

# **SECURITY ISSUES in the Planning and Management of Transboundary Conservation Areas**

**David Peddle, Leo Braack, Thomas Petermann and Trevor Sandwith**

**2004**

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**InWEnt – Internationale Weiterbildung und Entwicklung** (*Capacity Building International, Germany*) is an organisation for international human resource development, advanced training and dialogue. InWEnt was established through a merger of the *Carl Duisberg Gesellschaft* (CDG) e.V. and the *German Foundation for International Development* (DSE) and can draw on decades of experience in international cooperation. Its practice-oriented programmes are directed at experts, managers and decision-makers from business and industry, politics, government agencies, international organisations and civil society from all over the world. Its Development Policy Forum organises high-ranking, informal policy dialogue on current issues of development policy.

**IUCN – The World Conservation Union - Task Force for Transboundary Protected Areas.** The World Conservation Union (IUCN) through its World Commission on Protected Areas (WCPA) established a Transboundary Protected Areas Task Force to contribute towards a global programme on transboundary conservation. The TBPA Task Force consists of a group of volunteer specialists from many parts of the world, most of whom are involved in transboundary conservation programmes. The Task Force initially developed a set of guidelines for managers and other professionals, entitled “Transboundary Protected Areas for Peace and Co-operation” including some preliminary definitions and a draft code for the management of TPBAs in times of peace and armed conflict. Informed by a series of regional initiatives around the world, the Task Force has promoted the concept of a Global TPBA network which will co-ordinate and support the efforts of TBPA managers into the future. By linking TBPA sites, managers and resource materials through an internet site called TBPA.NET, the global network will assist transboundary initiatives to share lessons learned, to disseminate information and will provide a primary information resource to managers and researchers.

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**A Guideline Manual produced by InWEnt, collaborating  
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Particular thanks are due to Roland Stein and Marloes van Amerom who read and made valuable comments on a draft version of the manual. Roland Stein also contributed two Boxes which add additional perspectives to specific sections.

## Abbreviations and Acronyms

ASEAN	- Association of SouthEast Asian Nations
CITES	- Convention on International Trade in Endangered Species of Wild Fauna and Flora
CEO	- Chief Executive Officer
CIC	- Chief in Charge
CIO	- Chief Intelligence Officer
CoA	- Course of Action
CSO	- Chief Security Officer
DSE	- Deutsche Stiftung fur Entwicklung ( <i>German Foundation for International Development</i> )
EAC	- East African Community
EMPRES	- Emergency Prevention System for Transboundary Animal and Plant Pests and Diseases
Interpol	- International Criminal Police Organisation
InWEnt	- Internationale Weiterbildung und Entwicklung gemeinnützige Gesellschaft ( <i>Capacity Building International</i> ), a merger of DSE and Carl Duisberg Gesellschaft e.V.
IT	- Information Technology
IUCN	- the World Conservation Union
JMB	- Joint Management Board ( <i>with representatives from each Partner Country to collectively implement and supervise the terms of the Treaty establishing the TBCA</i> )
MIKE	- Monitoring the Illegal Killing of Elephants ( <i>is a CITES mechanism</i> )
MoU	- Memorandum of Understanding
NEPAD	- New Partnership for Africa's Development
NGO	- Non-Governmental Organisation
PA	- Protected Area
PPF	- Peace Parks Foundation
RETOSA	- Regional Tourism Organisation of Southern Africa
SADC	- Southern African Development Community
SDI	- Spatial Development Initiative
SF	- Security Forces
SWG	- Security Working Group
TBCA	- Transboundary Conservation Area
TBPA	- Transboundary Protected Area
TFCA	- Transfrontier Conservation Area
TFC&DA	- Transfrontier Conservation and Development Area
UNHCR	- United Nations High Commission for Refugees
WCPA	- World Commission on Protected Areas

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# 1. Introduction and Definitions

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## 1.1 INTRODUCTION

The term Security has a broad sweep, and relates to “*a condition of being protected from or not exposed to danger, being safe*” (Oxford English Dictionary). In the context of wildlife conservation areas, dangers or threats to a sustainable continued existence may take on many forms, and include not only direct physical threats in the form of poaching, refugee invasions, escaped fires, invasive exotic plants and pollution from neighbouring areas, but also other equally or even more serious long-term threats such as financial security, government and public support for the idea of conservation and commitment to conserve certain areas, disease containment not only against alien pathogens entering ecosystems (e.g. bovine tuberculosis) but also endemic wildlife diseases escaping into domestic stock (e.g. Foot & Mouth Disease), and many others risks either acting on or by a conservation area (Braack *in press*).

While all of the above risk elements are valid subjects for discussion under the theme of ‘Security’, this Manual will limit itself to the more traditional subset of threats relating to direct human actions upon conservation areas, such as illegal entry and the often negative motivations such as poaching, smuggling, theft etc. In particular, as far as is possible to avoid getting embroiled in more local matters, the focus will also be specifically on the ramifications and consequences brought about by *transboundary linkage* of conservation areas. By transboundary linkage we mean formal efforts aimed at jointly and harmoniously managing across political and other unnatural borders the natural resources and the opportunities they represent within previously independently-managed geographic entities. Perhaps the best examples are the various linkages between protected areas adjoining each other but falling in different countries, such as the Waterton-Glacier International Peace Park (USA, Canada), Great Limpopo Transfrontier Park (Mozambique, South Africa, Zimbabwe), Lanjak-Entimau Betung Kerihun Transboundary Conservation Area (Malaysia, Indonesia), and many others throughout the world.

Why do we engage in such transboundary linkages and thereby encumber ourselves with a whole new suite of security threats and other complications? For the very valid reason that the greatest threat facing global biodiversity has been and continues to be habitat fragmentation. Rapidly expanding human populations and demand for resources during especially the mid- to late-20<sup>th</sup> century caused a global trend of setting aside relatively small and often inappropriately bounded conservation ‘islands’ no longer able to sustain the ecological processes and mechanisms necessary to maintain species and communities, thereby ensuring an escalating and compounding pattern of species loss now assuming alarming proportions on a global scale. Recognizing the consequences of habitat fragmentation, conservationists are now attempting to create corridors and linkages to improve the resilience of these disrupted ecosystems, and Transboundary Conservation Areas (TBCAs) are but one manifestation of these efforts, also known in slightly different guises as Transboundary Protected Areas (TBPAs), Transfrontier Conservation Areas (TFCAs), Transfrontier Parks and also Peace Parks. Box 1.1 describes what each of these terms has come to mean in different parts of the world, while Box 1.2 gives the IUCN definitions of the various kinds of Protected Areas.

### BOX 1.1 TERMINOLOGY ASSOCIATED WITH TRANSBOUNDARY INITIATIVES

#### **Transboundary Natural Resource Management Area (TBNRM Area)**

An area in which cooperation to manage natural resources occurs across boundaries (Griffin *et al* 1999). Note that this concept does not necessarily involve any formal protected areas.

#### **Transfrontier Conservation Area (TFCA)**

An area or component of a large ecological region that straddles the boundaries of two or more countries, encompassing one or more protected areas, as well as multiple resource use areas (as defined in the SADC Protocol on Wildlife Conservation and Law Enforcement, 1999). This is a term used particularly in southern and eastern Africa, with more or less the same meaning as TBCA (see below)

#### **Transboundary Conservation Area (TBCA)**

Essentially the equivalent of a TFCA, except that the boundaries referred to need not necessarily refer to international borders but may be provincial or other intra-national limits of jurisdiction.

#### **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 through legal or other effective means (Sandwith *et al* 2001).

#### **Transfrontier Park (TFP)**

Essentially the equivalent of a TBPA, implying that all or most of the areas comprising the jointly-managed Transfrontier Park are high-status formal protected areas, usually of National Park status, with perhaps one or more smaller areas serving as linking corridors.

#### **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 (Sandwith *et al* 2001).

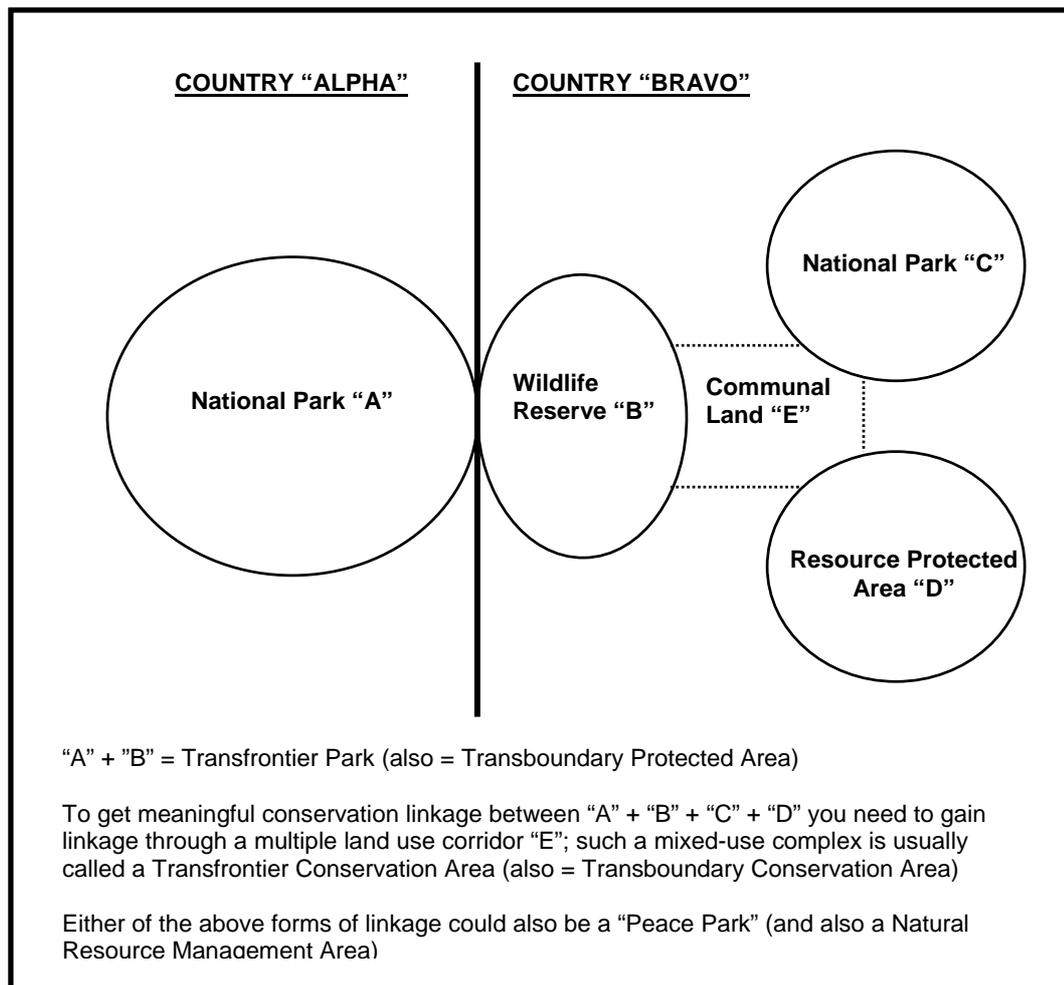
## 1.2 DEFINITIONS

To avoid some of the uncertainty associated with the different application of terms in different parts of the world, we have adopted for purposes of this Manual the term TBCA, and we will use the term in the context of referring to *geographically defined areas that are contiguous or close to each other and of which some are separated by one or more international political boundaries, but all are or will be jointly managed for improved natural resource conservation and other benefits in terms of a formal Agreement or Treaty between the partner nations.*

A recent IUCN publication (Sandwith *et al* 2001) reveals that by 2001 the number of potential transboundary protected area complexes had risen to 169, involving no less than 666 separate but closely adjunct protected areas. Efforts are now being pursued on virtually every continent on the planet to engage in these transboundary linkages, to achieve collaborative management of adjoining conservation areas according to harmonized management plans.

Another recent study (Hall-Martin and Modise 2002), commissioned by the Regional Tourism Organisation and Development Bank of Southern Africa, identified a minimum of 21 existing or potential TFCAs within southern and eastern Africa, representing a total area in excess of 400,000km<sup>2</sup>. Three of these (Kgalagadi, Great Limpopo, and Ai Ais Richtersveld TFCAs) have already been formally established, and another five are in various stages of planning or implementation. Similar initiatives have also been successfully concluded or are in progress elsewhere, notably in southeast Asia and central America.

**FIGURE 1.1 DIAGRAMMATIC REPRESENTATION OF DIFFERENT KINDS OF TRANSBOUNDARY LINKAGES**



The motivations for establishing these TBCAs usually have as common denominator objectives aimed at expanding land surface under compatible and effective conservation management so as to improve ecosystem resilience, but in many cases other motivations are at least equally important from a political perspective, such as socio-economic development achieved through ecotourism in marginal and impoverished regions, and sometimes also to promote peace and cooperation between neighbouring states. This latter advantage of TBCAs is often one of the most underestimated of the benefits of engaging in such transboundary linkages, because the formal and regular interaction between officials from differing nations engaged in TBCA initiatives promotes collaboration, an understanding of each others problems, tolerance, all of which are passed up to politicians and down to communities and so in the longer term contributes to stability and peace and regional social upliftment.

However, despite the excellent opportunities that these TFCAs or TBCAs represent for promoting biodiversity conservation, tourism and also socio-economic development, there is still a shortfall of co-ordinated facilitation and guidance on the processes and mechanisms associated with the planning and establishment of such TBCAs. Although the first formally declared transboundary linkage is generally accepted as the Waterton-Glacier International Peace Park between the USA and Canada, with collaborative management agreements established between the two in 1932 (de Villiers 1999), only a slow trickle followed this initial example until the 1990s when an international spate of

TBCA development commenced. Even now much of the lessons are being re-learnt in different geographic regions as a result of inadequate contact and exchange between different continents. Some guidelines do exist, such as an excellent series on Transboundary Parks by IUCN (e.g. Sandwith et al 2001, van der Linde et al 2001), and Transboundary Natural Resource Management (TBNRM) by the Biodiversity Support Programme (Griffin et al 1999, etc), and while these Guides have found some encouraging regional acceptance and application, it has not been widespread and general. At least in southern and eastern Africa, a clear need has been expressed during a series of InWEnt workshops by TBCA practitioners for a variety of Guide Manuals focussed on specific themes, and also for improved regional guidance and coordination (Petermann et al 2002). This manual on Security is a direct consequence of this expressed need.

**BOX 1.2 IUCN PROTECTED AREA MANAGEMENT CATEGORIES (IUCN 1994)**

**Category 1:** Strict Nature Reserve/Wilderness Area; A Protected Area managed mainly for science or wilderness protection

**Category 2:** National Park; A Protected Area managed mainly for ecosystem protection and recreation

**Category 3:** Natural Monument; A Protected Area managed mainly for conservation of specific natural features

**Category 4:** Habitat/Species Management Area; A Protected Area managed mainly for conservation through management intervention

**Category 5:** Protected Landscape/Seascape; A Protected Area managed mainly for landscape/seascape conservation and recreation

**Category 6:** Managed Resource Protected Area; A Protected Area managed mainly for the sustainable use of natural ecosystems.

## 2. Key Security Issues in Transboundary Conservation

### 2.1 INTRODUCTION

To understand what Security issues become relevant when engaging in TBCA initiatives, it may help to consider what happens as a consequence of achieving the objectives of TBCAs.

But what are these TBCA objectives? Usually, and very broadly, they are to restore disrupted ecosystem processes or promote biodiversity resilience in such systems, and often also to increase tourism potential and promote peace...this is the usual mix that many TBCAs aim for. Achieving these objectives most frequently requires (amongst many other things) a 'softening' of the historical restrictions associated with international boundaries, and can only be effectively done by:

- ❑ removing all or most of the fences or barriers preventing the free movement of wildlife across international borders
- ❑ creating easier access for tourists to the various constituent areas making up the TBCA, ideally removing the need for border posts within the TBCA, and thereby allowing relatively unimpeded movement of people across international boundaries
- ❑ achieving optimal levels of collaboration across international boundaries between officialdom and stakeholders involved in the joint management of the TBCA.

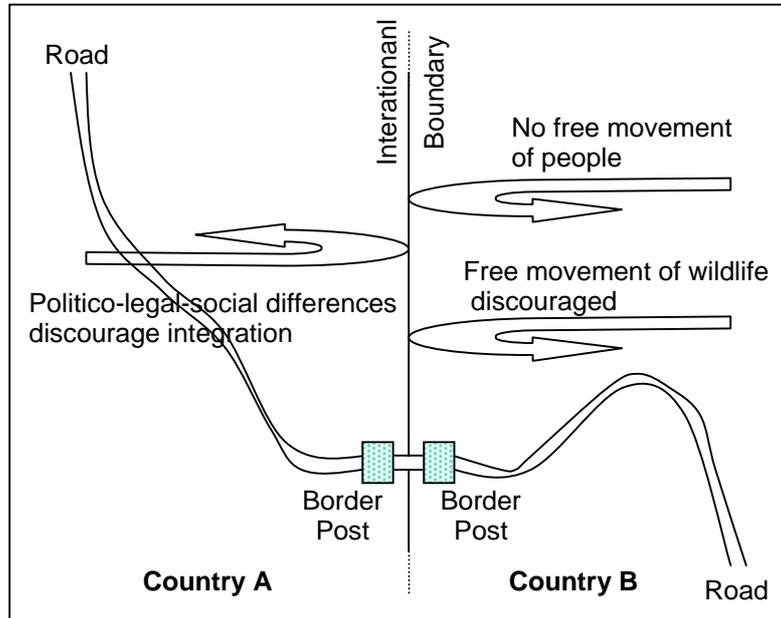
Although none of the countries participating in the TBCA relinquish any sovereignty, and a TBCA does not by any means signify or become 'no-mans land', there are clear and dramatic changes brought about by enabling a more free movement of people and wildlife between the different countries, and mechanisms need to be put in place to retain control while still pursuing the objectives of the TBCA.

#### **BOX 2.1: TBCAS DO NOT EQUAL "NO MANS LAND"**

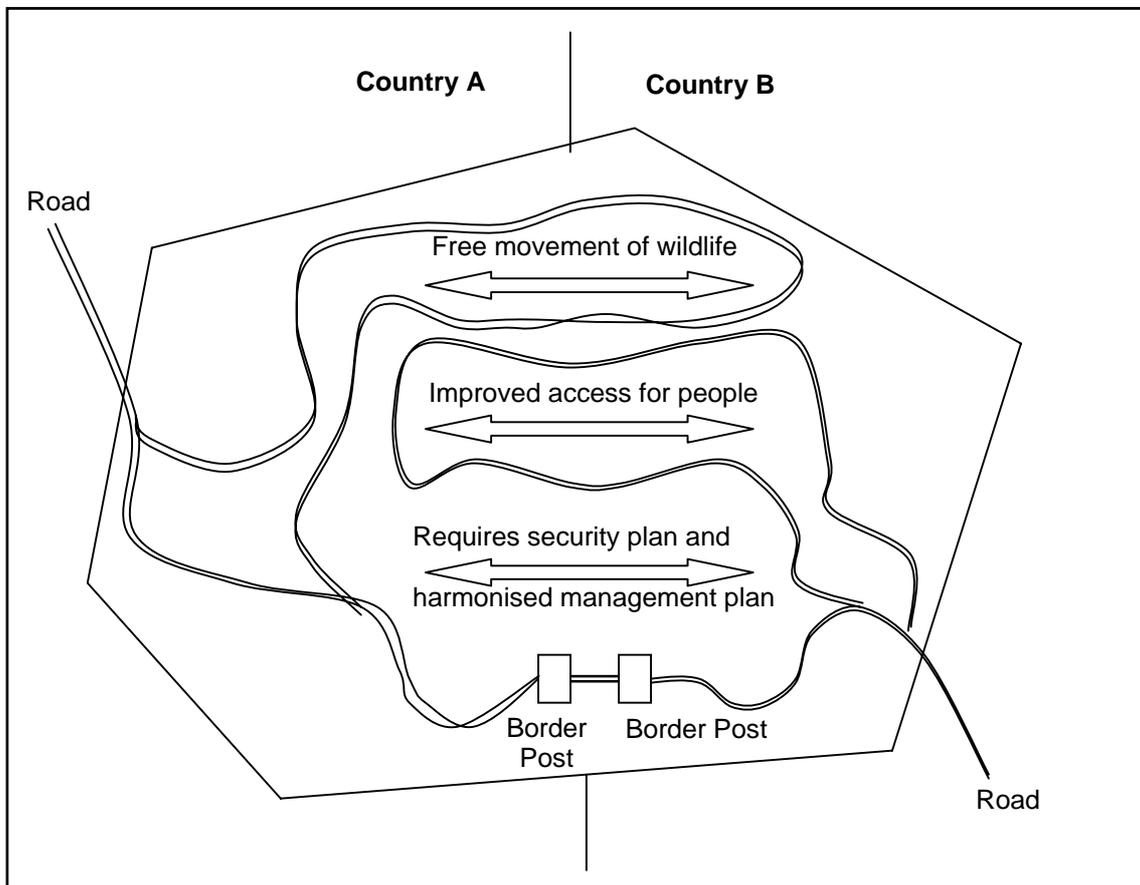
Because it is often a source of immediate concern to Security departments when they are first approached about being involved in a TBCA initiative, it is important to make it clear that each of the countries engaging in a TBCA will retain full sovereignty and all rights to the land and management thereof over any portion that a particular country has in a TBCA. All that is being aimed for is achieving greater compatibility and 'harmonisation' in the management of adjoining or linked conservation areas, enhanced freedom of movement by wildlife and ideally also people. This process of greater collaboration, preferably joint management, and enhanced access by wildlife and people, will require management and control mechanisms, hence the need to involve Security and all other stakeholders.

The situation described above and the ramifications thereof are depicted in Figure 2.1.

**FIGURE 2.1a: TRADITIONAL SITUATION PREVAILING AT MANY INTERNATIONAL BOUNDARIES**



**FIGURE 2.1b: ONE POSSIBILITY ARISING FROM TBCA LINKAGE**



## 2.2 WHAT ARE THE SECURITY ISSUES THAT BECOME RELEVANT DURING PLANNING FOR TBCAS?

Experience has shown that there has often been an unintended oversight by the initiators and conceptualisers of TBCA initiatives in bringing on board Security stakeholders in the early stages of planning. This may lead to a delay in the implementation of any Actions Plans or the project management schedule, as these important stakeholders need to first be familiarized with the concept and all its ramifications. It is these ramifications that are of particular importance, as conservation staff are sometimes not aware of certain consequences such as the activities of drugs and arms smuggling cartels in the region and opportunities such cartels may find in the potentially relaxed conditions of an inappropriately planned TBCA. For national security reasons these stakeholders, which include politically powerful state departments such as Defence, Police, Intelligence, etc, have the capacity to delay and even stall a TBCA process, and it is in the direct interest of the conservation or planning agencies to involve the security stakeholders (as indeed all other stakeholders!) from early in the planning stages.

### 2.2.1 Removal of fences

Fences exist either to limit or direct the movement of people and/or wildlife, and if such fences are removed it impacts directly on the motivations for the initial construction of such a fence. In the context of TBCAs, fences usually considered for removal are those along the international boundary, specifically because in many cases the fences represent unnatural barriers which disrupt the historic access and flow of wildlife across the ecosystem. The original purpose for most of these boundary fences have usually been to:

- ❑ demarcate the international border between two countries
- ❑ restrict the uncontrolled movement of people from one country to another, and
- ❑ restrict the movement of wildlife in compliance with veterinary regulations regarding the spread of wildlife diseases such as bovine tuberculosis, Foot & Mouth Disease, East Coast Fever, Brucellosis, and many others, from wildlife to domestic stock.

#### 2.2.1.1 *Removal of International Boundary Fence*

Where boundary fences do exist, it is very often the case that fence-maintenance, fire-breaks or patrol roads are present to provide access to and usually also parallel such an international fence for its entire distance, and that such roads occur on both sides of the fence. In the case of extensive parks adjoining each other along an international boundary, as is often the case in Africa, one could have a hundred or more kilometres where two roads are separated only by the fence and parallel each other for the entire distance. Removal of this fence creates a nightmare for security staff who immediately have visions of unlimited opportunity for criminals to use the patrol roads to move between the two countries at any point between these two adjoining roads, and the potential enormous costs to secure this route against smuggling or other illegal activities. Such fences may not have been impenetrable barriers even when they did exist, but if anyone cut the fence for access into the adjoining country, it would alert security personnel of illegal activities and pinpoint an area where security staff could focus their attention. Other than by doing very regular foot patrols for tracks, removal of the fence would make it very difficult to detect or have warning of illegal activities in the border area. For this reason careful planning needs to precede the removal of such international border fences, so that access points to such roads can either be controlled or monitored, or one or both of the roads along the fence can be closed and rehabilitated. It sometimes happens that a compromise has to be reached, as in the case of the Great Limpopo Transfrontier Park, where certain sections of fencing will remain in places where intelligence services and security staff have identified strategic or chronic problem areas, while other extensive sections of fencing can be removed in keeping with the objectives of the TBCA.

Another security consideration associated with such international or other border-fences is that they clearly signify a 'limit' or boundary, in this case a change in country and jurisdiction. A person intent on illegal activity and moving from country "A" into country "B" could easily plead ignorance of having moved from the one country into another (where the law may be more strict or have more serious consequence) because there was no fence or other indication of a jurisdictional change, thus complicating legal proceedings. For this reason security personnel sometimes insist that even though a fence may be removed, a clearly visible line of fence-posts should remain in place to denote the boundary, especially if the roads are to be closed and rehabilitated. Such a line demarcating the boundary is also important in the operations of security and other personnel of the different countries, as they need to know where sovereign responsibilities commence and end.

Stakeholders affected by removal of an international boundary fence include the Defence Force, Police, Intelligence (most countries have one or more Intelligence Departments), the Veterinary and Plant Disease authorities, as well as the departments for Immigration, Customs & Excise, and also Foreign Affairs.

#### 2.2.1.2 *Roads/Bridges/Air-strips and access control*

For security departments – which have as mandate the task to minimize criminal activity or threats within or to a particular border area – a key issue is always to have as much control over movement of people and to have as much information as possible about what these people are doing and where they are. Of course, this is not possible in an absolute way, but it does to some extent represent the ideal in order to accomplish their task. If you know exactly how many people have entered through a defined entrance gate into a Park, and you know how many people have checked into and taken up their camp or hotel accommodation, then if there are discrepancies in numbers it suggests either accidental 'loss' possibly by way of vehicle breakdown on some isolated road and the people need to be found, or deliberate 'loss' by way of illegal activities (e.g. poaching, or smuggling vehicles across border patrol road) or even suicide along some deserted patrol road, as has happened on occasions. Such absolute control is difficult to achieve without compromising the attractions and pleasurable experience drawing visitors to the TBCA, but security personnel will usually strive for some measure of control, and often will aim for at least the following measures being in place:

- a limited number of designated entrance/exit gates into or out of a TBCA, through which all traffic can be channelled and where control can be maintained. Here people pay entrance fees if required and their entry into the area is recorded (even if not by name then as a unit or number of people), visitors convey a sense of their purpose (a sedan vehicle loaded with holiday gear will attract no attention but a camouflage-coloured off-road vehicle mounted with arrays of spotlights and refrigerated trailer would certainly arouse suspicion and elicit a search), fire-arms are declared and sealed, while vehicles leaving the TBCA are given cursory examination for wildlife products and their exit recorded (again perhaps not as specified identities but at least as numbers). Some control can be maintained in this manner, and if applied properly will suffice as a basis to keep in check at least flagrant criminality, poaching and corruption.
- a communication system, ideally supported by a computerized data network. This has a multitude of advantages, examples being either if suspicions arise about stolen vehicles, so that security or other officials can rapidly telephone or radio an appropriate police base with access to centralized information, or suspicions about the activities of a 'visitor' who has 'lost' critical entry or accommodation documents, in which case rapid communication is required with the other point of entry or camp/hotel to verify information. Ideally, all Entrance/Exit Gates into/out of a TBCA should be linked as a computer network, in which case it becomes possible, with relative ease, to enter a vehicle registration and other details upon entry into the TBCA, and can be deleted upon departure, thereby greatly increasing the capacity to identify and track anomalies. Clearly, there will be a need for the different countries

and Parties to the TBCA to reach agreement on standardisation of equipment, frequencies and procedures.

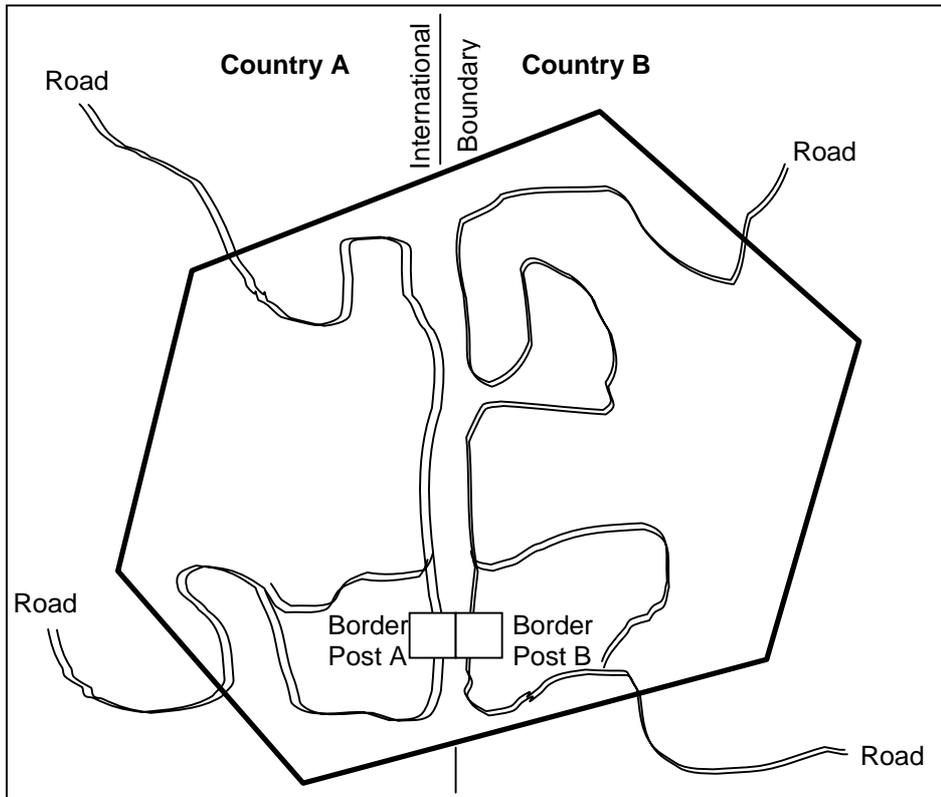
Access control within a TBCA and the need therefore can perhaps be better illustrated and explained by examining Figure 2.2 below:

Figure 2.2a more or less depicts the typical and historic situation where tourists move between two adjoining countries. All traffic and people are channelled by road and fence to a formal border control post of one country where persons have to present themselves, comply with passport, visa, health, veterinary, agricultural, customs and excise requirements, and then proceed via a narrow and short corridor of land to a similar facility of the country being entered. Along the way there are a number of security checkpoints, some where people may be physically searched and some of which people are not even aware of but they are subject to video or other surveillance. This is standard practice and legal requirement by most countries which will not waive such procedures even for admirable initiatives such as TBCAs.

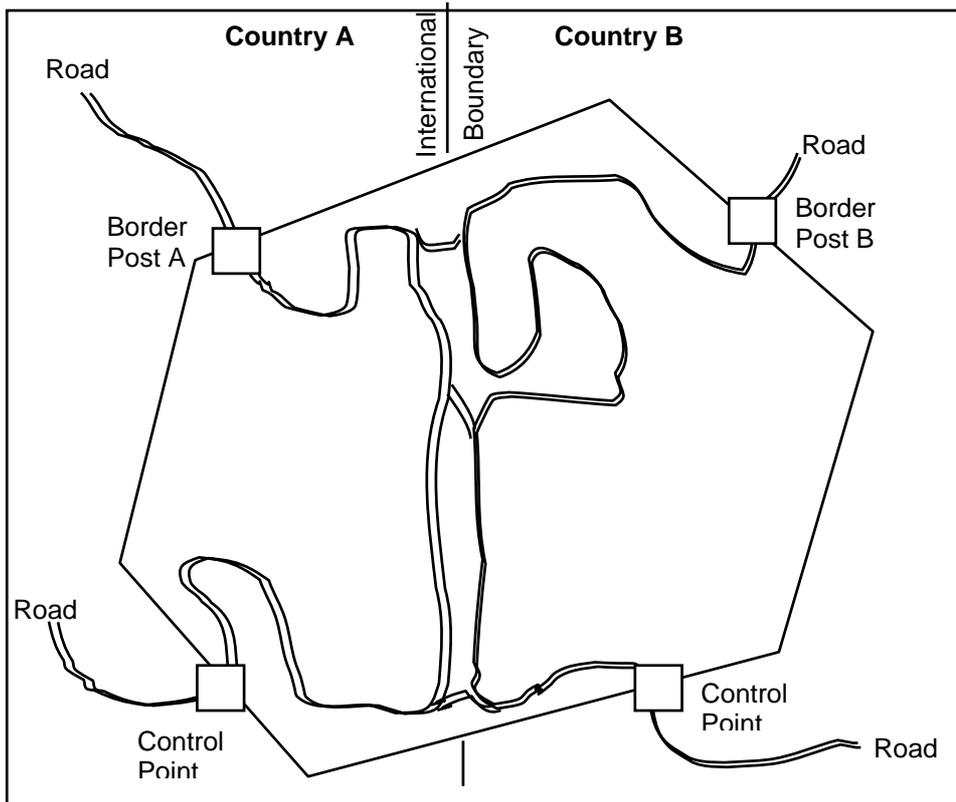
**BOX 2.2: WHY 'PERIPHERAL BORDER POSTS' WERE NOT ACCEPTABLE IN THE CASE OF THE GREAT LIMPOPO TRANSFRONTIER PARK**

While Mozambique and Zimbabwe were willing to implement peripheral border posts, concerns by security departments in South Africa prevented this option. This arose because the 19,000km<sup>2</sup> Kruger National Park in South Africa has a road network of over 2,000km, much of it as infrequently-used patrol roads or fire-breaks which in many places reach to the western boundary thus offering uncontrolled access into the remainder of South Africa via farm roads connecting with the main road network again. South African security officials claim that with such an extensive road network within the Kruger Park there are just too many opportunities for criminals to bypass the official entrance/exit gates. In theory therefore, vehicles or arms or drugs could enter from one of the Partner Countries where South African authorities have no control, and then illegally enter South Africa via such clandestine entry points along the western boundary. This necessitated the establishment of two *internal* border posts (Pafuri & Giriondo) situated along the historic border between the countries, inside the TBCA.

**FIGURE 2.2A: ACHIEVING FREE MOVEMENT OF ANIMALS BY REMOVING INTERNAL BARRIER FENCES. ALSO CREATING OPPORTUNITIES FOR PEOPLE TO ACCESS TBCA COMPONENT AREAS OF BOTH COUNTRIES, BUT ONLY VIA ONE POINT AT AN INTERNAL BORDER POST.**



**FIGURE 2.2B: LINKAGE VIA PERIPHERAL BORDER POSTS: MAXIMIZES OPPORTUNITY FOR PEOPLE TO TRAVEL FREELY ANYWHERE WITHIN THE TBCA AND DERIVE MAXIMUM BENEFIT FROM THE EXPERIENCE**



There is a willingness amongst some countries, provided the security situation allows it and all other requirements can be accommodated *on both sides of the border*, to stretch the 'corridor' between two border posts, thereby allowing the TBCA in effect to become the 'corridor'. This will usually only be feasible or allowed where the TBCA is completely bounded in a manner whereby vehicles cannot move from one country to another except through formal border posts, and this means that the entire TBCA needs to be bounded by a combination of fences, rivers and mountains restricting such uncontrolled movement. A process needs to be initiated and facilitated to investigate the feasibility of such an option and reach agreement between all stakeholders.

A situation of having peripheral border posts has considerable tourist advantages as it potentially reduces the border inconveniences for a large percentage of visitors who only want to access the TBCA and not necessarily use it as a thoroughfare into the next country. Again, by mutual arrangement between the Partner Countries participating in the TBCA, a visitor can be allowed entry into the TBCA from either country, travel anywhere within the entire TBCA (even those parts of the adjoining country) without going through the formal border procedures, as long as such a tourist exits back into the country of initial entry without having left the confines of the TBCA. This way the tourist has the full benefit of the entire TBCA without the procedural problems normally associated with border crossings. However, if the tourist wishes to enter the TBCA from one country and after a stay exit into the next country, such a visitor has to go through the full border procedures upon entry into the TBCA and again upon exit. This is easy to control as a visitor will not be allowed exit into another country if border procedures were not complied with at the point of entry.

Roads and airstrips exist not only for the benefit of tourists, but also for management purposes, including implementing adequate security measures for effective safeguarding of the TBCA against not only criminals but also fire, poachers, and to patrol for the presence and combat of alien disease or invasive plants. So roads and bridges and airstrips are essential management tools, but the use of and access to this infrastructure has to be controlled to avoid abuse for inappropriate purposes. This can be achieved either by simple 'No Entry' signs discouraging or warning people from entry (enforced by fines if ignored), to the placement of locked gates or barriers, or where necessary even placement of a permanent guard.

### **2.2.2 Tourist Safety**

Ensuring the safety of tourists and that such visitors have a relatively trouble-free experience is part of the mandate of at least a subset of the security community. Not only is this incumbent upon any socially responsible organisation, but it is also in its best interest so that such visitors will either return or at least convey a positive image of their visit to that TBCA. It impacts on the long-term financial or political viability of the TBCA.

TBCAs are by their very nature located at the borders of countries and this often coincides precisely with areas where conflict may have occurred historically between two or more countries. There are examples of current TBCAs where military forces in earlier times liberally placed land-mines in roads or strategic areas to prevent or slow enemy movement, and no records were kept so that many of these land-mines remain in place. Naturally, this represents a serious threat to tourism and such areas have to be identified and demarcated either for mine removal or complete avoidance.

Some border areas are chronically subject to incursions, clashes, smuggling or other criminal activities and such areas need to be identified and measures put in place to safeguard the interests of tourists. Tourists inadvertently stumbling upon a group of cross-border drug-smugglers are potentially at serious risk, but Intelligence or other Security departments are

frequently well aware of these nodes or focal points of criminal activity, and therefore able to point out such risk areas to Park managers.

### **2.2.3 Community Expectations**

For historic strategic and other reasons the Colonial or reigning powers at the time in many cases drew political boundaries which not only cut straight across homogeneous ecosystems, but also through ethnic groupings, often separating members of the same community and in some cases even members of the same family. Unless such communities are involved as legitimate stakeholders from early in the planning process and efficient information transfer takes place, the possibility exists that unrealistic expectations may be raised when such communities learn of plans for a TBCA and the associated 'softening' of boundaries. They could expect easier access to wildlife resources, easier movement through conservation areas to community members in the adjoining country, or easier movement for trade and commercial purposes. If such movement or access is made less restrictive some form of control will surely be required, while if the expectations are unrealistic then these expectations need to be managed otherwise it will transform into resentment and become a security problem, potentially leading to strained relations, increased poaching, and reduced collaboration in issues of mutual concern.

For these and other reasons, Communities (whether neighbouring or living within the proposed TBCA) need to be regarded as legitimate stakeholders in any planning for a TBCA.

### **2.2.4 Community Concerns**

Many proposed TBCAs have subsistence communities living within the boundaries of the area where free movement of wildlife is proposed. While this may not necessarily be cause for concern in some parts of the world, in Africa it brings with it the risk of lions, elephants, rhino and buffalo, to name a few. Elephants can devastate a field of maize or other crops in one night of marauding activity, which could constitute a severe life-modifying event in the lives of a family which does not have a cash-based lifestyle, but survives on resources at hand. Similarly, the depredations of one lion killing community cattle can represent a major loss for the affected people. All of this will severely influence the perceptions of community members regarding conservation ideals and also relations between such community members and management staff. The lives and livelihood of such communities therefore need to be safeguarded when wildlife corridors are established or potentially dangerous animals are re-introduced into areas inhabited by humans. This may mean either fencing in such communities, fencing out wildlife from crop-growing areas, or other mechanisms to address the threat.

Uninformed communities may also become concerned at rumours about the area they are living in being incorporated within a proposed conservation area, with suspicions of forced relocation to unsuitable or undesirable areas.

To negate or address these and other concerns, communities need to be engaged early in the public participation and planning process associated with any TBCA proposal. This has to be an open and honest process of information exchange and consultation to retain trust and goodwill, or else the consequences of their resentment may be felt for a very long time and the damage require considerable effort to resolve. Subsistence communities may often be comprised of uneducated people, but they are nevertheless intelligent and understand when their rights are being infringed. With a little assistance they can effectively represent their interests and make meaningful and important input during planning phases, for the benefit of all parties concerned.

### **2.2.5 Legal Matters**

Several aspects become relevant under this heading, all of which touch on international relations between the different country-components comprising the TBCA.

#### *2.2.5.1 The need for compatible legislation or at least agreements and commitments to streamline activities across national boundaries within the TBCA*

A series of examples to illustrate the potential impact of incompatible legislation in neighbouring countries should serve to highlight the need for TBCA planners or managers to be aware of the ramifications of such legislation and the need to develop mechanisms to accommodate such differences:

- Where boundary fences separating two adjoining conservation areas are removed, poachers may take advantage of different penalties imposed in different countries. For example, the illegal killing of rhinoceros may carry a severe fine in country “A”, but a far more lenient fine in country “B”. It would therefore be in the interest of a poacher to coax a rhino across the border and then shoot it in the country of less severe penalty, just in case an arrest is made. This applies equally to other rare, endangered or other wildlife having high value. The difference in penalties between different countries may arise for historical reasons, such as rhino not being present in one country for a very long time due to local extinction and therefore not considered during the subsequent formulation of laws/regulations; however, with the boundary fence now lifted and deliberate efforts to reintroduce such rhino, the laws need to be reviewed to accommodate the consequences of engaging in a TBCA.
- Differences in security actions directed towards poachers: while the following may be an extreme example, it nevertheless illustrates the point. In at least one African country the historic massacre of rhino and other wildlife was such that it was made legal to ‘shoot on sight’ any poacher within a protected area, in an effort to stop or discourage such poaching. While not rigorously implemented any more, the law still allows such practice, and if this country (country “A”) engages in a TBCA with an adjoining country (country “B”) where capital punishment is illegal, it gives rise to major complications when a poacher which is a citizen from country “B” unwittingly enters (because the borderline is no longer evident) and is shot dead for poaching in country “A”. While not as extreme in their differences, there may be legal irregularities between partner countries engaging in a TBCA which give rise to unintended consequences in a TBCA situation, and therefore need to be identified and addressed.

#### *2.2.5.2 Compliance with regional and international Conventions and other legal commitments*

As a hypothetical example, country “A” may be a signatory to CITES and therefore subject to the commitments relating to management and sale of ivory or other relevant wildlife products, while country “B” may not necessarily be a CITES signatory or may be less diligent in enforcing the stipulations to the Convention. If these two countries are engaged in a TBCA where elephants or other relevant wildlife may now freely cross between the two countries, any advantages which country “A” may have negotiated in trade of wildlife products as an outcome of years of diligent adherence to CITES stipulations may be discontinued because of the less stringent practices in country “B”, simply because country “A” now has less control over wildlife moving into country “B”. Such unintended consequences of engaging in TBCAs need to be recognized, understood and either accepted or remedial mechanisms or actions instituted. There are a number of other international commitments which bind some countries to specific Conventions or Treaties but not necessarily a neighbouring TBCA partner countries, and these differences in commitment need to be accommodated.

Continuing with the above line of reasoning, it is important in African elephant range states that the CITES mechanisms relating to ivory poaching and trade be coordinated and implemented in a streamlined manner by the partner countries engaging in a TBCA, such as the procedures and documentation relating to Monitoring the Illegal Killing of Elephant (MIKE).

### **BOX 2.3: REGIONAL AGREEMENTS FACILITATE TBCA PROCESSES**

Many international Conventions, Treaties and other legal instruments exist which pave the way and facilitate cross-boundary collaboration. People must just be made aware of them and apply them. As examples, the SADC (Southern African Development Community) *Protocol on Wildlife Conservation and Law Enforcement*, signed in Maputo in 1999, in Article 3 (para 2 c,c) stipulates that “*States Parties shall cooperate with other Member States to manage shared wildlife resources as well as any transfrontier effects of activities within their jurisdiction or control.*” The Protocol goes on within its 23 Articles to make ample provision in many areas to enable or even pressure participating countries to comply with commitments which support the objectives of TBCAs, including harmonising of legislation and co-operation in transboundary law enforcement. The *Treaty for the Establishment of the East African Community* (1992) in Article 124 lists a series of commitments for member countries to address Regional Peace and Security, including (para 3) “*The Partner States shall evolve and establish regional disaster management mechanisms which shall harmonize training operations, technical co-operation and support in this area...*” and also (para 5) “*The Partner States agree to enhance co-operation in the handling of cross-border crime, provision of mutual assistance in criminal matters including the arrest and repatriation of fugitive offenders and the exchange of information on national mechanisms for combating criminal activities...*” with many other stipulations for transboundary collaboration.

#### *2.2.5.3 The need for agreements, mechanisms and structures to apply, and comply with, terms of the TBCA Agreement, Treaty etc*

While the terms agreed on in an MoU or other formal commitment between partner countries in a TBCA may encourage optimal collaboration, issues of national sovereignty sometimes create complications. Consider the case where rangers or police pursue a poacher who flees towards the border area. Once that poacher crosses the now no longer physical boundary, the rangers and police do not have the jurisdiction or authority to continue pursuit and certainly will not have powers of arrest in the adjoining country. This may result in security personnel having to physically stop at the political boundary-line and watch the poacher make an escape, while at best attempting to make radio or other contact with security counterparts in the adjoining country which need then to be mobilised and arrive far too late for meaningful action against the poacher. Such situations need to be pre-emptively identified and procedures or mechanisms developed to address such contingencies. In this specific example, one option may be for the partner countries to agree that in such situations security personnel from country “A” are authorised to pursue and apprehend the poacher, then await arrival of security personnel of country “B” who make the formal arrest.

Another related complication may arise due to lack of extradition agreements. This may become contentious if a poacher has killed someone in country “A” where the death penalty may be imposed, but the poacher escaped into and was arrested in country “B” where the death penalty constitutionally may not be imposed. Such

discrepancies need to be discussed and pathways for potential conflict resolution agreed on beforehand.

All the examples above indicate the need for a team of legal experts, comprising appropriate representatives from each of the countries participating in the TBCA, to form a committee to review and to develop solutions to potentially conflicting legislation. This may involve requesting one or more countries to revise outdated or incompatible legislation, which could take considerable time and effort, or simply to devise mechanisms to address specific situations.

### 2.2.6 Alien wildlife and diseases

Worldwide there are now restrictions on the unimpeded transfer of wildlife or wildlife products, because of the many lessons learnt regarding the high cost associated with a wide range of introduced foreign organisms. Diseases such as African Horse Sickness, Foot and Mouth Disease and several others can have disastrous effects on entire industries with a loss of many millions of dollars. Much more insidious are the gradual but ultimately equally disastrous effects of introducing plants and animals into a country where natural control mechanisms do not exist to control such newly introduced species; numerous examples can be cited of the aggressive spread of plants such as *Pistia*, *Lantana*, *Opuntia* cactus, *Chromolaena*, etc, all of which have major impact either through overwhelming displacement of indigenous flora or gross habitat modification. Animals which have had major impacts when introduced into new areas include the cane toad and European hare in Australia. Very strict regulations exist to control the spread of such species across international boundaries, and entire divisions of staff exist in many countries specifically dedicated to the management of alien wildlife and wildlife products.

#### **BOX 2.4 : EMERGENCY PREVENTION SYSTEM FOR TRANSBOUNDARY ANIMAL AND PLANT PESTS AND DISEASES (EMPRES)**

Agricultural and veterinary pests and diseases often migrate or spread across borders and cause major losses and emergencies. In 1994 the Food and Agricultural Organisation (FAO) established an Emergency Prevention System (EMPRES) to reduce the risk of such crises or emergencies developing. The FAO now has an excellent website (<http://www.fao.org/EMPRES>) which provides a wide range of highly useful information, such as animal disease information systems, disease recognition modules, disease mapping, disease alerts, Good Emergency Management Practices, various resources and tools including software downloads.

Dropping of fences, or less restricted movement of people across components of a TBCA which straddle international boundaries will therefore create legitimate concern amongst veterinary and agricultural authorities who wish to protect domestic crops and stock from potential introduction of alien diseases and pests. Clearly it would therefore be essential for these authorities to meet with TBCA planners and management staff to address these concerns and incorporate the needs of these stakeholders into the planning and management process.

### 2.2.7 Communications

By the nature of their work, security agencies and personnel regularly deal with emergencies and crises. The need for effective communications infrastructure, equipment and procedures becomes critical at such times, and may mean the difference between saving or losing lives.

Key points such as Entrance/Exit Gates, Rest-camps or other accommodation clusters, airfields, ranger stations, outposts, security bases, etc should be able to communicate with each other by telephone and/or radio, using radio-frequencies and numbers/call-signs that are known to each other or available on a readily accessible list, and equipment that is reliable and in a good state of maintenance. People should know who to contact in

emergency situations and what procedures to follow, and such procedures should be documented and available for quick reference if required. When an aeroplane crashes this is not the time to discover that the radio batteries are flat, that the radio transceiver tower was pushed over a week ago by an elephant, that a key person is not carrying their mobile phone or radio on them, or worse that no-one seems to know who to contact or what to do. Equally important, in terms of a TBCA, this needs to be co-ordinated across international boundaries, so that all key persons, units and points are in contact through compatible equipment and are able to understand each other in a mutually understood language and following standardized procedure. It does not help if a wall of flood-water is rapidly approaching the boundary line and nearby villages if colleagues in the adjoining country have state-of-the-art communications equipment but of an incompatible specification, or if the radio operator in the one country speaks only English and the other only Portuguese.

It helps if the component areas comprising the TBCA use compatible computer equipment and programmes, and that databases etc are developed in a manner that allows easy data transfer between personnel from different agencies or geographic areas. This becomes very relevant in Geographic Information Systems and the practical advantages of using common systems and compatible equipment for mapping and data exchange. Rangers and others security staff may find considerable advantage in having compatible databases whereby information about wildlife movement, human movement etc can be exchanged and occasionally updated.

Another aspect of communication relates to institutional frameworks...lines of interaction and information dissemination between security agencies within a country, between countries, between security personell and other non-security management agencies within and outside the TBCA, but these aspects are more fully addressed later in this manual.

### **2.2.8 Training**

Operations and the management thereof will only proceed smoothly if sufficient capacity exists, and that means that sufficient posts exist to deal with the range of responsibilities in the TBCA, and all persons in those posts have proper Job Descriptions and are fully qualified and trained to meet the expectations associated with such posts.

Security personnel should not only be effectively trained (and equipped) to deal with their specific security tasks, but also receive ongoing training to remain current within an environment where technology and societal needs and attitudes are in a constant state of change.

Security personnel working within a TBCA should also be trained to recognize and operate within the special circumstance they find themselves in. Not only do they need to deal with the safeguarding and interests of people, but the security of the wildlife – both animals and plants – is equally a major priority. Soldiers posted along the border area – and this does sometimes happen within a TBCA for reasons of military training or even at permanent base stations - come from a very different background with a different mindset and sometimes yield to the temptation of engaging in a little poaching themselves. Induction courses or training is required to strengthen awareness amongst security staff of the value and benefits of wildlife and the need for conservation of these natural resource assets. Furthermore, a sensitivity needs to be created amongst security personnel regarding the nature and needs of tourism. Tourists are on holiday and want to relax, not be confronted with weapons-bearing uniformed persons aggressively demanding identification documents, or columns of camouflage-clothed soldiers implying some kind of military emergency. Security staff need to maintain a low profile, at least to the extent possible within the demands of their responsibilities. Conversely, in areas known for high theft or criminality, tourists gain confidence when there is a conspicuous and strong presence of security personnel, but all this needs to be done within the context of the particular conditions and situation prevailing

within a specific TBCA. This balance of needs, and how to conduct themselves within specific situations, requires security personnel to undergo some extent of training or course attendance.

### **BOX 2.5: PROMOTING UPPER RHINE VALLEY REGIONAL TRANSBOUNDARY COOPERATION BETWEEN GERMANY AND FRANCE**

The Upper Rhine Valley is a core area of experimentation in the field of bilateral cooperation between German and French police and judicial systems. One of the main promoters and facilitators of this increasing cooperation is the EURO-Institute at Kehl, Germany.

The EURO-Institute is a joint German-French centre for transboundary cooperation. Included among its major activities are, by way of example, bilingual training-seminars which aim at resolving the foreign language problems and obstacles to be found in institutionalized, joint cross-border training for police-officers and judicial staff.

Functioning as a kind of a 'neutral facilitator', the Institute creates opportunities for meetings between German and French judges, prosecutors and policemen and gives them a platform to exchange experiences, problem-solutions, different views, culture-specific perceptions and tools of implementation.

The Institute also assists in compiling basic information on legislative and administrative systems in the region, law-regulations and the legal frameworks for transboundary cooperation. The discussion of case studies helps the practitioners to elaborate appropriate solutions for day-to-day practical implementations.

Due to the commitment of the EURO-Institute the creation of a series of cross-border training-courses on the topic of 'criminal law and criminal proceedings' has turned out to be a real success-story.

Box contributed by Roland Stein, Coordinator, UNESCO Transboundary Biosphere Reserve "Pfälzerwald – Vosges du Nord"

#### **2.2.9 Management of Emergencies and Disasters**

Despite best-practise management and having the best available infrastructure and equipment, accidents and unforeseen events do occur, and by their nature they usually represent some form of an emergency or crisis. In the event that a mishap does occur, it is essential that contingency plans and measures be in place to cope with such a situation. Who is tasked to deal with a particular situation? If a building is on fire, who takes the lead and delegates responsibilities and takes charge of the situation? If a tourist has a heart attack in a distant camp well within the TBCA, where is the nearest helicopter or ambulance and who has to do what? If a bridge collapses with tourists on it, a power-line falls across a road, a vehicle with passengers is hi-jacked, a volcano erupts, an aeroplane crashes, who is in charge and who does what?

While the ideal situation would be to have a permanent Emergency Control Centre (ECC) where any crisis can be reported to and which has the capacity to deal with most emergencies and can serve as an information and advice centre, few institutions have the resources to implement such a permanent ECC. A second option might be to designate a small number of appropriately skilled or qualified people to serve as an Emergency Management Team, and that these team members should be contactable at all times (by

mobile phone or radio), they should know where to report to during a crisis or emergency (a previously decided on central facility, fully equipped with telephones, radio, contact lists and other essential equipment), and that each person will have clearly defined tasks and responsibilities, and is well versed in dealing with such tasks. It should also be required that such a team do periodic mock emergency exercises of differing nature to sharpen responses and skills. Lives can be saved by effective and rapid response. In the case of TBCAs, there is a need to ensure that standardised and compatible equipment and procedures are agreed on beforehand if partner countries need to jointly deal with emergencies or handle an emergency on behalf of a neighbouring country. If there are language differences between partner countries, as is the case in many TBCAs, at least one member of the emergency team should be fluent in the language of the other country. Each country should have such an emergency team or at least emergency procedures in place to co-ordinate and advise during times of crisis.

### **2.2.10 Roles and Responsibilities**

Given the location of a TBCA at the borders of adjoining countries, it is natural that a range of security agencies has a role and responsibilities within such a TBCA. This includes the defence force (army, air force, and perhaps even navy and other branches), police, intelligence, rangers, veterinary and agriculture authorities, immigration, customs and excise, and of course the relevant conservation units such as rangers, anti-poaching units, and own security staff. There is considerable potential for friction, misunderstandings, power-struggles and assumptions within such a complex mix of overlapping responsibilities. It becomes critically important that a fully-representative committee or other body be constituted and that such a body hold regular meetings to co-ordinate activities, ensure appropriate information sharing and to identify problems or issues which need to be resolved. There should be a very clear understanding between all security elements who has responsibility for what so that each agency, unit or component knows exactly what its role and functions and responsibilities are, and that each of the other agencies, units or components has a full understanding of how the different role-players complement each other or fit together. Not the least reason for ensuring that such an understanding is reached is to avoid the situation of some issues not being dealt with because *"I thought that was your responsibility!"* The intelligence community has a key role in such a situation because one of their primary functions is precisely to take a broader strategic view to identify gaps or shortfalls in the overall security coverage or network.

### **2.2.11 Security Force Operations and Security Bases**

History has shown that invariably National Security takes precedence over biodiversity conservation, so that in times of conflict or tension military bases may be established even within high status conservation areas, including national parks. Where there is substantial smuggling taking place in certain border areas, either the military or police – or both – may need to establish temporary/semi-permanent base facilities, and will need access and patrol opportunities within the TBCA. These are realistic national needs which cannot be wished away and cannot be resisted by conservation agencies...it needs to be accepted and the process managed. There is a great need under these conditions for the different stakeholder agencies and departments to delegate high-level representatives to meet and agree on activities and the parameters within which these activities can or should take place, as well as the various processes and how these processes will be managed. A forum with representatives from the different security, conservation and other stakeholders should be constituted (see *"Roles and Responsibilities"* above...these issues may possibly be dealt with in the same structures as advocated in that section) and meet regularly to review and deal with any tensions or issues arising from security-related activities and needs. While such military or police activity may be taking place within each of the countries, in which case stakeholder representatives from both countries should create opportunity to meet jointly to discuss transboundary issues or matters of common concern, it may be that such military/police/security activity is only taking place within one country. In such a case, in the

spirit of joint management and collaboration which gave rise to the TBCA in the first place, it is incumbent on that country to inform the other partner countries in the TBCA *before* such activities are commenced and to ensure good information flow to the extent that the activities of the security agencies allow without compromising the objectives.

There are multiple levels of issues which arise from the presence and activities of security stakeholders, and which need to be discussed between these security elements and the TBCA management structure. At the most basic level it involves discussion and agreement on location of base sites, electricity and other supplies, access routes, sewage and other waste disposal, authority of Rangers over security personnel or at least an understanding of modes of interaction, lines of interaction and reporting. Also critical is discussion and agreement on use of firearms, limitation of noise and other disturbance to both wildlife and tourists, and co-operation with conservation staff.

There is opportunity for mutually beneficial joint operations not only between different security agencies within one country, but also between the security elements of adjoining countries. At least in southern Africa, there is formal agreement in place (the Southern Africa Regional Police Chiefs Organisation – SARPCO) which makes it possible for police from one country to conduct activities in an adjoining country as long as they are accompanied by appropriate representatives of the host country. Such opportunities for joint opportunities to optimise security operations within a TBCA should be explored and pursued.

#### **2.2.12 War and conflict situations**

Most of our planet's biodiversity resides in the tropical regions, and the greatest potential for TBCAs and greatest associated benefits also exist in these regions. Tragically, although by no means restricted to them, it is also in these tropical regions that the preceding decades have seen some of the worst conflicts, human displacements and even mass genocide, as well as associated pressures and impacts on wildlife and the environment in general. Africa has been especially burdened with the consequences of such civil strife and armed rebellion, and the consequences thereof are often devastating, not only as direct impacts on innocent civilians, but also to already threatened wildlife assets.

War and conflict brings with it a range of consequences, of which the most obvious include:

- ❑ A potential breakdown in the ease with which officials from adjoining countries can interact and continue collaborative management within a TBCA
- ❑ An influx of military, rebel and other armed forces into the border areas including protected areas forming part of a TBCA, with negative consequences
- ❑ Human displacement resulting from armed fighting, often resulting in an influx of refugees either moving through but sometimes also settling within a protected area or TBCA
- ❑ Wildlife resources within a TBCA being used on a large scale to supplement military rations and provide resource material for military operations, or for food and shelter for refugees.
- ❑ Critical or valuable conservation infrastructure and equipment established over many years being appropriated for military or other use, sometimes vandalised or looted.
- ❑ Donors and other supporters sometimes suspend contributions or assistance during such a crisis period which is precisely when the need for resources is greatest

Political tension, conflict and wars very rarely are influenced by wildlife conservation considerations. Theatres of war and the impacts of war such as refugee spill-over are unlikely to give heed to the needs of conservation. These are stark realities. When nations engage in genocide, when they aim missiles at urban centres, and when affected civilians need to safeguard and feed their children, then wildlife, like much of the normal sanity and rules that prevail during times of peace, are relegated to positions of low priority. During these times the challenge to conservation officials will be to limit the level of impact, to

prioritise how to devote limited funds and other resources to achieve the best returns for conserving rare species or especially valuable habitat, to engage in compromises so as to ensure the best return. If refugees are flooding in, no amount of waving the rule book will stem the tide...it then becomes necessary to be flexible, acknowledge that some resources will have to be sacrificed in the short term, and this process has to be managed by allocating space for refugees to settle where the least impact will be incurred, and to proactively provide meat and wood using resources that are the least harmful to the system. These actions are extremely difficult to plan, implement and manage during a crisis, and it therefore becomes critical that in regions where the potential for such conflict does exist, TBCA officials should proactively develop plans and mechanisms to anticipate and deal with possible eventualities. These plans, actions, and mechanisms essentially fall into three broad categories:

1. Anticipatory, pre-emptive actions during times of peace and cooperation to have a strategy, plans and measures in place if and when serious conflict situations may arise
2. Actions and measures to mitigate impacts during times of war or other conflict
3. Measures aimed at recovery, rehabilitation and a return to optimal operations after the cessation of hostile activities.

There is actually a significant amount of guidance available to assist protected area managers to develop plans and measures as recommended above. A number of specific case studies on armed conflict are available for perusal and consultation on the BSP (Biodiversity Support Programme) website [www.BSPonline.org](http://www.BSPonline.org), which provides access to many documents and reports on armed conflict and the consequences thereof, and also many highly useful references providing guidance on disaster management, conflict response, and related issues. Much of this information is captured in the BSP publication by Shambaugh *et al* 2001, titled "*The Trampled Grass: Mitigating the Impacts of Armed Conflict on the Environment*". This subject is also explored and discussed in the IUCN publication by Sandwith *et al* 2001, "*Transboundary Protected Areas for Peace and Co-operation*", which contains a *Draft Code for Transboundary Protected Areas in times of Peace and Armed Conflict*, as well as measures to promote and enhance compliance. This Code is intended as a basis for understanding and agreement between neighbouring nations on measures which should be mutually observed in order to reduce the impact of armed or other conflict on biodiversity or natural resources of common benefit. Despite the unpredictable nature and often rapidly changing situations associated with high conflict, the authors have nevertheless generated an excellent generic foundation from which conservation agencies and TBCA practitioners can gain guidance and draw material from for application and use in their own specific situations. With permission, this Draft Code has been attached to this document for easy reference and use. We hereby recommend that:

1. senior representatives of the key departments, agencies or stakeholders involved in a TBCA familiarize themselves with the contents of the Draft Code,
2. that such key representatives should meet while still in conditions of goodwill and collaborative management in order to identify issues of common or specific concern that would become relevant if a conflict situation were to arise
3. that such key representatives constitute a committee or body mandated to develop a set of pre-emptive recommendations that will serve as mutually-acceptable guidelines for actions by the various TBCA parties to reduce conflict within the TBCA and minimise the negative consequences of the conflict on biodiversity and related stakeholders ("*Guidelines for Ameliorating the Consequences of Serious Conflict*")

4. that contingency measures be developed by this same body to accommodate and address situations where a breakdown in adherence to the Code or Guidelines occurs...this would include the relocation of representatives of key threatened species such as rhino, orang utan, tigers etc to areas of greater safety
5. that active steps be taken to create a deeper understanding of the value of TBCAs, the biodiversity they contain, and the benefits they offer, amongst TBCA security personnel and security departments, agencies or role-players which may become involved during times of conflict, especially at political and strategic level
6. that agreements be negotiated pre-emptively with donors or neutral agents that resources will be made available at short notice to address specific crisis situations of particular threat during situations of conflict
7. that copies of the mutually-acceptable *Guidelines for Ameliorating the Consequences of Serious Conflict* be distributed to all departments and stakeholders affected by the TBCA and others likely to be involved during times of serious conflict
8. that a neutral but effective third party (IUCN?) be pre-emptively approached to monitor the implementation and adherence to the *Guidelines* during the crisis period, in order to facilitate such adherence or at least learn from shortfalls which can then serve as lessons for subsequent situations.
9. that a core body of key persons, comprising either in part or in total the body referred to in Points 3 & 4 above, be responsible for ensuring information exchange between key TBCA stakeholders (if need be through a neutral third party) during times of heightened conflict, in order to optimise the likelihood of effective adherence to the Guidelines and to contribute to a holistic approach being maintained in the interests of the TBCA. This body of persons should, in terms of their mandate and before a conflict situation arises, familiarize themselves with the various international commitments, undertakings and guidelines (such as the UNHCR Guidelines on Prevention of Environmental Impacts Related to Refugees Operations, etc), and maintain a current database of contact details for national and international humanitarian and other aid institutions which could assist in managing or reducing the impact of conflict situations, and importantly who could also bring to international awareness the plight that the TBCA finds itself in, providing such action remains neutral and does not contribute to aggravating the conflict.
10. Senior officials from state conservation agencies, and also from NGOs, should lobby and engage political leaders to achieve incorporation of a standardized set of "*Commitments to Ameliorate the Consequences of Serious Conflict*" within regional agreements, such as within SADC, EAC, ASEAN, etc. Incorporation of such commitments in regional agreements brings with it a greater degree of legitimacy, pressure to comply, creates a good platform for advocacy and peer review, and somewhat reduces the likelihood of flagrant disregard of the commitments (or the *Guidelines for Ameliorating the Consequences of Serious Conflict* on which the Commitments may be based). This may bring higher level resolution and relief than the *Guidelines for Ameliorating the Consequences of Serious Conflict* can achieve, and may result in commitments from regional partners to assist with placement and food provisioning of refugees, short-term crisis financing or other resource provisioning, and lobbying international bodies for assistance, thereby reducing the impact on critical conservation land and resources.

### **BOX 2.6: REGIONAL AGREEMENTS CAN BRING PRESSURE ON WAYWARD PARTIES**

As an example of a Regional Agreement which can contribute towards moderating the actions of participating States, the SADC (Southern African Development Community) *Protocol on Wildlife Conservation and Law Enforcement*, in Article 12 (para 1) stipulates that “Sanctions may be imposed against any State Party which:

- a) *persistently fails, without good reason, to fulfil obligations assumed under this Protocol; or*
- b) *implements policies which undermine the objectives and principles of this Protocol.”*

## **2.3 USING CONFLICT TO THE ADVANTAGE OF TRANSBOUNDARY CONSERVATION AND/OR ESTABLISHMENT OF PEACE**

There are several examples in the world where international conflict situations have been either resolved or moderated through the implementation of transboundary ‘Peace Parks’, or where longstanding conflict along political borders has led to such areas being *de-facto* conservation zones. Valuable lessons can be learnt from these situations for possible application elsewhere.

### **2.3.1 Establishment of TBPAs for conflict resolution**

Possibly the best example of this principle is the Cordillera del Condor (Condor Mountain Range) region between Peru and Ecuador. An undemarcated portion of the Amazonian jungle border territory where the two countries meet was under dispute, both sides claiming sovereignty, leading to military build-up and war in the 78km area. With no settlement in sight, both countries agreed that proclaiming Adjacent Zones of Ecological Protection would lead to amicable resolution, which was then signed into effect through a Presidential Act in 1988. This solution to alleviate conflict has since led to hugely expanded ‘Reserve Zones’ around the initial core areas, the basis for a 2,42 million hectare TBCA now being developed. The area is now amicably managed according to mutually agreed ‘Principles of Good Governance’, and has clear objectives which focus on peace, biodiversity conservation, and sustainable development of the communities resident therein (Ponce & Alcalde 2003).

Contested border areas exist elsewhere in the world, and substantial discussion has been directed towards applying the concept of a Peace Park to resolve the often violent border conflict in the Kashmir region between India and Pakistan (Tallone 2003). One possibility is to create a ‘Siachen-Saltoro Peace Park’, which potentially could allow the armies of both countries to withdraw under conditions of honour and dignity without compromising their political positions on the disputed Kashmir region, thereby reducing further degradation of these magnificent mountain landscapes and saving many lives. This is also a core distribution area for the endangered snow leopard and therefore has very clear biodiversity benefits in addition to the political and humanitarian issues.

### **2.3.2 Border conflicts promoting biodiversity conservation**

Border conflicts often result in deterioration in the management of affected conservation areas especially when heavy military activity is involved, sometimes leading to dramatic cross-border movement of refugees and associated habitat destruction due to the demands for food, fuel and shelter in order to survive. In certain circumstances, however, border conflict has the unexpected and unintended

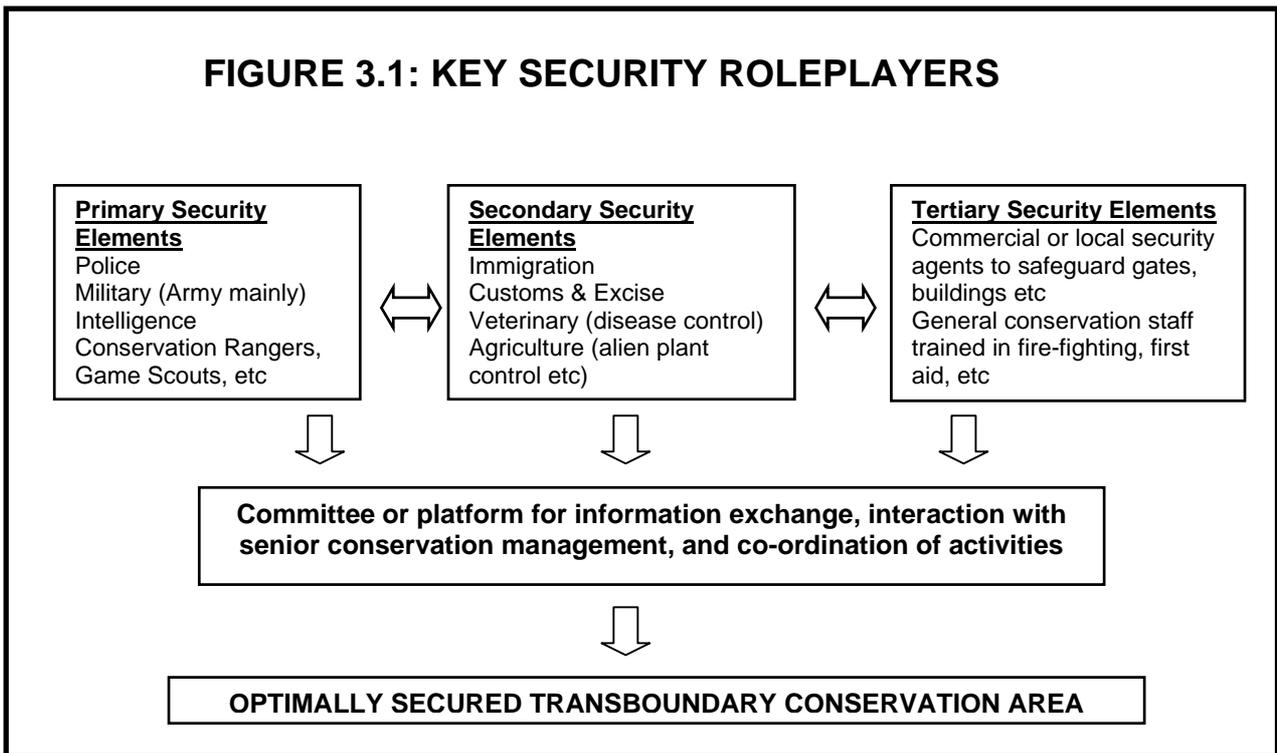
consequence of actually improving biodiversity conservation. The Demilitarised Zone (DMZ) between North and South Korea is such an example. Created in 1953 as a 250km long and 3,8km wide buffer zone with land mines and barbed wire to discourage human use, the DMZ has over half a century become a sanctuary for a wide range of wildlife long since displaced elsewhere by human population expansion and gross habitat transformation. Several rare species, including Amur leopards, have found safe haven here in what was never intended as a wildlife preserve. International agencies are now promoting the idea of establishing the DMZ as a Transboundary Peace Park when political relations between the two regions are normalised, with considerable benefits not only for wildlife, but also tourism and scientific study (The DMZ Forum 2003).

# 3. Security Roleplayers and Frameworks for Interaction

## 3.1 KEY DEPARTMENTS, AGENCIES AND OTHER ROLEPLAYERS AFFECTING SECURITY WITHIN A TBCA

In a sense of course *anyone* entering or working in a particular TBCA is a ‘Security Roleplayer’, as some of these people will have access to sensitive information which they can sell to the detriment of the ‘security’ of the TBCA, many employees are in a position to sabotage critical activities, and anyone can be a cause of arson or poaching, murder etc. We therefore need to narrow our scope of discussion, and for purposes of this section the focus will be on those roleplayers which are the primary agents employed or responsible for promoting aspects of security within a TBCA, or area affecting the TBCA.

As mentioned in Section 1, even within these agencies which clearly have a security function, there are differences in scale of responsibility and level of impact. In this section we examine each of these roleplayers to develop a clearer understanding of their roles and functions, as well as the institutional mechanisms which contribute towards optimal collaboration and interaction. Figure 3.1 attempts to provide an overview of the various Security roleplayers, but their categorisation as Primary or Secondary or Tertiary Security Elements should not be taken as absolute...it is meant to convey a sense of which elements may be critical to the immediate survival of a TBCA during times of crisis, through diminishing scales of impact, all from the perspective of TBCA managers, which may differ dramatically from the perspective of officialdom concerned with the health of the domestic stock of the country, etc.



As a consequence of their different roles and functions, the various security elements will not have the same distribution within a TBCA, freedom of movement, and will have different mandates. So, for example, the police will probably have a need for and a right to move freely anywhere within the TBCA, defence force elements will probably confine their activities to the border area, while immigration, customs and excise officials will be highly localised to specific transit points, although with some degree of latitude related to the need for investigations concerning infringements of regulations within their mandate. Also, the need for specific security elements will vary in different TBCAs and according to the conditions prevailing within a particular TBCA; not all TBCAs will have a need for defence force elements or immigration or customs officials, while most will probably to lesser or greater degree be subject to police visits or permanent presence, and probably all TBCAs will have Ranger units or anti-poaching staff permanently deployed within most areas making up the TBCA.

### **3.1.1 Police**

The role of police is fairly standard throughout the world, and is focussed largely on activities relating to prevention of crime and investigation of crimes that have been committed, either within the TBCA or in a manner that affects the TBCA. The police potentially require access to all areas of the TBCA and demand great freedom of movement, which is usually difficult to refuse or limit. While police typically conduct their own independent operations, it is also a frequent practise for other security elements to conduct joint operations with police, depending on the nature of the exercise, relations of trust, and many other local factors. Police activities are a vital component of security actions in any country and they have a major role to play even in TBCAs. This becomes particularly important in TBCAs that, by their very nature of straddling an international boundary and being a sparsely-inhabited area, are sometimes used as conduits for smuggling drugs, weapons and other contraband. The police have a definite need for effective information exchange with all other security elements within a TBCA, and also cross-boundary exchange of information and intelligence. Because police have wide-ranging responsibilities, freedom of movement and also hold a powerful position within most countries, the potential for friction between police and other security elements is often high, which makes it imperative that good communication channels are maintained between security roleplayers and that role definition is clearly established and accepted by all security elements.

### **3.1.2 Intelligence**

There is less uniformity of structure and responsibilities in Intelligence units of different countries, but most countries have such agencies or units and they fulfil an important role. They may either be part of the defence force, police, secret service or often a completely independent and separate national department. They usually do not have an overt presence or activities, tend to work in the background but often are powerful in terms of influence. Their primary mandate is to glean information, test the veracity of information relevant to national interests, and to use resulting intelligence in a manner which promotes the strategic interests of the country in a variety of spheres. Clearly, few security stakeholders have a greater need for liaising and cross-agency information access as does the intelligence community. It is the need for developing cross-cutting intelligence and information exchange that makes it so important to develop committees, forums or platforms where representatives of all security and other relevant stakeholders can share information, contribute to the 'bigger picture' and co-ordinate activities. It has also happened that intelligence officials from different agencies within one country, or equivalent officials from adjoining countries, use the same information sources which can play off the different agencies against each other to the detriment of the security community and benefit of the source(s), hence a further need for co-ordination and cross-agency liaison. This becomes critical in some unexpected ways, such as an anti-poaching unit that has a network of informers within neighbouring communities or has undercover agents living in such communities. These agents need to retain anonymity and trust or place their lives at risk, and periodically need to participate in the activities of

poachers to maintain their cover. If another security agency becomes involved it could lead to these people becoming compromised or destruction of an informer network established over a long time. This emphasises the need for close collaboration and information exchange between security elements.

### **3.1.3 Military**

The military forces have a mandate to maintain 'territorial integrity' of a country, which means they have to secure the borders and prevent infiltration, invasion or attack. The country border is a prime area of activity of the military, and in times of tension or in high risk areas of infiltration, national security interests will always supercede those of wildlife conservation. Even during times of peace and stability the military may insist, and will usually have their way, on some form of presence or access to border areas, even if it compromises the wilderness qualities of a TBCA. Where military activity is required or demanded, such military presence should be preceded by a process of negotiation so as to reach agreement regarding numbers of military personnel, number and type of military vehicles and infrastructure, access routes, areas of activity, types of activity, and lines of communication and processes of interaction. Clearly these will be broad arrangements as the nature of their work is such that unexpected eventualities do occur and are unpredictable in scale. But the point is that a commitment should be forthcoming from the military to respect the conservation land use of the area and the need for sensitivity in their use of the area, obviously to the extent possible within the demands of their responsibility.

Such military activity may not be restricted to army ground patrols, but may require helicopter or even full-scale parachute troop deployment in relatively inaccessible border areas. In times of conflict the military may insist on construction of bituminised airstrips close to strategic border areas...such actions should only be engaged in after all options have been fully investigated, and then placement should be such that the impact is minimised, both in terms of impact on biodiversity but also 'visual pollution/disturbance' on tourists.

Naval activities in marine TBCAs may also be required, but usually have less impact on the biodiversity and tourism within the marine TBCA than in a terrestrial situation. Naval presence can assist in discouraging illegal fish trawling, reef destruction, smuggling and other activities.

The Ministry of Defence in most countries represents a powerful political department which few other departments can match in terms of 'clout' and influence. Approaches and demands by the military therefore need to be dealt with circumspectly but much compromise and collaboration can be achieved so that the functions of all parties remain unimpaired. Outright confrontation in meetings should be avoided; far better results can be achieved by informal discussions between the relevant ministers, between conservation Chief Executive Officers and defence Commanding Officers, and between Park Managers and local commanders. Both sides – conservation security staff and defence personnel - can benefit considerably through collaboration and joint exercises. Game Rangers know the local geography, conditions and people very well, and can assist the military in optimising their activities. Similarly, the patrols and presence of military groups can serve as deterrent for poachers and other illegal activities, and by proper planning such military presence can contribute to TBCA advantage.

The onus will lie with conservation staff to engage with the military and generate goodwill and collaboration. This is usually best achieved through creating platforms or opportunities to meet and share information, ensuring regular contact between TBCA management and military commanders, and a low-key strategy of creating awareness amongst the military of the biodiversity and social benefits of TBCAs.

### **3.1.4 Conservation Rangers and Game Scouts**

The term 'Game Ranger' has become misused in recent years and in many private wildlife reserves it is now applied even to tourist guides. In its historic and proper application however, this term denoted field staff who had a basic training in wildlife conservation but were also skilled in security aspects, were posted in a manner which enabled strategic coverage of the TBCA or conservation area, and they held wide-ranging duties which essentially made each Ranger the principal authority or 'manager' within a particular region. They have responsibility for crime prevention and general security, monitoring and reporting of wildlife and environmental conditions, implementation of many wildlife management procedures (such as water provision and rotation burning and disease control), maintenance of basic infrastructure, dealing with rogue animals, animals escaped into neighbouring communal areas, liaising and maintaining good relations with neighbouring communities, disaster management, and co-ordinating non-tourism activities within that region. This is a broad generalisation but is a close approximation of what a 'Game Ranger' entails at least within the African context.

In order to achieve his or her responsibilities, each Ranger has a number of Game Scouts to assist in giving effect to the responsibilities within that region. In terms of security responsibilities, these embrace the full range of policing (Game Rangers usually have full powers of arrest etc) for crime prevention such as theft, smuggling, illegal movement of people and goods, also anti-poaching, disaster management such as fighting fires and dealing with the effects of such fires, floods etc. To achieve this, the area for which the Ranger is responsible has to be effectively covered on a regular basis, whether by light aircraft, motor-vehicle, motor-bike, bicycle or on foot. The purpose would be to detect signs of illegal activity, as evidenced by cut fences to allow entry, footprints and tracks, slaughtered animals, leftovers such as empty tins, cigarette and other packages etc. The responsibility would then go further to track and apprehend such criminals, and finally hand them over to the police for longer-term custody and prosecution.

Clearly, to comply with these responsibilities, Rangers routinely need to engage and communicate with a wide range of roleplayers, including other security elements such as police etc, and also neighbouring community representatives. They need to establish a network of information sources, which often also includes informers which operate in clandestine manner.

When an accident or incident is reported, whether a tourist is mauled by an elephant or an aircraft has crashed etc, the local Ranger is most often the first person contacted to take overall responsibility until specialized authority or assistance arrives, if required. The Ranger then has to take control and delegate tasks as demanded by the specific situation. This also means that Game Rangers should at all times be within reach either by telephone or radio, and that such communication equipment should be in a good state of maintenance.

For optimum security of a TBCA, perhaps one of the most fundamental requirements is for good communications and good relations to be established between the Rangers on either side of the boundaries. These are the people who will need to contact each other to follow poachers and criminals which work across the international boundary, to follow wounded or rogue animals, to combat fires, and deal with crisis situations. It should not be left until a crisis situation arises before such key personnel try to establish lines of communication and working models. They need to meet regularly and establish good working relations and information exchange.

### **3.1.5 Veterinary authorities**

The State veterinary authorities which have national responsibility for controlling animal diseases resort in different Ministries or departments in different countries, often within the Ministry of Agriculture. While the major responsibility of these authorities is to prevent certain

diseases (e.g. Foot & Mouth Disease, Bovine Tuberculosis, African Horse Sickness, Bluetongue virus, etc) from entering or leaving the country, and for certain diseases of wildlife to move from wildlife protected areas into domestic stock, they also have a role to play in preventing diseases of domestic animals from entering wildlife. The consequences of, for example, Foot & Mouth Disease (FMD) virus moving from their endemic wildlife hosts (buffalo mainly, but also other cloven-hooved animals) and entering cattle can be disastrous to the economy of a country which relies in large measure on export of beef, as exports of meat will immediately be banned. Similarly, if there is any suspicion that racing horses or any other host animals are infected with the virus causing African Horse Sickness, all countries will immediately ban the import of such horses even if required for a few days to participate in one racing event...this causes major disruption in the normal international traffic of such animals.

State Veterinary authorities usually maintain a low profile but have considerable powers of enforcement, and obviously have an important mandate. Where international boundary fences are planned for removal, such veterinary authorities become important stakeholders to ensure the security of the countries domestic animals and wildlife, and they will clearly need to be involved in the planning and implementation phases of a TBCA.

Many countries, especially in Africa, maintain checkpoints at the borders of or near wildlife areas where all vehicles are stopped and subjected to inspection for the presence of meat or wildlife products, and these products are confiscated and people liable to legal action if in flagrant disregard of legally posted signs regarding the transport of potentially infective material. These are all security aspects which require discussion and agreement during the planning phases of a TBCA.

#### **3.1.6 Agricultural authorities (Alien Plants & Plant Disease Control)**

In a manner similar to the veterinary authorities, other departments have the mandate and national responsibility to prevent entry of exotic plants or plant diseases which pose a threat to indigenous biodiversity. Such alien plants or diseases are no minor threat...it is widely acknowledged that invasive alien plants are the second biggest threat to our planets biodiversity, only a short distance behind the habitat destruction caused by humans. In addition to routine checks at all international airports, agricultural authorities have the responsibility to at least be aware of and be involved in the discussions regarding changes taking place at the borders of a country such as during the planning phases of a TBCA.

#### **3.1.7 Immigration authorities**

The national department of Home Affairs or Internal Affairs has the responsibility to ensure that all movement of people across the countries borders takes place in an orderly and controlled manner. Illegal and uncontrolled influx of people not only predisposes borders to criminal activities, but if done on a large scale it impacts on the socio-economic conditions of the citizens of that country, as it is usually impoverished jobless people which enter illegally and deprive local citizens of jobs as they are willing to work for very low remuneration. Immigration authorities are responsible for passport and visa control and will have to be involved from the earliest stages if tourists and other movement of people are envisaged in a planned TBCA.

#### **3.1.8 Customs & Excise**

The Customs officials generally ensure that prohibitions and restrictions on certain products are applied, and also apply measures aimed at protecting local industry through taxes on specified imported products. The Excise function is largely related to taxation of locally manufactured non-essential or luxury goods such as cigarettes, alcohol etc. The prevention of smuggling of goods is also a major responsibility of this department.

## 3.2 INSTITUTIONAL MECHANISMS TO PROMOTE STAKEHOLDER INTERACTION

### 3.2.1 Who are TBCA stakeholders?

TBCAs are affected by a wide range of stakeholders and represent an equally wide variety of interests, from communities who seek employment and other opportunities, conservationists who have biodiversity as their primary motivation and goal, tourism staff and tourists who seek access to the resources within the TBCA, business people looking for market outlets, various national departments concerned with safeguarding national security and other interests, and many others. Each is a stakeholder and each has priorities which they want to pursue and these may not always be in the interests of another stakeholder. Nevertheless, each may be a legitimate stakeholder with a right to be heard and appropriately responded to. It therefore becomes essential that opportunities and platforms are created where all these different stakeholders can meet to exchange views, express needs, discuss possibilities, and arrive at practical decisions as to what is possible within the general purpose and objectives of the TBCA and how this will be done. These platforms and meetings will take place at a variety of scales, some relatively low-level as part of a general consultative process and some high-level with only a few people present to make decisions. However, in fair participatory decision-making that leads to outcomes acceptable to the broadest segment of stakeholders, all stakeholders should have been part of a consultative process and all their inputs should have received fair consideration and consensus opinion taken through to the eventual decision-makers. The security community, albeit a very important component and representing powerful national departments and roleplayers, nevertheless has to fit within these wider needs and form part of the framework of information exchange and decision-making if all interests are to be reasonably accommodated with least resentment and long-term friction.

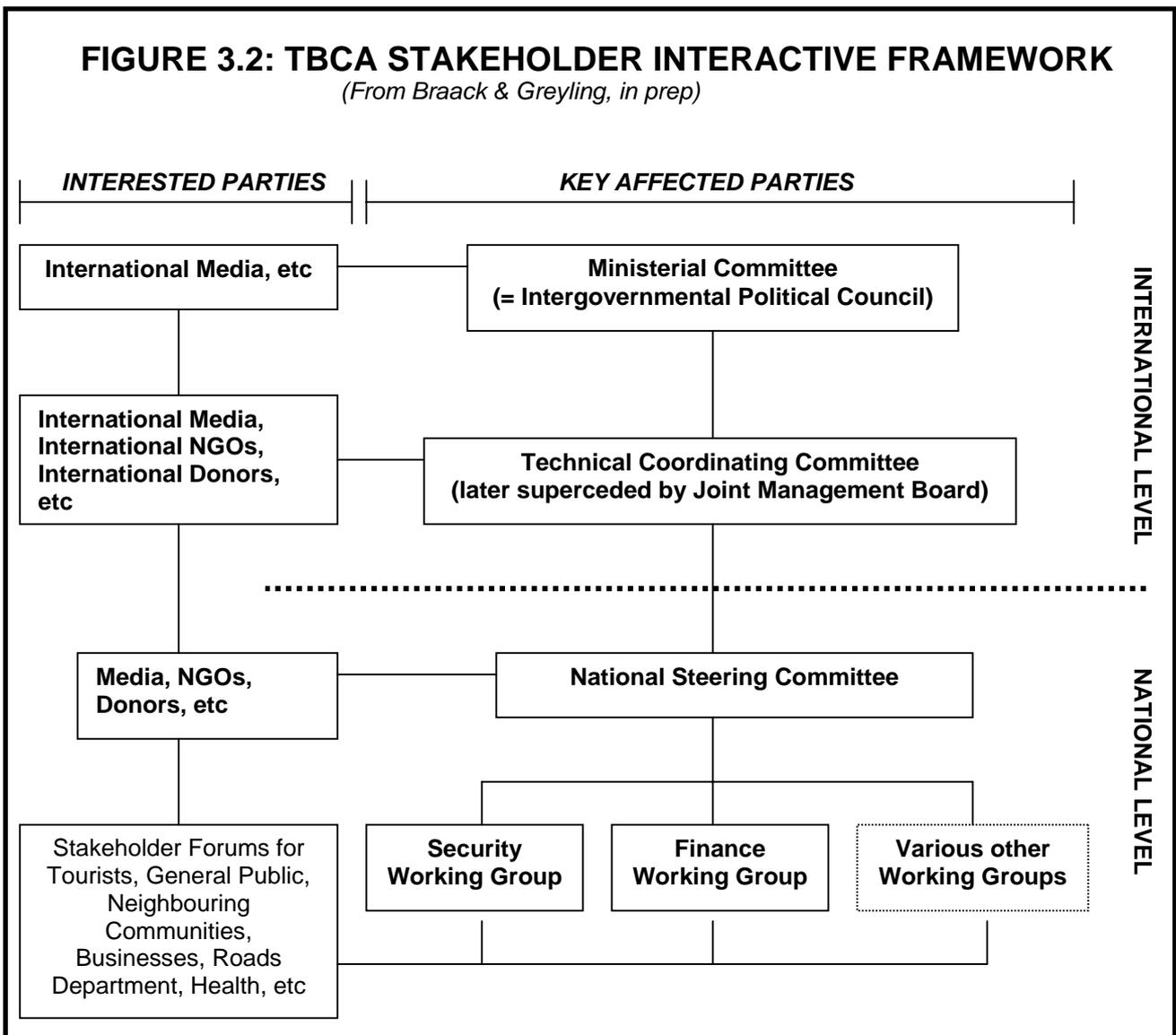
### 3.2.2 Frameworks and levels of interaction

To develop an understanding of the process of TBCA formation and how the various institutional structures relate to each other, it may be useful to follow the development of a hypothetical TBCA. In most cases, it will be conservation officials in adjoining protected areas who start talking to each other about the benefits of joint management or harmonized management of their contiguous areas, and the need for engaging in an official process to achieve formal contractual linkage across international boundaries in the form of a TBCA. These officials, often assisted by one or more NGOs, may even jointly develop a 'Concept Plan' of what is proposed and the advantages thereof, but soon they will realize that they need to involve various national departments. This is because few agencies are authorised to formally negotiate across international boundaries...it usually has to be a mandated national department such as Foreign Affairs, or another department negotiating at international level with the approval of Foreign Affairs.

These conservation officials with their Concept Plan will in many cases then approach their own line departments, usually the Ministry (or National Department) of Environmental Affairs or equivalent. If these national departments are convinced of the benefits and are persuaded to embark on a process of formal transboundary linkage, the particular Minister will probably approach his/her equivalent in the adjoining country to meet and discuss the proposal, accompanied by appropriate advisors. If these discussions are successful, and if the respective ministers have received support from their Cabinet colleagues in their respective countries, then it will almost certainly result in the ministers recommending the establishment of an institutional framework whereby the process of planning, establishing and developing the TBCA can proceed. The institutional framework will usually be some form or variation of the following:

- ❑ A Ministerial Committee, comprising the Ministers for Environment and any others in the two or more countries participating in the TBCA, which will meet occasionally to provide broad political guidance and direction, as well as to receive and discuss reports on progress,
- ❑ A Technical Committee, with senior representatives from both countries, from the state conservation agencies and any other departments, NGOs etc deemed necessary by the Ministers. This Technical Committee will report to the Ministerial Committee and will be responsible for giving operational effect to the broad instructions of the Ministerial Committee.
- ❑ Various Working Groups , Committees etc of specialists which will address specific themes such as Tourism, Security, Financing, etc. These Working Groups will receive guidance and supervision from the Technical Committee.

The Institutional Framework as outlined above can be depicted as in Figure 3.2 below:



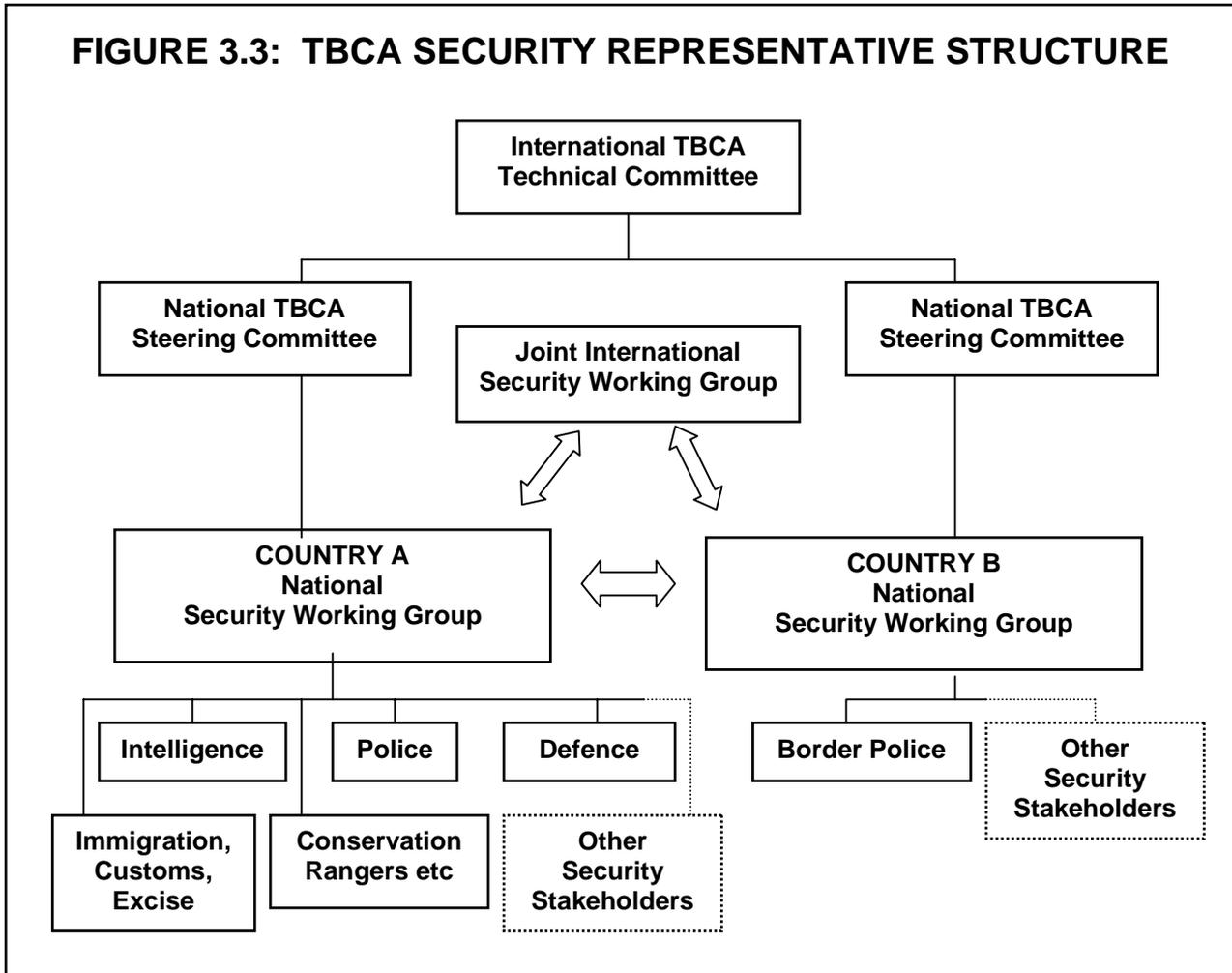
Conservationists have frequently only realized at a relatively late stage the need to engage with security stakeholders, and this may lead to unnecessary delays and irritation during the TBCA planning and implementation process. Stakeholders such as Police, Defence, Intelligence, Immigration, Customs and Excise, as well as the veterinary and agricultural authorities should be notified of the TBCA proposals at an early stage of planning, preferably even during the phase of developing a Concept Plan, and these stakeholders should be invited to nominate representatives who can be kept informed and be engaged during the planning and implementation phases.

Being involved in a TBCA initiative will usually also be a fairly novel experience for many security stakeholder departments, and it is therefore important that such departments or agencies recognize that such TBCAs are no longer an emerging international phenomenon, but rapidly becoming an established trend which holds considerable benefit for participating countries and enjoys substantial political support. Such security roleplayers should therefore not be reluctant partners in an initiative which otherwise may be seen as an added burden to their already overloaded responsibilities. It is important therefore that security roleplayers attend stakeholder meetings and effectively engage with the process from an early stage.

#### 3.2.2.1 *Security Working Group/Committee*

It should be the responsibility of the Security Working Group (SWG) or Committee to identify all the elements affecting Security in the proposed TBCA, and to address all these issues so as to achieve – in a manner integrated with the inputs and products of other Working Groups as indicated in Figure 3.2 - proper implementation and functioning of the TBCA. To that end then, once the SWG has been constituted by the Technical Committee, the members of the SWG should elect a Chairman and commence activities.

For a particular TBCA, there will probably be an internal SWG within each of the participating countries, with representation from all the key stakeholder security departments or elements within each country. Meeting at intervals, each country SWG will discuss the impact the TBCA will have on that particular country and the issues which need to be resolved or addressed. It will also be necessary for these national SWGs to meet their counterparts from the other countries periodically to discuss and work towards resolving security issues of common concern. So, for example, they will need to discuss the implications of removing the border fence, 'hot pursuit' of criminals across boundaries, conflicting legislation, mechanisms for communication, and many other issues. Then, at intervals, the Chairpersons of these country SWGs, or nominated representatives, will meet with their National TBCA Steering Committee to provide feedback on progress within the SWGs. These arrangements are depicted in Figure 3.3. In many instances the Chairpersons of the SWGs automatically are also members of the National TBCA Steering Committee which jointly with their international counterparts make up the International Technical Committee. It is important to realize that the members of these SWGs and also Technical Committee usually participate in the activities of these bodies as part of a wider portfolio of normal activities...it is not as if Ministries or departments will permanently allocate staff for the sole purpose of dealing with the TBCA, except possibly for one dedicated International Co-ordinator to drive the overall process.

**FIGURE 3.3: TBCA SECURITY REPRESENTATIVE STRUCTURE**

### 3.2.2.2 Security representation at TBCA management level

While the interests of the Security community during the planning phases of the TBCA are catered for by the SWGs and the Technical Committee, these bodies may dissolve after the TBCA planning phase, at which stage the Technical Committee is often replaced by a TBCA Joint Management Board (JMB) or a variation thereof. Before the SWGs are dissolved, there should be discussion on whether the security interests of a particular TBCA are such that the security community must be represented on the JMB. The JMB usually comprises senior officials of the component areas making up the TBCA, and their function is to implement and supervise the terms of the TBCA establishment Treaty signed between the Partner Countries, and collectively this body either jointly manages or at least ensures harmonized management of the TBCA.

### **BOX 3.1 SECURITY REPRESENTATION AT TBCA INTERNATIONAL LEVEL**

The level and nature of security representation in TBCA governing bodies will depend on the nature of the security issues prevailing in that region. While it will surely be necessary for each country to have a Security Working Group (SWG) to review the effects of a planned TBCA on national interests, and that these SWGs from participating countries will need to meet in order to resolve issues of mutual concern, it may also be necessary for security representation on the eventual Joint Management Board (or equivalent structure) that will supervise the overall operations of the TBCA, especially in regions of high criminal activity such as cross-border arms or drug smuggling. In the case of the Great Limpopo Transfrontier Park, security concerns of one country necessitated the inclusion of several legal Articles in the Establishment Treaty signed by the three Heads of State, and very specific composition of the Joint Management Board also stipulated in this Treaty, as follows (see also Appendix in this Manual):

#### **ARTICLE 11**

##### ***The Joint Management Board***

- (1) *The JMB shall consist of the following representatives -*
- (a) *Two from each of the National Implementing Agencies of the Parties; (The main state conservation agency is usually the The National Implementing Agency – Editor)*
  - (b) *one from the national institutions responsible for borderline control of the Parties;*
  - (c) *one appointed as deemed fit by each of the Parties.*

The inclusion of a member from the “...*national institutions responsible for borderline control...*” meant that the security stakeholders could nominate a representative for permanent inclusion on the JMB, and contributed towards full collaboration from the security community in TBCA management.