ANNUAL REPORT ON THE CROWN'S IMPLEMENTATION OF WAITANGI TRIBUNAL RECOMMENDATIONS FOR THE PERIOD JULY 2012 – JUNE 2013

Between 1 July 2012 and 30 June 2013 the Waitangi Tribunal released the following reports:

- **The Port Nicholson Block Urgency Report: Pre-publication Version;**
- **The Interim Report on the National Freshwater and Geothermal Resources Claim;**
- **The Port Nicholson Block Urgency Report;**
- **Matua Rautia: The Report on the Kōhanga Reo Claim – Pre-publication;**
- **Te Urewera Pre-publication, part III;**
- **The Stage 1 Report on the National Freshwater and Geothermal Resources Claim;**
- **Te Urewera Pre-publication, part IV;**
- **Te Kāhui Maunga: The National Park District Inquiry Report Pre-publication;**
- **The Ngāti Kahu Remedies Report: Pre-publication;**
- **The Ngāti Kahu Remedies Report; and**
- **Matua Rautia: The Report on the Kōhanga Reo Claim;**

This annual report provides an update of the Crown's implementation of Waitangi Tribunal recommendations over the past 12 months, including the primary findings in respect of each report and the Crown's response to them. The document is arranged in two parts. Part one covers current Tribunal reports, that is, those which are being actively addressed by the Crown. Part two outlines a list of reports released since 1995 on claims that have been resolved or settled and for which no further action is required.

This report has been prepared by the Minister of Māori Affairs, who is required by section 8I of the Treaty of Waitangi Act 1975 to table a report annually in the House of Representatives on progress being made in the implementation of recommendations made to the Crown by the Waitangi Tribunal.

PART 1: CURRENT WAITANGI TRIBUNAL REPORTS

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Whanganui-a-Orotu Report	WAI 55	1995	The Tribunal found that a number of breaches of the Treaty occurred in respect of Te Whanganui-a-Orotu (Napier Inner Harbour), but determined not to make recommendations on remedies in favour of further hearings on this claim.	See comments below (Wai 55b).
Te Whanganui-a-Orotu Remedies Report	WAI 55b	1998	The Tribunal made non-binding recommendations to the Crown to negotiate compensation with claimants for the loss of their taonga, Te Whanganui-a-Orotu (Napier Inner Harbour).	The Tribunal reported on the other claims of the Wai 55 hapū in its 2004 Mōhaka ki Ahuriri report. The Ahuriri hapū had their mandate recognised in January 2010, signed terms of negotiation in June 2010 and are now working towards signing an Agreement in Principle in late 2013. Negotiating the Agreement in Principle will include exploring school site redress (land only). Standard school site redress can include sale and lease-back, deferred selection sale and lease-back, and Right of First Refusal.
The Ngāi Tahu Ancillary Claims Report	WAI 27	1995	These claims arose out of Crown actions when dealing with the individual property rights of members of Ngāi Tahu Whānui in the years following the execution of the original purchase agreements between Ngāi Tahu and the Crown. The Tribunal reported on one hundred ancillary claims and found that almost half involved breaches of the Treaty.	The Crown has offered redress in respect of every beneficial (non-tribal) ancillary claim, which was upheld by the Tribunal.

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The Taranaki Report: Kaupapa Tuatahi	WAI 142	1996	In view of the extent of the Treaty breaches suffered by the iwi of Taranaki, the Tribunal made a number of comments in terms of settlement quantum, process and structure. Although the Tribunal considered that, based on legal principles, some billions of dollars were probably owed for the land, it accepted that such a quantum of damages would not be possible and recommended instead that generous reparation be made.	Settlement has been achieved with four of the eight Taranaki iwi, providing for a range of redress including redress over school sites. Of the remaining four Taranaki iwi, Ngāruahine and Te Ātiawa signed agreements in principle (or equivalent) in December 2012 and are working towards deed of settlement by March 2014. School site redress will be explored with Taranaki iwi. Ngāruahine and Te Ātiawa have opted not to include school site redress in their settlement. The fourth iwi, Ngāti Maru is engaged with the Crown in the pre-mandating phase of negotiations.
The Muriwhenua Land Report	WAI 45	1997	The Tribunal concluded that the Muriwhenua claims were well-founded.	After signing an Agreement in Principle in January 2010, Te Rarawa, Te Aupouri, Ngāti Kuri and Ngāi-Takoto have progressed towards individual deeds of settlement. Te Aupouri, Te Rarawa and Ngāi-Takoto signed Deeds of Settlement in 2012. Ngāti Kuri is expected to initial and sign a Deed of Settlement in 2013. An omnibus Te Hiku settlement Bill is expected to be introduced in late 2013. All the Deeds of Settlement provide for a range of collective and individual redress including standard redress over school sites. Te Rūnanga-a-Iwi o Ngāti Kahu applied to the Waitangi Tribunal for a remedies hearing. The Tribunal reported in March 2013 (See Wai 45, Ngāti Kahu Remedies Report). Following that report, the Crown has made an offer to Ngāti Kahu. The Ministry for Culture and Heritage has negotiated Taonga Tūturu protocols with several of these iwi.

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Te Ika Whenua Rivers Report	WAI 212	1998	The Tribunal recommended that the Crown enter into negotiation with Te Ika Whenua claimants to determine an appropriate compensation package which recognises and takes into account the claimants' interests in the Rangitaikī, Whirinaki, and Wheao rivers.	Comprehensive settlements with Ngāti Manawa and Ngāti Whare included river redress. Settlement legislation for river redress came into effect in April 2012. The other Te Ika Whenua claimants Ngāi Tūhoe and Ngāti Haka Patuheuheu will have all of their claims settled through the Ngāi Tūhoe Deed of Settlement which was signed in June 2013.
Te Whānau o Waipareira Report	WAI 414	1998	The Tribunal made a number of specific recommendations concerning the status of Te Whānau o Waipareira Trust.	The Crown and Te Whānau o Waipareira Trust have held a series of discussions about their relationship following the release of the Tribunal's Report.
The Whanganui River Report	WAI 167	1999	The Tribunal accepted the Whanganui River claims and recommended that the Crown should negotiate with Te Atihaunui a Pāpārangi through the Whanganui River Māori Trust Board.	The Crown is currently in negotiations with Whanganui Iwi (the statutorily mandated Whanganui River Māori Trust Board is the negotiating body). A Crown-Whanganui iwi agreement (Tuhohu Whakatupua) was reached in August 2012 on the Whanganui River framework. Negotiations continue on this and the other aspects of the settlement. The Crown expects to initial the Whanganui River deed of settlement in late 2013. The Ministry for Culture and Heritage has committed to exploring taonga tūturu matters with Whanganui Iwi.
The Wānanga Capital Establishment Report	WAI 718	1999	The Tribunal accepted the claim by Te Wānanga o Raukawa, Te Wānanga o Aotearoa and Te Whare Wānanga o Awanuiārangi, and made three recommendations about capital establishment grants.	A Deed of Settlement was signed between the Crown and Te Awanuiārangi on 4 October 2010. Settlements were earlier reached with Te Wānanga o Aotearoa and Te Wānanga o Raukawa.

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The Mōkai School Report	WAI 789	2000	The Tribunal made specific recommendations concerning the reopening of Mōkai School. The Tribunal, however, put the onus on the community to ensure a stable and viable roll.	The Crown has approached the successors of the former owners with a view to offering them the opportunity to secure the property in accordance with the provisions of section 41 of the Public Works Act 1981. The offer back of the property is being reviewed by a new subcontractor, who will recommend a course of action to be approved by Land Information New Zealand. Disposal of property estimated to be completed by end 2014.
The Ngāti Maniapoto/Ngāti Tama Cross Claims Report	WAI 788/800	2001	The Tribunal recommended that the status of the Kawau Pā historic reserve remain unchanged for the time being, and no statutory acknowledgement or deed of recognition in relation to this site should be included in the Ngāti Tama settlement.	The Crown proposed to Ngāti Tama and Ngāti Maniapoto that discussions about the future of the site continue outside the Treaty settlement process. Ngāti Maniapoto is currently in the process of seeking a mandate for Treaty settlements with the Crown. Any future settlement negotiations will be conducted in light of the Tribunal's recommendations. The Ministry for Culture and Heritage and Ngāti Maniapoto are developing an implementation strategy to give effect to the Accord signed in 2011 (through the Waikato River settlement).
Rekohu Report on Moriori and Ngāti Mutunga claims in the Chatham Islands	WAI 64	2001	The Tribunal made a number of recommendations in favour of the Moriori people and Ngāti Mutunga, including that of negotiated compensation.	As at 30 June 2013, the Hokotehi Moriori Trust is working towards reconfirming its mandate to represent the Moriori people. Ngāti Mutunga ki Wharekauri is yet to secure a Crown-recognised mandate but is in active mandate discussions with the Crown.

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The Napier Hospital and Health Services Report	WAI 692	2001	The Tribunal primarily recommended that the Crown endow a community health centre in trust for Ahuriri Māori, assigning part of the proceeds from the transfer of the Napier Hospital site out of the ownership of the Hawke's Bay District Health Board (DHB). The Tribunal considered an early resolution of the claim to be possible within the framework of current Government policy and health sector legislation.	The Deed of Settlement for the contemporary aspect of Wai 692 was signed on 3 October 2008, and assets were transferred on 2 June 2009. The total value of the assets was $2.693 million. This included money for three-year health contracts, establishment costs, two properties in Maraenui, Napier and a $300,000 trust. Initial progress on putting in place health service contracts has been slower than anticipated. However, the relationship between Hawke's Bay DHB and the settlement entity is positive and work on health service contracts is progressing. The historic aspect of this claim is yet to be settled (see Wai 55b and Wai 201).
The Aquaculture and Marine Farming Report	WAI 953	2002	The Tribunal recommended that: • the period before the introduction of the new Bill be used by the Crown to establish a mechanism (resourced by the Crown) for consultation and negotiation with Māori; and • the consultation should focus on the existence of Treaty rights in the coastal space, which include rights (the extent of which are yet to be determined) to aquaculture and marine farming.	The Māori Commercial Aquaculture Claims Settlement Act 2004 was a legislated response to give effect to the Tribunal's findings and was the Act that came into force after the Bill was referred to by the Tribunal. The purpose of the Act is to provide a full and final settlement of Māori claims to commercial aquaculture on or after 21 September 1992, and provide for the allocation and management of aquaculture settlement assets. **Pre-commencement space obligation** The settlement established the Crown's obligation to provide iwi with the equivalent of 20% of the aquaculture space created between 21 September 1992 and 31 December 2004 (called 'pre-commencement space'). Pre-commencement space also includes any space that was approved under the previous aquaculture legislation but issued after 1 January 2005. To date, the Crown has settled 98% of its pre-commencement settlement space obligations with Iwi. The Ministry

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				of Primary Industries (MPI) is currently in negotiations with the remaining iwi in order to settle the Crown's residual obligations by 31 December 2014. **New space obligation** The settlement also requires that iwi are provided with 20% of all new aquaculture space created through the establishment of aquaculture management areas from 1 January 2005. The new aquaculture regime as legislated by the Aquaculture Legislation Amendment Bill (No3) removed the requirement to establish Aquaculture Management Areas, and will not provide for authorisations. The new regime also created an obligation to settle new aquaculture space prospectively. Therefore a new mechanism is required to deliver the new space settlement obligations. MPI is in the process of developing the mechanism and plan to have it ratified by Iwi by December 2013. The agreed mechanism will be incorporated into the New Space Ministerial Plan, which will form the basis to negotiate new space settlement agreements with Iwi. The Crown aims to settle its new space settlement obligations with Iwi from Northland, Waikato (East), Tasman and Marlborough regions by 30 June 2014 and Iwi from the remaining regions by 30 September 2014.
Te Whanganui a Tara me ōna Takiwā Report on the Wellington District	WAI 145	2003	The Tribunal's main finding was that the Crown seriously breached the Treaty in the Port Nicholson block causing prejudice to Te Ātiawa, Ngāti Toa, Ngāti Tama, Ngāti Rangatahi, Taranaki and Ngāti Ruanui. The Tribunal recommended that, given the relative	Settlement has been achieved with Taranaki Whānui ki Te Ūpoko o Te Ika/the Port Nicholson Block Settlement Trust (PNBST), which is a collective comprising Te Ātiawa, Taranaki, Ngāti Ruanui and Ngāti Tama. As part of the settlement, the Crown agreed that

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			complexities of the issues and the interrelationships of these groups affected by a number of Treaty breaches, the parties should clarify matters of representation and enter into negotiations with the Crown.	should Ngāti Tama achieve a Crown-recognised mandate, the Crown will negotiate with those members of Ngāti Tama who consider that their historical claims are not represented by the PNBST. Ngāti Toa signed a Deed of Settlement (December 2012). This will be enacted via the *Te Tau Ihu Claims Settlement Bill* (see Wai 785). Ngāti Rangatahi and Te Ātiawa ki Whakarongotai have yet to secure a mandate to enter Treaty settlement negotiations with the Crown. The Taranaki Whānui-Crown Accord was signed in March 2011. This Accord included a number of relationship agreements with Government agencies. The Accord includes a Crown Education Portfolio Agreement which consolidates the intention of the parties to work together to address the educational needs of Taranaki Whānui and others in the rohe. In October 2011, the Ministry of Education and the Port Nicholson Block Settlement Trust agreed to an implementation work plan and a contract to fund this activity. The Ministry for Culture and Heritage has Taonga Tūturu protocols with Taranaki Whānui.
The Tarawera Forest Report	WAI 411	2003	The Tribunal made a number of key recommendations including that the Crown and Māori Investments Limited should contribute equally to a Trust for the benefit of any person who is or was a member of a hapū which in 1968 was associated with the lands that became the Tarawera 1 block, or for the benefit of any descendant of any such person.	In 2004 Māori Investments Limited exchanged its shareholding in Tarawera Forests Limited for ownership of the land under the Tarawera forests. The joint venture that involved private enterprise (originally Tasman Pulp and Paper Company Limited), the Crown and several thousand Māori, was disestablished. Residual claims in relation to the Tarawera Forest have been and will continue to be addressed where these exist, through settlements with individual claimant groups.

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The Mōhaka ki Ahuriri Report Vol. 1&2	WAI 201	2004	The Tribunal identified serious breaches of the Treaty and recommended that the Crown and claimants should negotiate for the settlement of these claims accordingly. With respect to Ngāti Pāhauwera, the Tribunal recommended that the Crown take steps to negotiate a settlement of the Mōhaka River Claim. The Tribunal also recommended that in consultation with Ngāti Pāhauwera, the Crown continue to explore policy initiatives on how to turn the patchwork of small, multiply-held fragments of land, such as those remnant holdings of Ngāti Pāhauwera, into a useable land base.	The Crown is currently in negotiations with Ahuriri hapū (see comments above for Wai 55b) and Ngāti Hineuru (Mōhaka Waikare claims). The Crown signed a Deed of Settlement with the Maungaharuru Tangitu Hapū (including Ngāti Tū) on 25 May 2013. The enactment of settlement legislation gave effect to Ngāti Pāhauwera's Deed to settle all their historical Treaty claims in May 2012. These settlements provide for a range of redress including redress over school sites.
Te Raupatu o Tauranga Moana Report on the Tauranga Confiscation Claims	WAI 215	2004	The Tribunal found that the Crown was not justified in taking military action against Tauranga Māori in the 1860s. Tauranga Māori suffered considerable prejudice as a result of breaches of the principles of the Treaty arising from the Crown's confiscation, return and purchase of Māori land in the Tauranga district before 1886. The Tribunal recommended that the Crown move quickly to settle the Tauranga claims with generous redress. The Hon Dr Michael Bassett provided a dissenting opinion in which he took issue with three of the general findings of the majority members. Despite his dissenting views on these points, Dr Bassett concluded that the other Treaty breaches suffered by Tauranga Māori were serious enough that "my conclusions do not warrant any lessening of the quantum of settlement made with Tauranga Māori".	A number of Tauranga iwi sought to have the Tribunal inquire into their post-1886 issues. The hearings were concluded and the Tribunal presented Stage Two of its report in 2009. The Tauranga Moana Iwi Collective has developed a regional approach to negotiations over shared areas. On 22 December 2011, the Crown and the Tauranga Moana Iwi Collective signed a Statement of Position and Intent. The Tauranga Moana Iwi Collective deed of settlement was initialled on 2 November 2012. Ngāi Te Rangi, Ngāti Ranginui and Ngāti Pūkenga are part of this collective settlement and also have their own individual settlements. On 21 June 2012, the Crown and Te Roopu Whakamana o Ngā Hapū o Ngāti Ranginui signed a Deed of Settlement and are currently working on a Deed to amend. On 7 April 2013, Ngāti Pūkenga signed a Deed of Settlement. Hauraki iwi settlements will also include redress for

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				their land loss within the Tauranga raupatu district. Ngāti Hinerangi has submitted a Deed of Mandate to the Crown. The Ministry for Culture and Heritage has negotiated protocols with Ngāti Ranginui and Ngāti Pukenga.
Tauranga Moana, 1886 – 2006	WAI 215	2010	Recommendations of the Tribunal included that: • the Crown return as much land as possible and that all surplus Crown land be automatically landbanked; • the Crown provide generous compensation to help restore a sound economic footing; • that a review of the public works compensation be undertaken to ensure a system is put in place that is in keeping with Treaty principles; • the Crown find ways to achieve better representation of Māori, and particularly tangata whenua, at all levels of local government; • the Government look to amend rates remission policies for Māori land and develop a coordinated and consistent approach; • Te Puni Kōkiri or other government agency monitor the local government community outcomes with respect to district planning and local government legislation to ensure they measure against the Treaty; • the Crown encourage local government to better engage with tangata whenua in natural resource management and investigate the possibilities for remedial environmental action, particularly in relation to harbours and waterways, and that the Crown contribute to the cost of any project identified; • changes be made to the protection of historic places and cultural heritage, specifically that the	The Ministry for Culture and Heritage has reviewed the Historic Places Act 1993. On 4 October 2011, the Heritage New Zealand Pouhere Taonga Bill was introduced which would replace the Historic Places Act 1993. New archaeological provisions in the Bill are intended to improve alignment with the Resource Management Act 1991. Also, as currently drafted, the legislation will require Heritage New Zealand Pouhere Taonga (the proposed new name of the New Zealand Historic Places Trust) to refer all applications for archeological authorities that affect sites of interest to Māori (to the Māori Heritage Council). In 2012 the Minister for Arts, Culture and Heritage introduced a Supplementary Order Paper that amends the Bill to (among other matters) introduce a new part of the Register of heritage places for 'wāhi tupuna'. This change is intended to provide better recognition of sites of interest to Māori.

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			Crown give oversight to the information collation about heritage places, and that territorial authorities be given oversight of the relevant protection mechanisms; • the Crown issue national policy statements on heritage. A Māori heritage component should be drafted by the Māori Heritage Council; and • the Crown improve the standard of archaeological advice available to local bodies and developers.	
Tūranga Tangata Tūranga Whenua Report of the Tūranganui a Kiwa claims Vol. 1&2	WAI 814	2004	The Tribunal found that the Crown failed to act reasonably and with the utmost good faith in much of its dealings with the iwi of Tūranga, that it breached the principles of the Treaty on a number of occasions, and that the Tūranga claims were well-founded. The Tribunal expressed a view that there was an urgent need for community education on the history of race relations in New Zealand in hope that the Government would ensure that the stories of the people of Tūranga would be told. The Tribunal recommended that the Crown should negotiate with claimants and, if it were feasible, the parties should consider the benefits of a single district-wide negotiation process which would result in the creation of several settlement packages.	Claims settlement bills for Ngāi Tāmanuhiri and Rongowhakaata were enacted in 2012. Negotiations with the Māhaki cluster (Te Aitanga a Māhaki, Ngā Ariki Kaipūtahi and Te Whānau a Kai) have paused while the Waitangi Tribunal hears an application for remedies in relation to the Mangatū No.1 block. The Ministry for Culture and Heritage and Rongowhakaata have an agreed programme of work regarding Te Hau ki Tūranga (this is a Treaty settlement commitment as outlined in Rongowhakaata's Deed of Settlement).

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The Report on the Crown's Foreshore and Seabed Policy	WAI 1071	2004	The Tribunal disagreed with the Crown's proposed policy for the foreshore and seabed. It considered there were fundamental flaws in the policy, in particular in relation to the application of Treaty principles. The Tribunal offered recommendations it considered would address the Crown's position in Treaty terms, while at the same time achieving the objectives of public access and inalienability for the foreshore and seabed.	The Marine and Coastal Area Act 2011 came into force on 1 April 2011. Amongst other things, the Act: • repeals the Foreshore and Seabed Act 2004; • expressly restores any customary interests that were extinguished by the Foreshore and Seabed Act; • establishes a new area known as the common marine and coastal area (essentially all foreshore and seabed not held in private title); • declares that neither the Crown nor any other person owns, or is capable of owning, the common marine and coastal area; • provides for the recognition of two forms of customary interest: customary marine title and protected customary rights; • provides that customary marine title and protected customary rights may be recognised through agreement with the Crown or through applications to the High Court; and • sets out the consequences of customary marine title and protected customary rights. As at 30 June 2013, there were 12 applications for recognition orders under the Marine and Coastal Area (Takutai Moana) Act 2011 (the 2011 Act), in the High Court. The 12 applications were transferred from under the Foreshore and Seabed (FSB) Act. The Crown had received 18 applications for recognition agreements under the 2011 Act with 5 applications transferred from under the FSB Act.

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The Waimumu Trust (SILNA) Report	WAI 1090	2005	The main focus of the inquiry was the claim that the Forests Amendment Act 2004 had removed the power of the claimants to export unsustainably logged timber. The Tribunal did not consider this part of the claim to be well-founded. The Tribunal found that there has been no breach of the principles of the Treaty, and no prejudice to the claimants, arising from this part of the Forests Amendment Act 2004. The Tribunal found, however, that the Crown breached the principles of the Treaty by: • abandoning negotiations for compensation without the concurrence of the Waimumu Trust; and • imposing the Natural Heritage Fund as the only effective remedy, premised as it is on the low conservation value of the Trust's forest and the cessation of payments based on timber value.	The Nature Heritage Fund continues to implement the conservation component of the Crown's policy package for SILNA lands. The Crown and the Waimumu Trust have not entered into negotiations regarding the WAI 1090 recommendations.
The Report on the Aotearoa Institute Claim concerning Te Wānanga o Aotearoa	WAI 1298	2005	The Tribunal's main recommendation in this Report, its second inquiry into matters concerning wānanga, was that the Crown should use its best efforts to conclude the partnership agreement, or to set up a structure which provides for similar high-level opportunities for the three wānanga to engage with the Crown as well as providing for one-to-one relationships with individual wānanga. The Tribunal also recommended that the Crown: • meet the proper costs and disbursements of the claimants incurred in the preparation and presentation of their claims; and • formally acknowledge the invaluable and innovative contribution made by the Aotearoa Institute and the founders of Te Wānanga o	The main recommendation of the Tribunal to complete the partnership agreement with the three wānanga has been the subject of several meetings between education agencies and the wānanga sector since 2009. These discussions are continuing. Four of the Tribunal's recommendations have been resolved through the normal business processes of the Tertiary Education Commission. Te Wānanga o Aotearoa has also indicated that it will not pursue the recommendation to seek additional costs from the Crown. Aotearoa Institute has accepted the Crown offer to settle the outstanding recommendations of the Waitangi Tribunal report, (e) a quantum to contribute to costs incurred in bringing the claim

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			Aotearoa to education in Aotearoa/New Zealand.	and (f) a letter of acknowledgement. On 20 June 2012 the Treaty of Waitangi Cabinet Committee agreed to and approved the quantum and the letter of acknowledgement and this decision has been confirmed by Cabinet. In June 2012, all outstanding recommendations of the Tribunal were settled to the satisfaction of the claimants. The main recommendation of the Tribunal to either complete the partnership agreement or provide structures similar to those envisaged in the draft partnership agreement has been fulfilled in practice and in spirit. Active and genuine engagement has strengthened the relationship which is now seen as a practical expression of 'partnership in action'. Recommendation e) to meet the proper costs and disbursements of the claimants incurred in the preparation and presentation of their claims was settled with the payment of an amount agreed by and paid to, the claimants in September 2012. Recommendation f) to acknowledge formally the invaluable and innovative contribution made by the Aotearoa Institute and the founders of Te Wānanga o Aotearoa to education in Aotearoa/New Zealand was sent to the claimants in August 2012.
The Hauraki Report Vol. 1, 2&3	WAI 686	2006	The Hauraki Report confirmed significant Treaty breaches by the Crown against the Marutūahu and other Pare Hauraki tribes. The Tribunal considered that substantial restitution is due, and that the quantum should be settled by prompt negotiation.	In June 2011, mandates were recognised for all 12 Hauraki iwi. A Framework Agreement and Agreement in Principle Equivalents have since been signed. In June 2013 the Crown signed an on account Deed of Settlement with the Pare Hauraki iwi for the purchase of the Pouarua Dairy Complex and the iwi and the Crown continue to work towards comprehensive deeds of settlement. The Ministry for Culture and Heritage is in the process of negotiating taonga tūturu protocols with Hauraki iwi.

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The Kaipara Interim Report, The Kaipara Report and The Final Kaipara Report.	WAI 674	2006	Following direct Crown negotiations and settlement with Te Uri o Hau in isolation from other Kaipara claims, an interim report was presented to the Government in September 2002. The Tribunal's final Kaipara Report was released on 14 January 2006. The Tribunal recommended that the claimants should be invited to begin negotiations towards a settlement of their grievances with the Crown, on the basis that it is only fair that they should be treated in the same manner as Te Uri o Hau. This report includes a minority opinion from Dr Michael Bassett who considered, among other things, that the report "does not grapple adequately with the overall historical background of these claims", or "fasten sufficiently on the key role played by chiefs in the alienation of Māori Land". Notwithstanding his dissenting opinion, Dr Bassett supported the majority view of a settlement on a pro-rata basis that would not disadvantage Māori in Southern Kaipara in comparison with Te Uri o Hau.	The Ngāti Whātua o Kaipara Claims Settlement Act received the royal assent in June 2013. Negotiations with Te Rūnanga o Ngāti Whātua are progressing towards Agreement in Principle. Settlement will provide for a range of redress including redress over school sites. The Ministry for Culture and Heritage has signed Taonga Tūturu protocols with Ngāti Whātua o Kaipara.

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Te Tau Ihu o te Waka ā Māui: Preliminary Report on the Customary Rights in the Northern South Island, **Te Tau Ihu o te Waka ā Māui: Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā** **Te Tau Ihu o te Waka ā Māui: Report on Northern South Island Claims Vol. 1, 2, & 3.**	WAI 785	2007 2007 2008	The Tribunal found that the Crown committed numerous serious breaches of the Treaty and its principles, and that substantial and culturally appropriate compensation is required. The recommendations of the Tribunal included that: • the total quantum (relating to the Te Tau Ihu district) in principle be divided equally between the eight iwi of Te Tau Ihu; • site specific cultural redress should be discussed collectively; • in terms of the direct settlement negotiations and negotiation of redress between Northern Te Tau Ihu groups, there is need for special recognition of Ngāti Apa whose customary interests within Te Tau Ihu were never extinguished by any kind of deed of cession; • the Crown take steps to fully recognise and restore the mana of Kurahaupō iwi; • historical grievances relating to the Wakatū Incorporation be settled by the Crown and Te Tau Ihu iwi; • the Crown enter into parallel negotiations with the Ngāti Rārua Ātiawa Iwi Trust to bring the Whakarewa (Motueka) leases into line with the 1997 Māori reserved lands settlement; • current resource and fishery management regimes are changed to be more consistent with the Treaty; • amendments be made to public works and resource management legislation and policies; and • the Crown ensure breaches caused by the Ngāi Tahu settlement do not continue and compensation be negotiated with affected Te Tau Ihu iwi.	All eight Te Tau Ihu iwi have signed individual deeds of settlement. Reflecting the regional approach that was taken to negotiations for Te Tau Ihu claims, an omnibus Bill (the *Te Tau Ihu Claims Settlement Bill*) was introduced into the House in July 2013. The bill is designed to split into four separate pieces of legislation. The four standalone Bills will be: • the Ngāti Apa ki te Rā Tō, Ngāti Kuia and Rangitāne o Wairau Claims Settlement Bill; • the Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-ā-Māui Claims Settlement Bill; • the Ngāti Toa Rangatira Claims Settlement Bill; and • the Haka Ka Mate Attribution Bill. The redress packages include: • joint and overlapping redress over cultural redress sites (for example sites of conservation land that will jointly vest in multiple iwi or over which multiple iwi will have overlay classifications); • $3,000,000.00 in recognition of Ngāti Apa's unique claim; and • All CFL land in Te Tau Ihu has been allocated by the iwi across the packages. The Crown (represented by TPK) has also entered parallel discussions with the Ngāti Rārua-Ātiawa Iwi Trust. These discussions are on-going. The Ministry for Culture and Heritage has negotiated Taonga Tūturu protocols with Te Tau Ihu iwi.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Report on the Tāmaki Makāurau Settlement Process	WAI 1362	2007	This report concerns the 2006 Agreement in Principle signed between the Crown and Ngāti Whātua o Ōrākei and claims by other tangata whenua groups with interests in the Tāmaki Makāurau area. The report found that these interests would have been prejudiced by Crown actions in respect of the proposed settlement. The Tribunal recommended that: • the proposed settlement with the Ngāti Whātua o Ōrākei Trust be put on hold until other tangata whenua groups within the region have similarly negotiated Agreements in Principle with the Crown; and • the Crown should take steps to facilitate the entry of these groups into the settlement process. The Tribunal also made a series of recommendations intended to smooth the progress of settlement negotiations where overlapping or multiple interests may arise.	The Crown reviewed its policy on overlapping claims and mandate recognition, and adopted, where practical, a regional approach to negotiations. The Crown has initialled a collective Deed of Settlement with the 13 iwi/hapū of the Tāmaki Collective that provides redress for the shared interests of these iwi/hapū. Negotiations for individual Deeds of Settlement continue to progress across the region. Of the 13 iwi/hapū: Ngāti Whātua o Kaipara and Ngāti Whātua o Ōrākei are now settled; Te Kawerau ā Maki is working toward initialling a Deed of Settlement in late 2013; Ngāi Tai ki Tāmaki has reached an Agreement in Principle and is in active negotiations to reach a Deed of Settlement; the five Marutūāhu iwi/hapū are working towards initialling Deeds of Settlement; Ngāti Tamaoho has progressed to Agreement in Principle; and Ngāti Te Ata and Te Akitai have terms of negotiations and are working towards Agreements in Principle. The settlements will provide for a range of redress including redress over school sites. The Ministry for Culture and Heritage has Taonga tūturu protocols with Ngāti Whātua o Kaipara and Ngāti Whātua o Ōrākei.
Report on the Impact of the Crown's Treaty Settlement Policy on Te Arawa Waka	WAI 1353	2007	The Tribunal has convened three inquiries into this settlement, with the first two examining mandate issues while negotiations were in progress. This report focuses on mandating and overlapping claims, noting that the Tribunal has separately heard and will report on matters associated with licensed Crown forestry land. The Tribunal recommended that:	A settlement has been reached with Te Pūmautanga o Te Arawa, but a number of Te Arawa iwi/hapū withdrew their mandate of Te Pūmautanga o Te Arawa. The Crown has agreed settlements with iwi who withdrew from Te Pūmautanga o Te Arawa. Legislation to enact the settlements for Ngā Puna Wai o te Tokotoru (Ngāti Rangiteaorere, Ngāti Rangiwewehi and Tapuika) was introduced into the

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			• a number of non-exclusive redress items apply to groups outside the affiliate Te Arawa iwi/hapū; • the Crown use a process to re-engage with non-affiliate groups to discuss redress sites; • the Crown commence negotiations with Ngāti Makino; and • the Crown facilitate mandating hui with identified groups outside of the affiliate Te Arawa iwi/hapū mandate.	House in July 2013. The Crown and Waitaha signed a Deed of Settlement on 20 September 2011. Settlement legislation was enacted in June 2013. Ngāti Mākino signed a Deed of Settlement on 2 April 2011 and settlement legislation was enacted in 2012. The settlement will provide for a range of redress including vesting of school sites. The Crown is in early engagement with Ngāti Rangitihi and is negotiating Terms of Negotiation with Ngāti Whakaue. The Ministry for Culture and Heritage has negotiated protocols with Ngāti Rangiwewehi, Ngāti Rangiteaorere, Tapuika and Waitaha.
He Maunga Rongo: Report on Central North Island Claims **Vol. 1, 2, 3&4**	WAI 1200	2007	This report describes the Tribunal's inquiry into some 120 claims from three districts: Rotorua, Taupō and Kaingaroa. The Tribunal found that: • the Treaty guaranteed and protected the full authority (tino rangatiratanga) of Māori over their lands, people, treasures, and affairs; • indigenous sovereignty was not about independence from the state but rather about the proper exercise of Crown and Māori autonomy and managing the overlaps in partnership; • the Crown failed to facilitate legal community titles to land, but that this breach had been mitigated by the provisions of the Te Ture Whenua Māori Act 1993; • the Crown had failed in its duty of active protection of Māori interests;	The Crown signed a Deed of Settlement with the Central North Island Iwi Collective in June 2008. The Central North Island Iwi Collective includes Te Pūmautanga o Te Arawa, Ngāti Tūwharetoa, Ngāi Tūhoe, Ngāti Whare, Ngāti Manawa, Ngāti Raukawa, Ngāti Whakaue and Ngāti Rangitihi. Legislation to give effect to this settlement was enacted in September 2008. The settlement provided a range of redress including school site redress. On 1 July 2009, 176,000ha of Crown Forest Licensed land, together with $280 million of accumulated rentals, was transferred to Central North Island Iwi Holdings Ltd. The eight iwi of the Central North Island Iwi Collective received 90% of these assets. The Crown is currently exploring options for determining beneficial entitlement to the remaining 10%. The Central North Island Iwi Collective has now entered into a mana whenua

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			• the Crown did not breach its Treaty obligations over Māori economic development in the exotic forestry sector; • Māori customary rights to indigenous freshwater and sea fisheries remained legally enforceable so long as there was compliance with the Treaty of Waitangi Settlement Act 1992 (Fisheries Claims); • in legal and Treaty terms, Central North Island Māori had retained their customary rights to the geothermal fields of the Central North Island and to the land underlying Taupō volcanic zone; and • in general, the Crown had breached the Treaty in failing to recognise and provide for the customary rights and Treaty interests of Central North Island Māori in the natural resources of the region.	process to allocate the land beneath the Central North Island forests. The Central North Island settlement represents the commercial aspect of the settlement for the individual iwi of the collective. All of the Central North Island Iwi Collective have or will complete separate comprehensive negotiations for the settlement of the remainder of their historical claims. Raukawa signed a Deed of Settlement on 2 June 2012 and Ngāti Korokī Kahukura signed a Deed of Settlement on 20 December 2012. Ngāti Korokī Kahukura is currently working on a Deed to Amend. Deeds of settlement have been reached with Ngāti Whare, Ngāti Manawa, Ngāi Tūhoe, Te Pūmautanga o Te Arawa and Raukawa. A mandate for comprehensive settlement negotiations has been recognised for Ngāti Tūwharetoa and Ngāti Whakaue. Ngāti Rangitihi is currently working toward a mandate. It is expected that these settlements will provide for a range of redress including redress over school sites.
Te Urewera Pre-publication Part 1	WAI 894	2009	The Part One report examines the relationships between the Crown and Te Urewera Māori from 1840 to 1865. It found that because their rangatira did not sign the Treaty in 1840, and, indeed, were not given the opportunity to do so, Tūhoe did not owe reciprocal Treaty duties to the Crown. It also outlines the impact of confiscation and war on the groups within Te Urewera and its surrounds. The Tribunal made many Treaty breach findings relating to the confiscation and the Crown's conduct in war.	Deeds of settlement have been reached with Ngāti Manawa, Ngāti Whare and Ngāi Tūhoe. In March 2013, Ngāti Ruapani ki Waikaremoana's attempt at mandating was unsuccessful; Te Puni Kōkiri will continue to work with Ngāti Ruapani ki Waikaremoana on mandate matters. In February 2011, the Crown recognised the mandate of Te Tira Whakaemi o Te Wairoa to represent Ngāti Kahungunu ki Wairoa in Treaty settlement negotiations. The Crown and Te Tira Whakaemi are currently working towards an agreement in principle. Settlement will provide for a

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
				range of redress including redress over school sites. The Ministry for Culture and Heritage has agreed to a Letter of Commitment with Ngāi Tūhoe on a range of taonga tūturu issues.
Te Urewera Pre-publication Part 2	WAI 894	2010	The Tribunal made Treaty breach findings against the Crown in relation to war and the acquisition of land near upper Wairoa and Lake Waikaremoana; the native land laws legislation; and the way in which it treated Tūhoe leadership attempts. Typically, the Tribunal refrains from making recommendations until it releases the final report (parts 3 and 4 of the report are yet to be released). However, the Tribunal felt the circumstances relating to Onepoto, a site at Lake Waikaremoana, justified an early recommendation that the Crown begins a process whereby it returns approximately 250 acres to its original owners.	See Te Urewera Pre-Publication Part 1

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Wairarapa ki Tararua Report	WAI 863	2010	The Tribunal recommended that: • the current public works regime be changed to give effect to the Treaty of Waitangi, through amending the Public Works Act 1981 and amendments to Section 134 of Te Ture Whenua Māori Act 1993 and Section 342 and Schedule 10 of the Local Government Act 1974; • the bed of the Wairarapa Moana be returned; • te reo Māori be better supported in the area; • the Local Government Act 2002, Resource Management Act 1991, Historic Places Act 1993 and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and other relevant legislation be amended to provide Māori the level of input that recognises their status as a Treaty partner; and • enable Māori to build a better relationship with the Department of Conservation.	The Rangitāne Settlement Negotiations Trust has a Crown recognised mandate to represent Rangitāne o Wairarapa and Rangitāne o Tāmaki Nui ā Rua in Treaty settlement negotiations. In August 2012, the Trust signed Terms of Negotiation with the Crown. The Ngāti Kahungunu ki Wairarapa -Tāmaki Nui a Rua Trust has a Crown recognised mandate to represent Ngāti Kahungunu ki Wairarapa ki Tāmaki Nui ā Rua in Treaty settlement negotiations. Parties are to commence formal negotiations in 2013 towards Agreements in Principle.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The East Coast Settlement Report	WAI 2190	2010	The Tribunal did not make recommendations because it did not find Treaty breaches causing prejudice. Instead, the Tribunal made a number of suggestions to assist the Crown to ensure, as far as possible, that the Ngāti Porou settlement will benefit all of those for whom Te Rūnanga o Ngāti Porou is mandated to represent. Some changes were recommended to Crown settlement policy. The Tribunal's recommendations with respect to Treaty settlement policy included that: • the Office of Treaty Settlements should call for submissions when a proposed mandate strategy is submitted; • information provided as part of mandate strategies should include specific Wai numbers, a clear claimant definition and specific geographic area to be covered by the proposed settlement; • the Office of Treaty Settlements should write to all Wai claimants at an early stage in the process to inform them that their claims may be extinguished by the proposed settlement; • the Crown should insist that the negotiating committee formed after mandating inform those claimants when any milestone is reached in negotiations; • the Crown should adopt a more proactive role in monitoring developments during the mandate strategy process; • the Crown should ensure that all interested parties in negotiations can participate at every stage of the mandating process; and • the Office of Treaty Settlements should update its policy guide to reflect changes that have arisen from recent Tribunal inquiries.	The Crown and Ngāti Porou signed a Deed of Settlement on 22 December 2010. The Office of Treaty Settlements held one Airing of Grievances hui in 2011. The Ngāti Porou settlement provides for a range of redress including redress over school sites. Settlement legislation gave effect to Ngāti Porou's deed of settlement in May 2012.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Report on the Management of the Petroleum Resource	WAI 796	2010	The Tribunal found that there are systemic flaws in the operation of the current regime for managing the petroleum resource. Its recommendations included that: • settlement packages include petroleum assets for affected iwi; • petroleum royalties be used to establish a fund to assist iwi and hapū to participate in petroleum management processes; • the Crown produce National Policy Statements and National Environmental Standards to provide guidance to territorial authorities on enhancing and protecting taonga and wāhi tapu; • joint consent hearings by local authorities be put to greater use; • the Resource Management Act 1991 be amended to require decision-makers to act consistently with the Treaty principles; • the Crown Minerals Act 1991 be amended to require decision makers to act consistently with Treaty principles and provide greater protection to Māori land through compulsory notifications for applications concerning Māori land; • a Ministerial Advisory Committee be established for Māori to provide advice directly to the Minister of Energy on Māori perspectives and concerns; • re-establish district and regional representative bodies for tangata whenua for the purpose of considering petroleum management issues and that they be adequately resourced by the government; • applicants bear the costs of engagement with Māori on a user pays principle; • establish the role of Treaty Commissioner to	Approach and timeframes for responding to the recommendations in the Wai 796 report are still under consideration by Ministers. However, the Ministry of Business Innovation and Employment has made some changes to strengthen engagement with iwi in the petroleum area. In 2012, Block Offer notices set out an expectation that permit holders will regularly engage with iwi on issues that are likely to affect iwi interests during the petroleum exploration process, particularly in relation to wāhi tapu sites. The Ministry will proactively engage with iwi when block offers are being considered over their rohe. The Ministry will also regularly engage with iwi who have existing petroleum and minerals operations in their rohe. The Office of Treaty Settlements will be involved in both processes. The Ministry of Business Innovation and Employment are attempting to work with the technical advisors to the Oil and Minerals Group of the Iwi Leaders Forum on the preparation of the new minerals programmes and will consult extensively with iwi groups on the new minerals programmes. Internally, greater weight will be given to Crown Minerals Protocols and other relationship instruments when engaging with relevant iwi.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			monitor Treaty compliance; and • review the adequacy of legal assistance available to Māori from the Environmental Legal Aid Fund.	
Indigenous Flora and Fauna and Cultural Intellectual Property	WAI 262	2011	The report relates to New Zealand's law and policy affecting Māori culture and identity. It makes a range of specific findings and recommendations in relation to indigenous flora, fauna and cultural and intellectual property, and has a focus on the Crown's engagement with mātauranga Māori. The principle of partnership is a key theme in the report. Specific recommendations are made in each chapter in the report, which cover the following matters: 1. 'Taonga Works' and Intellectual Property; 2. Genetic and Biological Resources of 'Taonga Species'; 3. Relationship with the Environment; 4. Taonga and the Conservation Estate; 5. Te Reo Māori (this chapter remains provisional); 6. When the Crown Controls Mātauranga Māori; 7. Rongoā Māori; and 8. The Making of International Instruments.	The report is the Waitangi Tribunal's first whole-of-government inquiry and addresses the work of more than 20 departments and agencies. The Government is currently considering the report. The timing of the Government's response to the report has not yet been determined.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Port Nicholson Block Urgency Report: Pre-publication Version **The Port Nicholson Block Urgency Report**	WAI 2235	2012	This Tribunal did not find in favour of the claimants with respect to their central claim, namely that: "Taranaki Whānui understood the Crown to have made an undertaking or commitment that the Wellington Central Police Station would be the only property offered to Ngāti Toa from within the Port Nicholson Block (as either commercial or cultural redress)." However the Tribunal found that the Crown, in exchange for the release of the Wellington Central Police Station, gave Taranaki Whānui undertakings not to offer Ngāti Toa any cultural redress and no further commercial redress within the Wellington Central Business District (CBD). The Tribunal also found that the Crown broke those undertakings. The Tribunal made a series of recommendations to the Crown including: 1. that it review the offer of Right of First Refusal (RFR) to Ngāti Toa over Crown properties and New Zealand Transport Agency administered properties in Wellington City; 2. that, if necessary, it amend the offer of RFRs to Ngāti Toa, to ensure that no commercial properties were made available via the RFR mechanism to Ngāti Toa within the Wellington CBD. The Tribunal was not concerned about properties located outside the CBD; and 3. if, as a result of implementing the above two recommendations, the commercial redress package on offer to Ngāti Toa was in any way diminished, the Crown should identify and offer alternative substitute commercial redress for Ngāti Toa.	Ngāti Toa signed a deed of settlement in December 2012. Prior to signing, the RFRs were offered to Ngāti Toa over the Wellington city area. Alongside a revised RFR redress offer, the Crown agreed to further land banked property as part of Ngāti Toa commercial redress package.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Interim Report on the National Freshwater and Geothermal Resources Claim **The Stage 1 Report on the National Freshwater and Geothermal Resources Claim**	WAI 2358	2012	The Tribunal found that water bodies were taonga over which hapū or iwi exercised tino rangatiratanga and customary rights in 1840. The closest English equivalent in 1840 was ownership; the closest New Zealand law equivalent today is residual property rights. The Tribunal determined that where such residual property rights exist, the Crown's Treaty duty is to undertake in partnership with Māori an exercise in rights definition, recognition and reconciliation. The Tribunal found that this claim is the latest in a long series of Māori claims in recognition of their proprietary rights in water bodies which have been upheld as far back as 1929. The Tribunal also found that there is a nexus between the share sales and the Crown's ability to preserve a remedy in respect of Māori rights and interests in water and geothermal resources. In particular, the Tribunal determined shares that carried with them a significant degree of control over the energy company could be essential for rights recognition or remedy for some iwi. The Tribunal termed this remedy "shares plus" and found the flexibility the Companies Act 1993 provides the Crown as sole shareholder, to enter into Treaty settlement negotiations with Māori in terms of "shares plus" would be lost once the shares were sold. The Tribunal concluded that the Crown would therefore be in breach of the Treaty if it proceeded with the shares sales without creating an agreed mechanism to preserve its ability to recognise Māori rights and remedy their breach. On that basis the Tribunal recommended the Crown urgently convene a national hui to determine a way forward.	Following the release of the Tribunal's report the Government consulted with iwi. Following that consultation the Government decided not to pursue the "shares plus" option recommended by the Tribunal and proceeded with share sales in Mighty River Power. Proceedings were brought by the claimants in the High Court, which were unsuccessful. The claimants then appealed to the Supreme Court. The Court accepted the share sales would cause some impediment to reparation for Treaty claims in relation to the water subject to water permits held by Mighty River Power. It determined, however, the sales would not impair the Crown's ability to remedy any Treaty breach in respect of Māori interests in water. The Court found that the Crown's proposals were not inconsistent with Treaty principles. The government's position is that the Crown retains the capacity to recognise any rights and interests in water Māori might wish to pursue notwithstanding the share sales. These interests are currently being considered and addressed through: a. the settlement process on an iwi-by-iwi basis; b. the Fresh Start for Fresh Water programme; and c. dialogue with iwi leaders.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Te Urewera Pre-publication, part III **Te Urewera Pre-publication, part IV**	WAI 894	2012	The Tribunal found that the alienation of 75 per cent of the Urewera Native Reserve mainly through Crown purchasing, on top of earlier extensive land loss in the rest of Te Urewera, was in breach of the Treaty and caused significant prejudice to the peoples of Te Urewera. The Tribunal recommended Title-return and joint management arrangements be made for the National park. In this part of its report, the Tribunal moves beyond large-scale land alienation in Te Urewera to look at how Māori communities fared in the twentieth century. The report also considers issues relating to twentieth century land development. A series of consolidation and development schemes were initiated with good intentions and delivered considerable benefits, but when the lands were returned they were encumbered with high levels of debt. These initiatives were to the credit of the Crown, and the Tribunal found Treaty breaches only in activities ancillary to the major schemes.	Settlement legislation has been enacted to recognise the deeds of settlement for Ngāti Manawa and Ngāti Whare. The Tribunal's findings formed part of the Tūhoe Deed of Settlement.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Te Kāhui Maunga: The National Park District Inquiry Report Pre-publication	WAI 1130	2012	The Tribunal found that customary fisheries are taonga of ngā iwi o te kāhui maunga. They also found that the Crown introduced species such as trout without consulting Māori and prioritised anglers' interests over ngā iwi interests. In terms of geothermal issues, the Tribunal observed that both the Crown and Māori have a clear interest in the sustainable management of the geothermal resources and that the management regime should reflect this partnership. The Tribunal recommended the preparation of a national policy statement on geothermal resources. Overall, the Tribunal noted that the Treaty principles of dealing fairly and with utmost good faith have been breached, that substantial restitution is due, and that the quantum should be settled by prompt negotiation.	Ngāti Rangi is currently seeking a mandate to enter settlement negotiations with the Crown.
Matua Rautia: The Report on the Kōhanga Reo Claim, Pre-publication **Matua Rautia: The Report on the Kōhanga Reo Claim**	WAI 2336	2012 2013	The urgent inquiry was triggered by the publication in 2011 of the report of the Early Childhood Education Taskforce, which, the claimants said, they had not been consulted on and had seriously damaged their reputation. They argued that the report, and Government policy development based on it, would cause irreparable harm to the kōhanga reo movement. The Tribunal endorsed the conclusion of the Wai 262 Tribunal's report, *Ko Aotearoa Tēnei*, that urgent steps were needed to address recent Crown policy failures if te reo is to survive. The Tribunal noted that survival requires both Treaty partners – Māori and the Crown – to collaborate in taking whatever reasonable steps are required to achieve the shared aim of assuring the long-term health of te reo as a taonga of Māori.	Sir Michael Cullen has been appointed as an independent advisor to work with the Crown and Te Kōhanga Reo National Trust. Work on key outcomes and principles for a different operating framework for kōhanga reo is being facilitated. The relationship between the Crown and Te Kōhanga Reo National Trust Board has significantly improved. A working group is progressing a series of short term actions to support: • participation in kōhanga reo • consultation processes for several policy items • kōhanga engagement in the Early Learning Information system. A plan is also in development to increase participation in kōhanga reo.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Ngāti Kahu Remedies Report: Pre-publication **The Ngāti Kahu Remedies Report**	**WAI 45**	**2013**	The Tribunal concluded that the use of its binding powers was not warranted because: • fair redress for Ngāti Kahu's claims could be secured by other means (the Tribunal's binding powers should be used only when there is no other means of securing the redress that the claimants should receive); • the benefit to Ngāti Kahu of resumption in their favour was doubtful, especially when weighed against the disadvantages that would surely flow: a. there were unresolved customary interest issues in a number of areas; and b. a number of properties sought by Ngāti Kahu were subject to agreements negotiated between the Crown and other iwi (such that there would be a destabilising flow-on effect in terms of the settlement offers to the other Te Hiku iwi); and c. the Tribunal wished for all Ngāti Kahu to be able to decide on whether to accept or refuse what was offered to satisfy their claims The Tribunal considered that the Crown had made a substantial offer in terms of quantum as commercial redress for all Te Hiku iwi, including Ngāti Kahu, and that the Crown's offer was significant in terms of the types of land it had made available. In addition, the Tribunal's view was that the Te Hiku settlements must be accepted as good guidance to what is appropriate as a remedy in the circumstances because the process by which they were devised was fair. Accordingly, the Tribunal made a series of non-binding recommendations which aligned closely with what the Crown had indicated it was prepared to offer to Ngāti Kahu.	The Crown has made a settlement offer to Ngāti Kahu.

PART 2: WAITANGI TRIBUNAL REPORTS WHICH HAVE BEEN RESOLVED OR SETTLED

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Kiwifruit Marketing Report	WAI 449	1995	The Tribunal found that this claim was not well-founded.	No action taken.
The Tūrangi Township Report	WAI 84	1995	The Tribunal found substantially in favour of Ngāti Tūrangitukua's claim, and the Crown and Ngāti Tūrangitukua commenced negotiations accordingly.	The Ngāti Tūrangitukua Claims Settlement Act 1999 gave effect to the settlement reached between Ngāti Tūrangitukua and the Crown.
The Tūrangi Township Remedies Report	WAI 84	1998	This report saw the Waitangi Tribunal exercise its power to make binding recommendations for the first time. The report followed the breakdown of negotiations between the Crown and Ngāti Tūrangitukua following the release in 1995 of the Tribunal's Tūrangi Township Report. The recommendations were that memorialised and Crown-owned non-memorialised land to the value of $6.1 million be returned to Ngāti Tūrangitukua by the Crown. The Crown and claimants had 90 days to reach an agreement before the binding recommendations became final.	The Crown and Ngāti Tūrangitukua reached an agreement before the Tribunal's recommendations became binding and the parties signed a Deed of Settlement at Tūrangi in September 1998. The Ngāti Tūrangitukua Claims Settlement Act 1999 gave effect to the settlement reached between Ngāti Tūrangitukua and the Crown.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Ngāti Awa Raupatu Report	WAI 46	1999	This is an abbreviated report without formal recommendations, to support a settlement of claims arising from the Ngāti Awa raupatu in the Bay of Plenty. The report is not a full report because (among other things) the Crown and claimant counsel considered that the main claims – relating to the raupatu and contemporary land allocations – were able to be settled.	Settlement of Ngāti Awa historical and ancillary claims was reached in 2003 with legislation giving effect to the Deed of settlement, passed in March 2005. Settlement of Ngāti Tūwharetoa (Bay of Plenty) historical claims was also reached in 2003, with legislation giving effect to the Deed of Settlement passed in May 2005.
The Radio Spectrum Management Report	WAI 776	1999	The Tribunal considered that the Crown should suspend the auction of 2 GHz frequencies until it had negotiated with Māori to reserve a fair and equitable portion of the frequencies for Māori. In the Tribunal's view, this arrangement was preferable to compensation in lieu of spectrum frequencies. The Tribunal also recommended that the Crown and Māori consider establishing a Māori trust, which could receive income from the development or lease of frequencies to develop infrastructure for remaining Māori frequencies, or to educate and train Māori staff for employment in that infrastructure or elsewhere in the telecommunications industry.	The Māori Spectrum Trust, now known as Te Huarahi Tika Trust, was established in 2000. The Crown provided $5 million in funding and reserved management rights in relation to the 2 GHz spectrum, which is suitable for 3G cellular services, for purchase by the Trust's commercial arm, Hautaki Limited. Hautaki developed a commercial relationship with the forerunner to 2degrees, Mobile Limited, and now has a shareholding in 2degrees. 2degrees launched 3G services in 2009. Following this, Hautaki purchased the reserved spectrum, which is now being used by 2degrees to offer 3G services. In October 2007, the Crown reserved one nationwide block of 2.3 GHz spectrum, suitable for wireless broadband services, also for purchase by Hautaki. This spectrum became available for use in November 2010, and has yet to be uplifted.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
The Pakakohi and Tangahoe Settlement Claims Report	WAI 142/758	2001	The Tribunal felt that these claims disguised an internal dispute between closely-related groups, but it could not find sufficient evidence of support for a separate settlement between both groups and the Crown. Specific recommendations concerning the Deed of Settlement for Ngāti Ruanui were made.	The parties agreed to various changes to the Ngāti Ruanui deed of settlement to give greater prominence to Tangahoe and Pakakohi distinctiveness and to ensure that Tangahoe and Pakakohi traditions were factored into the Deed. The Ngāti Ruanui Claims Settlement Act 2003, was passed, settling the claims of Pakakohi and Tangahoe.
Taranaki Māori, Dairy Industry Changes and the Crown	WAI 790	2001	The claim was brought on behalf of the beneficial owners of land held by Parininihi ki Waitōtara Incorporation concerning the effects of dairy restructuring on Parininihi ki Waitōtara land. The Tribunal made a specific recommendation that the Crown assist Parininihi ki Waitōtara to buy shares, and, that on the possibility that rents were reduced and that unbundling had been a significant contributor to the reduction, the Crown should make up the rents to the extent of the unbundling contribution.	The Crown did not accept the Tribunal's recommendation with respect to share purchase loan guarantees and making up rents.
The Hauraki Gulf Marine Park Report	WAI 728	2001	The claimants alleged that the management regime established under the Hauraki Gulf Marine Park Act 2000 is a breach of the principles of the Treaty. The Tribunal did not see any fundamental breach in the legislation and made no specific findings. The Tribunal stated however, that it would like to see how kaitiaki roles as set out in the Act would function in practice.	The kaitiaki arrangements established under the Act continue to date.
The Ngāti Awa Settlement Cross-Claims Report	WAI 958	2002	Claimants opposed the offer of certain items of redress to Ngāti Awa on the grounds that they had an interest in, and claims to, those items that had not been heard by the Tribunal. The Tribunal found the Crown's policies on the inclusion of Crown Forest Licensed land and its	The Crown accepted that overlapping claim issues, both in this specific instance and across Treaty settlements generally, need to be addressed before settlements can be concluded.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
			approach to the inclusion of cultural redress in that settlement did not breach the principles of the Treaty. It also found that the management of cross-claims to forest redress did not breach the Treaty of Waitangi. It specifically recommended that the Office of Treaty Settlements work to improve its officials' understanding of how their obligation to take responsibility for resolving conflicts arising from cross-claims is fulfilled in practice.	
The Ngāti Tūwharetoa ki Kawerau Settlement Cross-Claims Report	WAI 996	2003	The Tribunal found deficiencies in the Crown's consultation with Ngāti Rangitihi but was unable to make a clear finding with regard to prejudice because it was unclear as to the support within Ngāti Rangitihi for the claim. The Tribunal recommended that the Crown put in place a policy to ensure that it commences consultation with cross-claimants and potential cross-claimants at an early stage in negotiations.	The Crown recognised that the signing of the Deed of Settlement for Ngāti Tūwharetoa ki Kawerau was subject to the Crown's consideration of the Wai 996 Cross-Claims report. There were, however, no recommendations to change the Ngāti Tūwharetoa ki Kawerau deed of settlement which was signed in 2003, with legislation to give effect to the deed passed in May 2005.
The Petroleum Report	WAI 796	2003	In this first of two intended reports, the Tribunal recommended that: • the Crown and affected Māori groups negotiate for the settlement of petroleum grievances in accordance with the Tribunal's findings; and • the Crown withhold from the sale of the Kupe petroleum mining licence until a rational policy has been developed to safeguard Māori interests, or until the petroleum claims are settled.	In response to the Tribunal's report, the Government determined that it did not agree with key elements of the Tribunal's findings, and that Crown policy and legislation regarding petroleum was a valid exercise of the Crown's Treaty rights in 1937 and remains so today. Accordingly, the Government confirmed that it would proceed to sell the Crown's stake in Kupe.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Te Tai Hauāuru by-Election	WAI 1174	2004	This claim concerned the polling arrangements made by the Chief Electoral Officer in preparation for the by-election taking place in the Te Tai Hauāuru electorate in July 2004. Although the Tribunal was not prepared to find that the claim was well-founded or to make any formal recommendation in respect of it, this was because the evidence provided by the claimants was insufficient to make their case, rather than because it "was convinced that the Crown is doing enough". The Tribunal suggested that the Chief Electoral Officer may wish to reconsider his position and consider establishing a further 19 polling places as referred to during the course of the hearing.	The Chief Electoral Officer reconsidered his stance and decided that the 100 polling places already appointed, together with the provision of advanced voting facilities, would provide a good service to voters and compared favourably with the number of polling places provided in large general electorates. Accordingly the by-election went ahead on 10 July 2004 on that basis.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Te Arawa Mandate Report(s)	WAI 1150	2004 / 2005	The Tribunal found that although there were flaws in the Crown's monitoring of the mandate process, these did not amount to a breach of Treaty principles. A process to reconfirm Ngā Kaihautū Executive Council's mandate was subsequently carried out and this was in turn accepted by the Crown. A further claim to the Tribunal that the Crown and the Executive Council did not follow the Tribunal's suggestions was reported on in 2005.	Since the release of this report, the Crown completed negotiations with Ngā Kaihautū Executive Council. The Tribunal inquired into the settlement, (Wai 1353) and it was revised in light of Tribunal recommendations. Legislation giving effect to the Affiliate Te Arawa Iwi and Hapū settlement was enacted in September 2008. This claim is now settled. A number of Iwi withdrew their mandate from Te Arawa and have subsequently progressed their own individual settlements, including Ngāti Rangiwewehi who signed a Deed of Settlement on 16 December 2012, and Ngāti Rangiteaorere who signed a Deed of Settlement on 17 June 2013. The Crown has also progressed settlements with the following Te Arawa groups: • Waitaha (Legislation enacted); • Ngāti Mākino (Legislation enacted); and • Tapuika (Deed of Settlement signed 16 December 2012). The Ministry for Culture and Heritage has negotiated Taonga tūturu protocols with the Affiliate Te Arawa Iwi and Hapū.
Preliminary Report on the Haane Manahi Victoria Cross (VC) Claim	WAI 893	2005	The Haane Manahi VC claim concerns the downgrading of a recommendation for a Victoria Cross (the highest possible Commonwealth military award for bravery) to a Distinguished Conduct Medal for an act of bravery by Lance-Sergeant Haane Manahi in action at Takrouna (Tunisia) in 1943. The Tribunal considered it unlikely that the actions of the Crown were in breach of the principles of the Treaty. It noted that the Crown did act on the	In 2006 a bid to have the Victoria Cross awarded posthumously was taken to Buckingham Palace by the Minister of Defence. The request was turned down by the Queen, who followed King George's 1949 decision that no further awards from World War II should be considered. However, the Palace agreed to compensate Lance-Sergeant Manahi and after consultation with the Manahi VC Committee and Te Arawa, decided on an award inspired by the famous line, "For God!

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			concerns of the VC committee and Te Arawa in seeking to reopen the case. The Crown also followed normal established protocol in doing so, and informed the VC committee directly of the result. The Tribunal also found that, while the Crown has attempted to resolve the issue and has acted in good faith in doing so, the issue has not been adequately resolved and is still causing hurt to Te Arawa and difficulties for the relationship between the Crown and Te Arawa.	For King! and For Country!" from the marching song of the 28th (Māori) Battalion. The award presented by the Duke of York on 1 March 2007 included the presentation of an altar cloth, representing "For God" which will went to Saint Faith's Church near Lance-Sergeant Manahi's burial place; a letter from the Queen, acknowledging his bravery, representing "For King"; and a sword gifted to Te Arawa by the Queen, representing "For Country".
The Offender Assessment Policies Report	WAI 1024	2005	This report concerned the development, implementation, and outcomes of two assessment tools (or tests) that the Department of Corrections applies to offenders. The Tribunal did not find that Māori offenders have been prejudiced by use of the tools. Accordingly, in terms of the Treaty of Waitangi Act 1975, the Tribunal did not make any formal recommendations for remedial action. That said, it did identify some weaknesses in how the Department developed and implemented the tools, and made some recommendations for improvement.	The Tribunal did not find that Māori offenders have been prejudiced by use of the assessment tools and made no formal recommendations. The Tribunal did make suggestions for improvement. The Department of Corrections has now considered and accepted these suggestions and all actions are now complete.
The Interim Report in Respect of the Australia New Zealand Therapeutic Products Association (ANZTPA) Regime &	WAI 262	2006	The claimants sought urgent interim recommendations in respect of ANZTPA and the (imminent) implementing legislation, which were opposed. The Tribunal recommended that the Crown and the claimants engage in a consultation process with respect to the issues raised by this claim.	Consultation was undertaken between the Crown and claimants as recommended by the Tribunal. Before this process was completed, however, on 16 July 2007, Ministers announced postponement of the ANZTPA establishment project. Consequently, consultation with claimants was halted. In March 2009, the government proposed a New Zealand only regulatory scheme for natural health products made or sold in New Zealand. As recommended by the Tribunal, the Ministry has re-

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The Further Interim Report in Respect of the Australia New Zealand Therapeutic Products Association Regime				engaged with the claimants over this new proposal. In May 2010, the Ministry of Health held four hui in Kaikohe, Napier, Rotorua and Blenheim. Representatives of WAI 262 claimants, rongoā Māori practitioners and providers and national rongoā groups were invited. The Ministry of Health has made a commitment to hold hui with participants to engage further as the proposal to regulate natural health products progresses. To facilitate this, a rongoā representative has been appointed to the Ministry's interim expert advisory committee for the regulation of natural health products. The Natural Health Products Bill was introduced to Parliament in December 2011 and referred to the Health Committee. The Committee has finished hearing evidence and has reported back to Parliament. The Natural Health Products Bill exempts the use of rākau rongoā, within the context of the traditional practice of rongoā Māori, from regulation. The Natural Health and Supplementary Products Bill passed its second reading in March 2013, and is still before the house. The Bill, as it stands, provides an exemption for the traditional practice of Rongoā.

Tribunal Report	WAI Number	Date	Primary Findings and/or Recommendations	Status
Final Report on the Impact of the Crown's Treaty Settlement Policies on Te Arawa Waka and other Tribes	WAI 1353	2008	This second report deals with the commercial redress element in the Ngā Kaihautu o Te Arawa / Te Pūmautanga o Te Arawa settlement. The Tribunal found that the Crown failed to engage fully and robustly with overlapping groups during its settlement negotiations with Ngā Kaihautu o Te Arawa. The Tribunal also found that the Crown had breached the Treaty by including in the Deed of Settlement provision for it to receive the accumulated rentals associated with certain Crown forestry lands included in the settlement. The Tribunal recommended that the proposed settlement be delayed pending the outcome of a forum of Central North Island iwi and other affected groups.	The settlement for Te Pūmautanga o Te Arawa was delayed following the Tribunal process. The Central North Island Iwi Collective was established and is a collection of the majority of forestry iwi in the Central North Island. The Collective includes Te Pūmautanga o Te Arawa (representing a number of Te Arawa iwi), Ngāti Tūwharetoa, Ngāi Tūhoe, Ngāti Whare, Ngāti Manawa, Ngāti Raukawa, Ngāti Whakaue and Ngāti Rangitihi. The Collective agreed on a mechanism for splitting the rental proceeds and the land beneath the trees. Legislation to give effect to this settlement with Te Pūmautanga o Te Arawa was enacted in September 2008. These claims are settled.
Report on Aspects of the Wai 655 Claim	WAI 655	2009	The Tribunal found that the decline in Ngā Wairiki's status from a separate iwi to a hapū of Ngāti Apa (North Island) in the late nineteenth century was due to the Crown's treatment of Ngā Wairiki in Crown purchases in the 1840s. The Tribunal found that the actions of the Crown's purchasing agent, Donald McLean, undermined Ngā Wairiki's ability to survive as a group with a separate identity and recognition. The Tribunal made no recommendations.	The Ngāti Apa (North Island) Claims Settlement Act 2010 settled all of the claims of Ngāti Apa, including WAI 655.