

# Environmental issues in the Dominican Republic

## Introduction

In recent months there have been a number of cases involving environmental damage allegedly caused by vessels entering, anchoring or grounding within offshore areas designated as National Parks, Nature reserves and/or Protect Areas under Dominican law.

During February 2011 there was another entry incident involving a fully loaded MR tanker into a protected offshore area, this time the Marine Mammals Sanctuary in Semana Península off the north east coast of the Dominican Republic, which has resulted in the vessel's owners and their local agents being fined DOP 10,000,000 (approx. USD 265,000) by the Dominican Ministry of the Environment and Natural Resources for anchoring within a restricted area. The fine, approximately 60% of the maximum scale was levied despite the vessel seeking refuge to undertake repairs, following a breakdown of the main engine and auxiliaries on the high seas.

The purpose of this circular is to raise awareness of the location of a number of specially protected areas and parks within the Dominican Republic in which caution must be exercised in order to avoid penalties.

## Approximate location of parks

The national parks and protected areas are not marked on navigational charts, nor is there any notification to mariners regarding the prohibition of access or navigation within these areas. Dominican law, however, does not accept ignorance as a defence for contravention of the law, voluntarily or involuntarily, although in exceptional cases it may be considered as an extenuating circumstance.

The following is an approximate description of the locations of the national parks that have been involved<sup>1</sup> most recently. Maps of the locations of the national parks can also be found in the Annex to this circular. The latitude and longitude of some of the points delineating the parks are indicated in the maps but should be regarded as indicative only.

(1) *The Silver Bank* off the north (Atlantic) coast of the Dominican Republic, between the Turks & Caicos Islands and the Bahamas. This is a marine mammal sanctuary famous as the mating grounds of the humpbacked whales. (See Figure 1 in the Annex.)

(2) *The La Caleta Submarine Park* off the south (Caribbean) coast about 20km east of the city of Santo Domingo close to the Dominican ports of Caucedo and Boca Chica. La Caleta is situated in a sheltered bay and may be mistaken for a perfect anchorage as anchoring outside Caucedo port is not permitted and the port is often congested (See Figure 2 in the Annex.)

(3) *Monte Cristi Submarine Park* off the north coast, close to the border of Haiti. Monte Cristi's coral reefs have been recognised as the best preserved corals in the country. (See Figure 3 in the Annex.)

(4) *Jaragua National Park*. This is the largest of the national parks, located in the Pedernales province in the extreme southwest of the Dominican Republic. (See Figure 4 in the Annex.)

[→ more](#)

<sup>1</sup> The full text version in the Spanish language of relevant laws no 64-00 and 202-04, can be found at:

- a. <http://www.disaster-info.net/PED-Sudamerica/leyes/leyes/mexicocaribe/dominicana/medamb/ley64.pdf>
- b. [www.ambiente.gob.do/cms/archivos/legislacion/ley202-04.pdf](http://www.ambiente.gob.do/cms/archivos/legislacion/ley202-04.pdf)

## Your contacts

Senior Manager, Loss Prevention  
Terje R. Paulsen  
→ [terje.paulsen@gard.no](mailto:terje.paulsen@gard.no)

Senior Loss Prevention Executive  
Marius Schønberg  
→ [marius.schonberg@gard.no](mailto:marius.schonberg@gard.no)



### Potential penalties

Among the penalties which can be imposed for damaging these protected areas are:

1. A fine in the range of 1 minimum wage to 10,000 minimum wages in force at the date of the infringement, depending on the damage caused by any persons or legal entities who invade, occupy, destroy, burn, grow, hunt, open mines, enter domesticated animals, construct buildings, houses, roads and trails in scientific reserves, national parks, natural monuments and wildlife refuges;
2. Confiscation and/or seizure of objects, tools, appliances, vehicles, raw materials, products or articles, finished or not, used to cause the damage;
3. A ban or temporary suspension or termination of the activities that generate environmental harm or risk to be avoided and, in extreme cases, permanent ban on access or use the protected area in question by the persons or legal entities involved;
4. Closure of part or all of local or facility involved in violation of the integrity or preservation of the protected area in question;
5. Submission to the Attorney General for the Environment or to the Public Prosecutor of the corresponding jurisdiction, persons or legal entities implicated.

### Recommendations

Gard strongly recommends that Members and clients trading in the mentioned area be aware of the environmental regulations and also to ensure that deck officers take account of the protected national parks when planning passage to, from or past the Dominican Republic.

Members and clients should also check with local sources of information and/or their local agents before entering the mentioned areas.

We are grateful to SCHAD Expertise, Santo Domingo, for the above information. All charts are provided by Transas Marine Norway.

---

#### Your contacts

Senior Manager, Loss Prevention  
Terje R. Paulsen  
➔ [terje.paulsen@gard.no](mailto:terje.paulsen@gard.no)

Senior Loss Prevention Executive  
Marius Schønberg  
➔ [marius.schonberg@gard.no](mailto:marius.schonberg@gard.no)

---

The information is provided for general information purposes only. Whilst we have taken every care to ensure the accuracy and quality of the information provided at the time of original publication, Gard AS can accept no responsibility in respect of any loss or damage of any kind whatsoever which may arise from reliance on this information. [www.gard.no](http://www.gard.no)

## Annex – Maps of the national parks involved

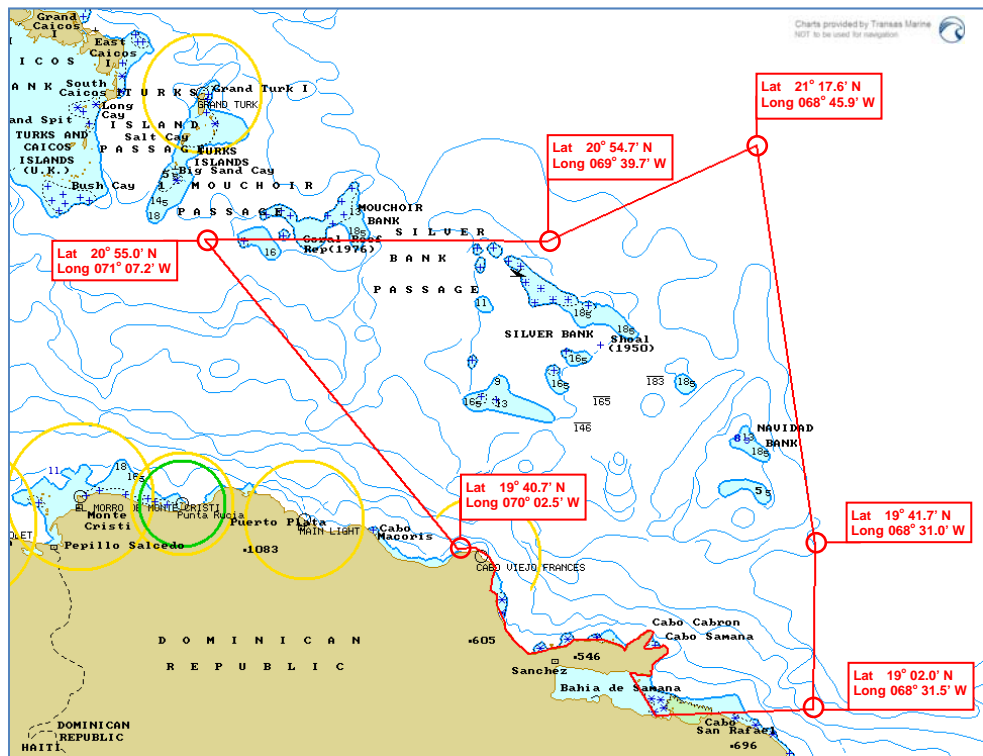


Figure 1 – Silver Bank\*

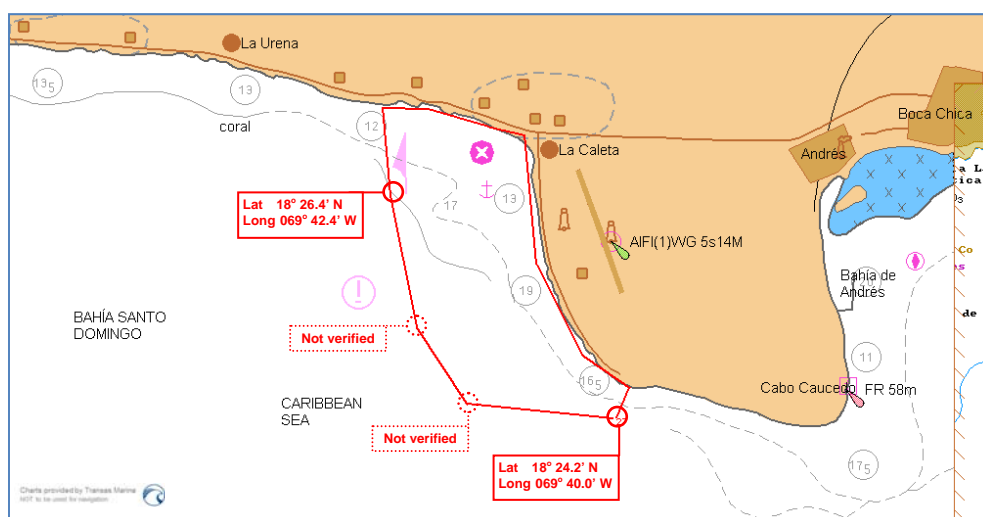


Figure 2 – La Caleta Submarine Park\*

### Your contacts

Senior Manager, Loss Prevention  
Terje R. Paulsen  
➔ [terje.paulsen@gard.no](mailto:terje.paulsen@gard.no)

Senior Loss Prevention Executive  
Marius Schønberg  
➔ [marius.schonberg@gard.no](mailto:marius.schonberg@gard.no)

\* Approximate location, the latitude and longitude of points indicated in the maps should be regarded as indicative only

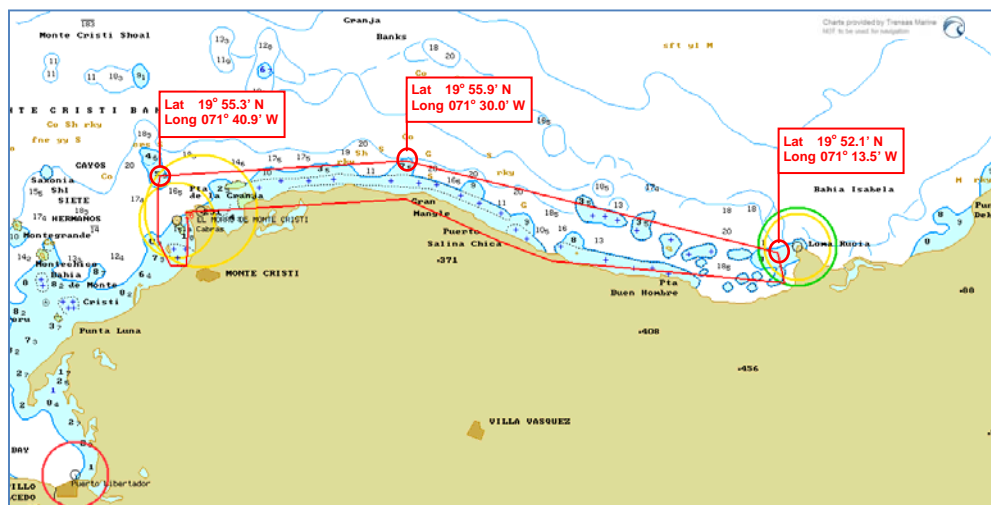


Figure 3 – Monte Cristi Submarine Park\*

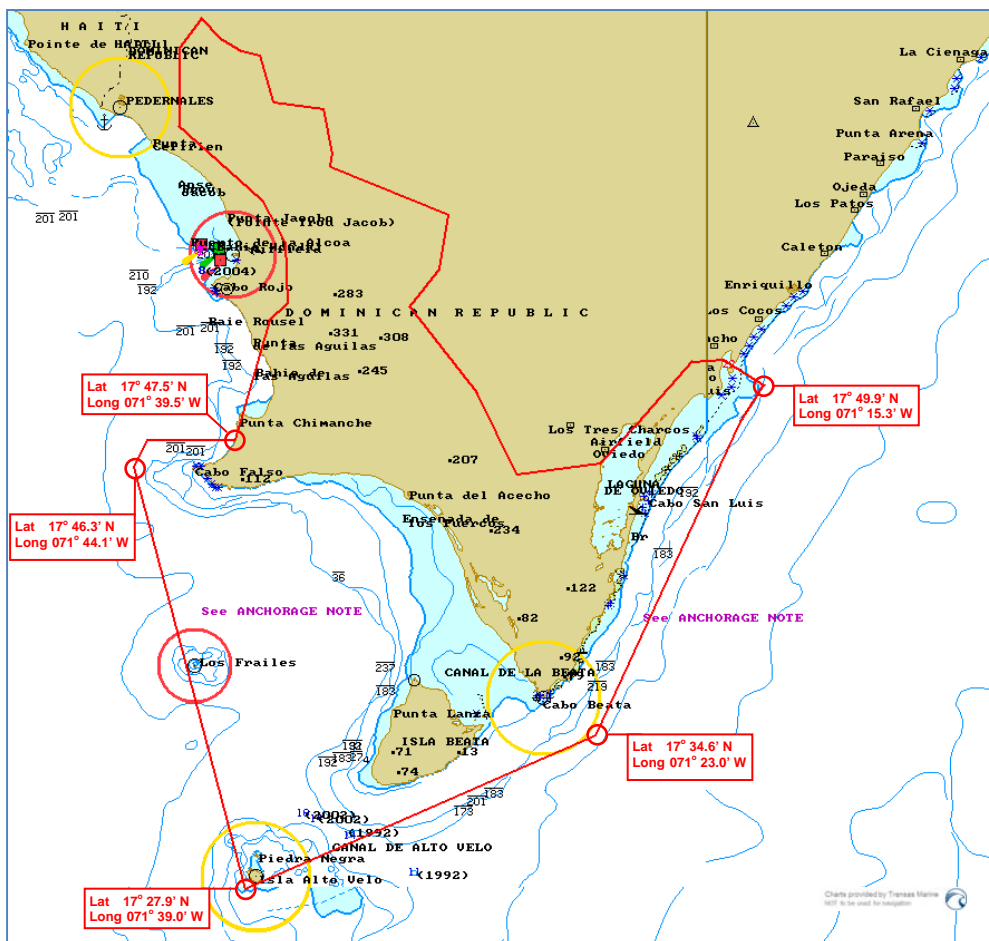


Figure 4 – Jaragua National Park\*

#### Your contacts

Senior Manager, Loss Prevention  
Terje R. Paulsen  
➔ [terje.paulsen@gard.no](mailto:terje.paulsen@gard.no)

Senior Loss Prevention Executive  
Marius Schønberg  
➔ [marius.schonberg@gard.no](mailto:marius.schonberg@gard.no)

\* Approximate location, the latitude and longitude of points indicated in the maps should be regarded as indicative only