

BEFORE THE WAITANGI TRIBUNAL

WAI 3325

UNDER

the Treaty of Waitangi Act
1975

IN THE MATTER OF

the Climate Change Priority
Inquiry (Wai 3325)

AND

IN THE MATTER OF

a claim by **Donna Kerridge,
Pita Tipene, Moana
Maniapoto, Dr George
Laking, India Logan-Riley,
Dr Maria Bargh, and Aroha
Te Pareake Mead for and on
behalf of Ngā Toki
Whakarururanga (Wai
3395).**

**MEMORANDUM OF COUNSEL ON EVIDENCE OF PROFESSOR EMA MARIA
BARGH**Dated this 8th day of November 2024

RECEIVED Waitangi Tribunal
8 Nov 24
Ministry of Justice WELLINGTON

**ANNETTE
SYKES & Co.**
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TĒNĀ E TE TARAIPIUNARA

1. This Memorandum of Counsel is filed on behalf of the claimants for Wai 3395, in response to the Crown's memorandum dated 1 November 2024.
2. Counsel apologise for the delay in filing this response. Ms Sykes has been in a Supreme Court hearing from Monday to Thursday this week.
3. Professor Maria Bargh is to give evidence at hearing one of the inquiry. She is a claimant for Wai 3395, but also an expert in international relations and environmental issues.
4. Professor Bargh's evidence addresses the impact of international agreements on the climate change response, the exclusion of Māori from the negotiation of these agreements, and the promotion through international agreements of extractivism and purported solutions to the climate crisis which are antithetical to Te Ao Māori, tikanga, Māori values and mātauranga.
5. The Crown has sought leave to have Professor Bargh recalled in 2025, once it has filed reply evidence.
6. Counsel oppose Professor Bargh being called to give viva voce evidence twice.
7. In counsel's submission, Professor Bargh's evidence is valuable scene setting evidence. It is not proposed that she give viva voce evidence in 2025 instead of at hearing one.
8. Counsel propose that where the Crown wishes to question Professor Bargh on the basis of the further evidence it files in 2025, that the Crown file those questions for Professor Bargh to respond to in writing.

Dated this 8th day of November 2024



Annette Sykes



Sam Vincent

Counsel for the Claimants