

ROAD TO SETTLEMENT UPDATE: Terms of Negotiations

PURPOSE

1. The purpose of this first iwi briefing note, is to prepare our people for discussion regarding the Terms of Negotiation between Ngāti Rangī Trust and the Crown as part of our process to achieve settlement of our historical grievances at the re-convened Hui-a-tau to be held at:
Sunday 7 December 2014, 10am
Tirorangi Pā, Whangaehu Valley Road
KARIOI
Pōwhiri at 9.30am
2. There are a number of issues to consider at our hui this weekend, some are related to our normal Ngāti Rangī business and this briefing is specifically related to the mahi associated with Treaty Settlement. The specific points to consider are:
 - a. **Terms of Negotiation (TON); and**
 - b. **Appointment of Negotiators.**

BACKGROUND

3. As you will know, Ngāti Rangī received its Mandate in August 2014. The process to receive our mandate started with hui around the motu and we now have the approval to start our negotiations. This process is highlighted as follows:



KEY: Green = stage completed; Blue = current stage; Orange = Stages yet to be advanced

TON: OBJECTIVES OF NEGOTIATIONS

4. Terms of Negotiation are the “ground rules” and objectives for the negotiations between the Crown and mandated representatives.
5. This sets out the Crown’s objectives which include that the negotiations lead to settlement of the “historical claims” of Ngati Rangī in a way that, amongst other things:
 - a. is comprehensive, final and fair in the circumstances;
 - b. provides a platform to assist Ngati Rangī to develop their economic base;
 - c. enhances the ongoing relationship between Ngati Rangī and the Crown.
6. There is scope for Ngati Rangī to record its own objectives for the negotiations and this is being given careful consideration

TON: TE KAHUI MAUNGA/TONGARIRO NATIONAL PARK

7. The Crown proposes that separate and collective negotiations (involving other iwi and hapu with interests in Te Kahui Maunga/Tongariro National Park) take place regarding redress for Te Kahui Maunga/Tongariro National Park.

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TON: OTHER MATTERS

8. This section records that the Terms and any negotiations, do not bind the parties to reach a settlement and that none of the agreements reached during negotiations are binding unless expressly provided for in the signed Deed of Settlement and settlement legislation.

TON: MATTERS FOR AGREEMENT BY CROWN AND NGATI RANGI TRUST

9. This section sets out a number of agreements, including:
- Negotiations are to be on a “without prejudice” basis and will be conducted in good faith;
 - Negotiations are to be conducted privately and in confidence;
 - The Ngati Rangī Trust agrees to report on its mandate every 3 months;
 - During negotiations the Ngati Rangī Trust will not pursue legal proceedings relating to the subject matter of negotiations;
 - The Ngati Rangī Trust may continue to participate in the Waitangi Tribunal’s Taihape District inquiry.

TON: OVERLAPPING INTERESTS

10. Before a Deed of Settlement is initialled the overlapping interests of all groups, must be “addressed to the satisfaction of the Crown.”

APPOINTMENT OF NEGOTIATORS

11. We have also come to the point in the process to select our negotiators and the Trust is recommending that this consist of a team of people with a lead negotiator.
12. The iwi have entrusted the Trust to appoint the negotiators. The Trust however, wanted to bring this back to the iwi for your endorsement. It is the Trusts recommendation that the following people are selected as the negotiations team:
Kemp DRYDEN (Trust Chair); **Cassandra REID**– Negotiation Team; **Toni WAHO**– Negotiation Team; **Carl WILSON** – Negotiation Team and **Che WILSON**– Negotiation Team (Lead Negotiator).
13. The negotiations team will call on cultural, legal and technical advice, both external and from within the iwi, as required and report directly to the Trust, Te Kāhui o Paerangi and iwi. The negotiations team will also be supported by our Pou Tiriti (Negotiations Project Manager) and Negotiations Secretary.
14. We look forward to seeing you at the hui and we will keep you informed through Te Reo Kōruarua, Kāhui papers, other means of communication and future Iwi Briefing Notes.
15. This is an exciting time for Ngāti Rangī and we look forward to seeing as many uri as possible this Sunday.

Nā Te Tōtarahoe o Paerangi – Ngāti Rangī Trust