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## Planning for equity and social justice in ocean use

Equity and social justice concerns are intrinsic to all ocean planning processes. Some groups benefit more, or are perceived to benefit more, than others in terms of continued or new access to space and resources. The way stakeholders view the fairness of ocean planning processes and the plans that result from them in turn can influence how successfully those plans can be implemented.

Ocean planners are increasingly thinking about these relationships when designing and conducting planning processes. However, equity and justice considerations are rarely formal objectives for planning processes. And resources and information for helping ocean planners formally incorporate equity and social justice concerns into their planning and prioritization work are limited.

To learn more about what ocean planners can do to formally account for these considerations, we spoke this month with three ocean planners and researchers who are at the forefront of examining the relationship of equity and social justice to conservation and management success. In addition, the EBM Toolbox column in next month's MEAM will examine this subject further by documenting what tradeoffs between equity and biodiversity conservation success may look like for different types of social equity.

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## Determine what aspects of equity stakeholders care about

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**MEAM: From your perspective, what do equity and social justice look like in an ocean planning process?**

**Halpern:** To understand how equity (or social justice) is, and is not, addressed in ocean planning, you first have to pay attention to the many different forms equity can take. The main distinction is between procedural (or process) equity and distributive (or outcome) equity. You can think of procedural equity as things like stakeholder engagement or how well different people's voices are heard in a planning process. Outcome equity is how the costs and benefits of any particular planning action are distributed among different groups of people. That gets even more complicated – because equity can be related to all sorts of different groupings such as gender, generation, occupation, social class, and ethnicity. Some people will care most about procedural equity for different occupations (the classic stakeholder engagement concern). Others will care most about outcome equity by gender. And so on.

There are lots of examples of equity concerns influencing ocean planning even if we do not call them that. Individual Transferable Quota (ITQ) allocations (which determine who gets what proportion of a stock when the catch allocations are first distributed), the design of MPA boundaries (which determine which fishermen are impacted the most), and the many planning processes that carefully and deliberately engage a full range of stakeholders are all examples of equity issues influencing planning.

**MEAM: Why should ocean planners be thinking explicitly about equity and social justice at the beginning of a process?**

**Halpern:** For me there are two really compelling reasons why planners should be dealing with equity issues. The first is that people care about equity issues (a lot!), and if people care about something, it should be included in a planning process. Just as we make conservation and economic outcomes explicit objectives of planning processes, we should explicitly address equity outcomes. Indeed, we have a term for this – triple bottom line outcomes (effective, efficient, and equitable). The second reason to address equity issues up front is that when they are ignored, they can have an impact on how well other objectives are met. There are plenty of examples of conservation actions that did not fully consider who wins and who pays the costs, and those who had to pay decided to ignore the conservation action (for example, fishermen who decide to poach inside MPA boundaries because they feel the MPAs were not created fairly).

One of the best examples of ocean planning that failed when equity was ignored and succeeded once equity was addressed is the Marine Life Protection Act (MLPA) process in California. The first two times the planning process was initiated, planning was top-down and did not engage stakeholder groups, and it failed. The third time, planners used an elaborate stakeholder engagement process that gave voice and participation to interested and affected groups, and the planning led to a network of MPAs along the entire coast. Other good examples of equity in ocean planning come from development of ITQ for poor-performing fisheries. Decisions about how to allocate quotas when the ITQ is first established and rules about if/how quotas can be consolidated after the system is created can have profound consequences for how well the fishery performs.

**MEAM: What advice do you have for ocean planners starting to think about explicitly incorporating equity and social justice considerations into their work?**

**Halpern:** I think the most important way to begin addressing equity issues is to understand which aspects of equity stakeholders for the process care about. For many, feeling that they are able to participate in the planning process and have their voices heard is of paramount importance. For others, the process does not matter so much as long as the outcomes seem fair. Equally important, how do people in the community identify different groups? Is it mostly by profession (e.g., fishermen, conservationists, tourists), by gender, by generations? These are the different voices that need to be heard and the lens through which the outcomes (impacts) of planning actions need to be viewed. Not all views will matter to different communities – you do not want to structure a planning process (and outcome) around equity issues that people do not care about.

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## Map out the social dynamics of your area at the beginning

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### **MEAM: From your perspective, what do equity and social justice look like in an ocean planning process?**

**De Santo:** I think it's important to clarify what we mean when we're using the terms "equity" and "social justice" because definitions vary. Equity can be viewed as fairness or justice in how people are treated, while social justice focuses on access to opportunities, wealth, and other benefits (and burdens) in society. In marine management, we typically hear about these concepts in regard to access to resources upon which livelihoods depend, such as fisheries and other extractive uses. In a wider marine management context, however, tourism and other non-extractive uses also have equity and social justice issues associated with them.

One key legal instrument for equity and justice in environmental planning that readers should be aware of is the [1998 Aarhus Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Issues](#). While the Convention is primarily a [European instrument](#), it is open to accession by outside countries and is viewed as a key contribution to environmental democracy, emphasizing accountability, transparency, and responsiveness to the public on the part of governments. The ability of governments to implement the Convention has varied. The first two pillars – access to information and participation in decision-making – have proven much easier to implement than the third pillar – access to justice.

### **MEAM: Why should ocean planners be thinking explicitly about equity and social justice at the beginning of a process?**

**De Santo:** It is worth noting that social "injustice" can be a result of internal problems – such as domination and oppression of one group by another – not just distributional outcomes. So even though the process may appear to be fair from the planners' perspective, there may be other dynamics that affect the outcome in a negative way.

Consequently, it is key for planners to be as transparent as possible from the beginning, and they also need to map out the social dynamics of the area in which they are working – who are the stakeholders and how do they relate to one another socioeconomically and politically? What is the pathway for information/science to reach policy makers, and are there potential obstacles? What external actors, such as environmental organizations, are present, and do they provide a bridging role at the science/policy interface or exacerbate conflicts? What relationships do different user groups have among themselves, and how can policy-makers and planners work with them in a transparent and fair manner to ensure long term compliance? These are all important considerations that highlight the importance of interdisciplinary approaches to environmental management: planners need to bring in social and political scientists as well as natural science in order to fully understand the social-ecological context within which they are working. In some situations, this will also require including indigenous and local knowledge and facilitation (i.e., both natural and social science). Otherwise, planners could be faced with situations where one group feels disenfranchised and/or refuses to comply with regulations.

An example of such a situation is the UK's Marine Conservation Zone (MCZ) process. This ambitious, stakeholder-led process ran from 2009-2011 and resulted in a list of 127 proposed MCZs. Some stakeholders in this process felt that the fishing industry ultimately had a more powerful voice than other perspectives, however, and that the government bent to their demands behind the scenes. Whether or not this is true, it is not surprising to see different stakeholder groups and/or geographic regions feeling that some receive preferential treatment over others. Planners need to be aware of these potential concerns and recognize that they should not be used as a reason to exclude different perspectives from planning processes. If users fear that rules will be imposed on them, they may have an incentive to disrupt the process or withdraw from it. (MEAM readers interested in this issue may find a [paper on the potential for improving constructive participation by the fishing industry in no-take MPA planning](#) useful.) Five years after the MCZ consultation concluded, many stakeholders who were involved in the process are disappointed by the slow pace of site designations and feel that the UK government did not meet their expectations. Rather than designating all 127 recommended sites at once, the MCZs are being rolled out in smaller "tranches" or groups of sites (27 in 2013, 23 in 2016, and a future tranche expected in 2018). In addition, and of particular concern with regard to the ecological integrity of a network of sites, the recommendations for no-take "reference areas" have not been implemented. ([Read an assessment of the stakeholder engagement aspect of the process here.](#))

### **MEAM: What advice/strategies/resources do you have for ocean planners starting to think about incorporating equity and social justice considerations into their work?**

**De Santo:** A few key aspects that I have seen in this and other contexts to ensure long-term conservation success:

1. Managing expectations while maintaining transparency and consistent communication throughout the process,
2. Maintaining political consistency, both in terms of the structure of decision-making hierarchy and in the policies enacted for stakeholder engagement, and
3. Establishing clear objectives and definitions from the outset.

While these recommendations don't necessarily resolve the underlying societal issues that cause inequity and injustice, they can bolster stakeholder engagement and build trust in the process.

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## Make sure there is enough time in the process to develop relationships and understand issues and concerns

*Editor's note: Russ Jones, whose Haida name is Nang Jingwas, is manager of marine planning for the Council of the Haida Nation, the government of the indigenous Haida people of Canada. He can be reached at [russ.jones@haidanation.com](mailto:russ.jones@haidanation.com).*

### **MEAM: From your perspective, what do equity and social justice look like in an ocean planning process?**

**Jones:** Equity and social justice in ocean planning means ensuring that processes are respectful and inclusive of everyone who has an interest or can make a meaningful contribution to ocean plans. This is particularly important for indigenous peoples and communities who are located in the planning area or may be affected by development.

### **MEAM: Why should ocean planners be thinking explicitly about equity and social justice at the beginning of a process?**

**Jones:** Ocean plans require a balancing of interests, which means that there needs to be an appropriate level of engagement at all stages of the planning process including design of processes, development of objectives, and establishment of governance systems. Questions that should be asked include: Who should be involved? Do they have the resources to engage meaningfully? Are there differences in world view that need to be accounted for?

### **MEAM: What advice/strategies/resources do you have for ocean planners starting to think about incorporating equity and social justice considerations into their work?**

**Jones:** My main advice would be to take time to learn about the planning area, particularly the perspectives of indigenous people, communities, and those individuals or groups that have key interests in ocean plans. It takes time to develop relationships and to understand issues and concerns, and the process needs to account for that.

My own experience with ocean planning for Haida Gwaii (an archipelago on the Pacific coast of Canada) at a regional and large ocean management (LOMA) scale illustrates the importance of governance processes to final outcomes and the need for time to develop the stable relationships and trust required to move forward with development of durable ocean plans. LOMA planning for the Canadian province of British Columbia started in 2003 when the federal government announced that the Pacific North Coast

Integrated Management (PNCIMA) including Haida Gwaii would be one of five pilot projects for development of integrated ocean management plans under Canada's *Oceans Act*. Following that announcement, it took more than five years to develop a governance agreement between Canada, British Columbia, and (indigenous) First Nations. The agreement was unique because it involved a partnership with most of the First Nations in the British Columbia north coast. A major reason for this unique approach was existence of both Indigenous and Crown title in the planning area. The resulting governance process involved a Steering Committee that made decisions by consensus and was responsible for designing and developing the ocean planning process. Much of the early work was led by Coastal First Nations – Great Bear Initiative of which the Council of the Haida Nation is a member.

First Nations secured resources from government and private sources to develop their own vision and community plans – through grants from the Gordon and Betty Moore Foundation and federal sources including the Aboriginal Aquatic Resource and Oceans Management program – during a pre-planning phase beginning in 2006. The Haida Nation used this time to articulate Haida ethics and values, conduct a Haida marine traditional knowledge study, and develop a marine planning document that informed development of the PNCIMA and Haida Gwaii Marine Plan. This pre-planning process took place over five years with products being completed in stages.

A major challenge occurred in 2011 when the federal government unilaterally changed the scope of the PNCIMA process and stepped away from commitments to develop spatial plans at the sub-regional scale including Haida Gwaii. First Nations withdrew from the PNCIMA and re-engaged through a Letter of Intent in 2012. First Nations and the Province of British Columbia formed the Marine Planning Partnership with the goal of continuing to develop marine spatial plans for the four sub-regions within PNCIMA. The sub-regional plans, such as the one for Haida Gwaii, were developed over a period of a little over three years and were finally endorsed by First Nations in each sub-region and the Province in April 2015. Completion of the PNCIMA plan is still under discussion.

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