

## Hon Andrew Little

Minister of Health  
Minister Responsible for the GCSB  
Minister Responsible for the NZSIS  
Minister for Treaty of Waitangi Negotiations  
Minister Responsible for Pike River Re-entry  
Lead Coordination Minister for the Government's Response to the Royal Commission's Report into the Terrorist Attack on the Christchurch Mosques



21 FEB 2022

E ngā uri o Te Whakatōhea, tēnā koutou katoa.

### The Whakatōhea Treaty settlement process

On 23 December 2021, the Crown and the Whakatōhea Pre-settlement Claims Trust initialled a deed of settlement, signalling that it is time to ask Whakatōhea if you will accept this settlement. Through settlement the Crown will acknowledge and apologise for the grievous breaches of the Treaty of Waitangi it inflicted upon the people of Whakatōhea.

I understand that the Claims Trust plans to hold a series of hui to discuss the settlement, recent petitions seeking to amend their mandate, and the recommendations of the Waitangi Tribunal in its *Priority Report on the Whakatōhea Settlement Process*. At these hui, the Claims Trust will test the appetite of Whakatōhea for proceeding to a formal ratification vote.

Te Arawhiti officials will also write to claimants, petitioners and the Claims Trust setting out in more detail the Crown's view on the Tribunal recommendations and the next steps for Whakatōhea.

I wish at this point to be clear about the parallel process from the Crown's perspective. If Whakatōhea opt to proceed to a formal ratification vote and through that process accept the settlement, the settlement will enable the Waitangi Tribunal's North-Eastern Bay of Plenty district inquiry to continue alongside and after a settlement. In this case, the Tribunal will still be able to make findings on historical claims. However, the Tribunal will not be able to make recommendations on further redress for historical claims, nor to make binding recommendations for the return of land. During the passage of settlement legislation, the Tribunal may need to suspend inquiry into historical claims for a time, but will be able to continue inquiry and make recommendations about contemporary (post-September 1992) claims. Inquiry into historical claims could resume after passage of the settlement legislation if further time is required for this.

The settlement will only proceed if you – the people of Whakatōhea – show strong support for it through a fair and transparent ratification process that is open to you all. I encourage all of Whakatōhea to participate in the discussion about whether to proceed to a ratification vote – the first time that Whakatōhea has had this opportunity in what has been a very long journey. The decision is now in Whakatōhea's hands.

Nāku noa, nā

  
Hon Andrew Little  
Minister for Treaty of Waitangi Negotiations

cc. Hon Willie Jackson, Minister for Māori Development