

A Guide to Establishing a Program Compliance and Enforcement Plan¹

Jurisdiction (Country/State/Municipality/etc):

Site Name (if appropriate):

Your Name:

Date:

Introduction

A **Compliance and Enforcement Plan** will be useful for further defining the important priorities and activities related to ensuring effective compliance and enforcement within your resource management program. Whether you are focusing on managing resources within a particular MPA or you are responsible for ensuring observance of laws and rules within an entire jurisdiction, having identified particular needs and approaches will be helpful in arranging the necessary resources and training to promote compliance and undertake enforcement activities effectively and safely when required.

This guide is intended to walk you through the important topics and steps necessary in creating a Compliance and Enforcement Plan for your program or jurisdiction.

Although this guide can be completed independently, *it is best to work within a team that includes those who are familiar with local customs, rules and regulations, legal contexts, and existing resource management programs* in order to ensure that the plan is as realistic and accurate as possible. Working with a facilitator and/or a good writer will help speed the process. Expect that the completion of the plan will take several productive meetings, consultation and review by your supervisors or management authority before it is completed in necessary detail – a process that may take several months before it can be considered final.

Completing this guide requires that you gather and prepare information on your area's geographical boundaries and features, and the laws, rules, and regulations that govern the use of natural resources within it. This is critical, because without this information, it will be difficult to develop accurate steps and approaches that are best for your jurisdiction if most or all of this information is unknown or missing. You will also be asked to assess your Program's current status and management

¹ This document is one of a series of practical guides designed to assist marine conservation programs and practitioners in planning, building, and implementing effective conservation compliance and enforcement action. These elements, along with other available materials, are intended to help local communities, stakeholders, government agencies and other conservation practitioners work together to maintain natural resources, biodiversity, and food security across Micronesian and other Pacific islands. For more information, please visit the Pacific Island Managed and Protected Area Community website at <http://www.pimpac.org>

goals and objectives, along with evaluating your Program's strengths and weaknesses, and objectives. This sort of assessment is best done in a group with those familiar with your area. Then, you will describe your Program's grounds for authority, operating procedures, organizational structure, and its training program and needs. Finally there is a section that allows you to plan out your enforcement program's costs and financing along with an activity or workplan for staff.

1. Area/Jurisdiction Description

The below is space to list general facts and information about the area(s) and/or jurisdiction that Conservation Officers within the program have and responsibility for. Please take the time to list as many aspects of the below topics as possible. If information is already provided in other documents, such as a management plan or legislation, it is OK to copy and include that information here, as long as that information provides a clear picture to an uninformed reader.

- a. General Description of Area or Jurisdiction:**

- b. Additional Information, including square area (mi² or km²) of specific area(s):**

- c. Important Biological Areas/Resources:**

- d. Main Threats to Natural Resources or Environment:**

2. Current Environmental or Conservation Laws/Rules/Regulations

This is a section to list all applicable laws, acts, rules, regulations, and/or customary practices related to natural resources or environmental protection within your area or jurisdiction. It is important that there is a clear understanding of what laws and rules apply and the proper authority and procedures that Conservation Officer apply to enforce various laws and rules in your area.

- a. Laws, regulations, and rules within your jurisdiction (list by short name, number, and year passed):**

- b. Common customary practices that can influence the implementation or execution of natural resource laws and/or management within your jurisdiction.**

- c. Other Laws, regulations, rules external (outside of) your jurisdiction that you either enforce or assist with (list by name and number)**

3. Special Compliance and Enforcement Concerns

This section is used to describe particular compliance and enforcement issues and geographic areas that present particular difficulties for enforcement.

- a. Frequently Violated or Difficult to Enforce laws/regulations/rules**

- b. Difficult to Patrol Area / Surveillance Difficulties**

- c. Other Enforcement Issues / Problems**

4. Map of Area or Jurisdiction

Include a map that indicates some of the key facilities, geographic areas, and patrolling locations related to issues identified above. Can be hand drawn or printed. Can also be attached as a separate document.

5. Description of Current Enforcement Program

Provide a general statement describing how your division is set up and how it operates. Can include aspects of focus, responsibilities, activities, staffing and equipment used.

6. Enforcement Program SWOT Exercise

A SWOT exercise is a listing of your program's internal "Strengths" and "Weaknesses"; and external "Opportunities" and "Threats". NOTE: the SWOT Exercise is intended to be focused on your Enforcement Program. Because this assessment is intended to be an internal evaluation of many factors that influence the effectiveness of your program, it may contain sensitive information – please take consideration before sharing with others outside your department.

| Internal | External |
|-------------|----------------|
| Strengths: | Opportunities: |
| Weaknesses: | Threats: |

7. Enforcement Division Mission Statement

This statement describes the purpose of your Division/Department/Unit. (Include if one is already available; create a new statement if not.)

Mission Statement:

8. Enforcement Goals

Your Enforcement Goals are general statements of what you would like your program to address and/or broadly accomplish. You can just create one overall goal statement, or a few related to general topics, like the specific topics indicated below.

Goal Statement:

- 1) Goal related to effectively detecting, responding to, and processing violations:

- 2) Goal related to improving compliance and public awareness:

- 3) Goal related to ensuring program/officer readiness and capacity:

9. Enforcement Objectives

Your Enforcement Objectives are more specific statements of what you want to achieve or successfully realize over a set period of time (per goal category above). If you have difficulty or any questions about this step, consult with a trainer or facilitator in the area for assistance.

Enforcement Objectives:

10. Organizational Structure, Chain of Command, and Staffing

This section is used to describe the organizational structure and personnel of your unit/division/department, including its chain of command, positions, titles, and rank system, if used. A diagram or organizational chart is often used to describe organizational structures and its chain of command, and can be inserted below or attached, if helpful.

Existing:

Suggested changes or additions:

11. Authority to Enforce

This section addresses what process or legal instrument was used to create or give authority to the Conservation Officer position within your state. For example, has enabling legislation, executive orders, job descriptions, official deputation, a management plan or combination provided for this authority?

Existing:

Suggested changes or additions:

12. Standard Operating Procedure (SOP)

Here you will list information about the program's operating procedures, whether they are generally agreed to rules, or formally documented institutional policy, such as an SOP document. **NOTE:** It is not intended that you list specific SOPs here (this can be done in a separate document or referenced). The space provided below is to describe the status and characteristics of your programs SOPs and possible improvements of these procedures.

Existing:

Suggested changes or additions:

13. What does your program do to enhance compliance?

This is an area for you to describe some of what your program does or what strategies it undertakes to increase compliance of your jurisdiction's environmental and conservation laws.

Existing:

Suggested changes or additions:

14. How does your program generally conduct its patrol and surveillance operations?

Use this space to describe your program’s general patrol and surveillance strategies, e.g., locations, number of shifts/boats, equipment used, and operations. NOTE: This section is not intended to list detailed or sensitive information about patrolling schedules or strategies, or anything that may be considered “enforcement sensitive”.

Existing:

Suggested changes or additions:

15. How does your program prosecute violations and other activities?

The section below is used to describe what process your program generally uses to prosecute violations within your state. Also indicate any suggested changes to these approaches. In addition, there is also space to indicate recommendations for new laws or regulations and the way that they are enforced.

Existing:

Suggested changes or additions:

Recommendations of new laws or regulations and on the ways in which existing ones are enforced:

16.Areas of Cooperation and Coordination with other Programs or Agencies

It is likely that working with other programs or agencies could assist your program's efforts. If this is the case, list the areas or topics of cooperation that you see as helpful. Also indicate coordination activities that your program does with other agencies/organization to support such cooperation.

Existing:

Suggested changes or additions:

17.Education and Awareness Programs or Activities

Use the space below to describe aspects of your program's education and awareness activities. There is also space to list things that could make your educational and awareness activities more successful.

Existing:

Suggested changes or additions:

18.Program Equipment:

List below key equipment currently in use by your program. There is also a space to identify new equipment that is needed for your program to operate effectively and safely.

Existing:

Suggested changes or additions:

19. Officer Safety

List protocols, procedures, activities, or policies of your program related to officer safety and survival.

Existing:

Suggested changes or additions:

20. Required Skills, Training, Certifications

These are skills, trainings, certifications, etc. that are REQUIRED to be employed as a Conservation Officer, not merely those considered advantageous or optional (example: Police Academy, but not GIS).

Existing:

Suggested changes or additions:

21. Training Timeline, Costs, and Sources

This section can be used to describe a training plan for staff that includes both required and desired (optional) trainings, as well as estimated costs and sources of training.

Existing:

Suggested changes or additions:

22. How your program measures its success related to Compliance and Enforcement Activities

Use this section to describe how your program keeps track of suspected violations and the result of compliance and enforcement activities.

Existing:

Suggested changes or additions:

23. Program Budget:

Existing Budget for key staff, equipment and operations (add rows as necessary):

| Item | Cost |
|--------|------|
| | |
| | |
| | |
| | |
| | |
| TOTAL: | |

Suggested changes or additions (add rows as necessary):

| Item | Cost |
|--------|------|
| | |
| | |
| | |
| | |
| | |
| TOTAL: | |

24. Possible funding sources to meet budget needs

In many cases, it will be necessary to search for or identify additional sources of funding to meet the budgetary needs of your program. Newly planned activities may cost more than your historical budget, for example. It is also important to consider taking steps to generate realistic plans that can be financed and maintained sustainably. Funds can be sourced from Government Agencies and Programs, Private Foundations, Bi- and Multi-lateral Donor Organizations, or generated locally through activities that earn income or revenue to help meet your program's expense costs. List potential sources and the most likely way or approach to secure funding from that source. Be thoughtful, seek new funding opportunities, and consult with your supervisors and those in your area who have experience in funding programs similar to yours for additional ideas.

25. Activity list, timeline, and/or workplan, based on objectives listed above.

Generate an activity list, timeline, and/or workplan using the information from above. Use additional pages or tables as necessary. The activity list, timeline and/or workplan should be detailed enough and include information for each activity such as the time when it will be done and the person or team responsible, so that a person unfamiliar with the program would have a reasonably good understanding of the planned activities. A basic model is provided below, but feel free to use whatever plan you feel is most useful for your program.

| Activity | Start – End Dates | Parties Responsible (*Lead) | Expected Outcome | Status (% complete) |
|----------|-------------------|-----------------------------|------------------|---------------------|
|----------|-------------------|-----------------------------|------------------|---------------------|

NOTES: