

**Précis of ‘*Tūhoe and Te Uru Taumatua and the Crown*’,
Tūhoe ’s Deed of Settlement of Historical Claims
With the Crown, May 2013**
(Words lifted from the text are in italics)

Summary of Concepts and Principles embodied within the Tūhoe / Crown Deed of Settlement

- The purpose of the settlement is to establish a new relationship based on truth, peace, justice and prosperity between Tūhoe & the Crown.
- There is an acknowledgement by the Crown of the wrongs and injustices it has inflicted on Tūhoe .
- The important status of Te Urewera is stated. It will no longer be a national park. Its values are indentified. It is recognised as a legal entity in its own right. Joint management ensues between Tūhoe and the Crown. This shifts to two-thirds Tūhoe on the governing board in time. Maori concepts of tapu, mana and mauri are acknowledged and accepted.
- Tūhoe ’s right to self-governance (mana motuhake) is acknowledged and accepted as the natural and proper state of affairs.
- Ongoing co-operation between Tūhoe and the Crown is agreed to. Periodic joint meetings between Tūhoe and Crown ministers are part of this.
- The establishment of agreements between Tūhoe and local authorities is envisaged.
- Financial compensation will be made by the Crown.
- Tūhoe ’s relationship with the land is acknowledged.
- Tūhoe persons will be appointed to relevant regional governing bodies. Appropriate committees will be established e.g. fisheries.
- Tūhoe will have the ability to submit names to the national geographic board.
- The Crown makes a comprehensive and sincere apology for the wrongs it has committed.
- Tūhoe accept this apology.
- Tūhoe states it aspirations for: its manifold well-being (spiritual, material, emotional, economic and physical), a respectful relationship with Crown and other iwi, and that they will once more be autonomous and living freely in their own land.

Précis of ‘*Tūhoe and Te Uru Taumatua and the Crown*’

The purpose of the Deed of Settlement is to celebrate a new relationship between Tūhoe and the Crown, based on truth, peace, justice and prosperity. An acknowledgement of wrongs the Crown has committed is made. There is acknowledgement of special relationship Tūhoe have with Te Urewera National Park.

ACKNOWLEDGEMENTS

2.190 The Crown acknowledges that Tūhoe did not sign the Treaty of Waitangi in 1840. The Crown's authority over New Zealand rested in part on the Treaty and the Crown's Treaty obligations, including its protective guarantees, applied to Tūhoe. The Crown acknowledges that it has failed to meet many of its Treaty obligations to Tūhoe. Despite the previous efforts of Tūhoe, the Crown has failed to deal with the long standing and legitimately held grievances of Tūhoe in an appropriate way, and recognition of those grievances is long overdue. The sense of grief and loss suffered by Tūhoe and the impact of the Crown's failings endures today.

Part Four:

Key joint statement: "Now however Tūhoe and the Crown have committed themselves to achieving a just and honourable redress for the manifold wrongs inflicted on Tūhoe over centuries and many generations."

• Part A: Te Urewera

On July 2011 Tūhoe and the Crown signed a high level relationship statement: Na Korero Ranatira a Tūhoe me Te Karauna. That relationship statement which is a commitment to a future constructive relationship was the first between Tūhoe and the Crown in over 100 years.

Nā Kōrero Ranatira ā Tūhoe me Te Karauna enabled the Crown to commence redress discussions with Tūhoe for the wrongs arising from previous disengagement and past actions of the Crown and to agree a way forward for Te Urewera.

The special and high status of the Te Urewera, its spiritual, cultural, recreational and other values are acknowledged. Te Urewera will have legal protection in its own right, with its own Act of Parliament.

The purpose of Te Urewera Act is to establish and preserve in perpetuity a legal identity and protected status for Te Urewera for its intrinsic worth, distinctive natural and cultural values, and for its national importance, and in particular to strengthen and maintain the connection between Tūhoe and Te Urewera.

Te Urewera disestablished as a national park. The board of management has members appointed by Tūhoe and the Crown. With time the prevalence of member on the board shifts in Tūhoe's favour (two-thirds appointed by Tūhoe).

Tapu, mana and mauri are recognised.

• **Part B Mana Motuhake**

4.292 For the purposes of this deed, "mana Motuhake" connotes the distinctiveness of autonomy, self sufficiency, self respect, self discipline, independence of judgement and decision making.

It also connotes responsibility for wise and beneficial leadership, protecting the environment and therefore the resources of the community. Its life force is integrity.

By cleaving to that ethos Tūhoe will pursue and enhance the autonomy of its people and its homeland, deciding how they will develop, including in respect of health, education, infrastructure, employment, capability and leadership. Whilst acknowledging the Crown's role in governance, Tūhoe also see and expect that by this settlement, practical steps will be taken to enable Tūhoe to manage their future with reasonably maximum autonomy, that precept being their natural condition and aspiration.

Tūhoe and Crown agencies will collaborate on social, economic, environmental, cultural and other matters through the service management plan, protocols, and a relationship agreement referred to in clause 4.338.

Tūhoe leaders and other Ministers will also meet periodically to further their mutual interests and sustain the commitment made in Nā Kōrero Ranatira ā Tūhoe me Te Karauna as detailed in clauses 4.325 to 4.330.

A service management plan: the shared Crown - Tūhoe social service goals acknowledging the goal of Tūhoe to manage their own affairs to the maximum autonomy possible in the circumstances.

The commitments made by the social service agencies are to support Tūhoe's efforts to achieve the maximum autonomy possible in the circumstances in the management of their affairs.

The Minister will write to local authorities encouraging them to enter in to memorandums of understanding with Tūhoe.

• **Part C Financial redress**

Payment will be made of 106 million dollars to Tūhoe as financial redress. Property agreements where Tūhoe can buy certain properties from the Crown and lease them back to the Crown.

• **Part D Cultural Redress**

Acknowledgement is made of Tūhoe's relationship with the land. A Tūhoe person is to be appointed to the Rangitaiki River Forum. A Tūhoe Fisheries Advisory Committee to be set up. Provision has been made for addressing issues to do with official geographic names.

Key joint statement: "It is timely, therefore, that we, Tūhoe and the Crown, resolve to walk and work together for our mutual honour, dignity, advantage and progress."

Apology;

The Crown unreservedly apologises for not having honoured its obligations to Tūhoe under te Tiriti o Waitangi / the Treaty of Waitangi and profoundly regrets its failure to appropriately acknowledge and respect te mana motuhake o Tūhoe for many generations

The relationship between Tūhoe and the Crown, which should have been defined by honour and respect, was instead disgraced by many injustices including indiscriminate raupatu, wrongful killings, and years of scorched earth warfare. The Crown apologises for its unjust and excessive behaviour and the burden carried by generations of Tūhoe who suffer greatly and carry the pain of their ancestors.

Through this apology and settlement the Crown hopes to honestly confront the past and seeks to atone for its wrongs. The Crown hopes to build afresh its relationship with Tūhoe and that this new relationship will endure for current and future generations.

Tūhoe Requitai *So with our heart and our mind, and with all goodwill, we accept and celebrate this Crown apology. The door to the future is open.*

TŪHOE ASPIRATIONS

5.15 These are the aspirations of Tūhoe:

4.373.1 that the spiritual, material, economic, physical and emotional well being of Tūhoe will be restored;

4.373.2 that its people will live in a secure, mutually respectful and mutually advantageous relationship with the Crown and with other iwi and all New Zealanders; and

4.373.3 that our mana motuhake will strengthen and evolve over the generations so that Tūhoe will again, one day, be an autonomous people living in and administering its own homeland

Précis and summary by Paul Thornton, October 2013