



Office of the
**Minister in Charge of Treaty of Waitangi
Negotiations**

Te Tari o Te
**Minita Nōna te Mana Whakarite Take e pā ana ki
Te Tiriti o Waitangi**



Mr Richard Charters
Chief Negotiator
Te Arawa Maori Trust Board
PO Box 128
ROTORUA

Dear Mr Charters

I am pleased to inform you that Cabinet has recognised the Deed of Mandate for the Te Arawa Maori Trust Board to negotiate Te Arawa Lakes Claim (Wai 240).

This follows Cabinet's earlier decision in September 1997 to make an exception to the Government's preferred approach to settlements, which is to negotiate with each iwi for the settlement of all the claims of that iwi. Cabinet agreed to negotiate Wai 240 on a Te Arawa-wide basis, separately from other claims of Te Arawa iwi, subject to the Crown accepting a Deed of Mandate and verifying Treaty breaches.

I am encouraged by the overall positive response the Crown received when it advertised Te Arawa Maori Trust Board's Deed of Mandate in December 1997. Comments received from Ngati Tarawhai, however, highlight the need for the Trust Board to fully involve each of Te Arawa's iwi in negotiations relating to issues specific to the lakes in which they have particular interest. I understand the Office of Treaty Settlements has already discussed this matter with you.

I emphasise that Te Arawa Maori Trust Board's ongoing mandate to negotiate Wai 240 depends on the Board actively involving its constituent iwi and retaining their support for the negotiations. A key component of the negotiations will be ensuring that any redress relating to management of the lakes takes into account the interests of Te Arawa as a whole and each iwi's interest in relation to their specific lakes.

As the Office of Treaty Settlements has earlier discussed with you, the Crown is aware of the interest in Lake Rotoma asserted by both Ngati Awa and Tuwharetoa ki Kawerau. Both of these iwi are already in formal negotiations with the Crown and are pursuing comprehensive Treaty settlements. They have expressed a strong interest in being kept abreast of developments concerning Wai 240. The Crown has undertaken to do so, insofar as the Wai 240 negotiations impact on their legitimate interests in Lake Rotoma.

It is my hope that the forthcoming negotiations can resolve Te Arawa's grievances so that we can reach a settlement that will be durable into the future, and that contributes to an ongoing productive relationship between the Crown and Te Arawa.

To assist Te Arawa Maori Trust Board meet the costs of these negotiations, the Crown wishes to provide "claimant funding" that will be over and above any fiscal redress that may be included in any settlement of Wai 240. Cabinet has approved a policy for funding negotiation of comprehensive iwi-level claims, and my officials had informed you of these guidelines.

The amount of claimant funding for Wai 240 takes into account various factors that impact on the cost of negotiations: size of iwi; geographic dispersal; number of claimant interests; political unity; overlapping claims; nature and number of breaches, and nature and scale of redress. It also takes account of the fact that Wai 240 covers only lakes and is not a comprehensive settlement of all Te Arawa's claims. Te Arawa iwi will receive full claimant funding when they negotiate the rest of their claims comprehensively. In the meantime, the Crown will provide funding of \$150,000 for the negotiation of Wai 240, and this will be additional to any funding that the Crown will provide when negotiating comprehensive settlements for the claims of each Te Arawa iwi. Although this amount of funding is less than what the Te Arawa Maori Trust Board requested, it provides a considerable contribution towards its negotiating costs.

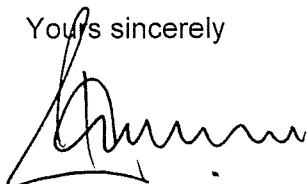
Claimant funding will be paid in instalments as follows:

Milestone	Instalment \$000	When paid
Mandate	40	Reimbursed
Crown Negotiating Brief	40	In advance
Signing of Deed	40	In advance
Ratification	30	In advance
Total	150	

The first two instalments can be paid as soon as the Office of Treaty Settlements receives and verifies the Trust Board's audited accounts for expenditure on mandating.

I look forward to signing Terms of Negotiations when they are ready. It is my personal hope that negotiations and a settlement can be reached sooner rather than later, if that is possible. I have asked the Office of Treaty Settlement to work on this claim as a priority, but as you know, you may approach me at any time.

Yours sincerely



Douglas Graham
Minister in Charge of Treaty of Waitangi Negotiations