

5 December 2024

James Meagher, Chair

Justice Select Committee

Tēnā koe James.

## **Submission on the Principles of Te Tiriti o Waitangi Bill**

Introduction.

Intersex Aotearoa (IA) is a registered charitable trust and a non-profit organisation. We are the peak body for intersex persons throughout Aotearoa New Zealand. This means everything we do prioritises the needs, concerns, and success of Intersex persons, those with variations of sex characteristics, or who are ira tāngata. We center Te Tiriti o Waitangi as the founding document of Aotearoa, and this informs our strategic aims when seeking sovereignty and bodily autonomy for everyone in Aotearoa, especially tāngata whenua and ira tāngata.

Intersex Aotearoa **OPPOSE** this bill. Our organisation has both tangata whenua and tangata tiriti on our board/staff who are concerned about the introduction of this bill.

Context.

We are extremely concerned with the complete absence of evidence-based decision making and critical thought in the creation of this bill. Decades of expert debate, research, and consultation with and by whānau, hapū and iwi, academics, lawyers, and allies have been completely disregarded in favour of the privileged and delusional perspective of a handful of politicians. This bill is entirely out of touch with the developments in race relations in Aotearoa that have been painstakingly developed over decades and impede on the inherent human rights of Māori

We are also concerned that there has been insufficient consultation with tangata whenua in the creation of this bill, and that it comes as only the latest in a series of anti-Māori developments under the current government. It is arrogant and dishonest for one party of a treaty to attempt to redefine it without the input of the indigenous party of the Treaty, especially considering that, according to international law, the indigenous perspective/version of the Treaty takes precedence. It is an absolute slap in the face to

tangata whenua that such a blatant violation of Te Tiriti should occur on top of the already disrespectful and tenuous relationship the Crown has historically cultivated.

As an organisation that ultimately stands for agency and autonomy, we stand with Māori in their fight for full autonomy to be Māori, which includes their tino rangatiratanga.

Consequently, Intersex Aotearoa do not support this Bill progressing any further and we call for this Bill to be thrown out in its entirety.

We wish to make the following recommendations:

1. Stop this bill now. It is appalling that it has passed the first reading and should most certainly not pass the second reading.
2. Recognise Te Tiriti as the founding constitutional document.
3. Implement the recommendations outlined by the Waitangi Tribunal.

Ngā mihi,

Jay Bailey (*He/They*)

Intersex Ambassador

