National SCIENCE Challenges — SUSTAINABLE SEAS | Ko ngā moana whakauka

Marine governance – sustaining ocean outcomes for future generations

When the health of our coastal marine ecosystems is in serious decline, with continued losses in biodiversity and the valuable ecosystem services and functions they provide, we need improved governance systems.

Effective and appropriate marine governance is critical to ensuring Aotearoa New Zealand can continue to benefit from its connections and interactions with our oceans for generations to come. To move forward, we must ensure our marine governance models and approaches are fit for purpose and produce sound decisions for the long-term benefit and health of the ocean, our communities, and economy.

About this document

This summary document aims to inform marine governors and decision-makers at all levels about the critical ingredients necessary to ensure effective and appropriate marine governance that will fulfil the needs of future generations. The advice is based on research findings and insights from the Sustainable Seas National Science Challenge.

This summary:

- explores the existing challenges faced by marine governance
- outlines the different forms of existing marine governance
- recommends a set of critical ingredients necessary to support governance decision-making that enhances benefits to people and the ocean
- looks at how the principles of ecosystem-based management, blue economy and te ao Māori can provide valuable signposts for marine governors.

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Recommendations

Based on our research, we recommend that the following set of critical ingredients for effective and appropriate marine governance is used to guide the establishment, maintenance, and improvement of marine governance models and functions in Aotearoa New Zealand.

- » Establish a national marine governance framework that provides principles for a holistic approach with a clear vision and objectives for the marine environment.

- » Empower courageous leadership that prioritises the achievement of long-term outcomes.

- » Ensure inclusive capability that reflects our multiple and diverse connections, values, and interests associated with the marine environment.

- » Enable enduring capacity, acknowledging that effective governance requires long-term planning, commitment, knowledge, and resourcing.

Current challenges for marine governance

Governance-focused research conducted by Sustainable Seas researchers draws attention to the processes involved in managing, controlling, and organising activities, people, resources, and spaces, and considers 'environmental governance' as relating to decision-making and higher-order planning. Environmental management, in contrast, refers to the measures taken to achieve governance goals and particular outcomes.

A multitude of different people and organisations are responsible for aspects of marine governance codified in laws, policies or through tikanga and place-based approaches. Existing governance arrangements are often characterised as fragmented, poorly aligned across sectoral legislation and policy and scales (spatial and temporal), and lacking coordination in decision-making processes and actions.

Added to this is an unresolved set of highly contested Tiriti o Waitangi rights and interests. This situation has led to overlaps of jurisdiction, inconsistency of approach, and conflicts and tensions between the governance and decision-making of governors operating under different frameworks or models.

What is also clear from our research is that there is currently no single perfect institutional arrangement capable of realising diverse goals or accommodating diverse values held in relation to the moana. An obvious tension exists between needing cohesive leadership, coordination, and oversight across sectors and scales, whilst supporting the goals, aspirations and needs of existing marine users, rights, and interest holders, and those with responsibilities at specific scales of focus. For these reasons, we are not suggesting a singular governance model, but rather an approach to governance that can support and enhance governance arrangements tailored to specific people, place, and scale.

Critical marine governance ingredients

Our research shows there are opportunities to enable the implementation of a more holistic approach to governance, such as those advocated within ecosystem-based management. There are opportunities within existing legislative and policy contexts in both the short and long-term, and there are also opportunities to strengthen marine governance by focusing on people and processes constituting marine governance arrangements at multiple scales.

Through our research, we observed a range of governance arrangements including statutory, non-statutory, tikanga, and place-based. The most effective arrangements displayed a set of key ingredients. It is these ingredients that form the basis of our recommendations.

Establish a national marine governance framework

Ensuring marine governance that sustains ocean outcomes for future generations relies on a more holistic approach with a clear vision, framework, and objectives for the marine environment. Longer-term opportunities lie in legal and policy reforms to identify and achieve national objectives as part of wider processes of review and reform, and to strengthen existing 'anchors' that underpin governance of the marine environment.

Sustainable Seas research has noted the need to develop fundamental marine principles to establish clear objectives for the marine environment and to help ensure consistent and integrated governance arrangements, rules and regulation across sectors and scales.

The research suggests that such principles be co-developed by central government and tangata whenua in ways that align to te ao Māori. Such principles can form the basis of a marine governance framework (figure 1) and we contend that two key concepts are critical for inclusion in such a framework:

- **recognition of the inherent authority of the environment itself** (represented through the existing and emerging approaches of legal personhood, Te Mana o Te Wai and Te Mana o Te Taiao)

- **marine governance structures in Aotearoa provide for Tiriti o Waitangi partnerships**, tikanga, and mātauranga Māori.
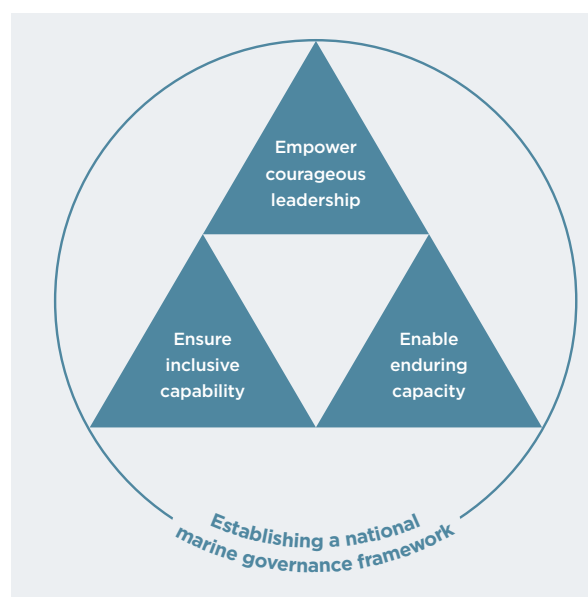

Figure 1 The critical ingredients for establishing a national marine governance framework

Empower courageous leadership

Achieving long-term vision and outcomes for our marine environment requires steadfast and often courageous leadership.

The leadership of people exists in many and various forms across multiple scales and worldviews, and recognising and supporting leaders is central to ensuring that decisions and actions taken to improve ocean outcomes are effective. In addition, there is increasing recognition of the inherent authority of the environment itself (eg legal personhood and approaches such as Te Mana o Te Wai). This speaks to the need for marine governors to recognise Te Mana o Te Moana (the authority of the ocean) by placing the interests of the ocean at the forefront of their decision-making and actions.

Ensure inclusive capability

The complexity of our marine environments and the multiple connections, values and interests attached to these environments, requires diverse capabilities to ensure effective governance.

Research has highlighted a multitude of values, interests, uses, connections, impacts, and aspirations relating to our ocean spaces. This needs a governance approach by governors and leaders who can foster balanced and respectful partnerships, collaborations, and engagement, and requires multiple sources of knowledge and experience to be at the table. Understanding how different knowledge and expertise can be used to inform decision making may require building capabilities within organisations and among individuals to ensure the integrity of the knowledge and expertise shared is upheld.

Enable enduring capacity

Having a clear vision, framework, objectives, and principles for the marine environment requires long-term planning, commitment, knowledge, and resourcing. Enabling enduring capacity will be critical to achieving sustainable ocean outcomes for future generations.

The existence of an overarching national marine governance framework, implemented through having the necessary leadership and capability, will only be successful if the necessary capacity is in place for the long-term. This means such arrangements must be sufficient to:

- withstand changing short-term political and economic priorities by ensuring an authorising environment that is stable

- ensure necessary information is available to inform decision-making and action

- account for time availability of experts needed to limit or address information deficits, conflicts, and tensions

- provide for collaboration and cooperation to reduce capacity burden.

Signposts for marine governance

Ecosystem-based management, blue economy, and te ao Māori principles and approaches that have been tailored specifically to our unique context and environment, serve as valuable signposts for marine governance. They provide a strong foundation to tackle problems and offer strategic approaches to guiding and organising management decisions and actions at, and across, different spatial and temporal scales.

Because of its emphasis on recognising land and sea interactions and connectivity, ecosystem-based management offers a holistic strategy for the governance of marine environments, for considering the activities occurring on land and sea that affect the marine environment, for reconciling scale mismatches, and for supporting the inclusion of multiple knowledges and values.

A blue economy approach combines aspirations for healthy oceans with society's requirements and expectations, while placing the moana, and the relationship of people with the moana, at its heart.

Both approaches align with te ao Māori principles and approaches founded in tikanga and mātauranga Māori where knowledge reclamation, restoration, and revitalisation are informing commercial and customary activities, opportunities to indigenise the blue economy, and to support the application of kaitiakitanga across scales and sectors.

These signposts highlight what is possible in a governance context but must be considered and explored in partnership with tangata whenua. Doing this is important because that partnership will determine what each of the principles means, and the most appropriate way to apply them.

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