Te Tiriti o Waitangi Policy

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Introduction

This policy sets out our broad Tiriti o Waitangi position. Specific points detailing our commitment to Te Tiriti o Waitangi are contained throughout our policies, including Health, Education, Human Rights, Justice and Conservation.

The Green Party of Aotearoa New Zealand accepts Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand (preamble to the Green Party Charter).

The Green Party of Aotearoa New Zealand recognises Māori as the Tangata Whenua of Aotearoa New Zealand and our constitution includes a commitment to honouring Te Tiriti o Waitangi.

Definitions

Te Wakaputanga o te Rangatiratanga – A declaration of independence signed by 52 northern chiefs between 1835 and 1839. The declaration proclaimed the country to be a 'whenua rangatira' (independent state) called the United Tribes of New Zealand, with 'kingitanga' (sovereign power) and 'mana i te whenua' (authority in the land) to be held collectively by the chiefs of the United Tribes. The declaration was the result of discussions held at Waitangi since 1808 about managing the flood of immigrants from Europe and organising international trade. The need for a flag for trading ships owned by hapū and the need for a collective declaration of sovereignty did not replace hapū rangatiratanga.

Tangata Tiriti – A generic term to describe people whose rights to live in Aotearoa New Zealand derive from Te Tiriti o Waitangi and the arrangements that the Crown has established under a common rule of law, and the equity provisions of Article 3 of Te Tiriti.

Key Principles

The Green Party:

1. Affirms that Te Tiriti o Waitangi and Te Wakaputanga o te Rangatiratanga (Declaration of Independence) are the first formal constitutional documents of our country.
2. Affirms that Te Tiriti o Waitangi is a living document and is fundamental to our constitutional arrangements.
3. Through its Charter and its constitution, acknowledges the indigenous language version of Te Tiriti as the legitimate text of an agreement that described the rights and responsibilities of hapū and the Crown, and which:
   a. acknowledges the Crown's right to kāwanatanga;
   b. confirms the chiefs' tino rangatiratanga;
   c. gives hapū and whānau the individual rights of British people; and
   d. confirms hapū and whānau their religious, spiritual and customary rights.

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4. Acknowledges that the Crown and its representatives have breached, and continue to breach, Te Tiriti. We support the resolution of, and restitution for, all outstanding historical and contemporary breaches and a Crown obligation to cease breaching Te Tiriti.

5. Believes there is a need for an ongoing dialogue grounded in Te Tiriti, to give effect to the relationship that it enshrines.

6. Believes it is essential to build a high level of awareness among Tangata Whenua and Tangata Tiriti of the unique role of Te Tiriti in our nation.


**Specific Policy Points**

**1. Supporting Te Tiriti Relationships**

The Green Party will promote and support an ongoing forum for dialogue on current Te Tiriti issues, and continue to promote and support a public understanding and awareness programme on Te Tiriti o Waitangi to support improved understanding of Te Tiriti and develop capacity for participation in dialogue and negotiation on Te Tiriti matters.

To give effect to this the Green Party will:

1. Support processes for dialogue between Tiriti parties on how the Tiriti relationship would be given effect, for example, in any new constitutional or Treaty settlement processes.

2. Resource comprehensive information and education programmes on Te Tiriti o Waitangi.

**2. The Treaty settlement framework**

The Green Party is concerned that the Treaty settlement model is Crown defined and is not effective in delivering both equitable and just outcomes. The Green Party will:

1. Undertake a review of the current Treaty settlement model to improve equity and justice for both the process and outcomes.

2. Promote and support increased resources for the Waitangi Tribunal, including adequate resources for claimants to prepare and present their cases, and increased transparency and accountability.

3. Promote and support the development of a diversity of models for restitution and nationally sustainable compensation over time (including rejection of the full and final settlement model).

4. Promote and support iwi, hapū and whānau claimants being allowed ample opportunity to consider any legislation for setting a timeframe for lodging and settling claims, and ensure the government does not consider alternate mechanisms and resolution to proceeding with legislation in the absence of full hapū support.

5. Require the Government to fully consider recommendations by the Waitangi Tribunal as to the Crown remedying breaches of Te Tiriti and report back to Parliament as to whether or not it is intended to comply with the recommendations. Full reasoning should be publicly provided if the decision is not to comply.
3. Recognising Rangatiratanga
The Green Party will:
   1. Promote and support Article Two rights and expressions of them to improve the wellbeing of hapū and whānau, including for example, Tangata Whenua justice models, hauora practices, whare wānanga and Tangata Whenua defined economic development.

4. Te Tiriti based governance
The Green Party will promote and support:
   1. Authentic Tiriti-based decision-making models at local, regional and national levels.
   2. Alternative models of recognising rangatiratanga including through co-governance arrangements.
   3. An ongoing dialogue on how Tangata Tiriti works with Tangata Whenua to provide guardianship to protect and enhance our natural heritage.
   4. Recognition that Article Two provides for the right of Tangata Whenua to protect their taonga katoa.

5. Māori seats in Parliament
The Green Party supports guaranteed representation for Tangata Whenua in the House of Representatives. While this form of monolithic representation is not a true reflection of Te Tiriti, as an interim measure until Aotearoa New Zealand moves towards such a relationship, the Green Party believes it essential that Tangata Whenua have representation in Parliament. The Green Party will:
   1. Support the entrenchment of the Māori seats so that there is guaranteed Māori representation in Parliament.
   2. Support the Māori election option.