

Legal Aspects of Transboundary Conservation

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Transboundary conservation processes can be initiated at various levels, from high political to local levels..

- There are many types of legal instruments
- They vary in their level of formality and range from treaties to informal verbal agreements between adjacent villages
- Informal agreements can promote co-operative, friendly relations where the situation is not favorable to more formal arrangements
- Formal agreements however provide the strongest legal basis for long-term transboundary cooperation, especially if detailed rights and obligations are to be laid down



Formal Agreements When:

- Cooperation is at a more developed stage
- Effective conservation work has been established at the local level
- The level of cooperation aimed at requires it and any case where stakeholders want to come to an agreement on common institutional mechanisms or on the harmonization of national legislation.



Informal Agreements When:

- At initial stages of cooperation
- There are already many similarities (legal, cultural, ecological, financial) across the boundary
- Formal approaches would be unlikely to be effective
- Protected Area managers are prevented from concluding formal agreements across borders
- Neighboring countries are engaged in political conflict
- Focusing on particular activities such as promoting eco-tourism, research, monitoring, information sharing and training.



Some examples...

The Pamir Transboundary Conservation Initiative (known as the “Pamir Peace Park”):

Stared through a formal legal process engaging four countries. The process then stopped because of lack of political will



Some examples...

The transboundary framework for the conservation of argali sheep in Central Asia:

Initiated under the Convention on the Conservation of Migratory Species of Wild Animals (CMS) further to the listing of *Ovis ammon* under Appendix II of CMS



Thank you!

