SOUTHERN AFRICAN DEVELOPMENT COMMUNITY TRANSFRONTIER CONSERVATION GUIDELINES:

The establishment and development of TFCA initiatives between SADC Member States

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A wide range of TFCA practitioners at various levels of management throughout the SADC Member States participated and engaged with the process of compiling these guidelines, providing insights gained from local knowledge, experiences and perspectives that helped to ensure that the guidelines remained practical and realistic, while being appropriate to the SADC Region. Specific reference is made to the case studies that have been provided to highlight or emphasise aspects of these guidelines that may be considered as best practice due to the positive outcomes from the relevant activities. There have been captured in boxes integrated into the text of the relevant sections.

Also acknowledged is the work of the IUCN World Commission on Protected Areas Transboundary Conservation Specialist Group in their revision of the global guidelines (Sandwith et al, 2001), a process happening concurrently with the SADC process, and therefore affording the opportunity to ensure synergy and nesting of the regional work within the broader context of the global effort, while recognising the opportunity for greater specificity.

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PPF – access to data

# Summary of the Over-arching Principles for TFCA Establishment and Development in the SADC Region

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# Introduction

The Southern African Development Community’s (SADC) Secretariat, in collaboration with Member States, developed and presents Guidelines for the development and establishment of Transfrontier Conservation Areas (TFCA’s) for the SADC region.

The SADC fifteen year Regional Indicative Strategic Development Plan (RISDP) in 2003, reviewed progress with its implementation for the period of 2005 to 2010 and published a report in 2011 (SADC, 2011). This report refers to the development of a SADC Framework on Transfrontier Conservation Areas which was approved by the Integrated Committee of Ministers in 2007. These strategies, together with the SADC Protocol on Wildlife Conservation and Law Enforcement (SADC, 1999), clearly indicate that Transfrontier Conservation Areas hold the potential to deepen regional cooperation, promote peace and stability, ensure the sustainable utilisation of natural resources, as well as providing economic development opportunities through nature-based tourism.

The SADC TFCA Programme identified eighteen (18) existing and potential, terrestrial and marine TFCAs in SADC at different stages of development (see Section 4 for more detail). These TFCAs are not developing uniformly across the region. Instead, they differ considerably in spatial parameters, the mix of land use categories, the level of cooperation between participating countries, and the extent of participation of locally affected communities. Despite the potential benefits of TFCAs, the processes of their establishment between the SADC Nations are frustrated through:

* Limited capacity of stakeholders including the Governments Departments, private sector and the local communities to take advantage of opportunities offered by TFCAs;
* TFCA officials are not fully equipped with the necessary skills to roll out the concept and reach out to communities;
* Lack of basic infrastructure such as access roads across international boundaries and to specific tourist attractions; and
* Narrow focus on wildlife instead of embracing all transboundary natural resources in TFCAs.

There remains however a commitment within the SADC region to promote the establishment and development of TFCAs but in doing so to ensure that:

* Local communities are actively integrated into the process to ensure that their involvement and participation in the planning and decision making processes of natural resources management actually realise tangible benefits that work towards the alleviation of poverty;
* The consumptive and non-consumptive utilisation of natural resources is managed within thresholds of sustainability;
* The full suite of opportunities inherent within the natural resource base of these TFCAs is realised to the extent that they provide broader economic development platforms for public/private partnerships and investment opportunities; and
* The projected risks and implications of climate change are reduced with substantial contributions to social and economic resilience.

In order to achieve this it is recognised that the enabling environment which has already been created through the various SADC strategies and structures, needs to be enhanced through the harmonisation of the relevant legal and policy frameworks of the SADC Nations. At a more detailed level it is the shared interpretation and understanding of these mechanisms that also needs to be brought about. It is so often the case that the legal, political, socio-economic, cultural and other differences that exist between countries frustrates cooperation efforts; and therefore Guidelines are required in order to provide a common frame of reference for the development and establishment of TFCAs in the SADC region.

## The Aim of these Guidelines

Collaboration between SADC Member States on issues of wildlife management is not new and has been happening to varying degrees for decades. However, Transfrontier Conservation initiatives may be used to assist in the realisation of stated policies as captured in the various SADC protocols and treaties, particularly the SADC Protocol on Wildlife Conservation and Law Enforcement. These Guidelines aim to integrate the latest global thinking and best practice in terms of the conservation of nature and the role that the natural environment plays in securing societal well-being and economic resilience, from the perspective of Transfrontier collaboration.

Very importantly, these Guidelines are also a frame of reference which all stakeholders, in addition to practitioners, will be able to use to assess and measure the progress and effectiveness of Transfrontier Conservation initiatives, at any stage of development. As such they will be able to gauge the extent to which they are able to contribute and participate, as well as manage expectations in terms of potential benefit flows, governance requirements, stakeholder engagement, etc.

While these Guidelines have been compiled to reflect and draw on both global and SADC best practice and lessons learnt, they will need to be revised and updated after a period of time, which should not exceed more than ten years.

As such they aim to provide a common point of departure and/or source of reference for practitioners who:

1. recognise the potential value of Transfrontier Conservation collaboration and wish to work towards the establishment of a new initiative;
2. are in the process of establishing an initiative and require a basis upon which to ensure that their approach is following good practice; and/or
3. are managing an established initiative and require a frame of reference against which they can measure the effectiveness of their work.

## The Guideline Principles

The development of these Guidelines have been based on the progress that has been made with the initiation, establishment and development of Transfrontier Conservation initiatives between SADC countries, and on the many valuable lessons that have been learnt and the best practice that has been developed. The global perspective has been drawn on, as will that which is appropriate to the SADC context, in order to ensure that the Guidelines are less generic and carry a strong focus and relevance to SADC countries and Transfrontier Conservation practitioners.

### Benefits beyond Boundaries

The thinking that is captured in the various SADC policies, as listed above, largely reflects that which has subsequently come out of global conservation forums such as the IUCN World Parks Congress that was held in Durban, South Africa in 2003; and that is the need for there to be tangible benefits beyond the boundaries of protected areas, and more specifically that they need to be socially and economically relevant within the broader landscape within which they are located. However, what has not been captured in these policies is the strongly emerging acceptance for the fact that where our natural resource base is sustainably managed, it produces and delivers strategically important ecosystem goods and services that are vital to counteract social and economic vulnerability and to help build resilience. This concept is possibly best captured and illustrated through the work of the Millennium Ecosystem Assessment (MEA, 2005) which has been used extensively in the discussion in Section 3.2 and which relates to the potential socio-economic relevance of Transfrontier Conservation initiatives.

While the intrinsic, ethical and moral values associated with the conservation of biodiversity are upheld as part of the motivation behind Transfrontier Conservation initiatives, it is recognised that in order for these values and features to persist; they need to have socio-economic relevance. These Guidelines provide TFCA practitioners and stakeholders with substantial guidance as to how they may be able to demonstrate and realise tangible benefits from transfrontier collaboration in nature conservation for affected communities from their efforts.

### Sustainable Development

The need for solutions to environmental degradation and unsustainable development emerged strongly in the 1960s and 70s and culminated in the “Our Common Future” report from the Brundtland Commission in 1987 which included, what is considered the ‘classic’ definition of sustainable development; namely:

“development which meets the needs of the present without compromising the ability of future generations to meet their own needs.”

For the purposes of these Guidelines, the conditions of sustainability may be articulated as follows:

* The persistence of renewable natural resources is dependent upon their levels of utilisation being managed within known thresholds and linkages within broader ecosystem functionality;
* Social well-being and economic resilience are absolutely dependent upon the persistence of healthy functioning ecosystems that are able to host the renewable natural resources upon which they depend; and
* Strong capacitated governance systems are essential to ensure that social and economic utilisation of the natural resource base remains within the thresholds of sustainability.

On the basis of the above the establishment and development of TFCAs also needs to meet these conditions and as such must meet the criteria of being:

* Managed in a way that ensures the persistence of biodiversity features within healthy and functioning ecosystems;
* Strongly linked to affected communities such that the TFCAs are seen as being of social significance and relevance through the delivery of direct and indirect benefits; and
* Managed in such a way as to ensure operational efficiencies are income generating opportunities are optimised.

In their perspective on the necessary convergence of Millennium Development Goals (MDG) and Sustainable Development Goals (SDG), Rijnhout et al (2014) underpin these conditions even more by highlighting the need for a fully transformed development agenda where environmental sustainability is put at its core. A comparison between the MDG and SDG is provided in Table 1.

Table 1: The main differences between the MDG and SDG approaches (© Rijnhout et al, 2014)

|  |  |
| --- | --- |
| MDGs | SDGs |
| Development | Sustainable well-being |
| Focus on developing countries | Focus on all countries |
| Aid and Trade agenda | Human Rights, Justice and meaningful livelihoods |
| No recognition of planetary boundaries | Living within the limits of the resources of one planet |
| Environment is seen as secondary priority, economic development first | Environment (natural resources, healthy ecosystems) is basic for developing well-being |

The South African Department of Environment Affairs produced a National Strategy for Sustainable Development (NSSD1) (DEA, 2011) which reflects what has been stated above, but introduces an aspect that is crucial for Transfrontier Conservation, namely governance. The NSSD1 clearly illustrates that society and the economy are nested within the boundaries of the natural resource base, and that where the latter is utilised or unsustainably managed, it will result in increased socio-economic vulnerability. The responsibility of ensuring that the relationships between these three components of sustainability are maintained within thresholds of acceptable change brings in the need for strong governance, and this is illustrated in Figure 1.

It is worthwhile noting that in this illustration the natural resource component is referred to as “ecosystem services”. In the light of the discussion in this regard in Section 3.2, it is in the delivery of ecosystem services that much of the value of the natural resource base is manifest.

Figure 1: The components of sustainable development as per the South African National Strategy for Sustainable Development (© DEA, 2011)

As a final word to reinforce the relevance of a new sustainable development paradigm to under pin these Guidelines, Rijnhout et al (2014) point out that the conventional development paradigm is that poverty leads to environmental degradation, so international cooperation promotes development models worldwide. By contrast, the sustainability paradigm tells us this push for industrial and export-oriented development leads to irreversible environmental degradation, which leads to even more structural poverty.

## The Intended Audience of these Guidelines

Just as Transfrontier Conservation is a complex and dynamic approach to achieving a variety of conservation related objectives at a multi-national scale, so is the list of stakeholders for whom these Guidelines are intended. . In SADC region there are recognisable four main different categories of audience namely:

1. Officials responsible for managing conservation areas that share one or more international boundaries and Non-governmental Organisation (NGO), including those who recognise the potential value of a Transfrontier Conservation initiative and wish to know how best to go about assessing its feasibility.
2. High-level decision-makers - Contrary to the ‘bottom-up’ scenarios is a more strategic and high-level approach where senior decision-makers follow a systematic process of identifying potential areas for collaboration, and here the Guidelines may be used to empower their processes.
3. Affected communities: In recognition of the principle of “benefits beyond boundaries” that was discussed in Section 1.2.1, affected communities may use these Guidelines as a checklist of what they could expect from the initiators of a Transfrontier Conservation process, and as such be able to manage their expectations and hold decision-makers accountable.
4. Government agencies: Other government agencies that hold responsibilities associated with working across international borders are key to making sure that a Transfrontier Conservation initiative is able to gain traction and ultimately be established. It is therefore essential that they also use these Guidelines as a checklist for what should most likely take place on route to achieving the initiatives stated objectives.
5. Countries that border SADC countries: While all of the above has been listed with a narrow focus of role players and stakeholders within the SADC region, it is true that Transfrontier Conservation is a globally relevant concept to which these Guidelines may add value. Of greatest relevance are those countries that border SADC countries and who are and/or may engage in Transfrontier Conservation negotiations. Otherwise there are the academics both within and beyond the SADC region that may use these Guidelines as a benchmark against which to assess the performance of the various SADC Transfrontier Conservation projects.

Further to this are a myriad of related stakeholders who may have either a direct or indirect interest in the initiative, and the identity of these will vary from place to place and initiative to initiative.

It is noted that the above has been kept at a broad level and has not provided a detailed list of who these Guidelines carry relevance for. This is in recognition for what was stated at the beginning of this Section, namely that these processes are complex and dynamic and it is not possible to provide a comprehensive list of the relevant audience.

## The Guideline Compilation Process

The process that was followed to compile these Guidelines after a professional service provider was appointed was as follows:

* A concept note was compiled and circulated to Member States inviting them to engage with and participate in the process.
* A Table of Content was drafted and presented to a meeting of SADC Transfrontier Conservation Area (TFCA) Network members at a meeting in Johannesburg on 30 March 2014. At this point the TFCA Network members were provided with an opportunity to critically review the draft Table of Content, and to provide comment for amendments.
* The project was uploaded on to the experimental SADC TFCA Network Portal ([www.tfcaportal.org](http://www.tfcaportal.org)) together with supporting documentation to which the members were invited to engage.
* A two day workshop attended by the TFCA practitioners of the SADC Member States in Luanda, Angola was held on 24 and 25 April where the opportunity was provided for practitioners to engage actively with the substance of the Guidelines. Small group discussions tackled the question of the Guideline content, as well as which of the existing TFCAs could be included as relevant case studies.
* On the basis of the inputs gained from this workshop and further technical research a draft Guideline was compiled which was subjected to critical review by the practitioners at a two day workshop help in Lesotho from 25 to 27 June 2014. The drafting process included review inputs from a reference group of practitioners selected at the Luanda workshop.
* Thereafter the Guidelines were finalised on the basis of the inputs received from the practitioners and submitted them to the SADC TFCA Secretariat.

At the same time that these Guidelines were being compiled, the International Union for the Conservation of Nature’s (IUCN) World Commission on Protected Areas (WCPA) had embarked on a process, through their Transboundary Conservation Specialist Group, to revise their Guidelines, i.e. Best Practice Protected Areas Guideline Series No. 7: Transboundary Protected Areas for Peace and Co-operation (Sandwith et al, 2001). Consequently it was possible for these processes to inform each other and for the SADC TFCA Guidelines to be enriched with current international thinking.

## The Structure of the Guidelines

These Guidelines have been deliberately structured into three main parts. The first part is from Section 1 to Section 5 which provides background and contextual inputs. The second part is Section 6 which addresses the aspects of TFCA initiation, while the third part moves into the aspects relevant to the establishment and development of Transfrontier Conservation initiatives. Both Sections 6 and 7 have been structured in a chronological way assuming that the processes required to assess the feasibility of and to establish and develop a TFCA will follow these steps. It is however acknowledged that there may well be instances where this assumption is incorrect and that the order of the process may change. It may also be that certain steps require a number of iterations before the process may proceed further. Once again the dynamic and complex nature of Transfrontier Conservation is recognised and acknowledged and the simplified structure of these Guidelines must not be seen as an attempt to simplify the process.

## Terminology

A Section on Definitions has been included early on in these Guidelines, in addition to a Glossary of Terms, as it is necessary to provide clarity on some key terms or concepts that make sense to the reading of the rest of the text. The terms included in the Section on Definitions are thus limited to these key terms, while the balance of the jargon has been covered in the Glossery.

Thus far the reader will have encountered the following; transfrontier conservation, transfrontier conservation areas and transboundary conservation. Firstly there is no difference between the terms ‘transfrontier’ and ‘transboundary’. The former being used mostly by SADC Member States, while the latter is used elsewhere in the world. The SADC Protocol on Wildlife Conservation and Law Enforcement (1999) defines a TFCA as “*the area or component of a large ecological region that straddles the boundaries of two or more countries encompassing one or more protected areas as well as multiple use areas*”.Secondly, ‘transfrontier conservation’ is seen as a broad term that encompasses all types of initiatives. More specifically though the following are terms that are used for a variety of SADC transfrontier conservation initiatives:

TP: Transfrontier Park;

TFCA: Transfrontier Conservation Area;

TFCMA: Transfrontier Conservation Marine Area;

TFCDA: Transfrontier Conservation and Development Area;

TFCRA: Transfrontier Conservation and Resource Area; and

TBNRMP: Trans Boundary Natural Resource Management Project (PPF, 2012).

Detailed definitions of the above are provided in the following Section, but for the sake of these Guidelines the term ‘Transfrontier Conservation’ will be used as a general reference to any of the above permutations. Where work from other areas is referenced and the term ‘transboundary’ has been used, it has been retained in the text of this Guideline. The reader thus needs to be mindful of the fact that both terms will appear, at time in the same paragraph.

# PART 1:

# BACKGROUND AND CONTEXTUAL INFORMATION

# Definitions

Two primary sources have been used to provide the definitions relevant to these Guidelines and these are:

1. The definitions that have been articulated for the revised IUCN Transboundary Conservation Best Practice Guideline which has been referred to in Section 1.4. These definitions were discussed at length at the “International workshop on defining transboundary conservation principles”, held from 16-18 October 2013 at the Thayatal National Park in Austria.
2. The definitions extracted from the SADC Protocol on Wildlife Conservation and Law Enforcement (SADC, 1999), although it is acknowledged that the Protocol is in the process of being revised and updated and therefore it is proposed that the definitions provided in Section 2.3 be used to inform this revision process.

The definitions were then subjected to review and further discussion at the SADC TFCA Practitioner’s workshop in Luanda from 24 to 25 April 2014 and are thus the versions that are used as the basis for these Guidelines. It was also noted during these discussions that a decision has been taken to revise and update the SADC Protocol on Wildlife Conservation and Law Enforcement and that these definitions may assist in this process.

## IUCN Transboundary Conservation Best Practice Guideline Definitions

It must be noted that while these definitions have been subjected to rigorous discussion and numerous iterations within the Transboundary Conservation Specialist Group (TBC SG) which is compiling the revised IUCN Guidelines, they are still to be subjected to external review and may be amended. However, they were accepted as a robust point of departure by the SADC TFCA Practitioners at the Luanda workshop. Included with these definitions are the explanations provided by the TBC SG (Vasilijević et al, in process).

**Transboundary Conservation**

Transboundary conservation is a process to achieve conservation goals through the shared governance and cooperative management of ecosystems and/or species across one or more international boundaries.

**Transboundary Protected Area (TBPA)**

A transboundary protected area is a clearly defined geographical space that includes protected areas[[1]](#footnote-1) that are ecologically connected across one or more international boundaries and are cooperatively managed.

|  |  |
| --- | --- |
| **Phrase** | **Explanation** |
| Clearly defined geographical space | Comes directly from the IUCN definition of a protected area, which defines this phrase as including *“land, inland water, marine and coastal areas or a combination of two or more of these. “Space” has three dimensions, e.g., as when the airspace above a protected area is protected from low-flying aircraft or in marine protected areas when a certain water depth is protected or the seabed is protected but water above is not: conversely subsurface areas sometimes are not protected (e.g., are open for mining). “Clearly defined” implies a spatially defined area with agreed and demarcated borders. These borders can sometimes be defined by physical features that move over time (e.g., river banks) or by management actions (e.g., agreed no-take zones)”* (Dudley, 2008). |
| Protected areas | IUCN defines a protected area as *“a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values”* (Dudley, 2008). |
| Ecologically connected | Expresses the notion that the individual protected areas within a Transboundary Protected Area have some type of ecologically important connection. Note that this does not explicitly state that the protected areas are required to straddle the international boundary, but instead that there is an ecological connection in spite of a potential separation, as in the case of protected areas separated by a buffer zone. |
| International boundaries | Refers to the international boundaries between countries and specifically does not refer to boundaries between sub-national units. |
| Cooperatively managed | Draws directly on Dudley (2008), which states that this *“assumes some active steps to conserve the natural (and possibly other) values for which the protected area was established; note that “managed” can include a decision to leave the area untouched if this is the best conservation strategy.”*  Cooperative management assumes existence of formal and/or informal interaction between relevant stakeholders in a transboundary entity in implementing the specific management decisions. It can include elementary levels such as communication or information sharing, or advanced levels such as joint implementation of actions. |

**Transboundary Conservation Landscape and/or Seascape (TBCL/S)**

A transboundary conservation landscape and/or seascape(TBCL/S) is a cooperatively managed ecologically connected area that sustains ecological processes and crosses one or more international boundaries and which includes protected areas as well as multiple resource use areas.

|  |  |
| --- | --- |
| **Phrase** | **Explanation** |
| Sustains ecological processes | Indicates the importance of the specific area for care, protection, and sustainable use of the natural resource base and ecosystem goods and services it produces in a manner analogous to the long-term conservation of nature and associated ecosystems in protected areas. |
| Multiple resource use areas | Assumes areas under governmental, communal, or private control, used for a variety of purposes and sustainably managed. Directly referring to IUCN protected area management category VI, this phrase implies areas of *“low-level non-industrial use of natural resources compatible with nature conservation”* (Dudley, 2008). |

**Transboundary Migratory Corridor**

Transboundary migratory corridors are areas of wildlife habitat across one or more international boundaries, which are ecologically connected, are necessary to sustain one or more biological migratory pathways, and are cooperatively and sustainably managed.

|  |  |
| --- | --- |
| **Phrase** | **Explanation** |
| Areas of wildlife habitat | Implies natural areas populated by species of animal, plant and/or other type of organism. |
| Necessary to sustain | Provides for the maintenance of at least a minimum ecologically acceptable standard of a migratory pathway in perpetuity. |
| Biological migratory pathways | Builds on the idea of protecting and/or rehabilitating natural connectivity among habitats to allow maintenance of the dispersal of species within and between ecosystems at the landscape and/or seascape level. “Landscape” in this context is addressed as *“an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”* (Council of Europe, 2004). |
| Sustainably managed | Indicates management of wildlife habitats in such a way to ensure long-term conservation of biological diversity. |

**Park for Peace**

A Park for Peace is a special designation that may be applied to any of the three types of transboundary conservation areas that is dedicated to the promotion, celebrations, and/or commemoration of peace and cooperation.

## SADC Protocol on Wildlife Conservation and Law Enforcement Definitions

The following definitions relevant to these Guidelines are listed in this Protocol (SADC, 1999):

**Community based wildlife management**: means the management of wildlife by a community or group of communities which has the right to manage the wildlife and to receive the benefits from the management.

**Conservation:** means the protection, maintenance, rehabilitation, restoration and enhancement of wildlife and includes the management of the use of wildlife to ensure the sustainability of such use.

**Sustainable use**: means use in a way and at a rate that does not lead to the long-term decline of wildlife species.

**Transfrontier conservation area:** means the area or the component of a large ecological region that straddles the boundaries of two or more countries encompassing one or more protected areas, as well as multiple resources use areas.

**Taking**: means the hunting, killing, injuring, capturing, harassing, collecting, picking, uprooting, digging up, cutting, destruction and removal of any species of wildlife and include any attempt to engage in such conduct.

**Wildlife**: means animals and plant species occurring within natural ecosystems and habitats.

Note again that it is possible that these definitions may be amended when the Protocol is revised and updated.

## Definitions Applicable to this Guideline

The definitions applicable to this Guideline are similar to those being put forward in the revised IUCN Guideline with the exception that the term ‘transboundary’ is replaced with ‘transfrontier’, and the term ‘cooperation’ is replaced with ‘collaboration’. The former replacement has already been alluded to in Section 1.6 and requires no further explanation other than to reiterate that it is simply a semantic preference of SADC. The latter is also a semantic preference but with the rationale that to ‘collaborate’ implies a stronger commitment than to ‘cooperate’. The explanations provided in Section 2.1, however still remain relevant despite these changes. In addition are the proposed amendments to the definitions in the SADC Wildlife and Law Enforcement Protocol, as well those relevant to the variety of Transfrontier Conservation initiatives that currently exist between the SADC countries. All other terms requiring definitions are included in the Glossary of Terms in Section 8.

**Transfrontier Conservation**

Transfrontier conservation is a process to achieve conservation goals through the shared governance and collaborative management of ecosystems and/or species across one or more international boundaries.

**Transfrontier Park (TFP)**

A transfrontier park is a clearly defined geographical space that includes protected areas that are ecologically connected across one or more international boundaries and are collaboratively managed.

**Transfrontier Conservation Marine Area (TFCMA)**

A transfrontier conservation marine areais a collaboratively managed ecologically connected marine area that sustains ecological processes and/or cultural values and crosses one or more international boundaries and which includes marine protected areas as well as multiple resource use areas.

**Transfrontier Conservation and Development Area (TFCDA)**

A transfrontier conservation and development area is a collaboratively managed ecologically connected terrestrial, freshwater and/or marine area that sustains ecological processes and/or cultural values and crosses one or more international boundaries and which includes protected areas as well as multiple resource use areas, and within which the objectives of conservation and development are strived towards in a symbiotic and mutually inclusive way.

**Transfrontier Conservation and Resource Area (TFCRA)**

As above.

**Transfrontier Conservation Area (TFCA)**

It is recommended that the term “TFCA” be used as one that encompasses TFCMA, TFCDA and TFCRA and therefore may be defined as follows:

A **transfrontier conservation area** is a collaboratively managed ecologically connected terrestrial, freshwater, and/or marine area that sustains ecological processes and/or cultural values and crosses one or more international boundaries and which includes protected areas as well as multiple resource use areas from which tangible benefits are realised for affected communities.

It is reiterated here that this definition differs from the current Protocol definition and that it is proposed that it be used to inform the revision and updating of the Protocol.

**Transfrontier Migratory Corridor (TFMC)**

Transfrontier migratory corridors are areas of wildlife habitat across one or more international boundaries, which are ecologically connected, are necessary to sustain one or more biological migratory pathways, and are collaboratively and sustainably managed.

**Park for Peace**

A Park for Peace is a special designation that may be applied to any of the three types of transboundary conservation areas that is dedicated to the promotion, celebrations, and/or commemoration of peace and cooperation.

**Transboundary World Heritage Site**

Transboundary World Heritage Sites are UNESCO World Heritage Sites designated on each side of an international boundary and which are collaboratively managed.

# The Value of Transfrontier Conservation for SADC Member States

This section has been provided as a point of reference for any stakeholder or stakeholder grouping (proponent/s and/or practitioners) who sees the potential for the initiation, establishment and development of a Transfrontier Conservation initiative, and needs to better understand the full value and be able to package this for the further promotion and development of the idea. The South African National Biodiversity Institute has embarked on a process of doing this to promote the need for the conservation of biodiversity in general in South Africa and their process is known as “Making the case for Biodiversity” (SANBI, 2013). This has been borne out of the recognition of the fact that the traditional arguments for conservation based on the intrinsic value of threatened species and/or ecosystems do not find traction within socio-political systems with a predominant development agenda, and that ecosystems that are maintained in their natural condition are able to deliver ecosystem goods and services that are of significant value to both societies and economies. These are thus packaged as ‘natural capital’ and the persistence of the biodiversity features within them may be seen as indicators of this assets ability to support socio-economic systems.

Six broad categories of values are listed and discussed below and a more comprehensive list of potential benefits is provided in Appendix A together with an indication of associated actions that are required to realise the benefits and potential challenges that proponents and practitioners may encounter.

## Enhanced Ecosystem Functionality and Climate Change Resilience

Perhaps the most obvious argument that could be put forward as motivation for the establishment of transfrontier conservation initiatives is that political boundaries and the processes that put them in place are infamous for ignoring the natural boundaries of and processes within ecosystems (WWF and ICIMOD, 2001). This is particularly evident when viewing a map of Southern Africa where many of the international borders are straight lines, their positions in the landscape being determined by colonial powers. This is evident in the borders between Angola, Zambia, Zimbabwe, Botswana and Namibia where the KAZA TFCA is being developed; and well as between Mozambique, Swaziland and South Africa where the Lubombo TFCA work is being focussed.

As a result, ecosystems of various scales throughout the world are divided by international boundaries with the implication being that the various portions of these systems within the respective countries are subjected to different management regimes within different policy and legal frameworks and socio-economic contexts. The outcome of this political imposition on and fragmentation of ecosystems is often that their ability to function optimally and retain their natural species assemblages is highly compromised. The ability of both government agencies and non-government organisations to achieve biodiversity conservation targets independently under these circumstances is thus also compromised (WWF and ICIMOD, 2001).

The realisation of the ecological implications of political and institutional boundaries has been well documented and discussed and is arguably the reason for the emergence of the concept of “ecosystem management”. Grumbine (1994) provides an account of the evolution of this concept and traces the history of its application in the USA. What is evident from this publication is that the concept is not new and that the science and philosophy behind it were put forward by conservation pioneers such as Aldo Leopold in the late 1940s, and even before that by the Ecological Society of America's Committee for the Study of Plant and Animal Communities in the early 1930s. More recently and appropriately to transfrontier conservation the concept is recognised by Sandwith et al. (2001) who state that where a natural system or water catchment straddles one or more boundaries and, consistently with the ecosystem approach, it should be managed as a single ecological unit to maintain essential ecological processes and life-support systems. Also Vasilijević (2012a) states that although the objectives of transboundary conservation can range from the accomplishment of social, economic, and political targets, Transboundary Conservation Areas are primarily underpinned by ecological reasoning. This sentiment is clearly reflected in the definitions provided in Section 0 where the term “ecologically connected” is repeatedly used, and implied within this is that transboundary conservation will for example work towards the better achievement of the reconnecting of seasonal migrations, allowing for genetic drift, climate change adaptation and the reduced risk of local extinctions, i.e. embracing the principles of island biogeographics.

A number of southern African examples of established Transfrontier Conservation Areas illustrate the value of ecosystem connectivity, even where the political boundary may seem ecologically appropriate. The example that illustrates the latter is the Maloti Drakensberg Park World Heritage Site whose international boundary between Lesotho and South Africa is the watershed on the summit of the Drakensberg escarpment. While there are ecosystem functions that are understandably divided along this uniquely coincidental political and natural boundary; there are also endemic, keystone and flagship species such as the Cape vulture (*Gyps coprotheres*) and the bearded vulture (*Gypaetus barbatus*) that range across and are dependent on the Maloti Drakensberg bioregion thus linking apparently separate ecosystems. In addition to this are the examples of the Kgalagadi Transfrontier Park between Botswana and South Africa where the international boundary is the Nosob River; and the Mapungubwe Cultural Landscape at the confluence of the Limpopo and Shashe Rivers which are the boundaries between the countries of South Africa and Botswana, and Botswana and Zimbabwe respectively.

From a climate change resilience perspective it can be acknowledged that where an ecosystem management approach is taken and much larger areas are brought under sustainable management regimes that enhance ecosystem functionality and the persistence of the biodiversity features within them, these areas will be more resilient to the projected impacts of climate change. While it is recommended that TFCA practitioners and proponents need to better understand what these projections are for their areas of interest and/or jurisdiction, it is sufficient to know that changes will occur and that these will most likely manifest in the movement of biomes and habitats, with associated species moving and adapting accordingly.

In SADC’s Biodiversity Action Plan (SADC, 2013) the Fourth Assessment Report (AR4) of the Intergovernmental Panel on Climate Change (IPCC) is quoted as stating that Africa is particularly vulnerable to the influence of climate change, with Southern Africa already experiencing increased climate variability through floods and droughts which are projected to increase in intensity. The Biodiversity Action Plan continues to confirm that the biodiversity ramifications will be shifts in species ranges, loss, expansion and relocation of habitats and changes in phenology and physiology (Parmesan and Yohe, 2003), as well as the loss of ecosystem services (Kanji et al, 2006).

One of the “Robust findings” listed in the IPCC’s AR4 which has direct relevance to these Guidelines and the ecological value of TFCAs is that “making development more sustainable by changing development paths can make a major contribution to climate change mitigation and adaptation and to reducing vulnerability.”. In their work on Climate Adaptation Corridors, the Climate Action Partnership (CAP) confirm that the best we can do now is to enhance the ability of ecosystems and species to adapt to change in the long-term; using a network of corridors (CAP, 2011), and the establishment and development of TFCAs are well suited to achieve this.

## Improved Social Well-being and Economic Resilience

Although some of the SADC member states include nodes that may be considered as representing developed economies, the bulk of the SADC region is characterised by developing economies, which themselves are characterised by impoverished communities that lack access to basic services and infrastructure. Within this context conservation as a land use is generally not well supported as it is perceived as being in the way of development. In response conservation has been promoted on the basis of the revenue generation and related opportunities associated with nature-based tourism. While there are many examples of where this is working and tangible benefits are being realised, particularly where much larger and ecologically viable areas are made accessible through TFCAs, there is a bigger picture that needs to be embraced as it holds much greater promise for TFCAs to be embraced by affected communities and decision-makers.

In the previous Section the ability of TFCAs to enhance ecosystem functionality was discussed and in Section 1.2 the concept of natural resources and their related ecosystems underpinning societies and economies was alluded to and illustrated. It is becoming increasingly evident that the ‘business as usual’ approach to socio-economic development is eroding the natural resource base leading to increasing vulnerability, which is exacerbated by the impacts of climate change. TFCAs offer a solution to this dilemma through the promotion of sustainable land use practices and enhanced ecosystem functionality referred to above.

Following on from the discussion introduced at the start of this Section related to SANBI’s “making the case for biodiversity” is the work of the Millennium Ecosystem Assessment (MEA) which has brought forward the concept of nature’s ability to produce and deliver ecosystem goods and services that contribute significantly to societal well-being and economic resilience (MEA, 2005). In this publication the MEA package ecosystem goods and services into four categories which are explained in more detail below. What they also do is provide an illustration of the significance of these values to societal well-being (see Figure 2). The crux of this argument is that TFC proponents and practitioners need to step back from the traditional nature-based tourism approach to promote the socio-economic relevance of their endeavours, and stock of the full value of their areas of interest and responsibility. The discussion below will assist in this process but the recent publication by Kettunen and ten Brink (2013), “Social and Economic Benefits of Protected Areas: An Assessment Guide”, not only recognises the value of this approach, but provides practical guidance as to how to go about such a ‘stocktake’.

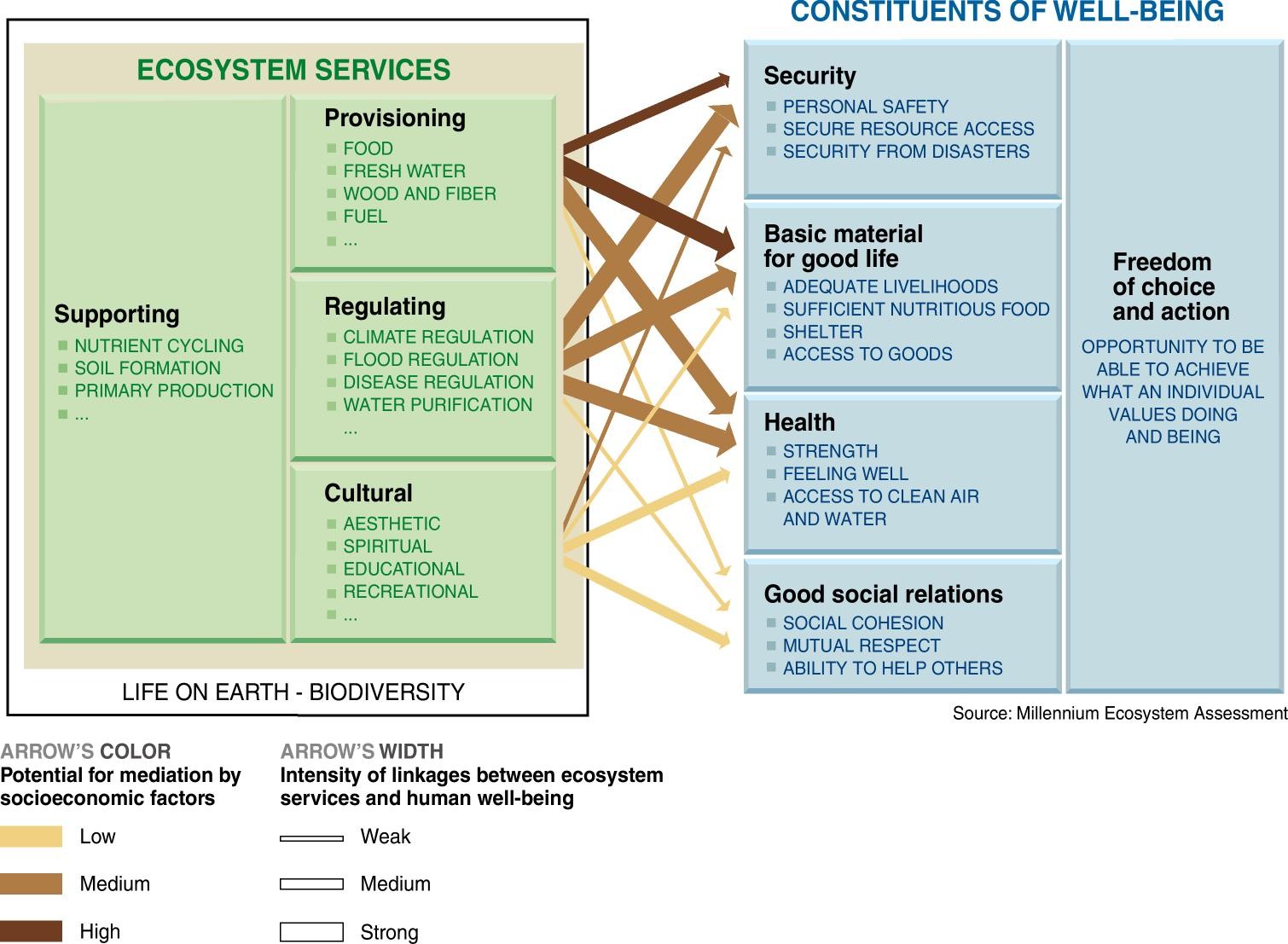


Figure 2: An illustration of the linkages between ecosystem services (including goods) and the constituents of well-being (© MEA, 2005)

The following is an extract from MEA (2005) and is included in order to provide the reader with a better understanding of variety of ecosystem goods and services that may be produced and delivered by nature. The examples are listed as per the four categories alluded to above.

**Provisioning Services** which are the products obtained from ecosystems, including:

* **Food and fibre**: This includes the vast range of food products derived from plants, animals, and microbes, as well as materials such as wood, jute, hemp, silk, and many other products derived from ecosystems.
* **Fuel**: Wood, dung, and other biological materials serve as sources of energy.
* Genetic resources: This includes the genes and genetic information used for animal and plant breeding and biotechnology.
* **Bio-chemical**s: natural medicines, and pharmaceuticals. Many medicines, biocides, food additives such as alginates, and biological materials are derived from ecosystems.
* **Ornamental resources**: Animal products, such as skins and shells, and flowers are used as ornaments, although the value of these resources is often culturally determined. This is an example of linkages between the categories of ecosystem services.
* **Fresh water**: Fresh water is another example of linkages between categories — in this case, between provisioning and regulating services.

**Regulating Services** are the benefits obtained from the regulation of ecosystem processes, including:

* **Air quality maintenance**: Ecosystems both contribute chemicals to and extract chemicals from the atmosphere, influencing many aspects of air quality.
* **Climate regulation**: Ecosystems influence climate both locally and globally. For example, at a local scale, changes in land cover can affect both temperature and precipitation. At the global scale, ecosystems play an important role in climate by either sequestering or emitting greenhouse gases.
* **Water regulation**: The timing and magnitude of runoff, flooding, and aquifer recharge can be strongly influenced by changes in land cover, including, in particular, alterations that change the water storage potential of the system, such as the conversion of wetlands or the replacement of forests with croplands or croplands with urban areas.
* **Erosion control**: Vegetative cover plays an important role in soil retention and the prevention of landslides.
* **Water purification and waste treatment**: Ecosystems can be a source of impurities in fresh water but also can help to filter out and decompose organic wastes introduced into inland waters and coastal and marine ecosystems.
* **Regulation of human diseases**: Changes in ecosystems can directly change the abundance of human pathogens, such as cholera, and can alter the abundance of disease vectors, such as mosquitoes.
* **Biological control**: Ecosystem changes affect the prevalence of crop and livestock pests and diseases.
* **Pollination**: Ecosystem changes affect the distribution, abundance, and effectiveness of pollinators.
* **Storm protection**: The presence of coastal ecosystems such as mangroves and coral reefs can dramatically reduce the damage caused by hurricanes or large waves.

**Cultural Services** are the nonmaterial benefits people obtain from ecosystems through spiritual enrichment, cognitive development, reflection, recreation, and aesthetic experiences, including:

* **Cultural diversity**: The diversity of ecosystems is one factor influencing the diversity of cultures.
* **Spiritual and religious values**: Many religions attach spiritual and religious values to ecosystems or their components.
* **Knowledge systems (traditional and formal)**: Ecosystems influence the types of knowledge systems developed by different cultures.
* **Educational values**: Ecosystems and their components and processes provide the basis for both formal and informal education in many societies.
* **Inspiration**: Ecosystems provide a rich source of inspiration for art, folklore, national symbols, architecture, and advertising.
* **Aesthetic values**: Many people find beauty or aesthetic value in various aspects of ecosystems, as reflected in the support for parks, “scenic drives,”and the selection of housing locations.
* **Social relations**: Ecosystems influence the types of social relations that are established in particular cultures. Fishing societies, for example, differ in many respects in their social relations from nomadic herding or agricultural societies.
* **Sense of place**: Many people value the “sense of place” that is associated with recognized features of their environment, including aspects of the ecosystem.
* **Cultural heritage values**: Many societies place high value on the maintenance of either historically important landscapes (“cultural landscapes”) or culturally significant species.
* **Recreation and ecotourism**: People often choose where to spend their leisure time based in part on the characteristics of the natural or cultivated landscapes in a particular area.

Cultural services are tightly bound to human values and behaviour, as well as to human institutions and patterns of social, economic, and political organization. Thus perceptions of cultural services are more likely to differ among individuals and communities than, say, perceptions of the importance of food production.

**Supporting Services** are those that are necessary for the production of all other ecosystem services. They differ from provisioning, regulating, and cultural services in that their impacts on people are either indirect or occur over a very long time, whereas changes in the other categories have relatively direct and short-term impacts on people. (Some services, like erosion control, can be categorized as both a supporting and a regulating service, depending on the time scale and immediacy of their impact on people.) For example, humans do not directly use soil formation services, although changes in this would indirectly affect people through the impact on the provisioning service of food production. Similarly, climate regulation is categorized as a regulating service since ecosystem changes can have an impact on local or global climate over time scales relevant to human decision-making (decades or centuries), whereas the production of oxygen gas (through photosynthesis) is categorized as a supporting service since any impacts on the concentration of oxygen in the atmosphere would only occur over an extremely long time. Some other examples of supporting services are **primary production**, **production of atmospheric oxygen**, **soil formation and retention**, **nutrient cycling**, **water cycling**, and **provisioning of habitat**.

As part of the ‘stocktake’ that is recommended above, TFC proponents and practitioners also need to track the linkages of these values to the beneficiaries. In many cases the latter may not even be aware that they are benefiting from nature. In recent work undertaken to assess the contribution of nature to the economy of the KwaZulu Natal province in South Africa, as part of the provincial growth and development strategy, the vast majority of respondents to a questionnaire aimed at the economic sector, showed no recognition of their vulnerability to the scarcity of water (ZEES, 2012); while the national Department of Water Affairs clearly illustrates that the natural freshwater system upon which the province’s economy is dependent is significantly stressed (DWA, 2009). Subsequent work in this field has generated a significant amount of support for the need to invest in the restoration and sustainable management of the remaining natural areas in the catchment, all on the basis of nature’s capacity to deliver ecosystem services (SANBI, 2013). Once these linkages are well known and even quantified, the ability to better position TFCAs within the broader socio-economic landscape will be significantly enhanced.

## Reconnecting Cultural Linkages

According to the IUCN WCPA’s Specialist Group on Cultural and Spiritual Values of Protected Areas (CSVPA) cultural values of protected areas refer to the values that different cultures place on natural features of the environment that have great meaning and importance for them and on which their survival as cultures depends. Spiritual values of protected areas refer to the transcendent or immanent significance that features of nature have that put people in touch with a deeper reality greater than themselves that gives meaning and vitality to their lives and motivates them to revere and care for the environment. In the case of protect areas that are or include sacred sites, these values are intimately related to the beliefs and practices of indigenous traditions and mainstream religions. But protected areas also have cultural and spiritual significance for people who do not consider themselves religious - as places of inspiration, symbols of identify, etc. (<http://www.iucn.org/about/work/programmes/gpap_home/gpap_people/gpap_tilcepa/gpap_spiritual/>) (See also the discussion on ‘cultural services’ in Section 3.2).

The cultural relevance of TFC takes the very necessary principle of integrating indigenous and traditional local communities into protected area establishment, planning and management (Beltrán, 2000 and Borrini-Feyerabend et al, 2004); much further. It builds on the knowledge that traditional communities often have strong cultural links with their natural environment (GDF, CEESP and WCPA, 2010; and Papayannis and Mallarach, 2009) and that by recognising and building on these linkages, it is possible to enhance the motivation for and credibility of TFC initiatives, especially where cultural heritage features have been divided by political boundaries.

It is important that proponents of TFC initiatives challenge themselves to think beyond the traditional biodiversity and ecological arguments for working across boundaries, and explore the extent to which cultural heritage features exist within and adjacent to their focus area. Not only will this provide an added layer of significance to their initiative, but will serve to provide a robust point of departure to enhance engagements with affected indigenous and traditional local communities. In many instances the latter may have begun to or have already lost their link with the natural environment and their cultural roots, and by actively seeking out these linkages, it is possible that they may be rekindled and/or resurrected.

While there are many facets of cultural heritage that are relevant to this discussion; such as historical and archaeological, it is the living heritage facets that embody the linkages between traditional communities and nature that are possibly of the greatest relevance for TFC initiatives. Such linkages are strongly manifest within hunter-gatherer communities such as the ‡Khomani San in the Kgalagadi Transfrontier Park between South Africa and Botswana. Another example of where significant cultural heritage has enhanced a TFC initiative is that of the Mapungubwe Cultural Landscape which is situated in an ancient valley at the confluence of the Limpopo and Shashe Rivers, which serve as the borders between South Africa and Botswana, and Botswana and Zimbabwe respectively. The area has great ecological relevance as it houses the largest population of African Elephant on private land in Africa, and has great potential as a big game area. However, possibly it’s most relevant feature is that it was the centre of one of the first powerful indigenous kingdoms in southern Africa. It was established by cultural ancestors of the present-day Shona and Venda people, between AD 900 and 1300, as evident in over 400 archaeological sites in the area (UNESCO, 2010). This site of outstanding cultural heritage value will serve to secure transfrontier collaborative management of ecosystems and related biodiversity, which may not have been possible if it was not for the discovery of the archaeological sites that are evidence of the cultural heritage linkages.

## Enhancing Regional Integration

It would appear from a number of SADC sources that this value is already well recognised as has already been alluded to in the Introduction to these Guidelines. Primarily SADC developed a fifteen year Regional Indicative Strategic Development Plan (RISDP) in 2003, reviewed progress with its implementation for the period of 2005 to 2010 and published a report in 2011 (SADC, 2011). This report refers to the development of a SADC Framework on Transfrontier Conservation Areas (Ron, 2007) which was approved by the Integrated Committee of Ministers in 2007. These strategies, together with the SADC Protocol on Wildlife Conservation and Law Enforcement (SADC, 1999), clearly indicate that Transfrontier Conservation Areas hold the potential to deepen regional cooperation, promote peace and stability, ensure the sustainable utilisation of natural resources, as well as provide economic development opportunities through nature-based tourism.

The idea that transfrontier conservation could promote regional integration was captured in the IUCN Best Practice Protected Area Guideline No. 7 compiled by Sandwith et al (2001) and entitled “Transboundary Protected Areas for Peace and Co-operation”. This publication includes a list of potential benefits that may be generated through transfrontier conservation efforts and amongst these are the following that are directly related to the enhancement of regional integration and the promotion of peace and stability, namely:

* Building trust, understanding, reconciliation and co-operation between and among countries, communities, agencies and other stakeholders;
* Preventing and/or resolving tension, including over access to natural resources; and
* Promoting the resolution of armed conflict and/or reconciliation following armed conflict.

In the revised IUCN Guideline this aspect has been expanded upon quite significantly and includes a statement that the establishment of dialogue between protected area managers, local communities, NGOs, scientists, local governments and politicians in times of political instability, encourages regional security and peace building. Parks for Peace seem a preferable option in transfrontier conservation initiatives where there is a significant deficit of trust and understanding between key players, or a territorial conflict. Transfrontier conservation opens new negotiation and communication channels and thus reinforces and enhances diplomatic relations between countries (Westing, 1998; McNeely, 2003; Ali, 2010).

Considering the possibility that TFC processes often occur in areas that are remote and peripheral to country priorities, their proponents and practitioners bring attention, institutional capacity and development opportunities that may not have happened otherwise. In the absence of such attention these peripheral border areas are potential breeding grounds for social marginalisation and discontent, within which unrest and instability could fester. It is therefore in the interests of participating countries to promote the establishment and development of TFCAs.

In the process of establishing the Maloti Drakensberg Transfrontier Conservation and Development Area (MDTFCDA) it became evident that the biodiversity conservation and socio-economic development strategies that were being formulated were significantly threatened by the prevalence of cross-border criminal activities. In response to this realisation the Bi-lateral Steering Committee agreed to utilise project resources and support a process to compile a Transfrontier Security Strategy. This process entailed a series of workshops including representatives from the conservation, policing, defence and customs agencies from both countries. As such it provided a platform from which these groupings were able to dialogue and share ideas, concerns, perceptions, expectations, etc., and to collectively come up with strategies and actions aimed at addressing the transfrontier crime. While this helped towards the achievement of enhance regional integration and the promotion of stability between Lesotho and South Africa, it also enhanced the enabling environment within which the MDTFCDA was being established.

## Enhanced Efficiency of Day to Day Management and Law Enforcement

There is no denying that the processes required to initiate, establish and develop TFCAs require transaction costs, which in most cases, exceed the financial resources available to the respective participating countries’ conservation agencies. In fact if TFC proponents and practitioners adhere to the principles of and follow these Guidelines, they will certainly require additional financial resources. And yet the enhanced efficiency of day-to-day management and law enforcement is being put forward here as a motivating value for TFC? While it is unlikely that this value will be sufficient on its own to balance out the additional transaction costs, enhanced operational efficiency is a meaningful start in working towards the legitimacy of conservation as a land use.

Section 3.1 discusses the merits of TFC from the perspective of ecosystem management, so it must therefore follow that if processes are put in place to facilitate the management of ecosystems across international borders, the pooling of the human, financial, logistical and infrastructural resources available for such management must be beneficial. It is acknowledged that it is likely that agencies and stakeholders from participating countries may not be equally resourced, and that such pooling of resources may deplete one resource base to the benefit of another, but if strategically done under the guidance of a joint management plan, the chances of these benefits materialising are good.

Detailed examples of what these efficiencies may entail are provided in the table of potential benefits provided in Appendix A, but it is worthwhile noting that Africa’s oldest TFP, the Kgalagadi TFP, owes its existence to park managers from the Gemsbok National Park in Botswana (proclaimed in 1971) and the Kalahari Gemsbok National Park in South Africa (proclaimed in 1931) reaching a verbal agreement in 1948 to collaborate on day-to-day management issues, even though the Park in Botswana was not yet in existence. Today this TFP continues to grow from strength to strength, now with linkages to Namibia. A more recent example is that of enhanced law enforcement operations in the Malawi / Zambia TFCA where it is reported that wildlife populations are on the increase as a result of this collaboration (PPF, 2012) (See case study below for further details.)

Case study - Malawi / Zambia – good example of joint law enforcement

## Coordinated Research

The potential ecological, social and economic value of a TFCA remains an unsubstantiated assumptions until verified through scientific research and/or monitoring and evaluation. Coordinated research is thus a prerequisite for the establishment and development of TFC initiatives. The management of the elephant populations in the Kruger National Park, specifically the maintenance of their population numbers at a level that was previously considered to be sustainable, is a case in point. It was assumed that the pressure of elephant on Kruger’s biodiversity would be alleviated through the opening up of the boundary between Kruger and the Limpopo National Park in Mozambique. However, the first relocation effort failed as a result of territorial animals returning to their original home ranges within Kruger. Since then it is reported that more than 1000 elephant have crossed into the Limpopo National Park of their own accord (PPF, 2012). The research capacity within Kruger is substantial with internationally recognised work being produced, and in particular in relation to the elephant management challenge. As the trend in elephant movement from Kruger into the Limpopo National Park continues, this research capacity is going to have to be shared.

From a SADC perspective it is likely that the coordination of research can occur beyond the boundaries of specific TFCAs, as there are ecosystem and species management issues that are common to many of the SADC countries and their TFC initiatives. Research into the population dynamics of elephant is again a good example as they occur in most of the SADC TFCAs, and the same pressures that were brought to bear that stopped the culling of elephant in Kruger, and also prevalent throughout the SADC region. It is therefore possible that through the SADC TFCA Network, much can be done to coordinate research into issues that are common, and it is recommended that a SADC TFCA research forum be established in order to work towards this coordination.

## Knowledge and Skills Sharing

Knowledge sharing and the transfer of skills involve the exchange of technical, scientific and legal information for the joint management of the ecosystem, including sharing bio-diversity and cultural resource management skills and experience, co-operative research and information management. There are also opportunities around sharing information on, and duplicating workable governance and alternative livelihood models developed in, a specific country or region of a TFCA. Other themes relevant / suitable for knowledge sharing and skills transfer initiatives / programmes include:

* Scientific research / applied research
* Governance & institutional reform
* Conservation & cultural resource management practices
* Legal & policy reform
* Protection & law enforcement
* Development of appropriate alternative / sustainable livelihoods & benefit sharing models
* Sustainable financing mechanisms
* Joint training & capacity building
* Information management systems

# The Status Quo of Transfrontier Conservation Areas in the SADC Region

The purpose of including this Section in the Guidelines is to provide a baseline from which progress may be tracked through the implementation of these Guidelines and up to their revision. It is recognised though that a more robust performance appraisal system is in place for tracking progress in individual SADC TFCAs, but this Status Quo provides the opportunity of gaining an overall sense of how implementation of this concept is performing in SADC as a whole. The Section is structured to address a set list of topics for each of the SADC TFC initiatives, and much of the information included here has been obtained from the Peace Parks Foundation who gathered this for their 2013 Annual Review. Although the PPF Annual Review for 2013 was still in the process of being completed at the time of writing, the information was obtained from their website ([www.peaceparks.co.za](http://www.peaceparks.co.za)) with the assurance that it was the most up to date available and that it had been verified by each of the respective TFC practitioners. Where information was not available through this source, it was obtained directly from the TFCA practitioners involved.

The aspects covered in this Section provide insight into the following:

* The type of TFC and the countries involved;
* If any feasibility studies were undertaken as part of the process leading up to the establishment of the initiative;
* The status and type of agreements in place;
* The type of governance structure/s in place;
* Key reasons for the establishment of the TFC initiative;
* An indication of benefits that have been realised as a result;
* Are there any key issues that need to be taken note of, e.g. barriers to progress, or best practice examples; and
* Is there a long-term viability plan in place, specifically one that addresses financial viability?

From the information gathered it can be seen that there are currently ten TFCAs that are established with four of these having signed Treaties in place, and the other six having Memorandums of Understanding. Otherwise there are a further eight that are in what may be referred to as being in a concept phase, although some have been in operation for some time already, but lack the formal recognition of those that are deemed to be established. These figures are a little misleading as one of the established TFCAs; the Lubombo TFCA has five TFCAs nested within the broader initiative and for which ‘Protocols’ have been signed. This raises the issue of interpretation as the definition of a ‘Protocol’ suggests that it may refer to an international agreement that supplements or amends a treaty. Therefore more work is required to better categorise SADC TFCAs and Section 0 which provides information on governance, may assist with this.

Figure 3: The location and current status of Transfrontier Conservation initiatives within and between SADC member states (© www.peaceparks.co.za).



## /Ai /Ais-Richtersveld Transfrontier Park

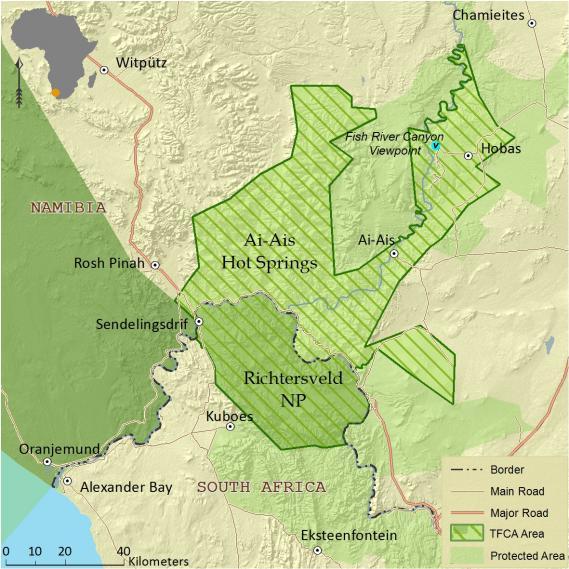
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Figure 4: The locality, composition and extent of the /Ai /Ais-Richtersveld Transfrontier Park (© www.peaceparks.co.za).

**Countries involved**: Namibia and South Africa.

**Were any feasibility studies undertaken prior to establishment?**

Extensive community consultations were conducted beforehand, as the Richtersveld National Park in South Africa is owned by the Richtersveld communities and jointly managed in association with South African National Parks (SANParks). This management structure allows the full participation not only of local communities through elected members representing the four towns in the area (Kuboes, Sanddrift, Lekkersing and Eksteenfontein), but also of local pastoralists. These communities were keen to see the Transfrontier Park established, as they would all benefit from increased tourism to the area, while at the same time conserving its unique biodiversity. The Transfrontier Park would also help maintain the cultural heritage and traditional lifestyle of the Nama people.

**Type and status of agreements**

A **MOU** was signed by Ministers Philemon Malima of Namibia and Valli Moosa of South Africa on 17 August 2001. On the South African side, a management plan was signed into being at Sendelingsdrift on 26 October 2002. On 1 August 2003 President Sam Nujoma of Namibia and President Thabo Mbeki of South Africa signed an **international treaty** establishing the /Ai /Ais-Richtersveld Transfrontier Park.

**Governance structures**

Various bilateral committees, both ministerial and technical, as well as national **working groups** on community development, planning and management, security and customs, and finance were constituted to formalise the establishment of the Transfrontier Park. The signing of the international treaty effectively transformed the technical committee into a **joint management board** and the working groups into **management committees**. In April 2011, the **park management committee**, comprising park managers supported by an **inter-sectoral management and development task group**, was also established. This committee has since successfully jointly managed daily operations and is using joint management board meetings as strategic work sessions for decision making at policy level.

**Key reasons for establishment**

The Succulent Karoo biome has the richest succulent flora in the world, harbouring about one-third of the world’s approximately 10 000 succulent species. It is one of only two entirely arid ecosystems to earn hotspot status, the other being the Horn of Africa. The TFP features the Fish River Canyon, which is the second largest canyon in the world and the largest in Africa. The Orange River mouth is a Ramsar site and the 350 million year old and erosion-rich Orange River gorge abounds with history, folklore and grandeur. The Richtersveld is one of the last regions where the Nama people's traditional lifestyle, based on nomadic pastoralism, has been preserved.

**Benefits realised**

Benefit have been realised from increased tourism to the area, while at the same time conserving its unique biodiversity and the cultural heritage and traditional lifestyle of the Nama people.

The inaugural 5-day 300 km Desert Knights Mountain Biking Tour was launched in 2012, the aim of which is to contribute towards the tourism development of the Transfrontier Park by showcasing the unique landscape characteristics and cultural heritage of the region. Desert Knights 2012 was a good preparation for the larger event planned for 2013, when the tour was to serve as a precursor to the Adventure Travel World Summit hosted by Namibia during October 2013.

Thanks to funding from GIZ and Peace Parks Foundation, during February 2014, local communities were trained to do the catering and assisting with camp attendant duties and river guiding of the Desert Kayak Trails on the stretch of river between Gamkab and Sendelingsdrift, which will be the second joint tourism product. The African Paddling Association was approached to assist with the selection and training of river guides.

Park staff underwent GIS training, conducted by Peace Parks Foundation and the Southern African Wildlife College, to enable them to create management maps of the area, as well as the monitoring tools needed in conservation processes. There was also joint mountain rescue training of park staff in September 2013.

**Key issues for consideration**

The /Ai/Ais-Richtersveld Transfrontier Park has become a model for joint planning, operations, training and cross-border events.

In 2013 a joint radio network, which will ease communications between the Namibian and South African components of the park, was established.

A heritage survey found that the heritage assets of the transfrontier park enhance the tourism value of the area and are worthy of nominating the transfrontier park for World Heritage Site status.

**Long-term viability plan**

Donors supporting this TFP are Dutch Postcode Lottery and Swedish Postcode Lottery, while the GIZ “Income Generating Opportunities for Communities” programme provided funding for kayak trail guiding in February 2014.

Peace Parks Foundation funded skipper training for the operation of the Sendelingsdrift pontoon.

Desert Knights 2012 was a collaborative endeavour between the Namibian Ministry of Environment, Namibia Wildlife Resorts and SANParks, supported by the South African Department of Environmental Affairs, Boundless Southern Africa and Peace Parks Foundation.

## Kgalagadi Transfrontier Park

**Countries involved:** Botswana and South Africa

**Were any feasibility studies undertaken prior to establishment?**

A verbal agreement reached in 1948 is the basis of the de facto existence of the Kgalagadi Transfrontier Park. In recognition of the arrangement no barrier exists along the international border separating the Kalahari Gemsbok National Park in South Africa, and the Gemsbok National Park in Botswana. In June 1992 representatives from the South African National Parks (then South African National Parks Board) and the Department of Wildlife and National Parks of Botswana set up a joint management committee (Transfrontier Management Committee). This addressed the formalisation of the verbal agreement, and produced a management plan that set out the framework for the joint management of the area as a single ecological unit. The Kgalagadi Transfrontier Park management plan was reviewed and approved by the two conservation agencies early in 1997.

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Figure 5: The locality, composition and extent of the Kgalagadi Transfrontier Park (© www.peaceparks.co.za).

**Type and status of agreements**

A bilateral agreement recognising the new Kgalagadi Transfrontier Park was signed on 7 April 1999 between Botswana's Department of Wildlife and National Parks and South African National Parks. This agreement established the first formally recognised Transfrontier Park in Southern Africa. The Kgalagadi Transfrontier Park was officially opened by President Festus Mogae of Botswana and President Thabo Mbeki of South Africa on 12 May 2000.

**Governance structures**

The joint access facility at Two Rivers / Twee Rivieren is jointly manned by customs officials from Botswana and South Africa. Access to Kgalagadi can thus be gained through four access facilities in three different countries: from Botswana through Two Rivers / Twee Rivieren, Mabuasehube and Kaa; from Namibia through Mata-Mata, and from South Africa through Two Rivers / Twee Rivieren. Passports are not required for entry, unless departure is planned through a different gate into another country, in which case a two-day stay in the park is compulsory.

The !Ae!Hai Kalahari Heritage Park is managed by a **joint management board**, which comprises representatives from the ‡Khomani San and Mier communities and SA National Parks (SANParks).

In 2013 a draft **integrated development plan**, a **joint operational strategy** and a **standard operating procedure** for the movement of people, goods and services in the park were finalised. A **joint management committee** was also established to oversee and undertake joint initiatives and activities.

**Key reasons for establishment**

Arid regions are very sensitive and increasing desertification has led to a global recognition of the importance of plants and animals which are adapted to withstand desert conditions. This area is a very valuable storehouse of plants and animals adapted to withstand harsh environmental extremes. The vastness of the Kgalagadi Transfrontier Park allows the nomadic ungulate populations and their predators to stay in balance with their environment, consequently there is little need for extensive management intervention.

Kgalagadi has become a popular destination for tourists and lovers of its 4×4 wilderness trails wishing to experience the Kalahari's tranquillity.

The !Ae!Hai Kalahari Heritage Park aims to preserve the cultural and traditional knowledge of these indigenous communities, while improving their livelihood opportunities. One of the key objectives is to expose Bushman children to the traditional lifestyles of their ancestors. This is realised through the implementation of the Imbewu programme and traditional veld school, held at Imbewu Camp.

**Benefits realised**

In May 2002 the ‡Khomani San and Mier communities reached an historic land settlement agreement with the government of South Africa and South African National Parks (SANParks) which restored a large tract of land to the communities that had once roamed or farmed this area. Named the !Ae!Hai Kalahari Heritage Park Agreement, its outcome resulted in the transfer of ownership of 50 000 hectares of land within the boundaries of Kgalagadi Transfrontier Park from SANParks to the two communities, who then leased the land back to SANParks. A fully catered luxury lodge, owned by the ‡Khomani San and Mier communities, opened its doors in 2007, shortly before the Mata-Mata Tourist Access Facility between Namibia and South Africa was opened by the heads of state of Botswana, Namibia and South Africa.

Africa's first Transfrontier Park was given new impetus when the presidents of Botswana, Namibia and South Africa opened the Mata-Mata tourist access facility on 12 October 2007. This historic access point on the border of the Kgalagadi Transfrontier Park and Namibia has boosted cross-border tourism, reunite local communities and enhance job creation. It also contributes to socio-economic development, especially in the tourism sectors of the three countries.

The Ta Shebube desert circuit is a new and exciting tourist destination on the Botswana side of Kgalagadi. It features two lodges, at Polentswa and Rooiputs, which both promote high-quality, low-density tourism.

**Key issues for consideration**

Kgalagadi is Africa's first peace park and is still the only open peace park where tourists can move freely across the international border within the boundaries of the park. The vastness of the Kgalagadi Transfrontier Park allows the nomadic ungulate populations and their predators to stay in balance with their environment, consequently there is little need for extensive management intervention.

The Twee Rivieren / Two Rivers **joint access facility** has removed the last vestiges of two separate national parks, and tourists now enter at a single facility to visit the entire park spanning the border between Botswana and South Africa. The Mata-Mata tourist access facility allows access via Namibia. Landowners on the Namibian side of the border have expressed an interest in joining their land to Kgalagadi and becoming part of this ecotourism attraction.

**Long-term viability plan**

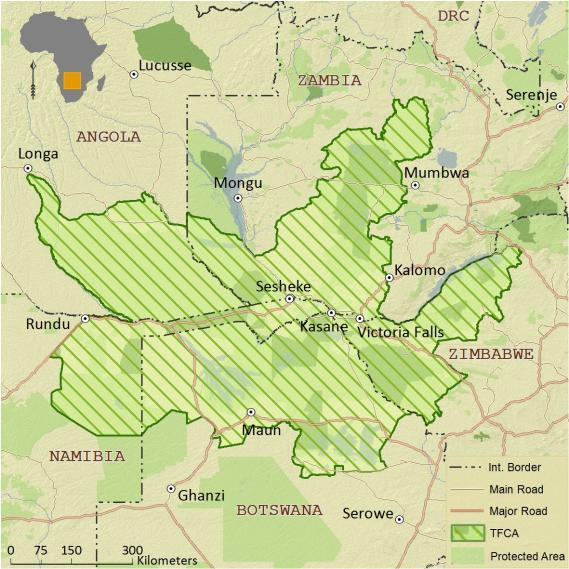
Donors supporting this TFP are the Dutch Postcode Lottery and Swedish Postcode Lottery. In November 2009 South Africa’s National Lottery Distribution Trust Fund donated R4.8 million to support the development of the !Ae!Hai Kalahari Heritage Park. Thanks to a major donations by South Africa’s National Lottery Distribution Trust Fund, Rotary Clubs and the German Federal Ministry of Economic Cooperation and Development, the !Ae!Hai Kalahari Heritage Park is being developed further.

## Kavango Zambezi (KAZA) Transfrontier Conservation Area

**Countries involved**: The Kavango Zambezi (KAZA) Transfrontier Conservation Area is situated in the Okavango and Zambezi river basins where the borders of Angola, Botswana, Namibia, Zambia and Zimbabwe converge.

**Were any feasibility studies undertaken prior to establishment?**

The five governments commissioned a pre-feasibility study to guide the development of the TFCA, facilitated by the Peace Parks Foundation. During 2013, various wildlife corridors in KAZA were identified and conservation strategies for specific species such as wild dog were finalised. With the completion of the integrated development plans (IDPs) for Botswana and Namibia, IDPs for all five partner countries are now being implemented. Good progress was made with the development of the KAZA TFCA master IDP, with the appointment of a project team by the KAZA TFCA secretariat to undertake this task. Various joint projects, aimed at improving natural resource management, land-use planning, tourism, infrastructure and alternative livelihood

Figure 6: The locality, composition and extent of the KAZA Transfrontier Conservation Area (© www.peaceparks.co.za).

development, are being investigated and will inform key actions of the plan. The Peace Parks Foundation is assisting with the preparation of the master IDP and its GIS section is providing mapping and planning support to the technical experts developing the IDP. The IDP process is a comprehensive and participatory planning process that aligns the planning and development of the different tiers of government with those of the private sector and communities. It also informs the national development strategy of that particular area. The five separate IDPs, with the master IDP for KAZA TFCA as a whole, will promote the sustainable and equitable development, utilisation and management of the KAZA TFCA.

The consultants appointed by the World Bank to develop the pilot KAZA visa have been visiting the region to undertake stakeholder consultation meetings to gather information on what is needed from the various stakeholders, i.e. customs, immigration, security and finance. A report on a financial sustainability strategy for KAZA was finalised by the appointed consultants. It proposes a suite of short-, medium- and long-term strategies for sustainable financing, such as minimising the operational costs of the secretariat, developing a fundraising programme, establishing an endowment fund, acquiring and leasing out property and concessions, eliciting annual government contributions, and creating other innovative income-generating streams. This strategy must still be approved by the partner countries.

To harmonise existing policies and legal frameworks, the appointed project managers identified a number of disparities among the conservation areas that constitute the KAZA TFCA, including their conservation status, level of development, management regime and in the legislation and policies governing them. The main recommendations are that an effort should be made to harmonise the policies and practices in:

* **natural resource management**, with a focus on wildlife corridors, shared watercourses and strategies for conserving and managing species of economic and ecological relevance;
* **tourism**, specifically by developing economic linkages between the partner countries, committing to responsible tourism and introducing a system of collecting park entry fees at a single pay point; and
* **legislation**, specifically by recognising the TFCA in national legislation and relevant policy documents.

These recommendations must still be accepted by the partner countries.

**Type and status of agreements**

On 18 August 2011 the presidents of the republics of Angola, Botswana, Namibia, Zambia and Zimbabwe signed a **treaty** that formally and legally established the Kavango Zambezi TFCA.

The KAZA TFCA was officially launched on 15 March 2012 when the ministers responsible for the environment, wildlife, natural resources, hotels and tourism of the five partner countries hosted various stakeholders in the town of Katima Mulilo, Namibia, and unveiled the KAZA TFCA treaty.

**Governance structures**

A **Secretariat** was appointed to steer the development of the KAZA TFCA. The Peace Parks Foundation was appointed as **implementing agent** by the partner countries to provide financial management and technical and co-financing support to the KAZA secretariat.

**Key reasons for establishment**

The KAZA TFCA is the world's largest transfrontier conservation area, spanning approximately 520 000 km2 (similar in size to France).

It includes 36 national parks, game reserves, community conservancies and game management areas. Most notably, the area will include the Caprivi Strip, Chobe National Park, the Okavango Delta (the largest Ramsar Site in the World) and the Victoria Falls (a World Heritage Site and one of the Seven Natural Wonders of the World). The KAZA TFCA promises to be southern Africa's premier tourist destination with the largest contiguous population of the African elephant (approximately 250 000) on the continent. Conservation and tourism will be the vehicle for socio-economic development in the region.

**Benefits realised**

The KAZA TFCA abounds with magnificent tourist sites and attractions, ranging from Botswana's Okavango Delta and Zimbabwe and Zambia's Victoria Falls, to the unexplored splendours of the Angolan woodlands and Namibia's Caprivi Strip. Harmonisation of policies and cross-border regulations, as well as the development of infrastructure between these destinations, will allow tourists from the regional and international markets to explore southern Africa's cultural and natural diversity as never before.

The establishment and development of this TFCA will offer opportunities for the local populations to form meaningful partnerships with the private and government sectors, leading to conservation becoming a more locally viable land-use option. Through these partnerships, the region will cater for budget and luxury tourists, identify and develop diverse tourist activities such as cultural and heritage tourism, and seek out new and exciting tourist destinations such as the Ngonye Falls in Zambia.

It is still too early to specifically identify and quantify the extent of the benefits that have been realised from this initiative, as it can be seen from the above discussion that these still remain speculative.

**Key issues for consideration**

KAZA TFCA is home to approximately two million people who will not be required to resettle outside the TFCA boundaries. Rather, the KAZA TFCA authorities hope to improve the socio-economic conditions of the people residing within the TFCA by routing development, tourism and conservation projects to them in line with the KAZA TFCA objectives. Through cultural tourism, the TFCA authorities aim to celebrate and nourish the rich cultural diversity within the area, allowing communities across borders to share their age-old knowledge and symbolic traditions with each other and the world at large.

**Long-term viability plan**

In June 2010 the German Federal Ministry for Economic Cooperation and Development (BMZ) through KfW committed US$ 27.6 million for KAZA TFCA’s development. On 8 March 2013, State Secretary Hans-Jürgen Beerfeltz of the German Federal Ministry for Economic Cooperation and Development handed a cheque to the amount of US$ 21.3 million to the SADC Deputy Executive Secretary, Mr João Caholo and the government ministers of the five countries partnering in the KAZA TFCA, in addition to the US$ 27.6 million previously donated.

The Netherlands Directorate-General for International Cooperation supported various projects to the amount of US$ 690 000.

The Dutch Postcode Lottery and Swedish Postcode Lottery also support this TFCA.

## Great Limpopo Transfrontier Park

**Countries involved:** Mozambique, South Africa and Zimbabwe

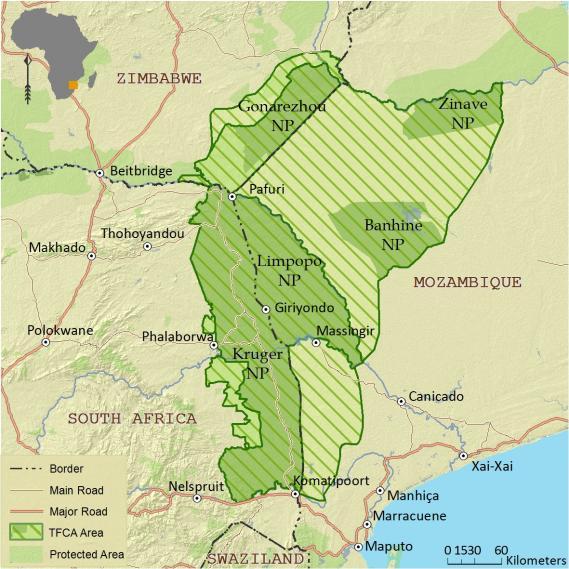
**Were any feasibility studies undertaken prior to establishment?**

The Great Limpopo TFP began with a meeting between President Joaquim Chissano of Mozambique and the president of the World Wide Fund For Nature (South Africa) in 1990. In 1991 the Mozambican government used Global Environment Facility funds for feasibility studies toward the implementation of a TFCA pilot project. The 1992 Peace Accord in Mozambique and the South African democratic elections of 1994 paved the way for the political processes to proceed toward making this idea a reality. Feasibility studies initiated by the World Bank culminated in a pilot project that was launched with Global Environment Facility (GEF) funding in 1996.

**Type and status of agreements**

Minister Helder Muteia (Minister of Agriculture and Rural Development in Mozambique), Minister Valli Moosa (Minister of Environmental Affairs and Tourism in South Africa), and Minister Francisco Nhema (Minister of

Figure 7: The locality, composition and extent of the Great Limpopo Transfrontier Park (© www.peaceparks.co.za).

Environment and Tourism in Zimbabwe) met in Skukuza, South Africa on 10 November 2000 to sign a **trilateral agreement**. The Skukuza agreement signalled the three nations' intent to establish and develop a transfrontier park and surrounding conservation area that, at that time, was called Gaza-Kruger-Gonarezhou TFCA.

Mozambique proclaimed the Limpopo National Park on 27 November 2001.

The heads of state of the three partner countries signed a **treaty** at Xai-Xai, Mozambique establishing the Great Limpopo Transfrontier Park on 9 December 2002.

A bilateral draft cooperation agreement between Minister Muária of Mozambique and Minister Molewa of South Africa was held on 14 June 2013 in Maputo during which a government-to-government MOU was signed which deals with rhino and elephant protection, i.e. the **joint operations plan** and the **joint operations cross-border protocol**. This is particularly with respect to addressing the scourge of rhino poaching within the Great Limpopo Transfrontier Park (GLTP). Escalating incidences of poaching have become a major challenge within the GLTP, both to rhino and elephant populations.

A bilateral event to launch the tourism season was held by the tourism ministries of Mozambique and South Africa in October 2013. This included a ministerial function at the Giriyondo tourist access facility between the Limpopo and Kruger national parks and a live television broadcast from Mopani Camp in Kruger. The emphasis was on celebrating the 10-year anniversary of the Great Limpopo treaty signing event and on introducing future joint tourism products and activities, such as the TFCA adventure trails, mountain-bike tours and 4x4 trails involving all the core areas in the park.

**Governance structures**

Since the signing of the MoU in 2000 **working groups** were operational under a **technical committee** which, in turn, was operational under the **ministerial committee**. In 2001 a **project implementation unit** was set up to develop the GLTP. The signing of the Great Limpopo treaty in 2002 effectively transformed the technical committee into a **joint management board** and the working groups into **management committees** which deal with conservation; safety and security; finance, human resources, legislation, and tourism. Facilitating the process and driving the development of the TFCA is an international coordinator, who was first appointed by the partner countries in 2000; the position was funded by the Peace Parks Foundation. In terms of the Skukuza Agreement, this position rotated every two years between the three countries and will be replaced by a permanent secretariat.

**Key reasons for establishment**

The Great Limpopo Transfrontier Park joins some of the most established wildlife areas in Southern Africa into a huge conservation area of 37 572km² (± the size of the Netherlands).

**Benefits realised**

On 16 August 2006, the Giriyondo Access Facility between the Limpopo and Kruger National Parks was opened by Presidents Guebuza from Mozambique, Mbeki from South Africa and Mugabe from Zimbabwe. Giriyondo for the first time allows visitors to the Great Limpopo Transfrontier Park cross-border access within the perimeters of the park. Almost 5 000 animals were translocated from the Kruger to the Limpopo National Park. This, combined with 50 km of fencing being dropped, has encouraged more animals, including over 1 000 elephants and over 1 000 buffalo, to cross the border of their own accord. The harmonisation and integration of various policies to improve the cooperative management of the Transfrontier Park are under way. Processes such as standardising a fee and rate structures, introducing a joint operations protocol and the development of cross-border tourism products that will optimise the GLTP’s tourism development opportunities are also far advanced.

In 2013 the routing for the proposed Shingwedzi Cliffs Wilderness Trail was tested and a pilot cultural wilderness trail was undertaken in the Pafuri–Sengwe portion of the park. The latter cross-border adventure trail is a public-private community partnership, benefiting communities in both South Africa and Zimbabwe. A Shangaan festival was also held in Chiredzi, Zimbabwe in July. This is now an annual event aimed at increasing the collaboration between communities from the three partner countries.

**Key issues for consideration**

The Great Limpopo Transfrontier Park forms the core of the second-phase transfrontier conservation area (TFCA), measuring almost 100 000km². The larger transfrontier conservation area will include the Banhine and Zinave National Parks, as well as the Massingir and Corumana areas and interlinking regions in Mozambique. Various private and state-owned conservation areas in South Africa and Zimbabwe bordering on the Transfrontier Park are also to be included in the broader TFCA.

The high percentage of rhino poaching incidents within the Kruger National Park in South Africa, which emanate from Mozambique, are a serious cause for concern and a potential barrier to the maintenance of harmonious relations between the two countries. However, the existence of the GLTP provides for enhanced channels of communication and collaboration that may not have been there in the absence of the international treaty.

**Long-term viability plan**

The Peace Parks Foundation provided assistance in overseeing Limpopo National Park’s development as a SADC-approved project which was funded by the German Federal Ministry for Economic Cooperation and Development through KfW, Agence Française de Développement (AFD), the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and the World Bank.

On 17 April 2014 Mozambique and South Africa signed a memorandum of understanding in the field of biodiversity, conservation and management. A R24.9 million grant from the Dutch and Swedish postcode lotteries’ grant, secured by the Peace Parks Foundation, will assist Mozambique’s anti-poaching efforts.

Peace Parks Foundation supported a joint buffalo-collaring exercise, combined with collaring cattle in the area, aimed at improving the knowledge and understanding of the human/livestock/ wildlife interaction as it relates to disease transfer in the Pafuri area of the Transfrontier Park.

## Lubombo Transfrontier Conservation and Resource Area

**Countries involved**: Mozambique, South Africa and Swaziland

**Were any feasibility studies undertaken prior to establishment?**

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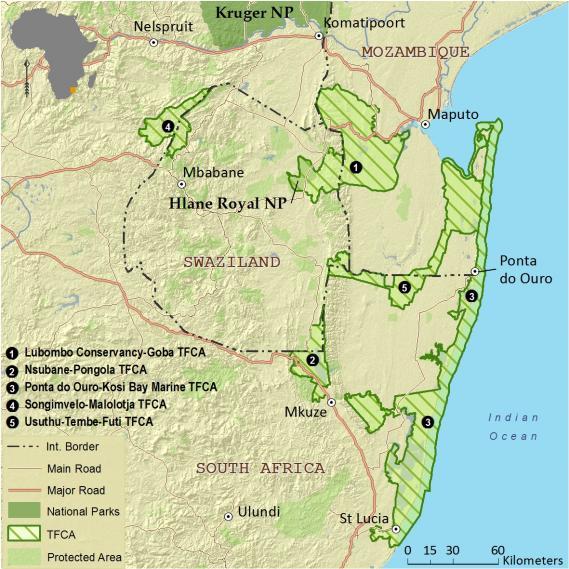


Figure 8: The locality, composition and extent of the Lubombo Transfrontier Conservation Area (© www.peaceparks.co.za).

**Type and status of agreements**

A number of protocols between the relevant countries have been signed, the most important of these being the Lubombo Transfrontier **Trilateral Protocol**, which was signed between Mozambique, South Africa and Swaziland on 22 June 2000. Others signed at the same time were the following:

* Lubombo-Ponta do Oura-Kosi Bay Marine TFCA Protocol between Mozambique and South Africa;
* Lubombo-Nsubane-Pongola TFCA Protocol between Mozambique and South Africa;
* Lubombo-Tembe-Futi TFCA Protocol between Mozambique and South Africa; and
* Lubombo-Conservancy-Goba TFCA Protocol between Mozambique and Swaziland

**Governance structures**

The protocols provided the mechanism to establish the relevant structures for the implementation of this project, as follows:

* **Trilateral Ministerial Committee** composed with the relevant Ministers from the three countries
* **Trilateral Commission** which consists of officials appointed by the three Ministers
* **Task Groups** were formed for each TFCA and the members are inclusive of many stakeholders

**Development and action plans** for the five TFCA projects under the Trilateral General Protocol have since been drafted.

In 2013 work started on drafting an **integrated development plan** for the Usuthu-Tembe-Futi component of the TFCA. A **joint operational strategy** was also developed for the Maputo Special Reserve and Tembe Elephant Park components of the Usuthu-Tembe-Futi TFCA.

**Community liaison forums** are playing a positive role by ensuring good communication between reserve management and the communities.

A **park management unit** was appointed to oversee the process of development, management and extension of Maputo Special Reserve. Following a request by the Mozambican government for assistance with its community development strategy in the Matutuine District, the Peace Parks Foundation appointed a community development technical adviser to implement the strategy. This strategy aims to bring about the sustainable economic development of and benefit-sharing by communities living in and around the Maputo Special Reserve through a consultative and participatory process that will also develop nature-based tourism and conservation enterprises. A **multidisciplinary team** was formed to address poaching and illegal trade of meat. This team comprises members of the reserve management and the police, a district public prosecutor and people providing agricultural and veterinary services. The combined efforts have seen a marked increase in snare removal and a drop in the number of small wildlife being poached. The reserve’s **anti-poaching and community assistance team** held numerous meetings with the communities to explain to them why they should not become involved in poaching activities.

**Key reasons for establishment**

Globally it is one of the most striking areas of biodiversity and lies in the Maputaland Centre of Endemism. It also includes five Ramsar sites: Ndumo Game Reserve, the Kosi Bay System, Lake Sibaya, the Turtle Beaches and Coral Reefs of Tongaland, and Lake St Lucia, which at 350km² is the largest estuary in Africa.

**Benefits realised**

Lubombo boasts the first marine TFCA in Africa, the Ponta do Ouro-Kosi Bay TFCA, where Mozambique's Ponta do Ouro Partial Marine Reserve turtle monitoring programme links up with the one across the border in South Africa's iSimangaliso Wetland Park. Community members are appointed as turtle monitors, annual training is provided and daily patrols are conducted during turtle nesting and hatching season between October and April. Turtles coming ashore to lay their eggs are checked, measured and tagged on this protected coastline that is a haven for the critically endangered leatherback and critically endangered loggerhead sea turtles. Prior to the signing of the protocols, the iSimangaliso Wetland Park in the Ponta do Ouro-Kosi Bay TFCA was proclaimed a World Heritage Site in November 1999. The site is the largest estuarine system in Africa and includes the southernmost extension of coral reefs on the continent. Efforts are ongoing to extend the existing World Heritage Site northwards to encompass the Mozambican section of the TFCA, which includes a marine protected area.

In 2009 the eastern boundary of the Maputo Special Reserve was proclaimed as the Ponta do Ouro Partial Marine Reserve, stretching from Ponta do Ouro in the south to the Maputo River Mouth in Maputo Bay in the north and including Inhaca and Portuguese islands. The marine reserve’s rich diversity of marine life includes loggerhead and leatherback turtles, which have been carefully monitored since 2009. As part of Africa's first marine TFCA, the marine reserve’s turtle monitoring programme links up with that of the iSimangaliso Wetland Park.

The establishment of Lubombo will also reunite the last naturally occurring elephant populations of KwaZulu-Natal and southern Mozambique, which historically moved freely across the border along the Futi system and Rio Maputo floodplains.

On 14 June 2011 – in one of the Lubombo TFCA’s most important developments – the Mozambican government proclaimed the Futi Corridor as an extension of Maputo Special Reserve, thereby expanding the reserve by 24 000 ha. Only the international border fence between Mozambique and South Africa now separates the Maputo Special Reserve from the Tembe Elephant Park in South Africa.

The Mozambican government's translocation programme, a multi-year endeavour with wildlife kindly donated by South Africa’s Ezemvelo KZN Wildlife and now in its third year of operation, saw the first introduction of wildebeest to Maputo Special Reserve. This year 88 zebras, 72 nyala, 75 impala, 48 warthog, 73 blue wildebeest, 12 giraffe and 24 kudu were translocated. In total 909 animals have been translocated since 2010. The translocations are backed up by aerial surveys and counts, which have been taking place annually since 2011. The translocated animals are responding positively to their new habitat and are multiplying, especially giraffe, zebra and blue wildebeest.

A number of exciting projects are taking place to develop the Maputo Special Reserve and the Ponta do Ouro Partial Marine Reserve, all the while benefiting local communities. Maputo Special Reserve also has a community development facility.

NDUMO INTERVENTION PROGRAMME

Following the approval of the Mbangweni/Bhekabantu agricultural livelihood project by the KwaZulu-Natal Department of Agriculture, Environmental Affairs and Rural Development, Ezemvelo KZN Wildlife and Peace Parks Foundation were tasked with undertaking social facilitation and community consultation on behalf of the project.

In 2013 the Bhekabantu/Mbangweni agricultural support project was escalated to the Corporate Services Unit of the KwaZulu-Natal Department of Agriculture and Environmental Affairs, as it is deemed a priority project for the province of KwaZulu-Natal (KZN). Members of the agricultural cooperative were selected to participate in an ongoing training and capacity-development programme that will equip them with the skills required to manage the cooperative and its commercial activities. The business plan for the introduction of commercial crop tunnels and the production of cash crops was completed and implementation will start in 2014. Crop fields have also been cleared and fenced for the planting of groundnuts in 2014.

Boreholes were sunk, water tanks erected and water points created for domestic cattle. Water to irrigate crops will be extracted from the Pongola River by way of a pump system. The dip tanks are now fully operational and are regularly inspected by livestock management officers from the KZN Department of Agriculture and Environmental Affairs. These officers work closely with the local community and advise them on the use of the dip tanks and the detection of livestock diseases. In total 360 households, comprising approximately 2 800 people, many of whom are migrant workers, are benefitting from the agricultural development work.

MAPUTO SPECIAL RESERVE PROJECTS

In 2012 the Bell Foundation received a permit to construct the Chemucane community lodge in Maputo Special Reserve and building material was procured. The construction of the 22-bed Chemucane community lodge is now nearing completion. It will feature nine exclusive guest suites, with two family and seven double-bedded units, as well as the necessary additional infrastructure for staff. The local communities supplied the materials for the lodge, which provided them with a valuable opportunity to earn an income. The construction team grew to 32 people, 26 of whom are members of the three communities comprising the Ahi Zamene Chemucane community association. While the lodge is being constructed, five of the community members, who were trained at the SA College for Tourism, have started working and acquiring practical skills at Hluhluwe River Lodge in South Africa. Ten community members were trained in 2013 and a further eight will be trained in 2014.

At the Matchia chilli project, six tonnes of chillies were harvested and sold and the money paid into the community’s account. During the year, the area was extended by an additional 1.5 ha to a total of 4 ha under drip irrigation. The farmers divided the project area into smaller plots and allocated them to individual community members to ensure equitable ownership of the project. A section was also set aside as a training plot.

**Key issues for consideration**

The extraordinary biodiversity of this TFCA, coupled with its magnificent scenery, makes this area a significant southern African tourist destination. This is complemented by a rich historical and cultural environment with untapped tourism potential. Sites of interest include the sacred Hlatikhulu forests, King Dingaan's Grave and Border Cave in South Africa, the ruins of the old border post at Manhoca in Mozambique and the Royal Hunting Reserve within the Royal Hlane Game Reserve in Swaziland.

**Long-term viability plan**

Donors supporting this TFCA are the Dutch Postcode Lottery and Swedish Postcode Lottery as well as World Bank and COmON Foundation.

In 2005 the World Bank donated US$ 6 million to Mozambique to develop the Maputo Special Reserve, which includes infrastructure and accommodation upgrades, and the construction of headquarters and accommodation facilities. To supplement this, a co-financing agreement between Mozambique and the Peace Parks Foundation was signed in 2006 for the development, management and extension of the Maputo Special Reserve.

## Maloti-Drakensberg Transfrontier Conservation and Development Area

**Countries involved:** Lesotho and South Africa

**Were any feasibility studies undertaken prior to establishment?**

The MDTFCDA has gone through two phases of implementation. The initial phase saw funding from the Global Environmental Facility (GEF)/World Bank (2002 – 2009 which was originally planned to end 2007) which produced a 20-year conservation and development strategy and the first of a series of 5-year action plans for the area. The 20-year strategic plan also includes the continued functioning of the government implementation agencies that were established during the first phase of the project. The second phase was a two-government funded phase (2009-2012). This phase has provided important insights and lessons for the upcoming third phase which is currently under development.



Figure 9: The locality, composition and extent of the Maloti Drakensberg Transfrontier Conservation Area (© www.peaceparks.co.za).

**Type and status of agreements**

The MDTFCDA was formally recognised on 11 June 2001 with the signing of a **memorandum of understanding** between the Governments of the Kingdom of Lesotho and the Republic of South Africa in the Sehlabathebe National Park in Lesotho. The Memorandum of Understanding, for the first time, allowed for the mutual management of nature conservation areas such as the Sehlabathebe National Park in Lesotho and the uKhahlamba Drakensberg Park in KwaZulu-Natal, South Africa. On 22 August 2003 the Maloti-Drakensberg Transfrontier Conservation and Development project in was **launched** in Mokhotlong, Lesotho by the Ministers of the Environment for Lesotho and South Africa.

In June 2006, Chief Executives from Tourism KwaZulu-Natal, the Free State Department of Tourism, Environmental and Economic Affairs, Eastern Cape Tourism Board, Lesotho Tourism Development Corporation, KwaZulu- Natal Nature Conservation Board and South African National Parks were signatory to a **memorandum of agreement**, which will ensure the natural and cultural heritage of this internationally recognised area remains intact and is utilised for maximum benefit. The agreement was to remain in force until the end of 2011. Each signatory was been tasked with particular functions:

* Tourism KwaZulu-Natal to position the province as a premier domestic and international tourism destination;
* Ezemvelo KZN Wildlife to focus on becoming a world-renowned leader in biodiversity conservation and protected areas management in KZN;
* Eastern Cape was earmarked as SA's fastest-growing tourist destination and needs to capitalise on this;
* Free State to develop sustainable integrated and responsible community tourism development in its province;
* Lesotho Tourism Development Corporation to position the country as a premier adventure tourist destination;
* South African National Parks to concentrate on parks being the pride and joy of all South Africans, and to attract international tourists.

On 22 June 2013 the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO) inscribed Lesotho’s Sehlabathebe National Park as an extension to the uKhahlamba Drakensberg World Heritage Site in South Africa. The Transfrontier World Heritage Site is called the Maloti-Drakensberg Park and is a site of both cultural and natural outstanding universal value. This is Lesotho's first World Heritage Site.

**Governance structures**

Overall policy and direction for this project was set by a **bi-lateral steering committee** and managed by the two countries' **project coordination units** based in Maseru and Pietermaritzburg respectively. Key South African institutions involved in the programme include: the National department of Environmental Affairs; Ezemvelo KZN Wildlife which is designated as the implementing agency; South African National Parks; the Eastern Cape Department of Economic Development and Tourism; the Free State Department of Tourism, Environment and Economic Affairs; the KwaZulu Natal Department of Agriculture and Environmental Affairs; and the South African Heritage Resources Agency. A **National Coordination Unit** plays the critical coordination and facilitation role.

**Key reasons for establishment**

The Maloti-Drakensberg Park World Heritage Site straddles the eastern border between Lesotho and South Africa, incorporating more than 300 km of Maloti and Drakensberg mountain ranges. It includes the Sehlathebe National Park in Lesotho and the uKhahlamba Drakensberg Park in South Africa. The area has spectacular scenery and is an important centre of endemism for montane plant species. The region includes over 2 500 species of flowering plants, about 13% of which are locally endemic. The mountains, with their highest peak Thaba Ntlenyana rising to 3 482m, are of exceptional beauty and are home to the world's greatest outdoor gallery, containing the largest and most concentrated group of rock paintings in Africa south of the Sahara. There are some 600 known sites containing between 35 - 40 000 individual images, which were painted by the San people over a period of at least 4 000 years. The area is furthermore the most important water catchment area for the people of Lesotho and South Africa. The wetland systems are at the highest altitude and provide critical water purification and storage services. Two of the largest civil engineering projects in Southern Africa, the Tugela-Vaal Scheme and the Lesotho Highlands Water Project, carry water from the mountains to the economic powerhouse of Africa – the megalopolis of Johannesburg and the surrounding cities.

**Benefits realised**

The project will preserve the globally important biodiversity of the entire region, which includes the uKhahlamba Drakensberg World Heritage Site in South Africa. It will also improve the livelihoods of the communities living in the region by ensuring that they benefit from nature-based tourism.

As part of the initial implementation phase of the MDTFCDA and in recognition of the fact that it spans the most important water catchment area for the people of Lesotho and South Africa, a study was commissioned to assess the feasibility for the application of Payment for Ecosystem Services agreements to support the financial viability of the project. While the findings were that there are a number of options that may be pursued, much work is still required in order to broker such agreements. This work has however resulted in profiling the importance of the area for the delivery of particularly watershed services and the South African government continues to provide funding for ecosystem restoration projects on the basis of their job creation potential.

**Key issues for consideration**

The agreements created a platform for the development of joint projects which have mutual benefit for the people of the two countries. The adoption of the TFCAs Strategy for 2010 and beyond focuses on positioning the area as Southern Africa's premiere international tourist destination. In adopting that strategy there was recognition of multiple challenges facing the countries, such as the inaccessibility of the tourism attractions and lack of adequate resources to improve the tourism assets.

The area is under increasingly serious threat from various unsustainable land-use and management systems as well as issues related to cross border crime such as stock theft, dagga smuggling, attacks on hikers, which calls for more concerted and coordinated efforts to reverse these trends. In recognition of these threats, a Transfrontier Security Strategy was developed jointly by relevant agencies from both countries in 2007.

**Long-term viability plan**

Donors supporting this TFCA are the Dutch Postcode Lottery and Swedish Postcode Lottery.

The World Bank, the implementing agency of the Global Environment Facility's (GEF), funded a $15.24 million five-year project to facilitate the establishment of the TFCA which was completed in 2009. An exit strategy includes the continued functioning of the project coordination units, the project coordination committee and the bilateral steering committee, with funding from mainly the Lesotho and South African governments. The Peace Parks Foundation is facilitating the processes necessary for the continuation of this transfrontier conservation and development initiative and was co-opted as a member of the project coordination and bilateral steering committees.

The African Renaissance and International Cooperation Fund put forward a R40 million cheque towards the Lesotho component of the Maloti-Drakensberg Transfrontier Park for the completion of the Sani Pass road for which the total cost is estimated at R336 million.

## Iona-Skeleton Coast TFCA

**Countries** involved: Angola, Namibia

**Were any feasibility studies undertaken prior to establishment?**

Tamar requested for up to date inputs

**Type and status of agreements**

MoU signed – 1 August 2003

**Governance structures**

**Key Reasons for establishment**

**Benefits realised**

**Key issues for consideration**

**Long-term viability plan**

In the far north-western corner of Namibia, the Skeleton Coast Park and Angola’s Iona National Park (Parque Nacional do Iona) meet at the Kunene River. The Namibian and Angolan governments have agreed to work together to develop a transfrontier park.

Iona, Angola’s oldest and largest national park, covers 15 150 km² and is known for its harsh desert scenery and spectacular mountains. The Namib Desert extends northwards into Iona and similar species to those found in Namibia’s Skeleton Coast Park and surrounding areas are found in Iona. These include the Welwitschia mirabilis plant and the black-faced impala. However, Iona has suffered from illegal poaching and the destruction of infrastructure, and the government needs to restore control and order over the park.

Increased co-operation between Namibia and Angola in developing the Iona-Skeleton Coast Transfrontier Park could lead to the establishment of a much larger TFCA that spans three countries along the Namib coast. Known as the Three Nations Namib Desert Transfrontier Conservation Area (TNND TFCA), this would include the /Ai-/Ais-Richtersveld TFCA to the south, the proposed Namib-Skeleton Coast National Park (NSNP) in Namibia and Iona in Angola. The NSNP would consist of the current Sperrgebiet National Park, the Namib-Naukluft Park, the proposed Walvis Bay/Swakopmund conservation area, the National West Coast Recreation Area upgraded to national park status, and the Skeleton Coast Park.

The NSNP would be the eighth-largest protected area in the world, and the sixth-largest terrestrial protected area and largest park in Africa, covering an area of 10.754 million hectares, or 107 540 km². Further, a new Marine Protected Area borders the proposed NSNP, and several private game reserves and communal area conservancies, which would add another 14 million hectares of land and sea managed for some form of conservation. (<http://www.met.gov.na/Pages/Protectedareas.aspx>).

## Greater Mapungubwe Transfrontier Conservation Area

**Countries involved:** Botswana, South Africa and Zimbabwe

**Were any feasibility studies undertaken prior to establishment?**

The concept of establishing a transfrontier conservation area around the confluence of the Limpopo and Shashe rivers dates back to an initiative by General J C Smuts who decreed in 1922 that some farms along the banks of the Limpopo River be set aside for the Dongola Botanical Reserve. The primary aim of this Reserve was to study the vegetation and assess the agricultural and pastoral potential of the area. This idea was transformed into the Dongola National Park in the 1940s when the results of the study showed that the area was not suitable for human habitation and that it could best be used as a wildlife sanctuary for the recreation of the nation. It was during this time that the idea of linking the sanctuary with similar conservation areas in the then Bechuanaland Protectorate and Southern Rhodesia was first mooted. However, a formal planning meeting involving government officials and stakeholders from the three countries was only held in September 2000.



Figure 10: The locality, composition and extent of the Greater Mapungubwe Transfrontier Conservation Area (© www.peaceparks.co.za).

**Type and status of agreements**

The Mapungubwe Cultural Landscape was proclaimed a World Heritage Site in July 2003 and the 30 000 ha Mapungubwe National Park was officially opened on 24 September 2004. A **memorandum of understanding** (MoU) towards the establishment Greater Mapungubwe Transfrontier Conservation Area (originally known as the Limpopo-Shashe Transfrontier Conservation Area) was signed on 22 June 2006, and an international coordinator was appointed. On 19 June 2009 the interim name Limpopo/Shashe was changed to Greater Mapungubwe TFCA by the Ministers of the three partner countries.

**Governance structures**

In 2011 the Greater Mapungubwe TFCA **resource management committee** was formed to deal with cross-border challenges at an operational level. A **strategic plan** for the TFCA's development is in place to determine a vision and mission, long-term goals, objectives and actions. Area managers now directly attend to cross-border or international matters like border safety and security, veterinary concerns and other joint management matters.

In 2013 the Transfrontier Park’s resource management committee and its research network group met on several occasions to discuss activities of a joint nature. The partner countries meanwhile deliberated on the consolidation of the respective core areas of the TFCA. They also prepared **management plans** for key protected areas and **concept development plans** for community-based conservation initiatives in the area.

**Key reasons for establishment**

Mapungubwe contains some of the oldest examples in the world of the beginnings of the Iron Age, as well as the remains of complex societies dating back a thousand years and rock paintings more than 10,000 years old. Greater Mapungubwe has become a cultural TFCA. Visitors come to the area not only to see the magnificent sandstone formations, the wide variety of trees - notably the enormous baobab - and game and birdlife, but also to experience a kinship with past generations. The cultural resources of the Limpopo-Shashe basin are generally associated with Iron Age settlements of around 1200 AD. The similarity of ivory objects, pottery remains and imported glass beads excavated at different sites spread across the modern international borders of Botswana, South Africa and Zimbabwe, attests to the cultural affinity of the people that lived in the Limpopo-Shashe basin during the Iron Age.

The Mapungubwe World Heritage Site is a major attraction and was home to the famous gold rhino - a symbol of the power of the King of the Mapungubwe people who inhabited the Limpopo River Valley between 900 AD and 1300 AD. At that time Mapungubwe had developed into the largest kingdom on the subcontinent. It is believed that a highly sophisticated civilisation, which traded with Arabia, Egypt, India and China, existed at Mapungubwe. In 2012 significant archaeological discoveries were made on the farm Klein Bolayi, east of Mapungubwe National Park, confirming that the Mapungubwe Cultural Landscape extends eastwards or downstream along the Limpopo Valley, and corroborating human habitation in the area for more than 1 500 years.

**Benefits realised**

Income generated from the annual Tour de Tuli benefits the Children in the Wilderness programme. The ministers for the environment of Botswana and South Africa formally opened this event, waving the participants off on their transfrontier trail. Attended by 320 cyclists from all over the world, the event offers mountain-bikers the opportunity to visit the three countries involved in the TFCA, cycling among elephant, lion and other wild animals. The title sponsor, Nedbank, supported the event that raises funds for programmes which allow children from communities within and adjacent to the TFCA to participate in environmental education and sensitisation initiatives.

**Key issues for consideration**

This heritage site is now severely threatened by the prospect of mining by the Brazilian mining company Vale and other future mines. The whole area sits on a coal seam and, if mining goes ahead, it will create a precedent for other applications to be granted; this would spell the end of the TFCA, the cultural history and the magnificent beauty of the area. Peace Parks Foundation objected that industrial activity has begun in the Mapungubwe area without an approved integrated regional development plan.

A team of experts from UNESCO assessed the impact that the Vale mine might have on the famous Mapungubwe World Heritage Site in November 2011. The site is now the setting of a conflict that has launched an international environmental campaign against an Australia-based coal mining company. South Africa's former president and Nobel Peace Prize winner, Nelson Mandela, was the first recipient of South Africa's highest honour, the Order of Mapungubwe, which is named after the treasured site. Environmental groups argue that coal mining by Vale will significantly damage a primal site of African and world history.

Coal of Africa (CoAL) was gearing up to begin mining coal less than six kilometres from the Mapungubwe Cultural Landscape and National Park at the northern border of South Africa, when ordered to cease operations in August 2011. A coal-fired power station was also planned, and heavy industrial activity would put future tourism at risk. It is suggested that the long-term presence of the park would make a much more significant contribution to the South African economy than a short-term capital injection with a lifespan of 29 years, and negative environmental impacts which extend way beyond the lifespan of the mine.

**Long-term viability plan**

Donors supporting this TFCA are the Dutch Postcode Lottery, Swedish Postcode Lottery and Mr Poon Liebenberg. South African National Parks (SANParks) with the assistance of the World Wide Fund for Nature (WWF), De Beers Consolidated Mines Ltd, the National Parks Trust and Peace Parks Foundation, has since 1998 been involved in the purchasing of farmland to consolidate the core area of South Africa's contribution to the Mapungubwe National Park.

On 19 June 2009, Limpopo/Shashe was renamed the Greater Mapungubwe TFCA. On the same day, Peace Parks Foundation handed over an electric fence worth R250 000 to the Maramani community of Zimbabwe to help deter stray elephants from destroying crops in the Shashe irrigation scheme. This is the first step in the proper zoning and planning of the area that will encourage the reduction of dryland cropping in sensitive wildlife dispersal areas, a key element to the TFCA’s functioning.

## Chimanimani TFCA

**Countries involved**: Mozambique and Zimbabwe

**Were any feasibility studies undertaken prior to establishment?**

Request inputs from Afonso

**Type and status of agreements**

**Governance structures**

**Key Reasons for establishment**

**Benefits realised**

**Key issues for consideration**

**Long-term viability plan**

## Malawi-Zambia Transfrontier Conservation Area

**Countries involved**: Malawi and Zambia

**Were any feasibility studies undertaken prior to establishment?**

Following a study carried out by Peace Parks Foundation, the governments of Malawi and Zambia started exploring the possibility of establishing a TFCA on the borders of their countries in 2003.

**Type and status of agreements**

A memorandum of understanding (MoU) towards the TFCA’s establishment was signed on 13 August 2004.

In 2013 the draft integrated development plan for the TFCA was finalised. During discussions it was decided that North Luangwa National Park would be added to the TFCA. Ministerial approval for this addition has since been obtained and the TFCA description will soon be changed to include North Luangwa National Park.



Figure 11: The locality, composition and extent of the Malawi-Zambia Transfrontier Conservation Area (© www.peaceparks.co.za).

A memorandum of understanding (MoU) was signed between the Nyika-Vwaza Trust and the Malawi Department of National Parks and Wildlife.

**Governance structures**

At the first bilateral meetings held in May and August 2003, it was decided to appoint an international coordinator to drive the process of developing the TFCA. During the ensuing months an agreement was drafted on the development of the TFCA.

The trust is solely dedicated to conserving the precious wildlife and habitats of the Nyika National Park and the Vwaza Marsh Wildlife Reserve in Malawi. The recruitment of technical advisers was completed. A financial management adviser, procurement adviser and works supervisor are now part of the project management team. Project management teams from both countries were trained in procurement and financial management to enable them to deal with full project implementation. Further training will cover monitoring and evaluation, and safeguards. Accounting software was installed and staff were trained in its use.

**Key reasons for establishment**

The Malawi-Zambia Transfrontier Conservation Area includes the Nyika-North Luangwa component, which is centred on a high undulating montane grassland plateau rising over 2000m above the bushveld and wetlands of the Vwaza Marsh. In summer a multitude of wild flowers and orchids burst forth on the highlands, making it a sight unlike any seen in most other game parks. Kasungu/Lukusuzi TFCA, on the other hand, is an area of importance for biodiversity conservation in the Central Zambezian Miombo Woodland Ecoregion.

Important cultural heritage resources and artefacts are found on the Nyika Plateau and in Kasungu National Park. These include ancient dwelling sites with rock paintings, such as at Fingira Rock and Wan'gombe Rume. There are also various iron-ore mines, iron-smelting kilns and remnants of complex traditional iron-working practices.

**Benefits realised**

The reduction in poaching and improvement in animal sightings allowed for the start of a wildlife restocking programme of Nyika National Park and Vwaza Marsh Wildlife Reserve in 2007. Wildlife surveys were conducted for Nyika National Park and Vwaza Marsh Wildlife Reserve. Compared to the survey results of 2009 using the same methods, there has been a general increase in animal populations. Significant increases were noted for elephant, hippo, buffalo, roan antelope, hartebeest, zebra, warthog and reedbuck. Fish surveys in Vwaza Marsh Wildlife Reserve have also been conducted and a report is being compiled.

**Key issues for consideration**

One of the first major activities to be launched when work started on developing the Malawi-Zambia TFCA, was the appointment to the TFCA of a wildlife law enforcement adviser to coordinate Malawi's Department of National Parks and Wildlife and the Zambia Wildlife Authority's anti-poaching programmes across the international border to more effectively combat the high incidence of poaching in the TFCA. As a result, a joint law enforcement project operating as a single unit across international borders to combat poaching has been deployed with resounding success in the Nyika TFCA. The new law enforcement adviser provided in-service training to several TFCA rangers.

**Long-term viability plan**

On 21 April 2011 the World Bank’s board of executive directors approved a Global Environmental Facility (GEF) trust fund grant to the value of $4.82 million for a project that aims to establish the more effective cross-border management of biodiversity in the Nyika component. In addition, co-financing commitments have been secured from the Norwegian embassy in Malawi, the governments of Malawi and Zambia, and Peace Parks Foundation for a total amount of $11.09 million over the next five years.

## Maiombe Forest Transfrontier Conservation Area

**Countries involved**: Angola, Congo and the Democratic Republic of Congo (with optional later extension to Gabon).

**Were any feasibility studies undertaken prior to establishment?**

A large protected area (Trans Frontier Conservation Area) can be designated to encompass the Maiombe Forest, between Angola, Congo and DRC, with the general concept of biosphere reserve, i.e., with core areas of full protection, and other areas with controlled utilization of various types and levels, including buffer zones. A management programme for the whole area may be developed, by an independent scientific committee, to be based on a comprehensive study, and in consultation with resident communities and other stakeholders. It should then be presented for the approval, in agreement, of the three Governments.

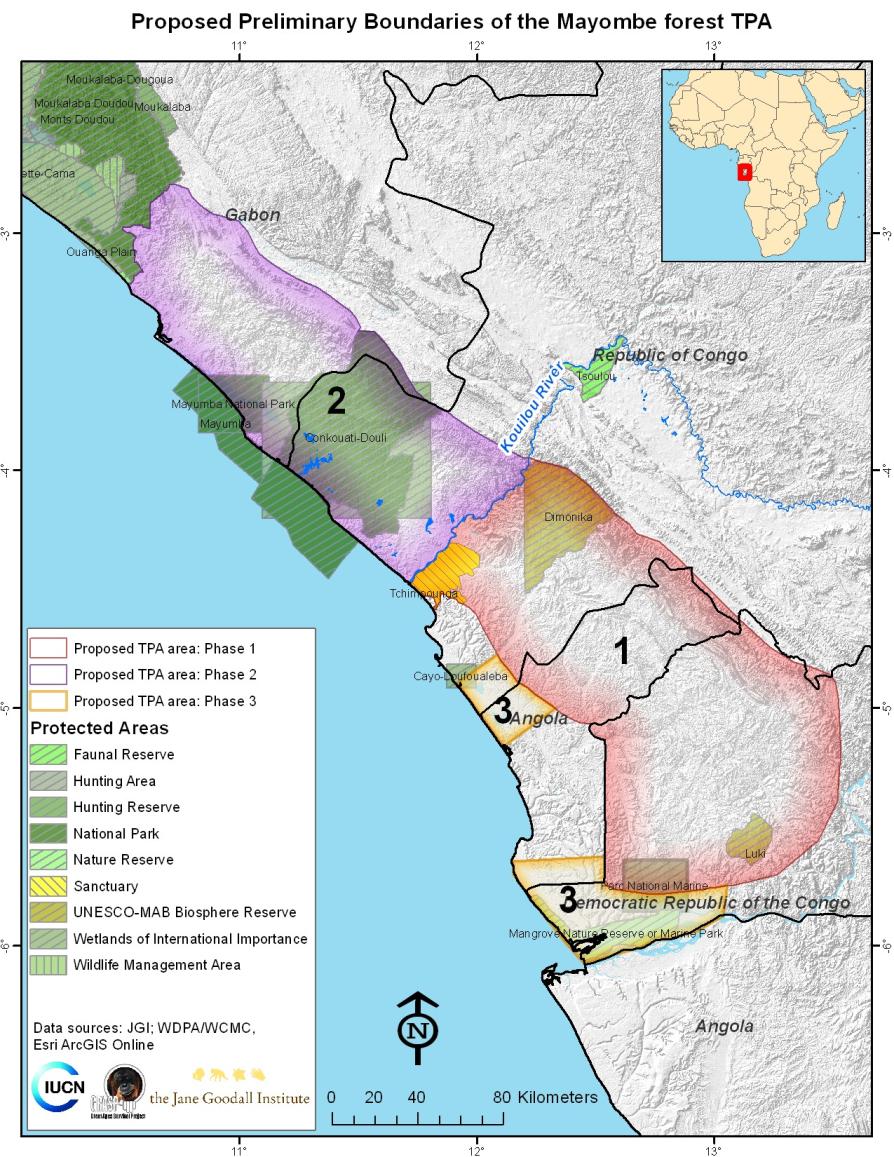


Figure 12: The locality, composition and extent of the Maiombe Forest Transfrontier Conservation Area (© Dr Tamar Ron)

**Type and status of agreements**

It is recommended that the next step would be a joint commitment on Governmental level, i.e. a meeting between the responsible Ministers from all three countries (Angola, Congo and DRC), aiming to draft a general agreement to continue developing jointly a transfrontier conservation initiative, for the protection of the Maiombe Forest.

**Governance structures**

A project for the protection of the Maiombe Forest in Cabinda is being developed, as part of a National programme for the conservation of biological diversity in Angola, led by the Ministry of Fisheries and Environment with the establishment of a regional task force.

There is need for a joint programme of management and sustainable use, including harmonization of relevant legislation and the establishment of a joint enforcement and control system. For this purpose it is proposed that a joint Enforcement Task-Force will be established, well trained, and well equipped, based mainly on people to be recruited from the resident communities, in all three countries. I

**Key reasons for establishment**

The Maiombe Forest is the South-Western part of the tropical rainforest, in the Congo Basin, one of the world’s richest “hot-spots” of biological diversity. Several existing conservation initiatives, in the Congo Basin, including transfrontier initiatives, do not encompass the Maiombe Forest, which is the Southern margin in West Africa for a large variety of species of flora and fauna, including lowland gorillas and chimpanzees.

**Benefits realised**

Such a transfrontier initiative may serve to enhance the conservation of biological diversity in this sensitive eco-system, regional confidence building, peace building and stability, and sustainable socio-economic welfare of resident communities.

**Key issues for consideration**

Following decades of social and political instability, it is subjected, in all three countries, to degradation, caused mainly by logging and poaching, including in-country and cross-border illegal trade in wild species of flora and fauna and their products. it seems to be that the Maiombe Forest is more affected by poaching and logging in Congo than in Cabinda. Such differences may lead to increased cross-border impact on the better protected areas. Joint protection efforts may, therefore, be crucial.

**Long-term viability plan**

Donors supporting this TFCA are the UNDP and NORAD.

## Liuwa Plains – Mussuma Transfrontier Conservation Area

**Countries involved**: Angola and Zambia

**Were any feasibility studies undertaken prior to establishment?**

Prof requested for up to date inputs

In November 2013, the inception meeting for the integrated development plan (IDP) for the Liuwa Plains–Mussuma TFCA was held with the Zambian stakeholders in Mongu in western Zambia, with excellent support from both the Zambian government and the Barotse Royal Establishment. The participants included representatives from various levels of the Zambian government, the Barotse Royal Establishment, Zambia Wildlife Authority, WWF Zambia and African Parks. The meeting discussed the IDP process, data collection and management, and information sharing during the process.

Community members and their leaders then participated in a field visit by helicopter to appreciate the extent of the park. During this aerial survey of the park, the land cover and land use were verified to confirm that data and information derived from satellite imagery are accurate and useful for the planning of the TFCA.

**Type and status of agreements**

African Parks (Zambia) in 2003 entered into a formal agreement with the Zambia Wildlife Authority and the Barotse Royal Establishment for the management of Liuwa Plains National Park for a period of 20 years.

The Angolan government proclaimed the Mussuma National Park in preparation for the TFCA’s development and in order to further protect the wildlife migration on the Angolan side.

**Governance structures**

African Parks (Zambia) has an agreement to manage Liuwa Plains National Park for a period of 20 years.

**Key reasons for establishment**

The Liuwa Plains-Mussuma TFCA, measuring 14 464km2, will protect the second largest wildebeest migration in Africa, as well as a significant portion of the catchment area of the Zambezi River, Africa’s fourth largest river system.

**Benefits realised**

African Parks’ efforts have seen wildlife species prosper, the most notable being the increase of blue wildebeest from 15 000 in 2003 to almost 43 000 in 2011.

**Key issues for consideration**

**Long-term viability plan**

Donors supporting this TFCA are the Dutch Postcode Lottery, Swedish Postcode Lottery and WWF Netherlands.

## Lower Zambezi - Mana Pools Transfrontier Conservation Area



Figure 13: The locality, composition and extent of the Lower Zambezi - Mana Pools Transfrontier Conservation Area (© www.peaceparks.co.za).

**Countries involved**: Zambia and Zimbabwe

**Were any feasibility studies undertaken prior to establishment?**

**Type and status of agreements**

The supporting documentation, preparatory work and draft memorandum of understanding (MoU) have been finalised for the governments of Zambia and Zimbabwe to formalise the TFCA.

**Governance structures**

**Key reasons for establishment**

The Lower Zambezi-Mana Pools TFCA measures 17 745km2 and lies in the Zambezi Valley, below the Kariba Dam, has been used by wildlife as a thoroughfare between the escarpment and the Zambezi River since the dawn of time. The two national parks lying opposite each other make for a massive wildlife sanctuary on both sides of the Zambezi River. The Mana Pools National Park in Zimbabwe is a World Heritage Site based on its wildness and beauty, together with the wide range of large mammals, over 350 bird species and aquatic wildlife. The name Mana means ‘four' in the local Shona language, and refers to four large pools located just inland of the Zambezi River. These pools are the remnant ox-bow lakes that the Zambezi River had carved out thousands of years ago as it changed its course. Hippopotamus, crocodile and a wide variety of aquatic birds are associated with the pools. Long Pool, the largest of the four pools, has a large population of hippo and crocodile and is a favourite of the large herds of elephant that come out of the thickly vegetated areas in the south to drink and bathe.

**Benefits realised**

**Key issues for consideration**

**Long-term viability plan**

Donors supporting this TFCA are the Dutch Postcode Lottery and Swedish Postcode Lottery

## ZIMOZA Transboundary Natural Resource Management Project

Request inputs from Prof

## Kagera Transfrontier Conservation Area

Request inputs from Alex

## Selous and Niassa Wildlife Protection Corridor

**Countries involved**: Tanzania and Mozambique

**Were any feasibility studies undertaken prior to establishment?**

The project is based on the previous work conducted by GTZ and the Global Environment Facility/UNDP project.

**Key reasons for establishment**

The Selous - Niassa Miombo woodland ecosystem as a whole is the largest trans-boundary natural dry forest ecosystem in Africa covering 150,000 km2 and extends across southern Tanzania into neighbouring Mozambique. The wide variety of wildlife habitats - forests, wooded grasslands, open savannahs, granite inselbergs, seasonal and permanent wetlands and rivers - account for globally significant biodiversity. The core conservation areas for its continued existence are:

* the Selous Game Reserve (47.000 km2) of Tanzania, UNESCO World Heritage-Site
* the Niassa Game Reserve (42.400 km2) of Mozambique

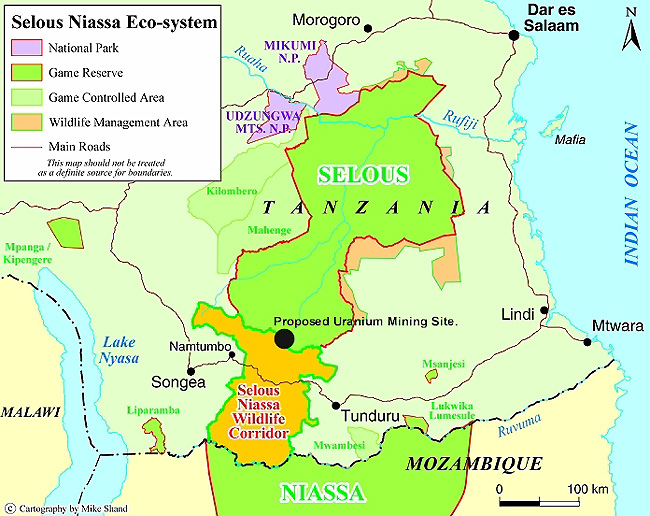


Figure 14: The locality, composition and extent of the Selous and Niassa Wildlife Protection Corridor.

The Selous – Niassa Wildlife Corridor provides a significant biological link between the two reserves and consequently for the Miombo woodland eco-system, thus conserving one of the largest elephant ranges in the world containing also approximately 13% of the world’s remaining wild dog population.

The project aims to initiate the economically sustainable development and conservation management of one of the most significant and widely recognized wildlife corridors in the SADC Region. The goals are the conservation of biodiversity in the miombo-woodland ecosystem and the overall improvement of the livelihoods of local communities by sustainable use of natural resources to combat poverty.

**Type and status of agreements**

Initiated in 1999 by committed wildlife officers cross-border cooperation on conservation grew organically and developed over the years. In 2007 the Regional Administrations and local Governments of Mtwara and Ruvuma of Tanzania and the Provincial Governments of Cabo Delgado and Niassa of Mozambique signed a MoU on cross-border cooperation to promote regional economic growth, development, the traditions of good neighbourliness and a peaceful environment. Thus, cross-border conservation was officially recognised and identified as one of the key areas for cooperation. Activities on the ground include the exchange and mutual support of research and of anti-poaching information, parallel patrols, and agreements about the utilisation of natural resources.

**Governance structures**

Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) assisted the Wildlife Division in the initial establishment of two WMAs immediately south of the Selous Game Reserve until 2005. There, in cooperation with local and district authorities, 17 villages registered two Wildlife Management Areas, the “Mbarang’andu” and “Nalika” WMAs, with a total area of approximately 4,600 km2. Nalika obtained its official status as an Authorised Association during 2009 and Mbarang’andu during early 2010. The three CBOs, Chingoli, Kisungule and Kimbanda, are in the process of establishing their WMAs in the southern part of the corridor with the primary assistance from the German Development Bank (KfW) since 2008. Support and capacity building for these 5 WMAs is ongoing till November 2011.

**Benefits realised**

Long-term conservation management of the Selous and two communal Associations Mbarang’andu and Nalika adjacent to the Selous resulted into larger concentrations of wildlife in the northern part of the corridor. According to aerial surveys undertaken every three years the wildlife populations are relatively stable. In the southern part the wildlife populations are recovering since the communities are actively involved in their management. However, wildlife is still timid and it will need a few more years of protection to reach sizable populations in the south.

The corridor is located entirely on the land of 29 villages within the administrative areas of Namtumbo and Tunduru Districts in Ruvuma Region. In order to find a balance between village development needs and the conservation of nature community based natural resources management and in particular village Wildlife Management Areas are the major components. In a participative process of land-use planning local communities designate areas in which they conserve and manage wildlife and other natural resources. Revenues accrue to the villages. Thus WMA contribute not only to conservation but equally important to development and poverty alleviation in the rural areas. The corridor is composed of a contiguous network of five Wildlife Management Areas managed by Community Based Organisations.

**Key issues for consideration**

**Long-term viability plan**

The Federal Republic of Germany made available a financial contribution of EUR 5 million to support the development of the Selous-Niassa Wildlife Corridor, from November 2007. The funds are being channelled through the German Development Bank, KfW.

## Mnazi Bay-Quirimbas Transfrontier Conservation Marine Area

Request inputs from Alex

## Western Indian Ocean Transfrontier Conservation Area

Request inputs from Deepak

Table 2: A summary of the status quo of SADC TFCAs

## Observations from the Status Quo Information and Summary Overview

In the introduction to this Section it was stated that one of its primary purposes was to provide a baseline from which progress could be measured over the medium to long-term. In addition to this it also helps to identify where there are gaps in the processes that have been followed with the initiation, establishment and development of the SADC TFC initiative, which can then be used to inform these Guidelines. Also it helps to identify where lessons are being learnt so that these can be presented as case studies and examples to other TFCA proponents and practitioners.

The over-arching issues that stand out from the status quo discussion presented above and which these Guidelines can assist in addressing are the following:

* A number of different names are given to these TFC initiatives and there is room for standardisation. This may be achieved through the acceptance and application of the definitions put forward in Section 2.3.
* A degree of standardisation might be worked towards in terms of governance models, but it is recognised that these need to be flexible and that they move on a continuum from being relatively informal to formal and legally binding (as is discussed in Section 0).
* There is little evidence of the systematic implementation of feasibility assessments prior to the initiation and establishment of TFC initiatives, although there are some good examples where this has been done. However, it is also recognised that TFC processes are by their very nature, protracted and organic and therefore do tend to evolve. While this may be seen as an acceptable alternative to feasibility assessments, these Guidelines recommend that the pro-active implementation of the diagnostic tools discussed in Section 0 will assist to ensure that an implementation process may be designed to ensure that it is as effective as possible within the given circumstances.
* The rationale provided for the establishment of TFC initiatives continues to focus on the intrinsic value of biodiversity and at times, cultural heritage, with little reference to their broader socio-economic significance. This leaves proponents and practitioners on the back foot and relying on the traditional tourism arguments to substantiate the possibility of any benefits. These Guidelines provide a broader perspective as to how TFCAs can be better ‘packaged’ to make more socio-economic sense.
* The extent to which TFC initiatives generate both direct and indirect benefits for affected communities and beyond need to be more accurately identified, quantified and tracked. This aspects links with the previous one, but even under current circumstances with a focus on tourism as the generator of benefits, it is generally the case that these are not clearly quantified. In addition to this is the need to ensure that the flow of benefits to the beneficiaries also needs to be clearly tracked to ensure that they are equitably distributed and result in positive socio-economic impacts. This aspect falls within the context of the discussion on Monitoring and Evaluation in Section 7.7.
* Almost all of the existing TFC initiatives, irrespective of where they are in the process of being established and/or developed include a percentage of their budget requirements as coming from donor funding. This appears to be more relevant to the TFCA model as opposed to the TFP, but never-the-less, donor funding is still present. Section 7.6 discusses planning for financial sustainability as a crucially important aspect of TFC establishment and development, but it also needs to be an important part of the feasibility assessment.

# The Legal and Policy Framework

This Section provides a brief overview of the AU and SADC legal and policy framework enabling the establishment and development of TFCAs. TFCAs need to operate within the confines of such enabling framework in order to be legally recognised and relevant. This is confirmed by the current IUCN definition of a Transboundary Protected Area (similar to a TFP) in describing that such area needs to be “managed co-operatively through legal or other effective means” (Sandwith *et al*, 2001). The importance of law and policy is again reiterated by article 5(3) of the Treaty on the Establishment of the Great Limpopo Transfrontier Park, 2002, and article 6(3) of the Treaty on the Establishment of the Ai-Ais/Richtersveld Transfrontier Park. These articles indicate that the joint management plans of the TFCAs needs to be drafted according to regional and sub-regional law and policy.

## Status quo of the enabling legal and policy framework

TFCAs are multi-faceted and diverse mechanisms to further biodiversity conservation (Sandwith and Besançon, 2005). As a consequence, the issues that need to be addressed and catered for by a legal and policy framework presents the legislature with a conundrum. Two main goals that are interlinked and interdependent are observed to be central to TFCAs. These are: sustainable development and biodiversity conservation (Lubbe, forthcoming 2014). In order to establish the status quo of the existing legal and policy framework, this chapter will confine itself to the provisions relevant to the two goals identified above. Before providing the status quo on the legal and policy framework, this section will briefly discuss the relevant context influencing existing law and policy as well as the influence on new law and policy.

### 5.1.1 Context of law and policy in Africa

Colonialism changed the face of governance on the African continent. Much has been written on this subject and the discussion will be limited to its relevance to TFCAs. Colonialism divided Africa into segments confining the conservation and management of biodiversity to man-made boundaries. As colonial rule faded and Africa gained a new found independence, states revelled in their sovereign rights and the result was a hesitant, and sometimes absent, participation in the supra-national legal arena (Abi-Saab, 1962; Anand 1966; Osman 1979; Maluwa 2000; and Maluwa 2002). In sum, colonialism led to fragmented approaches towards natural resource governance and exploitation and a higher regard for sovereignty, with this higher regard for sovereignty leading to a restriction of cooperation across boundaries. Sovereignty poses the aforesaid challenge worldwide and it is not unique to Africa as it is a fundamental principle of statehood. The legacy of colonialism however, provides an accentuated tone to sovereignty in the African context. Bowman and Redgwell (1996) poignantly describe the global challenge presented by sovereign borders and biodiversity in stating that: “[i]t has become common to observe that the natural environment knows no political boundaries and that the traditional regime of resource exploitation, grounded primarily in the notion of national territorial sovereignty, requires to be replaced by more overtly collectivist approaches” (Bowman and Redgwell, 1996). It would seem that TFCAs provide an ideal mechanism to serve as such “overtly collectivist approaches”.

### 5.1.2 African Union Law and Policy

The African Charter on Human and Peoples’ Rights, 1981 (African Charter) contains a so-called ‘environmental right’ in article 24. Article 24 states that: “[a]ll peoples shall have the right to a general satisfactory environment favourable to their development.” This provision was regarded as a pioneering development in international environmental law at the time (Van der Linde, 2002). Article 24 is interpreted by the African Commission on Human and Peoples’ Rights to place a duty on states to “secure ecologically sustainable development and use of natural resources” (SERAC Communication, 2001). The African Charter, as interpreted in the SERAC Communication, therefore appears to provide the enabling mandate for sustainable development and biodiversity conservation.

The African Convention on the Conservation of Nature and Natural Resources, 1968 (African Convention) provides the AU with an environmental framework convention. The African Convention provides in its preamble that natural resources must be utilised to satisfy the needs of man according to the carrying capacity of nature. The African Convention requires states to adopt principles to conserve water, soil, as well as *fauna* and *flora* in accordance with scientific principles and in the best interest of the people. Hence, the Convention places a duty on contracting parties to develop and adopt policy and legislation to promote and facilitate the principles needed to conserve and manage soil, water, *fauna* and *flora* resources. This potentially gives effect to both biodiversity conservation and sustainable development albeit very vaguely.

Interestingly, a ‘higher’ responsibility is placed on states where a specific endangered species is regarded as endemic to that state. In theory then, where a state is considered to have a biodiversity hotspot/s, that state may have stricter responsibilities under the Convention due to the high levels of biodiversity endemism found in it, for example. Furthermore a duty is placed on contracting parties to protect existing conservation areas and to establish new ones, taking into account land - use management programs. As a whole, the Convention serves as a guiding instrument as to what measures should be taken by African states and to this effect may serve as an instrument for policy alignment and harmonisation. The Convention touches on aspects of biodiversity conservation and sustainable development but having been drafted in 1968, it is out of pace with the requirements and shifting conservation paradigms encapsulated in TFCAs. Perhaps one of the greatest shortcomings of the current Convention is the lack of institutional arrangements such as a Conference of Parties (COP) and a Secretariat. The revised Convention may improve this situation and by establishing both a COP and Secretariat as mechanisms for the enforcement and implementation of the Convention. As a result of these shortcomings, a more comprehensive and revised version of the African Convention has been tabled in 2003.

The revised Convention is more in pace with contemporary environmental law and challenges. It recognises issues such as sustainable development and the importance of endemic biodiversity and uses these contemporary concepts in provisions serving as guidelines for AU Member States in the adoption of legislation and policy. Of particular importance for transfrontier conservation, are the extensive provisions relating to cooperation, generally. Emphasis is placed on cooperation relating to the harmonization of law and policy in particular, amongst other, where natural resources or ecosystems traverse national borders. It is further provided that parties *shall* cooperate in the management, development and conservation of these transfrontier areas. Hence, a duty is placed on parties to cooperate specifically in transfrontier areas. The revised Convention provides a potential solid framework for inter-state cooperation in TFCAs by comprehensively covering biodiversity conservation and sustainable development and explicitly recognising a duty of cooperation where sustainable use and conservation of biodiversity is concerned in transfrontier settings. Unfortunately the revised Convention is not yet in force and for all practical purposes remains a policy document. This has long been a challenge for substantive law-making at AU level in post-colonial Africa (Kalima 2011; Murombo 2011; and Maluwa 1999). The revised Convention needs 15 instruments of ratification to enter into force and to date, although 42 African states have signed the revised Convention, only 12 instruments of ratification have been deposited. This is perhaps alarming as the revised Convention has been tabled for more than 10 years and even if it should come into force it will be out of date with current challenges and developments. Notwithstanding, it provides insight as to the intent of the African legislature and the importance of TFC on the legal agenda at AU level.

Regarding marine living resources the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region, 1985 and the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the West African Region may also find peripheral application. The Conventions will only find application insofar they have been ratified by a specific SADC member state.

The Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, 1996 (Lusaka agreement) also emphasises the importance of biodiversity conservation and sustainable development. Although the Lusaka agreement is not strictly considered to be AU law, it was developed by eastern and southern African countries and therefore applies to SADC. The main aim of the Lusaka agreement is to eliminate the illegal trade in wild *fauna* and *flora* and in so doing conserve biodiversity leading to sustainable development. The Agreement deals largely with institutional arrangements in order to establish a ‘task force’ for the elimination of illegal trade and unfortunately does not provide guiding measures for TFCA practitioners as to how to combat illegal trade within these areas. Reliance will have to be made on the task force of the Lusaka agreement.

The Task Force operates from Nairobi and facilitates activities between the National Bureaus established under the agreement (currently these include Lusaka, Congo, Kenya, Tanzania, Uganda, Zambia, Liberia and Lesotho). As can be seen from the foregoing, it is unfortunate that not all SADC countries have designated National Bureaus to partake in the Task Forces’ activities. Notwithstanding, the Lusaka agreement operates well and the Task Force seem to be active in the field ([www.lusakaagreement.org](http://www.lusakaagreement.org)). The agreement and Task Force may provide the ideal platform to tackle current issues of wildlife crime. This potential is shown by their successful operation named ‘Operaton Cobra’ where significant seizures and arrests were made in Asia, Africa and America in February 2014 (www.lusakaagreement.org).

Turning to policy, the *New Partnership for Africa’s Development* (NEPAD)program aims to achieve sustainable development in the 21st century (NEPAD Framework Document, 2001). NEPAD identifies conditions proposed to be conducive to sustainable development as well as sectoral priority areas crucial to the achievement of sustainable development. These are: peace; security; democracy; good governance; human rights; and sound economic management. The point of departure is that, if these conditions are present and in good order, sustainable development is more likely to be achieved. Accordingly, for TFCAs to be successful, the inference will be that these conditions are a prerequisite. Complimenting the conditions, are the sectoral priority areas. These are: bridging the infrastructure gap; human resource development initiative, including reversing the brain drain; agriculture; culture; science and technology platforms; and the environment initiative. Of specific importance to TFCAs is the environment initiative (EI) as it speaks directly to sustainable development and the environmental component thereof. The premise of the EI is that a healthy and productive environment is a prerequisite for reaching the main goal of NEPAD – sustainable development.

The traditional view being that sustainable development is a concept consisting of three pillars (environment, social and economic) aiming to achieve intra- and intergenerational equity (Feris, 2010; Shrijver, 2008; Voigt*,* 2009; Field, 2006; Futrell, 2004; and Marong 2003). This traditional view is further refined when adding the concept of governance as the integrating factor between the pillars (South African National Strategy for Sustainable Development and Action Plan 2011). It is here where law and policy plays an extremely important part as it facilitates the governance and thus empowers the integration and ultimately sustainable development. The concept of sustainable development is of extreme importance in TFCAs (see the discussion in Section 1.2.2 and illustration in Figure 1) as the pillars are all present within these areas. It is therefore crucial to use law and policy to guide governance efforts to integrate social, environmental and economic concerns in TFCAs.

One further observes a mutual symbiotic relationship between a healthy environment and social and economic empowerment through the EI as it prescribes that a healthy environment is a prerequisite for social and economic empowerment. As NEPAD provides the framework of conditions and priority areas necessary for sustainable development, it provides a solid policy foundation for governance guiding TFCA practitioners as to what is important in order to empower the main goals of TFCAs: sustainable development and biodiversity conservation.

### 5.1.3 SADC law and policy

At the SADC level, legal instruments are referred to as protocols. The SADC Protocol on Wildlife Conservation and Law Enforcement of 1999 (Wildlife Protocol) is the only Protocol in the SADC arsenal that explicitly mentions TFCAs. The Protocol describes as one of its objectives: ‘to promote the conservation of shared wildlife resources through the establishment of transfrontier conservation areas.’ Furthermore, the Protocol places a duty on states to cooperate and develop common approaches to the conservation and sustainable use of wildlife, including the harmonisation of law between member states. The elements of sustainable development, ecological integrity and ecosystem services are also mentioned, although no elaboration on these concepts is provided.

The Protocol further places a duty on states to incorporate community based conservation approaches, capacity building, and the sharing of information into conservation measures. These are welcome inclusions and are in line with modern and emerging approaches to protected area management (Ervin *et al*, 2010). It also provides important guidance for TFCA practitioners as to what is expected in conservation governance from SADC. The Protocol establishes the Wildlife Sector Technical Coordinating Unit (WSTCU) to serve as the secretariat responsible for implementing the protocol at the regional level and as an implementation and monitoring mechanism for the Protocol. It would seem that the WSTCU is currently not in operation, since no record of any activities/decisions could be found at the time of writing. This is unfortunate as the WSTCU is the primary instrument to oversee the joint governance of wildlife resources in SADC. Nonetheless, the most important aspect of the Protocol is that it recognises the need for transfrontier conservation and furthermore, that it encourages the establishment of TFCAs. To this end the Protocol may be considered a relatively successful normative instrument, considering that many TFCAs have been established in SADC. Unfortunately, the success is bitter-sweet as the Protocol fails to provide a detailed normative framework for practitioners to govern the multitude of aspects found TFCAs. This critique may be tempered by acknowledging that it is almost impossible to cover the diverse range of issues (in detail) found in TFCAs in a single Protocol. Hence, the Protocol may be forgiven for not proving a detailed normative framework.

The Protocol also overbearingly relies on the wording “wildlife use and conservation” as opposed to the more holistic and inclusive “biodiversity use and conservation”. In fact, the only reference to biodiversity can be found in the preamble stating that the heads of state are: ‘aware that the conservation and sustainable use of wildlife in the SADC Region contribute to sustainable economic development and the conservation of biological resources’. In so doing the Protocol acknowledges a link between sustainable development, biodiversity and conservation and the sustainable use of wildlife, but fails to take a holistic view of environmental governance and the need for connectivity in the context of a holistic consideration of biodiversity as required by TFCAs. The wording and approach in the Protocol thus coincide with classic approaches to PA governance which may be problematic to holistic efforts of biodiversity conservation in TFCAs, especially considering that this is the primary Protocol recognising TFCAs.

Several other Protocols related to environmental law exist in SADC. These include: the SADC Protocol on Forestry (2002); Revised SADC Protocol on Shared Watercourses, (2002); and the SADC Protocol on Fisheries (2001). Although being of peripheral relevance by addressing issues of sustainable development and aspects of biodiversity conservation, TFCAs are not mentioned or addressed in any of these other protocols. TFCAs may inevitably have issues that will fall under the jurisdiction of the aforementioned Protocols. Although the SADC Protocol on Environment for Sustainable Development was approved in October 2013, the sector based legislative approach renders environmental governance in a fragmented state. Consequently practitioners are left without a ‘one-stop shop’ where they may find guidance for the management of TFCAs. This position creates legal uncertainty and will inevitably lead to approaches by practitioners that is not harmonised throughout SADC.

Another aspect worthy of mention is Transfrontier Conservation Marine Areas (TFCMAs), which unfortunately enjoy less attention although they are equally if not of more importance than TFCAs as two-thirds of the earth’s surface is covered by the ocean. The first TFCMA in Africa was the Lubombo MTBPA established in 2007 between Mozambique, South Africa, and Swaziland (Zbicz [www.tbpa.net](http://www.tbpa.net)). Only the SADC Protocol on Fisheries mentioned above provides relevant legal guidance for these areas. The Protocol is however geared towards sustainable use in order to promote: food security; livelihoods of fishing communities; generate economic opportunities; benefits for future generations; and poverty alleviation. The Protocol also emphasises the importance of conservation so as to not over exploit the aquatic resources. The Protocol also binds states to the precautionary principle in utilising their fish stocks and aquatic ecosystems. At grassroots level various projects exist to further the sustainable use of the marine environment. These projects are not run at SADC institutional level but they consist of various countries (some of them SADC members and some not) cooperating to ensure sustainable use of marine resources.

One such example is the Smart Fish Project established under the Indian Ocean Commission ([www.commissionoceanindien.org](http://www.commissionoceanindien.org)). This project aims specifically to improve sustainable development in the maritime environment. The project provides specific documents related to good governance resulting in a solid governance framework for the marine environment between the parties. Another similar project is the South Indian Ocean Fisheries Project funded by the Global Environmental Facility. The project was originally established partly as the West Indian Ocean is one of the last areas where fishing is largely unregulated. The project proposes to:

* develop close collaboration and partnerships between fishery, academic and other relevant institutions of participating countries;
* generate baseline information on the quantitative and qualitative aspects of resources and fishing;
* investigate the relationship between fisheries and the environment;
* contribute to the effective human and institutional capacity building to assist in the long-term management of resources;
* develop a common resource management strategy to guarantee sustainable use of the region’s living marine resources;
* adopt harmonised legislation that will facilitate regional management; and
* develop fishery-linked revenue-generating schemes that will underpin the long-term management of resources ([www.swiofp.net/about/vision](http://www.swiofp.net/about/vision)).

Another inter-state commission worthy of mention but that will not be discussed here is The Indian Ocean Tuna Commission that focuses on the sustainable use of Tuna and Tuna-like species (<http://www.iotc.org/about-iotc>).

Although the above projects do not directly relate to TFMCAs, they will positively impact on these areas as the have sustainable development as their core business.

On more generic policy side, SADC uses the Regional Indicative Strategic Development Plan, 2003 (RISDP) to guide policy and development pathways. It emphasises that sustainable development is a main goal of SADC as a whole (RISDP 5). In relation to TFCAs, the RISDP envisages the creation of new TFCAs and linking existing TFCAs. The aforesaid is however only stated as goals and no specific guidance as to how this is to be done is given. In addition to the RISDP, SADC drafted a comprehensive Regional Biodiversity Strategy in 2006 (RBS). Although the RBS is not a legally binding document, it is the only framework policy document in SADC specifically aimed at biodiversity conservation. Broadly, and in line with the purpose of TFCAs, the Strategy supports a holistic approach towards biodiversity conservation; recognises the value of biodiversity resources in the socio-economic development of the region; confirms that biodiversity resources transcend national boundaries necessitating supra-national conservation measures; and acknowledges that biodiversity is a basic resource for sustainable development in the region. This appraisal of biodiversity conservation by the Strategy in SADC is interpreted against the backdrop of regional challenges/constraints to biodiversity conservation. These include: increased pressure from agriculture and natural resource exploitation to sustain livelihoods; inadequate biodiversity inventory and monitoring; inadequate incentives for biodiversity conservation and sustainable use; low levels of awareness and knowledge about the value of biodiversity; and weak institutional and legal frameworks to carry out biodiversity conservation initiatives. These challenges clearly reflect concerns for the following elements: economic integration and poverty alleviation, ecosystem services and connectivity. These elements fall within the scope of sustainable development and biodiversity conservation and should be addressed within TFCAs.

The RBS specifically criticises the SADC legal framework (and national legal frameworks) for being weak in relation to biodiversity concerns reflecting the analysis above. Based on the appraisal of the challenges facing biodiversity in SADC, the RBS proposes three strategic areas in need of attention to address the aforementioned challenges. These areas are important for TFCA practitioners. Firstly it prioritises raising the value of biodiversity by the enhancement of the region’s economic and business base by the commercialisation of biodiversity. In theory this should contribute to the element of economic integration and poverty alleviation. In this regard, the RBS proposes to facilitate the establishment of a “green” market to guard against unsustainable harvesting of resources. Secondly, resource inventory and monitoring is stated as a strategic goal. The Strategy emphasises the importance of access and benefit sharing principles within such an inventory and monitoring system. In order to achieve this, the Strategy proposes the establishment of *sui generis* legislation (that which is the only one of its kind) as well as a regional biodiversity protocol to protect traditional knowledge as well as genetic diversity. The importance of the establishment of a regional biodiversity protocol cannot be overstated and will be elaborated upon hereunder.  Thirdly, biodiversity awareness; information and capacity building programmes; and research and development initiatives are prioritised. All three strategic areas are evidence of improvement in strategic thinking in relation to biodiversity conservation and reflect modern approaches towards conservation.

Although the Strategy does not specifically address biodiversity conservation within TFCAs, TFCAs are identified as one of several focal points to facilitate sustainable use of biodiversity. In identifying TFCAs as a focal point in facilitating the synergy between the components of sustainable development, the Strategy recognises the ideological ambit of TFCAs. As the only document in the SADC giving a holistic view of biodiversity conservation, the Strategy provides a guidepost for decision makers as to the issues that need to be included in management plans and policies for TFCAs. As a strong and well drafted policy document, the RBS should serve to bolster further political activity and achieve consensus with respect to the future conclusion/reform of hard law instruments, such as protocols, specifically aimed at providing the legal framework for establishing new and regulating existing TFCAs.

The RBS is complimented by the new SADC Regional Biodiversity Action Plan, 2013 (RBAP). The RBAP aims to operationalise the RBS and NEPAD, among others. The RBAP focuses, as one of its goals, to improve three key areas: sustainable use; conservation; and equitable access and benefit sharing. In reaching this multi-faceted goal the RBAP identifies the improvement of the governance framework of TFCAs as a key strategic area. To achieve this, the RBAP emphasises the harmonisation of legal frameworks as a key action. The RBAP further generally comments on where TFCAs may be used and improved but does not provide any concrete measures to implement TFCAs as described in the Wildlife Protocol or RBS. Notwithstanding, the RBAP provides more normative guidance for TFCA practitioners to frame their management activities and contributes to fill the legal and policy vacuum described by the RBS.

## 5.2 Recommendations for TFCA practitioners

As stated above, TFCAs are multi-faceted entities consisting of a multitude of issues to be considered in a multi-national collaborative management framework. Critique has been given on the legal and policy framework above in that it lacks substantive content and detail relevant to TFCAs. Again, one should remember that law and policy in the AU and SADC exist, and continues to be made within a specific post-colonial political climate. This creates a situation where common consensus is extremely difficult to reach and the product is a situation where supra-national law-making becomes a challenge (Lubbe and Barnard, 2012).

TFCA practitioners are faced with the challenge of a fragmented and disjointed legal framework. The legal and policy framework does not clearly indicate which issues need to be covered in collaborative governance frameworks creating a lack of legal certainty and this in turn leads to potential situations where approaches to TFC (across TFCAs) are not harmonised. For all practical purposes, practitioners need to rely on national legislation to draw up governance frameworks and this defies the purpose of TFC: traversing borders and holistic governance. In essence, borders that have been dropped can be re-erected as national legislation is limited to sovereign borders and, by implication, the management plans drawn up in accordance thereto. This challenge emphasises the need for a holistic supra-national approach, such as the SADC biodiversity protocol as called for by the RBS. The question will then be: what should such a protocol contain, but also recognising the need for protocol revision and development to work towards greater synergy and less fragmentation. Ironically, the answer is not a detailed set of rules and/or regulations stipulating every aspect of biodiversity conservation but rather a principle-based approach should rather be followed; with principles giving effect to the main goals of TFCAs - biodiversity conservation and sustainable development.

Why principles? It is important to note that the nature of supra-national law-making more than often results in soft law as common consensus is difficult to reach. This is especially true in SADC where development is high on the agenda and hard law approaches will be shunned with a defence based on permanent sovereignty (Lubbe and Barnard, 2012 and Lubbe, 2012). For this reason, principles may be received better in the African (and specifically SADC) context as it is *perceived* to be less intrusive on sovereignty as they may be seen as a form of soft law. However, it remains certain that soft law may over time develop into hard law (Shelton, 2000; Abbott and Snidal, 2000; and Verschuuren, 2003). Soft law serves as an important benchmarking and harmonising mechanism against which hard law systems may be analysed and tested. Principles, in the guise of soft law, offer the advantage of being more flexible, open-ended, and adaptable while at the same time still giving a substantive direction for TFCA practitioners. The question then turns to what the principles should entail in order to provide a normative framework for TFCA practitioners. The solution would be not to reinvent the wheel but rather to use principles that have already been applied in the African context and that are relevant to TFCAs. These can be found in the New Delhi Declaration on the Principles of International Law Related to Sustainable Development, 2002 (NDP) as confirmed by the Sofia Declaration of 2012 and the UNEP Principles of Conduct in the Field of Environment for the Guidance of States in the Conservation and Harmonious Utilization of Natural Resources Shared by Two or More States, 1978 (UNEP Principles). The guiding principles for a biodiversity protocol using these documents should include:

* The duty to ensure conservation and sustainable use of natural resources;
* The principles of equity and the eradication of poverty;
* The principle of common but differentiated responsibilities;
* The principle of the precautionary approach to human health, natural resources and ecosystems;
* The principle of public participation and access to information and justice (“Openness”);
* The principle of good governance; and
* The principles of integration and interrelationship, in particular in relation to human rights and social, economic and environmental objectives.

It should be noted that this is a broad legal framework in which TFCAs may operate. These principles should serve as a normative guidepost and specific challenges should be addressed within a contextual interpretation of the relevant principle/s. In so doing, these principles should address the future development of TFCAs and align current shared practice.

In summary the AU and SADC legal policy framework does not adequately address the regulation of TFCAs. Fortunately, TFCAs are not over-regulated and the legal and policy framework is still in a developmental phase. This creates the opportunity for legislators to act with the luxury of hindsight and in light of current challenges which should, in theory, result in comprehensive law and policy. In this regard cognisance needs to be taken of the concurrent call for the development of a biodiversity protocol and the revision of the Wildlife Management and Law Enforcement Protocol, and that these processes need to converge in order to work towards more synergy, rather than increased fragmentation.

# PART 2:

# INITIATION PROCESSES

# The Initiation of Transfrontier Conservation Areas

In preceding discussions a distinction has been made between TFC proponents and practitioners. This Section is aimed at the proponents, i.e. those parties who recognise the need for transfrontier collaboration in some form or another with a view to achieving conservation objectives, who need to develop and test the idea more. This Section should be read in conjunction with Section 3 which provides theoretical substance and rationale for pursuing the possibility of a TFC initiative. It is structured specifically to present three consecutive steps that may be taken in the process of initiating a TFCA. However, it is also acknowledged that the strict application of these steps may not suit every situation and that specific circumstances may dictate or require variations to what is recommended here. While these steps are based on principles which are an essential basis for a Guideline, an over-arching principle is that unique circumstances will require adaptations of these recommendations.

Here again the work of the Transboundary Conservation Specialist Group of the IUCN WCPA in revising the Best Practice Guidelines of Sandwith et al (2001) has been used as a point of reference for this Section. More specifically this work has relied on that of Erg et al (2012) and their IUCN publication “Initiating Effective Transboundary Conservation”. The principles and processes presented in this publication serve as the basis for this Section, but with examples that are relevant to SADC TFCAs.

## Assessing the Enabling Environment

The purpose of this step in the initiation process is to provide TFC proponents with the tools and understanding of what is required to test the extent to which the dynamics inherent within and related to the area of interest are conducive to the idea of a TFC initiative. An alternative way of couching this process could be to see it as a pre-feasibility assessment or a scoping exercise.

### Aspects Relevant to a Prefeasibility Assessment

According to McKinney et al (2012) there are ten distinct elements that are present in all successful TFC initiatives. In reading and considering these elements, proponents would need to assess the extent to which they exist and therefore gauge the extent to which the area in question is within an enabling environment. The first five of these elements are absolutely appropriate to the pre-feasibility stage of an initiative, while the other five are aspects that are more relevant to the establishment phase and will be discussed in greater detail in Section 0.

**Element #1: The catalyst**

What is it that is significant enough to pull people out of their comfort zones, institutional silos, and/or the safety of sovereignty? Collaborating across international borders becomes compelling when people recognize that they are more likely to achieve their interests by working together than by acting independently, in response to what is a common crisis, threat or opportunity.

**Element #2: Leadership**

The type of leadership that is required to initiate, drive and sustain a TFC initiative could be described as an apolitical diplomat. One who is able to:

* invite people to take ownership of a shared vision and values;
* work hard to bridge differences;
* nourish networks of relationships;
* share power, mobilize people, synthesize ideas, and assemble resources;
* provide integrity and credibility and advocate for the integrity of regional partnerships;
* show a high tolerance for complexity, uncertainty and change, and they emphasize dialogue and relationship building by respecting the diversity of ideas and viewpoints; and
* builds trust, fosters communication, understanding and agreement.

**Element #3: Representation**

Depending on what is to be achieved through the TFC initiative it is essential to ensure that all stakeholders associated with the desired outcome are able to be represented in the process. It is important to assess the level of interest in the issue at hand and determine whether people are ready to begin working together.

**Element #4: Regional fit**

In the words of McKinney et al (2012) the way in which people define a region naturally flows from their interests and concerns. Regions are most often defined in one of two ways: either rooted in a sense of place, or based on the ‘territory’ of the problem. Natural ecological boundaries—such as watersheds, ecosystems, and wildlife habitats—can help inform the appropriate definition of a region, but in the final analysis the region must engage the hearts and minds of people and appeal to their shared interests. Recognizing the precise physical boundaries of a region is often less important than clarifying the core area of interest. Boundaries can be soft and flexible, adaptable to changing needs and interests. In sum, the region needs to be large enough to capture the problem, and small enough to get traction among people whose interests are at stake.

**Element #5: Governance**

This speaks to the degree of decision-making authority, along with mechanisms for funding and dispute resolution that exist within and associated with the area of interest, and the potential to assemble these resources and organise them in a way that will ensure collaborative effort is achieved. From a long-term perspective it also speaks to the extent to which this collaborative governance mechanism and process will be able to measure, assess and stand accountable for progress and performance.

The other five elements are:

* Knowledge and experience-sharing (see Section 3.7);
* Strategy: the formulation of a vision, goals and aspirations (see Section 7.4);
* Implementation: a plan to move from vision to action (see Section 7.5);
* Outcomes: agreements, policies, programs and on-the ground accomplishments; and
* Adaptation: the ongoing process of monitoring, evaluating and adapting as needed (see Section 7.7).

To further entrench this thinking and the relevance of these elements within a successful TFC initiative, McKinney et al (2012) provide a diagnostic framework which is also presented within the context of the need for a pre-feasibility assessment. It is likely that the idea of establishing a TFC initiative seems perfectly logical to the proponents, however, an objective process that assesses the extent to which the receiving environment is and will be enabling, is a strategically important step. Not only will such a process help to determine the feasibility of launching a TFC process, but will also identify opportunities and threats to the process which may be pro-actively addressed to ensure that they are enhanced and managed respectively. As such this process will ensure optimum efficiency of implementation.

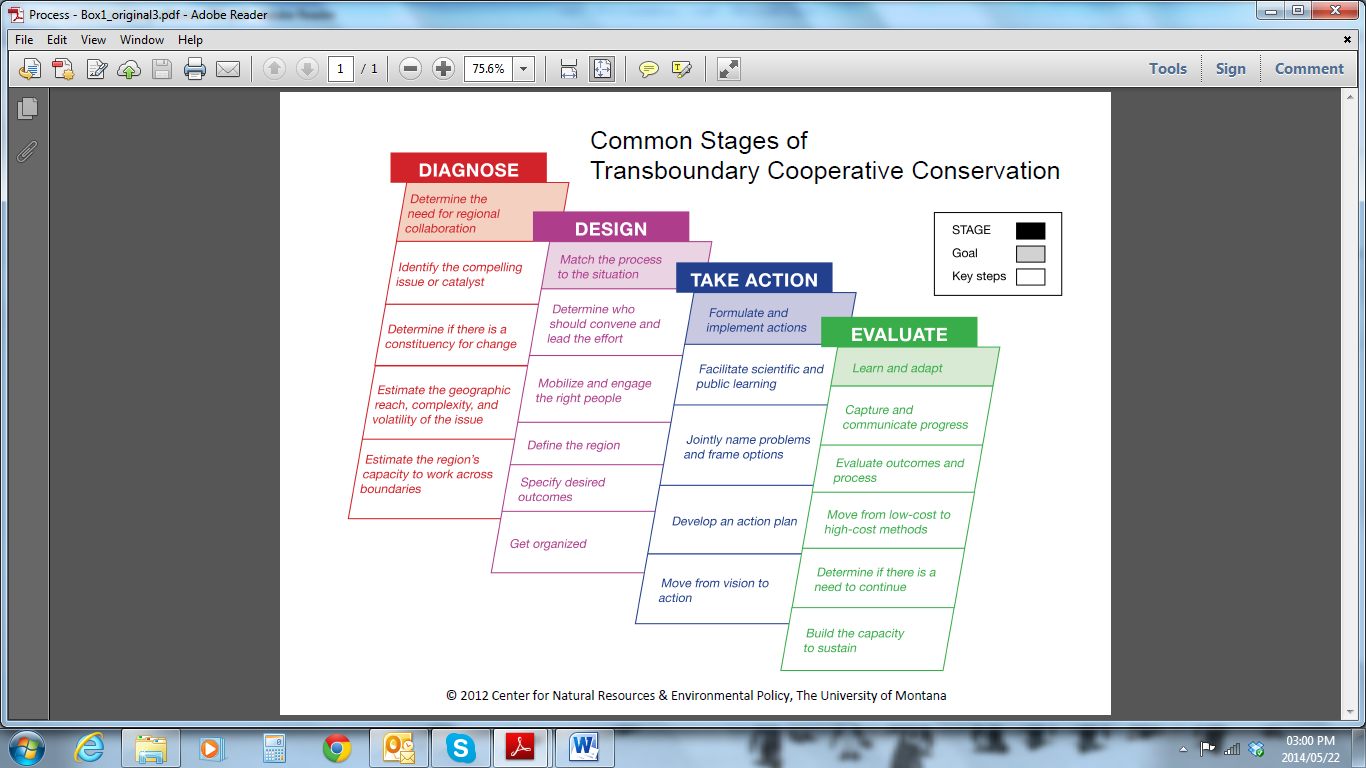
This diagnostic framework also helps to illustrate the successive steps or stages from the initiation aspects discussed in this Section, to those that are relevant to establishment and development discussed in Section 0. The first step in their diagnostic framework (see Figure 15) speaks to the five elements that have been listed and discussed above.

Figure 15: The diagnostic framework of McKinney et al (2012) illustrating the stages, with their goals and key steps which are characteristic of successful TFC initiatives (© University for Natural Resources & Environmental Policy, University of Montana).

### Pre-feasibility Assessment Method

As a preamble to their discussion on the above, McKinney et al (2012) make the valid observation that in some cases proponents may have access to all the necessary information required to undertake a pre-feasibility assessment. However, while this might be the case, it is often a good idea to crosscheck their understanding of the issues and drivers against a larger group of stakeholders as this helps to ensure the legitimacy, credibility, and transparency of any subsequent work. Irrespective of whether proponents have a full understanding of the all the issues relevant to a potential TFC initiative, or they need to undertake a body of work to generate this understanding, McKinney et al (2012) put forward a thorough stakeholder assessment process that will produce a robust outcome that will contribute significantly to a proponents ability to assess the elements discussed above, and/or undertake the feasibility assessment process discussed below. This process will also be extremely useful in the initiation of the management planning framework discussed in Section 7.4.

It is worthwhile noting at this point that there is a strategic difference between the stakeholder engagement that takes place in the assessment being promoted here, and that which takes place in the process of deriving the management planning framework. In the process that is being promoted here, as part of the pre-feasibility, stakeholders are engaged individually or within their respective groupings. However, when it comes to the management planning framework, stakeholders are brought together for collective engagement, hence the point that has been made in the paragraph above about the usefulness of this stakeholder assessment to the overall process.

According to McKinney et al (2012) there are a number of benefits that emanate from this process, namely that it allows both the proponents and the stakeholders to begin developing a common understanding of the substantive issues; to begin to understand the diversity of viewpoints and interests; and if there are alternatives to address the issues pointing to the need for a TFC initiative. It helps people understand the history and dynamics of a particular issue or situation and clarifies the incentives of the various parties to engage in TFC collaboration. It can help to understand the opportunity costs of maintaining the status quo of independence rather than interdependence.

While it is possible for TFC proponents to undertake a stakeholder assessment, it is recommended by McKinney et al (2012) that it is preferable that this be facilitated by third parties not directly interested in the particular TBC that is being assessed (e.g. facilitator or consultant), who can report to and advise the proponents based on the outcome of the assessment. A very detailed outline of the recommended stakeholder assessment process is presented in Figure 16 and in brief the process would include the following:

* Proponents identify and appoint a credible impartial assessor who has some understanding of the issues at stake and the institutional context of the issue, as well as a proven track record of being an impartial and discerning interviewer.
* Proponents and assessor identify the stakeholders to be engaged and ensure as full an understanding as possible of the issues at hand, and formulate an interview protocol and questionnaire. Here the experience of the assessor is critical as the way in which questions are formulated and asked plays a significant role in the interviewee’s ability to respond appropriately.
* Assessor analyses the responses to the interviews and prepares a report that provides insight as to the relevance of the potential TFC initiative, as well as indications as to how to take the initiative forward if it is found to be an appropriate intervention.

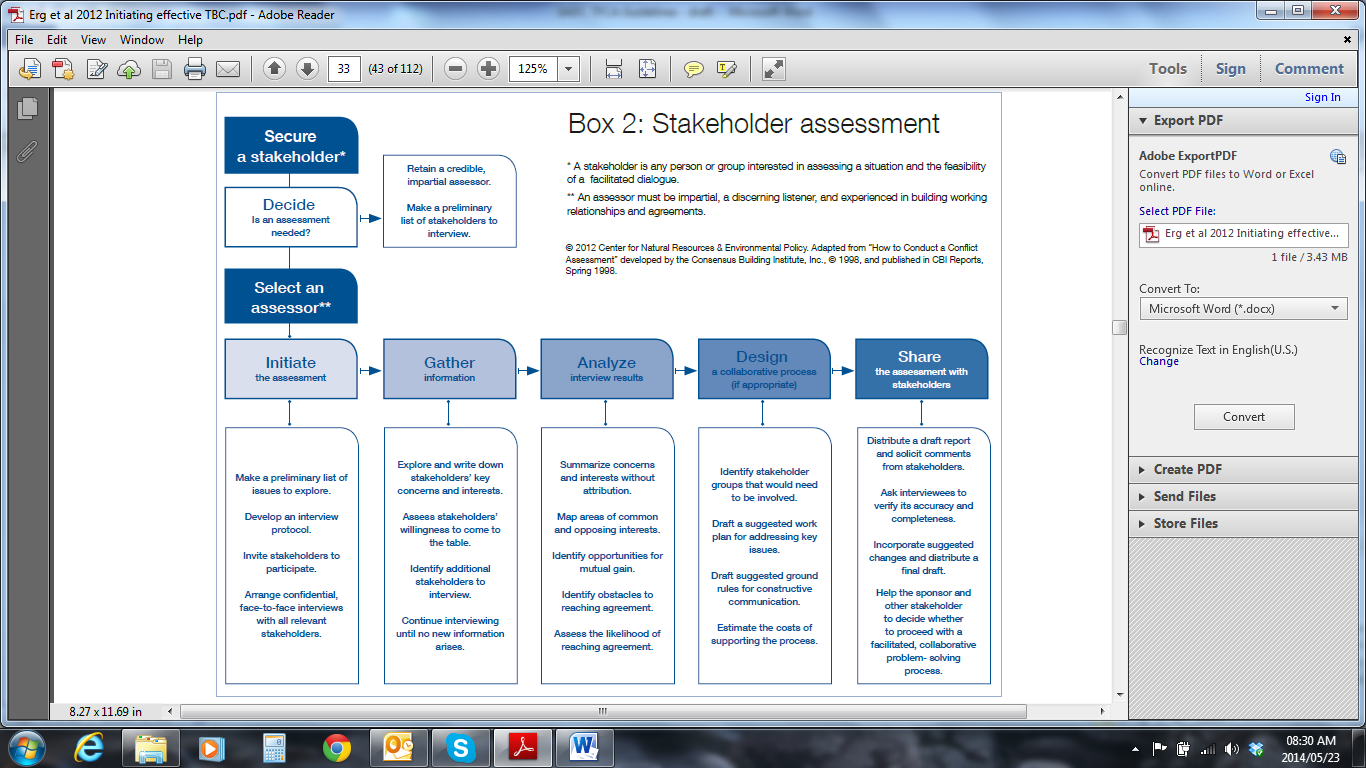


Figure 16: The detailed steps and activities of the Stakeholder Assessment process recommended by McKinney et al (2012)

## Assessing TFC Feasibility

Through the implementation of the recommended approaches in the preceding Section, proponents would have been able to gain greater insight into the prevailing dynamics within and associated with the area in question and the potential suitability of a TFC approach. In this Section the application of a diagnostic tool developed by Vasilijević (2012b) is proposed, and the insights gained from the pre-feasibility are crucial for the application of this tool. While there are other approaches that may be taken to assess the feasibility of a potential TFC intervention, this diagnostic tool has been developed specifically with TFC feasibility assessments in mind. This Section provides a brief description of the tool and proponents are encouraged to download it off the internet via the following link: <http://www.tbpa.net/page.php?ndx=22>, although a hard copy is provided as Appendix B.

The diagnostic tool was developed by the IUCN WCPA Transboundary Conservation Specialist Group for the IUCN WCPA publication “Initiating effective transboundary conservation: A practitioner’s guideline based on the experience from the Dinaric Arc” (Erg et al, 2012) and helps to answer questions such as:

* Is there a need for a TFC approach in your region?
* Are the key stakeholders ready to support and engage in a TFC initiative?
* What capacities are needed to successfully implement the TFC initiative?
* Are there any risks that might hold back the process?
* Which elements could potentially help to facilitate the process?
* Which opportunities can be generated by a potential TFC initiative?

The essential elements of the tool, which is in an Excel spreadsheet format; are a title page, a page that provides an introduction and detailed instructions, a questionnaire including 91 questions, a report template, and an annexure that provides an indication of potential benefits that may be derived from the envisaged TFC initiative. While it is possible to complete the questionnaire in hardcopy format, it is recommended that the electronic version be used as it is designed to generate the report as the questionnaire is being completed.

McKinney et al (2012) provide relevant commentary on the diagnostic tool as follows (the original terminology of this extract has been maintained hence the reference to TBC and not TFC):

[This is] a qualitative framework best used by third parties not directly interested in the particular TBC that is being assessed (e.g. facilitator or consultant), who can report to and advise the initiators of TBC based on the surveyed questions. The questionnaire presented in this publication is designed to offer conclusions based on the quantitative methodology, and we see it as one of the key advantages. We are aware of the risk by offering such an approach and possible criticism in that TBC is too complex and depends on many factors that the statements resulting from quantitative assessment might be too ‘simple’. That said, 91 questions were designed in such a way to attempt to assess best possibly the issues that reflect feasibility for TBC. The number of questions might seem overwhelming to someone, but the questionnaire is most likely incomplete. Many more questions could have been added that would undoubtedly bring added value to the assessment, but keeping the purpose of the tool in mind, the questionnaire was designed in such a way as to offer straightforward responses and the best possible guidance for those using it.

Considering that the objective of this tool is to provide guidance on the feasibility for TBC, the questions primarily assess the compelling reason(s), i.e. the need for TBC, and the readiness of parties to undertake the effort. The questionnaire also clarifies opportunities that could be generated by engaging in TBC, including those opportunities that could accelerate the process, as well as risks that could hinder the process. Opportunities and risks are assessed separately in each part of the questionnaire: i.e. for ‘compelling reason for transboundary conservation’, ‘stakeholders’, ‘geographic reach, regional stability and complexity’ and ‘capacity’.

The majority of questions are evaluated by scoring, and thus the questionnaire can easily be used by TBC stakeholders and initiators, providing them a self-assessment opportunity. For example, if protected area manager or responsible ministry or any other interested party wishes to examine the potential for TBC, by using this questionnaire they can do it on their own. The process is relatively fast, and one does not necessarily have to be a TB expert to reach conclusions about feasibility for TBC and interpret the results. Some TBC developers though wish to hire a consultant or someone neutral to advise them on the feasibility for TBC. For this particular possibility, the questionnaire contains also several ‘informative’ questions that are not scored. Their purpose is to fill in the consultant’s potential knowledge gap related to the region.

An essential aspect which has not been addressed in the diagnostic tool, although there are questions that relate to financial resources, is the extent to which the target area does and can contribute to the socio-economic resilience of the broader landscape in which it is located. Sections 3.2 and 7.6 provide specific reference to this concept, and it is recommended here that at this stage in the process it is appropriate to carry out such an assessment. Note especially that the discussion in Section 3 relates to the suite of potential benefits that may result from TFC initiatives, and the extent to which these benefits may be realised from the area in question needs to emerge from a feasibility assessment.

It is possible that the diagnostic tool may be up dated to include this aspect as it is recognised as a work in progress, but until such time as this happens, proponents are encouraged to apply the categories and examples from the Millennium Ecosystem Assessment as discussed in Section 3.2 when considering the broader socio-economic relevance of their TFC initiative. In addition to this there are a number of tools that are available such as the mapping software InVEST (Tallis and Polasky, 2009) and other decision support tools (TEEB, 2009; Goldman and Tallis, 2009; Tallis *et al*, 2010; Vogl and Tallis, 2014). Reference has also been made to the recent publication by Kettunen and ten Brink (2013), “Social and Economic Benefits of Protected Areas: An Assessment Guide”, which has specifically been compiled to assist with such an assessment.

## Designing the Implementation Process

Assuming that the pre-feasibility and feasibility processes discussed above indicate that pursuing a TFC approach is the right thing to do, it is then recommended that the outcomes of these processes and the insights gained be applied to the careful design and planning for implementation. Reference is again made to McKinney et al (2012) and the process illustrated in Figure 15. They caution that enthusiastic proponents are often willing to simply dive into implementation without careful consideration of the aspects discussed in the pre-feasibility and feasibility processes, and they recommend that it is well worth taking the time [at this point] to design a thoughtful, efficient process for [TFC collaboration]. A well-designed process is far more likely to draw people into the effort, help them stay focused on the region and issues at hand and achieve desired outcomes.

From the illustration provided in Figure 15 it can be seen that there are four important steps that are recommended in the process of designing the way forward and to ensuring that the process matches the situation. These steps are listed and discussed briefly below:

**Design step 1: Determine who should convene and lead the effort**

This aspect has already been touched on in Section 6.1.1 in the discussion on the requirements for leadership in a TFC initiative. Again it is reiterated that these leadership qualities need to be prevalent in whoever will be selected to lead the process. However, it is also recognised that due to the long-term, complex and dynamic nature of TFC processes, different leaders may step forward at different times to fulfil different roles. At the beginning there may be more of an emphasis on the requirement for one with entrepreneurial skills, where the ability to see problems or opportunities and/or have a vision and the ability to make it compelling to others are essential. Also one or more who can help create credibility and legitimacy for an initiative.

An important consideration is the potential for the leader to remain involved with the process in the long-term. It is often the case that the departure of a champion from a process leads to it slowing down, or even going backwards. As such it may be that the leader needs to be a representative of an official agency who has a key stake in the success of the process, and therefore has a good chance of staying with it. And again in consideration of the complex and dynamic nature of these processes, good project management skills are essential.

**Design step 2: Mobilize and engage the right people**

It is a fact that as soon as one begins to look at collaborating across one or more international boundaries simplicity is immediately escalated to complexity, no matter how one may want to avoid it. Conservation agencies are not necessarily mandated to work across international boundaries and therefore need to engage other organs of state in order for them to assist with the process, while others may have unrelated mandates that may benefit from cross border collaboration. In this regard and depending on how pro-active and open-minded these other agency representatives might be, they could either enhance the enabling environment, or make things even more complicated. A natural response to this might be to rather work with those who are positive and helpful in the process, but it is essential that every effort is made to get all the relevant people on board. McKinney et al (2012) couch this as being inclusive and suggest that there are three categories of people who must be engaged for a process to be legitimate, credible and effective, namely:

* those people and groups who are interested in and directly affected by the issue;
* those needed to implement any potential recommendation (that is, those with authority); and
* those who might undermine the process or the outcome if not included.

This works towards building a “constituency for change” in which the stakeholders become actively involved in the process from as early as possible. In this way it is likely that buy-in will be an assured outcome as the stakeholders will contribute to the long-term vision (see Section 7.4) and the short-term actions required to get there (see Section 7.5).

**Design step 3: Define the region**

This aspect is discussed in detail in Section 7.3 and these Guidelines do advocate for a thorough and robust mapping exercise to be a crucial part of the establishment and development of a TFC initiative. However, it is acknowledged that in order for the establishment process to be well designed, there needs to be at least a preliminary indication of the geographic scope with which the proponents are proposing collaboration. In this regard it is essential that every effort is made to provide stakeholders with the assurance that the area delineated at this point in the process is there to serve the purpose of initiating dialogue and that as the process evolves, so will the delineation of the area.

It may also be argued that this step needs to precede that of or be part of the stakeholder identification. While much of the latter is driven by jurisdictional linkages to the initiative, geographic linkages are also necessary to help identify stakeholders, particularly those as first group listed in design step 2 above. Therefore it may be necessary for these steps to be implemented iteratively.

While it might be tempting for proponents to produce glossy hardcopy maps depicting the TFC area as they envisage it at this point in the process, it may be better to rather keep these as low key as possible and just sufficient enough to be used in communicating the vision for the initiative and the potential outcomes. The maps produced by the Peace Parks Foundation play a prominent role in these Guidelines, especially in Section 4. However, in the early days of this organisation, their use of hardcopy glossy maps served to alienate them from some TFC processes. The lesson learnt from this experience was that potential TFC partner countries coming in to a process at this stage may be easily intimidated and perceive a potential takeover of land by a neighbouring country. This is particularly true if the country from which the initiative originates is socio-economically and institutionally stronger.

**Design step 4: Specify desired outcomes**

In keeping with the principles of being open and transparent form the outset, it is essential that the desired outcomes are clearly articulated. It must however be recognised that while these may remain relatively unaltered, as the process evolves and stakeholders are brought on board to participate, other potential outcomes may emerge. Therefore proponents need to be willing to let go of their original perceptions of what the outcome might be and allow the realities of broader perspectives to help fashion outcomes that are possibly more relevant and achievable. The idea of specifying the desired outcomes at this point in the process then is to help launch the idea and to initiate dialogue.

**Design step 5: Get organised**

So much about the initiation, establishment and development of TFC initiatives revolves around being organised and maintaining processes within the context of an organisation. This design step may be seen as the first step in this direction and assumes that up until this point much of what has happened has almost been spontaneous and now that spontaneous energy needs to be channelled in order to ensure that it can move forward in a meaningful way. It is at this point that the proponents need to rally themselves, take stock of what the pre-feasibility and feasibility processes have revealed, and assuming that these provide the green light to take the initiative forward into the establishment phase, they now need to plan carefully how best to go about launching the initiative.

As with the delineation of the area and the articulation of desired outcomes, proponents need to acknowledge that as they launch the TFC initiative into the establishment phase, they may well have to ‘hand it over’ to a broader more representative structure. It may still take a number of years of preliminary work to get to this point, but it is a goal towards which proponents should strive as it will be indicative of the extent to which they have succeeded to get buy-in for their vision and to have it embedded in a bigger picture. It is the work of taking the initiative into the establishment phase for which this design step is intended.

Some of the aspects associated with this step and which need to be taken note of are:

* Proponents may need to secure a mandate from the agency for which they work in order to pursue the initiative as it may extend beyond existing job descriptions.
* It is likely that this work will extend beyond the scope of existing budget allocations and therefore financial resources might need to be secured from elsewhere.
* The stakeholder assessment undertaken as part of the pre-feasibility will have revealed stakeholders who are sympathetic to the initiative and who may have resources and skills they can contribute to the process. It will be useful to engage with these stakeholders and bring them into what may be considered a core organising group.
* If not already done, implement design step 1 and select a leader for the process.
* Formalise this core group and develop an operational protocol and communication strategy, and allocate roles and responsibilities relevant to the mandates, skills and resources available to the various core group members.

Again it needs to be emphasised here that while the processes and steps set out in this and the following Section suggest a logical sequential flow of process, the reality on the ground might well dictate otherwise. Therefore it is recommended that in the application of these Guidelines, TFC proponents and practitioners must allow for flexibility, adaptability, and an evolutionary growth process within their respective initiatives. Central to the evolution of TFC initiatives is the iterative application of these steps; and at times, the reversal of the sequences, all dictated by the circumstances on the ground. It may also be that where the pre-feasibility and feasibility assessments are thorough, they may negate the need for some of the steps listed and discussed in the following Section.

# PART 3:

# ESTABLISHMENT AND DEVELOPMENT PROCESSES

# The Establishment and Development of TFCAs

At this point in the complex, dynamic, evolutionary and iterative process of identifying the need for a TFC initiative, initiating the process, and then moving on to begin with the establishment and development; it is acknowledged that much ground will have already been covered, important insights and understandings would have been generated, as well as a level of awareness amongst stakeholders. However, as will be seen from the discussion in this Section, there is still a significant body of work to be done before proponents and practitioners will be able to step back from the process and consider the TFC initiative established. Following on from the concluding paragraph of the previous Section, the amount of work that will be required in this part of the process will depend directly on the amount of progress that was made leading up to this point.

From an implementation perspective it may be assumed that on the basis of the progress made during the initiation stage, proponents and practitioners will have been able to secure sufficient resources, support and mandates to launch into the establishment and development process. If this is not the case, then serious consideration must be made as to the feasibility of taking the initiative forward and it may well be necessary to revisit some of the pre-feasibility, feasibility and planning aspects.

In this Section, establishment and development are seen as being synonymous and therefore no distinction is made between them. However, from a strictly sequential perspective it may be argued that it is necessary to make a distinction and that one cannot develop and initiative that has not been established. As will be seen from the discussions below, these stages can overlap substantially and therefore in the interests of not being pedantic, they are addressed as one and the same thing.

What has not been included in this Section is any reference to the management of TFC initiatives as these aspects have been reserved for discussion in their own section, namely Section **Error! Reference source not found.**. Also it is recognised that it is an ambitious task to address the management of TFC initiatives at the generic level of a regional guideline, so only those aspects that are common to SADC member countries have been included and are addressed at the level of principles. The assumption is that detailed guidance on management issues is available in a plethora of publications.

The topics covered in this Section have been structured to follow a relatively logical flow of process assuming that it would be necessary to obtain buy-in from stakeholders before embarking on any further investment of time and effort. Thereafter it would be necessary to put an appropriate governance structure in place before embarking on and to lead subsequent processes. With buy-in secured and governance in place, it would be possible to better define the area in question and to do this in an open and transparent manner that includes all relevant stakeholders. Thereafter it would be possible to begin the process of developing a joint management plan, starting from the broad perspective of a shared vision and working towards the more refined management actions that would be undertaken in a collaborative manner. Following on from this planning process would be the derivation of a monitoring and evaluation framework with which to track the effectiveness of the implementation of the joint management plan, but an important and over-arching aspect would be the question of how this is all funded and how funding is sustained in the long-term.

## Securing Buy-in and Building Legitimacy

As their careers progress conservationists become increasingly aware of the fact that in order for them to achieve their conservation targets, no matter what these may be, they have to engage stakeholders to garner support for their efforts. Primarily this is associated with the need to secure funding and a mandate for their work, but it also has much to do with making sure that interested and affected parties are included in the process of designing their conservation strategies, and even participating in their implementation. Section 6.1 speaks to the issue of assessing the enabling environment, while this Section speaks to the processes of making sure that an important component of an enabling environment is established. It also speaks to the reality that conservation cannot happen in isolation but that in order to succeed it needs to make sense socially, economically and politically.

Although this Section has been structured in what appears to be a hierarchy of levels of stakeholders who need to be engaged, it must be noted that this does not reflect any level of importance or priority. Each of the sectors discussed here are equally important as they have a variety of roles that they can play, as well as a variety of ways in which they can influence the processes required to establish and develop a TFC initiative, and the rate at which progress is made. In this regard logic will dictate the sequencing of stakeholder engagement, as will the extent to which financial resources and capacity are available to undertake these tasks. It is therefore essential that TFC practitioners be very strategic about approaching this important aspect and build on the stakeholder assessment discussed in Section 6.1.2. Also it is important that the engagements suggested in the following discussions happen on the basis of a carefully and strategically compiled stakeholder engagement strategy. This in itself is a discipline that enjoys much attention in terms of published best practice, techniques and tools. These have not been included in this Guideline, but practitioners are encouraged to spend time reviewing the relevant literature before embarking on the process of compiling a comprehensive stakeholder engagement strategy.

A very real tension that needs to be managed by practitioners is that between the short-term nature of political engagement and influence, and the long-term nature of these processes related to interested and affected communities. This tension was felt acutely in the early stages of the Great Limpopo TFP where substantial political pressure was brought to bear on the process resulting in the premature implementation of a number of significant actions, such as the dropping of fences and the relocation of wildlife. While these actions may have served to secure buy-in at the political level, they may well have resulted in the loss of legitimacy at the local level. Perhaps if more time had been taken to ensure local community buy-in, greater cooperation would be evident today in the fight against rhino poaching.

### At the Political Level

Conservation practitioners have become increasingly familiar with the need to influence stakeholders at the political level as this is the primary source of their financial resources, as well as where they obtain the legal and policy framework required to legitimise their work. However, as soon as this work begins to move across one or more international boundary, not only are additional financial resources required, but multi-national mandates based on carefully crafted agreements. It is acknowledged that the processes required to work towards obtaining these agreements are protracted and involve diplomatic and bureaucratic dynamics that most practitioners are unfamiliar with. However, without these agreements in place, or at least the mandates to work towards them, efforts on the ground could be frustrated and even stopped, resulting in preliminary advances loosing valuable ground. It is therefore recommended that TFC practitioners ensure that every effort is made to bring the relevant political stakeholders on board as early in the process as possible.

The steps that are needed to secure buy-in at the political level will differ from case to case and country to country, but if it can be assumed that most TFC initiatives are initiated within a natural resource management (conservation) agency at a relatively high level where these types of strategic directions emerge and are taken, then the following steps should be appropriate:

* The leadership selected according to **Design Step 1** in Section 6.3 collates all the information generated through the pre-feasibility and feasibility processes and compiles a concise but comprehensive proposal motivating for the establishment and development of the TFC initiative in question in line with the report template provided in Appendix B. Note that the broader socio-economic relevance of the initiative is currently not in this template and needs to be integrated into the report.
* Appropriate channels of communication must be used to ensure that the proposal reaches the relevant minister with the assumption that they will then ensure that the necessary diplomatic processes are initiated in order to move the motivation both across to relevant ministries within country, as well as across the international boundary/ies.
* The driver of this process should attempt as far as possible to accompany and/or track the proposal along the channels of communication in order to be able to provide support through presentations and discussions, but also to be able to respond to requests for additional information and/or amendments as soon as possible.
* Wherever possible opportunities for direct or indirect lobbying should be identified and used to maximum advantage. Such opportunities may need to be created such as an invitation to senior officials and politicians to visit core areas that may clearly demonstrate the need for and benefits from the proposed initiative.

The timing of the above steps needs to be carefully considered as politicians have limited terms in office and therefore it would be best if these steps are timed to begin as early in the relevant minister’s term as possible. Where this is not possible cognisance must be taken of the risk that a new minister may be appointed somewhere in the middle of the process, and that it may therefore be necessary to start again.

### With Peers and Related Organs of State

Currently being compiled by Col Dave Peddle according to Braack et al (2005) and other relevant more recent experience.

### With Interested and Affected Communities

This sub-title distinguishes between communities who may be ‘interested’ and those who may be ‘affected’ by the establishment of a TFCA. Note that in these two groupings, the latter may also include the former and is potentially more influential. Primarily interested and affected communities are civil society groupings who do not have a legal mandate related to the establishment and development of a TFCA, but who are either interested in the initiative, such as environmental and social NGOs; or who stand to be directly affected by it by virtue of the fact that they are geographically located within or directly adjacent to the area in question, or are linked through the flow of one or more ecosystem services. In some instances affected communities may not be aware that they are and/or will be affected, while in others this may be well known and understood. It is thus critical that these distinctions are made in the designing of a process to engage with interested and affected communities.

The title of Section, namely “Securing buy-in and building legitimacy” has particular relevance to interested and affected communities, especially the aspect of building legitimacy. It is theoretically a simple task to obtain buy-in as this can be achieved through the promise of a variety of benefits, but it is the delivery of these promised benefits that will secure legitimacy. It is therefore essential that any and all processes that are designed and embarked on by TFCA practitioners to secure buy-in and build legitimacy with interested and affected communities are founded on the principles of honesty, openness, transparency, democracy, equity and full disclosure.

One of the greatest stumbling blocks for engagement processes with interested and affected communities is the danger of generating unrealistic expectations. It is likely that this may occur, even where the principles listed above are followed religiously. Therefore TFCA practitioners who are involved with these engagement processes need to ensure a high level of objectivity, even down-playing potential benefits that may emerge as a result of transfrontier collaboration. This is particularly risky at the start of the process to establish and develop a TFCA, where the practitioners have invested much time in developing the concept from their perspectives and have not yet engaged fully with interested and affected communities. This understandably biased perspective is what can cause the generation of unrealistic expectations, and therefore needs to be greatly tempered by this understanding and objectivity.

Another danger associated with this aspect of establishing a TFC initiative is related to the fact that the majority of these stakeholders are located in rural areas with limited logistical support and infrastructure. They are often remote and speak in different languages and dialects, and are scattered throughout the area of influence. As such a thorough engagement process will be a costly and time consuming exercise and any limitations in available financial resources will lead to this process being compromised. Such compromise will detract from the legitimacy of the process and the initiative as a whole, and therefore every effort must be made to ensure that it is well supported and thoroughly implemented.

In the development of a community engagement strategy much attention needs to be paid to the best method/s of communication, noting that this needs to be a two-way process from the outsets, i.e. practitioners do not engage with communities in order to tell them about the TFC initiative, but rather to share the concept with them and to very carefully listen to their responses. At times these may not be what the practitioners want to hear, but all viewpoints must be acknowledged, respected and carefully responded to. The language used must also be free of jargon and cognisant of the remoteness of the communities. Experience from the Maloti Drakensberg Transfrontier Project in this regard was that the practitioners engaged with communities stating that the project was funded by the World Bank. This was a completely foreign concept for the communities as their ‘world’ was the valley in which they live, and their ‘bank’ was their livestock. A simple term for the practitioners, but which meant something completely different to the communities.

In summary then when practitioners move to secure buy-in and build legitimacy with interested and affected communities they need to:

* Carefully craft a community engagement strategy;
* Ensure that there are adequate financial resources to implement the strategy thoroughly;
* Identify engagement techniques that are appropriate to the context of the various community groupings;
* Develop communication material that uses appropriate language, both in terms of direct communication, and also in terms of the terminology and concepts that are used (keep it simple);
* Ensure that all practitioners who are going to implement the engagement strategy are appropriately skilled to be objective, open, transparent and honest and are willing and able to listen;
* Acknowledge that this will not be a once-off process, but rather one that is on-going, and therefore is crucial to the process of building long-term meaningful and trusting relationships; and
* To reiterate what has already been stated in the introduction to this discussion on securing buy-in and legitimacy, ensure that the timing of the processes aimed at the three levels reflected in this discussion, is well managed and that they work in harmony with each other.

Note that the discussion in Section 7.4 provides detailed guidance on one of the stages of stakeholder engagement related to the development of a framework for joint management. In this discussion it is recommended that preliminary engagements with interested and affected communities need to be considered. The engagements referred to in the discussion above, as well as those in Section 6.1.2 and 7.4 reflect a continuum of engagement that serves to establish the linkages required to ensure that buy-in and legitimacy are sustained.

## Selecting an Appropriate Governance Model

A number of recent publications exist that relate to this topic and which are recommended for further reference such as the IUCN’s Best Practice Protected Area Guidelines Series No. 20 “Governance of Protected Areas: From understanding to action” (Borrini-Feyerabend et al, 2013). The revise IUCN Guideline on Transboundary Conservation (Vasilijević et al, in process) draws heavily in this publication, as well as the work of McKinney and Johnson (2009) “Working Across Boundaries: People, Nature, and Regions”. These publications are referenced in this Guideline and are accessible to TFCA practitioners in order to obtain greater theoretical background to this topic, as well as a more global perspective. For the sake of this Guideline it is the definition of Transboundary (Transfrontier) Conservation governance and key lessons that have been extracted from these works, otherwise the discussion below is based on a critical review of the governance models currently in place for SADC TFCAs.

Transboundary conservation governance is defined as the interactions among structures, processes and traditions that determine how power, authority and responsibility are exercised and how decisions are taken among actors from two or more countries in a Transboundary Conservation Area (Vasilijević et al, in process). Based on the review of the SADC TFCAs it is possible to refine this definition by recognising that in order to govern TFCAs governance instruments and mechanisms need to be put in place.

### Governance Instruments

From the information presented in Section 4 on the existing SADC TFCAs it is evident that most have begun with a Memorandum of Understanding as a governance instrument, and in two cases this has evolved into a Treaty. Both of these cases, i.e. the /Ai /Ais-Richtersveld and Great Limpopo are Transfrontier Parks involving two and three countries respectively. From this it could be assumed that these relatively simple configurations lend themselves to instruments of greater commitment. However, one of the youngest and most complex of the SADC TFCAs, i.e. the KAZA TFCA, is based on a Treaty signed in 2011, even prior to the commissioning of a feasibility study in 2013. As encouraging as this sign of political buy-in and political will may be, a cautionary flag must be raised in the light of the recommendations included in these Guidelines. Having said this though, a more detailed review of the content of this Treaty would be required in order to qualify this caution.

In order to make sense of this discussion on governance mechanisms some relevant definitions are included here.

**Memorandum of Agreement** (derived from <http://en.wikipedia.org/wiki/Memorandum_of_agreement> - accessed on 13 May 2014)

A memorandum of agreement (MoA) or cooperative agreement is a document written between parties to cooperate on an agreed upon project or meet an agreed objective. The purpose of a MoA is to have a written understanding of the agreement between parties. It can be used between agencies, the public and the federal or state governments, communities, and individuals. It lays out the ground rules of a positive cooperative effort.

**Memorandum of Understanding** (derived from <http://en.wikipedia.org/wiki/Memorandum_of_understanding> - accessed on 13 May 2014)

A memorandum of understanding (MoU) is describing a bilateral or multilateral agreement between two or more parties. It expresses a convergence of will between the parties, indicating an intended common line of action. It is often used in cases where parties either do not imply a legal commitment or in situations where the parties cannot create a legally enforceable agreement, [but may intend to do so and are using a MoU as a step towards a more legally binding agreement].

**Treaty** (derived from <http://en.wikipedia.org/wiki/Treaty> - accessed on 13 May 2014)

A treaty is an agreement under international law entered into by actors in international law, namely sovereign states and international organizations. It is an official, express written agreement that states use to legally bind themselves. It is also the objective outcome of a ceremonial occasion which acknowledges the parties and their defined relationships.

**Protocol** (derived from <http://en.wikipedia.org/wiki/Protocol_(diplomacy)> – accessed on 20 May 2014)

In international politics, a protocol is the etiquette of diplomacy and affairs of state. It may also refer to an international agreement that supplements or amends a treaty.

These definitions have been listed in the above order for the purpose of illustrating a key principle in the establishment of TFCA governance instruments, namely that the trend and recommendation is that they be allowed to evolve from initially being informal to becoming more formal as greater certainty develops in relation to the feasibility of the TFC initiative, as well as the extent to which buy-in from all stakeholders is secured.

### Governance Mechanisms

The suite of SADC TFCAs demonstrate a variety of governance mechanisms with a general trend being that the level of complexity associated with the mechanisms is directly related to the age of the initiative. Using the same examples as in the preceding discussion it can be seen that the /Ai /Ais-Richtersveld and Great Limpopo are Transfrontier Parks include a number of spheres of governance, while the KAZA TFCA currently has a Secretariat and an Implementing Agency. It is however likely that the governance structure for the KAZA TFCA will evolve to become more like those in the two older examples.

Judging from the established SADC TFCAs it can be seen that the governance mechanisms selected include the following:

* a high level multi-national political structure;
* a high-level multi-national technical structure; and
* a number of discipline-specific or sectoral multi-national structures.

The identities given to these are generally:

* a Ministerial Committee;
* a Joint Management Board or Committee; and
* Management Committees or Task Groups relevant to the variety of aspects that require specific management focus.

In addition to these mechanisms, or structures, some of the TFCAs have established a supporting mechanism in the form of a Secretariat, an International Coordinator, and/or an Implementation Unit.

### Summary Observations and Recommendations

In order to select an appropriate governance model it is recommended that TFCA practitioners allow the processes of initiation (as discussed in Section 6) and establishment (as discusses in this Section) to dictate that which will be best suited to the specific circumstances and prevailing socio-political dynamics within and associated with their initiative. In other words best practice dictates that there is no single model that will fit all situations, and the best model will be that which is allowed to evolve.

Irrespective of the exact nature of the governance instrument/s and mechanisms or structures that are ultimately put in place, it is essential that they are sufficiently robust to:

* ensure strong collaboration between all relevant stakeholders in terms of all aspects of implementation at all spheres of governance;
* provide for feedback mechanisms necessary for the flow of information between the various spheres of governance;
* allow for adaptability and flexibility in response to new information, threats and/or opportunities;
* measure and track performance and put strategies in place to ensure improvements;
* measure, monitor and ensure that benefits flow to the appropriate beneficiaries transparently and equitably;
* maintain open channels of communication above and beyond the governance mechanisms; and
* secure the resources necessary to ensure that the TFCA is able continue functioning optimally.

## Defining the Geographic Extent

In the process of identifying the geographic reach of transfrontier conservation initiatives the distinction between delineation and mapping is important as the former allows for the identification of the distinct geographic entity that is being put forward, i.e. a line on a map; while the latter provides for the detail within and related to the delineated area. Perhaps the most important guideline related to this aspect of transfrontier conservation is the need for this process to be consultative, flexible, adaptive and iterative; and to recognise that the delineation and mapping processes need to inform each other, and be agreed to by the participating countries.

The rationale behind the need to invest time and resources into these processes is based on the need to, amongst others:

* **Communicate**

In order for transfrontier conservation initiatives to find traction with stakeholders and decision-makers it is essential that they are presented with a clear indication of what the initiatives entail from a spatial perspective, i.e. what portions of each participating country are being proposed as constituent parts of the Transfrontier Conservation Area. The ability to visualise this and to be able to understand the implications in terms of how the Transfrontier Conservation Area will relate to other features within and adjacent to it is made possible with a good map.

* **Identify and consult stakeholders**

Once the target area has been clearly identified it becomes easier to objectively identify and select the stakeholders who are directly related to the area and who will be influential in its establishment and management. Again the inter-changeability of the steps presented in Sections 0 and 0 is emphasised and it is acknowledged that Section 6.1.2 has already provided a list of stakeholders and a process to engage with them one-on-one. Also in the processes outlined in Sections 7.1 and 7.4, it is possible that the geographic extent and definition of the TFC area may change, as may the list of stakeholders.

* **Plan for establishment and management**

The process of planning for the establishment and management of a TFC initiative is more meaningful and purpose driven with clear spatial data. When the Greater Limpopo Transfrontier Park was first conceptualised it was put forward as a Transboundary Conservation Area, which included vast tracts of communal and private land between disjunct protected areas. Through a series of iterations with decision-makers the area was significantly reduced to a Transboundary Protected Area including only those protected areas that are immediately adjacent to each other (although one of the protected areas has had to be included through the establishment of a linking corridor). Once this delineation process was completed it was possible for the planning processes to proceed with clarity and definition.

* **Formalize agreements**

It is possible for transboundary conservation agreements to be concluded in the absence of distinct spatial descriptions, but these would be precursors to subsequent agreements that have a geographic focus and identity. While the former are important building blocks, even they would need some indication of the potential areas of collaboration. Thereafter, as these areas are more clearly delineated, the resultant map/s will need to be included as crucial parts of agreements at all levels of implementation, i.e. from the political to the on-the-ground management.

* **Analyse, monitor and evaluate**

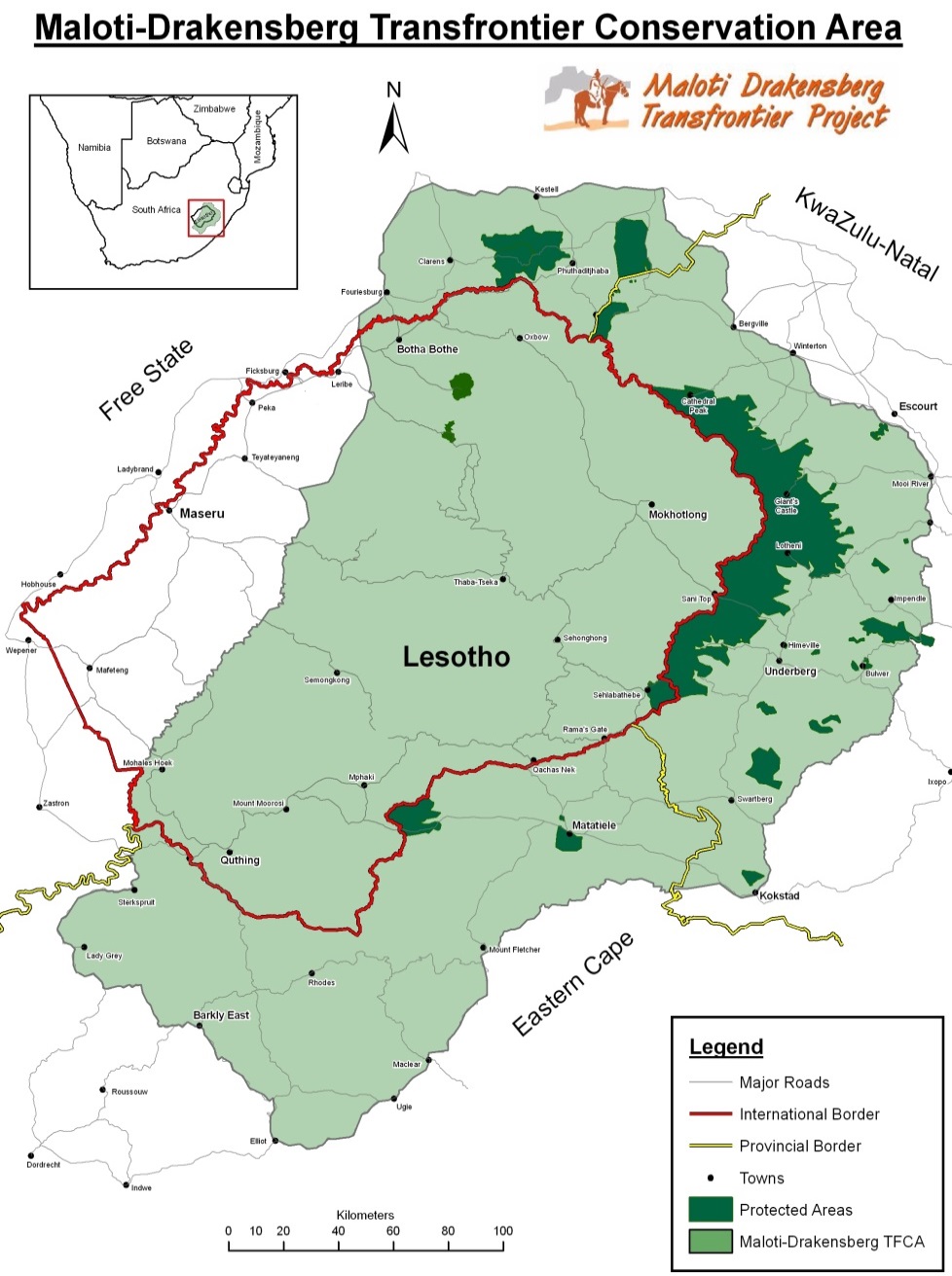
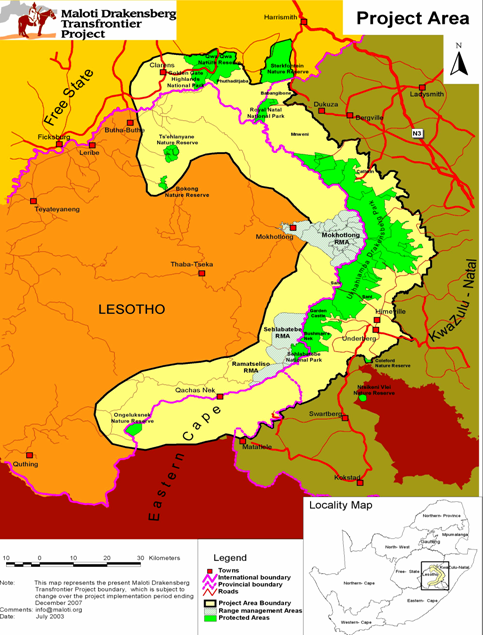
A clear understanding of the geographic extent of a TFC initiative provides a sound foundation from which a variety of analyses may be launched, as well as providing a frame of reference for the development and implementation of a monitoring and evaluation framework.

There are a variety of methods that may be used to delineate and map a TFCA and these vary from being highly technical to more low-tech methods. The selection of method/s to be used will depend on the resources and capacity availability to the objectives of the mapping exercise. As can be seen from the case of the Maloti Drakensberg Transfrontier Conservation and Development Area (MDTFCA), a more low-tech method was used in the beginning of the process where a line on a map was essentially drawn to ensure political buy-in. Thereafter a lengthy and highly technical process involving the most up to date systematic conservation planning software identified a significantly expanded area of focus which is illustrated in Figure 17. This process was completed during the first five year implementation phase which was well funded through a GEF grant and it is possible that as a result of there no longer been donor funding available, the area has again ‘shrunk’ to that represented in Figure 9 which is the most current spatial depiction of the MDTFCA.

The development and refinement of systematic conservation planning as a discipline and a tool may be ascribed to two Australian scientists C. R. Margules and R. L. Pressey who have produced a number of relevant publications such as Margules and Pressey (2000). Their work is referenced substantially together with that of others in the very useful work of Watson et al. (2011) who review the discipline of systematic conservation planning and provide an indication of its usefulness into the future. Considering that there often tends to be a bias towards the terrestrial environment it is good to see that Ban et al. (2014) promote the use of systematic conservation planning as a tool relevant to helping achieve the “required ecosystem-based, integrated and science-based management that world leaders at [the UN Conference on Sustainable Development in] Rio [2012] acknowledged should underpin ocean management.”

A valuable lesson that emerged from the high tech systematic conservation planning process of the MDTFCA was that the outcome was recognised for its scientific integrity and was integrated into the South African National Protected Area Expansion Strategy (DEA, 2010). The South African National Parks (SANParks) responded to this by commissioning a study to identify the most feasible areas within the southern extent of the Maloti Drakensberg bioregion that could be targeted for protected area expansion. The service providers who took on this task used the traditional approach to systematic conservation planning as a point of departure, but included social, economic and political layers of consideration to identify what the study referred to as “areas of greatest opportunity”, i.e. to achieve biodiversity conservation targets while generating the greatest opportunities for socio-economic benefits (Golder Associates, 2010). It is recommended that this approach be emulated for SADC TFCA processes.

Figure 17: The Maloti Drakensberg Transfrontier Conservation and Development Area as depicted at the initiation of the project in 2001 and the full extent of the initiative as agreed to by the Bi-lateral Steering Committee in 2007



## Developing the Framework for Joint Management

Reaching a shared understanding and developing a common vision and framework for the joint management of any TFC initiative are essentially the initial stages required for the development of a joint management plan. Best practice as far as the latter is concerned has been well covered in many publications with Sandwith et al. (2001), Phillips (2002), Thomas and Middleton (2003), IUCN (2008), McKinney and Johnson (2009), Stolton et al. (2012), Erg et al. (2012), and Borrini-Feyerabend et al. (2013), all providing relevant and comprehensive guidance. This chapter therefore provides a broad summary of what these publications put forward and what has come to be recognised as best practice in the form of sequential steps that should be taken in this process.

These steps are put forward with the assumption that the necessary mandates have been secured from the relevant decision-making authorities within each of the participating countries and that preliminary feasibility work has shown that the establishment of a Transfrontier Conservation initiative will be a viable endeavour and worthy of the transaction costs that will be associated with its establishment and management. It also assumes that other key elements of the planning phase have been completed, i.e. mutually acceptable proponent/leader is detected, and all relevant stakeholders are identified and engaged in the process.

For the development of a framework for joint management and negotiating a common vision, it is recommended that a management planning workshop be convened and facilitated by an external non-partisan service provider recognised as such by the stakeholders. Such a workshop may take up to three days of intensive engagement, and possibly longer if field trips are included. However, it may also be deemed more appropriate to arrange this process as a series of workshops of shorter duration, each building on the progress of the preceding event, and also being hosted in turn by the various participating countries. Whichever format is selected the primary objective is to develop a shared understanding and produce a common vision as a basis for a joint management framework. This workshop, or series of workshops, and its facilitation are crucial to the success of the process as it is here where stakeholders will be able to develop the relationships and trust that are essential to the long-term viability of the initiative.

Prior to convening this process stakeholders will need to receive invitations which include as much relevant information as possible, as well as a clear indication of what will be expected from them. An open invitation to contribute to the workshop, as well as targeted requests for specific relevant contributions is a recommended approach. Stakeholders may be requested to indicate if they intend to address the workshop and if so, what their topic will be, for planning purposes. It is also recommended that certain stakeholders may require assistance with understanding the purpose of the workshop and the process to be followed, as well as with how best they will be able to contribute. Preliminary meetings with such stakeholder groupings are recommended.

Assuming that preliminary processes are completed successfully and there is a good response from stakeholders to attend and participate in the workshop, the following is a recommended agenda which has been designed to work towards the achievement of all of the above desired outcomes.

* Considering that this may be the first such gathering in the process of establishing and developing a TFC initiative, it is recommended that senior officials be invited to open the event and even to attend and contribute.
* After all diplomatic processes have been observed and participants have been introduced a series of formal presentations on the objectives of the workshop with information on rationale for the establishment of the TFC initiative, as well as detail on the workshop process, need to be tabled. Included in these presentations needs to be reference to the relevant national and international legal and policy frameworks within which the initiative can be nested (see Section 5). Reference may also be made of where work needs to be done to bring about enhanced legal and policy compatibilities between the participating countries.
* This may be followed by a series of formal presentations from various actors allowing them the opportunity to provide information as to who they are, where they are located in relation to the area in question, what their perspectives are on the possible establishment of the TFC initiative in terms of their fears, hopes, aspirations, etc.
* Next, an open facilitated discussion, allowing participants to add to what has been presented and to ask questions for clarity, noting that this process may raise controversial and potentially inflammatory aspects, which are essential to understand and to respect. It is common that in a process such as this each of the stakeholder groupings will enter with a biased perspective of their interests, and this process allows participants to begin to challenge their blinkered views and to develop an appreciation for a bigger picture and the other players.
* During these preceding steps the facilitator needs to be identifying all the dynamics and aspects that are relevant to and will influence the process of establishing and managing theTFC initiative and categorising these according to the principles of sustainability, i.e. natural and cultural, social and economic; as well as distinguishing between those that are either internal or external to the target area. This encapsulation of the presented, expanded and clarified information may then be presented back to the stakeholders by the facilitator for review and correction. The outcome of this should be a relatively accurate and up to date picture of the broader context, within which the target area is located, as well as the opportunities from and constraints to the establishment and development of the initiative.
* Having achieved the above it will then be possible to begin moving towards the development of a shared vision for the target area and this may be achieved through a plenary brain-storming session or through break-away groups where representatives from the various stakeholder groupings are requested to work together to ensure that the various perspectives are represented. A series of draft vision statements may be produced from which the facilitator can help the plenary to derive one that reflects the commonalities as well as ensuring the inclusion of other aspects for which there is consensus and understanding.
* Using the outcomes of this visioning process as well as the preceding discussions the facilitator may draw out from the stakeholders an indication of the various aspects that can be used to develop a series of common management objectives. It is recommended to categorise these again according to the principles of sustainability as a way of ensuring that all relevant aspects are considered and that the process derives outcomes that are realistic and relevant to the socio-economic context of the target area, as well as being defendable from a sustainability perspective. Depending on the number of stakeholders participating in this process it may be done either in plenary or through smaller break-away groups. The list of management objectives derived from this process should be carefully reviewed and rationalised to ensure that the final list is as short and concise as possible with the aim to be no greater than ten. Note that these are broad management statements which will still need to be unpacked into more detail as the management planning process continues and as is discussed in Section 7.5.
* An important aspect of this process should be the clear identification of objectives that relate to issues that are of a transfrontier nature. In many cases, initial talks may see transfrontier conservation as an all or nothing proposal, but quickly stakeholders realize that they may have very different visions of what “counts” for inclusion in the partnership. This will help to confirm which stakeholders should continue to participate in the more detailed planning process discussed in Section 7.5.
* A final step in this process may be included if time and resources allow and that is to prioritise the management objectives. This may be achieved through a highly complex pair-wise comparison which does require skilled facilitation and more time, and it also requires that the participants have a sound understanding of all the preceding steps and outcomes. While the latter is a robust and defendable method, a more low-tech process of allowing participants to individually place a mark against half of the objectives which they feel are the most important, provides a collective indication of the priorities. In other words if there are ten objectives in the final rationalised list, each participant is give five markers and asked to select the five most important objectives from their understanding of the bigger picture. The total number of marks allocated to each objective provides an immediate and graphic illustration of how the stakeholder group feels about how the objectives should be prioritised. Such graphic illustrations may then be photographed for easy inclusion in workshop proceedings and for later reference.

The primary outcomes of such a workshop are a vision statement and a prioritised list of common management objectives, and the secondary but equally important outcomes are a shared understanding of the bigger picture and the relationships and trust that are initiated and necessary to take the process forward. This must be a joint process among partners and stakeholders in a transboundary area. While all this hard work and difficult discussions may now be captured on a few pages, there will be a high degree of certainty that those who participated in capturing these outcomes will have begun to take ownership of the initiative.

The terms used here to describe the components of the cooperative management framework, i.e. “vision” and “management objectives” reflect a hierarchy of thinking that is required in any management planning process. Alternatives such as “mission”, “aim” and “goals” may be used, as long as the hierarchy of thought is retained, i.e. begin with a broad and long-term statement of intent that may be worked towards and used to keep stakeholders focussed, moving down towards statements that become increasingly refined and specific, as discussed in Section 7.5.

## Refining the Joint Management Plan

While the framework for joint management provides the basis for establishing the over-arching agreements, buy-in and ownership for TFC initiatives, as well as generating a shared vision and understanding for what is hoped to be achieved in the long-term, it is necessary to further unpack the framework into the detail that will inform planning at a finer scale and for shorter-term implementation, such as an annual plan of operations. This refinement also provides the detail that will show who is accountable for the implementation of specific tasks, the resource requirements, time frames for implementation, and the basis from which a monitoring and evaluation framework may be derived.

Another distinguishing feature of this refinement process is that it introduces the difficult and yet critically important dynamic of needing to be realistic in terms of what can be done and what needs to be done, and achieving an acceptable balance between the two. This dynamic is often most keenly felt where joint management interventions are required to deal with negative impacts such as commercial poaching threats and where the resources required are limited and unequally distributed. So while it is necessary to limit commitment to joint management actions based on the availability of resources, it is also necessary to be critically aware of the extent to which these actions will actually be effective. Such understanding may then be used to either seek more innovative and cost-effective alternative, and/or to motivate for additional resources.

To expand upon this limiting commitment to joint management, it is imperative that the joint management of the TFC effort clearly think through where and when they intend to collaborate. The managers and decision-makers at national and sub-national levels—whether governmental officials, NGO representatives or local people—need to delineate where each party will work together and to what extent (collective decision-making, sharing of resources, sharing of information, etc.). Equally important, all parties should be clear where they intend to act independently and unilaterally. This is important because the benefits and costs of collaboration change depending on the issue. Many discussions of transfrontier conservation emphasize the clear benefits of collaboration—greater buy-in, improved legitimacy in governance, shared costs and economies of scale, collaborative monitoring and enforcement, and many of the ecological, economic, and social benefits that come from managing at a landscape scale (see Appendix A); and these need to be kept in mind where limitations are encountered in the short-term.

However, rather than viewing transfrontier conservation as a single endeavour, we can unpack any project into a number of aspects common to all conservation projects, for example wildlife conservation, controlling invasive species, managing and promoting tourism, educational outreach, and coordinating with local communities. Of course, this entails just a small sub-set of aspects in any given project and may not be at the appropriate level of detail. Varying degrees of collaboration among stakeholders across these issues may allow for appropriately responding to particular aspects at a more accurately tuned scale of governance and management. Beyond more closely mapping the scale of the response with the scale of the problem, it allows for the closer assessment of the costs of collaboration, which are often not clearly delineated. These include a rapid expansion in transaction costs as the number of people involved in decision-making increase. Moving from unilateral decisions to consensus requires a great deal of time, negotiation, travel, and information costs. On top of that, the results may or may not be satisfactory to all parties. In other cases, disagreements may lead to no or poor decisions and delays sufficiently long to lead to the compounding of current problems and the occurrence of new ones. In any event, taking the time to assess the perceived costs and benefits—even informally and without calculation—can help evaluate the extent to which transfrontier conservation partners collaborate, answering the questions of where, when and how much collaboration.

Within the context of these introductory principles it is recommended that the following broad steps be pursued in the process of refining the joint management framework.

1. **Identification of the team**

The planning team should include senior officials from the relevant agencies of the participating countries who have the authority to make decisions and stand accountable for implementation. The identification of this team should ideally be an outcome of the stakeholder assessment process described in Section 6.1.2 and to ensure that all relevant stakeholders are aware of the team composition. It is likely that the team will be comprised mostly of those who have relevant legal mandates, but a wider membership should be allowed based on the unique circumstance of each TFC initiative.

1. **The development of operational goals**

Up until this point the framework has broad long-term management statements that include a vision subdivided into prioritised objectives. The challenge of this process now is to break these into more specific short-term statements that are practically implementable on a day to day basis. The first step in this process is to systematically unpack each of the objectives into a series of operational goals which need to be specific, measureable, achievable, realistic and time-bound, i.e. SMART. The complexity of the objectives will dictate the number of operational goals that are required to work towards their achievement.

1. **The development of action plans**

Thereafter, each of the operational goals should be further broken down into actions and again the number of actions will be determined by the complexity of the operational goals. In the derivation of the actions it is necessary to answer the following questions for each of the operational goals:

* What needs to be done?
* Who will be held accountable to see it done?
* Who needs to be part of the implementation of this action?
* What resources are required?
* What are the time frames for completion (note that this could be an action that need to be done repeatedly, i.e. once a month; of one that needs to be completed by a certain date)?
* What will the measurable outcome be?

This process may be captured in a series of templates as per the example below, which together may form an annual plan of action, or a five year action plan, depending on the implementation time frame that is appropriate (Table 3).

Table 3: A template for contents of an action plan

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| OBJECTIVE: | | | | | |
| Operational Goal: | | | | | |
| Action | | | | | |
| What | Who | With whom | With what | By when/how often | Measure of achievement |

It is important to acknowledge that management plans, both at the high long-term level and at the short-term implementation level, must be subjected to regular review and updating. The frequency of revision is directly related to the time frame relevant to each component. The broader components, i.e. the vision and objectives, may be subjected to a fifteen- to twenty-year iteration of revision; while the operational goals and actions need to be revised and updated at least every five years, but preferably at an annual frequency. It is also essential that the joint management framework is used to guide all that is done in the name of joint management. It thus needs to be the basis upon which performance and progress are monitored and measured, as discussed in more detail in Section 7.7.

## Planning for Financial Sustainability

This and the following Section on Monitoring and Evaluation are again an indication of the inter-changeability of these establishment and development steps. Monitoring and evaluation are directly related to the management planning process and are a natural outcome. However, so is the need to answer the question of how to finance the joint management plan? As such it may prove logical to swap these two steps in the process around and this will depend entirely upon the discretion of those leading/guiding the establishment and development of the various TFC initiatives.

What is abundantly clear from the information presented in Section 4 in the discussion on the Status Quo of SADC TFCAs is that the role of donor funding is prominent in sustaining most initiatives. It could thus be said that the majority of the SADC TFCAs, be they established, developing or in concept; are not financially viable at this point in time and that much needs to be done to work towards financial sustainability.

It is important and this point to clarify that ‘financial sustainability’ does not imply ‘financial independence’. While it is essential that TFC initiatives be managed as efficiently as possible and on the basis of sound business principles, it is also essential that they be seen as contributing to the broader socio-economic landscape within which they are located, and as such deserve sustained financial support from the treasuries of the participating countries. The extent of the support required needs to be determined through the process of understanding the deficit between what is required to support efficient management and that which can be generated through a variety of income generating opportunities.

It is recommended that as TFC initiatives work towards closing the gap between what they require for operational budgets and the income they can generate, that they also work towards becoming independent of donor funding. It may well be necessary to secure donor funding support in the initial establishment phase/s, but there must be a medium to long-term plan to reduce this dependence completely.

In the process of compiling the revision to the IUCN Best Practice Guideline for transboundary conservation (Vasilijević et al, in process), Prof Matt McKinney of the Montana University undertook a survey of transboundary conservation practitioners through the IUCN WCPA Transboundary Conservation Specialist Group, in regard to this question of sustainable financing. The outcome of this survey is presented below as per Prof McKinney’s write up in Vasilijević et al (in process).

According to a recent survey *Transboundary Conservation Financing* by the IUCN WCPA Transboundary Conservation Specialist Group, 53 initiatives represented (including cases from Asia, Africa, Europe, North America, and South America) have secured funding to implement their transboundary conservation initiatives (IUCN WCPA Transboundary Conservation Specialist Group, 2014).

According to the survey,the **three most common sources of funding** are:

(1) GOVERNMENTS: local, provincial, or national;

(2) NGOs: local, national, and international; and

(3) REGIONAL PARTNERSHIPS AND INSTITUTIONS (e.g. EU).

The next most common sources of funding include philanthropic foundations, families, and individuals; and development cooperation agencies. The least common sources of funding are multinational organizations (e.g. UN and GEF) and “other creative funding approaches” (e.g. private sector tourism, user fees, ecosystem service revenues, carbon sequestration and REDD revenues, and trust funds) (see Figure 18).

Figure 18: Financing of transboundary conservation initiatives

The same survey identified **ten most common obstacles or barriers to funding** including (not listed in any order of priority):

* Lack of government support, often because of tension among economic and environmental interests as well as concerns about conflict and security at the borders;
* Lack of trust among governments and other stakeholders, thereby limiting opportunities to pool limited resources;
* Lack of local capacity and civil society experience, and thus an absence of any social and political infrastructure to raise external funds;
* Lack of public awareness about the value and need for transboundary conservation, and thus a lack of civic and political will;
* Lack of a basic understanding about the cultural, ecological, and other values associated with transboundary areas, thus making it hard to frame a compelling message;
* Incoherent and uncoordinated (often conflicting) funding strategies; people and organizations within the same region competing for the same limited resources;
* Funding tends to be dedicated to particular issues, problems, or disciplines, which limits the need to invest in multi-objective, multi-disciplinary solutions;
* Incompatible legal and policy arrangements across adjacent jurisdictions, making it difficult to achieve common goals and aspirations;
* Lack of capacity to fully understand and package transboundary conservation initiatives according to their full socio-economic value based on the role they play in delivering ecosystem goods and services that are strategically important for society; and
* The development of a “donor-dependency” amongst transboundary conservation practitioners which impacts on the ability to undertake work on a sustainable basis.

When asked about the most promising “new” strategies or sources of revenue to support transboundary conservation initiatives, the respondents to the survey overwhelmingly identified “public capital” (including government conservation programmes, local ballot initiatives; local taxes, fees, and incentives, and local improvement districts) and “philanthropic capital” (including individual donors; foundations; businesses and corporations; institutional and nongovernmental collaborations; conservation buyers; voluntary surcharges; voluntary private transfer fees; and trade lands). Forty per cent of the respondents identified “private capital” as a promising new strategy, including payments for ecosystem services; tradable land use rights; conservation development; agriculture, timber, and other income from conservation land; fees for services; and social impact conservation investors.

One particular question referred to the estimation of annual budget needed to further and sustainably manage the transboundary programme. The responses to this question varied greatly from not knowing what would be the needed amount, through very moderate 4,000 EUR, to 1.5 million EUR.

The results of this survey, including the responses to a question on “what resources are needed” to enhance funding for transboundary conservation, suggest a number of recommendations presented in Table 4: Recommendations to improve funding for transboundary conservation initiatives.

Table 4: Recommendations to improve funding for transboundary conservation initiatives

|  |  |
| --- | --- |
| RECOMMENDATIONS | EXPLANATION |
| Create training opportunities | E.g. a “Transboundary Conservation Finance training”—including opportunities for peer exchange and networking; using case studies to highlight innovative tools, programmes, and partnerships; and focusing on real-world problem solving and action planning, including how to build community-based collaborative capacity |
| Aggregate and disseminate resources | E.g. case studies, an information clearinghouse, “Ask the Expert” webinars |
| Build and support a “Transboundary Conservation Finance Network” | To exchange information, build capacity, and inspire each other |
| Foster new and innovative ideas | Work with funders, whomever they may be, to take some calculated risks, and invest in some pilot projects |

This survey demonstrates that there are a plethora of transboundary conservation practitioners around the world who are wrestling with the same issue of sustainable funding and who are finding solutions. As proposed above, it is essential that one or more communication networks are established to transfer and share lessons, build capacity, and encourage all practitioners. Such a network/s can also be used for practitioners to post their particular funding challenges and to receive focused input and advice from colleagues around the world.

In response to the above the following is recommended as being appropriate to the SADC TFCA context.

From a best practice perspective there are a number of steps that are recommended here, recognizing that conservation remains a discipline that is poorly resourced in both developed and developing economies (Emerton et al., 2006). The work by Emerton et al. (2006) remains a sound resource from which transboundary conservation practitioners may draw valuable insight into this issue of sustainable financing, while the steps provided here may be seen as a generic approach or checklist that may be applied as a point of departure.

* Undertake a **review of all costs** associated with implementation of the joint management plan with a view to ensure that it is as efficient as possible.
* Using the categories and examples of ecosystem goods and services as provided by the Millennium Ecosystem Assessment (Millennium Ecosystem Assessment, 2005) carefully **assess the full potential** of the Transboundary Conservation Area to produce and deliver ecosystem goods and services; and then using mapping software such as InVEST (Tallis and Polasky, 2009) and other decision support tools (TEEB, 2000; Goldman and Tallis, 2009; Tallis *et al*, 2010; Vogl and Tallis, 2014) **identify the beneficiaries** and their linkages to the area.
* Using the comprehensive picture of the full socio-economic value of the area developed above, **identify strategies** relevant to each of the beneficiaries that may be used **to secure long-term investments** required to manage the Trans[frontier] Conservation Area in a way that will guarantee production and delivery of the associated ecosystem goods and services.
* Over and above and inclusive of the latter, compile a **long-term business plan** from which it is possible to see the **costs of jointly and efficiently managing** the Trans[frontier] Conservation Area, together with the **potential income generating opportunities**, from which it is possible to determine the magnitude of the profit or loss that will be made or incurred.
* In the event of a loss, or a shortfall in operational budget, it will then be possible to look to **alternative funding sources** such as those put forward by the respondents to the survey discussed above, and/or those discussed by Emerton et al. (2006).

Another valuable emerging resource is the Conservation Finance Network, which provides conservation finance tools and training to people working to protect, restore, and steward natural areas ([www.conservationfinancenetwork.org](http://www.conservationfinancenetwork.org)). The goal is to help people accelerate the pace of land and resource conservation through the use of innovative funding and financing strategies.

It is important to note that in putting the above recommendations forward we are not promoting the privatization of nature. From a comprehensive review of the income generation opportunities there may well be some that hold the potential for direct financial agreements in the shape of ‘payments for ecosystem services’. However, what is being put forward here is the notion that Transfrontier Conservation Areas will inevitably hold great value and contributions to the broader socio-economic landscape within which they are located. It is this value that needs to be identified and optimally capitalized on, using as many of the potential ecosystem trading models that are relevant to the specific circumstances that are presented by the producer–consumer relationships that are identified. In addition to the relevant references provided above, the recent publication by Kettunen and ten Brink (2013), “Social and Economic Benefits of Protected Areas: An Assessment Guide”, is a necessary addition to the transboundary conservation practitioners tool box.

It is also essential that in the undertaking of a full inventory of the opportunities present in a Transfrontier Conservation Area, practitioners need to look at both the present and the future state of the area. Prevailing circumstances may foreclose on options that are theoretically obvious such as a water catchment delivering watershed services. However, if the integrity of the water catchment has been compromised in any way, it will not be possible to realize the theoretical benefits until such time as the catchment has been restored. In other words it is necessary to consider both the present and desired state of the Transboundary Conservation Area and put strategies in place that will work towards ensuring that it reaches its optimum potential to produce and deliver the promised ecosystem services. It may be necessary to secure government funding to support restoration work before more long-term agreements may be entered into on the basis of well managed natural resources functioning optimally (SANBI, 2012), but it has been shown that such investments generally realize the theoretical benefits (de Groot et al., 2013).

Finally, it is acknowledged that in order to apply the steps recommended above it is assumed that interim financial support has been secured through the various mechanisms available and the mandates given to the Transfrontier Conservation Area proponents by their respective principals. However, the statistics provided by Emerton et al. (2006) clearly show that unless every effort is made to work towards financial sustainability, it is likely that budget shortfalls will begin to emerge in increasing measure with the result that credibility, ecosystem functionality, key biodiversity features, etc., will be lost.

## Monitoring and Evaluation

A common approach for monitoring the progress and evaluating the effectiveness of protected areas emerged in 2000 (Hockings et al., 2000) and was refined in 2006, providing a basis for designing assessment systems, guidance and criteria on how to assess, and key guidelines for good practice in management effectiveness tracking (Hockings et al., 2006). Since then much work has been done towards synergizing monitoring and evaluation methods for protected areas at a global scale (Leverington et al., 2010), but little has been done to address this important aspect at the transfrontier scale. The following discussion relates to protected area management effectiveness tracking as essential background and context to application at the transfrontier scale, and specific input related to this is provided thereafter.

Evaluation of management effectiveness, recognized as a critical step for measuring success of protected area management, is also now a high priority for global conventions like the CBD, as well as for donor agencies including the World Bank and the GEF. Transfrontier Conservation Areas, with collaborative, participatory and equitable governance, are said to yield significant benefits far beyond their boundaries, and contribute to poverty reduction and sustainable development including the achievement of the Millennium Development Goals (Phuntsho et al., 2012). In order to ensure these benefits are realised, and that all other aspects of transfrontier conservation management are implemented effectively, monitoring and evaluation is essential.

In their study into management effectiveness evaluation in protected areas at a global scale, Leverington et al. (2010) reported that the most widely used methodologies across the world, amidst the more than 70 different tools encountered, are the Rapid Assessment and Prioritization of Protected Area Management (RAPPAM) (Ervin, 2003) and the Management Effectiveness Tracking Tool (Hockings et al., 2006). Irrespective of the tool selected, or if these are modified to accommodate specific circumstances, they encourage assessors to maintain consistency of application in order to ensure that results are comparable over time. In the selection of a methodology to track management effectiveness, Leverington et al. (2010) suggest a series of principles that may be used to consider its applicability, and they are as follows:

* The methodology is useful and relevant in improving protected area management; yielding explanations and showing patterns; improving communication, relationships and awareness.
* The methodology is logical and systematic: working in a logical and accepted framework with balanced approach.
* The methodology is based on good indicators, which are holistic, balanced, and useful. The indicators and the scoring systems are designed to enable robust analysis.
* The methodology is accurate: providing true, objective, consistent and up-to-date information.
* The methodology is practical to implement, giving a good balance between measuring, reporting and managing.
* The methodology is part of an effective management cycle: linked to defined values, objectives and policies.

While these principles are listed here for ease of reference, it is recommended that both this publication and that of Hockings et al. (2006) be used as an essential point of departure for the selection of an appropriate methodology and to ensure a thorough understanding of the need for and benefits from the assessment of management effectiveness. An additional publication which provides a thorough commentary on the value of monitoring and evaluation for transboundary conservation, as well as guidance on techniques, is that of McKinney and Johnson (2009). Here they confirm that evaluating progress is a key element for the success of transfrontier initiatives and that it is the basis for learning through implementation and adapting to ensure the achievement of the long term vision.

Just as a protected area management agency goes about the process of selecting an appropriate management effectiveness tracking methodology for the protected areas under their jurisdiction, so is it also possible for a transfrontier conservation collaborative management structure to continue working from the joint management planning processes outlined in Sections 7.4 and 7.5 to derive a monitoring and evaluation framework that is tailor-made for their specific circumstances. Working specifically off the action plans captured according to the template provided in Table 3, it is possible to derive such a framework.

In conjunction with this approach, the monitoring and evaluation of protected area management effectiveness, individual or transfrontier, is the assessment of a series of criteria (represented by indicators/questions) against agreed objectives, which may be generic and/or adapted to the specific circumstance and joint management frameworks of particular protected areas or TFCAs. Monitoring and evaluation needs to be an integral component of the joint management framework and should not be seen in isolation or as an ‘add-on’. It not only helps improve overall performance and results, measured from robust baselines, but also ensures accountability and compliance with agreements with partners and relevant stakeholders.

### Existing M&E Systems for TFC

Globally there are three regional efforts to develop monitoring and evaluation, or management effectiveness tracking processes for transfrontier conservation.

#### Transboundary Parks–Following Nature’s Design

The oldest and most established is that of the EUROPARC Federation and which is a certification programme known as “Transboundary Parks–Following Nature’s Design” (EUROPARC Federation, 2014). This certification process was launched at the 5th World Parks Congress in Durban in 2003. In this process Transboundary Protected Areas undertake a self-assessment which is reviewed by EUROPARC’s Transboundary Steering and Evaluation Committee (STEC). If successful, external experts are appointed to conduct a verification of the self-assessment and to provide feedback to the STEC who take a decision on certification and provide recommendations for improvement of the TBPA’s partnership. Certificates of excellence for transboundary cooperation are awarded at EUROPARC’s annual conference, and are revaluated every five years.

The Basic Standard Criteria upon which the programme is based include nine quality criteria and five fields of work which are divided into four groups as follows:

* Primary Criteria: common vision, official agreement, staff cooperation, and fields of work for the TBPA;
* Secondary Criteria: guidelines for cooperation, data exchange, foreign language communication, joint ecological monitoring, and financing;
* Primary Fields of Work: indicators related to nature conservation and major objectives of the TBPA; and
* Secondary Fields of Work: indicators related to education and communication, recreation and sustainable tourism, research and monitoring, mutual understanding, and the promotion of peace.

To date, 23 protected areas have been certified as 10 EUROPARC Transboundary Areas.

#### ICIMOD M&E Framework

Secondly is the work of the International Centre for Integrated Mountain Development (ICIMOD) who is developing and testing a monitoring and evaluation framework in the Kailash Sacred Landscape Conservation and Development Initiative (KSLCDI), a collaborative transboundary programme between China, India and Nepal. The KSLCDI monitoring and evaluation framework is a result based monitoring and evaluation mechanism, which focuses on Impact Pathways and the Theory of Change (ICIMOD, 2013). These aspects, which are seen as essential parts of monitoring and evaluation, help to outline the expected positive changes resulting from the initiative and provide opportunities for learning and innovations at intermediate stages to achieve desired outcomes. These tools help to measure the effectiveness of benefit flows to the communities affected by the transboundary initiative, as well as to measure the extent to which they have achieved their desired outcomes.

Under the monitoring and evaluation framework, objective hierarchy levels are set up, i.e., Inputs, Outputs, Outcomes, and Impacts. At each of the objective hierarchy levels, indicator based key performance questions are set up to monitor and evaluate programme activities for each country. Data collection methods and a matrix are also in place to collect information based on key performance questions. A Monitoring and Evaluation Unit at ICIMOD and in each country are responsible for annual performance assessment at the regional and country level. As outlined above, the Theory of Change and Impact Pathways guide the connections between different objectives and hierarchy levels of the monitoring and evaluation framework by identifying shortcomings or changes, and providing opportunities for interventions to be put in place if required to achieve the desired outcomes (ICIMOD, 2013).

#### Peace Parks Foundation Performance Appraisal Tool

Thirdly and of greatest relevance to SADC TFCA practitioners and these Guidelines is the work of the Peace Parks Foundation, in collaboration with the SADC TFCA Network, in the development of the Performance Appraisal Tool for SADC TFCAs. The tool is built on the foundation of the constituents of sustainability, i.e. ecological, social, financial, and governance; from which eight Key Performance Areas (KPA) are derived within which are a series of four Key Performance Indicators (KPI). A much finer scale and level of detail is applied within the KPIs and which is used to derive scores for each KPA, and an overall score for the TFCA being assessed as described and discussed in their write up on the tool (PPF, 2013). The objectives of the tool are to:

* Assess the progress in the establishment and development of TFCAs;
* Establish best practices from TFCAs that have progressed;
* Share experiences with other TFCAs; and
* Identify factors that have retarded progress in establishing and developing TFCAs.

PPF (2013) states that the Performance Appraisal Tool provides a framework for affected communities, public authorities, resource managers and development partners to assess the effective delivery of interventions aimed at achieving the objectives set for the TFCA. In this manner an accountability instrument is provided for all stakeholders to robustly assess policy outcomes and ensure optimal allocation of resources. In addition to this the tool has been developed as a basis upon which SADC TFCA practitioners may use common indicators to compare initiatives within and between the various TFCAs. The Performance Appraisal Tool is included in these Guidelines as Appendix C or is downloadable from www.peaceparks.co.za.

# Glossary of Terms

**Sustainable use**

Sustainable use means the responsible utilisation and management of natural resources in ways and at a rates that do not lead to the long-term decline of these resources and the wildlife species and habitats within them.

Affected communities

Integrated development plan

Management planning framework

Joint management plan

Joint management board

Core area

Buffer zone

Stakeholders

Role players

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# Appendix A: The potential benefits of TFC initiatives

| Areas of cooperation | Potential benefits | Actions required to realize the benefits | Challenges to be aware of |
| --- | --- | --- | --- |
| Legal and policy frameworks | * Achievement of the targets as set out by international conservation conventions and agreements. * Achievement of conservation aims and objectives common to participating countries. * Enhanced understanding of the legal and policy environment to support implementation. | * Collective review of existing legal and policy instruments. * Identification of commonalities and the development of cooperation instruments to capitalize on these. * Identification of conflicting laws and policies and the establishment of processes to bring about relevant amendments. | * Limited resources with legal and policy capacity. * Long protracted processes associated with amendments of legal and policy instruments. * Different interpretations of and institutional responses to legal and policy implementation requirements. |
| Ecosystem management and climate change responses | * Increased potential for ecosystem-based management approach to be accommodated. * Enhanced ecosystem functionality through the improved ability to accommodate ecosystem processes and reduce the requirements for the simulation of these through management actions. * Increased resilience to external threats such as invasive alien species, pollution, diseases, etc. * Enhanced capacity for the persistence of threatened and migratory species. * The ability to reintroduce species that may require access to larger areas, such as top predators. * Decreased pressures associated with animal population management. * Increased capacity to accommodate the consequences of climate change impacts and to allow for ecological adaptation and habitat and species movements/migrations. * Better understanding of climate change processes. * Address problems associated with animal population management. | * Ensure that the delineation of the area is as ecologically inclusive as possible. * Cooperatively apply systematic conservation planning processes to guide the setting of biodiversity conservation targets and related management strategies. * Review and align ecosystem and species management plans. * Assess climate change projections and related implications to habitats and species and ensure that these are accommodated in ecosystem and species management strategies and plans. * Derive and implement appropriate monitoring and evaluation protocols to track management effectiveness towards to achievement of ecosystem and species management objectives and targets. | * Limitations and disparities in ecosystem and species management capacities, as well as in the capacities required to implement systematic conservation planning. * External social, economic and/or political dynamics, both immediately adjacent to and far removed from the area, which add layers of complexity which can frustrate pure natural science approaches, unless they are fully understood and integrated into management plans. * External biological dynamics, such as persistent invasive species infestations which compromise ecological integrity, processes and functionality. |
| Socio-economics | * Enhanced ecosystem functionality increases capacity to produce and deliver a full suite of ecosystem goods and services which contribute to social well-being and economic resilience within, adjacent to and beyond the boundaries of the transboundary conservation area. * Thresholds of sustainable utilisation may increase or become more robust as ecosystem functionality and species population dynamics improve. * Enhanced movement of people across international boundaries opens up and/or increases trading opportunities. * The opening of borders or the relaxing of border control processes allows for increased tourism opportunities. * Poverty alleviation through economic activities brought about by various TFCA interventions. * Active participation of local communities in day to day management of natural resources. * Food security through various livelihood .programmes. * Promotion of conservation as livelihood option. | * A full natural capital assessment will reveal the capacity of the area to produce and deliver ecosystem goods and services, as well as the linkages to the beneficiaries. * An assessment of the extent to which ecosystem processes have been enhanced and will may allow for increased levels of sustainable utilisation, i.e. both consumptive and non-consumptive. * Stakeholder engagement to ensure meaningful linkages with beneficiaries. * Engagement with the private sector and relevant organs of state to ensure that tourism planning and developments are within market needs and broader development strategies. | * Capacity to undertake natural capital assessments is limited and needs to be built. * Unrealistic expectations are easily created and all stakeholder engagement processes need to be handled very carefully to guard against this. * The ability to ensure that benefits are equitably distributed to beneficiaries can be challenging, particularly where the necessary structures and processes are either not in place or are questionable. * Conflicting socio-economic demands such as the exploitation of non-renewable resources can be difficult to compete with as traditional perspectives of economic growth are allowed to perpetuate. |
| Cultural linkages | * The reinstatement of both past and living cultural linkages:   + may enhance the social acceptance of a transboundary conservation initiative, while   + enhancing social linkages with nature through the cultural significance of natural features. * Work towards reducing socio-political tension through improved social cohesion. * Allow for prominent cultural features to contribute to enhancing the feasibility of the area as a tourism destination. * Enhanced ability to develop and promote a regional identity. | * Undertake an assessment of all cultural features both within and adjacent to the area. * Engage with relevant stakeholders to increase the depth of an assessment as well as ensure their contributions and buy-in to its findings. * Develop a cultural heritage management plan that ensures that the features are preserved and the social linkages are well managed. * Where relevant integrate the cultural heritage management into the management of related ecological and biodiversity features. | * Cultural heritage management capacity is usually lacking within conservation agencies and therefore needs to be built or brought in. * Varying degrees of sacredness are attached to cultural heritage features, which need to be carefully considered in all management decisions. * The integration of cultural heritage into a management plan adds a layer of complexity. * Living heritage aspects may conflict with contemporary management practices and perceptions, such as consumptive use of natural resources by a hunter-gatherer culture in an area where this is not permitted. |
| Regional integration | * The promotion and maintenance of peace and harmony. * The establishment of synergies between growth and development strategies, particularly as far as the role that transboundary conservation can play. * The creation of a common brand/identity/logo to enhance the marketing of and trade in related goods and services, such as tourism opportunities. * Improved viability to attract funding either through direct investments or through donors. * The development of joint conservation management plans for both the natural and cultural heritage. * Synergised interpretation of responsibilities to and implementation of international conventions. | * Ensure all relevant stakeholders are included in all consultation and negation processes, particularly other organs of state that have a role to play in cross border cooperation, e.g. customs and excise, animal health, trade and investment, tourism, etc. * Establish and maintain a communication strategy that ensures all relevant stakeholders are kept updated with progress and developments related to the transboundary conservation initiative. * Ensure that all related organs of state secure mandates and resources to support their involvement in the initiative. * Establish and maintain joint management structure/s. | * Language differences/barriers. * Cultural, historical and political differences. * Development disparities, particularly as this relates to the access to resources and capacity for implementation. * Political tensions. * A lack of leadership at appropriate levels of governance. * The complexities of sharing governance responsibilities and/or appointing an objective non-partisan representative to coordinate implementation. * Significant differences in terms of land uses and plans for adjacent areas. |
| Day to day management and law enforcement | * Management efficiencies may be enhanced through the pooling of resources, i.e. financial, human and equipment. * Improved communication linkages may enable more rapid responses to the management of crisis such as vegetation fires, pollution threats, poaching, etc. * Improved communication and surveillance may also allow for more pro-active responses to potential threats. * Shared capacity for managing visitor access and activities. * Joint patrols may contribute to enhanced law enforcement and search and rescue efforts. * Joint management actions can lead to improved staff morale and enhanced appreciation for the various differences that exist between the field staff of the participating countries. * Increased capacity to procure and deploy expensive equipment such as aircraft. | * The joint management planning process must be used to specifically identify the management aspects that will be enhanced through transboundary cooperation. * Protocols and processes must be put in place to allow for the pooling/sharing of resources. * Communication strategies must be derived to capitalize on the transboundary cooperation opportunities. * Responsibilities for transboundary cooperation must be delegated as far down as possible to mandate and empower field staff to be able to work together across international borders with the minimum of bureaucratic requirements | * Topographical limitations such as inaccessible terrain and/or remoteness. * Separate/independent communication networks. * Language differences. * Conflicting resource management policies such as adjacent areas that may or may not allow trophy hunting. * Disparate resource availability. |
| Research | * Improved access to expertise and enhanced ability to implement applied research and find solutions to common challenges. * Ensure that research methods are standardised to ensure comparable results. * Shared access to expensive research equipment, resource centres, herbariums, etc. * Joint design and implementation of long-term research projects. * Improved ability to ‘package’ research to secure financial support. * Enhanced research efficiency through the avoidance of duplicated effort. | * Scientific staff to participate actively in the joint management planning processes to provide support and to ensure scientific credibility is provided to the process. * The joint management plan must be carefully interrogated to extract all joint research/scientific responsibilities for implementation. * Shared resource allocations must form an integral part of the above. * Research staff to take responsibility for deriving and implementing the M&E framework from the joint management plan, as well as determining and facilitating the most appropriate management effectiveness tracking tool to be applied to the transboundary conservation area. | * Language differences. * Disparate access to resources and expertise. * Remoteness of transboundary conservation areas may make tertiary institutions and related resource centres difficult to access. * It is a challenge for many ecologists and biologists to work in an integrated way and it is essential that the need for the integration of social, economic and political aspects is recognised and understood by the researchers. * Ecological processes and species population dynamics require long-term research programmes while management requires answers and support in the short-term. * Socio-economic dynamics and/or needs can take precedence over and compromise natural resource research projects. |
| Knowledge sharing and skills transfer | * Skills/capacity development through the utilisation of existing expertise or the joint procurement of training opportunities. * Broadening of perspectives that may have become narrowed through isolation or exposure to one national way of thinking and doing. * Improved knowledge of all aspects associated with the management of the transboundary area. * Improved understanding between the partners. * Transboundary agreements may allow for staff exchange programmes | * Establish strategies for joint staff training, staff exchange and secondment programmes. * Establish protocols for the gathering, storage and sharing of data and information. * Establishing a common GIS database for the entire transboundary area. * Ensure that joint management meetings are extended into events specifically aimed at drawing in as much of the staff as possible through focus groups and mini-seminars aimed at addressing pressing issues. | * This aspect could be perceived as a luxury item and be lost to other more pressing issues. * Strong visionary leadership is required to ensure that knowledge sharing and skills transfers do take place. * Language differences may impede the flow of knowledge and rate of skills transfer. * Resource disparities may cause a perception to develop that the more advanced partners are imposing themselves, their knowledge and skills on those that are less resourced and developed. |

# Appendix B: Diagnostic tool for transboundary conservation planners – feasibility questionnaire, analysis guidelines and reporting template

Source: Maja Vasilijević from Erg et al (2012)[[2]](#footnote-2)

**Introduction**

Transboundary conservation (TBC) requires cooperation across state boundaries and due to the nature of boundaries, developing and implementing a transboundary initiative can be complex and often difficult. Careful planning of the initiative prior to taking action can significantly contribute to the success and effectiveness of transboundary conservation, while also reducing the potential risks. Therefore, one of the recommended actions for initiators of TBC is to first diagnose the situation by determining feasibility for TBC before actual establishment of the cooperative process. This questionnaire offers guidance in diagnosing the situation. Its key features are that it is a qualitative assessment based on quantitative analysis and it allows for self-assessment.

**Aim of the questionnaire**

This questionnaire is a practical tool that assesses feasibility for transboundary conservation. It is designed in such a way to assist protected area authorities, governments, non-governmental organisations, local communities, and other interested parties in examining their readiness to initiate a TBC, while not neglecting the reason(s) for TBC, and the accompanying opportunities and potential risks. That said, the questions examine the following elements leading to conclusions about the feasibility for TBC:

1. **the need** for TBC;
2. **readiness** of stakeholders to initiate TBC;
3. **opportunities** that could speed up the process and/or be generated by TBC, and
4. **risks** that could slow the process.

**Who should complete the questionnaire**

It is recommended that the questionnaire be completed by stakeholders who intend to initiate the TBC process, whether they are protected area authorities, local governments, NGOs, international organisations or any other TBC process initiator. However, the diagnostic process of the TBC initiative has to be participatory and include consultations with all interested parties that might be involved in or affected by the envisaged process. The more participatory the diagnostic process, the more likely you will arrive at a well-grounded conclusion about when and how to proceed about TBC. Thus, it is strongly suggested that this questionnaire be supplemented by a stakeholder analysis, which should form integral part of this tool. Stakeholder analysis is best performed by organising a meeting and consulting directly with key stakeholders.

**How to conduct the self-assessment**

The questions presented herein are standardised and not tailored to any particular area. Please try to answer each question, whether it is applicable to your case or not (if it is not applicable, circle the appropriate point, i.e. 0―Not applicable).

The questions in the questionnaire are either:

‘CR’, ‘S’, ‘G’, ‘C’ (Compelling reason, Stakeholders, Geographic reach, Capacity)―questions that carry a certain number of points, and the answers are used in the overall scoring; or

‘I’ (Informative)―questions that require descriptive responses.

The symbols ‘CR’, ‘S’, ‘G’, ‘C’ or ‘I’ are provided in the right hand column of the table.

All questions marked with ‘CR’, ‘S’, ‘G’, ‘C’ allow easy and rapid self-assessment by calculating the number of points gathered after completing each section of the questionnaire, according to the instructions given below the table. The advantage of this tool is that stakeholders wishing to examine the feasibility for TBC in their particular region can rather quickly and relatively easy check the state of the situation.

Informative questions marked with ‘I’ enable more comprehensive information gathering that would provide more in-depth information should the TBC initiators wish to engage an external facilitator or consultant to evaluate the feasibility for TBC.

**Results**

After completing this questionnaire, the scores gathered by circling the points in each relevant question result in the appropriate conclusions/statements.

‘CR’ questions respond to *Compelling reason for transboundary conservation*

Objective: To determine the need for transboundary conservation.

‘S’ questions respond to *Stakeholders*

Objective: To identify and start to involve stakeholders, including the identification of interaction between them and their interests.

‘G’ questions respond to *Geographic reach, regional stability and complexity*

Objective: To determine the scale and complexity of the issue, and the regional situation that might impact transboundary cooperation.

‘C’ questions respond to *Capacity*

Objective: To estimate the readiness of key stakeholders by evaluating their technical capacity, resources, and knowledge/skills.

The evaluation and interpretation of results is provided for each of these sections in the accompanying table after the questionnaire. It is recommended that these tables be completed and a narrative report prepared to outline the informative answers, and those describing needs, opportunities, risks and readiness in a clear and simple manner (see Annex I).

Comprehensive guidance to the evaluation and interpretation of results is provided below the table.

**Website**

This diagnostic tool is available in electronic format that also offers automated report generation. The electronic edition is available at the following websites: <http://www.tbpa.net> and [http://www.dinaricarc.net](http://www.tbpa.net)

Abbreviations

CR Compelling reasons

S Stakeholders

G Geographic reach

C Capacity

I Informative questions

TBPA Transboundary Protected Area

TBC Transboundary conservation

N/A Not applicable

|  |  |
| --- | --- |
| Prepared by:  *Institution/organisation* |  |
| Date: |  |

|  |  |  |
| --- | --- | --- |
| **Questions to determine feasibility for transboundary conservation** | | |
|  | a) Name of the protected area | I |
| b) Country |
|  | Name of the potential transboundary protected area (TBPA), if known | I |
|  | a) Geographical position of the area | I |
| b) Please state the size of the protected area(s) forming the potential TBPA in your country. |
|  | Please list the authorities responsible for management of the protected area. | I |
|  | a) Is this protected area connected or adjacent to another protected area across the international boundary?  3―Yes; 2―Foreseen in the near future; 1―No[[3]](#footnote-3) | CR 1 |
| b) If yes, please provide the name of protected area and the neighbouring country. | I |
|  | Is any community conserved area part of the planned TBPA? | I |
|  | What are the natural values of this area? | I |
|  | Would transboundary cooperation help to protect, restore, maintain or sustainably use any shared habitats and/or ecosystems?  5―Yes, significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | CR 1 |
|  | Do any species of conservation importance in this protected area have a territory that spans the state boundary?  3―Yes; 1―No | CR 1 |
|  | a) Would transboundary cooperation help to improve the conservation status of threatened species (according to IUCN’s Red List of Threatened Species and other recognised global/regional/national species evaluation systems)?  5―Yes, significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | CR 1 |
| b) If yes, please list these threatened species. | I |
|  | a) Would transboundary cooperation help to improve the conservation status of species of conservation importance that span the state boundary?  5―Yes, significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | CR 1 |
| b) If yes, please identify these species. | I |
|  | Are there restrictions to wildlife movement across the state boundary due to man-made boundary demarcation or features (e.g. road, fence, border markers)?  3―Yes; 2―Partially; 1―No | CR 1 |
|  | Could wildlife movement across the boundary be improved by transboundary cooperation?  5―Yes; 3―Partially; 1―No | CR 1 |
|  | Does this protected area face threats (e.g. man-made threats, natural hazards)? If yes, which ones? | I |
|  | Would threat(s) (including common threats) be mitigated by transboundary cooperation?  5―Yes, significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | CR 1 |
|  | Do the threat(s) impact the social, economic, institutional and political dimensions?  3―Yes, significantly; 2―To some extent; 1―Not at all | CR 1 |
|  | Is there any pressure (political, public, and/or judicial) to initiate transboundary cooperation in concerned region?  3―Yes; 2―To some extent; 1―Not at all | CR 1 |
|  | Are the management priorities and objectives of protected areas on each side of the state border similar?  5―Yes, significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | CR 3,4 |
|  | a) Please identify any potential opportunities for cross-border cooperation related to protected area management (please see Annex II; e.g. fire management, control of invasive species, monitoring of species, sharing of equipment, etc.). | I |
| b) To what extent would transboundary management of opportunities detected in question 19a) be beneficial for your protected area?  5― Extremely beneficial; 3―Beneficial to some extent; 1―Not at all | CR 1 |
|  | To what extent would transboundary management of opportunities listed in question 19 be beneficial for local communities?  5― Extremely beneficial; 3―Beneficial to some extent; 1―Not at all | CR 1 |
|  | a) Does the region share any distinctive natural/landscape phenomenon which could be recognised as a common feature of the proposed TBPA?  5―Yes; 1―No | CR 3 |
| b) If yes, which one(s)? | I |
|  | Do the cultural values in the concerned region face any threats? If yes, which ones? | I |
|  | Would addressing the threat(s) to cultural values benefit from transboundary cooperation?  5―Yes, significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | CR 1 |
|  | a) Are there any social issues (e.g. disputes on access to resources) in the concerned region that could hinder the development of transboundary cooperation?  1―Yes, significant; 3―Yes, some; 5―None | CR 4 |
| b) If yes, which one(s)? | I |
|  | Are there any potential conflict issues between the local populations across the border to be resolved or mitigated in the course of the development of transboundary cooperation?  5―Yes, significant; 3―Yes, some; 1―None | CR 3 |
|  | To what extent do different forms of land ownership and/or land management rights in the national part of the proposed TBPA and its buffer zone cause difficulties in TBPA establishment?  1―Significantly; 3―To some extent; 5―Not at all | CR 4 |
|  | What are the relations between the local communities in the concerned countries?  5―Friendly; 3―Neutral; 1―Conflicting; 0―No relations | CR 3,4 |
|  | What are the relations between the local governments in the concerned countries?  5―Friendly; 3―Neutral; 1―Conflicting; 0―No relations | CR 3,4 |
|  | Could any regional cultural or social events gathering stakeholders from different national parts of the proposed TBPA be used to strengthen social relations among local communities from concerned countries?  5―Yes; 3―To some extent; 1―No | CR 3 |
|  | a) Does the region share any elements of cultural heritage which could be useful for building the common regional identity?  5―Yes; 1―No | CR 3 |
| b) If yes, which one(s)? | I |
|  | Are there disparities in the employment and welfare situation of the local population in the proposed TBPA in your country, in comparison to the neighbouring country?  1―Significant disparity; 3―Disparity to some extent; 5―No disparity | CR 4 |
|  | What are the main sectors of the local economy that are of predominant importance for subsistence and/or meeting economic demands of the local inhabitants? | I |
|  | Which traditional natural resource use practices are of predominant importance for subsistence and/or meeting economic demands of the local inhabitants? | I |
|  | Are there any possibilities for developing, exchanging and promoting traditional products in the region?  5―Yes; 3―To some extent; 1―Not at all | CR 3 |
|  | Do you see the possibility of mutual cooperation in joint marketing and joint promotion of the region?  5―Yes; 3―To some extent; 1―Not at all | CR 3 |
|  | Are there any possibilities for establishing a common tourism infrastructure (e.g. visitor information centre, common tourist trail) across the state border?  5―Yes; 3―To some extent; 1―None | CR 3 |
|  | Are there any major political issues that might hold back the process of transboundary cooperation establishment?  1―Yes; 3―To some extent; 5―None | CR 4 |
|  | How would you describe the current political relations between the concerned countries?  5―Friendly; 3―Neutral; 1―Conflicting; 0―No relations | CR 3,4 |
|  | Could a transboundary initiative in your region enhance political relations between the concerned countries?  5―Yes; 3―To some extent; 1―No/Not applicable | CR 3 |
|  | If there are political tensions or conflicts between the countries, could a potential TBPA act as reconciliation element?  5―Yes, significantly; 3―To some extent; N/A―Not applicable/No | CR 1,3 |
|  | How good are the informal relationships between protected area managers?  5―Friendly; 3―Neutral; 1―Conflicting; 0―No relations | CR 3,4 |
|  | Please assess the similarities and disparities between the national legislation on nature conservation in your country and the neighbouring country/countries involved in the planned TBPA.  5―Identical/Very similar; 3―Similar to some extent; 1―Completely different | CR 3,4 |
|  | Do any official agreements and/or treaties (e.g. conventions, bilateral treaties, memoranda of understanding) signed between governments (central, regional, local) of the concerned countries provide for transboundary cooperation?  5―Yes; 3―To some extent; 1―None | CR  3 |
|  | Do any agreements on certain aspects of protected area management between the nature conservation authorities exist?  5―Yes; 1―No | CR 3 |
|  | Would transboundary cooperation help reduce the extent of illegal activities across the state border (e.g. cross-border poaching, movement of illegal immigrants, illegal trade), if such occur?  5―Yes, significantly; 3―To some extent; 1―No; N/A―Not applicable | CR 1,3 |
|  | List major interest groups (i.e. primary/key stakeholders) that might want to be involved in the transboundary initiative or might be affected by it. | I |
|  | Is there any international organization involved or foreseen to be involved in the transboundary initiative, and what is its role? | I |
|  | Identify major roles of key stakeholders in the transboundary initiative. | I |
|  | Identify those stakeholders that have decision-making power. | I |
|  | a) Do any stakeholders apart from protected area management authority participate in protected area and/or resource management?  5―Yes; 1―None | S 3 |
| b) If yes, indicate which stakeholders. | I |
|  | Please assess the interests of primary stakeholders identified in question 46.  5―Similar; 3―Different but compatible; 1―Conflicting | S 3,4 |
|  | a) Do any interests of stakeholders in potential transboundary initiative cut across the state boundary?  5―Yes, many; 3―Only some; 1―None | S 3 |
| b) If yes, please identify these key interests. | I |
|  | a) Could any stakeholder undermine the transboundary process or outcome?  1―Yes; 3―Potentially; 5―No | S 4 |
| b) If yes, please indicate who. | I |
|  | Do you support the transboundary initiative development?  5―Yes, significantly; 3―To some extent; 1―Not at all | S 4 |
|  | Would key stakeholders benefit from transboundary cooperation?  5―Yes, majority; 3―Only some; 1―None | S 3,4 |
|  | Would any stakeholders be disadvantaged by transboundary cooperation?  1―Yes; 5―None | S 4 |
|  | Have any of the key stakeholders already engaged in some form of cooperation with parties across the state boundary?  5―Yes, successfully; 3―Yes, but with difficulty; 1―No | S 3 |
|  | a) Are there any potential benefits for the local communities to raise their support for establishing a TBPA?  5―Yes; 1―No | S 3 |
| b) Please indicate them. | I |
|  | Which administrative jurisdictions are foreseen to be involved in the transboundary initiative? | I |
|  | Would administrative jurisdictions involved in the TBPA hinder the transboundary initiative?  1―Yes, significantly; 3―To some extent; 5―Not at all | G 4 |
|  | Are there any settlements located within the territory or adjacent to the proposed TBPA? | I |
|  | Are there any unresolved claims to land areas or water bodies on either side of the present state border?  1―Yes; 5―No | G 4 |
|  | Would transboundary cooperation allow freer circulation of the local population across the state border?  5―Yes, significantly; 3―To some extent; 1―Not at all | G 3 |
|  | How developed is the transport infrastructure network between the protected areas in the proposed TBPA, including border crossings?  5―Well developed; 3―Somewhat developed; 1―Not very developed/Non-existent | G 3,4 |
|  | Is there a visa regime that regulates the movement of people?  1―Yes; 5―No | G 4 |
|  | Can transboundary cooperation help in the reunification of communities and/or families across the state border?  5―Yes; 1―No; N/A―Not applicable | G 3 |
|  | Has there recently been a military or ethnic conflict or tension between the countries concerned that could negatively affect future cooperation?  1―Yes; 5―No; N/A―Not applicable | G 4 |
|  | To what extent could transboundary cooperation mitigate any potential damages or adverse impacts of the past military and/or ethnic conflict to nature and/or the local population?  5―Significantly; 3―To some extent; 1―Not at all; N/A―Not applicable | G 3 |
|  | Do you have available financial resources for transboundary related activities?  5―Yes, sufficient; 3―Limited, but enough to start; 1―None | C 2,3,4 |
|  | Do you have people available for the coordination of transboundary related activities?  5―Yes, most of them; 3―Some, but enough to start; 1―None | C 2,3,4 |
|  | Do the people available for the coordination of transboundary related activities have the relevant knowledge and skills (i.e. capacity)?  5―Yes, sufficient; 3―Limited, but enough to start; 1―Capacity development is highly needed | C 2,3,4 |
|  | Are there any people with vision and ability to make it compelling to others?  5―Yes; 1―No | C 2,3 |
|  | a) Do you have the facilities (e.g. telephone, internet access, meeting rooms) to manage regular and effective communication with partners in the proposed TBPA?  5―Yes, most of them; 3―Some, but enough to start; 1―None | C 2,3,4 |
| b) Please list the facilities that you have available. | I |
|  | Are you willing to share any potential resources with your partners?  5―Yes; 1―No | C 3,4 |
|  | a) Can operational and/or technical capacities be improved by mutual assistance?  5―Yes; 3―To some extent; 1―No | C 3 |
| b) Please list those capacities that you could provide to your partner in a neighbouring country (1), as well as those that you would benefit from in mutual cooperation (2). | I |
|  | a) Is there a need for assistance in financial resources and/or equipment and/or knowledge development from external sources?  5―No need; 3―Some need; 1―Yes, significant need | C 2,3,4 |
| b) Please list the needed resources. | I |
|  | Would a financial contribution for transboundary cooperation activities be available from the state budget?  5―Yes; 3―Potentially; 1―No | C 3,4 |
|  | Would financial support be accessible from the local municipal/community budgets or the private business sector?  5―Yes; 3―Potentially; 1―No | C 3 |
|  | Can partners across the state boundary understand each other’s language(s) or effectively communicate in a mutually understood language?  5―Yes, completely; 3―Yes, well enough; 1―Not at all | C 2,3,4 |
|  | How different are institutional, operational and technical capacities between partners on each side of the state border?  1―Significantly different; 3―Somewhat different; 5―Not different | C 3,4 |
|  | Are any sources of information (e.g. biodiversity inventories, maps, databases) available for planning the proposed TBPA?  5―Yes, most of them; 3―Enough to start planning the TBPA; 1―None | C 2,3,4 |
|  | To what extent is the available information from question 81 compatible in the involved countries?  1―Significantly different; 3―Different to some extent; 5―Not different | C 3,4 |
|  | Do legal provisions for data exchange exist between partners (e.g. nature conservation authorities, protected area administrations, local authorities, scientific institutions) on each side of the state border?  5―Yes; 3―To some extent; 1―None | C 3,4 |
|  | To what extent is the state of knowledge on biodiversity and natural resources of the proposed TBPA different in each country?  1―Significantly different; 3―Different to some extent; 5―Not different | C 3,4 |
|  | To what extent do methodologies for data collection and management differ in involved countries?  1―Significantly different; 3―Different to some extent; 5―Not different | C 3,4 |
|  | Could any common initiatives aimed at improving the state of knowledge on biodiversity and natural resources of the proposed TBPA be jointly undertaken in the course of transboundary cooperation?  5―Yes; 1―No | C  3 |
|  | Would you benefit from scientific cooperation across the boundary?  5―Yes, significantly; 3―To some extent; 1―Not at all | C 3 |
|  | Have any common transboundary research activities been implemented?  5―Yes, successfully implemented; 3―Yes, but implemented with difficulty; 1―None | C 3 |
|  | Do any potential partners have previous experience in managing externally funded projects?  5―Yes; 1―No | C 2,3 |
|  | Who could assist in increasing capacities on transboundary cooperation? | I |
|  | Who could assist in identifying sources of funds and assistance for transboundary activities? | I |

**Evaluation and interpretation of results**

Each question in the questionnaire marked with ‘CR’, ‘S’, ‘G’, ‘C’ in the right column of the table carries a number of points. Points are indicated in the responses you make (e.g. if you circled *5―Yes*, you obtained 5 points; if you circled *3―To some extent*, you obtained 3 points; etc.).

Each question marked with ‘CR’, ‘S’, ‘G’, ‘C’ in the right column is also marked with numbers from 1 to 4. These numbers denote a particular assessment category (and should not be confused with the number of points):

1 - **The need** for TBC;

2 - **Readiness** of stakeholders to initiate TBC;

3 - **Opportunities** that could speed up the process and/or be generated by TBC; and

4 - **Risks** that could slow the process.

Some questions contain more than one assessment category, e.g. 3 and 4, or 2, 3 and 4, etc. When calculating the points, make sure to calculate those points of questions that are in the same assessment category; e.g. points for ‘CR2’ questions or points for ‘S2’ questions, etc. This will enable reaching the conclusions for each assessment category that is applicable to each of the four parts of the questionnaire:

‘CR’ - Compelling reason for transboundary conservation

‘S’ - Stakeholders

‘G’ - Geographic reach, regional stability and complexity

‘C’ - Capacity

‘CR’ assesses the need for TBC and provides the areas of opportunities and risks. ‘S’ assesses the opportunities and risks related to stakeholders’ involvement in TBC. ‘G’ assesses the opportunities and risks related to geography and regional stability. ‘C’ assesses the readiness of stakeholders to engage in TBC process based on their capacity, as well as opportunities and risks related to the capacity.

Some questions contain a) questions that are scored, and b) questions that are informative (‘I’). In such cases, use the answers to ‘I’ questions in your final report.

Evaluation and interpretation of results in each part is provided in the following section.

|  |  |  |
| --- | --- | --- |
| ‘CR’ QUESTIONS: Compelling reason for transboundary conservation | | |
| THE NEED FOR TBC (‘CR1’) | | |
| **Instructions and results** | | |
| Sum up all points of ‘CR1’ marked questions = Result 1: \_\_\_\_\_\_\_  Count the number of ‘CR1’ marked questions that are NOT evaluated with 0 (zero) = Result 2: \_\_\_\_\_\_\_  Divide Result 1 with Result 2 = Total (overall need for TBC): \_\_\_\_\_\_\_  Do you have at least one ‘CR1’ question evaluated with 5 points? Yes / No | | |
| **No.** | **Total (overall need for TBC) score** | **‘Need for TBC’ statements** |
| 1 | need: 1.0–1.99, and without any ‘CR1’ question evaluated ‘5’ | The idea of TBC should be reconsidered. There is a lack of compelling reasons in the following areas:  \_\_\_\_\_\_\_  *(list the ‘CR1’ question area(s) evaluated with 1 point)* |
| 2 | need: 1.0–3.0, with at least one ‘CR1’ question evaluated ‘5’ | There is a need for TBC, especially in the area(s):    \_\_\_\_\_\_\_  *(list the ‘CR1’ question area(s) evaluated with 5 points)* |
| 3 | need: higher than 3.0 | There is strong need for TBC in the following area(s):  \_\_\_\_\_\_\_  *(list the ‘CR1’ question area(s) evaluated with 5 points)* |
|  | | |
| OPPORTUNITY (‘CR3’) | | |
| **Instructions and results** | | |
| List the ‘CR3’ questions evaluated with 5 points: \_\_\_\_\_\_\_\_ | | |
| **‘Opportunity’ statements** | | |
| There are a number of opportunities, namely:  \_\_\_\_\_\_\_  *(list the ‘CR3’ question areas evaluated with 5 points)* | | |
|  | | |
| RISK (‘CR4’) | | |
| **Instructions and results** | | |
| List the ‘CR4’ questions evaluated with 1 point: \_\_\_\_\_\_\_ | | |
| **‘Risk’ statements** | | |
| There are a number of risks, namely:  \_\_\_\_\_\_\_  *(list the ‘CR4’ question areas evaluated with 1 point)* | | |

|  |
| --- |
| ‘S’ QUESTIONS: Stakeholders |
| OPPORTUNITY (‘S3’) |
| **Instructions and results** |
| List the ‘S3’ questions evaluated with 5 points: \_\_\_\_\_\_\_ |
| **‘Opportunity’ statements** |
| There are a number of opportunities, namely:  \_\_\_\_\_\_\_  *(list the ‘S3’ question areas evaluated with 5 points)* |
|  |
| RISK (‘S4’) |
| **Instructions and results** |
| List the ‘S4’ questions evaluated with 1 point: \_\_\_\_\_\_\_ |
| **‘Risk’ statements** |
| There are a number of risks, namely:  \_\_\_\_\_\_\_  *(list the ‘S4’ question areas evaluated with 1 point)* |

|  |
| --- |
| ‘G’ QUESTIONS: Geographic reach, regional stability and complexity |
| OPPORTUNITY (‘G3’) |
| **Instructions and results** |
| List the ‘G3’ questions evaluated with 5 points: \_\_\_\_\_\_\_ |
| **‘Opportunity’ statements** |
| There are a number of opportunities, namely:  \_\_\_\_\_\_\_  *(list the ‘G3’ question areas evaluated with 5 points)* |
|  |
| RISK (‘G4’) |
| **Instructions and results** |
| List the ‘G4’ questions evaluated with 1 point: \_\_\_\_\_\_\_ |
| **‘Risk’ statements** |
| There are a number of risks, namely:  \_\_\_\_\_\_\_  *(list the ‘G4’ question areas evaluated with 1 point)* |

|  |  |
| --- | --- |
| ‘C’ QUESTIONS: Capacity | |
| READINESS (‘C2’) | |
| **Instructions and results** | |
| List the ‘C2’ questions evaluated with 5 points: \_\_\_\_\_\_\_  List the ‘C2’ questions evaluated with 1 points: \_\_\_\_\_\_\_ | |
| **Results** | **‘Readiness’ statements** |
| There are no ‘C2’ questions evaluated with 1 point. | Readiness of stakeholders to initiate TBC is good, especially in the area(s):  \_\_\_\_\_\_  *(list the ‘C2’ question areas evaluated with 5 points, if any)* |
| All other cases. | Readiness of stakeholders to initiate TBC is good in the area(s):  \_\_\_\_\_\_  *(list the ‘C2’ question areas evaluated with 5 points, if any)*  but, particular attention should be given to improving the area(s):  \_\_\_\_\_\_\_  *(list the ‘C2’ question areas evaluated with 1 point)* |
|  | |
| OPPORTUNITY (‘C3’) | |
| **Instructions and results** | |
| List the ‘C3’ questions evaluated with 5 points: \_\_\_\_\_\_\_ | |
| **‘Opportunity’ statements** | |
| There are a number of opportunities, namely:  \_\_\_\_\_\_\_  *(list the ‘C3’ question areas evaluated with 5 points)* | |
|  | |
| RISK (‘C4’) | |
| **Instructions and results** | |
| List the ‘C4’ questions evaluated with 1 point: \_\_\_\_\_\_\_ | |
| **‘Risk’ statements** | |
| There are a number of risks, namely:  \_\_\_\_\_\_\_  *(list the ‘C4’ question areas evaluated with 1 point)* | |

**Annex I: Example of a narrative report**

**REPORT**

**FEASIBILITY FOR TRANSBOUNDARY CONSERVATION INITIATIVE ESTABLISHMENT**

**Name of the potential Transboundary Protected Area: ­­­­­­­­­­­­­­­­­**

**Involved countries:**

1. ‘CR’ QUESTIONS: Compelling reason for transboundary conservation

There is strong need for TBC in the following areas (*list the reasons for TBC initiative establishment as per the results of the ‘CR1’ questions in the diagnostic tool*):

* …
* …
* …
* …

There are a number of opportunities that could speed up or be generated by the TB process, namely (*list the opportunities as per the results of the ‘CR3’ questions in the diagnostic tool*):

* …
* …
* …
* …

There are a number of risks that could slow the TB process, namely (*list the risks as per the results of the ‘CR4’ questions in the diagnostic tool*):

* …
* …
* …
* …

1. ‘S’ QUESTIONS: Stakeholders

There are a number of opportunities that could speed up or be generated by the TB process, namely (*list the opportunities as per the results of the ‘S3’ questions in the diagnostic tool*):

* …
* …
* …
* …

There are a number of risks that could slow the TB process, namely (*list the risks as per the results of the ‘S4’ questions in the diagnostic tool*):

* …
* …
* …
* …

1. ‘G’ QUESTIONS: Geographic reach, regional stability and complexity

There are a number of opportunities that could speed up or be generated by the TB process, namely (*list the opportunities as per the results of the ‘G3’ questions in the diagnostic tool*):

* …
* …
* …
* …

There are a number of risks that could slow the TB process, namely (*list the risks as per the results of the ‘G4’ questions in the diagnostic tool*):

* …
* …
* …
* …

1. ‘C’ QUESTIONS: Capacity

Readiness of stakeholders to initiate TBC is good, especially in the areas (*list the capacity needs as per the results of the ‘C2’ questions in the diagnostic tool*):

* …
* …
* …
* …

There are a number of opportunities that could speed up or be generated by the TB process, namely (*list the opportunities as per the results of the ‘C3’ questions in the diagnostic tool*):

* …
* …
* …
* …

There are a number of risks that could slow the TB process, namely (*list the risks as per the results of the ‘C4’ questions in the diagnostic tool*):

* …
* …
* …
* …

# Appendix C: Performance Appraisal Tool

1. A protected area is “a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.” (Dudley, 2008) [↑](#footnote-ref-1)
2. This diagnostic tool was developed with the support of Antonio Vasilijević, Eco Horizon NGO, in developing the scoring methodology, and in consultation with IUCN WCPA TBC SG members and Boris Erg, IUCN SEE Director. It is partly adapted from UNEP’s *Assessing the Feasibility of Establishing Transboundary Protected Area - Gap and Opportunities Analysis* (undated publication available from the authors) and based on the diagnostic framework of the TBC process presented in Chapter 3.1 of this publication. [↑](#footnote-ref-2)
3. Please consider streamlining your efforts to assist the neighboring country establish protected areas as one of the key first steps in your future transboundary initiative process. [↑](#footnote-ref-3)