

World Commission on Protected Areas (WCPA)

Transboundary Protected Areas for Peace and Co-operation

Trevor Sandwith, Clare Shine,
Lawrence Hamilton and David Sheppard

Adrian Phillips, Series Editor



Best Practice Protected Area Guidelines Series No. 7

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Based on the proceedings of workshops
held in Bormio (1998) and Gland (2000)

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**IUCN – The World Conservation Union
2001**

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This publication has been made possible in large part by funding from Cardiff University, Conservation International, Italian Ministry of Foreign Affairs, US National Parks Service, World Bank and IUCN.

Published by: IUCN, Gland, Switzerland, and Cambridge, UK.



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© 2001 Dorothy C. Zbicz, PhD. *Global List of Complexes of Internationally Adjoining Protected Areas* (Article and accompanying list as appearing in the final draft of 14 August, 2001). This material is included as Appendix 1 in this publication.

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Citation: Sandwith, T., Shine, C., Hamilton, L. and Sheppard, D. (2001). *Transboundary Protected Areas for Peace and Co-operation*. IUCN, Gland, Switzerland and Cambridge, UK. xi + 111pp.

ISBN: 2-8317-0612-2

Cover design by: IUCN Publications Services Unit

Cover photos: Front: Waterton-Glacier International Peace Park, (Canada/USA): *L. Hamilton*. Back: The Maloti-Drakensberg Transfrontier Conservation and Development Area is a partnership between Lesotho and South Africa: *Herman Potgieter*; Vanoise National Park, France, forms a transboundary protected area with Gran Paradiso National Park in Italy: *Adrian Phillips*; Sailing vessels, Sundarbans, West Bengal, part of a transboundary protected area with adjoining wildlife sanctuaries in Bangladesh: *Michael J.B. Green*; Africa's most recent transboundary protected area agreement was signed on 11 June 2001 between Lesotho and South Africa at Sehlabathebe National Park in Lesotho: *Greig Stewart*.

Layout by: IUCN Publications Services Unit

Produced by: IUCN Publications Services Unit

Printed by: The Lavenham Press Ltd, Lavenham, UK

Available from: IUCN Publications Services Unit
219c Huntingdon Road, Cambridge CB3 0DL,
United Kingdom

Tel: +44 1223 277894

Fax: +44 1223 277175

E-mail: info@books.iucn.org

www: <http://www.iucn.org>

A catalogue of IUCN publications is also available

The text of this book is printed on 90gsm Fineblade Extra made from low-chlorine pulp.

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Foreword

Protected areas are vital for life on earth. They safeguard biological and cultural diversity, help to improve the livelihoods of local communities, provide the homelands for many indigenous peoples and bring countless benefits to society in general. As the world becomes more crowded, and as the pressures on natural resources increase, so there is a growing recognition of the importance of such places to the future of humankind. But why should *particular* attention be given to transboundary protected areas – that is, to adjoining protected areas that involve a degree of co-operation across one or more boundaries between (or within) countries?

It is now generally understood that conservation planning cannot just be site-specific, but has to be at broader scales, both at national and regional levels. Plants and animals do not recognize national boundaries; nor do many of the forces that threaten them. Clearly, strategies to conserve biodiversity in the 21st century must emphasize transboundary co-operation in relation to shared ecosystems and other conservation concerns.

The rationale for this was graphically expressed by Dr Z. Pallo Jordan (then South African Minister of Environmental Affairs and Tourism) in his opening address to the 1997 Cape Town meeting on Transboundary Protected Areas:

“The rivers of Southern Africa are shared by more than one country. Our mountain ranges do not end abruptly because some 19th century politician drew a line on a map. The winds, the oceans, the rain and atmospheric currents do not recognize political frontiers. The earth’s environment is the common property of all humanity and creation, and what takes place in one country affects not only its neighbours, but many others well beyond its borders”

Many countries have responded to this challenge. As these guidelines report, the numbers of transboundary protected areas have grown rapidly in recent times. In 1988, there were only some 59 groups of adjoining protected areas, separated by national boundaries. By 2001 this had grown to 169, involving 666 individual protected areas. In many cases there were co-operative arrangements in place: true transboundary protected areas. While this is a welcome trend, there is a need to consolidate this experience.

Quite apart from the benefits for biodiversity conservation, transboundary protected areas can also play an important role in fostering better co-operation and understanding between countries. Indeed they may help catalyze the peaceful resolution of disputes. In many parts of the world, transboundary protected areas have been important in building bridges between nations and peoples. But, here too, until recently at least, this experience had not been analysed systematically, nor had the lessons been drawn from it.

In order to focus more attention on the conservation and security benefits of transboundary protected areas, IUCN’s World Commission on Protected Areas (WCPA) initiated a programme of work on this important topic a few years ago. This publication represents the culmination of this activity, and specifically of the work done for and at

meetings held in Cape Town, Bormio and Gland between 1997 and 2000. It is also the outcome of a major co-operative effort between WCPA and the IUCN Commission on Environmental Law (CEL), and between IUCN and many partners. IUCN is especially indebted to the Government of Italy, and the Italian Directorate General for Development Co-operation. They were key supporters of these meetings and have encouraged transboundary protected area initiatives around the world; without their support, these guidelines could not have been published.

David Sheppard
Head of the IUCN Programme on Protected Areas

Preface

IUCN is to be congratulated in taking the initiative and sustaining efforts to promote the role of transboundary protected areas (TBPAs) for biodiversity conservation, peace and co-operation. It is also most encouraging to see the recent surge of support that such linkages are receiving in many countries throughout the world, coming from local communities, governments, conservation and tourism organizations, bilateral and multi-lateral aid agencies, the private sector and NGOs.

The world economic system is now highly competitive and market-based, and many developing countries have been largely marginalized in recent years in attracting significant inflows of long-term foreign direct investment. International donor organizations increasingly stress that in order to produce sustained economic growth, developing countries must create and maintain an enabling environment for investment. TBPAs meet this requirement, open up new opportunities for private/public sector partnerships and help to restore investor confidence especially in Africa, a continent often perceived as lacking in transparency and accountability, and trapped in a syndrome of dependency.

It has been my own experience that transboundary co-operative action is a highly strategic means of achieving regional integration, and securing landscape-level conservation at a scale not possible previously. A giant step was taken on 12 May 2000 when President Festus Mogae of Botswana and President Thabo Mbeki of South Africa officially opened the Kgalagadi Transfrontier Park (KTP) as the world's first formally designated transfrontier park. The KTP brings together the 28,400km² Gemsbok National Park in Botswana with the 9,591km² Kalahari Gemsbok National Park in South Africa as a single unit under a unified system of control and management, with tourists being able to move freely across the international boundaries between the two countries. However, Botswana and South Africa retain their territorial integrity and separate legal systems in their respective areas. Such a high level of political commitment can only help the cause of TBPA establishment, both in Africa and elsewhere in the world. In fact, in the Southern African sub-region, there are now four negotiated agreements, and others in the pipeline which will enhance conservation of some of the world's most important biodiversity hotspots, and make a significant contribution to regional economic development.

I hope that conservation managers will benefit from these guidelines that bring together important perspectives and lessons from recent efforts to develop transboundary protected areas.

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Acknowledgements

This publication is the result of joint work between two IUCN commissions: the World Commission on Protected Areas (WCPA) and the Commission on Environmental Law (CEL). Material for these guidelines was generated at three meetings convened by WCPA in Somerset West, near Cape Town, South Africa (October 1997), Bormio, Italy (May 1998) and Gland, Switzerland (February 2000). These meetings built on an earlier workshop in 1995, co-sponsored by WCPA and Australian Alps National Parks, which analysed the experience of transboundary co-operation drawn from 33 protected area managers representing 18 countries.

This publication was compiled by Trevor Sandwith, Clare Shine, Lawrence Hamilton and David Sheppard, supported by Pedro Rosabal of the IUCN Programme on Protected Areas and Charles di Leva and Françoise Burhenne-Guilmin of the IUCN Environmental Law Centre. Contributors to the Bormio and Gland workshops included Faisal Abu-Izzeddin, Milena Bellini, Carlos Chacon, José Cisneros, Rob Davies, Juliet Fall, Alfredo Guillet, Sam Kanyamibwa, Annette Lanjouw, Kathy Mackinnon, Gonzalo Oviedo, Patrizia Rossi, Tom Rotherham, Alberto Salas, Johanna Sutherland, Richard Tarasofsky, Renier Thiadens, Alvaro Umana, Samson Werikhe, Arthur Westing and Nattley Williams. Further material and comments on the draft manuscript were provided by Salman Abu-Rukun, Gerardo Budowski, Juan Castro-Chamberlain, Javier Claparols, Eliezer Frankenberg, Linda Hamilton, John Hanks, Elizabeth Hughes, Judy Oglethorpe, Alison Ormsby, Peter Schachenmann and especially by Adrian Phillips and Hanna Jaireth. In addition to providing useful comments, Dorothy Zbicz generously contributed the global list of protected areas which abut across international boundaries at Appendix 1. The UNEP-WCMC provided the updated regional maps of these areas (Appendix 2).

Financial support for the meetings and follow-up work was generously provided by the Italian Government through the Italian Directorate General for Development Co-operation. A large number of organisations supported the meeting in South Africa in 1997, including: the Peace Parks Foundation (South Africa), UNESCO Man and the Biosphere Programme, USAID, United States National Park Service, United States State Department, World Bank (Environment Department), WWF, AVIS Car Rental, Nedbank Limited, SANLAM, South African Airways Corporation, Stellenbosch Farmers' Winery Limited, Syfrets Limited and The Lord Charles Hotel.

Financial support for this publication was provided by the Italian Government through the Ministry of Foreign Affairs, the United States Department of the Interior, the Netherlands Ministry of Foreign Affairs, the World Bank, Conservation International, as well as IUCN and Cardiff University.

Abbreviations and acronyms

CEL	IUCN Commission on Environmental Law
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Animals
GEF	Global Environment Facility
EIA	Environmental impact assessment
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit (German Agency for Technical Co-operation)
ICRC	International Committee of the Red Cross
IUCN	The World Conservation Union
MAB	UNESCO Man and the Biosphere Programme
MOU	Memorandum of Understanding
NGO	Non-governmental Organisation
PA	Protected Area
PPA	Programme on Protected Areas (of IUCN)
Ramsar	Convention on Wetlands of International Importance especially as Waterfowl Habitat
SADC	Southern African Development Community
TFCA	Transfrontier Conservation Area
TBPA	Transboundary Protected Area
TBR	Transboundary Biosphere Reserve
UN	United Nations
UNEP-WCMC	United Nations Environment Programme-World Conservation Monitoring Centre
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNHCR	United Nations High Commissioner for Refugees
WCPA	IUCN World Commission on Protected Areas
WWF	World Wide Fund for Nature (World Wildlife Fund in North America)

These Guidelines are one of the Best Practice Protected Area Guidelines series. The Series Editor is Prof. Adrian Phillips.

Other publications in the series are as follows:

National System Planning for Protected Areas. No. 1. Adrian G. Davey, 1998, x + 71pp.

Economic Values of Protected Areas: Guidelines for Protected Area Managers. No. 2. Task Force on Economic Benefits of Protected Areas for the World Commission on Protected Areas (WCPA) IUCN in collaboration with the Economics Service Unit of IUCN, 1998, xii + 52pp.

Guidelines for Marine Protected Areas. No. 3. Graeme Kelleher, 1999, xxiv + 107pp.

Indigenous and Traditional Peoples and Protected Areas: Principles, Guidelines and Case Studies. No. 4. Beltrán, J. (Ed.) (2000). IUCN, Gland, Switzerland and Cambridge, UK and WWF International, Gland, Switzerland. xi + 133pp.

Pueblos Indígenas y Tradicionales y Áreas Protegidas: Principios, Directrices y Casos de Estudio. No. 4. Beltrán, J. (Ed.) (2001). UICN, Gland, Suiza y Cambridge, UK y WWF Internacional, Gland, Suiza. xii + 139pp.

Financing Protected Areas: Guidelines for Protected Area Managers. No. 5. Financing Protected Areas Task Force of the World Commission on Protected Areas (WCPA) of IUCN, in collaboration with the Economics Unit of IUCN, 2000. viii + 58pp.

Evaluating Effectiveness: A Framework for Assessing the Management of Protected Areas. No. 6. Marc Hockings, Sue Stolton and Nigel Dudley, 2000, x + 121pp.

1. Introduction and definitions

1.1 Background

There are many instances worldwide of long-standing interaction and co-operation between two or more adjoining protected areas that are divided by international or sub-national boundaries. It has long been recognised that such areas have symbolic value for peaceful co-operation between nations as well as practical benefit for co-ordinated or joint conservation management. As early as 1932, the Waterton-Glacier International Peace Park was designated to commemorate the long history of peace and friendship between Canada and the United States, and to emphasize both natural and cultural links. More recently, several initiatives have explored the potential for developing such linkages: not only through transboundary protected areas (TBPAs), some of which may be managed as a single unit by the countries or jurisdictions involved, but also situations where transboundary natural resource management does not involve protected areas (Griffin, 1999). This publication considers the specific situation where there is – or could be – transboundary co-operation involving protected areas, and where both conservation and peaceful co-operation are important objectives. It also covers the processes that lead to the development of TBPAs and the concept of Parks for Peace.

Since 1997, IUCN has promoted a Parks for Peace initiative as a tool to enhance regional co-operation for biodiversity conservation, conflict prevention, resolution and reconciliation, and sustainable regional development. This work has been undertaken in a partnership between IUCN’s World Commission on Protected Areas (WCPA), Programme on Protected Areas (PPA), its Commission on Environmental Law (CEL), and the Peace Parks Foundation (South Africa)¹. Concepts and guiding principles have been developed through a number of events convened by WCPA, including:

- the International Conference on Transboundary Protected Areas as a Vehicle for International Co-operation (Cape Town, South Africa, 1997);
- the International Symposium on Parks for Peace (Bormio, Italy, 1998); and
- a follow-up Parks for Peace meeting: Promoting a Global Partnership (Gland, Switzerland, 2000).

The Parks for Peace initiative also builds on other work by IUCN/WCPA on trans-frontier parks and transborder protected area co-operation. An early initiative was the Borders Parks Workshop, held in Banff, Canada in 1988 (Thorsell, 1990). Several activities in Europe were fostered by the IUCN/WCPA programme “Parks for Life: Action for Protected Areas in Europe” where transfrontier co-operation has been one of the priority items (IUCN, 1994; Cerovský, 1996; Brunner, 1999). A major international

¹ The Peace Parks Foundation’s mission is to facilitate the establishment of Transfrontier Conservation Areas in the Southern African Development Community (SADC), supporting sustainable economic development, the conservation of biodiversity, and regional peace and stability. It is a partner in the proposed Global Partnership for Peace Parks (See Section 1.1 (iv)).

workshop held in Australia in 1995 focused on transboundary protected area co-operation in mountain areas and provided further impetus for the present initiative (Hamilton *et al.*, 1996).

A number of bodies have worked to establish a set of guiding principles and practices relating to the Parks for Peace concept. These include WWF, which is playing an important role in promoting and implementing field projects on planning and managing TBPAs, and the United Nations University for Peace which has promoted the concept of a global partnership to promote the objectives of Parks for Peace.

Participants in this process agree on the need to consolidate advice, and in particular to produce:

- (i) A working definition of Parks for Peace. This will assist in the recognition and/or designation of areas which meet agreed criteria;
- (ii) Guidelines for transboundary co-operation in protected areas. This will assist conservation managers and agencies in the development and management of TBPAs for nature conservation purposes, emphasize the value of these areas in promoting peace, co-operation and human development, and build awareness of principles and best practices that underpin transboundary co-operation;
- (iii) A Draft Code for Transboundary Protected Areas in Times of Peace and Armed Conflict. This will provide a clear framework for all concerned with the establishment and management of such areas, and in particular with regard to the prevention or mitigation of armed conflict in and around TBPAs;
- (iv) A project proposal for a Global Partnership regarding Parks for Peace.

Items (i) to (iii) above are presented in this volume (Chapters 1, 3 and 4 respectively), together with useful material and legal precedents set out in the Appendices. The participants have developed a project proposal (iv) which is currently under consideration. Although the Guidelines and Draft Code have slightly different audiences, they are published together because of the need to place best practice in the field within a broader legal and diplomatic context. Indeed, TBPAs should always be developed in full recognition of the opportunities for conservation and co-operation, at local, national and international levels.

A Transboundary Protected Areas Task Force has been established by IUCN/WCPA to contribute to WCPA's strategic goals. Comments on this publication and suggestions and contributions to the Task Force's programme of activities can be addressed to the Task Force Chair, c/o IUCN Protected Areas Programme, Rue de Mauverney 28, CH-1196 Gland, Switzerland or by visiting the IUCN/WCPA website at www.wcpa.iucn.org.

1.2 Definitions

There has been much confusion over terms used in this field. Box 1 sets out a hierarchical, or nested, set of definitions adopted by IUCN in this publication. The starting point is the agreed definition of protected area; TBPAs are special types of protected areas; and Parks for Peace a special type of TBPA.

Points to note about these definitions include the following:

- In most cases, “transboundary” implies the context of international co-operation. However, it may also cover co-operation between neighbouring sub-national jurisdictions, including autonomous regions or provinces. This kind of approach may be particularly useful in situations where formerly divided states have been re-united, or vice versa; and where unilateral action by such jurisdictions would impede conservation and co-operation objectives.
- The word “co-operatively” has been added to the second part of the definition of a TBPA, although it does not appear in the definition of a protected area as such. This is because co-operation between the two or more individual protected areas is a prerequisite for recognition as a TBPA. It follows that there will be cases of protected areas which physically abut on either side of a boundary but which are not recognised as TBPAs, as understood in these guidelines, because there is no co-operation at all between the individual protected areas concerned. As a rule of thumb, the level of co-operation should reach at least Level 1 (as set out in Box 3.9) in order to be recognised as a TBPA.
- The United Nations University for Peace has used the term “Peace Park” for “protected areas where there is a significant conflictive past” (Gerardo Budowski, *pers. comm.*²), whether or not these occur in a transboundary

Box 1.1 Definitions

Protected Area

An area of land and/or sea especially dedicated to the protection and maintenance of biological diversity³, and of natural and associated cultural resources, and managed through legal or other effective means (IUCN, 1994a).

Transboundary Protected Area (TBPA)

An area of land and/or sea that straddles one or more boundaries between states, sub-national units such as provinces and regions, autonomous areas and/or areas beyond the limits of national sovereignty or jurisdiction, whose constituent parts are especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed co-operatively through legal or other effective means.

Parks for Peace

Parks for Peace are transboundary protected areas that are formally dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and to the promotion of peace and co-operation.

² Gerardo Budowski, Vice Rector, United Nations University for Peace, Costa Rica, www.upeace.org

³ Biological diversity or “biodiversity” in the most general sense refers to “the variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems” (Convention on Biological Diversity, Article 2). Thus, it encompasses the landscapes, ecosystems, species and genes, together with the ecosystem processes which sustain them, and is the basis of life on earth and sustainable human development. The term should therefore be interpreted, wherever appropriate, to include conservation and management of ecosystem functions and services.

Box 1.2 IUCN Protected Area Management Categories (IUCN, 1994a)

- I. Strict Nature Reserve/Wilderness Area: protected area managed mainly for science or wilderness protection
- II. National Park: protected area managed mainly for ecosystem protection and recreation
- III. Natural Monument: protected area managed mainly for conservation of specific natural features
- IV. Habitat/Species Management Area: protected area managed mainly for conservation through management intervention
- V. Protected Landscape/Seascape: protected area managed mainly for landscape/seascape conservation and recreation
- VI. Managed Resource Protected Area: protected area managed mainly for the sustainable use of natural ecosystems

situation. However, these guidelines reserve the term “Parks for Peace” for the particular sub-set of protected areas where there is a clear biodiversity objective, a clear peace objective *and* co-operation between at least two countries or sub-national jurisdictions.

- Since both TBPA and Parks for Peace are subsets of protected areas, they should always conform not only to the IUCN definition of a protected area (Box 1.1) but also to one or more of the IUCN protected area management categories (see Box 1.2).
- The concept of Parks for Peace raises some novel questions for protected area managers, which are explored further in sections 1.3 and 1.4.

1.3 Objectives for Parks for Peace

The identification/designation of Parks for Peace by the cooperating jurisdictions should include only those areas where the agreed management objectives explicitly recognise both a protected area purpose and a peace purpose.

Parks for Peace should be founded on the recognition that human security, good governance, equitable development and respect for human rights are interdependent and indivisible. Peace is best developed by addressing the root causes of conflict and by promoting sustainable development, the rule of law and adherence to human rights, whether civil, political, economic, social or cultural.

Specific objectives of Parks for Peace may include the following aspects:

- (i) Supporting long-term co-operative conservation of biodiversity, ecosystem services, and natural and cultural values across boundaries;
- (ii) Promoting landscape-level ecosystem management through integrated bio-regional land-use planning and management;

- (iii) Building trust, understanding, reconciliation and co-operation between and among countries, communities, agencies and other stakeholders;
- (iv) Preventing and/or resolving tension, including over access to natural resources;
- (v) Promoting the resolution of armed conflict and/or reconciliation following armed conflict;
- (vi) Sharing biodiversity and cultural resource management skills and experience, including co-operative research and information management;
- (vii) Promoting more efficient and effective co-operative management programmes;
- (viii) Promoting access to, and equitable and sustainable use of natural resources, consistent with national sovereignty; and
- (ix) Enhancing the benefits of conservation and promoting benefit-sharing across boundaries among stakeholders.

1.4 Designation criteria for Parks for Peace

There is no internationally-agreed procedure for designating Parks for Peace that equates to the listing of, for example, World Heritage sites, Ramsar sites or biosphere reserves. At a national level, widely varying approaches have been taken to the labelling of sites as “peace parks”, where they commemorate a history of conflict, or promote peace. Also a number of TBPA have been named as “International Peace Parks”.

IUCN believes that it may be helpful to develop an international certification process to guide designation, consistent with the definitions and objectives proposed above. The development of such a certification process may be pursued by interested agencies in future, including IUCN/WCPA, IUCN/CEL, the United Nations University for Peace and the Peace Parks Foundation. Therefore, the following criteria for designating Parks for Peace are offered as interim guidance on this issue:

- (i) There should be at least two protected areas, as defined by IUCN, sharing a common national or sub-national boundary;
- (ii) In addition to biodiversity and any cultural objectives, there should be an explicit purpose to promote peace and co-operation, or to encourage peace and reconciliation during and after armed conflict;
- (iii) A formal bilateral or multilateral co-operation agreement should be entered into by the competent authorities for the countries or jurisdictions concerned;
- (iv) A co-operative management arrangement should be established by the agencies responsible for the protected areas;
- (v) Co-operative management and development programmes should be designed and implemented by these parties, involving all interested stakeholders;
- (vi) The Guidelines for Transboundary Co-operation in Protected Areas (Chapter 3) should be carefully considered by the parties;
- (vii) Parties should be guided by, and adhere to, the elements of the Draft Code for Transboundary Protected Areas in Times of Peace and Armed Conflict (Chapter 4).

2. Transboundary co-operation between protected areas

2.1 Number of complexes of internationally adjoining protected areas

There are currently at least 169 complexes of two or more adjoining protected areas which are divided by international boundaries (Zbicz, 2001). They involve a total of 666 protected areas representing 113 countries. There are varying levels of co-operation and formalisation of co-operative management agreements within these complexes. Many are already TBPA, whilst others, where the necessary co-operation is currently absent, have the potential to become TBPA. A list of these complexes, compiled by Zbicz (2001), is contained at Appendix 1. Regional maps updated by UNEP-WCMC are contained at Appendix 2.

2.2 Benefits

The establishment of TBPA by two or more countries or other jurisdictions, creates opportunities for enhanced transboundary co-operation in their management. It also helps to encourage friendship and reduce tension in border regions. The principal benefits, as identified through the IUCN “Parks for Peace” initiative, are:

- Promoting international co-operation at different levels and in different fora;
- Enhancing environmental protection across ecosystems;
- Facilitating more effective research;
- Bringing economic benefits to local and national economies; and
- Ensuring better cross-border control of problems such as fire, pests, poaching, marine pollution and smuggling.

Box 2.1 lists other examples of benefits (Hamilton *et al.*, 1996).

2.3 How transboundary initiatives develop

A shared vision of transboundary co-operation by all is the ultimate goal. This may come about in several ways as illustrated in the following sections.

2.3.1 High-level initiatives

The concept may be adopted at a high political level (agency head, minister, or even Head of State). The proposal can be conveyed to his or her counterpart across the

**Box 2.1 Benefits of transboundary protected area co-operation
(based on Hamilton *et al.*, 1996)**

1. A larger contiguous area will better safeguard biodiversity since very large areas are needed to maintain minimum viable populations of many fauna species, particularly large carnivores.
2. Where populations of flora or fauna cross a political or administrative boundary, transboundary co-operation promotes ecosystem or bioregional management.
3. Reintroduction or natural re-colonisation of large-range species is facilitated by transboundary co-operation.
4. Pest species (pathogens, insects) or alien invasives that adversely affect native biodiversity are more easily controlled, if joint control is exercised rather than having a source of infection across the boundary.
5. For rare plant species needing *ex situ* bank and nursery facilities, one facility for both parks will be cheaper to set up than separate ones.
6. Joint research programmes can eliminate duplication, enlarge perspectives and skills pool, standardise methodologies, and share expensive equipment.
7. Wildfires cross boundaries, and better surveillance and management is possible through joint management.
8. Poaching and illegal trade across boundaries are better controlled by transboundary co-operation. Co-operation is needed for effective law enforcement. Joint patrols in border areas become possible.
9. Nature-based tourism is enhanced, because of a greater attraction for visitors, the possibilities of joint approaches to marketing and tour operator training, and the possibility of agreements on fees, visitor management etc.
10. More cost-effective and compelling education materials can be produced, and joint interpretation is stronger concerning shared natural or cultural resources.
11. Joint training of park staff is more cost effective and usually benefits from greater diversity of staff with different experiences.
12. Transboundary co-operation improves staff morale and reduces feeling of isolation. Contact with cultural differences enriches both partners.
13. Transboundary co-operation makes staff exchanges easier: staff exchange programs have shown their worth.
14. A cross-boundary pool of different expertise is available for problem solving.
15. Expenses for infrequently used heavy equipment, aircraft rental for patrols, etc. may be shared.
16. Transboundary co-operation in priority actions can carry more weight with authorities in each country.
17. The ministry level may feel greater obligation to honour commitments of support when another jurisdiction or another country is involved.
18. International designation, donors and assistance agencies are more attracted to an international joint proposal.
19. Outside threats may be more easily met (air pollution, inappropriate development) when there is an international or inter-state response.
20. Customs and immigration officials are more easily encouraged to co-operate if parks are cooperating.
21. Search and rescue is often more efficient and economical.

political boundary and could result in a formal agreement, signed at high level in each country or jurisdiction. Such an agreement could encompass a few key measures, such as a unifying theme, mutual assistance in emergencies, an oversight body, and a suggested institutional framework that could evolve over time.

A State to State example is the general Memorandum of Understanding between the United States and Canada regarding co-operation in management, research, protection, conservation and presentation of national parks and national historic sites. This empowers several transboundary initiatives in defined focal areas (see also the text of MoU in Appendix 3).

A similar arrangement is developing in the Maloti-Drakensberg area between South Africa and Lesotho. Here, high-level inter-governmental liaison on regional economic development encouraged co-operation in several sectors, including that of nature conservation. A general protocol for transfrontier conservation areas has been agreed within the Southern African Development Community (SADC), and there are specific bilateral and trilateral protocols between South Africa and Botswana, and between South Africa, Mozambique and Swaziland respectively.

A regional framework for co-operation was developed between Mexico and the US along their Rio Grande border. A framework for co-operation was agreed whereby Big Bend National Park (IUCN Category II) and Organ Pipe Cactus National Monument (Category III) on the US side stood ready to work with any adjoining protected areas in Mexico. With the formal establishment in Mexico of the Sierra de Maderas del Carmen and Cañón Santa Elena (both Category VI) in 1994, on-the-ground co-operation became possible, and is now becoming a reality.

In Asia, international and simultaneous establishment is well represented on the island of Borneo, involving Lanjak Entimau Reserve in Sarawak (Malaysia) (Category IV) and Gunung Bentuang dan Karimum in Kalimantan (Indonesia) (Category II).

Certain regions have initiated high-level co-operation as part of a reconciliation process following sustained political and social tension, or even armed conflict. Central America provides several well-established examples of transboundary co-operation of this kind (see Box 2.2). More recently, in South America, Peru and Ecuador agreed on the establishment of adjoining protected areas in the disputed Cordillera del Condor in 1998. This came about through negotiations leading to the peace accords, and were suggested by IUCN President Yolanda Kakabadse who was at that time also Ecuador's Minister for Environment.

In a more limited way, transboundary co-operation has been discussed or initiated between some countries in the Middle East, within the context of peace negotiations. Box 2.3 describes a situation where, following conflict, a peace treaty between Israel and Jordan paved the way for the establishment of a Peace Park. Similar solutions have been proposed for the Golan Heights.

Elsewhere, interest has been shown in the establishment of a peace park along the demilitarised zones (DMZ) between the Koreas, and to help resolve disputed claims between several countries to the South China Seas atoll of the Spratley Islands. A very special case is that of the Antarctic, where rival territorial claims have been shelved under the terms of the Antarctic Treaty. The treaty system prohibits mining on the continent, places environmental controls over all activities and fosters co-operative scientific programmes.

International organisations may actively encourage national governments or treaty focal points to develop TBPA complexes. This approach has been taken by the World Heritage Committee, the UNESCO Man and the Biosphere (MAB) Programme and the Ramsar Convention Bureau.

Biosphere reserves, which are themselves a framework for co-operative management, development, research, monitoring and education, are sometimes divided by an international border. The MAB Programme now formally supports the development of a single functional biosphere reserve or Transboundary Biosphere Reserve (see Appendix 4 on guidelines for Transboundary Biosphere Reserve development). The Carpathian Biosphere Reserve involves three countries (Poland, Slovakia and Ukraine).

Similarly, a transboundary area can be nominated and listed as a Transboundary World Heritage site if it meets the criteria for listing under the World Heritage Convention. There is a Transboundary World Heritage site involving the Mount Nimba Strict Nature Reserve in Guinea and Côte d'Ivoire (and efforts are being made to extend it to include Liberia).

There are several examples of contiguous Ramsar sites that form part of TBPA complexes, such as the Sundarbans mangrove swamps (India/Bangladesh) and the Parc National du "W" (Benin, Burkina Faso, and Niger), the Niger component of the latter site is also a World Heritage site and biosphere reserve.

Box 2.2 Two examples of TBPAs from Central America

La Amistad International Park, Central America, Costa Rica-Panama

La Amistad is one of the oldest transboundary biodiversity conservation projects in the Central American isthmus. Binational co-operation between Costa Rica and Panama dates from 1970 when the Planning and Economic Co-operation Ministries of both countries decided to promote the integrated development of their boundary zones. In 1979, the Presidents signed a joint declaration to establish La Amistad International Park. This declaration was effected in 1982 with the establishment of the TBPA. The Presidents of both countries ratified the agreement in 1992. The legal framework established a Binational Technical Commission responsible for follow up, control and evaluation of the agreement. The International La Amistad Park is nested within a Transboundary Biosphere Reserve.

The Sí-a-Paz project, Central America, Costa Rica – Nicaragua

In February 1988, at the XVII General Assembly of the IUCN in Costa Rica, the Ministers of Natural Resources of Costa Rica and Nicaragua signed a letter of understanding to facilitate the establishment of the "International System of Protected Areas for Peace" (Sí-a-Paz). In 1989, the Governments of both countries requested the technical support of the Regional Office of Meso-America of IUCN to design the binational protected area system with the financial support of Netherlands, Norway and Sweden. In August 1990, the Ministers of Natural Resources established a National Commission and a Binational Commission to review the design of the International Protected Areas System. This process ended in 1991 with a donors' meeting to support the Sí-a-Paz project. Binational protected areas like Los Guatuzos National Wildlife Refuge (Nicaragua) and Caño Negro Wildlife Refuge (Costa Rica) now coordinate their actions to maintain a similar approach to wetlands resource management in both countries.

2.3.2 Locally-based initiatives

Alternatively, the idea of transboundary co-operation may begin with two individual field staff members who experience real benefit through co-operation in one or more specific tasks on the ground, such as fire suppression. This may encourage them to collaborate in other tasks, so as to capture some of the practical benefits listed in Box 2.1. Their commitment and enthusiasm may spread to others, and eventually to most of the staff in the park, including the respective superintendents or directors. In this way, a good working relationship on projects can develop without much in the way of a formal agreement.

This approach is being suggested currently for the complex of protected and non-protected areas on the border shared by Cambodia, Laos and Vietnam. But although individuals can lead the way in promoting transboundary co-operation, it is better if there is also policy support at a higher level, for example as expressed in an agreement or memorandum of understanding. A well-established example of this approach is between the Alpi Marittime Nature Park (Italy) (Category V) and Mercantour National Park (France) (Category II); here a high degree of co-operation has been achieved by the two protected area directors, supported by an interagency agreement.

2.3.3 Third-party initiatives

Another route to transboundary co-operation is *via* a conservation non-governmental organisation (NGO) acting as a third party advocate, encouraging and supporting co-operative transboundary management. It may be the result of separate NGOs operating within each political jurisdiction, or of one NGO operating on both sides of the boundary.

Box 2.3 Creating TBPA's within a broader peace process (Israel and Jordan)

A Peace Treaty between Israel and Jordan was signed on 26 October 1994 in Aqaba. Its Environmental Appendix refers to protection of water sources, nature reserves and protected areas, pest control, tourism and historic heritage, and control of agricultural pollution. The Appendix emphasizes the importance of conserving biological diversity in the border area. The establishment of cross-border protected areas would promote *in situ* biodiversity conservation and enhance the peace process through co-operative management of transboundary resources.

Recently, the Nature Reserves Authority (NRA) and the Aqaba Regional Authority (ARA) of Jordan received a three-year grant from the USAID Middle East Regional Co-operation Fund for the conservation of the Gulf of Aqaba. The project, "Research, Monitoring and Management Program for the Binational Red Sea Marine Peace Park" will promote the management of the four kilometre long coral reef of Israel and the seven kilometre long coral reef of Jordan as the northernmost reefs of the world. The project will be based in the sea, on the coral reefs and along the coastlines of both countries. It will be conducted with the support of scientists of the Marine Science Station of Jordan and the Interuniversity Institute of Israel under the joint conservation administration of the NRA and ARA. Coordination of the project will be undertaken by scientists from the National Oceanic and Atmospheric Administration of the U.S. Department of Commerce.

The Waterton-Glacier International Peace Park, in the Rocky Mountains of Canada and USA, was established in 1932 at the initiative of an NGO, Rotary International. In Central Africa, field co-operation among the three respective nature conservation agencies of the Democratic Republic of Congo, Rwanda and Uganda in the Mgahinga Gorilla/Virunga/Volcanoes National Park, has been encouraged and supported by three NGOs (African Wildlife Foundation, Fauna and Flora International, and WWF). The private Peace Parks Foundation in South Africa is currently supporting several transboundary conservation areas among the SADC states.

Encouragement may come from donors who, through their grants, loans and technical assistance, support transboundary co-operation and thus give impetus to national governments to enter into agreements involving transboundary co-operation in protected areas. For example, in the case of the MesoAmerican Biological Corridor, GEF, GTZ and the European Union are supporting transboundary co-operation among 37 protected areas in eight countries. Though the main motive for donors to act in this way has so far been better conservation, it could also be a means to promote regional co-operation during times of tension. Donor support for this purpose is being provided for the cloud forests in Africa's Albertine Rift by IUCN Netherlands. Some donors have looked at how they might support a whole programme of transboundary conservation areas in a region; for example, USAID has been examining how it could assist transboundary conservation programmes in the SADC region (Griffin, 1999).

2.4 Types of boundaries

2.4.1 Boundaries between and within States

What is meant by "boundaries"? Obviously, these include the political borders between States, but boundaries *within* countries (between states, provinces, indigenous peoples' territories, autonomous areas or other jurisdictions) are also important, particularly in countries with a federal constitution or other decentralised structure. Co-operation between States involves the difficulties of dealing with different institutional and legal frameworks, in some cases cultural and political differences, and in a few cases hostile or tense relations. Within countries, the legal and institutional frameworks in sub-national jurisdictions are likely to be broadly similar, making for easier co-operation, e.g. the three-state Hohe Tauern National Park within Austria.

Political boundaries have changed significantly in recent decades, with a rise in the number of nation-States, especially in former eastern bloc countries. Experience from many parts of the world indicates how transboundary co-operation can deliver benefits, even under hostile conditions. Many protected areas in Europe that were divided during the Cold War have been re-united since the fall of the Iron Curtain, and the co-operation which took place before, during and since this period has ensured better ecosystem management. In South Africa, communities and protected areas that were divided under the previous government, are now a source of reconciliation and opportunity.

2.4.2 Marine boundaries

Many, but not all adjacent States, have clearly delineated and mutually agreed marine boundaries; beyond their territorial waters, many coastal States have established Exclusive Economic Zones (EEZs). While boundaries in terrestrial ecosystems are

relatively easy to define, this is less so in the case of the marine environment. Marine ecosystems are totally interconnected and their functioning depends on complex ecological processes regulated by coastal and ocean currents, hydrological regimes, and inputs from land-based activities. Vertical differences are as important as horizontal ones. There is a need to understand these highly dynamic ecosystems in order to achieve effective co-operation in setting up and running Marine Protected Areas (Kelleher, 1999).

In the national context, the Great Barrier Reef Marine Park in Australia has achieved a remarkable degree of co-operation between the State of Queensland and the Commonwealth, and between administering agencies. Site-specific legislation provides for a special management authority and zoning system.

In a bilateral context, the Torres Strait Treaty (1978) between Australia and Papua New Guinea, and the domestic legislation and policies that implement this treaty, are innovative instruments for transboundary marine protected area management, despite the time taken to implement the agreement, and tensions related to native title issues. The Treaty sets out specific measures to protect the marine environment and promote bilateral co-operation in the conservation, management and sharing of fisheries resources.

A well-established example of trilateral co-operation concerns the Wadden Sea, shared between Denmark, Germany and the Netherlands (8,000km²). The legal basis for co-operation has been progressively formalised, moving from a joint governmental declaration in 1982 to a formal agreement in 1987 to manage the Wadden Sea as an ecological unit. The Common Wadden Sea Secretariat, based in Germany, guides and coordinates trilateral strategy and action for the area's conservation and management. It is already an important Ramsar site and is expected soon to be proposed as a World Heritage site.

There is a proposal for a TBPA between Mozambique and KwaZulu-Natal in South Africa, which could result in a transfrontier World Heritage site centred on the turtle nesting beaches and southern-most coral reefs in the world. High level co-operation has also been achieved between the Philippines and Indonesia at the Turtle Islands Marine Sanctuary.

2.4.3 Other kinds of “boundaries”

There are a number of other “boundaries” where co-operation is needed for conservation purposes. For example, there may be a need to foster regional co-operation in areas where States are not directly adjacent, such as the Caribbean or the Pacific Islands. Rivers and wetland ecosystems should also be managed in an integrated way, irrespective of political or administrative boundaries, because of their hydrological linkages. Coordination is needed along migratory flyways, water routes and mountain ranges so as to promote rational conservation and management of shared species populations.

Other “boundaries” may be institutional. As more and more protected areas are developed outside the direct control of national governments, by local tiers of government, NGOs, local communities or privately, co-operation may need to be developed between areas managed by different institutions with different ways of working and often employing different approaches to conservation. Some of this will be “vertical” (e.g. between central and local government) and some “horizontal” (e.g. between NGOs

and government). Such challenging issues, are, however, outside the scope of these guidelines.

It is sometimes suggested that transboundary co-operation depends on matching capacity on either side of a boundary. It is possible, however, to leverage support from a stronger partner to assist a weaker one, and so create greater parity. Nonetheless, different technical capacities can constitute a “boundary”. Thus while one protected area may have a well-developed structure with adequate staff, equipment and financial support, the adjacent one may have only one or two rangers caring for a vast territory, or suffer from a very weak management structure, few staff and no money. Some of the obstacles that need recognition are listed in Box 2.4 (Hamilton *et al.*, 1996).

Finally, agencies on different sides of the border may have different technical approaches to a common problem. For example, there has been incompatibility between the non-interventionist approach to bark beetle control in Germany’s Bayerischewald National Park (Category II), as against that adopted in the Šumava National Park (Category II) in the Czech Republic. There may be opportunities to learn from these different approaches and experiences, rather than to focus on what divides them.

Box 2.4 Difficulties impeding transboundary protected area co-operation (based on Hamilton *et al.*, 1996)

1. Difficult terrain, inaccessibility, lack of roads or rail across national frontiers impede interchange.
2. Different (sometimes conflicting) laws may reduce the effectiveness of transboundary co-operation.
3. The need for co-operation may slow the response to emergency situations calling for rapid decision.
4. Religious or cultural differences can cause misunderstanding.
5. Language barriers may have to be overcome.
6. Differential commitment and resources on each side of border can lead to a dominant/weak situation.
7. The different levels of professional standards for corresponding staff may impede real equal partner twinning.
8. Differences in the authority given to the two park superintendents or directors may produce difficulties in transboundary co-operation.
9. A lack of parity with regard to the ratification of international protocols or conventions may prevent their being used for transboundary co-operation.
10. Two or more countries may be at different stages of economic development and have incompatible policies related to resource utilisation, versus resource protection.
11. Armed conflict, hostility or political tension can make transboundary co-operation difficult, even impossible.
12. Technical incompatibilities in communication, fire suppression equipment, GIS systems, etc. may impede transboundary co-operation.

2.5 Different scenarios

In promoting and enhancing co-operation for conservation and sustainable use of biodiversity and for confidence-building, several different boundary scenarios need to be considered:

2.5.1 Adjacent protected areas

In many cases, there are existing, formally established protected areas that adjoin each other on a border between States or other political jurisdictions (Zbicz and Green, 1997; Zbicz, 2001). This is probably the most feasible case to start exploring options of co-operation across boundaries. While protected areas in two adjoining States are most common, there are instances of protected areas in three countries which adjoin each other in this way e.g. Mount Kanchenjunga (Nepal, China and Indian Sikkim).

2.5.2 Non-adjacent protected areas

In some cases, there are protected areas close to the border but not adjacent, touching it or each other, e.g. the Russian - Finnish Friendship Reserve. This results in an area between them, under land-use not necessarily linked to conservation aims. In this case, co-operation should be explored through the active involvement of local communities in the surrounding or buffer areas. Such co-operation should aim to expand the existing protected areas so as to include these intervening areas, and/or to promote biodiversity-friendly land-use or corridors that join along the borders of the countries involved and thus link the protected areas. Protected area managers in the countries involved need to agree and plan a joint effort to achieve local community involvement and support.

2.5.3 An existing protected area in one country and an informal “de facto” protected area in the other country

There may be a legally established protected area in one country, whilst in the other, natural or semi-natural areas are managed along conservation and sustainable use lines by local communities or indigenous peoples. An example is the Sungai Kayan Nature Reserve (Category VI)/Proposed Pulong Tau National Park (Indonesia and Malaysia).

Promotion of transboundary co-operation in such cases requires the identification of common values, benefits and interests with relevant local communities and indigenous groups in order to start co-operating on transboundary natural resources management. Such considerations are becoming increasingly important in many parts of the world where there are natural areas that are managed and protected by local communities and indigenous groups to ensure the survival of their local, mostly subsistence economies as well as their cultural traditions. In the Pacific Islands, for instance, where most land is communally owned, co-operation could be encouraged between different communities within one island to ensure protection and sustainable use of resources at the ecosystem level, irrespective of the existence of any community boundaries. In its published guidance on indigenous and traditional peoples and protected areas (Beltrán, 2000), IUCN sets out principles and guidelines, which are agreed with WWF. The last of these addresses transboundary situations (see Box 2.5).

Box 2.5 Extract from IUCN/WWF Principles and Guidelines on Indigenous/Traditional Peoples and Protected Areas

Principle 5:

The rights of indigenous and other traditional peoples in connection with protected areas are often an international responsibility, since many of the lands, territories, waters, coastal seas and other resources which they own or otherwise occupy or use cross-national boundaries, as indeed do many of the ecosystems in need of protection.

- 5.1 Where indigenous and other traditional peoples' lands, territories, waters, coastal seas, and other resources are located within trans-frontier protected areas, governments should adopt instruments to guarantee that protected area management respects and supports the integrity of the respective indigenous and local communities;
- 5.2 In order to guarantee both conservation objectives and indigenous and other traditional peoples' rights in areas which have been subject to armed conflict or dispute, governments (singly or in partnership with their neighbours in the region), and other relevant institutions, should develop agreements and measures to ensure that indigenous and other traditional peoples' terrestrial, coastal/marine and freshwater domains within protected areas are treated as zones of peace and reconciliation.

(Source: Beltrán, 2000).