

**He Puapua has a range of proposals. These should be taken very seriously since many have been implemented already, even through the PM has said 'He Puapua is not government policy'. The page numbers are those of He Puapua. An asterisk means implementation is either in progress or has been planned for introduction. Here is a summary of some of its content, in the main aimed at permanent constitutional change. A working groups was tasked by Cabinet with writing an implementation plan for the UNDRIP. What it produced is in breach of that declaration by dividing the state along racial lines, giving the non-Crown treaty parties who can self identify more rights than the other citizens, dividing the government and fracturing the unity of a democratic state.**

## **Government**

Two complete governments that overlap

A proposed co-governed upper house with the power to veto legislation

A separate court to regulate the jurisdictional boundaries between the two governments (p11)

A new written constitution based on a new interpretation of the treaty of Waitangi and UNDRIP without article 46, that is a radical departure from UNDRIP giving Maori both separatist self-determination and co-governance in the rest of government (p11)

A Maori constitutional convention on how Maori wish to exercise governance and develop an engagement strategy (p38) \*

Entrenchment of Maori seats in the existing parliament (p46)

Joint Ministers and Associate Ministers who concentrate on the non-Crown treaty parties dimension of the Ministry rather than being Ministers of the Crown according to their warrants( p89) \*

At least 5% of all govt procurements contracts must now go to Maori businesses

All government departments/agencies must now provide a report which shows at least 5% of the procurement for goods and services was from Maori businesses

All government agencies to upskill existing staff and recruit and retain Maori staff (p50)

## **Local government**

Iwi have decision making and veto rights

The abolition of the right of local communities to hold a binding referendum on Maori ward seats on councils

Enable the direct establishment of Maori wards (p47) \*

Local government minister Mahuta is now undertaking a review and it appears likely to determine that 50% of all council seats will be held by Maori

## **Water**

Granting Maori rights to all fresh water (p66)

Entrenchment of joint decision making with respect to all lands and waters (p65) \*

Users to pay a royalty to Maori for water, petroleum, minerals (p31, p64)

Water costs and rates are predicted to go up to cover 8000 new jobs and establishment costs

Giving Maori funding to cover all legal costs to claim the foreshore and sea bed, from mean high tide out to 12 nautical miles (p58,p65) See the Marine and Coastal Area Act.

### **Department of Conservation and land**

Transfer ownership and control of the entire conservation estate to Tribal authorities

The dept of Conservation has formed an “Options development group” (ODG). This group has made a recommendation to give full control and governance of DOC to Maori \*

### **Land and Business**

Maori land exempt from rates \*

Iwi businesses worth several billion dollars do not pay rates

Government re-zones privately-owned farms and land and gives governance rights over it to Maori and iwi (p65)

Maori to control access to and management of all land and resources within their districts (p65)

Significantly increased transfer of government powers to iwi/hapu across the resource management spectrum (p65)

Government to repeal the RMA in part to provide proper recognition of the treaty and of Maori knowledge in 2022

Co-governance for the management and governance of all resources (p63) (Biodiversity Strategy)

National policy statement on indigenous biodiversity compels landowners to restore and enhance any designated areas

Taxpayer funding to upgrade maraes \*

### **Media**

Specific guidelines for the media, in the government’s latest funding of \$55million dollars to them, now prevent presenting a point of view that opposes the government’s race based agenda

News covers stories that support government-approved narrative

Maori language and culture are now being forced into schools, Government Departments, Local Authorities, and state-funded media

### **Health**

Two health care systems (p11, p51, p87) \*

Maori health care system funded by the taxpayer \*

Decision making and veto rights over the entire health system \*

Maori patients prioritised (p90)

### **Justice**

Two legal and justice systems with tikanga Maori under Maori authority by 2040

A Maori court system- where offenders with a Maori ancestor will be treated differently from other offenders

Two jail systems with Maori jails empty by 2040

Maori jails – where inmates with a Maori ancestor will be treated differently from other inmates

Common Law replaced by Maori ‘tikanga’ (Maori customs and practices) (Note: See Justice Churchman’s decision May 2021 where people with Maori ancestry will have greater legal rights over the common law which has been the basis for NZ’s legal system for 172 years. In 2021 the High Court in an extraordinary ruling, against which the Attorney General did not appeal, ruled that instead of the foreshore and seabed having to satisfy a common law property rights test and a tikanga test they need only satisfy the second requirement.)

The Government has asked the NZ Law Commission to review the role of tikanga and te ao Maori concepts in law \*

The Bill of Rights Act should be amended to direct the courts to interpret legislation consistently with the treaty, and where this is not possible to make a declaration of inconsistency to trigger a parliamentary process for consideration (p47)

A separate Maori court system should be established by 2040 (p87)

The sentencing act should be amended to expand the use of cultural reports with increased funding (p91).

## **Education**

Rewriting NZ’s history curriculum as a foundation for constitutional change (p37-38) \*

Skipping the musket wars and pre-Maori history

Showing pre and post European Maori as different from what was observed and recorded by early Europeans

Teaching critical race theory

Teaching racial bias

Teaching primary school children without Maori ancestry to feel ashamed

If Maori wish education administration is adopts an separatist structure (p65)

Compulsory Te Reo in all primary schools \*

Introduction of Maori knowledge into the NCEA curriculum \*

Ensure that the Maori language will be flourishing and its use widespread (p75)

## **Targeted equity assistance for Maori?**

Measures directed towards Maori should not be framed as ‘special measures’ because they are only justified for as long as necessary to attain equality for disadvantaged groups. In contrast, indigenous peoples’ rights are permanent, and are thus required for reasons beyond simply achieving parity between citizens (p79)

