

# 3. Good practice guidelines

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The IUCN/Cardiff series of Protected Area Management Guidelines is designed to help protected area managers, but also government officials, policy-makers, NGOs, community leaders, donors etc. Like all the guidelines in the series, these guidelines on TBPAs are not rules, but advice.

In this particular case, the guidance has been drafted for use in times of peace between the countries involved, when real co-operation is most easily achieved. However, much of it should be applicable and realisable during times of dispute, or even armed conflict. These guidelines should also be useful for encouraging a return to normalcy after periods of armed conflict. They complement the Draft Code for Transboundary Protected Areas in Times of Peace and Armed Conflict (Chapter 4).

As with all the IUCN/Cardiff guidelines, the advice here needs to be adapted to local conditions. They may need to be modified to achieve locally defined objectives, since they cannot cover all possible situations. Thus the primary objective is to encourage reflection and help identify what actions are best suited to the particular situation. In the light of experience, it is intended to revise and update this guidance from time to time. IUCN would therefore welcome feedback from users.

The guidance is set out under nine headings:

1. Identifying and promoting common values
2. Involving and benefiting local people
3. Obtaining and maintaining support of decision-makers
4. Promoting coordinated and co-operative activities
5. Achieving coordinated planning and protected area development
6. Developing co-operative agreements
7. Working towards funding sustainability
8. Monitoring and assessing progress
9. Dealing with tension or armed conflict

## 3.1 Identifying and promoting common values

All TBPAs share some common natural resource, ecosystem service, landscape feature or species, or some common cultural value. This may be a shared water body, a mountain, a desert, a rare mammal or an indigenous community. Quite apart from any peace objective, the existence of such a shared resource is a sound reason for co-operation in management. The following guidelines will help in the identification and development of common values:

- 3.1.1 Begin with small steps, usually involving parallel conservation measures in adjacent countries. Move on to increased dialogue and interchange and the sharing of information or joint surveys, to develop an understanding of the common resource. A joint forum can often assist this process. In all cases, a flexible and adaptive process should be adopted to accommodate the changing political, social, socio-economic and macro-economic conditions.

*Example:* The conservation of Indochina's forest biomes at the regional landscape level requires parallel and compatible action in Cambodia, Laos and Vietnam. This has been promoted by a donor-supported and coordinated transboundary approach to setting goals.

- 3.1.2 Develop a common vision based on the shared resource.

*Example:* It has been suggested that the conservation of the red-crowned and white-naped cranes will facilitate co-operation between North and South Korea in the possible development of a TBPA along the demilitarised zone (DMZ) between the countries.

- 3.1.3 Use this shared resource as a visible symbol so that it becomes a unifying theme. It could be used as a common logo for both TBPAs.

*Example:* A stylised bird logo has been adopted for the three state units in Austria's Hohe Tauern National Park. Another bird logo is used in the Neusiedlersee/Fertö parks across the Austrian and Hungarian border. A common name is used on both sides of the boundary in Karkonosze (Poland) and Krkonose (Czech Republic). The mountain gorilla is a unifying theme for a three-country protected area complex in Africa (see Box 3.1).

- 3.1.4 Support the work of other parties, such as NGOs, where this assists the TBPA, e.g. lobbying against an undesirable development.

- 3.1.5 Jointly promote the protected area in other fora, reinforcing the feeling of involvement in something special and gaining recognition, while contributing to regional co-operation.

*Example:* Consider whether it is appropriate to prepare a joint nomination for World Heritage, Ramsar or Biosphere Reserve status.

### **Box 3.1 Virunga International Gorilla Conservation Programme (IGCP)**

The IGCP is a joint initiative between three protected area authorities and three non-governmental conservation organisations: the Institut Congolais pour la Conservation de la Nature, the Office Ruandais de Tourisme et des Parcs Nationaux, the Uganda Wildlife Authority, the African Wildlife Foundation, Fauna and Flora International, and WWF. The IGCP was launched in 1991 with the goal of ensuring the survival and long-term conservation of the mountain gorilla and the regional afro-montane forest's biodiversity in north-west Rwanda, south-west Uganda and eastern Congo.

A press release (24 January 2001), issued jointly by the AWF, WWF and FFI, announces the finding that there has been a significant (10%) increase in the population size of the highly endangered mountain gorillas. It is noted that this success "proves that, even in a region where everyone has focused on the conflict and crises, there is hope.... There is a future for both people and wildlife when people work together despite political differences".

- 3.1.6 Publicise those features (e.g. a river or mountain range) and facilities (e.g. a trail) of the protected areas which run across the boundary.
- 3.1.7 Collaborate in tourism promotion, focusing on how the protected areas and countries complement one another. Co-operation in tourism product development (e.g. trail and site design and location, or marketing strategies that take advantage of the “Parks for Peace” concept) can improve the efficiency and effectiveness of such investments.  
*Example:* This could be a suitable approach for the Semliki Game Reserve, the Rwenzori Mountains National Park (both in Uganda) and the Virunga National Park (Democratic Republic of the Congo), where the individual components might not present an attractive long-haul destination. In this case, it would also help to convince political leadership that there are benefits in maintaining a secure environment for tourism, in a region that has suffered badly from the effects of armed conflict.
- 3.1.8 Host joint events that promote common values, such as a TBPA working session, a nature writers’ workshop, or meetings for local park residents or users.
- 3.1.9 Share field days and festivals involving local communities (see for example Box 3.2).
- 3.1.10 Focus on the issues which unify, rather than those which divide. The essence of TBPAs is co-operation across a boundary. A focus on the boundary itself can detract from the purpose of co-operation.

## 3.2 Involving and benefiting local people

For all protected areas, including TBPAs, community involvement in protected area planning, policy formulation and management is essential. There is now a large array of literature on this topic (see for example Borrini-Feyerabend, 1996, 1997; Borrini-Feyerabend *et al.*, 2000; Development Studies Network, 2000; Kothari *et al.*, 1996; Lewis, 1996; McNeely, 1995; Stevens, 1997; Stolton and Dudley, 1999; Warner, 2000; Wells *et al.*, 1992). Community involvement, especially where indigenous peoples are concerned, is however particularly important in transboundary situations. Many communities living on the borders between countries or sub-national jurisdictions have suffered from artificial divisions imposed by political boundaries that separate families

### Box 3.2 Ways of bringing communities together

Social events are very useful to promote or consolidate common values, both at staff level and local community level. In the Alpi Marittime (Italy)/Mercantour (France) protected areas, a field day is organised each year for the staff, involving skiing competitions and field games. The staff also participate in the festivals organised by local people: the Italian Rye festival takes place each year in Sant’Anna di Valdieri on the Italian side. On this occasion, many local French people, some of whom have Italian roots, come across the mountain passes to participate in the festival.

and peoples, and even turn neighbouring communities into adversaries. Communities in remote border areas may also suffer disproportionately from poverty and inequitable access to services.

Just as TBPA are a useful tool to maintain or restore ecosystems and natural areas separated by political boundaries, so they can serve to reunite communities and peoples, rebuild common understanding and values, and establish a basis for constructive co-operation. For this to happen, however, the interests, aspirations, and rights of indigenous peoples and local communities have to be respected and taken into account – see Box 2.5 above.

The essential actions that need to be taken to lay the foundations for effective community involvement in TBPA include:

- 3.2.1 Engage early in discussions with indigenous peoples and local communities inhabiting all jurisdictional zones of the TBPA, or using their resources. Dialogue should be about the concept, process, and implications of TBPA establishment and management. Fact-finding missions and expert advisors may assist in the identification and analysis of issues of concern to local stakeholders.
- 3.2.2 Work with peoples and communities concerned to identify the shared values and interests that can support nature conservation and sustainable resource use, and which also form the basis for co-operation among communities and with TBPA institutions. Ensure that similar approaches are adopted when engaging with communities in each country.
- 3.2.3 Identify cultural values and resources that communities of the various jurisdictions concerned deem to be important, and which can reinforce and complement the conservation of biodiversity in the TBPA.
- 3.2.4 Identify as soon as possible any actual or potential disputes among the communities in the different jurisdictions, as well as between them and conservation objectives. This may involve disputes related to access to natural and/or cultural resources, or to trafficking or other illegal activities. Support and facilitate conflict management processes whenever necessary. Ensure that protected area personnel are aware of the nature of actual and potential disputes.
- 3.2.5 Identify and address problems and needs related to land and to natural and cultural resource rights in the TBPA region, particularly where they might be affected by national security or other state policies in border regions.
- 3.2.6 Strive to achieve support from decision-makers in all jurisdictions concerned, for prompt and lasting solutions to any disputes. It is important to ensure that relevant international and regional human rights and environmental standards should be complied with, as this may facilitate the resolution of disputes. The rights and needs of minorities and indigenous peoples, the aged, women, youth, children and disadvantaged people should be recognised and accommodated in planning and management.
- 3.2.7 Ensure that negotiation, planning and implementation processes are transparent, not only *within* each jurisdiction, but also across boundaries. Ensure that relevant information is readily available and accessible in the appro-

appropriate languages and in all jurisdictions involved: unequal access to information can cause suspicion.

- 3.2.8 Put in place education and information strategies for indigenous peoples and local communities about the benefits and functions of the TBPA, as well as about their rights and responsibilities. This should stress the role that the TBPA can play by helping the communities involved to come closer together, improve mutual understanding, assist in cultural revitalisation, and resolve disputes over the sharing of natural resources.
- 3.2.9 Implement actions aimed at supporting and strengthening local institutions involved with the TBPA, aiming to empower institutions that represent local communities from the different countries or other sub-national jurisdictions.
- 3.2.10 Identify opportunities for sustainable economic development which could generate benefits for the local people, such as support for ecotourism, local cultural heritage, local industries, transport and appropriate infrastructure. Support their implementation in such a way that benefit sharing occurs throughout all jurisdictions concerned.
- 3.2.11 Incorporate biodiversity-related traditional knowledge and cultural information from indigenous peoples and local communities into planning, management and monitoring activities, and highlight those elements that are shared by communities from different jurisdictions.
- 3.2.12 Implement activities that further understanding and co-operation among the communities concerned, such as cultural events, market days and joint projects.
- 3.2.13 Support activities that could have a healing effect on the relationships between communities which have suffered from armed conflict in the past.
- 3.2.14 Involve local and regional NGOs and community-based organisations which may have established partnerships with local communities, and built a relationship of trust.

*Example:* In the Lubombo Transfrontier Conservation Area between Swaziland and Mozambique, the Italian NGOs Legambiente and Cospe have helped local communities in sustainable natural resource management. This is done in conjunction with the Lubombo Conservancy, which is a combined effort of state, private sector and community protected areas, and which the Peace Parks Foundation has supported.

### **3.3 Obtaining and maintaining support of decision-makers**

Whilst support of decision-makers is an essential element for long-term success of a TBPA, consistent backing is also needed from policy and decision-makers of all the countries or other jurisdictions involved. Having strong support in one of the countries but a lack of interest in the other will probably ensure that the initiative fails.

The following guidelines have been successfully applied in a number of trans-boundary initiatives:

- 3.3.1 Obtain information about any high-level bilateral or multilateral co-operation agreements between or among the countries concerned, especially concerning natural resource management, tourism or other forms of

economic development. These often provide a rationale for developing local level initiatives, and can influence the relevant authorities to lend support to the proposed TBPA.

*Example:* the Binational Technical Commissions established between Costa Rica and Panama addressed a range of issues, including natural resources, cartography and economics, which provide a framework for TBPA development.

3.3.2 Seek official endorsement for “on the ground” activities, and keep the respective departments of foreign affairs informed, as it is difficult to proceed beyond simple friendly relationships without this support.

3.3.3 Consult with the security authorities, keep them informed and win their support. It is most important to stress to authorities that the TBPA does not involve the loss of sovereignty over the area concerned.

*Example:* In the Korup (Cameroon) and Oban (Nigeria) TBPA, the security authorities were extremely reluctant to sanction what was perceived as a “people-free” zone in the border area.

3.3.4 Encourage industry stakeholders, local communities and indigenous people’s organisations to raise political awareness at different levels (from local to international) on the benefits of TBPA co-operation.

3.3.5 Publicise widely what new markets or economic opportunities have been opened as a result of transboundary co-operation.

3.3.6 Publicise widely what achievements have been obtained in the conservation and management of biodiversity as a result of transboundary co-operation.

3.3.7 Look for opportunities to involve the media on a regular basis from the beginning of the transboundary co-operation programme.

3.3.8 Explore and promote linkages with local politicians and other influential decision-makers who are interested in the project and have influence at national and political levels. Encourage political leaders to participate in high profile events related to transboundary co-operation, such as at the openings of cross-border trails, visitor centres, training sessions or joint festivities.

3.3.9 Consult and involve, as far as possible, government departments and agencies with related responsibilities, notably for land-use planning, tourism development, local government, agriculture, forestry and maritime affairs.

3.3.10 Promote the harmonisation of the relevant legislation and regulations across each component of the TBPA.

3.3.11 Seek the maximum delegation of powers and responsibilities from the central government in each country to facilitate the day-to-day implementation of agreed conservation and management programmes.

3.3.12 Host joint events that promote common values and political support (see also 3.1.8).

3.3.13 Seek endorsement and support from a third party, such as an international NGO, which will promote and lobby for the project with national and

international authorities. NGOs are able to “speak out” where they perceive government not to be acting in the interests of the environment.

- 3.3.14 Be aware of, and use international agreements and processes, such as the World Heritage Convention, the Ramsar Convention, and the UNESCO MAB Programme; put forward the TBPA for any international awards or certificates, to achieve wider recognition, such as the European Diploma. Many such programmes are sympathetic to joint cross-border applications, channelled through respective governments.
- 3.3.15 Seek support from high profile persons or leaders (distinguished national figures, writers, media personalities, artists, etc.) who can serve as “patrons” to promote transboundary co-operation and seek support from decision-makers.

### 3.4 Promoting coordinated and co-operative activities

The importance of friendly relations at the protected area level is well illustrated by a quotation in Box 3.3. In practice, such co-operation needs to occur at two levels, and for each there is a set of guidelines:

- Staff development and commitment
- Collaboration in on-the-ground activities

#### *Guidelines for staff development and commitment*

- 3.4.1 Demonstrate through leadership the importance to be attached to transboundary co-operation.

*Example:* In the Waterton-Glacier International Peace Park, the two park superintendents lead staff each year on a back-country hike.

#### **Box 3.3 The importance of friendly relations**

“Transfrontier protected areas should unite not only nature, but also nations. A careful development of human contacts should therefore be regarded not as an official service task, but as a personal obligation of all staff members of both protected area administrations, and be widely understood as such. The development of such friendly relations between the staff of both protected area administrations is an encouraging factor. Besides personal invitations, this involves also mutual venues, evening campfires with beer and roasted pork and jolly good songs. At present we are preparing a joint trip of the protected area administrations into the ‘Podyji’ (Thaya River Valley) National Park on the border of Moravia and Lower Austria. Our co-operation would be considerably poorer without this human dimension, our mostly orthodox way of work would be much more difficult and our lives deprived.” – Directors of Elbe Sandstones Protected Landscape (Czech Republic), and Saxonian Switzerland National Park and Protected Landscape (Germany).

*(Cerovský, J., 1996).*

- 3.4.2 Where there are marked cultural and/or religious differences across boundaries, it is important to promote greater awareness, sensitivity and education on the history of each country.  
*Example:* Training sessions can be held, such as the US National Park Service seven-day course on “Getting to know Mexico”.
- 3.4.3 Where languages differ significantly, provide language training in each other’s language as needed. At a minimum, this should include reference dictionaries of commonly-used technical and scientific words. It is particularly desirable that any focal points or coordinators (see 3.4.6) are able to communicate in the relevant languages.  
*Example:* Training in Italian and French is carried out in Alpi Marittime and Mercantour TBPA.
- 3.4.4 Ensure common levels of professionalism in management and operation. Where levels of development are uneven, initiate joint professional development of staff. This will promote morale and co-operation by “growing together”.
- 3.4.5 Share staff expertise, both within one transboundary site, and across different transboundary sites, including through short and long-term staff exchanges, study tours, workshops, documentation of experiences, etc.
- 3.4.6 Seek the designation of a focal point in each country, or the appointment of a coordinating body or individual coordinator for each country.
- 3.4.7 Establish joint technical groups for the study or development of common issues. These groups can then make recommendations to each potential area (see Box 3.4).
- 3.4.8 Hold periodic joint technical meetings to discuss and address issues of mutual interest. These may include talks by an outside expert or discussion leader.

### **Box 3.4 The Australian Alps Liaison Committee (AALC)**

This committee is made up of senior representatives of each of three agencies: National Parks and Wildlife Service of New South Wales, Environment Australian Capital Territory, and Parks Victoria. The success of the committee depends on the capacity of all members to make decisions on behalf of his or her agency. Without this level of representation and delegation, the committee would have difficulty operating. Four working groups currently exist to assist the AALC: Community relations; Recreation and tourism; Natural heritage; and Cultural heritage.

The working groups consist of representatives of each of the agencies, generally at a ranger or project officer level. These groups must have effective channels of communication with other agency staff. To this end at least one of the working groups has two representatives to provide input from a centralised specialist unit, and from the staff in the park. Working groups need to be encouraged to work closely with staff, seeking input and involvement in project proposals and management rather than taking on the responsibility of all projects. Where a working group has achieved the objectives for which it was established, it is disbanded. Ongoing monitoring of progress occurs through the AALC.

- 3.4.9 As far as possible, ensure that communication systems such as radio and computer are compatible. Encourage rapid and low-cost electronic communication.
- 3.4.10 Supervisors should permit and encourage exchanges of information among staff members at all levels. Information exchange can be a powerful unifying force.

*Examples:* In the Maloti-Drakensberg (Lesotho-South Africa), there has been agreement to develop a compatible Geographic Information System for data collection and analysis. In Indochina, a compatible transboundary data management programme has been developed among the four countries involved (Cambodia, Laos, Thailand and Vietnam).

#### ***Guidelines for collaboration in on-the-ground activities***

- 3.4.11 Start with relatively small, concrete joint projects concerning unifying themes or critical shared problems.
- 3.4.12 Standardise resource data collection methods, forms and timing, and share information. Develop a bibliography and collection of relevant publications.
- 3.4.13 Jointly manage species that cross the boundary diurnally or seasonally (e.g. marine mammals, migratory elephants or fish in an international river).

*Example:* The Vanoise National Park (France) and the Gran Paradiso National Park (Italy) co-operate in managing the ibex population, which moves seasonally across the frontier. In Manas Tiger Reserve (India) and Royal Manas (Bhutan), which span the tigers' home range, the authorities co-operate in poaching control.

- 3.4.14 If possible, remove existing barriers to animal movement, e.g. the fences which were erected along the Iron Curtain in eastern Europe, and which still impede animal and human movement within some TBPAs.
- 3.4.15 Collaborate in handling pest outbreaks that can cross borders. It is futile to treat only one side, for the other is likely to be a continuing source of infection.
- 3.4.16 Collaborate in dealing with emergencies. For example development of a joint fire plan, including co-operation in fire detection, suppression or management, and fire training (see also Box 3.5). Collaborate in contingency planning for oil spills and safeguarding marine protected areas. The International Maritime Organization (IMO) has guidelines available for oil spill containment (IMO, 1995).

#### **Box 3.5 Examples of contingency planning**

Boundary Water Canoe Wilderness Area (USA) and Quetico Wilderness Provincial Park (Canada) have a memorandum of understanding on fire detection and suppression and a joint fire plan. A Letter of Intent between USA and Mexico protected areas in the Big Bend area has led Big Bend National Park to recruit and train wildland fire fighters from adjacent Mexican villages to supplement its own fire suppression forces.

- 3.4.17 Collaborate in search and rescue activities, including periodic training of staff in emergency preparedness.

*Example:* Under an agreement between the two countries, Nepalese helicopters provide rescue services in the Qomolangma Nature Preserve in China adjacent to the Makalu Barun Conservation Project, as well as in Mount Sagarmatha/Qomolangma TBPA.

- 3.4.18 Collaborate in the control of alien species invasions and in quarantine practices. Removal of aliens on only one side of a boundary will often be followed by re-invasion (Shine *et al.*, 2000).

- 3.4.19 Conduct joint species re-introduction programmes to maximise the chances of success. Reintroduction may especially be needed to restore damaged ecosystems, e.g. after armed conflict. Alpi Marittime Nature Park (Italy) and Mercantour National Park (France) have successfully collaborated in the reintroduction of the bearded vulture. The IUCN Species Survival Commission has an excellent leaflet on re-introductions (IUCN/SSC, 1995).

- 3.4.20 Plan trail systems that connect all parts of the TBPA. Use multilingual signage if necessary. If a national frontier is involved, explore arrangements with customs and immigration that would permit border crossing without legal problems.

*Example:* Cross-border movement is now facilitated across the European Union and is possible also across the Canada/USA border in the Waterton-Glacier International Peace Park. In the Kgalagadi Transfrontier Park (South Africa-Botswana), the border posts have been moved to the entrance gates of the park in each country, thereby allowing free movement for visitors within the TBPA.

- 3.4.21 Plan and carry out joint research activities. This can include information exchange, shared research in the field and development of a single proposal for outside funding. Compile bibliographies of existing information. Jointly discuss and agree on research priorities.

*Example:* Costa Rica and Panama have entered into a Border Co-operation Agreement that provides for joint research studies. Such studies have also been undertaken in Tatra National Parks in Slovakia and Poland.

- 3.4.22 Design and implement co-operative long-term ecological and socio-economic monitoring.

*Example:* Through their Border 21 initiative, the USA and Mexico have jointly developed a set of environmental indicators which will measure and monitor progress in environmental protection along their 3,200km border. The protected areas along the border are a major component of this initiative.

- 3.4.23 Carry out joint environmental education and awareness activities, such as travelling exhibits and field courses; and develop visual aids and curriculum materials that emphasize bioregional or cross-cultural aspects.

- 3.4.24 Co-operate to address poaching in the TBPA area.

*Example:* Efforts have been successful in the Parc National des Volcans (Rwanda)/the Mikeno section of the Parc National des Virunga (Democratic

Republic of the Congo)/Mgahinga Gorilla National Park (Uganda) and between the Nimule National Park (Sudan) and Uganda, where the Uganda Wildlife Authority established game posts in the border area to prevent incursions into the park.

- 3.4.25 Co-operate in planning and implementing strategies to counteract illegal activities, such as smuggling, drug running, illegal wildlife trade or illegal immigration.

*Example:* There is co-operation between the two Mount Elgon National Parks (Kenya/Uganda), where coordinated nature conservation law enforcement regarding illegal cultivation has stimulated the development of other conservation programmes between the two countries.

- 3.4.26 Share production of materials so as to secure the economies of joint production and enhance common values, e.g.

- Develop a common logo or a shared name such as the Nyika National Park (Malawi/Zambia). In the border complex of Big Bend/Maderos del Carmen/Cañón Santa Elena (Mexico) they are adopting as a joint symbol “Los Dos Aguilas – The Two Eagles”.
- Prepare a single map or visitor’s guide such as those used in the Waterton-Glacier International Peace Park (Canada/USA) and the Bayerischewald National Park/Šumava National Park (Germany/Czech Republic), which is printed in both languages.
- Develop common interpretative material development and publication, including travelling displays, such as the material developed by the Krkonose/Karkonosze TBPA (Czech Republic/Poland).
- Use a joint approach to tourism marketing and in approaches to the tourism and travel industry. Botswana and South Africa are working together in promoting appropriate tourism in the Kgalagadi Transfrontier Park.
- Introduce a common code of conduct for visitors, based on harmonised rules and visitor management strategies.
- Prepare a transboundary newsletter, radio broadcast and/or web site to keep all staff and head offices informed, thus helping to foster the common vision and values. This has been done in the Australian Alps TBPA.
- Establish a shared visitor information centre on or close to the boundary, which would have great appeal to visitors and would be more cost-effective than two or more facilities. This has been done in the case of the Bayerischewald National Park (Germany) and Šumava National Park (Czech Republic).

### **3.5 Achieving coordinated planning and protected area development**

Planning is essential if the purposes of protected areas are to be translated into effective programmes for management and development. Integrated planning ensures that all interests are included and that the consequences of decisions for sectoral programmes are fully evaluated. The process of planning, if handled in a participatory manner, can promote commitment and empowerment among stakeholders, as well as capacity-building where there is unequal experience or skill.

In the context of TBPA, there is a distinct risk of incompatible planning, which can result in the juxtaposition of incompatible activities in areas on either side of the boundary. For example, the zoning of a wilderness area on one side of a boundary could be compromised by development on the other. Coordinated planning can reduce this risk, and ensure that the partners develop an appreciation of the relative biophysical, political, social and economic context of the protected areas. The following guidelines will enhance coordinated TBPA planning and management.

- 3.5.1 Joint strategic planning is a good method of securing the involvement of participants at all levels. It is useful to involve not only the proponents of transboundary co-operation, but also the potential critics.
- 3.5.2 Initiate a coordinated planning process and task team, involving protected area managers, scientists and major government and community stakeholders from both countries or sub-national jurisdictions, supported by public participation and communication programmes.
- 3.5.3 Conduct joint training, especially using participatory methods, in bioregional planning for protected area management personnel. Involve also the planning authorities and local communities affected by the TBPA.
- 3.5.4 Formulate a zoning plan for the whole TBPA area, based on a shared vision, an analysis of resource values and a review of opportunities and constraints. In particular, discuss and resolve issues that result from the juxtaposition of policies for the protection of resources such as wilderness areas, with incompatible development on the other side of the boundary.
- 3.5.5 Formulate joint or complementary management plans and facilitate joint management meetings on strategic transboundary elements of these plans.
- 3.5.6 Consider altering the status of protected area designations, as the TBPA achieve larger size and sustainability, and can involve more stakeholders. The presence of a TBPA may also be used to achieve compatibility of protected area classification among the component areas, and secure a similar level of importance in each country involved.
- 3.5.7 Prepare an overall TBPA development plan which ensures that infrastructure in each component of the area is appropriately sited. Visitor facilities should be planned and managed so as to enhance the purpose of the protected areas. Ensure that development plans are compatible with regional development frameworks, e.g. the Development Plan for the border regions agreed by El Salvador, Honduras and Guatemala.
- 3.5.8 Where possible, develop common or compatible Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) pro-

**Box 3.6 Maloti-Drakensberg Transfrontier Conservation and Development Area (Lesotho/South Africa): Extract from Draft Memorandum of Understanding**

Section 8.01. Without limitation upon the other provisions of this MoU or other existing obligations between the Parties, the Parties shall, in respect of the Area:

- (a) Maintain and expand, on the basis of criteria and procedures approved by the Steering Committee, a database register containing relevant information on the Area.
- (b) While committed not to engage in any activity that may, directly or indirectly, generate transboundary adverse environmental impact, provide prior and timely notification and relevant information on any activity that may have a significant transboundary environmental impact.
- (c) Undertake an environmental impact assessment of any development initiative in the Area in accordance with the domestic laws of the respective Parties. Copies of the relevant assessment shall be provided to the Steering Committee for comment and recommendations to the relevant authorities of the Parties.
- (d) Ensure, to the extent possible, local participation in decision-making processes, including the provision of access to information concerning the policies and activities in the Area.
- (e) Within five years of the coming into effect of this MoU, take into consideration for adoption, through their respective domestic procedures, a zoning plan for the Area.

cedures, (including Social Impact Assessment), to ensure that development activities on one side of the border are not incompatible with the conservation and management objectives on the other side. Even though procedures may be very different in each country, it would be an advantage if it was agreed to submit development proposals or SEA/EIA reports to the other party for comment before decisions were made.

*Example:* This last provision has been included in the Memorandum of Understanding between South Africa and Lesotho for the Maloti-Drakensberg Transfrontier Conservation and Development Area (see Box 3.6).

- 3.5.9 Make it a high priority to notify the other parties should any occurrence take place, or any activity be contemplated, which might have transboundary implications or impacts.
- 3.5.10 Consider the development of linked tourism products as well as marketing and management programmes, as is done at Victoria Falls (Zambia and Zimbabwe).
- 3.5.11 Agree on, and implement common or joint monitoring programmes to assess improvement or decline in protected area resources.

### **3.6 Developing co-operative agreements**

Both formal and informal agreements can be used to declare common interests, agree on objectives, state guiding principles, and plan and implement management programmes.

They are essential to sustain co-operation in the transboundary context. They are needed to secure the endorsement of relevant authorities and accountability among the stakeholders.

Agreements will differ widely according to the level (e.g. international, national, or sub-national), and the partners (e.g. communities, agencies and governments). Depending on the context, there may be a need for agreements to be formalised before co-operative programmes can be initiated; often, though, practical experience in co-operation will create the conditions which favour the subsequent greater formalisation of agreements. The following guidelines are relevant (see also paragraph 12, Draft Code, Chapter 4):

- 3.6.1 Promote co-operation between national and sub-national tiers of government with jurisdiction or involvement in a TBPA, and clearly define roles and responsibilities.
- 3.6.2 Ensure that relevant government ministries, agencies and counterpart institutions co-operate with one another and provide mutual support.
- 3.6.3 Support public/private partnerships and use these to help leverage resources and skills in support of TBPA initiatives.

### **Box 3.7 Options for transboundary agreements**

1. A formal agreement or bilateral/multilateral treaty to bind the parties to long term and accountable co-operation.  
*Example:* The Bilateral Agreement between Botswana and South Africa to recognise the Kgalagadi Transfrontier Park in 2000 (Appendix 5).
2. Administrative instruments such as memoranda of understanding (MoU) developed between key agencies, departments or ministries.  
*Example:* In the Australian Alps National Park (nine separate units, three political sub-national jurisdictions, plus the Commonwealth Government) a formal Memorandum of Understanding has been in force since 1986. A copy of this Memorandum is appended (Appendix 6). It spells out specific areas of collaborative activity.
3. A more limited agreement to address specific issues, such as a protocol or contingency plans for dealing with emergencies or incidents like oil spills, fire, pest control or search and rescue operations.  
*Example:* Waterton Lakes (Canada) and Glacier (USA) National Parks were united symbolically in 1932 as the world's first International Peace Park. In 1986, the two parks agreed a Co-operative Reciprocal Agreement regarding mutual aid in the areas of fire control, and search and rescue.
4. Informal agreements could be considered by the managers to promote co-operative, friendly relations where the situation is not favourable to more formal arrangements.
5. Another option is to consider offering representation on each other's advisory or management bodies.  
*Example:* In Alpi Marittime (Italy) and Mercantour (France) TBPA, a representative from each management authority sits on the advisory committee of the other.
6. Consideration could also be given to the establishment of a TBPA policy advisory committee to include stakeholders, especially local community members.

- 3.6.4 Foster co-operation and formulate agreements for consultation and liaison involving local communities, including their appropriate involvement in planning and management.
- 3.6.5 Obtain information on existing international or sub-national agreements on resource use or conservation, since these may provide a basis for new agreements governing fisheries, regional seas and shared water resources, (e.g. river basins).
- 3.6.6 Consider the appropriate form of agreement suited to the needs of the situation. Box 3.7 sets out a range of options for different kinds of agreements. Note that these can sometimes be used in combination. Note too that it may be necessary to conclude an agreement between the key authorities on one side of a boundary before embarking on a transboundary agreement. For example, a memorandum of understanding may be needed to ensure that national, provincial and local governments, statutory bodies and non-governmental organisations are committed to working co-operatively in a transboundary programme.
- 3.6.7 As noted elsewhere (see Section 2.3.1), consider also the options for establishing a transboundary international designation.

### **3.7 Working towards funding sustainability**

Transboundary co-operation has human and financial implications that need to be considered at the outset. Time, money and effort must be invested to secure the many benefits of such co-operation. Staff time will be needed in negotiation, opening dialogue between protected areas and with the local communities involved. Travel and implementation of joint meetings is often a demand on both staff time and budgets (Financing Protected Areas Task Force, 2000).

Joint training sessions, often involving additional language training or capacity building, can be costly. There may be institutional or legal constraints that limit transfers or investments in human and financial resources between adjoining countries. Nevertheless, the separate parts of a TBPA should consider co-operation, and seeking funds for it from donors, the private sector or the NGO community. The following guidelines will enhance the prospects for financial sustainability:

- 3.7.1 Identify at an early stage the likely costs for each party, and the potential sources for funding for work to be undertaken jointly.
- 3.7.2 If transboundary co-operation is to be sustainable, it cannot depend for ever on large external sources of funding. So, as far as possible, keep expectations within the financial resources available (but not if this implies doing nothing). There is a great deal which can be accomplished just by incorporating transboundary “thinking” into normal management operations, and being opportunistic regarding the use of available funds.
- 3.7.3 Set up specific co-operative budgets as integral parts of TBPA financial plans, which will support joint activities by the protected areas involved. There may already be budget lines for management activities that might support joint action (see Box 3.8 for examples of cost and benefit-sharing).

### **Box 3.8 Some examples of cost and revenue sharing**

In the Australian Alps, the special budget for co-operation is contributed by three states and by the Federal government. Funds are awarded out of it on a competitive basis for joint project proposals. In the Elbe Sandstones (Czech)/Saxonian Switzerland (Germany), a revenue-sharing mechanism has been established for boat trips along the international boundary river. In the case of the Kgalagadi Transfrontier Park (Botswana/South Africa), the parties undertake to achieve an equitable apportionment of revenues generated by the Parks, with equal sharing of the audited gate fees (see also Appendix 5).

- 3.7.4 Identify opportunities for implementing new joint revenue-generating activities, such as tourism and marketing, whilst involving the private sector and local communities as appropriate. Where appropriate, establish mechanisms for sharing revenues across the borders. This is especially necessary when income accrues mainly to one partner even though joint resources are used (see also Box 3.8).
- 3.7.5 Develop joint project proposals to achieve better conservation and sustainable use of natural and cultural resources shared by the protected areas involved, and initiate joint fundraising activities. The development and joint promotion of such projects is likely to enhance the chance of getting additional funding from the donor community. Potential donors such as multilateral and bilateral aid agencies, NGOs and the private sector, should be identified, and information obtained from them about their priorities for investment, formats for project proposals and project development cycle. In some cases, donors may have difficulty in funding binational or multinational projects: the prospects are improved by approaching donors which have either a regional programme or country offices in each of the countries concerned.
- Example:* In the Mount Elgon National Parks (Uganda/Kenya), IUCN is involved in a complementary programme in each country. In the Maloti-Drakensberg Transfrontier Conservation and Development Area (Lesotho/South Africa), the World Bank/GEF will fund a parallel programme in each country to ensure the conservation and sustainable use of this area of global biodiversity significance.
- 3.7.6 Identify charismatic flagship species and other symbols of the TBPA, to be used for fundraising and marketing purposes. This will not only benefit TBPA management, but will also have positive impacts on the survival of the species concerned, e.g. the condor in the Peru/Ecuador Cordillera del Condor.
- 3.7.7 Ensure that the extra time needed by the protected areas staff in collaborative activities is identified and accounted for in management and financial plans, and is approved of by each administration.
- 3.7.8 Explore options for innovative financial mechanisms to support the TBPA, such as debt-for-nature swaps, trust funds and carbon-sequestration credits.
- Example:* A regional trust fund has been established by the International Gorilla Conservation Programme (IGCP) for the Virunga Volcanoes three-country TBPA.

- 3.7.9 Direct coordinated fundraising campaigns at the public throughout each of the jurisdictions involved, highlighting how the TBPA helps achieve national peace and co-operation objectives that are of interest to the entire population.
- 3.7.10 Consider the use of company law, for example, to set up a non-profit company to manage TBPA funds in one of the countries involved, where there is no legal means of managing a joint fund. Other options include the use of a Foundation to secure financial and other support.

*Example:* An innovative mechanism is the Kgalagadi Transfrontier Park Foundation set up by South Africa and Botswana to direct the activities of the Kgalagadi Transfrontier Park. Under the bilateral agreement, the Foundation is empowered to receive donations from third parties and to distribute them equitably to the implementing agencies: the Botswana Wildlife Department and South African National Parks. Appendix 5 contains the full bilateral agreement.

### 3.8 Monitoring and assessing progress

These guidelines aim to help protected area managers to use TBPAs as a vehicle to promote and enhance co-operation across political borders. It is important to monitor and assess progress using a simplified evaluation approach where possible. The guidelines developed by the IUCN/WCPA Management Effectiveness Task Force for evaluating the effectiveness of protected areas provide a useful framework for monitoring and evaluating progress in any protected area (Hockings *et al.*, 2000).

For TBPAs, Zbicz (1999b) defined six levels of co-operation, using a range of criteria, which can guide managers in determining the degree of progress towards full co-operation (see Box 3.9). As a rule of thumb, the level of co-operation should reach at least Level 1 in order for internationally adjoining protected areas to be recognised as TBPAs. In addition, the following suggestions are offered to enhance monitoring of the effectiveness of TBPAs:

- 3.8.1 Each point covered in these guidelines can be used as a check list to assess progress in promoting and enhancing co-operation. A systematic check, at two or three year intervals, of how many of the points covered in the guidelines have been implemented, will give an idea of progress and help to identify problems that need to be resolved.
- 3.8.2 Measure the effectiveness of joint activities. Having a joint management plan for the TBPAs is a good step forward, but what really matters is the extent to which the joint management plan has been implemented.
- 3.8.3 Assess the extent that local communities have benefited from the programme. Getting local communities involved in TBPA management is certainly an achievement, but they should receive tangible benefits that can be directly related to transboundary co-operation. It is important to know whether communities involved in the initiative have:
- better access to resources across each others' national/sub-national border;
  - been able to open new markets or economic opportunities arising out of co-operation, such as those related to tourism development on both sides of the borders;

**Box 3.9 Levels of co-operation between internationally adjacent protected areas. Adapted from Zbicz (1999b)**

Levels of co-operation	Characteristics
<p><b>Level 0</b> <b>No co-operation</b></p>	<ul style="list-style-type: none"> <li>■ Staff from two protected areas (PAs) never communicate or meet</li> <li>■ There is no sharing of information or co-operation on any specific issues</li> </ul>
<p><b>Level 1</b> <b>Communication</b></p>	<ul style="list-style-type: none"> <li>■ There is some two-way communication between the PAs</li> <li>■ Meetings/communication takes place at least once a year</li> <li>■ Information is sometimes shared</li> <li>■ Notification of actions which may affect the other PA will sometimes take place</li> </ul>
<p><b>Level 2</b> <b>Consultation</b></p>	<ul style="list-style-type: none"> <li>■ Communication is more frequent (at least three times a year)</li> <li>■ Co-operation occurs on at least two different activities</li> <li>■ The two sides usually share information</li> <li>■ Notification of actions affecting the adjoining PA usually occurs</li> </ul>
<p><b>Level 3</b> <b>Collaboration</b></p>	<ul style="list-style-type: none"> <li>■ Communication is frequent (at least every two months)</li> <li>■ Meetings occur at least three times a year</li> <li>■ The two PAs actively co-operate on at least four activities, sometimes coordinating their planning and consulting with the other PA before taking action</li> </ul>
<p><b>Level 4</b> <b>Coordination of planning</b></p>	<ul style="list-style-type: none"> <li>■ The two PAs communicate often and coordinate actions in some areas, especially planning</li> <li>■ The two PAs work together on at least five activities, holding regular meetings and notifying each other in case of emergency</li> <li>■ PAs usually coordinate their planning, often treating the whole area as a single ecological unit</li> </ul>
<p><b>Level 5</b> <b>Full co-operation</b></p>	<ul style="list-style-type: none"> <li>■ Planning for the two PAs is fully integrated, and, if appropriate, ecosystem-based, with implied joint decision-making and common goals</li> <li>■ Joint planning occurs, and, if the two share an ecosystem, this planning usually treats the two PAs as a whole</li> <li>■ Joint management sometimes occurs, with co-operation on at least six activities</li> <li>■ A joint committee exists for advising on transboundary co-operation</li> </ul>

- benefited from lowered tension or fewer disputes over access to natural resource use.
- 3.8.4 Assess the extent that the programme has achieved a public profile. Is it getting the attention of the media? How many people “out there”, in addition to those involved in the initiative, know about it? Is the general public receiving the message about the results and outputs from co-operation activities? As a result of media and public support in the countries/jurisdictions involved, are additional resources for management being made available?
- 3.8.5 Evaluate the level of support from policy and decision-makers. Are all parties involved in co-operation getting the message across to local politicians in order to influence national authorities and political structures? If a formal agreement did not exist before local co-operation started, has this process paid off by promoting a bilateral agreement between the countries/jurisdictions involved?
- 3.8.6 Evaluate donor support. Is any international donor support directly attributable to co-operation; has a joint proposal been made?
- 3.8.7 Evaluate the extent to which the objectives of the TBPA have been achieved including:
- Obtaining additional resources;
  - Achieving more coordinated ecosystem management;
  - Averting ecosystem threats;
  - Promoting nature-based tourism;
  - Increasing management effectiveness;
  - Involving communities at all levels;
  - Promoting peaceful coexistence;
  - Sustaining a programme of joint meetings;
  - Maintaining free and open communication between all protected area staff.
- 3.8.8 Document these findings in a draft report which should be made available for public comment before finalisation. Recommendations should be primarily about aspects over which there is broad-based agreement amongst stakeholders, and negotiations should be encouraged in relation to contentious aspects.
- 3.8.9 Ensure that reports are conveyed to decision-makers for consideration, and that plans and programmes are adaptively revised and improved.

### **3.9 Dealing with tension or armed conflict**

The Draft Code for Transboundary Protected Areas in Times of Peace and Armed Conflict, set out in Chapter 4, was developed as an integral part of the Parks for Peace initiative under the auspices of the IUCN Commission on Environmental Law and

WCPA. It provides States, jurisdictions and other stakeholders with a framework for the prevention, management and/or resolution of tension and armed conflict affecting TBPA.

This section of the Guidelines provides practical indicators for protected area agencies and managers with regard to situations of tension or armed conflict, and for implementing the provisions of the Draft Code.

- 3.9.1 Assist protected area personnel to become familiar with the Draft Code and to take steps to abide by its provisions.
- 3.9.2 Bring the Draft Code to the attention of the armed forces, border guards, customs services and other interested parties and encourage them to incorporate it into their training procedures and manuals.
- 3.9.3 Provide timely and accurate information to relevant authorities about adverse impacts on TBPA, particularly where a TBPA is being used for military or strategic purposes. Where possible, recommend appropriate actions to prevent or mitigate such impacts.
- 3.9.4 Maintain updated contact details and communicate with security forces on co-operative strategies to alert key authorities to damage to TBPA and to minimise the dangers.
- 3.9.5 In times of peace, develop mechanisms that can provide for strictly neutral liaison during times of armed conflict and during other difficult emergency situations that could compromise the integrity of a TBPA. Such liaison could be conducted by a third party identified in advance (e.g. ICRC, IUCN).
- 3.9.6 Train protected area staff to deal with situations of heightened tension or conflict and to maintain good communications, as this can reduce the damage inflicted on the TBPA and resident communities, both during and after any conflict. Training staff in self-defence and ground fighting techniques can help them to retain confidence on patrol.
- 3.9.7 If armed conflict appears imminent or breaks out, post the Draft Code in appropriate languages at prominent locations throughout the TBPA.
- 3.9.8 During times of armed conflict or other complex emergency situations affecting a TBPA, take responsibility, together with lead ministries, for mobilising an effective and appropriate response. Contribute, where appropriate, to a broader response to the humanitarian and environmental security crisis by contacting UN agencies, embassies and relevant organisations, provided there is no intent to give strategic advantage to any party involved in the armed conflict.
- 3.9.9 Continue normal operations in the TBPA as far as possible. Take necessary steps to secure the continued support of ministers, donors, international partners and others.
- 3.9.10 If staff have to be moved or evacuated for safety and security reasons, seek to minimise the risk of permanent loss of capacity in the region by relocating staff as close as possible in a safer, neighbouring region. As far as practicable, continue training and capacity building, notwithstanding the conflict situation.

- 3.9.11 Where refugee movement and concentration occurs in border regions, take steps to prevent or mitigate environmental damage to TBPA by making TBPA personnel and humanitarian agencies aware of the UNHCR Guidelines on Prevention of Environmental Impacts Related to Refugees Operations (UNHCR, 1996). Ensure that such guidelines are followed to the extent possible.
- 3.9.12 Co-operate with humanitarian and development agencies to give appropriate support to the rehabilitation of communities and individuals affected by armed conflict (see UNHCR, 1996 and recommendations on peace-building strategies, pp.1–8, Brahini Report, United Nations, 2000).
- 3.9.13 Once conditions permit, assess the need for environmental mitigation and respond appropriately, including through the possible re-introduction of displaced species. Useful references and guidance include the *Journal of Restoration Ecology* and the IUCN Species Survival Commission's *Guidelines for Re-introductions* (IUCN/SSC, 1995).