



**CARIBBEAN NATURAL RESOURCES INSTITUTE  
(CANARI)**

**Review of Jamaica's Protected Areas System  
and Recommendations on the Way Forward**

**Prepared in collaboration with the  
Negril Area Environmental Protection Trust**

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CANARI also acknowledges the contributions of the University of the West Indies and the United Kingdom's Department for International Development, through the programme "Capacity Building for Community Participation in Natural Resource Management in the Caribbean, in providing institutional support and additional financial resources for this review.

## **Terms of Reference and Methodology**

The review was carried out by the Caribbean Natural Resources Institute (CANARI) in collaboration with the Negril Area Environmental Protection Trust (NEPT). A Memorandum of Understanding defined the responsibilities of the two parties.

The terms of reference of the review as defined in the proposal submitted by NEPT to the Environmental Foundation of Jamaica (EFJ) and approved by EFJ in August 2001, were as follows:

- develop consensus on what a national park and protected area system is and what is required to establish and operate one
- identify lessons learned from the implementation of the protected area system to date
- ascertain and analyse the current state of individual parks and of the system with respect to their physical, organizational, governance, and financial aspects and overall effectiveness
- identify requirements for improving the effectiveness of the system and its various components and develop recommendations for the way forward.

The approach used was one that combined standard data gathering methods with processes of participation and consensus-building. The work was carried out by a team of three. Tighe Geoghegan of CANARI was responsible for project design, overall implementation, and reporting. Consultant Carolyn Hayle was contracted by CANARI to carry out interviews with key informants and contribute to other aspects of the project, including the preparation of the final report. Susan Otuokon, working on behalf of NEPT, provided coordination, logistical support, and advice.

Activities included:

- Literature review: More than thirty documents relevant to the history and development of the system were reviewed by project staff at the outset of the project. These are listed in Appendix A.
- Interviews: Between September and November, detailed interviews were conducted with 31 key informants (Appendix B), guided by a survey instrument attached at Appendix C.
- Preparation of preliminary findings: The information gleaned from the interviews and literature review was analysed and compiled into a short preliminary findings document (Appendix D).
- Consensus-building workshop: All agencies and organizations with current responsibilities for either local or national protected area management were invited to send representatives to a workshop held in Kingston on November 8, in order to validate the preliminary findings of the review and to develop recommendations on the way forward.
- Development of recommendations: The recommendations coming out of the workshop were documented and sent for comment to a wide range of stakeholders, including all those who participated in the consensus-building workshop. Three weeks were allowed for the receipt of comments.
- Preparation of final report: This final report pulls together all aspects of the review, and takes into account the comments received on the draft recommendations. It can therefore be considered a fair representation of the consensus of the wide range of stakeholders consulted during the process.

## **A Review of the Jamaica Protected Areas System 1989 – 2001: Summary of Findings of Literature Review and Interviews**

In the late 1980s and early 1990s Jamaica, like many countries in the world, was caught up in the whirlwind of activities associated with the Earth Summit and Agenda 21. Many international agencies became focused on the environment, and the U.S. Agency for International Development (USAID) was no exception. Jamaica and the United States Government entered into a novel arrangement of swapping debt for nature whereby the U.S. Government forgave debt incurred by Jamaica in exchange for certain steps to preserve its environment. The creation of a national park and protected area system was one of those steps.

To understand fully how the system of protected areas in Jamaica evolved it is important to grasp the sequence of events that unfolded as well as the issues that emerged and continue to affect the system. This document attempts to summarize the main highlights from documents reviewed and also attempts to put these highlights into context by drawing on comments obtained through a series of interviews. At the end of the process a picture emerges that can assist with the redesign and implementation of a protected areas system for Jamaica.

### **The PARC I project, 1989 - 1992**

The process of developing the system of protected areas began in 1989 with a USAID-funded project known as PARC (Protected Areas Resource Conservation) I. The project had a budget of US\$1,750,000 and was intended to lay the foundation for a new national park and protected area system.

In the absence of an obvious lead agency within the Jamaica government, a non-governmental organization, the Jamaica Conservation and Development Trust (JCDDT), was identified as a suitable partner capable of handling leadership responsibilities for the project. JCDDT, although only recently established, had already attracted support from The Nature Conservancy (TNC) and the Caribbean Conservation Association. As a result of these associations, the designers of PARC I defined a major role for it in the project.

At the outset of the PARC I project there were two immediate tasks:

- initiation of protected area activities in selected “pilot” parks (Blue and John Crow Mountains National Park and the Montego Bay Marine Park, selected for their biological and socio-economic values and management considerations)
- building of the conceptual, legal, financial and institutional foundation for the system.

Initially, the Forestry Division managed the Blue and John Crow Mountain Park, legally established in 1993, and Natural Resources Conservation Department managed the Montego Bay Marine Park, legally established in 1992.

### *Draft plan for a system of protected areas in Jamaica*

The purpose of the PARC I project was to “integrate conservation of biological diversity with sustainable economic development.” The USAID project document states, “Specific actions were identified in order to build an overall national framework for a national park and protected area system in Jamaica”. These actions are described in the project’s centerpiece, a system plan prepared by JCDDT in 1992. The plan recommends that IUCN categorization and definitions be

used for the protected areas within the system. It lists four actions to be taken in order to build a framework for the system:

- 1) development of the national parks and protected areas system plan
- 2) establishment of a Conservation Data Centre
- 3) establishment and capitalization of a national parks trust fund
- 4) drafting and adoption of support legislation.

These were in fact the major components of the PARC I project.

In the system plan, JCDT suggested that no one government agency had the capacity for managing a centralized system, and a non-governmental organization such as itself would need to lead the development of the system, with help from TNC.

#### *Policy for the national system of protected areas*

The policy document prepared by the Natural Resources Conservation Authority (NRCA) and based on the JCDT system plan was finalized and accepted by Government in 1997. The policy states: “The system should be an essential tool for environmental protection, conserving essential resources for sustainable use, helping to expand and diversify economic development, and contributing to public recreation and education. Local co-management and sustainable management programmes are guiding principles for ensuring permanent protection.”

Six goals were set out in the policy:

- 1) Economic development - expand and diversify Jamaica’s natural resource based economy
- 2) Environmental conservation – conserve Jamaica’s heritage as represented by its biodiversity, scenic landscapes and cultural resources
- 3) Sustainable resource use – protect ecological systems that provide goods and services
- 4) Recreation and public education – provide recreational and educational opportunities to improve the quality of life for all Jamaicans and visitors
- 5) Public participation and local responsibility – promote local interest, commitment and support for protected areas
- 6) Financial sustainability.

The policy seems to have been based on several assumptions, many of which later turned out to be flawed. Some of these flawed assumptions also appeared in other documents and contributed some poor decisions. Examples are:

- NRCA was assumed to have the financial and human resources required to preserve *in situ* major representative stocks of all of Jamaica’s biological resources, including populations of indigenous animal and plant species, natural communities and ecosystems (nearly 200 sites are listed as protected area candidates in the document).
- NRCA was given the responsibility to formulate a financial policy to guide the entire system. This was not and still is not possible, as NRCA does not have jurisdiction and authority over all elements within the system.
- The Ministry of Finance was expected to put J\$5 million per annum into the Jamaica National Parks Trust Fund. This was never done.

- A Jamaica National Parks Institute was to have been created to coordinate the system, but was never established.
- Agencies (many outside of NRCA's jurisdiction) working in the protected areas were assumed to know their roles and responsibilities *vis-à-vis* the protected areas and to incorporate these into their respective work programmes. While the major partners did eventually develop a reasonably clear understanding of their roles, other key collaborators did not.
- NRCA was to have created a mechanism for encouraging local participation and for monitoring and evaluating the system. This was never accomplished.
- The protected area system was expected to have a "common planning platform," that is, one common approach to planning for the system. In fact, the policy of devolving management responsibility to local partners resulted in a lack of coordination in planning.
- The NRCA and the national research institutions were expected to coordinate national research priorities, projects, information system development and environmental monitoring with respect to the protected areas. No mechanisms were set up to facilitate this collaboration.

NRCA was responsible for "the development of a national systems plan for all protected areas..." Additionally, NRCA was to set priorities and identify national interests in protected areas and guide annual planning or work programmes, budgets, staff, training and equipment. These were unrealistic objectives as many agencies involved were not within NRCA's authority. Therefore, it could only set priorities to the extent that it controlled the process; alternatively, it would have had to develop mechanisms that allowed for such participation.

There was to have been system-wide planning from the local level upwards in collaboration with other government agencies. This needed to happen but did not. This activity though vital was not provided with a mechanism to fulfill its aim.

The USAID PARC I project managers apparently did not feel that a centralized system was necessary for Jamaica because of the diversity of agencies handling issues related to protected areas. This was an error: for precisely that reason one agency ought to have taken the lead for the system. Once the agency took the lead, it needed the authority to move the other agencies into action.

Neither the system plan nor the policy has provided the intended level of guidance to the development of the system. Reasons include the following:

- 1) The sequence of the policy and the planning documents was inappropriate. The latter was produced first and thus not guided by policy.
- 2) The system plan was written by an NGO, and while accepted in principle, it was never formally approved by the Government.

- 3) The policy, written later by NRCA, eventually incorporated many elements of the JCDT system plan, but the NRCA failed to develop an accepted system plan, even though this was a stated intention of the policy.

#### *National Parks Trust Fund*

The Trust Fund was established in 1992 through the completion of a debt swap negotiated with the U.S. Government. Additional capital was added to the Trust Fund in its first year through a second debt swap and donations from international conservation agencies. USAID established a growth target of US\$ 200,000 per annum for the Trust Fund, with the intention that the fund would grow for several years before being tapped into. Instead, the Trust Fund was called upon to pay salaries for the two pilot parks in 1993, one year earlier than projected. Additionally, during interviews it was revealed that the structure of the Trust Fund did not include any mechanism to compel the Government of Jamaica to honour its pledge to contribute. Interviews revealed that the Government felt it did not need to put the agreed J\$5 million into the Trust Fund on an annual basis since it saw the Environmental Foundation of Jamaica (EFJ) and the Government's support to NRCA from the consolidated fund as its contributions. This line of reasoning is understandable; unfortunately however, EFJ does not understand this to be its role and it is supported in this view by its terms of reference.

#### *Evaluation of PARC I*

The evaluation of the PARC I project, conducted by the Island Resources Foundation in 1992, is instrumental in understanding why the protected area system never reached its expected level of operation. In this document it was reported that the PARC I project was successful and did meet its objectives, with Montego Bay Marine Park exceeding expectations in two years with considerable community participation. Both parks were employing people and had trained, committed staff. The major concern as stated in the evaluation report was with the design of the second phase of the project, PARC II. The report noted "The genius of the PARC concept lies in its evolving successes and its open architecture which, taken together, encourage both institutional consensus among participants and continued innovation at all levels."

There was a supplemental document to the evaluation report on PARC I which made two recommendations:

- a. to separate the policy and regulatory functions from the management and administrative functions;
- b. to centralize the day-to-day management and administration of national parks in a NGO led organization that would concentrate all its efforts on this specific objective.

#### **PARC II and DEMO, 1993 - 1998**

PARC II and DEMO (Development of Environmental Management Organizations) represented the next phase of USAID support to the conceptualization, design and implementation of a protected areas system in Jamaica, as well as to building institutional capacity in both the NGOs and the Government.

DEMO was a five-year US\$7.75 million project that had as its purpose "to strengthen the capability of public and private environmental organizations to manage Jamaica's most economically important natural resources." It focused on achieving two types of impacts:



- strengthening lead environmental institutions so that they could continue to improve environmental management during and beyond the life of the project. This was to be achieved through institutional support of the NRCA, NEST (National Environmental Societies Trust, an environmental NGO umbrella organization), and existing community-based associations;
- creating measurable environmental and economic benefits, to be achieved by management of four selected areas of environmental concern through its SITE (Strategic Interventions in The Environment) component. (Negril was one of these.)

PARC II, which fell within the overall framework of DEMO, was to focus on consolidating, deepening and expanding activities begun in PARC I. According to documents reviewed, PARC II was “an important element in USAID/Jamaica’s country program” whose strategy hinged on three objectives: increased foreign exchange earnings, employment, and improved environmental quality and natural resource protection.

PARC II’s objectives were to be achieved by:

- 1) limited support to the parks established under PARC I to ensure their sustainability
- 2) opening of two new national parks by the end of the project (Black River and Cockpit Country were suggested) to be developed in a manner that would build up the cadre of national park professionals and achieve economies of scale in training and management
- 3) assistance to the JCDT to create a Jamaica National Parks Institute to consolidate management, leadership, training and fundraising functions for the system
- 4) continued capitalization of the National Parks Trust Fund, principally through additional debt-for nature swaps, targeted donor solicitation, and support from the Jamaica business community
- 5) creation of buffer zone management activities involving local community participation
- 6) environmental data collection and monitoring activities in and adjacent to protected areas.

PARC II’s first task, as identified in the IRF evaluation of PARC I, was to ensure that key elements of PARC I were “not cast loose before the proper time.” Unfortunately, this recommendation went unheeded, and the project failed to achieve its objectives.

In hindsight, it appears that the sequencing of the three USAID projects was dysfunctional. The institution-building objectives set out for DEMO should have been included in the PARC I project, or else DEMO should have been implemented first. This would have built the platform on which PARC II could have successfully operated. Two of the main casualties of improper sequencing were the Trust Fund and the Jamaica National Parks Institute. Additionally, attempting to merge the objectives of DEMO and PARC II without formally adjusting the project document of PARC II led to numerous problems. For example:

- Conflicts between USAID and the Project Management Unit and USAID and the NGOs were reported in the documents reviewed. While there were claims that there was resistance of local NGOs to a centralized system dominated by one NGO, some of those interviewed indicated that third party players fueled much of the conflict between Kingston and Montego Bay.

- DEMO's aim of strengthening NRCA and PARC II's objective of establishing an autonomous Jamaica National Parks Institute were incompatible, and the issue of the institutionalization of management and administration for the overall park system was thus not addressed. Essentially, there was a failure in PARC II to recognize that a) the NRCA Act made provision for NRCA to manage protected areas itself (so it did not need an NGO to do this) and b) none of the NGOs had sufficient money to run the day to day operations of a national park.

Other factors that contributed to the failure of PARC II included the following:

- The project's approach to financial sustainability was poorly informed. While project documents indicate, "the financial sustainability of the proposed National Parks System is the key issue in determining how many parks Jamaica can afford," the actual cost of running a park was not determined. Furthermore, the actions identified in the project document, including fundraising from private and foreign donors, maintaining a stream of fees and penalty revenue from existing parks, and preserving a flow of Government of Jamaica funds, albeit a modest one, to support some of the park costs, were not accomplished.
- At that time of the PARC projects, in the United States there was a strong sentiment against "big government" that may have influenced USAID's thinking with respect to NGOs.
- The Capital Campaign Manager post was deleted from the PARC II project budget. The explanation given for the non-disbursement of funds for this line item was that USAID rules prohibited use of its support for funding solicitations. This does not seem plausible. The debt for nature swap, at that time a new phenomenon in international negotiations, was a major component of PARC I. That being the case, this project would have been heavily scrutinized at the highest levels by USAID and the rule violation spotted in the initial design phase of the project. It is highly unlikely that USAID would have allowed a project, especially this particular project, to be developed with an output that contravened its own financial rules. On the other hand, several interviewees have put forward the argument that a Capital Campaign Manager would not have made any difference to the outcome of the Trust Fund. It has also been suggested that the concept of a Capital Campaign Manager was and still is alien to Jamaica.
- The USAID mid-term review of the PARC II/DEMO projects said that there was an emerging desire by NGOs to establish local trust funds, e.g. Montego Bay Marine Park Trust. However, when interviewed for this report the Montego Bay Marine Park Trust representative indicated that once it could access funds from the National Parks Trust Fund it had not paid too much attention to its own Trust Fund, until now.

The mid-term review of PARC II stated "the contextual change in the planning and management of protected areas in Jamaica impeded the ability of the PARC II project to achieve its objectives. However, it was not the main cause of the failure." The review went on to say that there were disagreements between the Blue and John Crow Mountains National Park staff and the Project Management Unit (PMU) and cited a number of instances where the PMU and NRCA failed to do various things that, in its view, impeded the project. Looking at the project several years later, the failure appears to rest in not following the recommendations of the evaluation of PARC I.

Alternatively, having decided not to follow the recommendations, a document should have been crafted which reflected the changes and anticipated the outcomes.

In evaluating NRCA, the mid-term review said that it had increasingly taken the lead in protected area management in Jamaica up to the time of review. Yet the administrative responsibility for the project itself resided in the Planning Institute of Jamaica, through the PMU, and NRCA had in fact no jurisdiction over the project. This is an example of a poor understanding by the reviewers of the workings of Government. The review went on to say that NRCA had developed much more quickly than had been anticipated in the project document and that this had changed the dynamics of the project. It therefore seems safe to assume that NRCA felt that it was prepared to manage the system and had the legal and administrative responsibility to do so and that, therefore, neither a Jamaica National Parks Institute nor a PMU were necessary. This may explain the conflicts referred to above. It is also instructive to note that these conflicts were not with NRCA but rather were related to its work and its increasing authority over the system. JCDDT served NRCA's purpose because, as an interviewee put it, "NGOs can do things that Government agencies cannot, e.g., raise money."

In summary, the USAID projects PARC I, PARC II, and DEMO had varying degrees of success. However, there were many conflicts and much ill will generated as a result of over-enthusiasm, lack of understanding of subtle issues and poor project management.

### **Recent experience and current status, 1999 - present**

In the years since these projects ended, little progress has been made in developing the system, but the institutional landscape has changed considerably, in ways that have both positive and negative implications for the future. The Natural Resources Conservation Authority has been replaced by an entity known as the National Environment and Planning Agency (NEPA), a merger between NRCA and the Town Planning and Rural Physical Planning Departments. The Forestry Department has been revamped and its capacity substantially improved. The Fisheries Department is in the process of being restructured and retooled, although it does not yet play a significant role in marine park management.

Unfortunately, the NGOs have not fared as well. JCDDT was delegated the management of the Blue and John Crow Mountain National Park, and the Montego Bay Marine Parks Trust the management of the Montego Bay Marine Park, in 1996. These delegation instruments expired in 1999, and the NGOs have been in the process of negotiating new instruments with NRCA ever since. (NRCA retains this legal responsibility until the requisite law has been passed to reflect the changeover to NEPA.) Both NGOs have struggled to manage the parks with dwindling resources, as contributions from both the Government through NRCA and the Trust Fund have been cut in recent years. However, through a co-management agreement for the Blue and John Crow Mountains National Park signed between JCDDT, the Forestry Department, and NEPA last year, the role of the Forestry Department has been clarified (the Park is also a Forest Reserve) and the Department has provided more resources for management of the area.

The Negril Environmental Protection Area (EPA) was established in 1997 and incorporates the Negril Marine Park, established the following year. The Negril Area Environmental Protection Trust (NEPT) has *de facto* responsibility for overseeing the Negril EPA, while the Negril Coral Reef Preservation Society (NCRPS) has taken responsibility for the Marine Park. Both NGOs are

in the process of negotiating delegation instruments with NRCA and cooperate with one another through a Memorandum of Understanding and overlapping Boards of Directors. NCRPS has been able to secure two multi-year grants from the European Union (EU) for the development of the Marine Park (the current grant covers aspects of management of the Negril EPA as well), and with that support has been able to build a qualified staff and put some effective management systems in place. The grant is now in its final year, however. NEPT has also benefited from the EU support, but has recently lost staff and now has a new Executive Director.

A few other protected areas have also been legally established, most notably the Portland Bight Protected Area and the Ocho Rios Marine Park, but have no management due to a lack of financing and formal management arrangements.

The only reliable source of funding for the protected areas has been EFJ, but this funding is project-specific and cannot cover regular operating costs, a situation that has caused considerable unhappiness on the part of the NGOs. User fee systems are being developed by NEPA, initially for the marine parks and subsequently for terrestrial ones. There have been delays in implementation, however, and the projected start-up date has not been met.

The Jamaica National Parks Trust Fund is dormant and the Conservation Data Centre, which never played a significant role in the development of the system, no longer exists. NEST is considered in limbo or dead depending on the view of the person being asked the question. Several of the NGOs managing existing protected areas or interested in managing proposed ones have established a group, the Jamaica Protected Areas Network (JPAN), for the purpose of pooling resources, particularly in order to lobby government on protected area management issues such as the preparation of delegation instruments. Although nominally a sub-grouping of NEST, JPAN has no legal identity of its own.

Notwithstanding its many hiccups and bruises, the Jamaican protected areas system has evolved into a well respected, though financially unsustainable, achievement of the Government of Jamaica. The once weak and floundering government agencies are now well focused and ready to collaborate with an NGO community that has lost its initial gusto.

### **Main points emerging from this review**

The findings can be grouped in three main areas. These are:

#### *Management issues*

The conceptual framework for the system, as articulated in the PARC project documents, was built around the establishment of a Jamaica National Parks Institute and the development of the Jamaica National Parks Trust Fund to finance the management of the system's protected areas. With the failure during PARC II to establish the Institute or adequately capitalize the Trust Fund through an effective capital campaign and annual contributions from the Government of Jamaica, the system as designed was doomed to failure.

In addition weak, inexperienced, ineffective management throughout the system led to insecurities and mistrust. The NGOs have felt that they have not received sufficient guidance from the government agencies in whose jurisdiction they operate.

Despite all these difficulties, the NGOs have for the most part gained valuable experience in managing protected areas and have put effective though limited management systems in place. Montego Bay Marine Park, which because of high staff turnover over the years has remained managerially and financially weak, is perhaps an exception, although it does have considerable support from the local business community. On the government side, agencies that had hitherto been weak or unfocussed are in different stages of restructuring and retooling themselves to take on the challenges of managing an effective protected areas system. A new structure needs to emerge that utilizes the strengths of all of the players.

#### *Financial sustainability*

When the NGOs initially took on the challenge of managing protected areas, there was a lack of appreciation, on the part of the NGOs, the Government of Jamaica, and the USAID project advisors, of the magnitude of the task and costs involved. Many of the assumptions upon which the system's financial sustainability was to be built turned out to be flawed, for example:

- The Jamaica National Parks Trust Fund could not be capitalized to the level or at the rate projected, and in fact had to be used one year earlier than planned to pay salaries, thereby foregoing one year's interest.
- The Montego Bay Marine Park Trust and JCDDT were never able to develop self-financing mechanisms for the two pilot parks, and thus remained dependent on the Trust Fund, EFJ, or NRCA for funding. (Recently, JCDDT did initiate a voluntary entry fee system for Blue and John Crow Mountains National Park, which brings in a limited amount of revenue.)
- NRCA's budgetary allocation to the Parks was insufficient and unpredictable.
- EFJ's terms of reference did not allow it to meet the unique needs of the system, and there was a poor understanding by all concerned of the role to be played by EFJ in the survival of these NGOs.

#### *National coordination*

One of the major impediments to the system has been the lack of appreciation for the complexities of managing projects, issues and people that do not have one line supervisor or line of authority. In the Jamaican government service there is no mechanism for cross-jurisdictional management. Many interagency and inter-ministerial collaborations have been mooted, tried and failed simply because authority rests with the Permanent Secretary of the line ministry and no one else. Therefore, unless the Permanent Secretaries of the respective Ministries understand and accept the process and put systems in place for maximizing the use of financial and human resources, chaos will continue to reign. This seemingly trivial matter is one of the main reasons for the failure of the system even today.

On the other hand, there does seem to be a clear and shared understanding by the NGO community and the government agencies of what their respective roles are, and of what each requires of the other. NEPA is understood to coordinate the development of the system; the Forestry and Fisheries Departments and other relevant agencies to provide scientific and technical expertise; and the NGOs to coordinate the implementation of management of individual areas.

The role of EFJ is considerably less clear, with both government and the NGOs expressing concern about its apparent inability to provide the levels and types of support the system requires.

## **General lessons**

For the protected areas to survive there must be a system that encompasses and articulates legislative, managerial and financial components required to achieve the goals and objectives set out in the national policy. The following lessons and directions can be drawn from this review:

### *Legislative and policy framework*

- The system must have one set of policies and plans, derived from the relevant legislation, and with supplemental provisions for the management of specific sites or species.
- Appropriate legislation, with all attendant regulations and tools for management, must be in place before the Government can delegate its responsibilities for the management of protected areas to others.
- International conventions and protocols once signed have to be translated into workable goals, strategies and objectives.

### *Direction and coordination*

- A national system can neither be run nor directed by outsiders, whether they are local or foreign. By its very nature, a national system must be the domain of the Government in whom authority to enforce legislation and execute international conventions and protocol rests.
- At the same time, a national system must make provision for oversight by relevant stakeholders in line with national objectives.
- While management of individual sites or aspects of the system can be decentralized, there must be one central body that directs and coordinates overall strategy for the good of the nation.

### *Effective management*

- The concept of delegation must be discussed and explained to those to whom protected areas are to be delegated. All parties must enter the agreement with a clear understanding of their roles and responsibilities, and of the challenges they face.
- Management is a social science and while protected area management requires natural science skills, other disciplines are also needed for managing human, natural and financial resources.
- Sustainability does not just refer to finances but resides in genuine local participation at all levels.
- There must be continuous monitoring, evaluation and feedback.

### *Development projects*

- When handling projects financed by donors, provision must be built into initial agreements that if the circumstances surrounding the project change, the project, with mutual consent, can be adjusted to reflect these changes.
- A national system for Jamaica requires that technical expertise reside in Jamaican nationals. Therefore, mechanisms for technology transfer in projects must be built into each and every project as an objective. This objective must be met.
- One set of skills cannot be used to manage a project through all of its phases. Provision for reassessment of project skills must be built into the project design.

There are many lessons to be learnt from the journey of the protected areas system in Jamaica. The reality is that the problems and responses that manifested themselves in this project are not only germane to the environment sector. They reflect management deficiencies throughout the public and private sector systems. Far too many decisions are based on personalities and on “gut feelings.” For Jamaica to survive in the current economic climate and for it to become competitive, decisions must be based on empirical evidence, analysis and strategic objectives. To do otherwise would be foolhardy.

To quote from the 1992 Plan for a System of Protected Areas for Jamaica: “a system of protected areas is a potentially powerful environmental management tool to improve and sustain Jamaica’s *quality of life* [italics added] in perpetuity if effectively and strategically managed to ensure effective implementation.” This is Jamaica’s challenge for sustainable development.

## **Recommendations Developed at Consensus-Building Workshop**

On 8 November 2001, following the completion of interviews with key informants and the review of background documents, the project organizers convened a meeting of representatives of agencies and organizations actively involved in protected area management, for the purpose of developing recommendations on actions to improve the management and functioning of the protected area system. Twenty individuals, representing nine agencies, participated in the meeting, along with three resource persons.

Following a discussion on the causes of current problems and agreement on the requirements for overcoming them, the following recommendations were agreed to by the participants:

1. Accelerate the completion of the legislative framework for the protected area system. There was agreement that the lack of critical pieces of the legislative framework was impeding the ability of management agencies to function effectively. Currently, “fast track” amendments to the Wildlife Protection Act are being prepared to permit it to meet the country’s obligations under the Specially Protected Areas and Wildlife Protocol of the Cartagena Convention. This amended legislation will deal only with protection of species, however, and will not include provisions related to the establishment of protected areas. The longer-term plan is for this amended legislation to be incorporated into a new comprehensive Act that would also govern the national system of protected areas. This Act would establish management categories for protected areas, based on the internationally recognized IUCN categories, as well as separate regulations for each (six in all). The development of this Act needs to be accelerated without interrupting or delaying the well-advanced work to amend the Wildlife Protection Act.

NEPA’s Legal Services Branch has responsibility for the preparation of drafting instructions, which are submitted by the Ministry of Land and Environment to the Office of the Parliamentary Counsel for drafting of the legislation. Given current limited human and other resources, the process of drafting the new comprehensive protected area and wildlife act and related regulations could take as long as three to five years. The representative from NEPA’s Legal Services Branch indicated that the provision of short-term technical support could speed up the process significantly, with completion of the drafting instructions within three to six months, provided that associated policy issues can be settled in that time. To prepare the drafting instructions, three consultants would be required: one with legal experience, one with policy experience, and one to advise on the science aspects of the legislation based on research on similar legislation in other countries and interviews with relevant persons in Jamaica.

*EFJ indicated at the meeting that if required, it could be interested in providing technical resources to NEPA and the Office of the Parliamentary Counsel as appropriate to support the completion of the legislative framework.*

2. Prepare a national system plan for protected areas, approved by NEPA and endorsed by other stakeholders.

In the early stages of establishing the protected areas system, considerable work went into the development of a protected area system plan. This work, however, was heavily weighted towards biological rather than social criteria in the definition of sites and management requirements and was informed by an institutional and financial context that has changed considerably since it was prepared. This work was synthesized into a document entitled “Plan for a System of Protected



Areas in Jamaica”, which was prepared by JCDDT and submitted to NRCA in 1992. Accepted in principle but never formally adopted by Government, the plan, which provided a broad basis for the establishment of a protected area system but little specific detail regarding its development and day-to-day management, eventually informed the development of the Policy for Jamaica’s System of Protected Areas.

A formal system plan that provides detailed guidance over a fixed time frame on the strategies, programmes, institutional arrangements, human, financial and technical resources, and actions required to implement the Policy, both at the site and system level, is urgently required. If undertaken creatively, the preparation of the system plan could incorporate a number of other recommendations of the workshop, including:

- a. Institutional arrangements: development of criteria for the delegation of responsibility for management of protected areas and guidelines for the establishment of agreements among major management partners, as well as between the lead management agency and other collaborators.
- b. Stakeholder participation: development of guidelines and mechanisms to assure the full participation of local stakeholders in management planning and evaluation.
- c. Role in national development: development of strategies to optimize the contribution of protected areas, and the system as a whole, to local and national social and economic development.
- d. Financial sustainability: definition of the components of a sustainable financing strategy for protected areas, and the responsibilities of the different parties in its implementation.
- e. Resource sharing: development of guidelines to facilitate the sharing of staff between agencies and between protected areas in order to optimize the use of limited technical and financial resources.
- f. Coordination and communication: definition of the role, structure, and terms of reference of a mechanism, such as a protected areas advisory council, to facilitate the ongoing communication among the agencies and organizations having responsibility for the management of protected areas.
- g. Accountability and oversight: definition of the role, structure, and terms of reference of a mechanism, such as a high-level board or committee, for the provision of oversight and accountability, including review and approval of annual budgets.
- h. Evaluation: development of procedures for monitoring and regular evaluation of the efficiency of systems and procedures, as well as of management effectiveness.

*It was recommended that the plan be developed through a series of working group studies and stakeholder workshops addressing the above issues. The activity should be led by NEPA’s Protected Areas Branch, and EFJ has indicated interest in providing support through an intermediary NGO to be identified with the assistance of the Jamaica Protected Area Network. An*

*outline for a proposal for the completion of the legislative framework and the system plan is attached at Appendix G.*

3. Conduct a review of the National Parks Trust Fund, in order to clarify its terms of reference, develop a clear and transparent rationale for the prioritization of the use of its funds, define mechanisms for its further capitalization, and identify the most appropriate arrangements for its management.

The National Parks Trust Fund never came close to achieving its optimistic original targets, and with the decline in interest rates in recent years, income has dropped dramatically. There is some confusion among lead actors regarding the Trust Fund's purpose and scope, and JCDDT has recently begun to question the costs and benefits related to its role as Trust Fund manager. In addition, a question was raised, but not answered, during the review, as to whether the Trust Fund would be better able to fulfill its function under a different legal structure, such as that of a statutory rather than a private trust.

*JCDDT has indicated an interest in coordinating this review, and EFJ has offered to consider a proposal for the work. Because of JCDDT's role in developing and managing the Trust Fund, it will be important to avoid the possibility of a conflict of interest, by involving all relevant parties in the development of the terms of reference for the review and including independent and neutral parties in the process.*

4. Pursue revenue generation strategies that would provide adequate resources to the Government to permit it to contribute to the basic management costs of the system and of individual protected areas.

The representatives of government agencies at the meeting acknowledged Government's obligation to provide a basic level of financial support to the agencies to which it delegates responsibility for managing protected areas, and reference to the provision of a management fee is made in delegation instruments now being negotiated with some agencies. No mechanisms have been put in place to actually meet these obligations, however, and this has been a source of mistrust on the part of the NGOs towards the Government, and the former NRCA in particular. *The Ministry of Land and Environment is working in collaboration with NEPA on a proposal for funding of protected areas but expects it may take some time to accomplish.*

5. Pursue the possibility of EFJ establishing a "Park Fund" for a defined period time until the National Parks Trust Fund and the Government, through the Ministry of Land and Environment, are able to provide a basic level of support to the system and the individual protected areas through user fees and other sources.

Under its current rules of operation, established by agreement between the Governments of Jamaica and the United States, EFJ is only able to use its funds to award grants for discrete projects in response to proposals submitted by non-governmental organizations. It is not able to provide general budgetary support to NGOs for protected area management. This policy has constrained both EFJ's ability to support the protected areas system and the ability of NGO protected area managers to plan and operate programmatically, rather than through a patchwork of individual projects. Given current budgetary needs and the understanding that Government's ability to respond to these needs will take some time to develop, all parties agree that EFJ, if able to overcome its current operational constraints, provides the best option for support in the short to medium term.

*EFJ has indicated that it may be possible for it to address this issue; however it would require a formal request to EFJ's Board of Directors from the Government, through the Ministry of Land and Environment, and an amendment to the current Agreement between the Governments of Jamaica and the United States governing the Foundation's operations, to do so.*

6. Declare a moratorium on the establishment of new protected areas until such time as the existing system has effective management and adequate technical and financial resources are available for further expansion.

It was generally agreed at the meeting that the declaration of new areas, when some existing areas have no management at all and others are struggling, would be irresponsible and counterproductive. The exceptions from the perspective of NEPA are Mason River, which is already being managed to some extent by the Institute of Jamaica, and Black River, which is a declared Ramsar Site and therefore a high priority for protection. The Cockpit Country is a third area of high national priority; however much of it is already protected as a Forest Reserve and the Forestry Department is currently giving the area special attention. Work to establish these areas could continue on a reasonably slow track, without an undue drain on the resources of NEPA. There is however the expectation on the part of some local organizations that certain other priority areas will be established soon, and it is therefore important that Government, if it decides to set a moratorium on new declarations, state that policy openly and explain its rationale clearly. It may also be possible to develop some interim measures, particularly in terms of inter-agency agreements, that would allow these areas some measure of protection until Government is in a position to formally establish them as protected areas.

*This recommendation could be implemented by NEPA in consultation with the Ministry of Land and Environment.*

7. Develop and implement programmes to build the management capacity of the non-governmental protected area management partners. These programmes must be tailored to the specific needs of the individual partners.

The NGOs to whom management is being delegated all are under-equipped, to varying degrees and in different ways, to effectively perform their responsibilities. The problems are structural, technical, and financial. No single programme of capacity-building could meet the needs of all, but varying forms of support are needed by each. Individual programmes could most effectively be designed through facilitated processes of self-reflection, informed by the findings of this review.

*Financial resources will be required for the implementation of this recommendation.*

## **Appendix A: List of documents reviewed**

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Pereira, B. 1998. The preparation of drafting instructions for protected areas legislation. December 1998.

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The World Bank. n.d. Jamaica Cockpit Country conservation project preparation report annex - institutional and financial aspects.

USAID. 1989. Protected Areas Resources Conservation (PARC). Project data sheet, authorization, and description dated August 1989.

USAID. [1993.] Development of Environmental Management Organizations PARC II component B project paper supplement.

USAID. 1996. Scope of Work, Jamaica National Park Trust Fund. DEMO Project document dated October 9, 1996.

## **Appendix B: List of persons interviewed**

September 13	Dr. David Smith, former Executive Director, Jamaica Conservation Development Trust (JCDT) Dr. Marcia Mundle, senior staff member, JCDT Mrs. Lynette Wilks, Community Development Officer, JCDT
September 18	Ms. Leonie Barnaby, Senior Director, Ministry of Land and Environment Mrs. Jacqueline DaCosta, Director General, Ministry of Land and Environment
September 19	Mr. Michael White, Board member, JCDT Ms. Carla Gordon, Director, Protected Areas Branch, National Environment and Planning Agency (NEPA) Mr. Roger Williams, staff member, Protected Areas Branch, NEPA
September 20	Mrs. Doreen Clarke, Executive Director, Negril Area Environmental Protection Trust (NEPT) Mr. Howard Spraggs, Vice President, Craft Vendors Association, and park user, Negril Mr. Carl Hanson, Project Manager, Negril Coral Reef Protection Society (NCRPS) Mr. Clive Powell, Board member, NCRPS, and watersport operator
September 21	Mrs. Susan Otuokon, former Executive Director, NEPT
September 24	Ms. Marilyn Headley, Conservator of Forests Mr. Learie Miller, Deputy Director, NEPA
September 26	Mr. Robert Kerr, former Park Manager, Blue and John Crow Mountains National Park, and tour operator
September 28	Mrs. Beverly Pereira, Legal Counsel
October 2	Mrs. Carol Excell, Legal Services Branch, NEPA  Mr. Franklin McDonald, Executive Director, NEPA, Board member, EFJ and Chairman of the Jamaica National Parks Trust Fund
October 3	Mr. Charles Ross, Jamaica National Parks Trust Fund Board member
October 4	Ms. Jill Williams, Executive Director, Montego Bay Marine Park Trust Mr. Lenroy Muir, Ranger, Montego Bay Marine Park Mr. Robinson, Watersports Operator, Montego Bay Marine Park
October 5	Dr. David Lee, former Project Manager, Planning Institute of Jamaica PARC I & II

October 8	Mr. John Allgrove, community member and lodge operator, Blue and John Crow Mountains
October 10	Mr. Rudolph Poiser, Ranger, Blue and John Crow Mountains National Park Mr. Dwight Pryce, Ranger, Blue and John Crow Mountains National Park Mrs. Donna Fray, Office Manager, JCDT
October 12	Mrs. Selena Tapper, Executive Director, Environmental Foundation of Jamaica
October 16	Mr. Mark Nolan, former Chief of Party, PARC I, U.S. Agency for International Development
November 27	Mr. Peter Espeut, Director, Caribbean Coastal Area Management Foundation



## **Appendix C: Interview instrument**

### **Management issues**

1. Management arrangements for individual protected areas.
2. Who are the parties involved in the management of parks and protected areas?
3. Who are the parties involved in the management of your park/protected area?
4. How are they understood in terms of the roles and responsibilities of the different parties?
5. How efficient are they?
6. Do those responsible for the management of the park/protected area provide the skills and resources needed for effective management?
7. If not give an example and explain how can they be improved.

### **Management effectiveness**

1. Is there effective management of human activities within the protected areas? Give examples.
2. Who are the stakeholders in the park/protected area? Give examples.
3. Do the stakeholders know the rules governing the area?
4. Is there a reasonable level of stakeholder compliance and cooperation?
5. Are measures being taken to protect or restore the resources within the protected area?
6. If so by whom are these measures taken?
7. If so, is there evidence of their effectiveness?
8. Is there an adequate management plan, and is it followed?
9. What benefits (ecological, social, economic) has the protected area provided? What more could it provide?

### **Financial sustainability issues**

1. How is each protected area currently funded?
2. Is there a clear understanding by the management agencies of the basic costs of management (i.e., has a budget been prepared and is it used)? One central budget or is it spread over several agencies?
3. What funding strategies have been attempted, by individual area management agencies, by government, and for capitalizing the Trust Fund? What were their successes?
4. Have the management agencies prepared detailed funding strategies based on their management budgets? If so what are their components?
5. How do the government partners perceive the funding situation and how do they see it being improved?
6. Can the Trust Fund be a viable source of sustainable funding and how do they see it being improved?
7. What role should EFJ play in support of the financial sustainability of the system and the individual protected areas?

### **Overall coordination of the system**

1. How are current arrangements for national coordination understood and how effective are they perceived to be?

2. What mechanisms exist for communication among the local and national, governmental and non-governmental actors? How might these be improved? Was the Protected Areas Advisory Committee mentioned in the national parks policy document ever established, and if yes, is it functioning?
3. What agencies and organizations should have a voice and a role in coordination at the national level?
4. Is the System Plan an adequate guide for developing and managing the system?
5. Is the national parks policy adequate and does it reflect the current situation?

## **Appendix D: Background paper for consensus-building workshop**



**Caribbean Natural Resources Institute**  
in collaboration with  
**Negril Area Environmental Protection Trust**



### **Review of Jamaica's Protected Areas System**

#### **Preliminary Findings**

In collaboration with the Negril Area Environmental Protection Trust and with the support of the Environmental Foundation of Jamaica, the Caribbean Natural Resources Institute has begun a study on the history and status of Jamaica's protected areas system. The first part of the study consisted of a literature review and of interviews, carried out by CANARI consultant Mrs. Carolyn Hayle, with a wide range of individuals. The preliminary findings of this research, which will be discussed, validated, and further developed at a workshop to be held on 8 November, are summarized below.

#### Management framework

- A national system requires a central body that plans, organizes, directs, and controls the system. By its very nature, a national system must be the domain of Government, in which authority to execute laws, international conventions, and protocols rests. In the case of the Protected Areas System, although NRCA/NEPA has taken this lead role, there remains some uncertainty regarding its mandate and responsibilities. This uncertainty appears to stem from two factors. First, the policy of devolution of management responsibility for individual protected areas to NGOs has not been articulated in a manner that clearly defines NEPA's role in management. Secondly, early plans to create a Jamaica National Parks Institute have periodically resurfaced, leading to doubts regarding NEPA's long-term involvement.
- A national system requires appropriate legislation, with all attendant regulations and tools in place, for management to be effective. The process of establishing this legislative framework has been rather lengthy, and has been outpaced by management action.
- A system requires one set of policies and plans, with supplemental provision for the management of specific sites or species. Although management plans have been prepared for several existing protected areas, the local laws and international conventions and protocols that define Jamaica's commitments to managing the environment are not being systematically used as the basis for management of individual areas, and there is little evidence that improvement or even effective protection of critical resources is occurring within these areas. The lack of a finalized National Park and Protected Areas System Plan that has been endorsed by Government has resulted in this failure to provide clear guidance and accountability.

### Management capacity

- The policy of devolution of management responsibilities was developed at a time when key government agencies were weak and severely underfunded, and delegation to NGOs thus appeared to provide the best option for effective management. In fact, many of the NGOs expected to fulfill management roles were themselves ill equipped in terms of skills, resources, and in some cases local legitimacy.
- A national system of protected areas for Jamaica requires that technical expertise reside in Jamaicans. However, provisions for training, particularly at the professional and senior technical level, and for the effective transfer of requisite skills, have been inadequate in the various packages of technical assistance (PARC I, PARC II, etc.) that have been provided. It appears for example, that no financial assistance has been provided for any Jamaican to earn a graduate or undergraduate degree or a technical diploma in a field relevant to protected area management. While much experiential learning has occurred and innumerable workshops have been held, they have not been sufficient for the needs of the system.
- Because of inadequate coordination with law enforcement agencies and an incomplete regulatory framework for protected areas, there is little possibility of enforcement of regulations within protected areas. This compounds the difficulties in achieving management objectives.

### Financing

- From the earliest stages of developing the system, there has been a lack of appreciation on the part of all parties of the magnitude of the cost of managing the system, and of the challenge of raising the funds required. This has resulted in management failures, and misunderstandings and recriminations between the various actors.
- The design of the National Parks Trust Fund, which was to provide the financial underpinnings for the system, appears to have been based on flawed but then popular perceptions regarding the ability of such funds to attract capital, as well as by experiences in countries and contexts very different from Jamaica.
- The Trust Fund's growth was further impeded by the decision to establish it as a "private trust", with no attached obligation for the Government of Jamaica to honour its initial proposal to contribute \$5 million annually to it. It is apparent to all that in recent years, the Government has not been in a position to make non-obligatory payments or contributions of any kind.
- The role of EFJ in supporting the development of the system has been somewhat ambiguous and has led to many misunderstandings between EFJ, the NGOs, and government. The recent establishment of a large earmarked fund for protected areas has been an indication of EFJ's acknowledgment of and response to this issue.

### Possible directions forward

The review revealed some directions for moving forward based on existing conditions and opportunities:

1. Overall coordination: The recent strengthening of NEPA and its Protected Areas Branch enhances its capacity, as well as its mandate, to lead the System. It will be important, however, for it to be able to sustain its capability, which will require adequate financing for the Branch as well as appropriate training, including formal education opportunities, for its staff. A higher level of oversight will also be required, in order to provide accountability for all agencies involved in the Protected Areas System, including NEPA, and for funding allocated to the system.

The time also appears to be ripe for the establishment of a protected areas advisory council comprised of representatives of all the major actors involved in the management of the system. Such a body would allow for the genuine participation of the key organizational stakeholders in the development of the system, while also providing a much-needed framework for ongoing monitoring and evaluation, continuous dialogue, and when needed, conflict resolution.

2. Co-management: The situation regarding management capability is very different now than it was ten years ago. NGOs that have been responsible for protected areas have developed management skills and gained experience, while government agencies that had hitherto been weak and unfocussed are in different stages of restructuring and retooling themselves. Both NGOs and government agencies now have a much clearer understanding of the roles they can and cannot play and of how they can work together. This provides the groundwork for real co-management arrangements between local organizations and national resource management agencies, each bringing their specific skills and resources to the table. The recent co-management agreement between NEPA, the Forestry Department, and JCDD for the management of the Blue and John Crow Mountains National Park represents a step in this direction, with a real sharing of responsibilities based on clearly defined roles. Similar agreements for marine protected areas could be pursued between the relevant NGOs, the Fisheries Department, and NEPA. It will be important that any co-management arrangements make adequate provision for the enforcement of regulations, which may require the involvement of a law enforcement agency such as the Island Constabulary in the agreement.

3. National Parks Trust Fund: The National Parks Trust Fund is unlikely ever to be able to play the major role in financing protected areas that was originally envisioned. It should however be possible to capitalize it to a level at which it can provide for the overall coordination and development of the system, as well as for some basic management costs of areas that cannot become fully self-financing. This is likely to require the conversion of the Fund from a private to a statutory trust obliging the Government to make annual contributions; the transfer of its management to a capable agency with the ability to contribute to its further capitalization (EFJ has been suggested); and the suspension of payments out of the fund for a period of at least five years to allow it to grow.

4. Self-financing mechanisms for individual protected areas: Not all the protected areas that are envisioned in the system will have the potential to become fully self-financing at high levels of management. It is however probable that three currently functioning protected areas (Blue and John Crow Mountains National Park, Montego Bay Marine Park, and Negril Marine Park), as

well as some proposed areas, can become partially or even largely self-financing with the introduction of user fees, supplemented by other sources. There is now resistance to such fees, particularly on the part of commercial users of the marine parks, but this resistance is to be expected and experience from other countries shows that it can be overcome with skillful consultation and advocacy.

4. Legislative and policy framework: The acts, bills, policies, plans, regulations, standards and guidelines required for the system to function effectively are needed urgently. NEPA has made good progress in this direction, but there is still much to accomplish. Consultation with relevant stakeholders should be incorporated into the process at every stage, in order to avoid problems like the one noted above regarding user fees for marine parks.

5. Capacity-building for management partners: Both the non-governmental and government partners in managing protected areas will require systematic programmes of capacity-building to allow them to effectively play their roles. These programmes could include a range of measures, from formal training or mentoring programmes for key individuals, to technical assistance and financial support for the development of management and administrative systems.

6. Local support for protected areas: While constructive local partnerships have been developed by the management agencies of some protected areas, public support for protected areas is generally weak and needs to be strengthened both locally and nationally. At the level of individual protected areas, there is no one model for local involvement that can be adopted; each area will need to develop strategies and mechanisms based on their own local context and needs. The aim should be to leverage practical assistance for management while assuring that the protected area is optimally contributing to local social and economic objectives. To meet this aim, frameworks for real (not token) input of all relevant stakeholders will be required where they do not already exist.

## Appendix E: Consensus-building workshop agenda

### Consensus-building Workshop on the Way Forward for Jamaica's Protected Areas System

Thursday, 8<sup>th</sup> November, 2001; 9:00 am - 5:00 pm  
Terra Nova Hotel, Kingston  
Organized by NEPT, Funded by EFJ

#### PRELIMINARY AGENDA

9:00 am	Welcome, introductions, confirmation of objectives and process
9:30	Presentation on findings of literature review and interviews
10:00	Validation of findings and identification of key issues
10:30	Coffee break
10:45	Options for improved management of protected areas - Identification and critique (discussion)
11:45	Options for financial sustainability - Identification and critique (discussion)
12:45 pm	LUNCH
1:45	Options for coordination and oversight of the system - Identification and critique (discussion)
2:45	Working groups to flesh out preferred options (3 groups)
3:45	Summary and conclusions
4:45	End of proceedings

## **Appendix F: Consensus-building workshop list of participants**

<b>Organization</b>	<b>Representatives</b>
Caribbean Coastal Area Management Foundation	Peter Espeut
Environmental Foundation of Jamaica	Eric Budhlall Albert Daley Paul Miller Selena Tapper
Forestry Department	Marilyn Headley
Jamaica Conservation and Development Trust	Marcia Mundle Robert Stephens Michael White
Ministry of Land and Environment	Leonie Barnaby
Montego Bay Marine Parks Trust	Jill Williams
Negril Coral Reef Preservation Society	Chantelle Black Kenric Davis*
National Environmental Protection Agency	Bernard Blue Carol Excell Carla Gordon Learie Miller Christine Sutherland Roger Williams
Negril Area Environmental Protection Trust	Doreen Clarke Kenric Davis*
Resource persons	Tighe Geoghegan (CANARI) Carolyn Hayle (UWI) Susan Otuokon (NEPT), chair

\* Representing both NCRPS and NEPT



## **Appendix G: Notes for proposal for completion of protected areas legislative framework and system plan**

*The following suggestions are made by the reviewers for the preparation of a proposal to the Environmental Foundation of Jamaica.*

### **1. Problem statement**

1. There is unanimous agreement among key actors that a serious management crisis is currently affecting Jamaica's protected areas system.
2. Because of the lack of effective management, protected areas are not contributing optimally to local and national development and are thus not in a position to attract the support of decision-makers or of the public.
3. Low levels of management also mean that protected areas are not contributing to national conservation objectives or to the country's ability to adhere to international conservation treaties and obligations.
4. In the recent review undertaken by the Caribbean Natural Resources Institute in collaboration with NEPT and with support from EFJ, a meeting of key stakeholders identified the lack of a comprehensive legislative framework and completed protected area system plan as among the greatest constraints to the effective management and development of the system. These instruments are needed to give teeth to the national policy on protected areas, through legislation and regulations, and to provide management agencies with proper and consistent guidance on the approaches and procedures required to implement the policy on the ground. The absence of this overall framework also makes evaluation of the performance of management actors virtually impossible.
5. Responsibility for the preparation of legislative drafting instructions and the completion of the system plan lies with NEPA, but it lacks the staffing required to complete these tasks expeditiously, as well as the funding to contract additional human resources. The completion of legislation is also constrained by the inadequate staffing of the Office of the Parliamentary Counsel, which is responsible for preparing the legislation based on the drafting instructions provided by NEPA.

### **2. Project goal and objectives**

Goal: to establish an effective and comprehensive legislative and management framework for a national system of protected areas that optimally contributes to national and local development and conservation objectives.

<b>PROJECT OBJECTIVES</b>	<b>ACTIVITIES TO BE UNDERTAKEN</b>	<b>OUTPUTS EXPECTED</b>
Prepare the drafting instructions necessary for the preparation of a comprehensive Act governing protected areas and wildlife, as well as related regulations	Technical consultants provided to NEPA to expedite work Consultations held with relevant stakeholders to secure input into final drafts	Drafting instructions completed by (date)
Finalize legislative instruments based on the drafting instructions	Supplemental staffing support provided to the Office of the Parliamentary Counsel, if required, to expedite work	New Act to Cabinet for approval by (date).
Develop and achieve consensus among stakeholders on the methods, procedures, and strategies required for the effective implementation of the national system of protected areas	Research undertaken on management issues and needs Working groups convened to develop guidance on aspects of the system Stakeholder consultations conducted to achieve consensus on recommendations	Guidance for development of the national system plan
Document and obtain official endorsement of a plan for managing Jamaica's protected areas system	Recommendations and guidance assembled into a draft system plan document Draft system plan presented to public using appropriate media, and comments solicited Final draft system plan submitted to Government for endorsement	System plan, prepared through a participatory process and endorsed by Government

### 3. Methodology

The project has two components: completion of the legislative framework for the protected areas system, and preparation of the national system plan. For both, an approach combining technical expertise, stakeholder participation, and public consultation should be employed.

The legislative framework requires a new Act that would govern the national system of protected areas and wildlife and that would meet the country's obligations under the SPAW Protocol and the Convention on Biodiversity. This Act would incorporate the provisions of the amended Wildlife Protection Act, now being completed, as well as establish categories of protected areas and separate regulations for each category.

The preparation of this Act and associated regulations requires the provision of short-term technical personnel to assist NEPA staff to prepare the drafting instructions, and possibly similar support to the staff of the Office of the Parliamentary Counsel to complete the legislation. For

the drafting instructions, three consultants would be required: one with legal experience, one with policy experience, and one with a science background to examine similar legislation from other countries and to advise the legal personnel on the conservation and natural resource management aspects of the legislation.

During the course of preparing the drafting instructions, NEPA should conduct a series of meetings with relevant stakeholders to review the main features of the legislation and take into account comments received. This will increase the likelihood of the legislation being accepted, and may improve the quality of the legislation as well.

The system plan will be prepared in a participatory manner, through the establishment of working groups comprised of representatives of relevant agencies and organizations to develop recommendations, and the convening of workshops involving a wider spectrum of stakeholders, to review and validate. This approach should be employed for each of the following aspects of the plan:

- a. Institutional arrangements: development of criteria for the delegation of responsibility for management of protected areas and guidelines for the establishment of agreements among major management partners, as well as between the lead management agency and other collaborators.
- b. Stakeholder participation: development of guidelines and mechanisms to assure the full participation of local stakeholders in management planning and evaluation.
- c. Role in national development: development of strategies to optimize the contribution of protected areas, and the system as a whole, to local and national social and economic development.
- d. Financial sustainability: definition of the components of a sustainable financing strategy for protected areas, and the responsibilities of the different parties in its implementation.
- e. Resource sharing: development of guidelines to facilitate the sharing of staff between agencies and between protected areas in order to optimize the use of limited technical and financial resources.
- f. Coordination and communication: definition of a mechanism, such as a protected areas advisory council, to facilitate the ongoing communication among the agencies and organizations having responsibility for the management of protected areas.
- g. Accountability and oversight: definition of a mechanism, such as a high-level board or committee, for the provision of oversight and accountability, including review and approval of annual budgets.
- h. Evaluation: development of procedures for monitoring and regular evaluation of the efficiency of systems and procedures, as well as of management effectiveness.

The development of the plan should also include mechanisms for wider public consultation, through presentations in communities potentially affected by the System and features in the press

and radio, with provisions for feedback, for example through the use of radio call-in and local cable television programmes.

#### **4. Community participation**

The methodology to be employed should ensure opportunities for the full participation of all relevant groups and individuals, including those likely to be most directly affected by the development of the protected area system.