

Building an Effective Caribbean MPA Enforcement Program

La Construcción de un Programa del Caribe Efectiva MPA Cumplimiento

Construire un Programme Efficace Caraïbes MPA Application

JAYSON HORADAM^{1*} and EMMA DOYLE²

¹*MPA Enforcement International, LLC 422 Samar Avenue, Naples, Florida 34113 USA. *j.horadam@mpaenforcement.com.*

²Gulf and Caribbean Fisheries Institute, 6510 Carrizo Falls Court, Houston, Texas 77041 USA.

EXTENDED ABSTRACT

While most marine protected areas (MPAs) recognize the need for enforcement programs and the core importance of having enforcement personnel working in the field, effective and practical implementation of MPA enforcement is often times lacking. Unless someone with law enforcement training and experience is involved in MPA management, MPAs are often unfamiliar with the elements necessary for successful implementation of an enforcement program that will offer effective protection of the MPA's natural resources. Not making matters any easier for the MPA manager, there is no one-size-fits-all solution for MPA enforcement since MPAs are unique when it comes to addressing enforcement needs and challenges.

As new MPAs are created in the region and increasing numbers of staff are taken on board, it is imperative that MPA managers provide their field staff with the proper training and resources to enable them to understand the fundamentals of law enforcement procedures and the elements necessary to create a credible and effective compliance program. There are a number of lessons learned to date from efforts with SPAW member countries on enhancing compliance and enforcement, in particular based on enforcement assessments and practical training with MPA partners in Belize, The Bahamas, Grenada, and Jamaica.

We have learned that MPAs first need to focus on defining powers of arrest and the authority of Rangers and Wardens, which sometimes are not complete, finalized, or legitimate. Legislative power and policy-making authority can be difficult to decipher, thus making the process of granting the necessary powers and authority to enforcement personnel complex. This was found to be the case at Montego Bay Marine Park, the oldest MPA in Jamaica (1991). The Natural Resource Conservation Authority Act (1998) authorizes the Trust to act on behalf of the national government with regards to management of the park. The Act also allows management to hire Rangers and conveys powers of arrest to the Rangers provided that they are individually gazetted, a requirement that was only partially understood. Many MPAs are employing Rangers and Wardens under similar circumstances where they will stop, search and arrest but without necessary legal foundation. Where MPA enforcement staff do not have full powers to stop, search, and arrest then it is critical that the MPA establishes a strong and close relationship with those agencies that do have the power of enforcement operations within the MPA in order to work in partnership with them for the protection of the area's natural resources.

Once law enforcement powers are established or understood, applying best practices must start with an assessment of the specific country's MPA regulations, judicial system and enforcement capabilities, and an analysis of how the program is currently operating. Grenada has a well-planned and staffed MPA program and their enforcement efforts benefited from tailored training for the wardens and enhanced partnership with the Royal Police Force and Defense Force. Most MPAs in the region can learn from this approach to partnering with other agencies of authority. A great deal of networking needs to take place in order to make the most of protection efforts for all MPAs.

The greatest safety issues for any MPA will always be found in the enforcement program. MPA field enforcement is a dangerous area of work, and field Rangers and Wardens are the first to recognize and understand the difficulty of their duties. Yet MPA managers typically only provide rudimentary instructions to their Rangers and Wardens, who are often sent out without proper training in any area except basic boat handling skills. This means that in many MPAs, field staff have been given the job of detaining people, of search and seizure with the end result of taking violators into custody. This is a great responsibility with which to entrust an individual, and apprehending violators can lead to liability issues for the organization. For most western societies, the power of arrest is only given to highly trained authorities after a four or five month training academy. Proper procedures, effective and continual training in basic policing procedures, enforcement techniques, understanding rules and regulations, evidence collection, and chain of custody are just some of the components that go into a successful enforcement program. Standard Operation Procedures (SOPs) must be set in place and adhered to. While some programs are starting to understand the need for SOPs, most are yet to put these in place. Efforts to date in Grenada, Jamaica, and Belize are instructive for other MPAs, highlighting that a concerted effort is required to develop SOPs, building on existing practices, and that implementation must be taken seriously.

Last but by no means least, it's important that outreach and education in support of building compliance and complementing enforcement programs are well-designed and well-implemented. Almost every encounter or inspection is an educational opportunity. Many MPAs could seek to improve communications by providing information for the enforcement Rangers to distribute during routine boarding and encounters with stakeholders and user groups. Outreach, education and enforcement need to be integrated into a system that complements and strengthens these components together. An MPA's Rangers and Wardens need to be ambassadors, educators, and then enforcers for that very small percentage of the population.

How do you measure success in an enforcement program? First, do the enforcement efforts and staff create a deterrent to unlawful and unwanted behavior? In too many instances the violators have an attitude of —

I'll take what I want because the chances of me getting caught are very slim, and if I do get caught they will not be able to prosecute me.

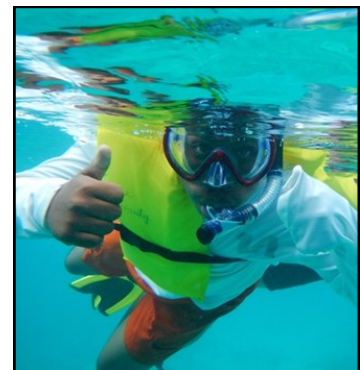
— the cause is an ineffective enforcement program.

When you can change the attitude of the violator to —

I'm not going to break the rules because there is a very good chance they will catch me, and the consequences are not worth it.

— then, the program has achieved compliance through credible enforcement. Secondly, are stakeholders (eg. charter boat or dive operators) in the MPA reporting

violations? And thirdly, do the Rangers make arrests either by themselves or with partner agencies (police, navy, coast guard, fisheries)? Lastly, are these charges brought to successful prosecution, and are the violators convicted? These are the key indicators that MPAs need to measure in order to determine their level of success.



Photos: E. Doyle, J. Horadam