13th of April. We are preparing workshops and papers to be presented at the event.

A book is in the making on workshop exercises around decolonisation and Pakeha culture and colonization ideology-the objective is to provide alternative processes for coloniser/settler groups/communities to identify their cultural practices and values, own how their history/herstory and implement changes to break down or halt further colonisation and institutional racism-sound familiar? However if you would like your favourite workshop module/party piece to be published, please write it up and send it to me (Karena) , ensuring that the originators and contributors are referenced. Contributors will all be non-Maori Treaty and cultural ~~after~~ ^{safety} Educators/Trainers.

Joan is very much involved in the aftermath of BOOF, turning good ideas into action again. She has also been the main contact person for our group and has been supporting Te Kawau Maro who organised a brilliant lecture series throughout winter on Maori Sovereignty at the University of Auckland-in the Engineers Lecture theatre indeed.

Jane has been facilitating numerous Treaty workshops and involved in the Nuclear Free and Independent Pacific action, assisting Greenpeace fundraising for Mururoa by organising a film premier on Marilyn Waring's work. We also funded a member of NFIP to travel to Tahiti in support of the independence movement.

Besides myriad's of workshops and consultative work locally-the rest you know.

So-how about showing us yours.....