

# Your beach is being claimed.



## Will you help RETURN THE COAST TO PUBLIC OWNERSHIP?

### What's going on?

Beaches all over New Zealand are under claim from many different tribal groups. In total almost 600 overlapping claims have been lodged covering every square inch of the coast many times over. This is *not* what Parliament intended when the Foreshore and Seabed law was repealed. We were told that under National's new law there would be a few claims in remote areas. But with the whole coast under claim, that law is clearly being exploited and should be repealed. Will you help return the coast to public ownership for the benefit of *all* New Zealanders?

### What's at stake?

The coastal marine area is that part of our country that most defines who we are as Kiwis. It's the birthright and common heritage of *all* New Zealanders. It consists of 10 million hectares of beaches and sea – out to the 12 nautical mile limit – all harbours and tidal estuaries, the airspace above and the non-nationalised mineral wealth below. It is all of this that tribal groups want for themselves.

### Why was the law changed?

When National formed a Government in 2008, in return for joining the coalition, the Maori Party demanded the repeal of Crown ownership of the foreshore and seabed. They wanted tribes to be able to claim the coast. New Zealanders were assured their 2011 Marine and Coastal Area Act would have minimal impact.

### Proving a claim.

National created a new property right for Maori tribal groups by alienating New Zealanders from the coast. To gain a 'Customary Marine Title', claimants must show they have used the area continuously and *exclusively* since 1840 - *according to tikanga*. Generous taxpayer funding of up to \$400,000 a claim has been made available for claimants.

### The results.

Only two claims have been finalised under the new law, and both found in *favour* of the claimants. One was for an area of the coast that had been used as a public road for over 100 years! It seems that according to *tikanga*, tribes can succeed in claiming *exclusive* use of an area even if many other people use it too! If this finding applies to all other claims, the whole coast could end up under tribal control.

### Standing up for the public interest.

It was assumed the Attorney General would stand up for the public interest in the claims process. He says, he will ensure the statutory tests are met, but may *not* oppose all claims. That means *no-one* from the Government may be there to defend the public interest against opportunistic claimants to prevent New Zealand's coastline from falling into tribal hands.

### What's the worst that could happen?

If tribal groups gain control of the coast, they will have rights akin to ownership. If they want to keep the public away, they could threaten and intimidate them, impose *rahui* and establish *Wahi Tapu* - with \$5,000 fines for trespassing. They could charge commercial operators extortionate fees. They could begin exploiting the coast through *mining* and other forms of resource extraction.

### What do we want?

To reiterate, the possibility that New Zealand's strategically important coastline could effectively be privatised to tribal groups, was never the intention of Parliament. The Marine and Coastal Area Act should be repealed and the foreshore and seabed returned to public ownership, with the Crown managing it for *all* New Zealanders.

### Will you get involved to help return New Zealand's coast to public ownership?

#### Three things you can do.

1. Help to raise awareness by telling others what's going on, writing letters to newspapers, calling talkback radio, and sharing information on social media.
2. Contact MPs to ask them to repeal the law and restore public ownership of the coast - as the common heritage of *all* New Zealanders. You can write a letter (freepost) to MPs, c/o Parliament Buildings, Wellington, or email them using: [FirstName.LastName@parliament.govt.nz](mailto:FirstName.LastName@parliament.govt.nz)
3. Find out more about the claims process by visiting the New Zealand Centre for Political Research website at [www.nzcpr.com/claims](http://www.nzcpr.com/claims). If you would like to help fund more of these flyers, please visit the website for options – or use our postal address: NZCPR, PO Box 984, Whangarei.