

Rainbow Policy

Vision

The Green Party envisions an Aotearoa where takatāpui and Rainbow communities live with dignity, equality and bodily integrity, and their mana, self-determination and leadership are upheld.

Values and Principles

To reflect our commitment to Te Tiriti o Waitangi, we have adopted the Te Whare Takatāpui framework¹ for our Rainbow Policy to create a vision for takatāpui and Rainbow health, well-being and relationships. It explores conceptual and practical ways to address the homophobia, transphobia, interphobia and biphobia that impacts on people with diverse genders, sexualities and sex characteristics².

Te Whare Takatāpui includes values of: Whakapapa (genealogy), Wairua (spirituality), Mauri (life spark), Mana (authority/self-determination), Tapu (sacredness), Whanaungatanga (interconnectedness and relationships), Mātauranga (knowledge and research) and Tikanga (rules and protocols).

We value community-led policy, so the Rainbow Greens network led the development of this policy.

Strategic Priorities

The Green Party's top priorities for Rainbow communities are to:

- 3.3 Develop a national Rainbow suicide prevention strategy.
- 4.2 Amend the Human Rights Act to clarify that all forms of sexual orientation, gender identity and expression and sex characteristics are prohibited grounds of discrimination, and develop guidance and training on these responsibilities.
- 5.2.1 Prohibit all non-consensual and medically unnecessary surgeries or medical interventions on intersex people, and make reparations to survivors of these practices.
- 5.3 Resource and promote clear pathways for timely, non-discriminatory access to all forms of gender-affirming healthcare based on informed consent and self-determination.

¹ *Te Whare Takatāpui* framework was developed by Dr Elizabeth Kerekere in 2017

² 'Diverse sex characteristics' refers to people born with an intersex variation: www.ianz.org.nz/what-is-intersex/

- 6.5 Reform laws and policies affecting Rainbow asylum seekers, refugees and migrants, to protect their rights.
- 8.1 Establish a Ministry for Rainbow Communities.
- 8.2 Resource Rainbow communities to be involved in the co-design and implementation of policies, strategies and programmes that affect them.

Connected Policies

Rainbow Policy is underpinned and supplemented by other actions in our [Health](#), [Kaupapa Māori](#), [Disability](#), [Children's](#), and [Women's](#) Policies. Rainbow wellbeing and autonomy is affected by a range of factors, which are considered in other policies including our [Human Rights](#), [Immigration](#), [Housing and Sustainable Communities](#) and [Justice](#) Policies. It is also connected with our [Arts, Culture and Heritage](#) Policy.

Policy Positions

1. Whakapapa – We honour the memories

Whakapapa refers to layers of generations (genealogy) and an interwoven spiral of tīpuna (ancestors) that bring us from the past into the present. Whakapapa means we remember that people with diverse genders, sexualities and sex characteristics have always existed, even if they did not have words for who they knew themselves to be or who they loved. Claiming whakapapa decolonises the diversity of takatāpui and Rainbow identities and empowers them within our communities.

In our vision, whakapapa means we belong to, and have responsibilities for, the whenua (land), awa (rivers) and maunga (mountains) of our tīpuna, whether in Aotearoa or any other part of the world. We honour and respect the languages, histories and cultures of Rainbow Pasifika, migrants, asylum seekers and refugees who have made Aotearoa home. We will weave back together the connections that have been severed by systemic discrimination. We share our stories with each other, and record them for our descendants.

Actions

- 1.1. Reconnect takatāpui with their marae, whānau, hapū and iwi.
- 1.2. Resource Kawe Mahara Queer Archives Aotearoa: The Archive for Rainbow Communities to collect and hold our lives and stories.

2. Wairua – We define ourselves

Wairua refers to the spiritual dimension. It is about the interconnectedness of all things in the universe, which includes our relationship with our Atua (gods, deities and higher beings), our tīpuna and the whenua. Our inner sense of self, including sexuality and gender, comes from our wairua and we honour terms such as 'whakawahine' and 'tangata ira tāne' for takatāpui who have a wairua different to the sex they were assigned at birth.

In our vision, we are recognised and respected in our diverse spiritualities, religions and ethical beliefs including the freedom to not have a religious belief. We are protected against anyone trying to change or suppress our identity.

Actions

- 2.1. Uphold the absolute right to self-determine sexual orientation, gender identity and expression.
- 2.2. Monitor and enforce the legal prohibition of conversion practices in all settings where they occur.
- 2.3. Resource and provide support services and information for people who have experienced or are experiencing conversion practices, as well as whānau, faith and other communities who struggle to accept their Rainbow members.

3. Mauri – We are seen and we are valued

Mauri is our life spark, that essential quality that is ours alone. Mauri encompasses our skills and talents as well as how we present and express ourselves to the world. It is our mauri that seeks to name who we are and looks for recognition – to be seen, valued and reflected in the world. This makes our life spark glow. Many people with diverse genders, sexualities and sex characteristics are not recognised, seen, valued or reflected. Rainbow people who are Māori, Pasifika or people of colour are often marginalised while elders and people with disabilities are made to feel invisible. This affects their mauri. When mauri is not nurtured, that life spark starts to dim and sometimes it will flare out.

In our vision, mauri encompasses all of our skills, talents and interests. That ranges from the creative self-expression of our sexuality and gender through art, drama and literature to building community and well-being through sport. Community-led pride festivals and events for raising our visibility are fundamental for strengthening our mauri and our identities. We use and are recognised by the names, pronouns and identities that are right for us. Conversations about sexuality, gender and bodily diversity are commonplace and a natural part of child development as other aspects of identity are. The tragedy of suicide, especially among our young Rainbow people, is a failure of this society to respect our wairua and mauri.

Actions

- 3.1. Promote the use of gender-neutral and gender-inclusive language, particularly in local and central government agencies, documents and legislation.
- 3.2. Remove all barriers that discourage and prevent Rainbow people, especially those who are trans, non-binary and intersex, from participating and competing in sports.
- 3.3. Develop a National Rainbow suicide prevention strategy that includes professional peer support structures and further research.

4. Mana – We lead and strengthen each other

Mana is often translated as prestige or authority and we attribute mana to those we respect. Mana is something we inherit from our tīpuna and we accumulate mana during our lifetime through our words, deeds and achievements. Mana gives us the authority to reject discrimination and advocate for takatāpui and Rainbow health and well-being both at home and overseas.

Mana Wāhine is essential to restoring the traditional balance between women and men that our tīpuna experienced, so that we may address the historical trauma and gendered violence of colonisation affecting us today. *Mana Tipua* denotes the inherent mana of trans, intersex and non-binary people based on the acceptance of gender and sexual fluidity in the spiritual and physical realms of traditional Māori society and despite the binary constraints imposed by today's cis-heteronormative society. *Mana Tipua* sits alongside *Māna Wāhine* and *Mana Tāne*, which honours the inherent mana of women and men, including trans and intersex women and men.

In our vision, mana is upheld when our community-led organisations and initiatives are funded, supported, and unobstructed by discrimination and violence. *Te Aorerekura: The National Strategy to Eliminate Family Violence and Sexual Violence*³, increases the capacity of our communities to respond to and prevent violence, including in our own homes and relationships. Mana requires that all trans, non-binary and intersex people living in Aotearoa can easily obtain official documents with our correct, self-defined name and gender, effective in all circumstances. In our advocacy, we follow the leadership of our takatāpui and Rainbow elders and young people, Deaf and disabled communities, and those living in isolated and rural communities. We recognise the sites of struggle have changed from the lesbian and gay protests from the 1970s to the struggles faced by our trans, non-binary and intersex whānau today.

Actions

- 4.1. Prohibit hate speech on the basis of sexual orientation, gender identity or expression, and sex characteristics.
- 4.2. Amend the Human Rights Act to clarify that all forms of sexual orientation, gender identity and expression and sex characteristics are prohibited grounds of discrimination and develop guidance and training on these responsibilities.
- 4.3. Ensure people born overseas living in Aotearoa can obtain official New Zealand documents with their correct name and gender.
- 4.4. Protect the privacy of trans, non-binary and intersex people; for example, previous name or registered sex details cannot be disclosed and are deleted on request.
- 4.5. Ensure that official identity documents only include personal information that is relevant, reasonable and necessary and move towards ending the registration of sex and gender in identity documents.
- 4.6. Promote the human rights of takatāpui and Rainbow people at national and international levels.

5. Tapu – We are safe in our bodies

Tapu relates to those things that are sacred; that are prohibited, restricted or forbidden in order to control how people behave towards each other and the environment. On a person or whānau, a breach of tapu is an act of violence which could be physical, psychological, sexual, financial, and more. It is overwhelmingly cisgender men who breach the tapu of not only

³ Te Aorerekura. 2022. www.tepunaaonui.govt.nz/national-strategy/

cisgender women, particularly Māori and those who have disabilities, but also trans, intersex, and non-binary people. When our tapu has been breached, there must be tikanga in place and safe spaces to heal and to restore our bodily and mental autonomy – our sacredness.

In our vision, the health system is there for us without conditions or barriers and we receive help with our informed consent. The bodily autonomy and diversity of our intersex whānau is respected and upheld. Trans and non-binary whānau self-determine our gender-affirming care and support. We have uprooted the medicalisation and pathologisation of our bodies and minds that the colonial health system was premised on. We balance our need for privacy and the power of sharing our collective stories in order to build community-led responses to trauma. We are safe in our bodies and minds and our communities flourish.

Actions

- 5.1. Ensure all takatāpui and Rainbow people have access to timely, affordable healthcare without barriers of prejudice, transport, or lack of provider knowledge or competency.
- 5.2. Support recommendations from intersex advocates to:
 - 5.2.1. Prohibit all non-consensual and medically unnecessary surgeries or medical interventions on people with variations of sex characteristics.
 - 5.2.2. Build transparency about current medical practices by collecting data based on strengths-based definitions of all variations of sex characteristics.
 - 5.2.3. Train the health sector to deliver care based on informed consent, bodily autonomy and rights.
 - 5.2.4. Resource intersex-led organisations to develop rights-based toolkits and participate meaningfully in developing intersex standards of care.
 - 5.2.5. Investigate and make reparations to Intersex survivors of surgical and other medical interventions that have been performed without their informed consent.
- 5.3. Resource and promote clear pathways for timely, non-discriminatory access to all forms of gender-affirming healthcare, based on informed consent and self-determination, including hair removal, puberty blockers, hormones, fertility preservation, voice therapy, counselling and mental health support, and surgeries.
- 5.4. Work with Māori and Pasifika trans, non-binary and intersex people to develop culturally appropriate healthcare services built on kaupapa Māori and holistic models of care and wellbeing.
- 5.5. Compensate Rainbow people for the harms of forced or coerced medical treatments such as sterilisation that have undermined their right to bodily autonomy.
- 5.6. Resource community-led responses to support members of Rainbow communities living with stigmatised communicable diseases such as HIV.

- 5.7. Recognise and compensate Rainbow people working in the health sector for their professional and lived experience and open pathways to health work for our communities.
- 5.8. Create safe, inclusive and supportive educational environments for Rainbow students and kaiako that enable trans and non-binary students to fully express their gender (including names, pronouns and clothing) and prevent and respond to bullying.

6. Whanaungatanga – We connect and we belong

Whanaungatanga is about intergenerational relationships and our sense of whānau connection – built through shared experiences and working together. It denotes rights, obligations and responsibilities to each other. Whanaungatanga means we act collectively for the benefit of each other and our shared values, and not individually on behalf of ourselves. In a strong whānau, the members of each generation have a voice, their needs are met and they remain connected to communities they find meaningful – in particular taiohi and kaumātua (young people and elders).

In our vision, parents and guardians have all the information they need to protect their children's Rainbow identities and wellbeing. The sexual and reproductive health rights of all Rainbow people are respected and provided for. Every Rainbow person who wants to form a family is supported to do so, including those using fertility, surrogacy or adoption services. Rainbow asylum seekers, refugees and migrants are fully protected and able to access the same rights and entitlements as people born in Aotearoa. Rainbow kaumātua live our lives in dignity within our relationships and communities, at home, in aged care, and in palliative care.

Actions

- 6.1. Give parents of takatāpui, intersex, trans and non-binary children the tools they need to fully advocate for the rights, dignity and protection of their children.
- 6.2. Overhaul adoption and other laws relating to the care of children to reflect the diversity of Rainbow families.
- 6.3. Implement in full the Law Commission's recommendations in relation to surrogacy law, including that surrogacy arrangements will respect people's dignity and privacy, and the welfare of the child.⁴
- 6.4. Revise the criteria to access funded fertility services to recognise the specific challenges faced by Rainbow families and ensure they do not face greater cost barriers than others requiring these services.
- 6.5. Reform laws and policies so Rainbow asylum seekers, refugees and migrants can access legal gender recognition, partnership recognition, family reunification and resettlement support and to remove the discriminatory nature of the acceptable standard of health criteria.
- 6.6. Resource locally-led, accessible and culturally appropriate Rainbow spaces, including establishing Rainbow and diversity groups in schools.

⁴ Te Kōpū Whāngai: He Arotake | Review of Surrogacy. 2022. www.lawcom.govt.nz/our-projects/review-of-surrogacy

- 6.7. Provide holistic and wrap-around support to Rainbow whānau who are homeless including by developing emergency housing options and support services that are safe and inclusive for Rainbow people.
- 6.8. Resource Rainbow-led research and pilot initiatives that enable Rainbow people to age with dignity, equality, community and security.

7. Mātauranga – We tell our own stories

Mātauranga refers to knowledge, wisdom and understanding. Mātauranga Māori, and Māori ways of learning, confirms the acceptance of takatāpui and Rainbow people in the past, the present and the future.

In our vision, we know, preserve and celebrate the mātauranga that makes sense of our sexual orientations, gender identities and expressions, and bodily diversity. We capture our own stories and share them in our whānau, schools and communities so they are safe and inclusive places for all of us. Our needs are known because community-led research gathers insights on the breadth and depth of Rainbow experiences. Official data collection respects and protects Rainbow communities, supports our well-being and does no harm. We are self-determined and accorded privacy as we discover and reinvent ourselves.

Actions

- 7.1. Partner with Rainbow organisations to deliver high-quality comprehensive Rainbow diversity education, and teacher training and development.
- 7.2. Teach Rainbow histories and rights, including pre-colonial understandings of sexuality and gender, in the curriculum.
- 7.3. Collect and monitor data on sexual orientation, gender identity and expression and sex characteristics using measures that are developed jointly with Rainbow communities.
- 7.4. Provide students and workforce in healthcare, education and other relevant government agencies with ongoing Rainbow competency training.
- 7.5. Prioritise Rainbow communities in government-funded research programmes.

8. Tikanga – We plan and organise

Tikanga is the accepted way of doing things based on our values and mātauranga – and then what happens if we do something wrong. Tikanga includes how individuals might identify themselves, how decisions are made and who gets to make them. Early colonists breached traditional tikanga with their violence against women and children which was not accepted in Māori society at that time. Simultaneously, they criminalised and punished behaviour that Māori had previously considered tika (right) – such as the fluid expression of gender and sexuality. Therefore, developing tikanga based on the leadership and lived experience of people with diverse genders, sexualities and sex characteristics is an ongoing act of decolonisation.

In our vision, Rainbow communities are in charge of the issues that affect us. We are recognised as experts on our own experience and empowered to lead on these issues. Impacts on Rainbow communities are measured across government in order to identify and address

systemic discrimination against Rainbow people based on our sexual orientation, gender identity and expression, and sex characteristics.

Actions

- 8.1. Establish a Ministry for Rainbow Communities that:
 - 8.1.1. Coordinates the assessment of all government policies and initiatives for their impact on Rainbow communities, addresses gaps and advocates for Rainbow communities in government policy.
 - 8.1.2. Leads the creation of a National Rainbow Strategy in partnership with Rainbow communities.
- 8.2. Resource Rainbow communities to be involved in the co-design and implementation of policies, strategies and programmes that affect us, ensuring that intersex, trans, and non-binary people lead on relevant issues.