Definitions & Governance of Transboundary Conservation

International workshop on defining transboundary conservation principles

Thayatal National Park, 16 October 2013

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SUGGESTED APPROACH

- Definitions
  - Transboundary Conservation
  - Four International Designations
    - Transboundary Protected Areas
    - Parks for Peace
    - Transboundary Conservation & Development Areas
    - Transboundary Migratory Corridors

- Types & Models of Governance
  - Governance (and Management)
  - Models
  - Common Elements

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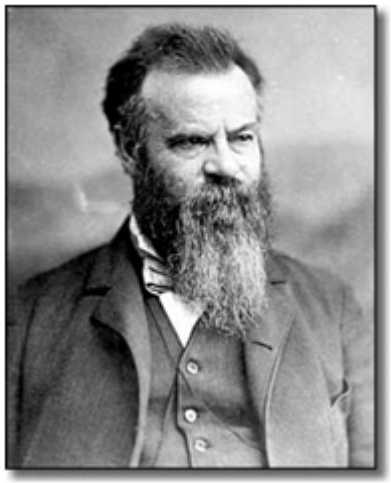
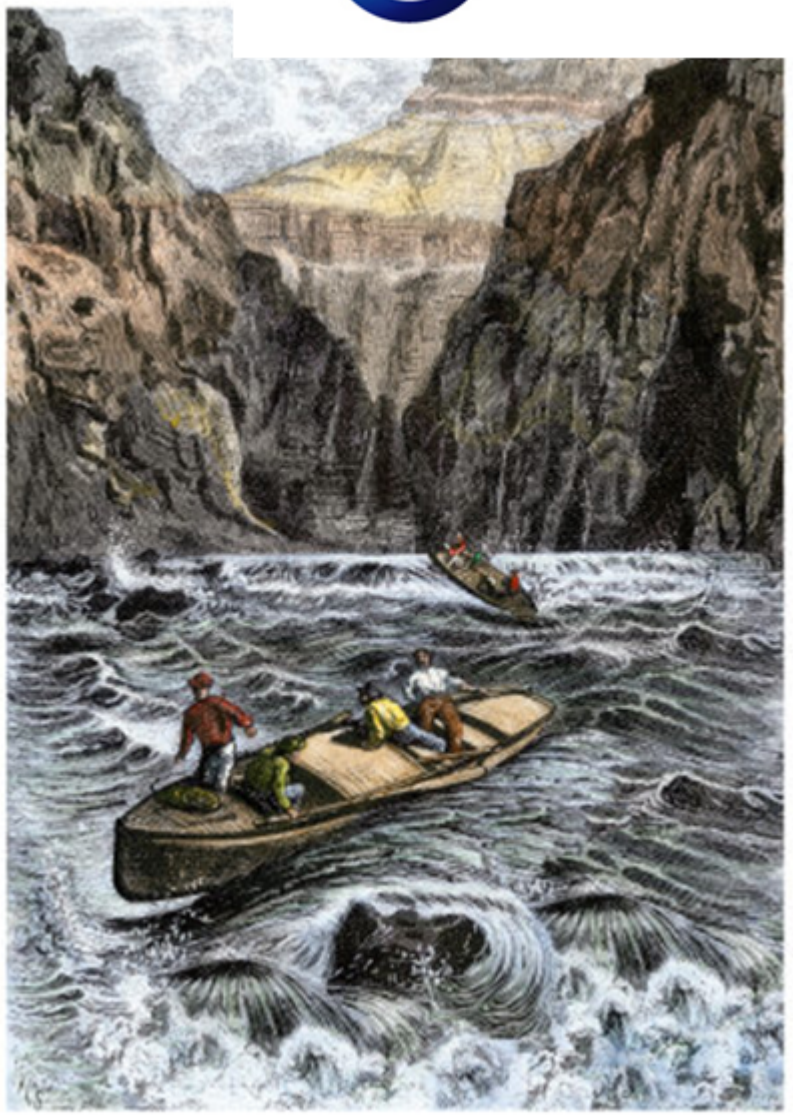
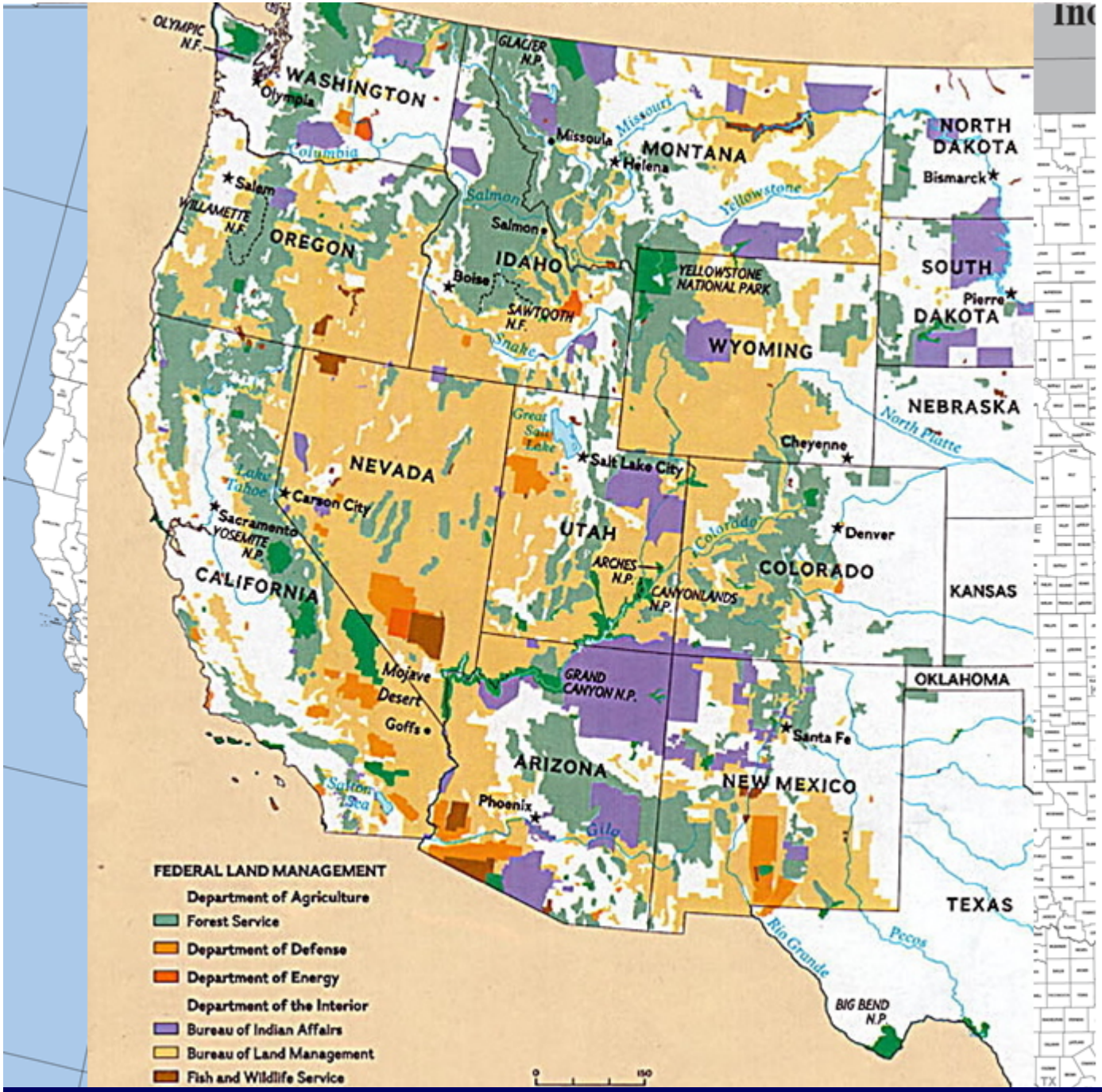
JOHN WESLEY POWELL'S VISION

- "… there is a body of interdependent and unified interests and values, all collected in a hydrographic basin, and all segregated from the rest of the world by well-defined boundaries. The people in such a district have common interests, common rights, and common duties, and must necessarily work together for common purposes." (1890)



An original theory of bioregional governance

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Snake
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YELLOWSTONE NATIONAL PARK
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WYOMING
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Department of the Interior
Bureau of Indian Affairs
Bureau of Land Management
Fish and Wildlife Service

TYPES OF TRANSBOUNDARY CONSERVATION

- Transboundary Protected Areas
- Parks for Peace
- Transboundary Conservation & Development Areas
- Transboundary Migratory Corridors
- Indigenous and Community Conserved Areas
- Other

Common Elements of TBC

- Transboundary refers to international boundaries
  - However, we recognize that TBC takes place in a matrix of nested systems (international, national, sub-national, local)

- Relies on collaborative, joint, or shared governance

- Historically focused on protected areas, but increasingly embraces the 3 C's

Suggested Definition of Transboundary Conservation

Conservation *(from Convention on Biological Diversity)*

"In-situ conservation" means the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties."

Add reference to *all* the 3 C's *(consistent with current definition of TBCDA)*

Culture

Community

Conservation

Challenges with Definition of TBPA

- Currently includes sub-national boundaries. Proposal to make transboundary include international
  - Note, TBPA may include multiple sub-national tenure arrangements
- More focus on multiple governance arrangements (to be discussed momentarily)
- Adjacency, adjoining, contiguous?

Suggested Revised Definition of TBPA

"An area of land and/or sea that straddles one or more boundaries between nation-states, encompassing one or more protected areas as well as multiple resource use areas, especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed cooperatively through a range of formal and informal mechanisms."

GOVERNANCE

- Definition of “governance” (distinguish from “management”)
- Types & Models of Governance
- Common governance issues in TBC

IUCN

Governance of Protected Areas

From understanding to action

Grazia Borrini-Feyerabend, Nigel Dudley, Tilman Jaeger,
Barbara Lassen, Neema Pathak Broome, Adrian Phillips and Trevor Sandwith

Developing capacity for a protected planet

Best Practice Protected Area Guidelines Series No.20

WCPA · Convention on Biological Diversity · BIOPAMA · BMZ Federal Ministry for Economic Cooperation and Development · The ICCA Consortium

DEFINITION OF GOVERNANCE

- IUCN Governance Guidelines (2013)
  - "The interactions among structures, processes and traditions that determine how power and responsibilities are excercised, how decisions are taken and how citizens or other stakeholders have their say."

- Governance differs from government
  - Government occurs when people with formal, legal authority make plans and take action
  - Governance is what happens when citizens and groups (often including government agency officials) work together to plan and act based on their shared goals.

GOVERNANCE & MANAGEMENT

- There is a huge difference between what should be done about a particular transboundary situation (substance) and how people who care about such issues should determine what ought to happen (process)

- Governance is about:
  - Who decides what the objectives are, what to do to pursue them, and with what means
  - How those decisions are taken
  - Who holds power, authority, and responsibility
  - Who is/should be held accountable
  - Focus on process—how to bring together the appropriate people with the best available information to determine what ought to happen

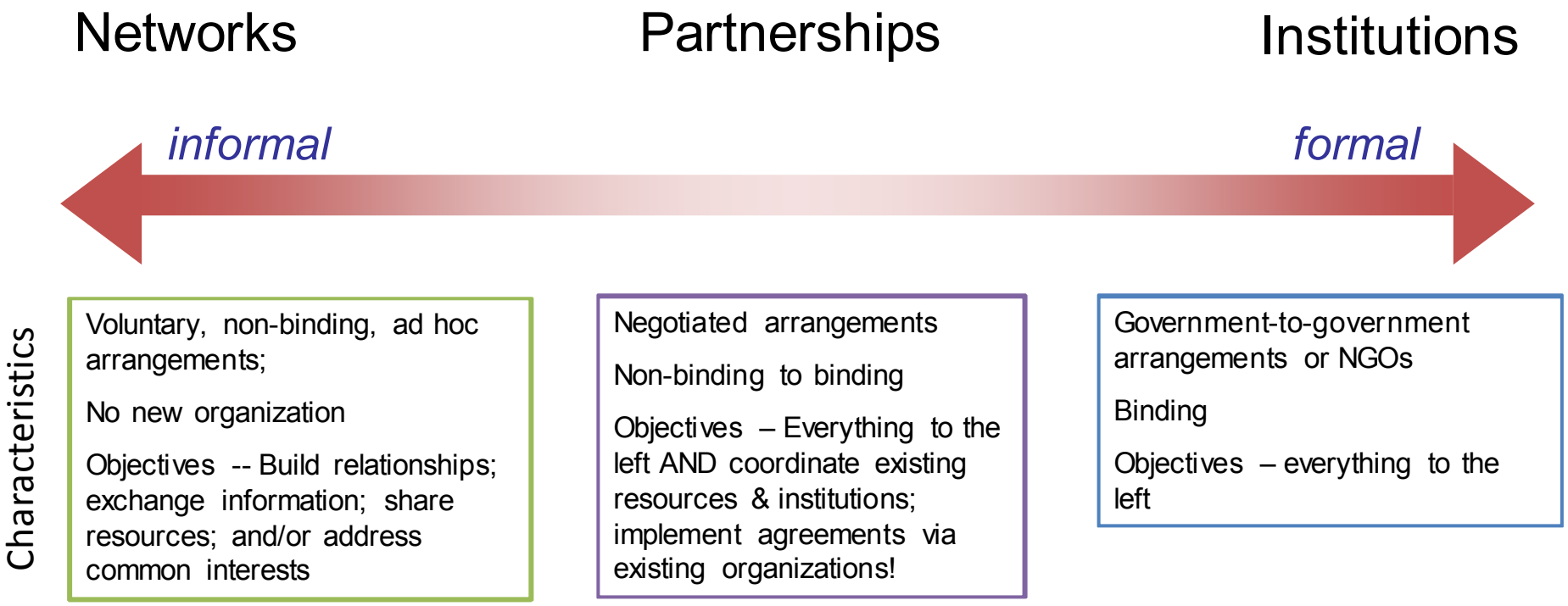
- Management is about:
  - What should be done in pursuit of given objectives
  - The means and actions to achieve such objectives
  - Focus on substance – generate, implement, and assess the effectiveness of alternative policies, programs, and plans

TYPES & MODELS OF GOVERNANCE

- IUCN Governance Guidelines (2013)
  - Four Models *(see page 29)*
    - By governments
    - By rights-holders & stakeholders ("shared" governance)
    - By private individuals & organizations
    - By indigenous people & local communities
  - Distinguished by
    - Who holds authority
    - Responsibility & accountability for key decisions

Transboundary Conservation

A Continuum of Governance Models



Crown-wide Initiatives

1932
Waterton-Glacier International Peace Park

1994
COTC Ecosystem Education Consortium

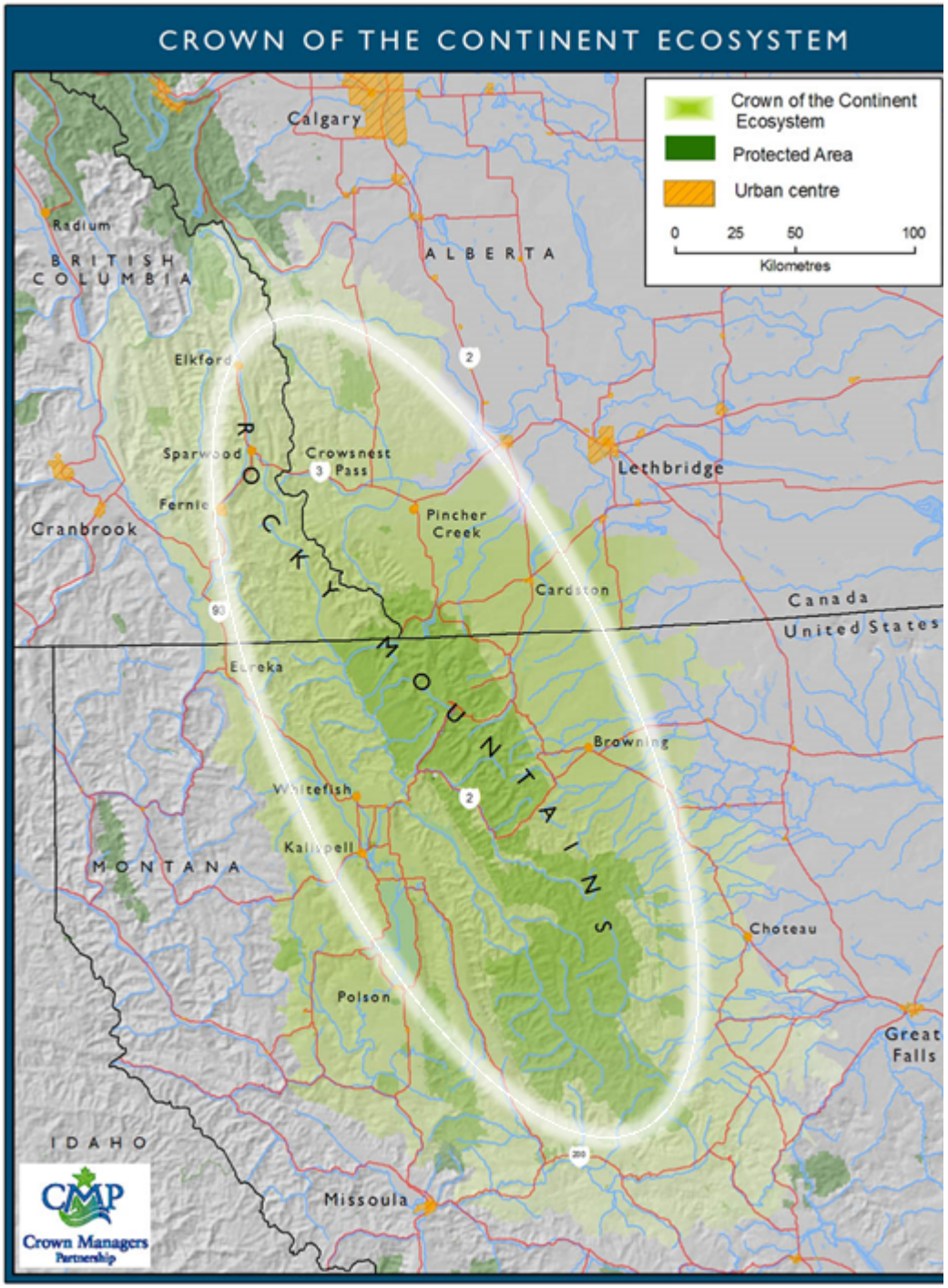
1999
UM/U Calgary Transboundary Program

2001
Crown Manager's Partnership

2002
COTC Resource Learning Center
Heart of the Rockies

2007
COTC Geotourism Council
Roundtable on the COTC

2009
UM COTC Initiative
COTC Conservation Initiative



Selected Community-based Partnerships

Alberta Sub-region

Alberta Land Use Framework
Castle Special Place Working Group
Waterton Front Park Project
Oldman River Watershed Group

British Columbia Sub-region

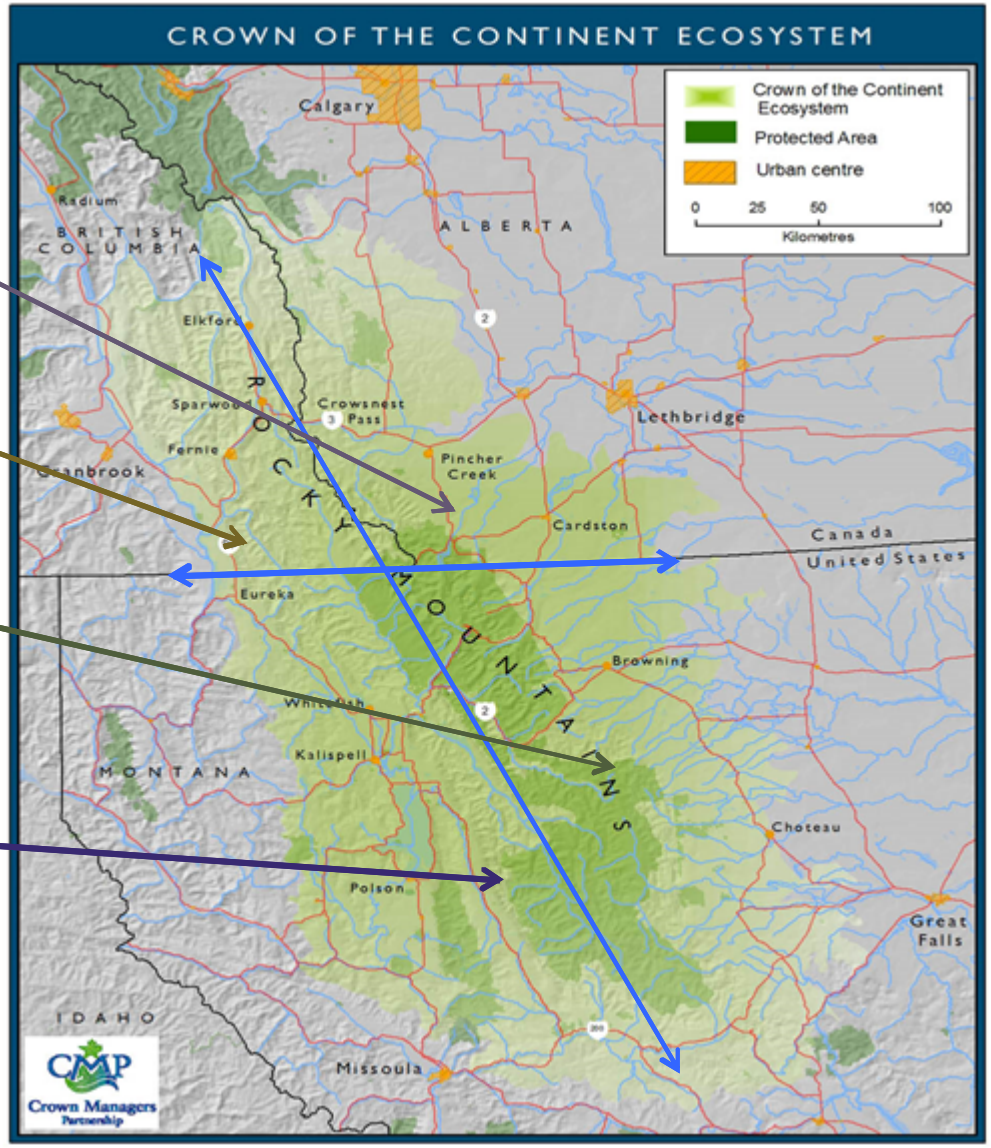
BC-MT MOU
East Kootenay Conservation Program

Montana East Side Sub-region

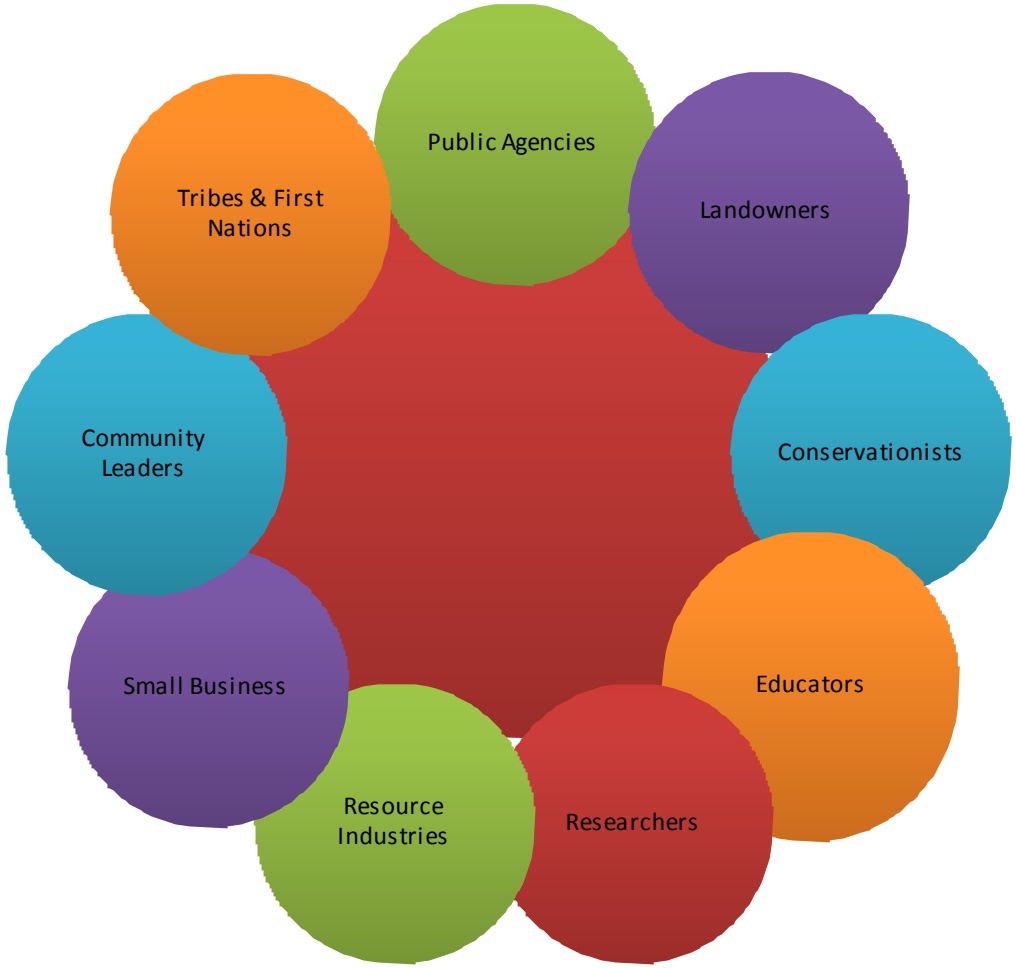
Coalition to Protect the Rocky Mountain Front
Teton River Watershed Group
Sun River Watershed Group

Montana West-side Sub-region

Blackfoot Challenge
Blackfoot Clearwater Stewardship Project
Montana Legacy Project
Swan Ecosystem Center
Northwest Connections
Southwest COTC Project
Flathead Basin Commission



Roundtable on the Crown of the Continent



A "network of networks"

Transboundary Conservation

A Continuum of Governance Models

	Networks	Partnerships	Institutions
Characteristics	Voluntary, non-binding, ad hoc arrangements; No new organization Objectives -- Build relationships; exchange information; share resources; and/or address common interests	Negotiated arrangements Non-binding to binding Objectives – Everything to the left AND coordinate existing resources & institutions; implement agreements via existing organizations!	Government-to-government arrangements or NGOs Binding Objectives – everything to the left
Examples	Roundtable on the Crown of the Continent	COCEEC (education) Crown Managers' Partnership COTC Geotourism Council MOU on Flathead River	Waterton-Glacier International Peace Park Community-based Partnerships (sub-national)

COMMON GOVERNANCE ISSUES IN TBC

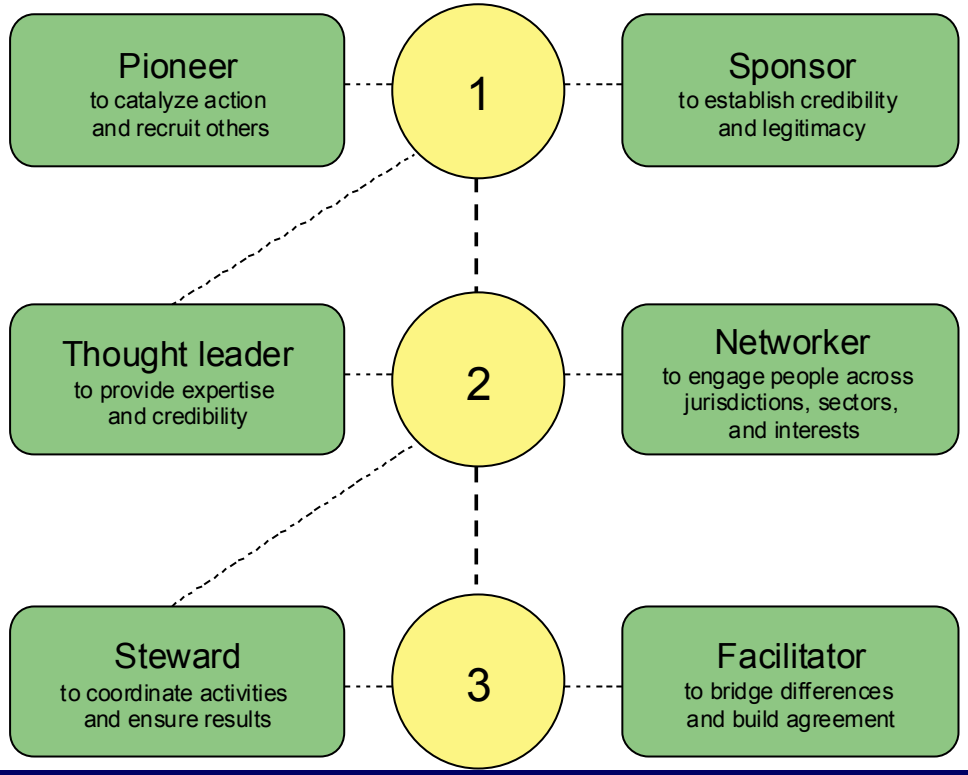
(REGARDLESS OF MODEL OR SPATIAL SCALE)

- Participation & Representation
  - Who participates and what is their role (catalyst, convener, decision-maker, advisor, etc.)
  - Who provides what "leadership" and when?
- Vision, Goals, & Aspirations
  - Culture, community, conservation
- Geography & Spatial Scale
  - Mix of place-based, problem-based, people-based identities
- Authority, Legitimacy, & Accountability
  - Alignment of political and civic will
  - Legal authority
  - Formal & informal recognition
  - Link to formal decision-making systems
- Learning
  - How to facilitate scientific and public understanding?
  - How to promote & support ongoing learning?
- Decision-making & Conflict Resolution
  - Who is empowered to make what decisions?
  - Clarify decision rules & the rights, roles, and responsibilities of participants
  - What is the difference between "advisory" vs ""decision-making" roles?
  - How are conflicts resolved?
- Adaptive Management
  - How will progress be measured & monitored?
  - How will policies, plans, operating protocols, etc. be adapted?

Leadership Roles for Regional Collaboration

Problems Roles

1. How to get started?
2. How to build identity, resources and capacity?
3. How to cope with problems that arise?



Who Plays What Role?

- Community leaders
- NGOs
- Government
- Private sector
- Universities (?)

Synthesis & Discussion

- Clarify definition of governance (distinguish from management)
- There is no single model for TBC governance
  - But perhaps some common elements or principles
  - Emphasize the "homegrown" nature of governance systems
- Capture & communicate the variety of governance experiences
  - Top-down & bottom-up
  - Formal & informal
- Other

THE BASIC CHALLENGE

- **Mismatch**
  - Territory of the problems transcends the geography of existing institutions
  - No single entity has the power or authority to address the problem on their own
  - Gap in governance

- **Illustrations**
  - Transboundary parks
  - Transboundary watersheds
  - Climate Change