

MANDATE FOR NEGOTIATIONS

Letter from the Chairman of Te Runanga o Ngati Porou

Tena tatau nga uri a Porourangi tipuna e tuku atu nei i o tatau tini mate ki te po. Tena hoki tatau o ratau roimata ki muri nei, e whai nei i nga tumanako huhua hei taonga manaaki, a, awhi hoki i a tatau mokopuna tera ka pohiritia e nga koopu o te wa hei whakatipuranga ka tu ki te kei o te waka o Porourangi.

Ko te kaupapa o taku reta atu ki a koutou e pa ana ki nga tono raupatu a Ngati Porou e korero ana mo nga mahi pohehe a Te Karauna ki a tatau, a, mo ratau hoki kare i awhi i nga kaupapa o te Tiriti o Waitangi, i roto i a ratau whakahaere i waenganui i a ratau me tatau.

Ko te hohonutanga ia o te reta nei me nga pukapuka tapiri te tukua atu nei, he rapu atu i o koutou whakaaro e pa ana ki te whakawhiwhiti korero ~ kanohi ki te kanohi ~ ki te Karauna, e kaitia nei i te reo Pakeha "Direct Negotiations".

Heoi me huri waku korero i te wa nei ki te reo Pakeha kia marama ai te tokomaha ki nga kupu tono, a, kimi hoki i nga whakaaro mo te take nei.

Process for Settlement of Ngati Porou's Treaty Claims

As you may be aware a large number of historical Treaty claims against the Crown have been filed in the Waitangi Tribunal on behalf of Ngati Porou and its various whanau and hapu. There are two main ways of progressing these claims:

- Having the claims heard by the Tribunal and then entering into negotiations to settle those claims using the Tribunal's findings as a basis for those negotiations; or
- By moving directly into negotiations with the Crown without first having the claims heard by the Tribunal.

The Runanga has for some time been concerned with the time and cost involved in the Tribunal process. With this in mind the Runanga commenced exploratory discussions with the Crown to see whether there would be merit in proceeding directly into negotiations.

Result of Exploratory Discussions with Crown

As a result of these discussions the Minister in Charge of Treaty of Waitangi Negotiations, the Hon Mark Burton, wrote to me as Chairman of the Runanga on 16 December 2006 (see the copy of the letter attached). In his letter the Minister outlined the government's commitment to negotiate a settlement with Ngati Porou and the matters that might be included in such a settlement.

Having considered the information contained in this letter the Runanga believes that **'direct negotiations is the best course for Ngati Porou to pursue'**. In the remainder of this letter I will provide you with information about why the Runanga believes that this is the best course for Ngati Porou to follow.

Direct Negotiations vs. Waitangi Tribunal Process

The letter from the Minister (attached) suggests that if Ngati Porou continues through to a full Tribunal Inquiry, a settlement at the earliest will be unlikely until 2011. According to Crown Forest Rental Trust's latest business plan, which is probably more

realistic in its estimate of a date, an even later settlement date of April 2015 is identified.

Going through the Tribunal process does not guarantee us a better outcome. As the Minister notes in his letter *"...completing a Tribunal process will not increase the amount of redress the Crown offers to Ngati Porou through a Treaty Settlement ..."* This means that what we get through direct negotiations may well be the same even after a Tribunal process has been concluded.

By delaying now we will:

- Incur additional costs from now through to either 2011 or 2015; and
- Lose the opportunity to invest for our futures and, more importantly, for the futures of our children and grandchildren.

To illustrate the cost of delay, there will almost certainly be a cash component of any settlement with Ngati Porou. For every \$10 million dollars, if this was placed in the bank today at a conservative interest rate of say 8%, Ngati Porou would be generating interest alone of approximately \$800,000 per year, \$66,700 per month, or \$15,400 per week. And this is without touching the core putea or compounding the interest over time.

Minister's Letter

The Minister in Charge of Treaty of Waitangi Negotiations letter dated 18 December 2006 outlines, in general terms, the matters that a settlement with Ngati Porou might cover.

As you will see from the Minister's letter, any settlement package successfully negotiated for Ngati Porou is likely to include:

- an apology
- an acknowledgement of Ngati Porou's service to New Zealand
- the commitment to make provision for the breadth of Ngati Porou historical claims and the spread of Ngati Porou hapu
- cash quantum reflecting the extent of land loss and seriousness of grievances
- commercial redress including forestry assets
- cultural redress
- memorialised land
- restructuring of the Runanga

Such a letter from the Minister, coming as it does before a formal mandating process has been commenced, is unprecedented. It reflects the Crown's significant commitment to entering into direct negotiations with Ngati Porou.

Claimants can wait a long time to receive such a commitment and the Runanga believes that Ngati Porou should not lose this opportunity. The Runanga also agrees with the Minister's statement that *"Addressing the grievances of Ngati Porou and its hapu is long overdue"*.



Apirana Mahuika

Mandate

It is proposed that the Runanga, as the existing entity established to represent the interests of Ngati Porou, be the mandated body and therefore responsible for the overall conduct of the negotiations. However, the direct supervision of the negotiation process would be delegated to a sub-committee comprising three Runanga representatives and seven hapu representatives, comprising one representative appointed by each of the hapu clusters that appoints advisory trustees to the Porou Ariki Trust.

This structure will provide for greater and more direct hapu involvement in designing the negotiation outcome(s).

As part of the mandate process, the Runanga intends to hold a series of Hui to further inform Ngati Porou about the exploratory discussions that have been held with the Crown. The Hui will also outline how the mandate can be achieved, including the requirements of the Office of Treaty Settlements for a mandate. Advertisements will appear in the news media shortly.

There will also be a postal vote conducted amongst the adult members of Ngati Porou. This is considered to be the most appropriate way to allow for the wider Ngati Porou membership to participate in the mandating process.

The information Hui will commence shortly and will be held throughout the rohe of Ngati Porou and in selected locations outside the rohe. A list of Hui dates, times and venues will be advertised shortly.

Role of Te Runanga

The Runanga was established under *The Maori Trust Boards Act 1955* and *Te Runanga o Ngati Porou Act 1987*, as a Maori Trust Board. It was established as a result of four major hui-a-iwi held during 1984 and 1985.

The role of the Runanga as expressed in *Te Runanga o Ngati Porou Act 1987* is to represent the interests and well-being of nga uri o nga hapu o Ngati Porou. The aims of Te Runanga are:

- Welfare and well-being of the people;
- Advancement of education;
- Advancement of commercial and economic growth;
- Retention of Te Reo and Tikanga o Ngati Porou.

To achieve these objectives, the Runanga has facilitated many projects and programmes by which the interests and well-being of the Iwi have been achieved and others, such as the current foreshore and seabed negotiations, are works in progress.

Other initiatives include the establishment of the Ngati Porou Hauora, Ngati Porou Whanui Forests Ltd, Radio Ngati Porou, Ngati Porou Tuhono Whanau, the return of Ngati Porou's fisheries assets from Te Ohu Kai Moana, and the return of title to Mount Hikurangi. I see the conduct of settlement negotiations, using the resources of the Runanga, as yet another way in which the Runanga can provide benefit and hopefully opportunities to Ngati Porou and its constituent whanau and hapu.

Conclusion

Given the significant Crown commitment and the decision of the Runanga, the next few months represent an enormous opportunity for Ngati Porou to act in unison to take appropriate steps for the benefit of generations of Ngati Porou to follow. There is a window of opportunity for Ngati Porou to take charge of our destiny by negotiating a settlement of our historical grievances against the Crown so that we can move to the next chapter of Ngati Porou's development.

I wish to encourage all Ngati Porou to participate in the upcoming mandate process and ask that you show this letter to your whanau and make copies available to as many Ngati Porou as possible. If you would like copies to be sent to other members of your whanau who may not be on the Ngati Porou register, please contact 0800 NPOROU or go to the link on the Runanga website, www.ngatiporou.iwi.nz.

I thank you for considering this letter and the attached information and look forward to seeing you at the hui.

Kia ora



Apirana Mahuika
Chairman
Te Runanga o Ngati Porou

For further information go to the Runanga website www.ngatiporou.iwi.nz or call 0800 NPOROU (NZ only)