Phase II Research Proposal

A.	PROJECT TITLE	Tangaroa Ararau - Te Tiriti o Waitangi, Tikanga Māori and the Marine Environment
	"SHORT" TITLE	Tangaroa Ararau
B.	THEME / PROGRAMME	Theme 4

C. PROJECT KEY RESEARCHERS (CVs for all listed to be provided in SharePoint container using template provided in container)

Role	Name	Institution / company	Email
Project Lead	Beth Tupara-Katene	Awatea Consulting	beth@awateaconsulting.co.nz
Team Member	Horiana Irwin - Easthope	Whaia Legal	
Team Member	Toni Love	Whaia Legal	
Team Member	Nicki Douglas	Contractor	
Team Member	Te Puoho Katene	Awatea Consulting	
Team Member	Josie Te Rata	Whaia Legal	
Team Member	Annelise Samuels	Whaia Legal	
Team Member	Te Aomihia Walker	Te Ohu Kaimoana	
Team Member	Chris Jackson	We Create Future	
Project Administrator	Moana Kennedy	Contractor	

D. SUPPORTED BY

Organisation / company / agency	Level of Engagement
Te Ohu Kaimoana	**Collaborate** through the duration of the project. Te Ohu will also host the contract for this project.
Te Arawhiti – The Office of Crown/Māori Relations	**Consult**. Note we are still in discussions with finalising the level of engagement we will have with Te Arawhiti. This department has been identified as a strategic partner, recognising that Te Arawhiti will provide advice and guidance from a Māori and Treaty perspective to other departments involved in the creation of the Oceans and Fisheries portfolio. They are also often the lead advisers to other departments on Te Tiriti and participation/engagement of Māori in policy.

E. ABSTRACT

In Aotearoa, our history as navigators, voyagers, explorers and mariners' dates back over a thousand years, to the times of Kupe, Kuramarotini, Huiterangiora, and the Great Captains of the migration waka. Over generations, keystone concepts emerged to continuously reinforce a synergistic relationship with Tangaroa and everything that influences the wider marine ecosystems. Complex ocean economies developed in step with ecosystem health indicators. This body of knowledge, commonly referred to as Tikanga Māori, informed traditional management systems that put Tangaroa, the embodiment of the ocean's health and vitality, at the heart of decision making.

Tangaroa Ararau, or Tangaroa of the many paths, acknowledges these many braided threads, views and journeys that have led to this moment in time. This project will explore the fundamental idea of what an oceans-centric governance model could look like, unburdened by existing approaches and constraints as well as recognising and providing for the intent guaranteed to Māori under the Treaty of Waitangi. This potential system, aspirational and far reaching in its design, aims to place Tangaroa at its heart. And whilst fundamental features of the proposed governance model include Tikanga Māori and Te Tiriti, this potential system will be unique to, and born of Aotearoa to reflect and connect to all its citizens.

F. RELEVANCE TO CHALLENGE OBJECTIVE

This project aims to directly contribute to the Challenge objective by developing governance model options that give effect to Te Tiriti o Waitangi where the rights and perspectives of Māori are central to the marine governance and management regime for Aotearoa New Zealand.

G. OUTPUTS	This project will produce the following Outputs:	Linked to which Theory of Change Outputs:
RA 1: Tikanga Framework to guide the direction of the research		
O1	Literature Review Report	b,c,d,f,g,h
RA 2: Exploration of Focus Areas		
O2	Communication and Engagement Plan	
O3	Infographic of the Guiding Framework	b,c,d,f,g,h,j,k
O4	A video vignette of the interviews	
O5	Summary cards and posters	
O6	Short Reports for each focus area	
O7	POD Cast Series – Interviews with Subject Experts and Research Team	
RA 3: Create marine governance model options that are underpinned by Te Tiriti and tikanga Māori		
O8	Report confirming the governance model options (this will include the development of a criterion for the governance options)	b,c,d,f,g,h,j,k
O9	Infographic of proposed governance model options	
RA 4: Identify transitional pathways to move from the status quo to the governance model options		
O10	Transition Plan to achieve the proposed governance model options	b,c,d,f,g,h,j,k
O11	Position Statement on the findings of the research	
O12	Art Exhibition	
O13	Webinar/presentation to iwi and hapū, government, seminars and conferences	
O14	FINAL REPORT with the governance model options, and the transition pathways	

Explain briefly your plan to ensure uptake by iwi and stakeholders:
The focus has been to develop outputs that are easily accessible and are easily digestible. This is why we have chosen to develop short reports and infographics. We are also wanting to disseminate information in a more Māori centric way. This will include visually and oral ways of disseminating information, such as videos, pod casts, presentations and an art exhibition.

H. OUTCOMES	This project will contribute to the following Theory of Change Outcomes:
	• From the Challenge (science and mātauranga) is used in decision making to improve ecological health and influences Aotearoa New Zealand marine management practice and policy • This project is underpinned by Tikanga and Te Tiriti o Waitangi (the complementarity of local expressions of kaitiakitanga and EBM well understood and enabled) • This project will assist Māori, decision-makers, and stakeholders to embed Tikanga and Te Tiriti o Waitangi into Aotearoa's marine management system. (EBM practice is understood and accepted as a viable approach by decision makers stakeholders and Iwi) • Māori rights interests and values are protected and supported. (Māori rights interests and values are supported through the application of EBM) • Researches, iwi and stakeholders involved during the life of the challenge continue to actively promote research in and use knowledge from the challenge.

I. INTRODUCTION

Aotearoa New Zealand has reached a point where the increasing tensions and stressors afflicting our marine environment have highlighted a need for transformation. In order to promote the health and wellbeing of our oceans, the concepts, values and interests that drive human interactions, decision making and prioritisations must be revisited.

This need has been demonstrated, both locally and internationally, in the mounting momentum towards sustainability, increasing sensitivity to non-financial factors and the social license to operate in industries dependent on natural resources. Furthermore, the increasing public scrutiny on extractive or destructive practices in marine interactions highlights the groundswell of sentiment to reconsider the principles and practices that govern our oceans.

This context paves the way for exploring a more holistic approach to dealing with these challenges. Globally, indigenous peoples have taken such an approach to the environment for centuries. In Aotearoa, Tangaroa is the atua of the sea; the personification of the physical ocean environment and all life within it. Māori have genealogical connections to Tangaroa – Mana Atua, Mana Tangata, Mana Moana. This connection compels within us a sense of responsibility: to utilise the bounty of Tangaroa in a manner that is sustainable and ultimately puts Tangaroa at the heart of the management and governance of the marine environment.

Traditional marine management concepts and approaches were defined by tikanga Māori, developed over generations through sustained interaction with Aotearoa's marine environment. This incumbent system was confirmed through Article II of the Treaty of Waitangi, where the collective rights and responsibilities of Māori to live as Māori and to protect and develop their taonga were guaranteed. Despite these protections, this system was promptly supplanted in favour of colonial norms and a Eurocentric (and anthropocentric) approach to natural resource management, ownership and capitalism. In essence, the tikanga-based governance and management system, bespoke to the needs of Aotearoa, was cast off to accommodate laws and concepts adopted from a foreign society.

Tikanga Māori and the intent of the Te Tiriti remains functionally absent from the present system governing the marine environment. The hierarchy of importance within the system remains heavily weighted towards extractive property rights and the effective subjugation of the oceans to human resource requirements.

What is fascinating is that the world is now clamouring to adopt a more holistic approach to governing and managing the marine environment. Many countries do not need to venture far: this wisdom exists within their own indigenous communities, who despite having their beliefs, values and ways of being criticised and marginalised for generations, have continued their practices in a way that is culturally appropriate to them.

This research paper posits that whilst technological advances and technical developments will continue to improve our management toolkit, our unique opportunity to innovate in the marine environment lies in our whakapapa; governance and management practices that evolved over generations specifically for Aotearoa's oceanscape.

This project proposes to explore what modern governance model options, based on tikanga Māori and Te Tiriti, could be developed and applied in the modern context. While the governance models will be grounded in tikanga and Te Tiriti, it is not proposed to be to the point of exclusion, but another step towards bringing our diverse worldviews alongside one another for the betterment of our oceans and the people of Aotearoa.

J. AIMS

The overarching aim of this project is to develop marine governance model options that are underpinned by Te Tiriti and tikanga Māori. This will be done by implementing the following research aims:

RA1: Framework to guide the direction of the project
RA2. Exploration of the Focus Areas: Customary and Commercial Fisheries, the Marine and Coastal (Takutai Moana) Act 2011, the Allocation of Space and governance arrangements.
RA3: Create marine governance model options that are underpinned by Te Tiriti and tikanga Māori
RA4: Identify transitional pathways to move from the status quo to the new marine governance model options.

K. PROPOSED RESEARCH

This research aims to identify the barriers facing decision-makers in giving genuine effect to Te Tiriti and tikanga Māori in marine governance and management. It will then explore options for meeting those barriers and transitional pathways to get there.

To accomplish this, the research will feature a diverse project team with broad expertise and experience. The work of the project team will be amplified by a network of tikanga and subject matter experts, underpinned by a tikanga-based approach to the research and leveraging design thinking methodology to identify the core issues and drivers of key focus areas for the development of potential marine governance models.

This work will be underpinned by a strong foundation in tikanga Māori balanced by a drive to make governance model options put forward by the research accessible and authentic to all marine interest groups throughout Aotearoa. The proposed research aims are as follows:

Research Aim 1: Framework to guide the direction of the project
Develop a framework that has its foundations based in tikanga and Te Tiriti o Waitangi to guide the research
  a) Collate literature regarding relevant models, frameworks, and research (including findings from the Phase One Sustainable Seas research)
  b) Hold interviews with identified marine tikanga, and mātauranga experts.
  c) Hold team wānanga with invited guests to analyse and synthesise literature and interviews to develop the framework that will guide the direction of the research.

Research Aim 2: Exploration of the Focus Areas
Explore focus areas identifying marine governance issues and potential solutions to help understand the changes necessary in marine governance to give effect to tikanga and Te Tiriti. The proposed focus areas include:

  a) <u>Customary marine statutory provisions</u>: Kaimoana Customary Fishing Regulations, mātaitai, taiāpure, rāhui.
  b) <u>Commercial interests:</u> Māori commercial interests in the marine environment, the quota management system; the Treaty of Waitangi Fisheries settlement.
  c) <u>Marine and Coastal Area (Takutai Moana) Act 2011:</u> Ngā Hapū o Ngāti Pōrou Act, rulings under the Marine and Coastal Area (Takutai Moana) Act 2011 applications; Waitangi Tribunal findings.
  d) <u>Allocation of Space:</u> Marine protected areas, the Resource Management Act 1991 – First-in, First Served; regulation of fishing to protect biodiversity (Motiti Decision); open ocean aquaculture policy, Māori Commercial Aquaculture Claims Settlement Act.
  e) <u>Governance Arrangements:</u> Legal Personality (Whanganui River, Te Urewera); Co-Governance Arrangements (Sea Change, Kaikoura Guardians)

we will work with iwi, hapū, whānau and Māori entities across the five focus areas We will also take a tikanga-based approach to the investigation of these areas by utilising the guiding framework established in RA1 and supported by design thinking methodology.

Design Thinking Methodology
Guided by the RA1 tikanga framework, the policy design thinking methodology will be applied to ensure consistency in the exploration and analysis of the focus areas.

Design thinking is a non-linear process that is used to understand users, challenges, assumptions, redefine problems and to create innovative solutions. It focuses on solutions, starting with the goal of a better future rather than a problem to solve. It is a creative, iterative process using deep empathy with target audiences to create and refine ideas. The general stages of design thinking are:

  1. <u>Empathise:</u> Seek to understand the needs of the audience or target group/s to accurately, and exhaustively, capture the issues the project is trying to solve. This stage will be informed through research and interviews.

  2. <u>Define:</u> This phase draws on the insights gathered in Stage 1 to define the core problems. This process generates the 'problem statements' for each focus area to address.

  3. <u>Ideate</u>: The information generated from the previous stages 1 and 2 is analysed to identify novel ways to view the problem and identify diverse and innovative solutions to the problem statements.

  4. <u>Prototype:</u> This stage involves creating innovative solutions. The goal is to fully understand the barriers, benefits, and potential unintended consequences and problems of the prototypes.

  5. <u>Test:</u> Solutions are tested with target interest groups and undergo an iterative refinement. This stage stress tests the prototypes, ensuring they sufficiently target and address each problem statement, and are implementable at scale.
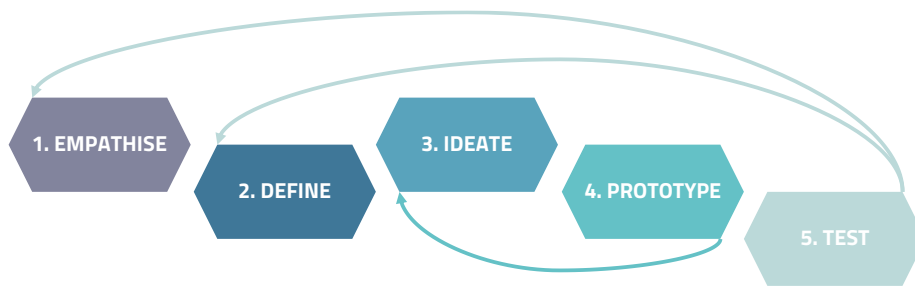
DESIGN THINKING PROCESS.

Research Aim 3: Create marine governance model options that are underpinned by Te Tiriti and tikanga Māori
- Stages 4 and 5 of the design-thinking processes will feature the design of potential governance models. To assist in this, team wānanga with invited guests (iwi, hapū, government, community groups) will be held to analyse and synthesise the findings of the focus areas. This will be the testing phase for the potential models with relevant parts of the community.

Research Aim 4: Identify transitional pathways to move from the status quo to the new proposed marine governance model options
- Identify the measures to assist communities to move from the status quo to the proposed tikanga and Te Tiriti based governance model.
- Identify the legislative and policy changes required to make the necessary shifts to the proposed tikanga and Te Tiriti based marine governance model.
- Identify implementation pathways across the proposed changes and the required support/resources to achieve the proposed transitional measures.

L.   LINKS TO PHASE I RESEARCH

This project will investigate and utilise relevant work and findings that were conducted in Phase One of the Sustainable Seas Challenge. Much of the Phase One work reviewed and characterised existing processes and systems governing marine management in Aotearoa New Zealand. It also explored the potential of existing marine legislative frameworks and the informal and formal processes that facilitate participation in decision-making in the marine environment. For a full list of the Phase One projects that will be considered refer to Appendix One.

M.   LINKS TO & INTERDEPENDENCIES WITH PHASE II RESEARCH PROJECTS

This project is directly linked to the "Underpinning principles" of the Challenge's Theory of Change. In particular the "Treaty of Waitangi partnership where the rights and perspectives of Māori are central". Whilst this research will have implications for all the underpinning principles, it will also provide understanding and insight into the operations of the 'co-governance' and 'collaborative decision-making' principles.

This project will have implications for all the research projects within the Challenge, but in particular will have links with projects under Theme 4 - EBM in Practice and Tangaroa, specifically:

Theme 4: Enhancing Eco-system-based management practices
4.2: Options for policy and legislative change to enable EBM/Enabling EBM at different scales
4.3: EBM and Kaitiakitanga/Science and Matauranga working together.

Tangaroa
T1: Awhi Mai, Awhi Atu: Enhancing a kaitiakitanga-based approach to EBM
T2: Huataukina o hapū e
T3: Ngā Tohu o te Ao
T4: Tāhuhu Matatau o Tangaroa, mai Tauranga Moana ki te Ao: Empowering the kaitiaki of Tangaroa from Tauranga Moana to Aotearoa and the beyond
T5: He Kāinga Taurikura ō Tangitū: Treasure Coastal Environment.

Tangaroa Ararau - Te Tiriti o Waitangi, Tikanga Māori and the Marine Environment

N.   VISION MĀTAURANGA (VM)

This project embodies the intent of Vision Matauranga – the science and in particular innovation potential of Māori knowledge, people and resources will benefit New Zealand.

Partnerships
This project is about identifying practical ways in which to give effect to a true Te Tiriti partnership in relation to the marine environment and the step change required to do so.

Distinctive Contribution
The activities and/or outputs for this project will have a distinct contribution to Māori participation in the governance and management of the marine area. The outputs will be tailored to create a system that is underpinned by tikanga Māori as well as Te Tiriti, therefore providing practical pathways in which to provide for Māori needs, interests and aspirations, as well as for all New Zealanders.

Meaningful Outcomes
The ultimate aim of this project is to create governance model options that will set the path in which to give effect to the intent of Te Tiriti o Waitangi as well as Tikanga Māori. It will also be an opportunity for tikanga and matauranga Māori to be acknowledged and recognised as a valid system that can be applied in contemporary times.

O.   ENGAGEMENT REQUIRED WITH IWI AND STAKEHOLDERS

To be efficient in approach and substance, interviews will be held with identified subject-matter experts. The identification and connection with these experts will be based on the networks and connections of the research team.   The interviews that are conducted in both RA1 and RA2 will be underpinned by Linda Tuhiwai-Smith's approach to kaupapa-based research.

- Aroha ki te tangata (a respect for people)
- Kanohi kitea (the seen face, present yourself to people face to face)
- Titiro, whakarongo…kōrero (look, listen…speak)
- Manaaki ki te tangata (share and host people, be generous)
- Kia tupato (be cautious)
- Kaua e takahia te mana o te tangata (do not trample over the mana of people)
- Kaua e māhaki (don't flaunt your knowledge)

An Expert Advisory Group will also be established.
- Who:
  - 5 members (a mix of tikanga, Te Tiriti, policy, legal and academic expertise)
  - Subject experts from across community groups
  - Identified based on the expertise and complimentary skill set that they bring
- Approach:
  - The Research Team will develop a criterion for potential members
  - Based on the expertise and networks of research team members they will identify potential members
  - Once the team has agreed who should be approached, informal chats with potential members will be held to seek interest and availability.
  - Formally set up the Expert Advisory Group
- Working with the Expert Advisory Group:
  - Hold quarterly meetings (5 hui over the duration of the research project)
  - This group will provide guidance on the research and be a sounding board in which ideas can be tested
  - The Expert Advisory Group members will be invited to attend wānanga to inform the research.

For both these methods of engagement, it is useful to note that to implement the above practically, adequate time and resourcing is required and therefore has been reflected in the budget accordingly.

P.   PROJECT COMMUNICATIONS

An aim of this project is for all New Zealanders to see the benefit of tikanga Māori and Te Tiriti governance model options – it is about moving hearts and minds. To accomplish this, all people with a relationship with the marine environment need to see a place for them in the model options identified by the research. The project will develop an engagement and communication strategy identifying relevant interest groups and stakeholders. The communication strategy will feature a stakeholder mapping analysis, and a series of products to communicate the methods, processes and findings of this research, including video vignettes and a podcast interview series.

Traditionally, knowledge transfer took place through pūrakau, whakapapa, wānanga, whakatuaki, waiata and physical artistic expressions (Toi Māori). To be true to the kaupapa of this project it is important that in addition to written reports, the findings are also shared in a manner that reflects this Te Ao Māori worldview.

Therefore, it is proposed that an art exhibition be held to transfer and disseminate knowledge generated from the project. This will work alongside diverse mahi toi exponents representing all of Aotearoa, to wānanga the findings of the research to inform and inspire their artistic expression in relation to Tangaroa.

Q.   RISK & MITIGATION

Subject Matter Experts are unavailable to participate in interviews
The research team has been selected based on strong networks relationships and already established relationships with many of the tikanga, Te Tiriti and marine governance and management experts.

Moving the hearts and minds of New Zealanders
Develop an engagement and communication strategy early in the project to inform our approach with relevant interest groups

Public perception risk of the project
The engagement and communication strategy will look at ways in which the team can ensure transparency in the work that we are doing. Secondly it will identify ways to manage expectations, by being clear about what this project is and what it isn't.

R. CONSENTS & APPROVAL required to undertake research	• This project will give precedence to tikanga, kawa and kaupapa Māori. Through the expertise of the research team a framework will be developed that will guide the appropriate use of knowledge that is obtained through this research project. This framework will also be tested with the Expert Advisory Group.

S. Appendix One: Relevant Phase One Research Projects

Tangaroa Phase One Projects
1. He Pou tokomanawa: Kaitiaikitanga in practice in our marine environment
2. Hui-te-ana-nui: Understanding kaitiakitanga in our marine environment
3. Tahuhu Matatau Te Ao Tangaroa. Empoweing the kaitiaki of Ngā Whare Tokotoru with matauranga from Aotearoa and beyond.
4. Tuhonohono: Tikanga Māori me te Ture Pākeha ki Takutai Moana
5. Whai Rawa, Whai Mana, Whai Oranga: Creating a world leading indigenous blue economy
6. Whaia te Mana Māori Whakahaere Tōtika ki Tangaroa – in pursuit of Māori governance jurisdiction model over marine resources.

Vision Matauranga Projects
1. Incorporation of indigenous approaches to guardianship in Canada

Enabling EBM
1. EBM within Aotearoa New Zealand's existing legislative framework

Our Seas
1. Enabling inter-agency collaboration on cumulative effects
2. Frameworks for achieving and maintain social licence
3. Navigating marine social-ecological systems
4. Participatory process for marine ecosystem restoration
5. Testing participatory processes for marine management

Valuable Seas
1. Creating value from a blue economy
2. Development of valuation frameworks and principles
3. Mauri Moana, Mauri Tangata, Mauri Ora – Assessing the values New Zealanders hold for the marine environment. (Te Waka Taurua model)