



The United Nations Association of New Zealand (Inc)
Te Roopu Whakakotahi Whenua o Aotearoa

REPORT

National Conference 2009
-Reconciliation-

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Conference Report - Robin Halliday

Theme: "Reconciliation"

The theme of reconciliation was chosen because 2009 is the International Year of Reconciliation.

The United Nations General Assembly, when passing a resolution establishing 2009 as the *International Year of Reconciliation* said; "the intention of the observance is to recognise the importance reconciliation processes in nations that have been affected by conflict, or whose society is otherwise divided."



Opening Day

The Conference was opened by John Hayes MP Chair of the Foreign Affairs Select Committee and the programme focussed on young people, their understanding, their contribution, and their creativity.

John Hayes's very relevant address to the Conference delegates from around the country, Diplomatic community representatives, Speech Award contestants the student Peer Mediation group and interested friends is published on page 4. John as a member of the *We the Peoples Foundation* – the UNANZ Trust fund – and a Wellington Branch member was as a former diplomat very instrumental in finding a solution which ended long term conflict in Bougainville.

A group of Wellington High School students from their Peer Mediation group gave us a demonstration of their programme and answered the many questions from those present. This is a programme operating in many secondary schools in New Zealand where students receive training to mediate amongst their peers. Their responses impressed those present, and has promoted the programme in other parts of the country.

We were further impressed by the calibre of the contestants in the National Secondary School Speech Award Final *International Year of Reconciliation – How Can the United Nations Contribute*. The judges Dr Kevin Clements from the Peace Studies Unit, Areti Metuamate a Youth representative and Michael Norden from Toastmasters NZ.

Dhaxna Sothieson from Hillcrest High School in Hamilton was the winner and attended the National Model United Nations Conference organised by our Youth Association in July. Simon Gyenge from Tauranga and Duncan McLachlan were second and third respectively. Congratulations though to them all; the standard was very high

Dhaxna has allowed her speech to be reproduced on page 8 in this booklet.

While the judges were deliberating we were shown extracts from a Children's Opera for 8 – 12 year olds – *Kia ora - Khalid* – which is being performed around the country and focuses on the intolerance shown to refugees and children who are different with an acknowledgement in the end that we all share common values. With music by Gareth Farr and words by Dave Armstrong Stephen Aitken from Capital e explained how it had been developed and the interactive Refugees stories that accompany it. A DVD is available on request.

National Council members met in the early evening then had dinner together and acknowledged the contribution to UNANZ over many years by Dame Laurie Salas.

Speakers

The Seminar at Turnbull House on Saturday again focussed on Reconciliation and we were privileged to have a wonderful line-up of excellent speakers covering a wide range of issues where reconciliation is an important part of the process.

Professor Paul Morris Director of Religious Studies at Victoria University gave us a fascinating and scholarly account of the origin of the concept and of the recent development of the UN sponsored Alliance of Civilizations – the relationship between Islam and the West. Nation states were asked to draw up an implementation plan to encompass the role of youth, media, gender and immigration policies.

Paul had been very involved in the New Zealand document and under Helen Clark's leadership we were one of the first to do so. President Obama's address in Cairo – see page - signals a greater emphasis by the current US administration on this approach to dealing with the so called "War on Terror."

We were fortunate to have **Emā Tagicakibau** from the Pacific Concerns Resource Centre speak about the diverse roles of reconciliation issues in different Pacific cultures and highlighted some specific programmes where they had worked. Some have been successful, some not but there is an ongoing process of which her Suva based centre is part. Given the difficulties in Fiji and other Island states this presentation was particularly pertinent.

Ruth Nuttall from the Ministry of Foreign Affairs and Trade presented a specific case study of New Zealand involvement in Timor Leste.

Recognising that Treaty Settlements -The Te Tiriti o Waitangi are a reconciliation process unique to New Zealand **Areti Metuamate** – a youth representative at the first Alliance of Civilization Summit in Madrid – gave us his analysis of the purpose of the process. We have published this on page 17. Thank you Areti it was most enlightening and demonstrated how necessary it is acknowledge our past so that we can go on together.

The afternoon session includes two panel discussion on Mediation Processes the first led by **Gregory Fortuin** – former Race Relation Conciliator – and Quaker **Claire Gregory**, SGI representative **Melanie Greigg** and **Yi Shen Lau** from the Bahais All these groups work closely with the UN and have reconciliation programmes.

Bishop Richard Randerson led an Interfaith Dialogue with **Dr Pushpa Wood** and **Rehanna Ali** all of whom are highly articulate speakers, active in International Interfaith Forums.

The Seminar concluded with a presentation by **Jon Everest** on the Restorative Justice system operating in our Justice system. Its purpose is to "repair the damage created by criminal offending and restore the balance of relationships within society...At a more practical level, restorative justice focuses on processes and practices that are more likely to build and restore rather than to stigmatise and punish"

Social Events

The social events around the Conference added to the atmosphere and the delegates met for dinner on the Saturday evening. Our guest of honor was Rt Hon Malcolm Fraser former Australian Prime Minister, who was in New Zealand to speak the following evening at the NCCD Conference.

Dr Kevin Clements the Director of the newly established Peace Studies Unit at Otago University gave a very informed and reflective dinner address. "Peacebuilding" he said "is a celebration of differences in a compact with mutuality. Reconciliation is a joining of peace, justice, compassion and truth. Each has to coexist if people who have harmed each other are to live together. The logic of creation is in love's reconciliation." A summary of his presentation can be found on page 20.

The Annual General Meeting and National Council Meeting were held on Sunday followed by an afternoon tea in Parliament's Grand Hall commemorating International Women's Day of Disarmament. The Minister for Disarmament, Hon Georgina Te Heuheu, spoke of the commitment of women around the world and this was further reinforced by Dr Kate Dewes, Ema Tagicakibau, and Dame Laurie Salas.

This was followed by the opening of the National Consultative Committee on Disarmament Conference. UNANZ is a founding member. The Rt Hon Malcolm Fraser gave a very challenging speech - available in full on request, but summarised on page 21.

Finally I would like to thank the Wellington Committee for their assistance in organising the Conference. My second grandson was born on the first day and hence I wasn't present for all of it.

Robin Halliday
Conference Convener



Speech Awards participants wait anxiously for the results.



The students from Wellington High Schools Peer Mediation group responding to questions.

John Hayes ONZM Opening Address

Reconciliation

Distinguished guests, your Excellencies, ladies and gentlemen, boys and girls.

Thank you for attending this conference organised by the United Nations Association of New Zealand. It's great to see you assembled here today to discuss reconciliation. Your presence in such numbers reflects the importance of the theme of this conference.

Not only is reconciliation of great interest to me but it is an issue that has come to the forefront of peacemaking and post-conflict rehabilitation efforts worldwide.

The bottom line is that to have a lasting peace – that is, to allow a war-torn state to fully recover and develop – it is essential that opposing sides have an opportunity to fully reconcile their grievances. To have peace and prosperity, the underlying causes of conflict must be examined, acknowledged and resolved.

Unfortunately, conflict and strife are present in all regions. Of the different types of war that rage throughout the world, civil conflict is the most devastating as it stresses the very fabric of society. Civil conflict pits siblings, extended families, villages, clans, and fellow citizens against each other. Immense suffering and the destruction of families, livelihoods and lives all characterise civil war.

Not only is civil conflict damaging to a society, but the lasting effects of civil war are often difficult to reverse. Once the damage has been done – and given the number of civil wars raging at any given moment, it seems that carnage and suffering are relatively easy to inflict – it is difficult to heal a society.

This is where a discussion of reconciliation is important.

During the UN-led peacekeeping mission in Mozambique in the early 1990s, the late Sergio Viera de Mello – at the time the UN Deputy High Commissioner for Refugees – often praised Mozambicans for their culture of peace. I believe that most cultures are inherently cultures of peace and that as such they have culturally-specific mechanisms for recovering from conflict. True reconciliation should encompass those specific mechanisms.

Although it is difficult to talk about general approaches to reconciliation, there are common trends that reoccur in successful reconciliation processes. Re-integration, community-wide involvement and support, recognition of common goals and a willingness to compromise for absolute gains (such as lasting peace and general prosperity) all contribute to the successful resolution of a conflict.

While it may sound obvious, compromise is vital to rebuilding a war-torn society. Opposing sides must be willing to give up certain expectations in order to receive on others.

I'd like to focus this address on the Burnham talks, which began the process of resolution and reconciliation in the Bougainville conflict, and which I was fortunate enough to be involved in.

What I am interested in stressing is the conflict resolution end of the reconciliation process – the effort to bring hostile parties together to embark on a peaceful change.

The Burnham talks came about after a number of meetings with different communities and Bougainvillean leaders. In meetings leading up to the talks, we were told that previous attempts to resolve the Bougainville conflict had failed as Bougainvilleans themselves had not had enough time to resolve a number of internal disagreements.

History is littered with failed peace accords. The Bougainville peace process had several of these. Some argue that nine out of ten third party interventions aimed at resolving a conflict fail.

In my view, early attempts at conflict resolution that do not successfully end hostilities should not be regarded as failures. They may be better characterised as important steps along the way towards allowing parties involved in a conflict to achieve a lasting and peaceful resolution.

The goal of third party intervention is not to solve all the problems but to build bridges between hostile communities. Furthermore, third party interventions should help clarify issues and help create opportunities to develop new relationships. In other words, it's about helping the parties themselves to commit to a peace and reconciliation process.

Third party assistance need not always be robust or even overwhelming – perhaps it may just provide background knowledge, or a meeting place. The important thing is to work out what kinds of assets can be contributed and will prove useful to a peace process.

It is also important for a third party to remain modest about its involvement. While it is understandable that a third party feels proud of its contributions to the successful resolution of a conflict, true praise for the end of hostilities belongs to the opposing groups.

New Zealand was able to bring the following assets to the 1998 Burnham peace process:

- It was respected for its neutrality and was able to gain the trust of the different parties involved;
- It provided a secure environment for the negotiators to meet;
- Due to its unique history and culture, it has experience with bi-cultural negotiation and is able to imbue a “hui factor” – in essence an understanding that engagement can be more important than immediate outcomes;
- It is willing to facilitate rather than actively mediate or direct the process (the hands-off approach, both in terms of who participated and how the process was structured);
- New Zealand approached its role as facilitator with a lack of formality; and,
- It respected the culture and norms of the parties involved chiefly by respecting privacy. This enabled parties to negotiate honestly with less concern about ‘face’ issues.

An example of New Zealand's commitment to the reduction of regional tensions arising from land tenure issues is found in its continuing support for the Land Management and Conflict Minimisation principles adopted at the 2008 Pacific Islands Forum. Whether directly or indirectly, New Zealand's diplomatic and development efforts in the Pacific contribute to conflict prevention by strengthening fragile states.

At the wider ASEAN regional and international levels, New Zealand's undertakings in the fields of counter-proliferation and counter-terrorism, disarmament and human rights contribute to regional peace and stability. In addition, New Zealand has always encouraged dialogue between conflicting parties as a matter of principle.

New Zealand's peace support efforts contribute to reconciliation. Training in Timor-Leste in community policing practices and the provision of two New Zealand High Court Judges to the Solomon Islands are two examples of New Zealand's commitment to reconciliation and post-conflict rehabilitation.

Part of the process of supporting an internally-driven community solution to a conflict is encouragement of communities to regain confidence in each other and in the authorities. Even now – ten years after the Bougainville peace process successfully ended the Bougainville conflict – New Zealand continues to train local community auxiliary police and supports non-government organisation community efforts throughout the wider region.

However, third party involvement is not enough. It is important to realise that internal divisions and discord must be resolved by internal actors. New Zealand, or for that matter any third party, will be unable to successfully resolve a civil conflict in another state without the support of local community structures.

Countries have tried to resolve civil wars by force and have repeatedly failed. Mogadishu in 1994, the multiple deployments to the Democratic Republic of Congo and the external involvement in Sudan all demonstrate that external force alone does not resolve conflict.

Peace must come from within the war-affected society. Internal compromise and rehabilitation is a necessary step for a society to fully recover from civil conflict. Ultimately, communities must assume responsibility for their own security, stability and prosperity.

In the Bougainville peace process, the impetus for peace really came from within the communities themselves. It is important to note that women and young people made-up a significant portion of those who participated in the Burnham peace accord signing ceremonies. The message was clear to any observer – the women and young people had had enough of war, hunger and uncertainty.

Present with us today are a number of young people who will undoubtedly, over the coming years, work to make this world a better place.

While it is not my intention to lecture or impart words of wisdom to you young people and future leaders of New Zealand, I do ask that whatever profession you choose to make your own, you make it your aim to improve understanding between people. Communication and genuine understanding has proven to be one of the most effective promoters of stability and guarantors of peace.

I wish you well in your future endeavours and look forward to seeing the fruits of your labour promote closer understanding between people. I have full faith that under your tutelage the world can be a safer place than it has so far been.

Speech Awards

Shona Hutchison facilitated the National Speech Award finals and the standard was, as usual, very high. We are pleased to publish the winning address by Dhaxna Sothieson.

Dhaxna Sothieson: UN Speech on Reconciliation



Alex Simpson said that “if mankind was to solve all its problems, in 20 minutes we would find something new to fight about.”

Whether or not this is true is questionable. But if there is one thing that is certain- we humans sure know how to fight with each other. Conflict definitely is not a new concept. Since World War 2 there has been something like 30 armed conflicts going on every single year. Ever since the dawn of time people have engaged in struggles for territory, food, water and dominance - or just for the hell of it. From tribal warfare to the current wars of drugs, oil, money, race, religion and territory- you name it, we’ve fought over it. The trouble is that with the march of technology and the evolution of ever smarter weapons systems, the destructive power of war has become ever more terrible. We are a long way from the days of clubs and sticks. So what can be done in this day and age?

I believe that the single most important attempt by the counties of the world to confront this legacy of bitter and ongoing conflict remains the creation of the United Nations. The United Nations is one of the main organisations in the world that is central to global efforts to solve problems that challenge humanity. The UN has declared 2009 the International Year of Reconciliation. Resolution 61/17 says we need “to pursue reconciliation processes in those societies that are affected and/or divided by conflicts”.

Reconciliation is the process, after conflict has ceased, to try to encourage and ensure long-term peaceful co-existence, even co-operation, between conflicting groups. I believe the UN can contribute three main things to the reconciliation process: firstly, ensure dialogue; secondly, to help support reconciliation from bottom up in the community and thirdly, by sustained and proactive support for peace building.

Firstly, I think the UN can contribute more opportunities to ensure dialogue in the reconciliation process by following Winston Churchill’s motto “to jaw-jaw is always better than to war-war”. I believe the UN should work to ensure that opposition groups and civilians meet to discuss and talk about what needs to be done after conflict has ended and to try turn that fragile moment of reconciliation into a more robust peace. Issues such as how they’re going to live side by side and take responsibility for what has happened in the past and plan to make better choices, now and in the future, so everyone can move forward.

I think it’s extremely important that civilian viewpoints are heard. Warring groups often become dislocated from the general consensus of what the civilians’ want- which, nine times out of ten, is peace so they can get on with their lives. This was highlighted with the fighting earlier this year in the Gaza Strip between Palestinian militant group Hamas (who govern the area) and Israel, which sparked huge uproar around the world. Despite the high Palestinian civilian casualty and the repeated calls for peace from the population, neither side took heed to this. How can you be fighting for peace and independence when the ones you’re fighting for are dying? They all need to hear what each other have to say about what to do.

So how can a real peace process be encouraged? UN member countries can chair or mediate this process through avenues such as peace-building forums, seminars and conferences. And hopefully this will encourage discussion and put more emphasis on dialogue rather than violence as a means of resolving conflict.

Secondly, I believe the UN can contribute to reconciliation by working in society from bottom up and focussing on the humanitarian, social and economic side, starting with local communities and regions affected by conflict. There are endless issues facing families and communities.

I think the UN can ensure basic services are working from house to house: running water, toilets and sewerage, food supplies, medicine and so forth. They can then focus on education, healthcare, work, infrastructure and the judicial system.

After sending five successive missions to Haiti, where the violence erupted again after they left, the United Nations decided that peacekeepers should do more to ensure that countries were economically stable when they departed. They could do this by setting up local projects to rebuild infrastructure and other things that have been destroyed by war, thus creating jobs and incomes. This would help to reduce social tension and improve the standard of living for citizens. In turn, it would reduce the pressures on people and enable the country to be stable both economically and socially.

In conjunction with the Red Cross, the UN can provide healthcare to civilians and restore healthcare facilities. Get children back into schools and offer trauma support to them. Set up local councils in communities and ask them to report back to UN what they think should be addressed in terms of reconciliation. Ensure workers go back to their jobs and offer skills training. Start training for a legitimate police force with mixed ethnicities and monitor inter-racial relationships to ensure no discrimination against a particular ethnic group or religion. I think if the UN can help address all of the above issues in the reconciliation process, then this will help ensure a more sustainable peace.

Thirdly, I believe the UN has to become proactive in the reconciliation process. The Peacekeepers need a sufficient mandate to do their job. Their tasks could include: stopping arms flows, monitoring weapons stockpiling, destroying weapons left after war to curb any further violence and disarming fighters. This was lacking in Rwanda pre-1994. The UN ignored the increasing weapons stockpiling by the Hutus even after the Tanzania-brokered peace agreement in 1993 and the Arusha Accords for power sharing.

The UN can also become more proactive by using the media as a tool to increase awareness of the situation and highlight to us the desperate need for humanitarian action in places around the world. They can also use the media in the countries affected by conflict to ensure the civilian population know what is going on to ensure no misinterpretation or miscommunication and know what is being offered to them.

They can also become more proactive by securing borders and helping the process of governance. The UN has been relatively successful with this in Afghanistan, East Timor and Mozambique by supporting countries in transition to democracy. Technical assistance in providing free and fair elections, improving judicial structures, drafting constitutions, training human rights officials, and transforming armed movements into political parties have contributed significantly to democratisation worldwide. More still needs to be done, and I believe the UN has to become more proactive on these issues to ensure that reconciliation can be achieved.

The UN contributes greatly to the reconciliation process in many different ways, especially peacekeeping missions after conflict. In all there have been a total of 63 missions since 1948 in many places around the world. They have made mistakes. However, they are trying to learn from these mistakes. I believe that the UN can contribute more dialogue, work bottom up and be proactive to help in the reconciliation process to restore humanity's lost unity on the path leading to humankind's greatest dream- the achievement of world peace.

We all face a trying time ahead of us. It seems like everything is in a crisis: financial, economic, food, environmental, nuclear and humanitarian. The situation is bleak and it is exactly times like this where strong and effective leadership by the UN is needed to face the global challenges confronting us all.

Reconciliation and the Alliance of Civilisations

Following a welcome by the President Antony Vallyon Saturday mornings programme began with a fascinating address on Reconciliation from Prof Paul Morris Director of Religious Studies at Victoria University. Paul was very involved in drawing up the Implementation Plan for the Alliance of Civilisation Regional Conference in 2007.

Notes from Professor Paul Morris:

My topic is reconciliation, with reference in particular to the Alliance of Civilizations, AOC. I want to begin by introducing the idea of reconciliation in this Year of Reconciliation. In November 2006, the United Nations General Assembly decided to proclaim 2009 as the International Year of Reconciliation (Resolution 61/17). Now we are in 2009, the UN year of reconciliation, under the motto, 'unity in diversity' is well underway.

The UN puts it this way, 'reconciliation processes are particularly necessary and urgent in countries and regions of the world which have suffered, or are suffering, situations of conflict that have affected and divided societies in their various internal, national and international facets'. You can hear this language resonating in the title of today's seminar. Reading this and other UN documents, reconciliation is something that can and should be achieved after the cessation of conflict, the implication being that we can know when peoples in post-conflict situation are indeed reconciled and reconciliation is between former enemies or perpetrators and victims. The sense is of something positive, beyond a mere cessation of conflict. It is often linked with peace, in particular with 'lasting peace' and the language is of the 'initiation and development of reconciliation processes'.

These include 'dialogue', 'peacekeeping and peace-building, conflict prevention, disarmament, sustainable development, the promotion and protection of human rights and dignity, democracy, the rule of law and governance'. Dialogue which is heralded as the precondition of reconciliation is also defined by some commentators in terms of reconciliation itself being the highest form of a dialogue, as something termed as an 'activating principle'. Another view is that reconciliation is an 'indispensable precondition of any sustainable development'. So reconciliation has become a kind of synonym for most UN strategies and work with a humane face and lasting, sustainable effect.

There is one other dimension that is highlighted and formally acknowledged, in UN sprache, '...we can only change the world if all peoples come together and learn to respect the diversity of perspectives that make every individual, every culture unique', that is diversity. I want to come back in a moment to this cultural dimension.

But first I want to ask – what actually is reconciliation? What does the word mean and what are its resonances? Reconciliation is a noun that simply means a reconciling or being reconciled. We get it from the Middle English, reconciliation, paralleled by the Medieval French, reconciliation, and both of these are from the Latin reconciliatio. Which in turn is a form of the verb, reconcilare (English and French, reconciler) 'to bring together again', from re- 'again' plus concilare, to 'make friendly' - as in the English verb, to conciliate¹ - and it refers to the re-establishing of a relationship, to restore to friendship or harmony, so that the different factions are reconciled. From the 16th century the principal sense has become 'to make (discordant facts or statements) compatible or consistent', as in idea and reality, and also reflexive usage as in reconciling oneself to a situation or reality. The American poet, Robert Lowell (1917–1977) gives the example, 'Age is our reconciliation with dullness'.

¹ <http://www.etymonline.com/index.php?term=conciliate>

The main contemporary usage of reconciliation² - settlement³, rapprochement⁴; is in relation to accounts, particularly bank account reconciliations. To link us back to our theme, the Oxford English Dictionary lists pacify, from pacificare, to end violence and war, as a synonym of to reconcile. Since the 1970s the word has exploded into our consciousness and is now used in a wide variety of contexts. So for example, Reconciliation Australia is the name given to the programme of Human Rights for Aboriginal Australians, and there is the renowned Truth & Reconciliation Commission of South Africa. Closer to home, in 2001 Tariana Turia launched the Whanau Reconciliation Service, 'the putting right' of relationships, which have been negatively disrupted by unnecessary and unacceptable acts of violence, in particular by people who have been detribalised as a result of alienation and disconnection from their whakapapa roots'. (Tangata Mauri Ora Trust and Te Whare Ruruhou O Meri). In the literature of psychoanalysis there is another meaning, associated but discrete, and perhaps equally relevant to our purposes, viz. the need for reconciliation of memory in identity formation, individually and collectively.

Finally, we come to the religious element. In Orthodox and Roman Catholic Christianity the 'Sacrament of Penance' is one of the seven sacraments and those taking the sacrament, are known as 'penitents'. The Sacrament celebrates God's gift of reconciliation and peace. It is also known as the sacrament of reconciliation. It refers to God's gift of forgiveness and the complete collapse of the barriers between us, our community, and God. Reconciliation means the re-bridging or re-establishing of the gap between God and us, and between ourselves and others. And the profound peace that comes from being brought back into harmonious relationship with God, with our sisters and brothers and with the whole of creation.

If I may be allowed to pursue this theological dimension a little further. The Roman Catholic Church makes a significant distinction between guilt and sin, stressing that they are not the same. We can only repent for our own sins and only these can be forgiven – reconciled – while we can feel guilt for many things including, of course, the sins of others. Much of our work in making people aware of what needs reconciling in our world can generate guilt but guilt alone is a poor motivator and all too often can reverse itself and lead to the projection of hostility where our sympathies should be placed. We do need to address our sins and guilt is part of this process but guilt per se can be counter-productive.

Let's return us to reconciliation. Peace is the Easter gift of the risen Lord. Christ commissioned his followers to continue his mission of healing, forgiveness and reconciliation, his mission of bringing peace - 'Peace be with you, as the Father has sent me, so I send you', (John 20:21). Peace is the 'gift' of the Sacrament of Reconciliation. Pope Paul VI gave the revised rite of the Sacrament of Reconciliation to the Church in 1973. Interestingly this was concurrent with the renewed interest in reconciliation more widely across a range of disciplines and institutions. The new rite gives the sacrament three distinct ritual forms:

- (a) for individuals;
- (b) for several penitents with individual confession and absolution; and,
- (c) for several penitents with general confession and absolution.

In the past the Sacrament of Reconciliation was a preparatory rite for the Sacrament of the Eucharist/Holy Communion at Mass, often on the Saturday night in preparation for Sunday mass the next day, leading to those queues of penitents waiting their turn in the confessional. Nowadays, the Eucharist itself is seen as a sacrament of forgiveness; and the Sacrament of Reconciliation is not simply, or even mainly, preparatory for Holy Communion but is a sacrament in its own right as a sign of God's love and forgiveness. For those Catholics who have cut themselves off from God and the Church by serious, grave or mortal, sin and now wish to return to God's table, the Church offers the Sacrament of Reconciliation to celebrate their 'homecoming'. This is now the only required form of the sacrament, 'by reconciling the world to himself in Christ and by making peace for all things on earth and in heaven by the blood of Christ on the Cross'. The Sacrament of Penance and Reconciliation is a corporate act of worship that represents the Body of Christ. So there is both a rite for individual reconciliation - one penitent and one priest – and the new ritual that offers communal rites for

² <http://www.yourdictionary.com/conciliation>

³ <http://www.yourdictionary.com/settlement>

⁴ <http://www.yourdictionary.com/rapprochement>

the celebration of the sacrament. Across the world many now favour the communal Sacrament of Reconciliation, especially before Easter and Christmas. An important aspect of this theology is the teaching that every sin, even the most personal sin, has implications for the larger community. That is, the celebration of reconciliation with others resonates with the obligation to 'forgive those who trespass against us' even as we ask God to forgive us our own sins. Interpersonal forgiveness and reconciliation are part of the sacrament. Christianity stresses the biblical teaching of the relation and interconnected of the 'horizontal' and the 'vertical' - interpersonal forgiveness and divine forgiveness - 'Therefore, if you bring your gift to the altar, and there recall that your brother has anything against you, leave your gift there at the altar, go first and be reconciled with your brother, and then come and offer your gift' (Matthew 5:23-24).

Also, it is important to note that there are other religious histories of reconciliation in Islam, in Judaism, in Buddhism and in Taoism. And although the meanings are distinct these notions appear to overlap giving us the prospect of further exploration and dialogue. So for example, in Lao Tzu's *Tao Te Ching*, or *The Art of Peace*, 79: 'When great enemies make peace there is bound to be some lingering resentment So how could this sort of reconciliation count as success?' Lao Tzu goes on to offer 'the way of heaven' as a peace that is 'always good to all'.

The call for a Year of Reconciliation has been widely taken up by many those who bring to the Year of Reconciliation their own understandings of both the idea and processes. The World Council of Churches (WCC) emphasises that 'Reconciliation is the renewal of the relationship with the Triune God accomplished for us in Jesus Christ'. The challenge is for the WCC to encourage and enable the churches to heal divisions within and without. WCC General Secretary, Rev Dr Samuel Kobia said, 'Reconciliation is a glorious message. It offers the promise that some wrongs of the past may be set right, the truth may be discovered in all cases, forgiveness may be sought and even ancient enemies may come to live together in mutual respect. Christian churches everywhere, and the World Council of Churches, are supporting this effort through projects and ministries consistent with the ecumenical, Decade for Overcoming Violence: Churches Seeking Reconciliation and Peace 2001-2010. Reconciliation, however, is a different matter. If it is a question of reconciling ourselves to this fleeting existence, of reconciling ourselves to the fact of suffering, of reconciling ourselves with the world, then it is possible to see that, yes, practice does work. I can recognise in my own practice endless moments of reconciliation where I have come to see that yes, this is what is happening, that this is the world in which I live, that suffering is ineradicable'.

In the peace and conflict literature, reconciliation really only appears in the 1990s and has come to have a very specific meaning - to turn the temporary peace of an agreement which brings a cessation to fighting into a lasting end to the conflict itself. Through reconciliation and the related processes of restorative justice⁵, parties to the dispute explore and overcome the pain brought on during the conflict and find ways to build trust and live cooperatively with each other.

John Paul Lederach identifies four critical components for reconciliation - truth, justice, mercy, and peace. He understands reconciliation to have religious roots. It is a theological idea found in all three of the Abrahamic faiths - and we might add all other religious traditions. It is important to Evangelical Christians as part of their personal relationship with God. The answer to those who ask, 'what would Jesus do?' is that reconciliation is not just one important issue among others but it is the critical issue in any dispute.

In recent years, reconciliation has also become an important matter for people who approach conflict resolution from secular perspectives. For them, the need for reconciliation grows out of the pragmatic, political realities of any conflict resolution process.

Conflict resolution has now become a profession and increasing numbers are trained in a number of techniques to promote reconciliation. The leading model is South Africa's Truth and Reconciliation Commission. This Commission staged hearings focused on the human rights abuses during the apartheid era and offered in certain circumstances amnesty to those who admitted and articulated remorse for their actions. Since the Truth and Reconciliation Commission was created in 1995, more than twenty other such commissions have been established in other countries which have histories of awful human rights abuses within nation state borders. These commissions bring people from

⁵ http://www.beyondintractability.org/essay/restorative_justice/

both sides of a conflict together to articulate their fears⁶, and anger⁷, and hopefully to begin the work of reconciliation by the fostering of mutual trust.

Despite the intensification of violence – and wars in Lebanon 2006 and Gaza 2008/9 - in the region since the beginning of the Second Intifada in 2000, some of the most promising examples of this kind of reconciliation have occurred between Israelis and Palestinians. There is a growing interfaith movement that brings together Jews, Muslims and Christians to work together for peace. There are incredible people on this front such as Rabbi Dr Dov Maimon, who came to New Zealand two years ago, an ultra-Orthodox Jewish rabbi and scholar of Islam, who is committed to dialogue with Muslims in Israel and Palestine. There is the quiet work of the Quakers in Jerusalem. There are individuals, families and groups that regularly take risks and bring the opprobrium of their communities down on themselves but continue none the less. For fifteen years, Oases of Peace⁸ (Neve Shalom/Wahat al-Salaam) has brought together Israeli and Palestinian students and teachers, and the Seeds of Peace⁹ summer camp in Maine in the US, operates as a 'safe place' for Israeli and Palestinian youth to get to know each other and learn together. These are the seeds of a wider reconciliation and the future hope for peace in the region.

Fen Osler Hampson contends that too many peace treaties and agreements are 'orphaned' (*Nurturing Peace: Why Peace Settlements Succeed or Fail* (Washington: US Institute of Peace, 1996). That is, the parties agree to stop fighting but are really no nearer to what Kenneth Boulding calls 'stable peace'¹⁰ And while we should never undermine the cessation of fighting, we need to recognise that peace and reconciliation will only begin when the issues that gave rise to the conflict in the first place are openly articulated and addressed by both sides.

Reconciliation matters because the consequences of not reconciling are enormous – at best hostilities just continue but, of course, matters can always, and often do, get worse. Without any successful process towards reconciliation, we find ourselves in the Cyprus syndrome, where for nearly 30 years there has been a non-peace. In 1964, the Greek and Turkish armies agreed to a ceasefire, what was to be a temporary partition of the island, and the arrival of United Nations Peacekeeping forces.¹¹ Since then, little, if any, progress has been made toward reconciliation or even conflict resolution. It is still nearly impossible for inhabitants of one side to visit the other part of the island. I recently met Alexander Downer, the former Australian Minister of Foreign Affairs and Trade, who told me that he was off to Cyprus as a special envoy. In talking to him it became clear that although he is sincere and had a grasp of some of the issues, he does not speak Turkish nor Greek, nor has he had a lengthy interest or particular expertise in Cypriot matters. Further, he had no clear plan for promoting reconciliation. Our own Anne Hercus spent a great energy and effort in the same arena with little or any success.

Without reconciliation, as we indicated things can, and do, get worse. To return to the Middle East again, the failure of peace talks led to the tragedy that began with the second Intifada in Israel and Palestine in 2000. Despite Oslo and other agreements and despite some serious attempts at reconciliation at the grassroots level, the parties made little progress toward achieving stable peace until 2000 when Palestinian frustrations finally boiled over in a new and bloodier round of violence.

Most examples fall somewhere between Cyprus and Israel and Palestine. For example, in Northern Ireland although there is a ceasefire accord, the Good Friday Agreement, because Catholics and Protestants have made little progress

⁶ <http://www.beyondintractability.org/essay/fear/>

⁷ <http://www.beyondintractability.org/essay/anger/>

⁸ <http://www.nswas.com/>

⁹ <http://www.seedspeace.org/>

¹⁰ http://www.beyondintractability.org/essay/stable_peace/

¹¹ <http://www.beyondintractability.org/essay/peacekeeping/>

toward genuine reconciliation, every dispute since then threatens to undermine the fragile peace, and recently there has been a renewal of violence.

I want now to pull some of these threads together. It is of course vital that we have strategies to look at the ongoing conflicts around the world and address the deep seated tensions. Many of these, if not religious conflicts, are conflicts that are divided across religious lines. I want to seriously contend that if we are to make any progress at all we need religion and culture to be part of the solution. Secular peacemaking has not had a very good record and peace with duration has almost always involved religious persons and communities. Our world is beset with wars between communities and nations defined by religion. Reconciliation would be much easier if we spent less time training religious leaders in conflict resolution and peace-making techniques than if we started training peace-makers and reconcilers about religion and culture. I'll illustrate this in a moment.

But before we do we need to be realistic about reconciliation. It does require teshuvah, metanaoi, a turning away from the past and a new look to the future, without jettisoning the past. But we need to be wary of the tradition of St. Augustine's perpetual peace. We must not be seduced by this truly breathtaking vision of a world beyond violence and war, a heavenly Jerusalem predicated on the earthly one just being too difficult to ever really deal with.

But there is a biblical vision that we might be reexamine, that of the Book of Leviticus. This Book insists that we all leak – pus, blood, spit, sperm and morally too. To be alive is to leak. The central notion of Leviticus is that of kapar, covering. Leaks have to be covered. But this is a dynamic and ongoing process. There is no cover that is permanent and leaking will break out again, and again as long as we shall live. But this is our very hope. Life is dynamic and hopefully always ongoing. What we need are coping, covering, strategies that will allow us to respond to life's leaks in a dynamic way. Unlike Augustine's heavenly peace, the earthly peace is messy, difficult and never absolute but we must try and cover it all the same. Back to Leviticus, the second dimension of significance here is that of interconnectedness. The biblical teaching insists that an individual leaking impacts on families, and families on tribes, and tribes on peoples, and peoples on nations, and a nation on the seventy nations, that is, everyone. The point is that leaking has consequences that impact on us all. Covering too works the same way. Covering an individual covers families, and families cover tribes, and tribes cover peoples, and peoples cover nations, and a nation covers everyone, the seventy nations. The vision of peace in the Leviticus is of the seventy nations under the mishkan, the tabernacle of God. For us, for the living, this cannot last, and there will be fresh leaking but we need to learn how to turn (teshuvah/metanoi) and how to cover. The way back is the way forward to reconciliation.

Recently I have been to the Gulf and was overcome by the Arab/Muslim traditions of hospitality, of the differences of being inside and outside of a tent/home and the need to drink coffee, and sometimes tea as well, and of being offered dates and of eating together, and the talk of families and children, and places of origin and of the details of our lives. It often seemed as if we would talk about everything but our purpose of being there. And then before we 'got down to business' we were often asked when we were coming back again! From a Western perspective guided by notions of efficiency, time management and focus, these meetings were inefficient, untimely and seemingly unfocused. When I tried to rush matters one of my hosts responded, 'but I don't know you yet'. The significance of establishing relationships is well understood but the cultural and religious modes of doing so, less so.

Let's return to the Middle East to look at the religious and cultural models of reconciliation. I recently met Haggai Segal, he was one of the members of the Israeli negotiating team working on the peace agreement in the late 1990s. Haggai spent years of his life working on the accords. He came to know his fellow Israelis and Palestinian counterparts intimately and deep bonds of trust developed between them. He reported that they came within three clauses of an agreement acceptable to both sides. Time and circumstance were against them. Clinton was under pressure to secure the peace by the end of his presidential term. Arafat had to persuade his own supporters and Barak was under pressure at home. Just three clauses to fix! Within the shortest time, the Palestinian, Israeli and American leaders had changed, the intifada started and the opportunity for peace had seemingly slipped away. Haggai and some of his fellow negotiators met afterwards and completed the agreement but by then they had a peace treaty ready but not apparently wanted by any of the parties!

The Jewish tradition resolves disputes with agreement to a form of words. It is the right form of words that ensures the agreement of the parties and embodies reconciliation. The emphasis on the right terms is essential and this practice has a two millennia track record of successful dispute resolution. On the other hand, the Muslim tradition seems to have emphasised the establishment of a durable relationship as the basis for agreement. It could be said that for the last sixty or seventy years in the Middle East Palestinians have been inviting Israelis to have a cup of tea and some dates as they have tried to establish relationships. This mode of reconciliation has its origins deeply rooted and enshrined within the authoritative textual and cultural traditions. On the one side, come and have a cup of tea, and on the other 'we just need to get the text right'. Sixty plus years of one side offering a cup of tea and the other just about to get to the definitive text! We desperately need to understand the religious and cultural traditions that operate in conflict situations around the world and to grasp the workings of different indigenous models of reconciliation. This is of much greater value than a secular one-size-fits-all model.

We are not the first to walk on this path and still have much to learn from Immanuel Kant's notion of a cosmopolitanism that can underlay his 'perpetual peace'. But a more immediate question is where to start at all. We have to start at the very beginning, with Emmanuel Levinas, the French philosopher's idea of what I call the 'first law of dialogue', 'whatever you say I won't kill you'. We have to start here but we are still such a long way away from this. Then we need to direct our efforts not to a ever-potential peace that is beyond death, beyond leaking, but to living responses that are the establishment on the basis of durable relationships that can take the strain of continued leaking. The United Nations has a deeply mixed record and it depends of who is reporting. The recent debacle at Geneva of so called Durban II – too much talk, too much grandstanding and too many divergent agendas – I despair and come close to Jacques Maritain's view on the UN that it is better to have it, than not, if the alternative is to have nothing at all!

My final link is with a recent and potentially positive and promising initiative – the Alliance of Civilizations (AOC). What is the Alliance of Civilizations? According to Banki Moon's UN High Representative for AOC, former Portugal President, Jorge Sampaio, it is the 'new tool for global politics'. The basic timeline is that it was a Parthian shot from the erstwhile UN head, Kofi Anan as a counter to the growing take-up of the idiocy of Huntington's clash of civilizations by a wide array of different actors in the aftermath of the war on terror, and in the responses to this discourse. The proposal itself dates from the 59th General Assembly, in 2005, when Jose Luis Rodriguez Zapatero, the Spanish President, and Turkish Prime Minister, Recep Tayyip Erdogan, co-sponsored an initiative to develop an AOC. Kofi Anan put together a High Level Group (HLG) of twenty, a strange group of policy makers, media, academics and religious persons, including former Iranian President, Mohammed Khatami, of recent Melbourne fame and proponent of the earlier Dialogue of Civilizations; Archbishop Desmond Tutu, Pan Guang, China-Russia relations specialist, Rabbi Arthur Schneier, and Professor John Esposito. They met five times from November 2005 to November 2006 and produced the AOC High Level Report.

It is an unbalanced curate's egg of a report with a great beginning, a most dubious middle, and a number of perfectly sensible recommendations at the end, including the establishment of its own administration. It starts with the idea that our world is 'out of balance' - and via a confusing, and at times misleading, trawl through myth, perception and difficulties leads on to recommendations largely relevant to an Euro-American realities – under four heads: migration, media, education and youth. The focus is almost exclusively on repairing or simply bringing together the so called Muslim world and the so called West. Although the initiative was intended to counter the impact of Huntington's civilizational discourse, sadly its presentation by separating out the Muslim world and the West reifies the very crude opposition that it sought to undo. This is unfortunate and on my very first reading I considered it to be fatal. But Maritain again – it is not as if it has many competitors! Its pious hope is to forge links between communities, to recognise the realities of religious, cultural and ethnic difference and to develop and foster education programmes that promote living together or at least alongside each other. In May 2007 AOC issued its 2007-2009 Implementation Plan which locates the AOC not as a new channel or institution but as a sort of enabler working largely through partnerships with national and international projects. This again has turned out to be both a strength and a weakness. Strength in that the AOC doesn't have to be slowed down or diverted through existing UN hoops as might well have happened if it had moved, for example, under the auspices of UNESCO or UNDP. Weakness, because it only has a tiny budget and many existing programmes as we shall see have simply been included under its banner, so that it is hard, if not impossible, to estimate its real significance.

Our last Prime Minister, Helen Clark, wisely spotted that as it stood the AOC HLG recommendations were not designed for this region – where for example, there are other tensions besides Muslims and the West that are equally, if not more, important. She called together her own HLG and developed the first regional response to the AOC HL Report.

The first AOC forum took place in Madrid in January 2008 and attracted more than 900 participants in 89 delegations from 78 countries. It was a sparkling occasion that included a grant from Queen Noor of Jordan of \$US25 million and led to the endorsement of a series of initiatives in media, and educational programmes. Memoranda of understanding were made with UNESCO, ISESCO, the Arab League, ALESCO and a number of other international organisations and NGOs.

The second forum recently took place in April this year (2009) in Istanbul. By all accounts it was a much more chaotic affair but there were significant developments, in particular, a new AOC Action Plan and the announcement of participating country plans. At the Istanbul forum the link between Human Rights regimes and diversity were greatly highlighted and reinforced although there was still considerable emphasis on ‘intercultural dialogue’ – something that is much harder than we think. I have just returned from Malaysia, where I was Visiting Professor at the Centre for Civilizational Dialogue, University of Malaya, KL. We need to do a great of work before we can meaningfully engage in genuine civilizational dialogue on issues such as bioethics, or climate change. It is much more valuable to engage in collaborative practical projects and then slowly develop the dialogue based on trust and religious and cultural specifics. It also becomes clear that there is a politics of ‘civilizational dialogue’, which reinforces civilizational difference and avoids difficult issues. It also has a series of dimensions that have much more to do with the position of Islam in Malaysia and the realities of ethnic, cultural and religious diversity.

But at the practical level the AOC fosters a range of excellent programmes and these should be encouraged. These represent less of a ‘new politics’ and more of a failure of vision - but Maritain again! The civilizational sprache -which I think comes from the US philosopher, John Dewey - cuts both ways: civilization is not authoritative in the same way as religion can be and so it allows for a non-threatening space where change can take place (for example, in Muslim practices) but it also flatters when the work has still to be done. It leads to parallel (civilizational) organizations such as the Organisation of Islamic Countries (IOC) and various religious declarations of rights. There represent alternatives, yes, but that are entirely derivative. This gave rise to the ‘Asian values’ scenario. There were great civilizations but to revive them to face the 21st century is something else. However, there are excellent media initiatives and a number of promising intercultural education programmes. An AOC Groups of Friends have been established, including New Zealand, to fund some of the central and collaborative activities.

The country implementation plans make for more sober reading. For example, Turkey lists seventy-six projects, including conferences on Turkish modernism as model for Muslims today and the value of the Ataturk model for the AOC; a conference on the AOC lessons in the Ottoman Empire (which, of course had a very mixed record on minority human rights); but there are also lots of useful get-togethers, over such important issues as water; climate change; and human trafficking and the AOC. Interestingly, the Pro Forma informs us that Turkey’s successful entry into the European Community will be an exemplar of the values and principles of the AOC! It also recommends the setting up of what should be a useful national coordinating committee.

The Spanish implementation plan includes education for human rights; the inclusion of minority religions in education; media educations for journalists and the general public; programmes for the promotion of civic values; translation projects, and support for joint television productions crossing religious divisions. Just as the Turks plays to their own national priorities so the Spanish plan makes much of the three faiths (Judaism, Christianity and Islam) and their history of harmonious relationships in medieval Spain.

Besides the two sponsoring nations, Slovakia, Romania, Montenegro, Bulgaria, Brazil, Argentine, Algeria, and New Zealand filed implementation plans. One can draw ones own conclusions about this particular assemblage of nations. Malaysia’s plan is forthcoming.

New Zealand’s Implementation Plan is impressive although almost all the projects already existed and ongoing but the AOC plan is a useful framing exercise for valuable projects. I hope that UNANZ and others will give their full support to the Plan and that our new government will continue to support it.

My final note is that we need to understand and give a higher priority to the realities of cultural and religious diversity. This diversity is our growing global reality. We have become globalised individuals, globalisation is not a process separate from us but is inside of us, as it were, and creates the human possibilities of reconciliation. There are many ways to reconciliation, but the task will be difficult, as we work towards models of dynamic and durable peace.

Last word to Bible: peace is never easy and it will not just come to us, and even when it is present we have to ensure that we do not let it go, we must 'seek peace and pursue it' (Psalms 34:14). The Hebrew word here is shalom, peace or completeness or welfare, safety and to be at peace, the highest biblical blessing 'peace be upon you' - is a call to be reconciled to ones fellow beings and duties to God.

Treaty Settlement Process

Areti Metuamate has recently joined as a member of UNANZ and is former member of UNYANZ. He is of Māori, Pākehā, Cook Island and Tahitian descent and is based in Wellington where he works in the Office of Treaty Settlements. He is a member of the NZ Institute of International Affairs and the Asia: NZ Young Leaders Network.

Areti attended the Madrid Alliance of Civilisations Conference in 2008 as a youth representative related the Treaty Settlements as a specifically New Zealand example of an ongoing Reconciliation process. He has agreed to allow us to publish his notes.

Speech Notes from Areti Metuamate: The Treaty Settlement Process

The Treaty of Waitangi settlement process is New Zealand's definitional reconciliation process. The current settlement process is about more than just righting the wrongs of the past – it is about restoring mana and rebuilding relationships.

The Treaty of Waitangi, signed in 1840, is an agreement between the British Crown and Māori. It is the founding document of New Zealand. A partnership between Māori rangatira and the British Crown. The Crown has accepted a moral obligation to resolve historical grievances in accordance with the principles of the Treaty of Waitangi.

There have been many breaches by the Crown of the Treaty of Waitangi and its principles – land confiscation, policies and law that stopped Māori exercising their own rangatiratanga, using their language, using traditional healing methods etc.

Two of the 6 Crown negotiating principles are relevant to today's conversation on reconciliation. These principles support the Treaty settlement process as a reconciliation process.

1)- *Good faith* – the negotiating process is to be conducted in good faith, based on mutual trust and cooperation towards a common goal.

2)- *Restoration of relationship* – the strengthening of the relationship between the Crown and Māori is an integral part of the settlement process and will be reflected in any settlement. The settlement of historical grievances also needs to be understood within the context of wider government policies that are aimed at restoring and developing the Treaty relationship.

Important to remember that the Treaty settlement process is about addressing past injustice and moving on from it. It is not about giving Māori pay-outs. The process involves far more than just money. Besides, any money going to Māori through Treaty settlements is not a pay-out, it's a pay-back!

Treaty settlements usually have commercial/financial redress as well as cultural redress aspects. Cultural redress includes things like reinstating the traditional names of a particular place, landmark – e.g Aoraki/Mt Cook. Cultural redress may also include a part of a significant land site for a particular iwi being returned to their ownership – there are recent cases where Department of Conservation land has been returned to iwi and now the iwi and DoC are jointly responsible for caring for it. For many iwi, this cultural redress is far more important than the money they receive. But let's not forget too that the amount of money that Māori receive in Treaty settlements is pittance compared to what was taken from them.

The Treaty settlement process is not necessarily one that all Māori like – it is, after all, a process established by the Crown and not Māori. However, most iwi groups in the country are engaged in some way with the process and many have had successful settlements after many years of hard work, negotiations and dialogue with the Crown. There are many examples of newly restored relationships between iwi and the Crown. This is all positive stuff.

Restorative Justice in New Zealand

Jon Everest from Victoria University was the final presenter with an excellent presentation of the value of the Restorative Justice process in this country- see Power point presentation attached. It was an important topic and we were very fortunate to have had good speakers who gave us a diverse and satisfying programme.

Presentation by Jon Everest

What is Restorative Justice?

"The core aims of restorative justice are to repair the damage created by criminal offending and restore the balance of relationships within society. In practice this can be achieved by participation of all parties affected by the offending in a process that aims to ensure that wrongdoing is acknowledged and harm is repaired. The aim is also to create conditions that can lead to the (re) integration of all within the social group... At a more practical level, restorative justice focuses on processes and practices that are more likely to build and restore rather than stigmatize and punish." Maxwell, 2007: 6)

or

"a process where parties with a stake in a specific offense come together in a conference, to talk about the effects of the offense and to agree how those effects could be overcome or reduced." (Ministry of Justice, 2007)

Where has Restorative Justice come from?

It's not new. There are various forms in every indigenous culture including Maori and biblical peoples. Traditional systems required offenders to make amends. For example: Marae justice in Maori culture, which was aimed at healing for all. It was non-adversarial, and involved hearing from all parties.

Restorative justice traditions were sidelined as the retributive criminal justice system was implemented. More recently there has been some dissatisfaction with the current criminal Justice system, leading to a renewed interest in traditional ideas of justice.

Modern Restorative Justice: May 1974 in Elmira, Ontario, two young men guilty of vandalism were ordered by the Judge to visit the homes of their victims.

The first restorative justice project was run in Elkart, Indiana in the United States of America during 1977-78. Since this time projects have been run in USA, Africa, Canada, Europe, New Zealand, and Australia.

In New Zealand Children and Young Persons and their Families Act (1989) created Family Group Conferencing for youth and families. These FGC's have a number of restorative features. Since that time FGC's have been heralded world-wide, and copied by a number of countries. In 1994 Judge Fred McElrea first suggested adopting these youth justice principles in adult court.

Since 1995 adult courts have been applying restorative justice conference recommendations on an ad hoc basis. In 2000 the Department for Courts ran a pilot scheme featuring restorative justice in four courts.

The 2002 Sentencing Act legitimised restorative justice. The act requires that, where restorative justice takes place, the court must take this into account when sentencing. In 2004 the Corrections Act took this a step further by allowing offenders to be provided access to restorative justice with their victims. In 2009 the Ministry of Justice now funds 30 community-based provider groups throughout New Zealand.

What models of restorative Justice are being used in New Zealand?

Community Panels, and Victim/ Offender conferencing.

What are the Key Principles of Restorative Justice?

- Focusing on harms and the consequent needs of all participants.
- Addressing the obligations that result from these harms.
- The use of inclusive, collaborative processes.
- Involving those with a stake in the situation.
- Seeking to put right the wrongs.
- Voluntary for all parties.
- Full participation.
- Informed participants.
- Offender accountability.
- Flexibility and responsiveness to needs.
- Safety of all involved.
- Case appropriateness is taken into consideration.

Accountability

“What I’m saying ‘accountability’ means is understanding what you did and, then taking responsibility for it; means doing something to make it right, but also helping to be part of that process.” (Zehr 1994)

What are some of the Risks and Challenges?

- Restorative Justice is being presented as a panacea.
- Measuring and assessing outcomes using traditional measures of success e.g recidivism.
- Inappropriate case selection.
- Facilitators/ provider taking on cases beyond their skill and competency e.g - Family violence.
- Facilitators losing sight of key values e.g - non-judgement and empathy.
- Best practice becoming rigidity e.g - CPU pre-sentence conference is the way.

A restorative approach means...

“Treating all those involved with respect, affirming, empowering, treating them fairly and recognising their capacities.” (Maxwell, 2006)

Justice, Peace, and Reconciliation

Dr Kevin Clements is the Director of the newly established Peace Studies Unit at Otago University gave a very informed and reflective dinner address on Saturday night. A summary can be found below.

Keynote Address by Dr Kevin Clements

Some Assumptions on Peace-building and Reconciliation:

- Peace-building is a celebration of difference in a compact with mutuality.
- Reconciliation is a joining of peace, justice, compassion and truth. Each has to coexist if people who have harmed each other are to live together.

Different Perspectives on Reconciliation

- An ideology for bridging gaps between separate communities, and rebuilding after separation has occurred.
- A building or rebuilding of relationships haunted by conflicts and hatred.
- “A Focus and Locus” John Paul Lederach - Building relationships between former enemies and a space/ place where parties to a conflict meet.

More Angles

- The establishment of positive and sustainable peace between people involved in armed conflict.
- A process through which a society moves from a divided past into a shared future.
- Acknowledging differences and building on commonalities.

Working Definition

“Reconciliation is a societal process that involves mutual acknowledgement of past suffering and the changing of destructive attitudes and behavior into constructive relationships towards sustainable peace”- Karen Brouneus

- African concept of “Ubuntu” - humanity is intertwined, a person is a person through other people we are human because we belong.

The Three Poisons behind Violent Conflict-Impediments to Reconciliation

- Ignorance of our interdependence.
- Yearning, longing, wanting, greed, jealousy and hatred.
- The expectation of pain and suffering itself-rejection, violent trauma, displacement and destitution.

Other Challenges

- Poverty.
- Gross violations of human rights.
- Arbitrary/ illegitimate/ ineffective governance.
- Deep seated prejudice/ discrimination.
- Political deceit.

Reconciliatory Processes

- Operate at a variety of levels-top symbolic-middle and grassroots.
- Cannot be forced, and requires a willingness to take responsibility, acknowledge role for past mistake, generate catharsis.
- Long and Brecke Found that in all 20th century wars where some “public reconciliation events took place 64% did not return to violence. Among Countries that have not experienced a reconciliation event only 9% did not return to war.

NCCD Conference

Eliminating Nuclear Weapons - No Longer an Impossible Dream

Wellington 24 – 25 May 2009

Many UNANZ members also attended the opening of the National Consultative Committee on Disarmament. A summary of the Keynote Address by Rt Hon Malcolm Fraser and Conference proceedings is included as a number of UNANZ delegates attended.

This National Consultative Committee on Disarmament (NCCD) Conference was very timely. It followed on from a workshop in October 2008 where the relationship between New Zealand and Australian non-governmental organisations and in particular IPPNW and its Australian counterpart (MAPW) were strengthened. Since then President Obama called for the elimination of nuclear weapons in Prague in April, Global 2000 (with 1000 eminent leaders) has been formed and the just concluded Non-Proliferation Treaty Preparatory Conference had a more positive and productive agenda. The Australia/Japan Commission has continued its work and was meeting that weekend in Beijing with prospects for real progress looking promising.

The keynote speaker at the Conference was the Rt Hon Malcolm Fraser – former Australian Prime Minister and a respected commentator of world affairs. His key message was *“A world free of nuclear weapons: the fierce urgency of now”*.

Before a well informed audience of around 100 on a Sunday evening in Parliament's Legislative Council Chamber, he stressed that *“There has never been a better time to achieve total nuclear disarmament; this is necessary, feasible and urgent. We are at the crossroads of a crisis involving these worst weapons of terror, presenting both danger and opportunity.”* A full copy of his address is available on request but selected parts follow:

“On the one hand, disarmament has been stalled and a major arms control Treaty, the Anti-Ballistic Missile treaty, has been abandoned. The Conference on Disarmament in Geneva has been paralysed for 13 years since it negotiated the Comprehensive Nuclear Test Ban treaty in 1996, which is yet to enter into force. All the nuclear weapon states continue to develop new nuclear weapons and missiles, have threatened to use them against non-nuclear attack and even pre-emptively, and lowered the threshold for their use. Nuclear tests continue. Military budgets, currently at an obscene US \$1.3 trillion plus per year, continue to grow. Nuclear weapon numbers have declined from close to 70,000 to 25,000, but so bloated are these arsenals that the danger to the security and survival of all of us and the ecosystems on which we depend remains undiminished. The risk of use of nuclear weapons has not gone away since the end of the Cold War; rather, it has grown.....”

“On the other hand, we have perhaps the best opportunity ever to abolish nuclear weapons. The current crises in disarmament, non-proliferation, the rule of law and risks of use nuclear weapons have spawned widespread realization that nuclear business as usual is in fact an inexorable slide towards nuclear anarchy and disaster: and that the mere possession of nuclear weapons undermines the security of all. For the first time, a US President has been elected with a commitment to nuclear weapons abolition, and President Obama has outlined a substantive programme to deliver on this, and is demonstrating that he is serious. He will face significant opposition from those who profit from and have accessed huge budgets and built careers constructing the vast doomsday machine, and who fail to understand that unless nuclear weapons are ultimately abolished the likelihood of their use, with massive destruction to the world, will grow year by year. President Obama needs and deserves all the support and encouragement in the world.”

“We do not know how long this opportunity will last. Unlike the last one, at the end of the Cold War, it must not be squandered and a process for getting to zero, even if in thirty years time, should be locked in place. It is time that the nuclear powers took seriously Article VI of the Non-Proliferation Treaty, which commits them to making moves towards

nuclear disarmament. So far that clause has been ignored. An increasingly resource and climate stressed world is an ever more dangerous place for nuclear weapons. We simply must not fail....”

“Achieving a nuclear-weapons free world will also be aided by reversing the staggering and unconscionable hemorrhaging of material and human resources towards destructive purposes. In 2007 the world’s governments spent US \$1339 billion on their militaries, a real increase of 45% in a decade. This year, US military spending-US\$711 billion exceeds the amount spent by the rest of the world combined. Best estimates indicate that 7% of current global military spending – roughly equivalent to what the US alone spends on nuclear weapons each year - invested annually for a decade, could allow the fulfillment of the Millennium Development Goals by 2015. This would enable 500 million fewer people to live in extreme poverty, 300 million to no longer be hungry, prevent 30 million under 5 deaths and 2 million deaths of mothers in childbirth. Building real human security – reducing extreme poverty, making major reductions in preventable disease and premature death, the massive investments urgently needed to address climate change and build a sustainable energy future – will not be possible without redirecting military resources to meet human needs and restore the environment. This kind of action and less economic and social derivation, would lead to more stable societies, less room for conflict and arguably, less need for nuclear weapons.”

“Abolishing nuclear weapons will also benefit from and make more urgent reform and modernisation of the UN Security Council. Monopoly of permanent membership and veto power by a select group of nuclear armed states is not a tenable long-term basis for guardianship of the convention or treaties to abolish nuclear weapons.”

“New Zealand has been a pioneering leader in recognising that nuclear weapons threaten rather than enhance security and in dissociating itself from them and from contributing to their possible use – I commend your leadership and example, which is especially significant given the very strong popular and political support among all major parties. New Zealand has also played a leading role in promoting international disarmament efforts, such as through the New Agenda Coalition.”

“However I would encourage New Zealand to continue to drive the disarmament agenda forward and not “rest on your laurels”. Your government could demonstrate further leadership by supporting the approach advocated by the UN Secretary General, embracing and championing the comprehensive approach to nuclear non-proliferation and disarmament embodied in a nuclear weapons convention and work with other like minded states and civil society towards commencement of negotiations on such a convention. A realistic goal would be for such negotiations to get underway with a target date no later than the 2015 NPT Review Conference. Australia and New Zealand should cooperate more closely, including with neighbouring Pacific Island and Southeast Asian countries, to this end.”

In conclusion Malcolm Fraser said: “All of us have a vital stake and role in helping to create a world free of nuclear weapons. Again in the words of President Obama: “We can”, and this achievement will help us enormously to address the many other serious challenges we face in building real human in planetary security and sustainability.”

The following day Malcolm Fraser met Prime Minister Key and Foreign Minister Murray McCully. The Prime Minister made mention of this at the NZIIA dinner attended by 170 the next evening. Media coverage included an interview with Chris Laidlaw and another following the visit to the Prime Minister.

The subsequent NCCD Conference sessions considered in much more detail the steps needed to reach abolition and the international proposals and initiatives on the table. These include support for the UN Secretary Generals Five Point Plan (October 2008) an Ottawa/Oslo process for nuclear weapons, the acceptance of a Nuclear Weapons Convention, and strengthening of the South Pacific Nuclear Weapon Free Zone leading to a Southern Hemisphere Nuclear Weapon Free Zone.

A panel discussion included politicians from different parties, NGO initiatives including IPPNW and youth initiatives (including a perspective from Dr Rosemary Wyber, a house officer in Wellington). The cross-party panel prompted discussion between them and MFAT Disarmament officials present. Wellington members of NCCD are able to meet with MFAT Disarmament Division and the Minister on a routine basis, but this event gave those from out of Wellington the opportunity to hear their priorities.

The youth panel included Wilson Chau who won first prize in the Blix poster competition and has become active in the International Students for a Nuclear Weapon Free World. He reported on recently holding a meeting at Auckland University to determine students commitment. He further proposed that there be a competition for tertiary students with cash prizes for essays, videos and posters with a Youth Conference in Wellington where they would present their work. Rosemary Wyber (the IPPNW Pacific region student representative) spoke of the difficulty in funding a Conference and bringing students from around the region. They had had to postpone their proposed Regional Conference. They are however working with other student groups and this will lead to a more consolidated approach.

Recommendations arising from this NCCD Conference were:

- To establish a New Zealand Branch of ICAN.
- To form a Friends of the UN Secretary General to promote and foster the 5 point plan.
- Build on the recent Mongolian Conference on Nuclear Weapon Free Zones leading to a Southern Hemisphere Nuclear Weapon Free Zone.
- Advocate to the NZ Government to participate in coalitions of like-minded states dedicated to immediate action on abolition.
- To consider further an Ottawa/Oslo approach

A full report of proceedings is being compiled by NCCD and a follow-up meeting is planned for later in the year.

Financial Report

Budget UNANZ Conf 2009 as at 7 May 09

Actual Budget UNANZ Conference May 2009

Planned Income:

Deunif Grant for Conference	4000
UNANZ Grant for AGM	2500
Speech Award Budget	2000*
20 delegates full registrations	2000
20 waged registrations for Sat	1000
10 unwaged registrations for Sat	450
25 for Dinner	800

Total	\$12,250
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Actual Income:

Deunif Grant for Conference	4000
UNANZ Grant for AGM	2500
Speech Award Grant Deunif	2000
Conference Registrations	3045
Donation Sunday a/t	300

Total	\$11,845
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Planned Expenditure:

Travel and Accommodation Ema/Kevin	1331
Lunch m/t a/t for 55	1700
Dinner for 40 – includes drinks	1600
Dinner Friday	200
Lunch Sunday	100
Sunday a/t	250
Venue cost	250
costs speakers (10)	600
Technical costs (est)	500
Presents incl SSSA	300
Promotion	500
Speech Award Travel expenses	2000

Total	\$9,331
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Actual Expenditure:

Travel & Accom Ema/Kevin	1304.50
Catering Saturday 50/35	2565
Wine	108
Dinner Friday	255
Lunch Sunday	45
Sunday a/t 80 Note \$300 donation+	675
Venue	280
NCCD	90
Technical costs	0
Presents	158
Promotion est (printing stamps)	600
Speech Award Travel/expenses	2073.48

Total	\$8153.98
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Excess Income over Expenditure	\$2,919
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Excess Income over Expenditure	\$3691.02
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For further information, and a more complete breakdown of the conference budget and expenditure please contact UNANZ National Office.