

# Transboundary Conservation Areas

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## Lesson 4: Transboundary Conservation Governance

# Factors of Success

**Assess the enabling environment** to pursue transboundary conservation

**Define the transboundary context and relationships** affecting the achievement of the conservation targets and the resulting geographic extent

**Identify and involve stakeholders**, obtain support of decision makers and ensure political will and buy-in

Agree on **common values and joint vision**

Determine **common transboundary management objectives** and develop cooperative agreements



## **Transboundary Conservation Governance**

Governance definition and concepts

Characteristics of transboundary conservation governance

Formal and informal approaches in transboundary governance

Implementing transboundary governance in practice

# Governance Definition and Concepts

What is governance? What does it involve?

- ...



# Governance Definition and Concepts

“Governance is the interactions among structures, process and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say.”

## Understanding Governance

- Who makes decisions?
- How are decisions made?
- How is authority held or shared?
- Who is accountable for decisions, and how?

## Dimensions of Governance



# Governance versus Management

**Governance is about *process*:  
Who takes decisions**

- Who brings people together?
- Who decides what the objectives are?
- Who decides how differences are resolved?
- How are decisions taken?
- Who ensures the resources and conditions for effective implementation?
- Who holds the power and responsibility?
- Who is held accountable?

**Management is about *substance*: How decisions  
are implemented**

- What is done in pursuit of given objectives?
- What are the means and actions to achieve objectives?
- How is effectiveness generated and ensured?

# Types of Governance

## Type A. Governance by Government

- Federal or national ministry or agency in charge
- Sub-national ministry or agency in charge (e.g. regional, provincial, municipal level)
- Government-delegated management (e.g. to an NGO)

## Type B. Shared Governance

- Transboundary governance (formal and informal arrangements between two or more countries)
- Collaborative governance (diverse actors and institutions work together)
- Joint governance (pluralist board or other multi-party governing body)

## Type C. Private Governance

Conserved areas established and run by:

- Individual landowners
- Non-profit organizations (e.g. NGOs, universities)
- For-profit organizations (e.g. corporate owners, cooperatives)

## Type D. Governance by Indigenous Peoples and Local Communities

- Indigenous Peoples' conserved territories and areas
- Community conserved areas and territories

# Governance Facets and Levels





# Transboundary Conservation Governance



**Shared Governance:** concerns the sharing of power, authority and responsibility between various actors in the process of making relevant decisions

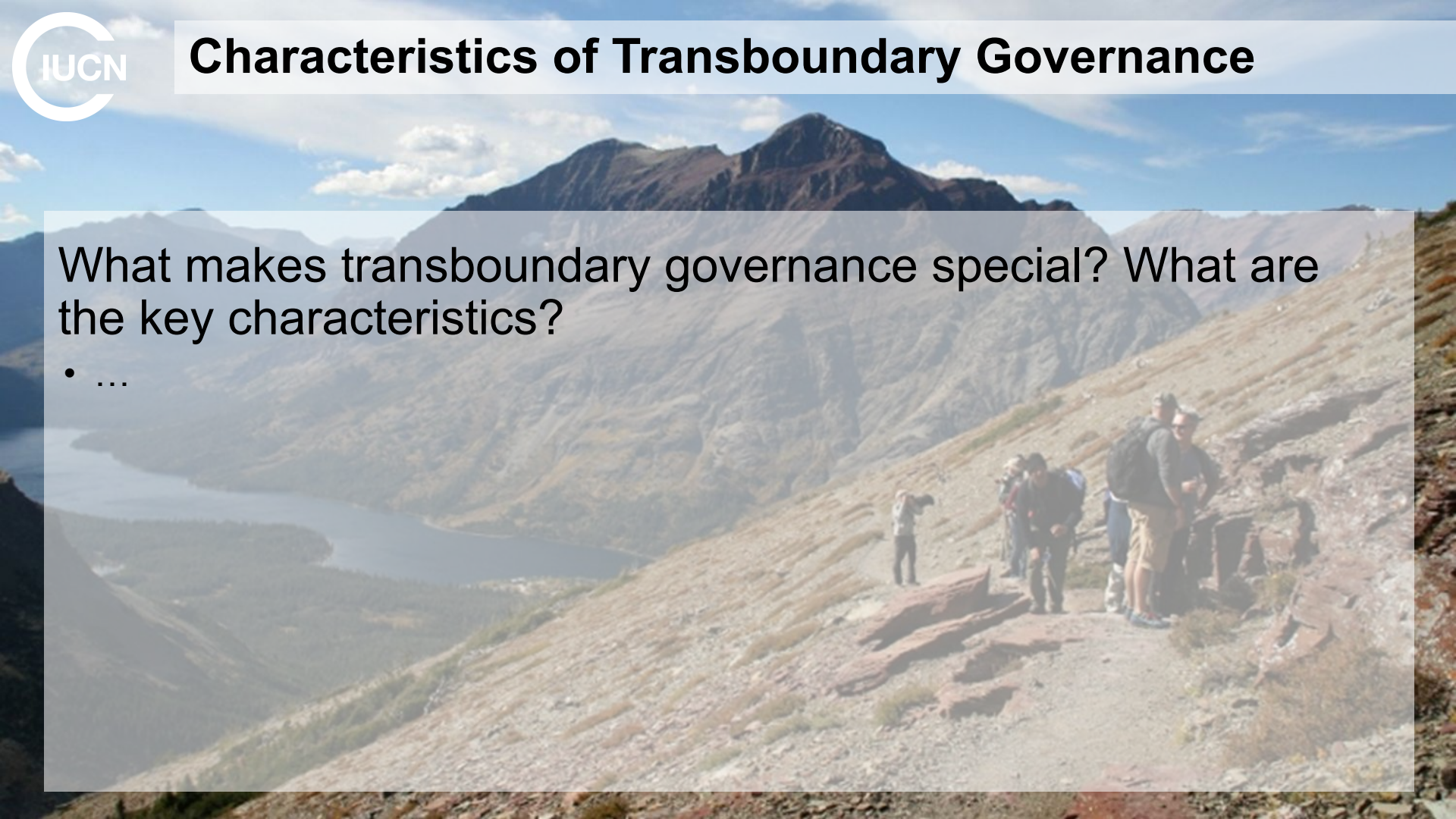
## Transboundary Governance

- Form of Shared Governance
- Involves actors from two or more countries
- Includes formal or informal arrangements and initiatives between multiple actors
- Utilizes multiple levels of authority

# Characteristics of Transboundary Governance

What makes transboundary governance special? What are the key characteristics?

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# Governance Implications of TBCAs

## TBCA Characteristics

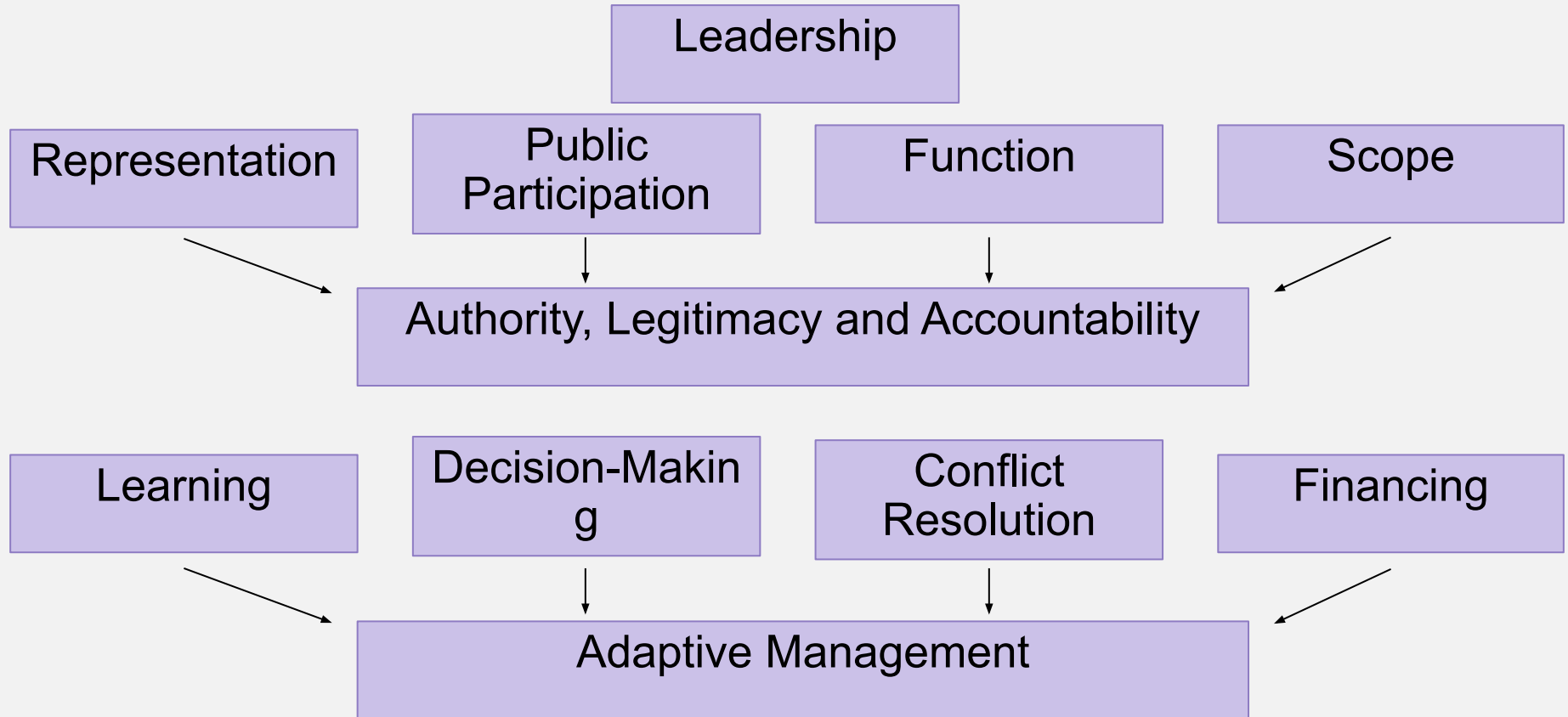
- Complex socio-environmental systems
- Multiple approaches to land use and land tenure
- Many actors working at many levels
- Range of governance arrangements

## Governance Implications

- Cooperative management
- Conflict management/resolution
- Participation of multiple actors
- Institutional and financial coordination
- Flexibility and adaptation



# Characteristics of Effective Transboundary Conservation Governance



# Models of Transboundary Governance

## System

Can include formal and informal practices and arrangements or come combination thereof

## Actors

Bringing together actors requires collaborative structures and includes involvement by various stakeholders

## Structures

New structures or institutions should address gaps in governance and involve all relevant stakeholders



Governance arrangements often become more formal over time

# Formal Transboundary Governance

Based on legal mechanisms or instruments which may be binding or non-binding

## Strengths

- Creates forums for thinking and action
- Allows agencies to work across borders
- Enables high level / broad based support
- Provides flexibility to include all sectors
- Clarifies roles and responsibilities
- Creates incentives/binding obligations
- Provides legitimacy
- May address long-term concerns
- Provides a platform for diverse interests
- May help build trust and social capital

## Weaknesses

- Authority limited to planning and not implementation
- Staff turnover may disrupt participation
- Difficulties in distributing costs and benefits
- Requires trust and social capital
- Prioritization of projects may be difficult
- Agreement on high level vision may not mean agreement on how to get there
- May involve start-up and maintenance costs for new structures



# China-Mongolia-Russia Dauria International Protected Area: Formal Transboundary Governance

- High-level formal governance: Joint Commission for the China-Mongolia-Russia Dauria International Protected Area, established in 1994
- Commitment of the parties to support mass ungulate migrations
- Joint Commission approves the Working Groups' plans and supports their work financially
- Efficient cooperation in scientific research, species monitoring and environmental education



# Informal Transboundary Governance

Does not require ratification of official agreements; based on “soft” arrangements

## Strengths

- Requires less time, money, resources
- Well suited to respond to problems
- Minimizes bureaucratic hurdles
- Can build on existing relationships
- Can be tailored to the specific scale, needs, interests and solutions
- Provides platform for diverse interests
- Requires trust
- Provides flexibility to include all sectors

## Weaknesses

- May be difficult to sustain
- Potential for misunderstanding
- Difficult to resolve disputes
- Susceptible to changes in power, politics, personnel and resources
- Difficulties in distributing costs and benefits
- Transaction and coordination costs
- Tools and resources may disappear when pressing issue goes away
- Start-up and maintenance costs

# FORMAT in the Highlands of Borneo: Informal Transboundary Governance

- Located in the interior of Borneo (Indonesia, Malaysia)
- Common linguistic and cultural heritage of local communities
- Alliance of the Indigenous Peoples of the Highlands (FORMAT) established in 2004: aimed to forge stronger links across the border to help steer development in sustainable directions
- Grass-root initiative – a sense of local ownership







# Implementing Transboundary Conservation Governance in Practice



*Collaboration* is the cornerstone of effective TB governance. This requires engagement of stakeholders such as communities, rightsholders, the private sector, experts and governments from all countries involved in a Transboundary Conservation Area.

*Key: various interests should not only be consulted but enabled to engage directly in decision-making*



TB governance is increasingly “*nested*”: it includes independent but linked systems of governance at various levels of social organization.

TB governance is *adaptive*, that is flexible enough to respond to social, economic and environmental variables.

# Implementing Transboundary Conservation Governance in Practice

## Best Practice Suggestions

- Address common elements of good governance
- Let function dictate structure
- Promote flexibility and adaptability
- Design mechanisms for accountability
- Govern at the scale of the problem
- Weigh costs and benefits



What is your experience with protected area governance?

What is different in TBCAs?

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End of Lesson 4