



Office of Hon Mark Burton, M.P. for Taupo
Minister in Charge of Treaty of Waitangi Negotiations
Minister of Defence
Minister of Tourism
Deputy Leader of the House

17 AUG 2005

Stan Pardoe
Rongowhakaata Claims Committee & Negotiators
Box 24
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GISBORNE

Tēnā koe

RONGOWHAKAATA DEED OF MANDATE

Thank you for submitting your Deed of Mandate to the Crown to negotiate an offer for the settlement of Rongowhakaata historical Treaty claims.

We have concluded that the Rongowhakaata Claims Committee and the Rongowhakaata Negotiators have the support of Rongowhakaata, and are appropriate bodies to represent the interests of Rongowhakaata in settlement negotiations with the Crown. We are therefore pleased to recognise the mandate of the Rongowhakaata Claims Committee and Rongowhakaata Negotiators.

We understand that the three Tūranga groups have agreed to work together in negotiations and that this agreement is reflected in the Tūranga Negotiating Framework document which all of the groups have signed. We note that some reservations were expressed about certain elements of the framework but that officials will hold further discussions with the Tūranga groups as part of the Terms of Negotiation.

During the Deed of Mandate assessment process Crown officials identified several matters which will require clarification by Rongowhakaata. We encourage the Rongowhakaata mandated representatives to provide for these matters as soon as possible.

Mandate removal/amendment process

We note that the Rongowhakaata Deed of Mandate does not specifically include a provision for the Rongowhakaata people to amend or remove the mandate of the Claims Committee or the Negotiators.

As you are aware, the Crown requires every Deed of Mandate to contain relevant provisions which show how a claimant community can remove or amend a mandate. While we do not require this to be resolved before recognising your mandate, we will require this matter to be addressed before Terms of Negotiation are agreed.

Rongowhakaata representative structure

We note that the people of Rongowhakaata have mandated both the Rongowhakaata Claims Committee to manage and lead the negotiations as well as a team of five negotiators to negotiate the settlement offer with the Crown. We also note that Crown officials were not provided with certain key information relating to the mandate hui, i.e., hui minutes.

While it is for Rongowhakaata to decide who will represent them in negotiations, there is a risk that the representative structure, as it stands, may create confusion among Rongowhakaata members as to where the mandate lies. We understand that you have drafted a communications strategy which clarifies the respective accountabilities of the Claims Committee and the negotiating team and the relationship between each entity. We encourage you to finalise this document and provide the Crown with a copy before Terms of Negotiation are agreed.

We strongly encourage you to hold a hui-a-iwi with the Rongowhakaata people when Terms of Negotiation are signed. This will enable you to clarify for the Rongowhakaata people the representative structure, and to reconfirm Rongowhakaata support for the Claims Committee and the Negotiators.

It will also be necessary for Rongowhakaata to adopt a process for addressing the possibility of a dispute between these bodies. This process could be included in your communications strategy.

Conclusion

We would like to acknowledge the hard work and leadership shown by Rongowhakaata representatives to get to this point. We look forward to working with the Rongowhakaata negotiators and those of Ngāi Tamanuhiri and Te Pou ā Haokai in the Tūranga negotiation.

Now that the Tūranga mandates have been recognised, responsibility for managing relations with Rongowhakaata and the other Tūranga groups has passed from Peter Hodge, Claims Development Manager at the Office of Treaty Settlements to Heather Baggott, Manager – Policy and Negotiations. Heather will contact you shortly to discuss the next stage of the settlement process.

Naku noa, na



Hon Mark Burton
Minister in Charge of Treaty of
Waitangi Negotiations



Hon Parekura Horomia
Minister of Māori Affairs