



# POLICY BRIEF 2016/1

## Governance of Marine Protected Areas: Where the Past Meets the Future

### SUMMARY

The Convention on Biological Diversity (CBD) has set a target of protecting 10% of all coastal and marine areas through protected areas and other conservation measures by 2020. As of 2012, only 2.3% of the total ocean surface area was estimated to be under protected status.<sup>1</sup> Furthermore, many existing marine protected areas (MPAs) face significant shortcomings. As we suspected that poor performance relates to weaknesses in the formal and informal rules (institutions) influencing MPA governance, a situation that is particularly problematic in developing nations, we considered this issue through an examination of MPAs in Costa Rica.

As Costa Rica has a long history of conservation and has recently been working to improve its MPAs, it provides an opportunity to observe how governance challenges have been reproduced over time and how stakeholders are trying to overcome them. In order to explain the current state of MPA governance in Costa Rica, we used a qualitative research approach, drew on theories of institutional stability and change, and posed four questions:

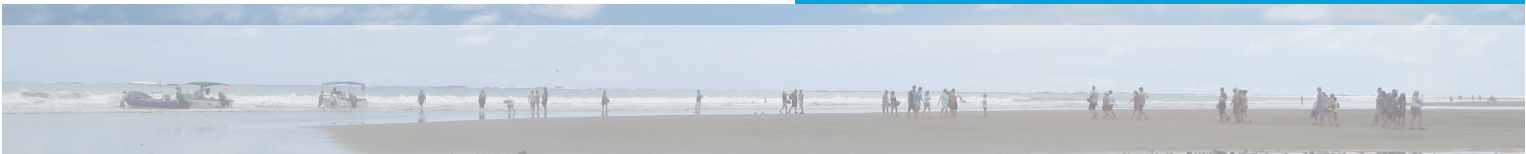
- What are the current challenges for MPA governance in Costa Rica?
- How have these challenges emerged over time?
- What improvements have taken place?
- Which issues still need to be addressed and why?

### KEY RESULTS

- Seven challenging spheres of MPA governance in Costa Rica have been detected: the prevalence of terrestrial conservation; a no-take tradition; a top-down approach to MPA declaration and management; coordination between government agencies; centralised decision-making and processes; financial resources; and the influence of the international debate on protected areas.
- While worldviews and regulations shaping MPA governance in Costa Rica have evolved, for instance, for multiple-use areas as well as participatory and decentralised management, the norms guiding how things are done in practice still need to advance.

### RECOMMENDATIONS

- Looking back at the trajectory of rules shaping MPA governance can shed light on what is preventing MPA progress, and how future rules can be crafted to overcome the existing barriers.
- As MPAs are exposed to several threats, and financial resources are likely to remain limited, it appears that cooperation between stakeholders should be strengthened.
- Other countries facing challenges to MPA governance can benefit from the reflections offered here on how past events may either hinder or enable future options for MPAs.



## THE CONTEXT

With the aim of becoming the first developing country to meet its individual goals under the Convention on Biological Diversity (CBD), Costa Rica is working to consolidate and expand its MPA system. Even though the country has a long history of terrestrial conservation, the focus on coastal and marine protection is relatively new. Among the 167 protected areas created until 2011, only 21 were MPAs, which correspond to 1% of the country's jurisdictional waters.<sup>2</sup>

Costa Rica was selected for this study because the difficulties it faces in relation to MPA governance resemble the experience of many developing nations. Moreover, the fact that the country has more than four decades of concerted conservation efforts, and that it has recently been working to improve the marine component of its protected areas, make it especially interesting to observe how its governance challenges have developed up to now.

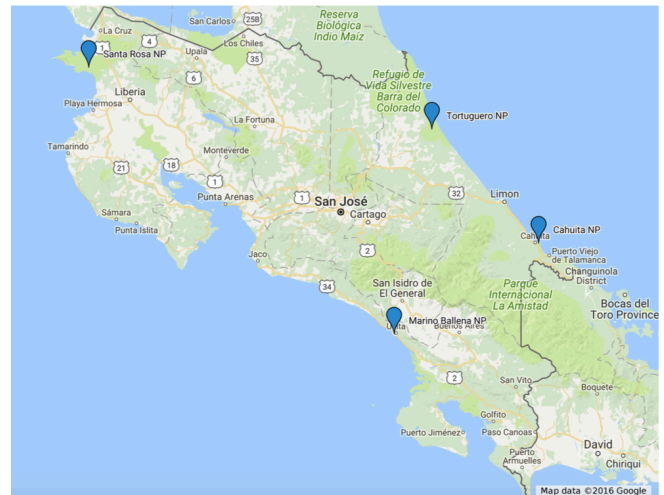
A comprehensive account of MPA governance in Costa Rica was constructed with the support of theories of institutional change and a qualitative research approach. The chosen theories of institutional change mainly deal with conditions and mechanisms that either induce rules to retain several of their former features (stability) or push them to incorporate new aspects over time (change). Concerning methodological aspects, we employed Process Tracing. This method allowed us to see how actions performed by individuals transmitted institutional stability and change mechanisms. Together these activities have led to the present situation of MPA governance in Costa Rica.

The data comprised interviews, documents, and observations, and was collected between September 2013 and January 2014. In total, 107 interviews were conducted in San José, the national capital of Costa Rica, and four study sites – Cahuita National Park (NP), Marino Ballena National Park (NP), Santa Rosa National Park (NP), and Tortuguero National Park (NP).

## RESEARCH RESULTS

The current status of MPAs in Costa Rica is marked by a gap between formal rules defining how MPAs ought to function, and informal rules shaping how they work in practice. At the same time, conservation-oriented actors are taking action to improve MPAs. Seven challenging spheres of MPA governance in Costa Rica were identified as critical to explaining this outcome. These are:

Interviewees included resource users, staff of the conservation agency (SINAC) and from other government agencies, as well as members from non-governmental organisations, and academics who take part in MPA policy-making.\*



MPA study sites in Costa Rica

Four guiding questions were posed:

- What are the current challenges for MPA governance in Costa Rica?
- How have these challenges emerged over time?
- What improvements have taken place?
- Which issues still need to be addressed and why?

The answers to these questions provide an explanation for the current state of MPA governance in Costa Rica. Their key aspects are shared below.

\* *SINAC (National System of Conservation Areas) is made up of 11 conservation areas under which 169 protected areas are distributed. Decisions are taken with participation of society at the regional councils and the national council of the conservation areas.*

- *The prevalence of terrestrial conservation*
- *A no-take tradition*
- *A top-down approach to MPA declaration and management*
- *Coordination between government agencies*
- *Centralised decision-making and processes*
- *Financial resources*
- *The influence of the international debate on protected areas*



**The prevalence of terrestrial conservation** refers to how the original emphasis on terrestrial conservation has shaped the attention paid to marine conservation and how marine protection is undertaken. While evidence clearly indicates that Costa Rica no longer ‘has its back turned to the sea’, a whole set of formal and informal rules had already been built around terrestrial conservation, as had organisations and individuals specialised in inland protection. Thus, it will probably still take some time until both ecosystems receive balanced attention.

**A no-take tradition** deals with the effects that a preference for non-extractive management categories of protected areas has had, especially on the acceptance of MPAs by resource users. Even if both the perception about the need for benefit sharing with communities, and the legal framework aimed at putting this broader understanding of conservation tools into practice, have progressed, it is not yet clear how far these prescriptions have been implemented. The mere existence of a legal framework that supports tools for marine protection other than no-take MPAs may not be enough to untie the country from a strong no-take tradition.

**A top-down approach** to MPA declaration and management, in turn, addresses the relationship between the government, resource users and society when it comes to MPA decision-making. In Costa Rica, although the perception of the relevance of participatory governance has evolved, the concept of the ‘jurisdiction of the state’ is still very much alive. One of the main concerns about sharing decision-making with society appears to be that economic sectors may manipulate participatory decision-making processes in their favour. This is quite understandable given the experience of rules being bent in favour of more powerful economic sectors in various countries. On the other hand, this understanding seems to overlook the fact that economic sectors can also influence political decision-making through political lobbying.

**Coordination between government agencies** explores the challenges of policy integration. Even if the ideas framing the need for policy integration for marine protection and the formal rules favouring coordination have evolved in Costa Rica, the prescriptions guiding this integration seem to be progressing at a slower pace. Moreover, policy integration is a challenging subject *per se* as it does not necessarily ensure that the agreements reached will promote a more sustainable use of resources. Above all, this subject is likely to be influenced by the vision of the political leaders in charge,

pressures from influential economic sectors, and counteraction from environmental groups.

**Centralised decision-making and processes** focuses on the efforts to reduce the centralisation of decisions and processes within the conservation agency (SINAC) and the barriers to this reduction. Although SINAC’s structure was conceived to enhance decentralisation, formal rules, such as those involving the hiring of staff and purchasing, sometimes prevent processes from being more efficient and adapted to the protected areas’ needs. This approach possibly also impacts the motivation of field staff to implement improvements. Likewise, it misses an opportunity to better integrate the local communities, in contrast to the situation in the past when one of the study sites – Santa Rosa National Park – had more autonomy to hire local staff and suppliers. In addition to processes, certain decisions also remain in San José.

**Financial resources**, as an issue, centres on questions of sufficiency of funding for MPAs and how efficiently financial resources are allocated. The set of formal rules built to mitigate the financial gap of the protected area system throughout Costa Rica’s conservation history thus far has been a field in which conservation leaders have been very innovative. Initial regulations in this area probably created a favourable context for new solutions to be pursued. However, the problem of achieving conservation through the costly approach of ‘fences and fines’, especially in developing countries where financial resources for conservation tend to be scarcer, is almost a conservation conundrum.

**The influence of the international debate on protected areas** concerns how international policy ideas on conservation have spread to Costa Rica. Whereas the advances in the international debate brought in resources to enable protection schemes and have recently advanced the marine conservation agenda in the country, global targets may at the same time lead to the declaration of new paper parks and a loss of faith in MPAs. On the other hand, it is clear that there is increasing competition for marine resources, and that the expansion of MPA coverage constitutes an attempt to guard areas against overharvesting and degradation.





## POLICY RECOMMENDATIONS

Regarding the **prevalence of terrestrial conservation**, a key challenge is the partial 'bluing' of a 'green' SINAC. Developing capacity so that staff can build new identities linked to marine ecosystems could help bring about this balance more rapidly. Nonetheless, progress also seems to be contingent upon coordination between government agencies, as marine ecosystems demand that connectivity be considered well beyond protected areas' boundaries. Furthermore, as financial resources are likely to remain limited, marine conservation will require new relations to be developed with resource users. Consequently, training should emphasise the societal aspects of marine protection.

In relation to the **no-take tradition**, favouring a combination of livelihood alternatives is probably desirable. Alliances between local resource users and organisations identified with marine protection could encourage cooperative action to protect the seas. This means that, in addition to the new MPA categories allowing use, a key change appears to lie in overcoming the lingering mental model that resource harvesting is fundamentally detrimental to conservation. Likewise, developing new norms that may lead to the establishment of alliances with resource users who are willing to collaborate is also crucial.

Concerning the **top-down approach** to MPA declaration and management, strengthening the local councils of SINAC could bring progress in the direction of participatory governance at the local level. Resource users need to receive help in order to be prepared to negotiate. By the same token, staff from SINAC in general need to perceive that their role no longer simply involves 'guarding resources' but rather managing complex human environmental interactions.

In terms of **coordination between government agencies**, a fundamental issue to be tackled seems to be the reform of the board of directors of the fishing authority (INCOPECA). Thus far, it has been mainly

comprised of large players of the fishing industry. Without a more balanced representation of stakeholders on its board, the agency may not be able to increase its credibility among artisanal fishers and pro-conservation advocates. As a result, harvesting and protection of resources might continue to be treated apart.

When it comes to **centralised decision-making and processes** the step forward may be related to finding ways of increasing autonomy at the regional and local levels of SINAC so that the staff feel more motivated to remain in the field instead of trying to take an office job. Another change that could potentially help connect field reality with office activities is to stipulate that office workers from time to time spend a couple of days or weeks in the field. This could perhaps reduce the distance between the needs of the field and the decisions taken at regional and national levels.

With regard to **financial resources**, measures could be adopted to facilitate the allocation to the local level, as can be observed in other countries.<sup>3</sup> In any case, it seems that financial resources will most likely remain insufficient to protect large swaths of protected areas that are increasingly under threat. This once more reinforces the case for increasing collaboration with resource users and local communities.

The main challenge related to the **influence of international debate on protected areas** is to come up with arrangements that resonate better with local realities rather than blueprint solutions. This leads us to the limitation of this study, namely, its focus on marine protected areas without taking into consideration other marine protection tools.

All in all, we recommend policy players from Costa Rica and other countries facing challenges to MPA governance to consider previously adopted solutions – why they have failed or succeeded – before crafting new rules for MPAs. This is precisely where the past meets the future.

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### ABOUT THIS POLICY BRIEF

This Policy Brief is part of a series aiming to inform policy-makers on the key results of the ZMT research projects and provide recommendations to policy-makers based on research results. The series of ZMT Policy Briefs can be found at [www.leibniz-zmt.de/policy\\_briefs.html](http://www.leibniz-zmt.de/policy_briefs.html). This publication was commissioned, supervised and produced by ZMT. DOI: 10.21244/zmt.2016.001

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### IMPRINT

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