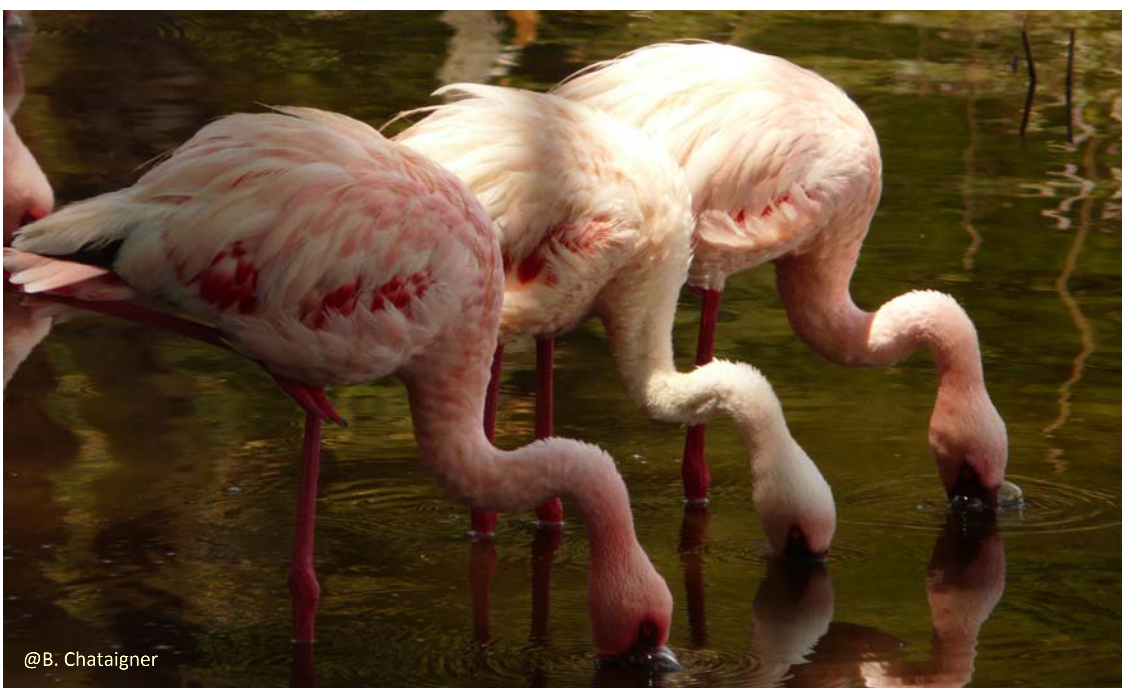
Program on African Protected Areas & Conservation (PAPACO)

PAPACO study 18

Shared governance of protected areas in Africa: case studies, lessons learnt and conditions of success



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Citation: Franks P and Booker F (2015) *Shared governance of protected areas in Africa: Case studies, lessons learnt and conditions of success*. IIED, London.

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1. Executive summary

Background

This study focuses on shared governance of protected areas (PAs) in sub-Saharan Africa and aims to highlight good governance practices for PAs in the region. It is part of a series of four studies on PA governance in Africa. The first of these provides an overview of the different PA governance types that currently exist in sub-Saharan Africa and their contribution to preserving biodiversity. The remaining three studies of which this is one focus in more detail on state, shared and private governance models.

Based on 10 case studies of shared governance of PAs from across five countries in Africa, as well as on information from the literature, the study identifies strengths, weaknesses, and conditions for success of shared governance, and provides recommendations on good practices for more effective and equitable shared governance in the future.

The shared governance study presented in this document has been restricted in scope to governance that involves local-level stakeholders (i.e. Indigenous Peoples, local communities and, in some cases, local government) alongside national level state actors – in other words we have excluded government-government forms of shared governance, government-private sector forms of shared governance, and private to community forms of shared governance.

Definition of shared governance

'Protected areas under shared governance are based on institutional mechanisms and processes which formally or informally share authority and responsibility among several actors' (Borrini-Feyerabend et al 2013).

The IUCN classification of PA governance types recognises three distinct forms of shared governance:

I. **Collaborative governance** – where decision-making authority and responsibility rest with one agency but the agency is required by law or policy to inform or consult other rights-holders and stakeholders at the time of planning or implementation
II. **Joint governance** – where the representatives of various interests sit on a governance body with decision-making authority and responsibility and take decisions together
III. **Transboundary governance** – where two or more national governments work together in a shared governance arrangement alongside other stakeholders and rights-holders[1].

This study focuses on types I and II as there are very few, if any, examples in Africa of type III transboundary governance that also have substantial engagement of local stakeholders. Furthermore it focusses specifically on shared governance between national government and local people or local government.

[1] Hereafter in this report we use the term stakeholder in the broadest sense including rights-holders

It can be useful to consider PA governance types as lying on a continuum along which the power balance moves increasingly away from the State and towards other actors moving from left to right (see fig 1). Shared governance is the middle ground, and within the shared governance zone this diagram identifies, from the perspective of the State, three forms of shared governance – on the left consulting with local stakeholders (= collaborative governance), in the centre negotiating specific agreements (relatively weak joint governance), and to the right of centre ceding authority (relatively strong joint governance).

Fig 1: the governance continuum from the perspective of a government agency (reproduced from Borrini-Feyerbend et al 2013)

This continuum helps to clarify the concept of shared governance but there is still considerable uncertainty over where the boundaries lie between – on the left - shared governance and State governance (also known as governance type A), and – on the right - between shared governance and community and private governance (governance types C and D).

Evolution of shared governance in Africa

By the mid-1990s, many countries worldwide were experimenting with shared governance of PAs including several in Africa (notably Uganda). At this stage the terms most widely used were 'co-management', 'collaborative management' and 'joint management' (Dearden and Bennett 2005). The finer details of these agreements differed according to the national and local contexts, but they broadly aspired to foster participation of different local stakeholders in PA governance.

The Vth World Parks Congress in Durban in 2003 was a turning point in recognising the importance of governance type as a key characteristic of a PA alongside management category, and recognising that, in principle, all governance types can apply to all management categories (Borrini-Feyerabend, Pimbert, et al 2004). Strongly influenced by this outcome, the VIIth Conference of the Parties to the Convention on Biological Diversity (CBD) in Kuala Lumpur in 2004 adopted a comprehensive

Programme of Work on PAs, committing countries through programme element 2 to recognise various PA governance types, and to implement plans to involve communities in PA governance.

Associated with this increased attention to PA governance was growing recognition of the need to differentiate between PA management (what is to be done by whom) and PA governance (who decides what is to be done). Within the world of biodiversity conservation, this led to the PA co-management discourse that started in the mid-90's becoming absorbed into a broader discourse on PA shared governance – a trend which was already clearly evident at the World Parks Congress in 2003. However this shift in the discourse (and associated terminology) from management to governance has not been so evident in the forest and marine sectors where experience (e.g. from participatory forest management (PFM) and locally managed marine areas (LMMAs) reveals many successful examples of what clearly qualifies as shared governance but where the terminology still retains a focus on management. Whether or not PFM sites and LMMAs all "count" as protected areas is debatable since many do not have an explicit biodiversity conservation objective, but even if we use the IUCN definition of a PA[2], which is narrower that the CBD definition[3], a substantial number of forests with PFM and fisheries with LMMA's would certainly still qualify.

Why shared governance?

At the Vth World Parks Congress in Durban in 2003, the recognition of co-management was perceived as an important step to strengthen the management of existing PAs and build the resilience, coverage and connectivity, and sustainability of PA systems worldwide (Borrini-Feyerabend, Johnston and Pansky 2006). Additionally, it was considered that co-management could help augment public support and build strategic partnerships with local communities and Indigenous Peoples who are, alike to conservationists, fighting to retain land in the face of competing interests and demands (Borrini-Feyerabend, Pimbert, et al 2004, Gadgil et al 1993 & Kempf 1993 in Adams and Hutton 2007).

Such expectations were shaped by early experiences in the practice of exclusionary PA models. Although often successful in strict conservation terms many argue that conservation of biodiversity is inseparable from people, and therefore little will be achieved over the longer term without their inclusion (Borrini-Feyerabend et al 2013). In contrast to exclusionary models, shared governance insists that conservation practices should recognise that Indigenous People and local communities have unique knowledge, skills, resources and institutions that could be invaluable to PA governance and management (Borrini-Feyerabend, Chatelain and Hosch 2011, Borrini-Feyerabend et al 2013). By combining the strengths, and overcoming the weaknesses, of all partners within and across different scales, it is thought that shared governance arrangements can establish coherent and long lasting protected area institutions (Lockwood, Wordboys and Kothari 2006, Kothari, Camill and Brown 2013).

What does shared governance look like?

[2] A protected area is a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values

[3] A geographically defined area which is designated or regulated and managed to achieve specific conservation objectives

Analysis of shared governance examples from all over the world has identified the following key ingredients of true shared governance (Borrini-Feyerbend et al 2013): a negotiation process; a co-management agreement; and a multi-stakeholder governance institution. The process of reaching out to different and stakeholders, ideally, begins from the early planning and design of a shared governance system (Borrini-Feyerabend, Pimbert, et al 2004). Different actors are likely to have different stakes and entitlements in a shared governance arrangement and as such, through a negotiation process, they may take on equal or differential weightings in decision-making (ibid).

Features that are perceived as important to systems of shared governance include openness to various types of natural resource entitlements (not just those legally recognised), recognition of civil society's ability to assume significant and more responsible roles, and foresight to link entitlements with responsibilities (Borrini-Feyerabend, Farvar, et al 2007). The recognition of such features can be a good indicator of a strong versus weak governance system, although, it is important to understand that context is important, and a shared governance system should not be judged in isolation (ibid). Above all else, an effective shared governance system should illustrate the greater mutual benefit of collaboration (Kothari 2006).

Trends in shared governance in Africa

An analysis of the World Database on Protected Areas reveals that only 1945 of the total of 7064 PAs in Africa (27%) reported on their governance type and only 2% of these reported their governance type as being shared. The growth in shared governance, such as it is, mainly took place in the 1990s and 2000s, and may now be tapering off. That said, the decline in the percentage of new PAs that are reporting shared governance may also reflect different levels of investment in collecting information from different types of PA and/or incorrect classification of some shared governance as community governance which has seen very large growth over the same period.

Where shared governance regimes have been attempted, frequently they have involved transferring management responsibilities without conceding significant authority over decision-making. At Moheli Marine Park in the Comoros Islands, for example, the co-management process included community members in park boundary delineation and guideline creation, and transferred responsibility for monitoring and enforcement within the park through training eco-guards (Granek and Brown 2005). However the co-management agreement did not transfer any clear rights to allow local communities to participate and shape decision-making for the marine park.

A similar story emerges from a review of the experience of co-management in Uganda, a country that was at the forefront in developing co-management in the 90s (Blomley and Namarra, 2013). The review concludes that while there has been a substantial transfer of responsibilities from the Uganda Wildlife Authority to local communities and local government, notably in addressing human wildlife conflict, there has been little real devolution of authority and resources. The shared governance institutional arrangements that were established by many PAs in the late 90s in most cases collapsed once the support of NGOs disappeared. However, although Uganda no longer has what can truly described as shared governance, there is some positive legacy from the investment in co-management in the form of local level resource use agreements, and, more broadly, a form of state governance that is more consultative than might otherwise have been the case.

Another common problem for shared governance arrangements is elite capture as illustrated by a review of co-management in the fisheries programmes of Niger, Cameroon, Zambia, Malawi and Nigeria (Bene et al 2009). The review revealed that co-management had altered the distribution of power and responsibilities, but that this had been in favour of local powerful actors (ibid). Where co-management had acted to foster the participation of legitimate groups of end users, participation had commonly been used as an instrument for implementation rather than an effective and empowering involvement in decision-making (ibid).

The limited progress of shared governance regimes for conservation is not unique to Africa, but has been experienced worldwide. While the concept and principles of shared governance are well established, changes to policy and laws have been slow, and progress towards the implementation of these has been slower (Kothari, Camill and Brown 2013). Explanations for slow progress vary from country to country, but common problems include differing expectations as to what devolution is supposed to achieve and how, and a pervasive assumption by public officials that they have the knowledge and moral authority to make decisions (Shackleton et al 2002). However, as documented in some of the case studies that were analysed for this review, there are still some successful examples of shared PA governance in Africa which lead us to believe that there remains an important role for shared governance under certain conditions.

Current status of shared governance five case study countries

<u>Tanzania</u>

Tanzania has a complex protected area network that includes National Parks, Game Reserves, Forest Reserves, Wildlife Management Areas (WMAs), Nature Reserves, Marine Parks and Marine Reserves. This network of protected areas covers about 30% of its territorial area (land and aquatic). Though not all of these PAs comply with the IUCN definition of PAs and PA management categories, the system has a good representation of the IUCN management categories.

Across the wildlife, forest and fisheries sectors mainland Tanzania currently has 215 protected areas with a shared governance type. The majority of these are in the forest sector (171 District forest reserves under PFM) followed by the wildlife sector (38 WMAs) and lastly the fisheries sector (6 Collaborative Fisheries Management Areas (CFMAs). The general trend is to an increasing number of all three types of shared governance PA, particularly CFMAs where key elements of the enabling policy are relatively recent (2003 and 2009), and on-going revision of the fisheries policy is expected to give further encouragement to the establishment of CFMAs.

<u>Namibia</u>

Namibia currently has a total of 270 registered protected areas, including 22 state governance, 153 private governance and 95 community governance. On paper there are no PAs under shared governance as there is no legal provision for this. However, in reality, all four of the state governed PAs that were included in this study have institutional arrangements in place to build relationships with neighbouring communities and are moving towards shared governance arrangements. Two of these state PAs (Bwabawata NP and Mangetti NP) have already moved far enough in this direction to be considered shared governance in terms of the criteria used in other countries to distinguish state from shared governance. However although both display elements of shared management, and provision for stakeholder input into some decisions, ultimately decision-making authority rests with the state. For this reasons we classify these two PAs as being collaborative rather than joint governance.

Madagascar

Madagascar has been undergoing a process of rapid evolution in protected area governance for more than a decade. Prior to this, all PAs within the national network were governed by the state, initially the Ministry of Waters and Forests until a parastatal association, ANGAP[4], was created in 1991 specifically to assume management responsibility. ANGAP was subsequently rebranded Madagascar National Parks (MNP). By 2003 the MNP network consisted of 47 sites covering almost 1.7 million hectares comprising 'strict' protected areas in IUCN categories Ia (Strict Nature Reserve), II (National Park) and IV (Special Reserve). At the 5th World Parks Congress in 2003 Madagascar launched its "Durban Vision" to triple protected area coverage, precipitating the adoption of multiple-use categories (III, V and VI) and other governance models. Two major trends have subsequently developed, i) the establishment of a new generation of multiple-use protected areas, largely promoted by NGOs and administered with shared governance structures involving local community associations and regional authorities, and ii) the progressive transition of the original protected area network from state governance to shared governance between MNP and local community representatives. The two sub-networks (hereafter called MNP and non-MNP) together form the Madagascar Protected Area System (SAPM) which has the objectives of i) conserving Madagascar's unique biodiversity, ii) conserving the country's cultural heritage, and iii) promoting the sustainable use of natural resources for poverty alleviation and development.

Within the MNP network all 51 PA's are moving to shared governance in line with the provisions of the 2014 strategic management plan for the MNP network. At present shared governance arrangements within the MNP network are variable. For example, Beza Mahafaly National Park has been co-managed by a University for many years, while the recently created Nosy Tanikely Marine National Park is administered in a three-way arrangement involving MNP, the Commune (municipality) of Nosy Be, and the Nosy Be Regional Tourism Office. In addition, MNP increasingly seeks to establish management partnerships with specialist institutions for the expansion and professionalization of key services, e.g. tourism infrastructure provision, applied research, and small-scale private sector enterprise development. More typically, however, the principal stakeholders in governance are adjacent rural communities.

All protected areas in the non-MNP network – 93 at the time of writing - have a legally recognised "promoter", in most cases Malagasy or international NGOs, although mining companies, universities and private individuals have also taken the initiative to establish new sites. These are largely established as category V or VI, although some have embedded category III zones. Their governance structures have evolved through 'learning-by-doing' over recent years. Early versions of the

[4] *Association National pour la Gestion des Aires Protégées* or National Association for Protected Area Management

management plans of some sites proposed community-based management with the promoter NGOs playing only a supporting role, however it was clear that these proposals concealed the reality of promoters as *de facto* co-managers/managers providing the funds, technical capacity, and, most importantly, driving force.

<u>Gambia</u>

The Department of Parks and Wildlife Management (DPWM) is the government agency responsible for the management of protected areas established under the Biodiversity and Wildlife Act 2003. The establishment of protected areas under this act dates back to1968 when the famous Abuko Nature Reserve was established as an important water catchment area, supplying the capital, Banjul and its surroundings settlements. The Government of The Gambia (GOTG) then developed legal and institutional frameworks necessary for the protection, conservation and sustainable use of biodiversity. To date, a total of seven wildlife PAs have been declared. Two of these can be classified as shared governance but only one of these (Tanbi) involves local communities in the governance arrangement.

In addition to PAs established by DPWM, there are PAs that are under the Department of Forestry (DoF). These are classified under three main categories – State Forests, Participatory Forest Management (PFM) and private forests (number unknown). As in Tanzania, most of the PFM in Gambia is regarded as a form of shared governance, and these forests have a protection objective alongside other objectives. However, it is not clear to what extent they conform with the IUCN and CBD definitions of a PA and therefore we have not included any as case studies for this review, but it should be noted that Gambia was for some years recognised as a leader in shared governance in the forest sector in Africa.

<u>Republic of Congo</u>

In 2000, the Republic of the Congo began a far reaching reform of the legal and institutional framework of the environment and forest sectors. In this process, the forest code and subsequent texts were revised several times, as was the law on wildlife and protected areas. The current strategy aims to balance ecological, economic and social objectives. In the social dimension there is a commitment to promoting participatory management to boost the involvement of all stakeholders in PA management and make the most of the artistic, artisanal, cultural and spiritual potential of local communities.

Of the total land area of the Republic of Congo 65% is covered by natural forest and a total of 17 PAs make up 12% of the land area. The commitment to participatory management is reflected in the fact that 8 of these 17 PAs are now under shared governance following a major move to bring NGOs into the management, and to some extent the governance, of PAs. In most cases this is based on 5 year renewable agreements, but in one case, Odzala Kokoua National Park, the agreement is for 25 years. We believe that this case should be regarded as private governance according to the IUCN definitions of private governance and community governance which both imply that governance type is defined by where decision-making authority lies rather than ownership per se (all PAs in Congo being State-owned).

Of the remaining 7 PAs that clearly conform to the definition and characteristics of shared governance only one (Lac Tele) has significant community participation in governance and thus only this PA qualifies as shared governance for the purposes of this review. Even in this case the governance type is borderline state/shared governance.

Shared governance strengths and weaknesses

The following sub-sections present an analysis of the strengths and weaknesses of shared governance that are evident from the cases studies that we have examined and also from our literature review. We focus in particular on strengths and weaknesses that appear to be inherent to the governance type (i.e. excluding those that are very site specific). As an analytical framework we use the five PA governance quality principles that have been elaborated in the IUCN Best Practice Guidelines on Governance of Protected Areas (Borrini-Feyerabend et al 2013) – legitimacy and voice, direction, performance, accountability, and fairness. These governance principles are drawn from a framework developed by the Institute on Governance (Graham et al, 2003). This framework also includes sub-principles and we use these 9 sub-principles as headings for the sections that follow.

<u>Participation</u>

The defining characteristic of shared governance is the provision of opportunities for local stakeholders to participate in PA governance and thereby have significant influence over decision-making – in some cases across all aspects of PA management while in other cases limited to certain specific areas of PA management activity. This participation of local stakeholders should, if all goes well, improve both the effectiveness and equity of PA management. Furthermore, participation of local stakeholders helps to boost the legitimacy of the PA in the eyes of local stakeholders – increasingly important in an increasingly political debate on alternative forms of land use. Which local stakeholders are invited to participate and how they are represented in shared decision making platforms and processes is a critical issue and it is here that we see the weaknesses emerge. As with other local level decision making processes, PA governance is prone to domination by more powerful social groups and exclusion of other stakeholder groups that tend to be marginalised e.g. by gender and/or ethnicity. Engaging existing customary institutions is generally a good idea but it is important to keep in mind that these institutions may suffer from real governance problems of their own.

<u>Consensus orientation</u>

Good multi-stakeholder governance is characterised by consensus-based decision-making. While this is generally accepted to be best practice, decision-making by consensus can be more time-consuming and costly than might otherwise be the case, and may not always deliver the best decisions. Also, although none of our case studies raised this issue, consensus-based decision-making presumably only works when there is some degree of trust between stakeholders, or, to put it another way, it is unlikely to work, and shared governance itself is unlikely to work, in situations of serious conflict between key stakeholders. Where a top down governance system evolves into shared governance, another key concern is how mind-sets of the past may continue to influence perceptions and attitudes, both on the government side and with local stakeholders who may find it hard to adjust to the idea that they can, and should, have real influence. In other words, consensus that gives the impression of a level playing field may in fact mask power relations that are, in reality, little changed.

Strategic vision

From the perspective of strategic vision, there is a very compelling argument for shared governance – if you accept that a PA is a multi-functional landscape (i.e. it must deliver on multiple objectives of the different legitimate stakeholders) then shared governance is simply an attempt to align the governance of the PA with this pluralistic vision. But what if the vision is predefined and cannot realistically be changed – for example, as illustrated by several case studies, where the PA management category implicitly prioritises the objectives of some stakeholders over the objectives of others. Then you may end up with the situation where the stakeholders whose interest are considered secondary feel that shared governance is little more than an attempt by the dominating stakeholders to co-opt them. Local communities engaged in participatory forest management in Tanzania have found themselves in this situation which they describe as "doing the governments work".

Responsiveness

Responsiveness is about institutions and processes being responsive to the interests and concerns of all stakeholders, and providing effective and timely responses to reasonable demands. This is clearly an issue not just for shared governance but for all PA governance types. Recent research emphasises the importance of this issue not only in terms of the response itself, but also the fact that PA authorities have taken the trouble to recognise the issue and try to do something about it is important in its own right (Martin et al, 2013). To put it another way, a sense of injustice/inequity is fuelled as much by lack of recognition of a problem as by the actual cost of that problem. Since shared governance enables greater accountability it is likely to lead to more responsive PA management. On the other hand, participatory decision making can be a recipe for inaction – "participatory paralysis". With our case studies it is hard to tell which predominates – shared governance leading to increased or decreased responsiveness - but since participatory paralysis is one of the main causes of death of shared governance (along with high transaction costs) we might conclude that increased responsiveness is more common.

Effectiveness and efficiency

Effectiveness and efficiency relate to the impact achieved versus resource deployed. Impact will be a mix of biodiversity conservation and sustainable development depending on the situation, but generally more the former. Whatever the balance, shared governance clearly has strong potential to deliver more effective PA management given the potential synergy that can be derived from different stakeholders pooling their knowledge and expertise. However the potential synergies of shared governance can be seriously undermined by the high transaction costs of maintaining the platforms and processes associated with shared governance, and many of our case studies refer to this problem. Although this has not yet proved fatal to any of them, there are other examples of efforts to promote shared governance in Africa that have collapsed mainly due to transaction costs – notably Uganda which was at the forefront in developing shared governance in the 1990's but abandoned the key institutional arrangements that had been established with NGO support primarily due to the high cost of maintaining them. The up-front cost of establishing shared governance, in particular the investment in capacity building of all stakeholders, is also very high. One way of reducing these costs that is described in several of our case studies is to have localised shared governance arrangements nested within larger protected areas.

Accountability

A governance arrangement where local stakeholders participate in a governance institution at PA level – fundamental to stronger forms of shared governance – is clearly beneficial in terms of greater accountability to local stakeholders, but it also brings new challenges of accountability. Not only must stakeholders engaged in governance be upwardly accountable to the relevant bodies at higher levels, but also they must be downwardly accountable to the local stakeholders whose interests they seek to address, and, in some cases, represent. Many of our case studies report problems with this downward accountability. A common problem is with defining who the community representatives should be accountable to. This is especially the case where downward accountability relies on existing structures of local government, or existing customary institutions, which may not be well aligned spatially with the PA-adjacent communities that are the main focus. Another common concern is that mechanisms for downward accountability (e.g. regular meetings at village level) are not clearly defined and thus reliant on ad hoc arrangements which are prone to elite capture and/or tokenism. Thus we have a situation where, on the one hand, shared governance has the potential to increase accountability, especially to local stakeholders, but on the other hand, if poorly executed, may make little difference, or even make matters worse by confusing the division of responsibilities and authority and the crucial relationship between these two.

Transparency

While transparency (availability of necessary information) is a prerequisite for good governance and this applies to all PA governance types, shared governance presents an additional challenge in that information must be shared across boundaries where there are often barriers to information flow e.g. government to civil society. A number of the case studies report challenges of this kind particularly in relation to PA-related revenue, and schemes to share part of this revenue with local communities. The key point here is that when government and local stakeholders commit to a shared governance arrangement for a PA they must understand the implications in terms of information sharing both in terms of what information needs to be shared, and how it will be shared. In other words, they must invest in effective communication with the key audiences.

Equity

Equity means different things to different people. Unpacking what equity means in the context of PAs is work in progress (see http://www.iied.org/equity-justice-ecosystem-services-what-do-we-mean). For the purposes of this study we propose to use the following principle that is included in recommendation #29 of the 2003 World Parks Congress which seems to capture the essence of how equity is defined in the good governance framework that we are using: *Protected areas should strive to contribute to poverty reduction at the local level, and at the very minimum must not contribute to or exacerbate poverty.* This is often summarised as "do no harm and where possible do good".

With equity defined in this way (i.e. in terms of social impact on local stakeholders) it seems logical that shared governance arrangements that increase the influence of local stakeholders in PA management should be more equitable than state governance or private governance arrangements that don't. While we do see this in a number of our case studies, we also see evidence of problems that undermine the equity of shared governance, for example:

- Options for use of PA resources by local people can be constrained by the management category of the PA.
- High transaction costs to local stakeholders of participating in shared governance.
- PA benefits that can, by their nature, be targeted are not preferentially targeted at people who experience more PA-related costs

Social safeguards may be used to try to institutionalise equity provisions and Madagascar provides a good example of this where every PA is required by law to conduct a social impact assessment and develop a plan for mitigating any negative social impacts. This has been done in all of the Madagascar PAs included in this review but none has implemented these plans and indeed some aspects of the plans seem unrealistic (e.g. providing compensation for all negative impacts).

Equity is a critical issue for shared governance not only in terms of the ethical principle of do no harm/do good, but also in terms of the feasibility and sustainability of shared governance. If local stakeholders do not see a net benefit from shared governance then once initial expectations prove unrealistic they will drop out of the process.

<u>Rule of law</u>
The rule of law (i.e. legal frameworks should be fair and enforced impartially) is clearly crucial for all PA governance types. This can be a strength of shared governance in terms of the increased accountability that shared governance may provide. On the other hand, shared governance may be more vulnerable than other governance types to rule of law issues as this will undermine trust between government actors and local stakeholders. Our case studies report several examples of this, including a case of powerful interests operating behind the scenes which may be less evident but very damaging to the success of shared governance. One strength of strong models of shared governance that include a joint decision-making platform is that such platforms provide a natural forum to discuss and resolve grievances. Our case studies of state and private governance types did not include any such grievance mechanism. Compared with these other governance types, another potential strength of shared governance with respect to the rule of law is that it may take advantage of customary law and institutions, for example the “Dina” in Madagascar.

Shared governance opportunities and limitations

The following sections describe the external factors that may enable or hinder the success of shared governance.

<u>Long term commitment</u>
Shared governance means that government agrees to share power (at least to some degree) with local communities and frequently with other local stakeholders such as local government. This requires political support at the highest levels within the PA Authority, its line Ministry (and beyond the ministry if changes in legal and policy framework are needed to implement shared governance). There is a very real risk that a country or particular PA may embark on shared governance only to find that the political climate changes and the necessary high level support evaporates. Amongst our case study countries Tanzania is showing signs of this problem – having strong policies and laws

for shared governance already in place but, at least in some areas, lacking the political will necessary to implement the level of devolution of authority that is necessary for successful shared governance.

Financial security

The high on-going transaction costs of shared governance is always going to be a limitation of this approach and a potential killer risk, especially where costs of establishing shared governance has been met by an NGO and then the on-going costs have been inherited by government. Of course if shared governance can deliver more effective and equitable PA management, then some increase in financial investment by government would seem justified. However the budget of a PA authority is often capped by factors beyond its control. Even if shared governance delivers better results there simply isn't the finance to sustain this investment. If revenues decline then cuts will have to be made and the transaction costs of shared governance will be cut before law enforcement and other basic PA management functions. However, if shared governance could reduce law enforcement costs to government then we have a different scenario. This seems to be the case in Madagascar where the major expansion of the PA network announced in 2003 would not have been affordable without substantial cost-sharing with the NGO "promoters" and local communities. However, to what extent (i.e. at which sites) this will prove to be sustainable remains an open question.

Management flexibility

A flexible, adaptive approach to PA management is perhaps even more critical with shared governance than with other PA governance types because of the need to be responsive to a wider set of stakeholder interests, and the risk that a lack of response will undermine the trust on which the whole shared governance arrangement is built.

Local political support

Where local government is empowered to engage in shared governance this can be a strong enabling condition but at the same time poses risks. At least one of the case studies in Tanzania reports problems with local political agendas undermining PA governance. This may be an issue of specific local political issues playing out within PA governance or, more fundamentally, an issue of local government pushing for more pro-development strategies that may conflict with conservation objectives. Although this may look like a limitation of shared governance in the short term, it is perhaps more of a strength in the medium to longer term as it is better to have a platform where conflicting interests can be openly discussed and negotiated, than to ignore them. But this will only work if the local stakeholders feel that the "rules of the game" are fair. This emphasises the critical importance of the enabling policy and legal framework in defining these rules, and, most fundamentally, in defining the overall power balance within shared governance arrangements.

Recommendations for advancing shared governance

The following recommendations for extending shared governance to new PAs and strengthening existing shared governance arrangements are compiled from the case studies that we have analysed, focusing on those recommendations that are broadly applicable (rather than site specific).

Preconditions

- ***Institutionalisation***: shared governance needs to be institutionalised within the PA authority. Experimenting with elements of shared governance in advance of policy development may be OK so long as there is strong political support for the necessary institutionalisation measures.
- ***Financial viability***: there must be a viable financial plan for sustaining shared governance platforms and processes over the medium to longer term.
- ***Incentives for community engagement***: there must be sufficient incentive to motivate and sustain community engagement. Even if financial benefits are small or non-existent, non-financial benefits (e.g. ecosystem service values, sense of ownership) may be sufficient. Where incentives for effective community engagement are low explore ways to generate additional benefits (e.g. sharing revenues, payments for ecosystem services) and/or ways to reduce the transaction costs, e.g. simpler processes, more localised shared governance arrangements.
- ***Local ownership:*** Communities and other key local stakeholders must be actively engaged from the start to empower them and encourage ownership, i.e. avoid externally driven processes.
- ***Ambition***: the ambition for shared governance must cover longer term strategic decisions as well as operational decision-making.

<u>Establishment</u>

- ***Capacity building***: ensure the necessary investments in capacity building of both the PA staff local stakeholders
- ***Access to information***: ensure that all key stakeholders have the information they need to effectively participate in shared governance arrangements
- ***Good stakeholder analysis***: Ensure a robust and objective stakeholder analysis to identify the key stakeholders at all levels and their current and future level of interest and influence.
- ***Build on existing institutions*** of government and communities but beware of existing governance weaknesses in these institutions
- ***Downward accountability***: develop measures to promote and institutionalise downward accountability of community representatives to the people they are supposed to represent.
- ***Role of local government***: ensure that shared governance committees include representation from relevant local government agencies, especially those involved in land use e.g. agriculture.
- ***Formal agreements***: Formalise shared governance arrangements with agreements that clearly specify rights, responsibilities, rewards, grievance resolution arrangements etc.

<u>Maintenance</u>

- ***Adaptive approach***: ensure a flexible, adaptive approach to PA management planning that enables responsiveness to emerging issues, and shared governance itself to evolve over time.
- ***Regular assessment***: conduct participatory social and governance assessment on a regular basis, even if only at a very basic level.
- ***Foster strong leadership***: identify and support good leaders
- ***Affirmative action***: provide specific support to stakeholder groups that may otherwise be excluded (e.g. women, minority ethnic groups).
- ***Recognise good performance***: look for ways to recognise and, as appropriate, reward good shared governance e.g. through competitions, positive media coverage

Conclusion

This report focuses on shared PA governance where authority and responsibility is shared between state actors and non-state actors at the local level, including indigenous and/or local communities. The overall picture emerging from our literature review and case studies of this form of shared governance in sub-saharan Africa study is one of very mixed results. There are clear examples of success and also of failure, and many sites where the final outcome remains unclear. Which of these end up successful and which fail will depend crucially on the perceived benefits of shared governance in terms of effectiveness and equity, and how the various actors respond to the weaknesses and limitations that we have documented.

There is a clear rationale for shared governance. As reflected in the visions of the PA authorities of our case study countries, a given PA has multiple conservation and sustainable development objectives. These multiple objectives reflect the interests of different stakeholders groups from global to local levels and it makes perfect sense to have the more significant of these groups engaged in PA governance both from the perspective of effectiveness and equity.

More equitable (i.e. fairer) PA management and governance is both a desired outcome of shared governance and also a condition for its success, i.e. local stakeholders will only participate if they feel that they are getting a fair deal, or at least moving towards a fairer deal. Fairness/equity is not only about the balance of financial benefits and costs. It is also very much about factors that cannot easily be valued such as ecosystem services, recognition of rights, sense of ownership, fair processes. A fundamental challenge for shared governance is where the potential to offer local stakeholders a fairer deal is constrained by the interests of more distant stakeholders e.g. in watershed protection, globally important biodiversity, carbon. In the case of PAs this may be reflected in the PA management category that, in effect, predefines some objectives and acceptable trade-offs. So although all PA governance types can, in principle, apply to all PA management categories, shared governance may be less likely to succeed where the objectives of the PA severely constrain the opportunity to address local stakeholder interests.

The success of shared governance is also very much dependent on the transaction costs related to participation of local stakeholders in shared governance – both to the PA authority and local stakeholders themselves. Where external actors such as NGOs have established high cost shared governance arrangements and then handed these over to government they have often collapsed. For local stakeholders another key cost issue is the time that they put into conservation activities (e.g. assisting with law enforcement) that is generally assumed to be a voluntary contribution.

Different approaches to PA shared governance lie on a power-sharing continuum (see fig 1). On the left side there are a large number of State governed PAs that are increasing adopting and institutionalising consultative approaches (i.e. moving into collaborative governance). This may involve creating new multi-stakeholder institutions (e.g. committees) but these are by no means essential in collaborative governance. The benefits to local stakeholders of this form of shared governance may be only modest but where transaction and conservation activity costs to local stakeholders are not high then there seems to be a good chance of success, especially where innovative approaches to enhancing local benefits can be devised, e.g. use of certain PA resources, sharing of revenues. As we have seen from our case studies in Namibia, Congo and the Gambia, there seems to be a real opportunity for many PAs that are currently under state governance to evolve in governance terms to this form of relatively light shared governance.

On the right hand side of the shared governance continuum which borders community governance we have situations where substantial authority has been given to local stakeholders (joint governance). A multi-stakeholder institutions (e.g. committee) where stakeholders make decisions collectively is essential in this stronger form of shared governance. The costs to local stakeholders of this form of shared governance will inevitably be higher and therefore the benefits must also be higher which generally means higher levels of sustainable use. However, non-financial benefits can also be very important in this respect, as illustrated by the success of many Indigenous and Community Conserved Areas (ICCAs) where non-financial benefits are often the main consideration.

While shared governance faces challenges right across the continuum it is arguably the middle ground where the problem really lies. Here the reality of shared governance is often the worst of both worlds – high transaction and conservation activity costs but insufficient authority and benefits to local stakeholders to justify their participation beyond a “honeymoon period” of unrealistic expectations. In conclusion, in the context of countries in sub-saharan Africa where resources for PA management are generally very constrained, the more fertile ground for shared governance seems to be on the left hand side of the continuum (authority largely with the PA authority with communities and other local stakeholders having substantial influence), or on the right hand side (authority largely with local stakeholders but with the PA authority retaining substantial influence and, on some issues, control). The apparent asymmetry of this last statement – that government retains some control at the right-hand side of the continuum while local stakeholders may have no control as such on the left side - simply reflects the legitimate role of any State, in Developed and Developing Countries alike, to retain some degree of control over the use of land and natural resources which exists even in relation to private property (e.g. through planning regulations).

This review charts the rise, and in some case the fall, of shared governance in sub-saharan Africa over the last 25 years with a particular focus on five countries. Although there have been some notable failures, and the rate of growth in shared governance has fallen in the last ten years, there still seem to be many successful examples, and the recommendations from our analysis suggest how these might be further strengthened and effectively replicated.

2. Background

2.1. Study methodology

This study is part of a series of **4 studies** on governance of PAs in Africa:

- **Study n°0**: context and types of PA governance in Africa – a global review
- **Study n°1**: shared governance of PAs between State and local stakeholders in Africa
- **Study n°2**: private governance of PAs in Africa
- **Study n°3**: state governance of PAs in Africa (i.e. by Government only)

The fourth PA governance type (governance by Indigenous Peoples and local communities) is not addressed by these studies.

The shared governance study presented in this document has been restricted in scope to governance that involves local-level stakeholders (i.e. Indigenous Peoples, local communities and, in some cases, local government) alongside national level state actors – in other words we have excluded government-government forms of shared governance (e.g. transboundary governance) and government-private sector forms of shared share governance.

Studies 1-3 adopt the same methodology:

1) Literature review – based on the existing literature on the governance type and study 0.
2) Country case studies. Five countries were selected – Tanzania, Namibia, Madagascar, Gambia and Republic of Congo and in each of these countries at least seven PA specific case studies were examined. Country selection criteria included the need for representation of different regions within sub-saharan Africa, and the existence of established relationships with members of the consortium (UNEP-WCMC, IIED, Equilibrium) through which we could identify appropriate consultants to lead the in-country work. For each PA case study the analysis identified strengths and weaknesses of the PA, and best practice with respect to the five governance quality principles elaborated in the recent IUCN best practice guidelines on PA governance (Borrini-Feyerabend et al, 2013): legitimacy and voice; direction; performance; accountability; and fairness and rights.
3) Discussion. This section of the report draws out strengths and weaknesses of the governance type that have broader relevance (ie are not wholly site specific). It then analyses critical factors in the policy and operational context that seem to enable success (opportunities) or undermine success/lead to failure (limitations). Lastly the discussion proposes a set of general recommendations to enhance success of the governance type.

A source of complication and at times confusion with all of these studies has been the determination of the governance types of particular case studies as many appear to be borderline and a number exhibit significant differences between theory/rhetoric and practice/reality. Our general principle has been to classify the case studies sites according to the practice/reality on the ground versus the current IUCN classification of governance types. Thus in Republic of Congo we have classified one PA case study as private governance even though this governance category does not (yet) exist in national PA policy. Likewise we have two sites in Namibia that appear to have sufficient participation of local stakeholders in governance to be classified as shared governance even though this governance type does not (yet) exist in national PA policy. That said, it is difficult to apply the classification consistently across countries – for example it seems likely that some shared governance in Madagascar (where all PAs now have shared governance according to national policy) is, in reality, no more shared than some of the state governance in Namibia.

2.2. Definition of shared governance

'Protected areas under shared governance are based on institutional mechanisms and processes which formally or informally share authority and responsibility among several actors' (Borrini-Feyerabend et al 2013).

System of shared governance intend to build on multiplicity and diversity, not only across multiple parties but also at multiples levels and disciplines. They involve clearly defined institutional structures and rules of partnership where all those involved have a role to play (Kothari 2006). Shared governance should develop from an arrangement that reconciles conservation with equity through eliciting the participation of all credible rights-holders and stakeholders[5] in PA governance. This includes those that are often neglected and have little decision-making power, such as underrepresented sections of a local community and Indigenous Peoples (Borrini-Feyerabend, Chatelain and Hosch 2011). Notably, the role of these actors in PA governance is not new and can date back centuries, but the explicit recognition of local and Indigenous Peoples, and their participation in the governance of PAs, is important to ensure their formal and customary rights are not ignored (Borrini-Feyerabend, Johnston and Pansky 2006).

The IUCN classification of PA governance types recognises three distinct forms of shared governance.   .   This study focuses on types I and II as there are very few, if any, examples in Africa of type III government-government shared governance that also have substantial engagement of local stakeholders.

I. **Collaborative governance** – where decision-making authority and responsibility rest with one agency but the agency is required by law or policy to inform or consult other rights-holders and stakeholders at the time of planning or implementation
II. **Joint governance** – where the representatives of various interests sit on a governance body with decision-making authority and responsibility and take decisions together
III. **Transboundary governance** – where two or more national governments work together in a shared governance arrangement alongside other stakeholders and rights-holders.

It can be useful to consider governance types as lying on a continuum along which the power balance moves increasingly away from the State and towards other actors moving from left to right (see fig 1). Shared governance is the middle ground, and within the shared governance zone this diagram identifies, from the perspective of the State, three forms of shared governance – on the left consulting with local stakeholders (= collaborative governance), in the centre negotiating specific

[5] Where shared governance arrangements involve local actors, they can be both rightsholders and stakeholders due to their cultural ties with, and livelihood dependency on, those natural resources under protection (Kothari 2006). Rightsholders refers to those actors that are socially endowed with legal or customary rights to land, water or natural resources, while stakeholders refers to those actors that have direct or indirect interests and concerns, but do not necessarily enjoy legal or socially recognised entitlements (Borrini-Feyerabend et al 2013).

agreements (relatively weak joint governance), and to the right of centre ceding authority (relatively strong joint governance).

Fig 1: the governance continuum from the perspective of a government agency (reproduced from Borrini-Feyerbend et al 2013)

This continuum helps to clarify the concept but, as we will see from the case studies reviewed in this paper, there is still considerable uncertainty over where the boundaries lie between – on the left - shared governance and State governance (also known as governance type A), and – on the right - between shared governance and community and private governance (governance types C and D).

The governance continuum (fig 1) identifies benefit sharing as a potentially important tool in relation to collaborative governance. The term benefit sharing is generally understood to refer to specific arrangements that are designed to share social and environmental benefits of a PA with local stakeholders. In this context benefits may be of many different types – tangible and intangible – including, but no limited to, access to resources and/or sharing of financial revenues. Although fig 1 implies that the concept of benefit sharing applies only to collaborative governance ,it is important to clarify that benefit sharing actually applies to all governance types, and indeed there are an increasingly number of State governed PAs that have benefit sharing arrangements of some kind.

2.3. Evolution of shared governance in Africa

In its early formation shared governance was widely referred to as co-management, collaborative management or joint management. One of the first attempts at building a joint management agreement emerged in Australia in 1981 at Gurig National Park. Here, the government authorities proposed a system of joint management after new national legislation recognised aboriginal rights to land and led to a land claim that conflicted with the existing national park. The joint management system that was subsequently developed transferred to the aboriginal people their rights to land on the condition that support was maintained for the continuation of the national park (Kothari 2006).

By the mid 1990s, many countries worldwide were experimenting with shared governance of PAs including several in Africa (notably Uganda). At this stage the terms most widely used were 'co-management', 'collaborative management' and 'joint management' (Dearden and Bennett 2005). The finer details of these agreements differed according to the national and local contexts, but they broadly aspired to foster participation and the inclusion of different stakeholders in PA governance.

The Vth World Parks Congress in Durban in 2003 was a turning point in recognising the importance of governance type as a key characteristic of a PA alongside management category, and recognising that, in principle, all governance types can apply to all management categories (Borrini-Feyerabend, Pimbert, et al 2004, IUCN 2005). Strongly influenced by this outcome, the VII Conference of the Parties to the Convention on Biological Diversity in Kuala Lumpur in 2004 adopted a comprehensive Programme of Work on PAs, committing countries through programme element 2 to recognise various PA governance types, and to implement plans to involve communities in PA governance (Kothari 2008).

Associated with the increased attention to PA governance was growing recognition of the need to distinguish PA management and PA governance (Borrini-Feyerabend et al 2013) – see fig 2. Within the world of biodiversity conservation, this led to the PA co-management discourse that started in the mid 90's becoming absorbed into a broader discourse on PA shared governance – a trend which was already clearly evident at the World Parks Congress in 2003.

In the forest sector this evolution of the discourse has taken considerably longer and is still evolving. In the late 90's the term "Participatory Forest Management" (PFM) became widely used as an overall term to refer to a whole set of participatory and community-based approaches to engaging local stakeholders in the management of natural forests (community-based forest management, community forestry, joint forest management, collaborative forest management). Although not all of these initiatives had an explicit conservation objective, conservation has been implicit in most cases and has increasingly become explicitly recognised.

Likewise in the fisheries sector there has been a rapid growth in co-management and community-based management in the last 10 years, including rapid growth in the number of Locally Managed Marine Areas (LMMAs). A recent review of LMMA's in Western Indian Ocean (the coastline of Africa from Somalia to South Africa) found a total of 62 LMMAs of which 60 had been created since 2000 (Rocliffe et al 2014). The authors identify two governance types that apply to these LMMA's – cooperative and local with cooperative being equivalent to joint governance and local being equivalent to community governance. They do not attempt to classify the 62 LMMA's by these two governance types but it seems likely that most are shared governance, including two that are case studies in this report (NSPJ-CFMA in Tanzania and Nosy-Ve in Madagascar).

The emergence of a strong move to co-management (and community management) in the forest and fisheries sectors in Africa over the last 10-15 years is crucially important in the context of this study as in many countries in Africa there are now many more examples of successful shared governance of protected areas in the forest and fisheries sectors than in the wildlife sectors. Whether or not they "count" as protected areas is debatable since many do not have an explicit biodiversity conservation objective, but the authors of the LMMA study make the case that all should count based on the original CBD definition of a PA[6]. Even if we take the more restricted IUCN definition of a PA a substantial number of forests with PFM and fisheries with LMMA's would no doubt still qualify.

Fig 2: Management and governance

Management	...is about...	- **what is done** in pursuit of given objectives - **the means and actions** to achieve such objectives
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 (or should be) held **accountable**

2.4. What the literature tells us about shared governance experience in Africa

Why Shared Governance?

At the V World Congress in Durban in 2003, the recognition of co-management was perceived as an important step to strengthen the management of existing PAs and build the resilience, coverage and connectivity, and sustainability of PA systems worldwide (Borrini-Feyerabend, Johnston and Pansky 2006). Additionally, it was considered that co-management could help augment public support and build strategic partnerships with local communities and Indigenous Peoples who are, alike to conservationists, fighting to retain land in the face of competing interests and demands (Borrini-Feyerabend, Pimbert, et al 2004, Gadgil et al 1993 & Kempf 1993 in Adams and Hutton 2007).

Such expectations were shaped by early experiences in the practice of exclusionary PA models. Although often successful in strict conservation terms many argue that conservation of biodiversity is inseparable from people, and therefore little will be achieved over the longer term without their inclusion (Borrini-Feyerabend et al 2013). In contrast to exclusionary models, shared governance insists that conservation practices should recognise that Indigenous People and local communities have unique knowledge, skills, resources and institutions that could be invaluable to PA governance and management (Borrini-Feyerabend, Chatelain and Hosch 2011, Borrini-Feyerabend et al 2013). By combining the strengths, and overcoming the weaknesses, of all partners within and across different scales, it is thought that shared governance arrangements can establish coherent and long lasting protected area institutions (Lockwood, Wordboys and Kothari 2006, Kothari, Camill and Brown 2013).

What does shared governance look like?

Analysis of shared governance examples from all over the world has identified the following key ingredients of true shared governance (Borrini-Feyerbend et al 2013): a negotiation process; a co-management agreement; and a multi-stakeholder governance institution. The process of reaching out to different and stakeholders, ideally, begins from the early planning and design of a shared governance system (Borrini-Feyerabend, Pimbert, et al 2004). Different actors are likely to have

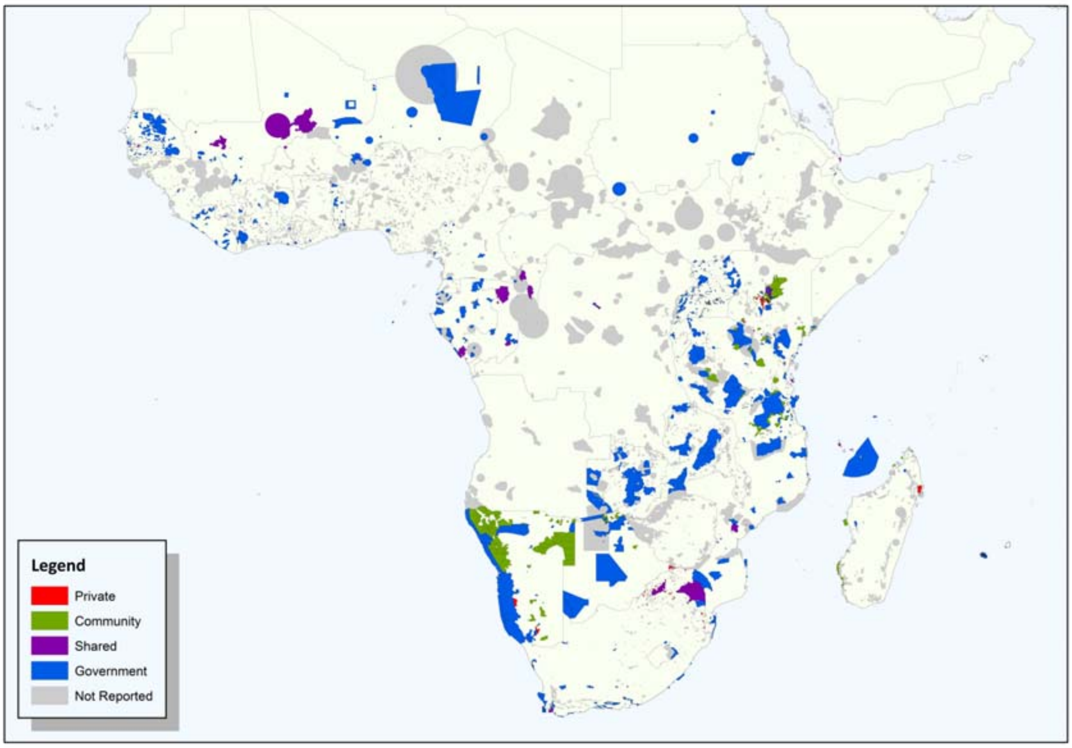
[6] CBD definition of a PA: "a geographically defined area, which is designated or regulated and managed to achieve specific conservation objectives".

different stakes and entitlements in a shared governance arrangement and as such, through a negotiation process, they may take on equal or differential weightings in decision-making (ibid).

Features that are perceived as important to systems of shared governance include openness to various types of natural resource entitlements (not just those legally recognised), recognition of civil society's ability to assume significant and more responsible roles, and foresight to link entitlements with responsibilities (Borrini-Feyerabend, Farvar, et al 2007). The recognition of such features can be a good indicator of a strong versus weak governance system, although, it is important to understand that context is important, and a shared governance system should not be judged in isolation (ibid). Above all else, an effective shared governance system should illustrate the greater mutual benefit of collaboration (Kothari 2006).

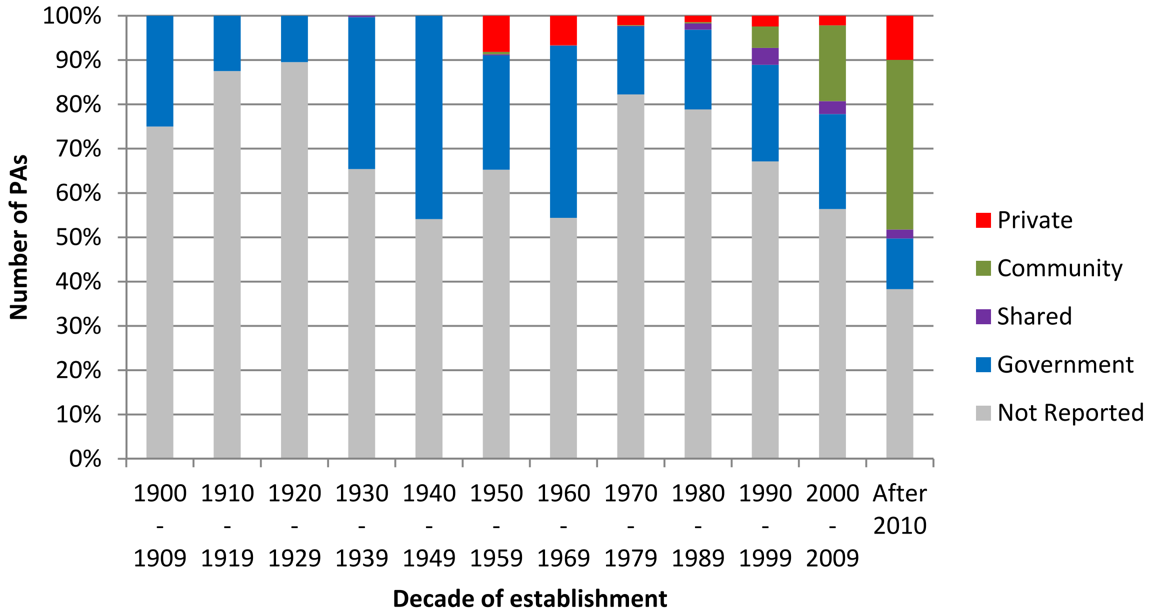
Shared governance situations may evolve in cases where government agencies in charge of a PA decide to include more stakeholders in order to improve the effectiveness of the PA or, conversely, when local communities may require administrative support from governments and technical support from NGOs. As Borrini-Feyerabend et al. (2013) have noted, shared governance settings "are usually dynamic and evolving, demanding on-going innovation, negotiation and adaptability [and] the willingness of the partners to engage in the process is crucial."

Trends in shared governance in Africa



An analysis of the World Database on Protected Areas reveals that only 1945 of the total of 7064 PAs in Africa (27%) reported on their governance type and only 2% of these reported their governance type as being shared. The growth in shared governance, such as it is, mainly took place in the 1990s and 2000s, and may now be tapering off. That said, the decline in the percentage of new PAs that are reporting shared governance may also reflect different levels of investment in collecting information from different types of PA and/or incorrect classification of some shared governance as community governance which has seen very large growth over the same period.

Fig 3: Growth in shared governance



Despite major investments in shared governance in recent years, overall progress has been limited. Often, insufficient powers have been decentralised (Ribot 2003), and co-management like some community conservation interventions has been adopted for positive imagery, rather than being an accurate depiction of shifting governance regimes (Hulme & Murpree 1999). A review of community based natural resource management (CBNRM) across Africa by Roe, Nelson & Sandbrook (2009), some of which should be classified as shared governance, highlights that, over the last two decades, where CBNRM has been used as a tool for outreach or benefit sharing, local communities have remained passive agents. Meanwhile, authority and responsibility has been retained by national park agencies. Furthermore, those institutional reforms that have taken place are largely based on state patronage, which in turn is shaped by the relative economic values of wildlife (Nelson & Agrawal 2008).

For some African countries, devolution of control has been loosely acknowledged in national policy and legislation, but remains to be operational. A survey by the Forest Peoples Program (Colchester 2008) studied eight countries, including Cameroon and Uganda, and assessed progress in enacting the recommendations and resolutions of the Durban World Parks Congress in 2003. The survey's results underline that while a number of development and conservation organisations have adopted revised policies, national laws have not yet been fully amended, and as a result, exclusionary models of conservation continue to dominate (ibid). This was additionally underlined in FPP's country case studies on Uganda's Bwindi and Mgahinga National Parks, where co-management was found to foster the participation of some, but reinforce the historical marginalisation of others, namely the Batwa community (Kidd et al 2008).

In Ethiopia, devolution of control began in 1991 after the Ethiopian People's Revolutionary Democratic Front assumed power (Tessema, Lilieholm, Ashenadi & Leader Williams 2010). National policies attempted to improve local relations by transferring power to regional governments to encourage greater ownership (ibid). Yet this process was inadequate and did not nurture participation of local communities, subsequently failing to foster their support for conservation (ibid). From 2009 the Ethiopian government tried to recentralised control under the Ethiopian Wildlife Conservation Authority. However the pendulum is now swinging back towards co-management/shared governance and several of the major parks in Ethiopia are now in the process of establishing multi-stakeholder governance institutions which should give both local government and local communities significant influence in PA-related decision-making.

Where shared governance regimes have been attempted, frequently they have involved transferring management responsibilities without conceding significant authority over decision-making. At Moheli Marine Park in the Comoros Islands, the co-management process included community members in park boundary delineation and guideline creation, and transferred responsibility for monitoring and enforcement within the park through training eco-guards (Granek and Brown 2005). The co-management agreement did not transfer any clear rights to allow local communities to participate and shape decision-making for the marine park.

A similar story emerges from a review of the experience of co-management in Uganda, a country that was at the forefront in developing co-management in the 90's (Blomley and Namarra, 2013). The review concludes that while there has been a substantial transfer of responsibilities from the Uganda Wildlife Authority to local communities and local government, notably in addressing human wildlife conflict, there has been little real devolution of authority and resources. The shared governance institutional arrangements that were established by many PAs in the late 90's in most cases collapsed once the support of NGOs disappeared. However although Uganda no longer has what can truly described as shared governance there is some positive legacy from the investment in co-management in the form of local level resource use agreements, and, more broadly, a form of state governance that is more consultative that might otherwise have been the case.

Another common problem is elite capture as illustrated by five in-country reviews of co-management in the fisheries programmes of Niger, Cameroon, Zambia, Malawi and Nigeria (Bene et al 2009). The review identifies that co-management has altered the distribution of power and responsibilities, but that this has been in favour of local powerful actors (ibid). Where co-management has acted to foster the participation of legitimate groups of end users, participation has commonly been used as an instrument for implementation rather than an effective and empowering involvement in decision-making (ibid). For example in Niger, fishers have been recruited to remove water hyacinth and contribute to the collection of fisheries landing statistics. Fishers have not been given any power to influence how fisheries are governed, and there no formal recourse mechanism has been introduced in order to allow fishers to question or challenge government actions (Makadassou et al 2007 in Bene et al 2009).

The limited progress of shared governance regimes for conservation is not unique to Africa, but has been experienced worldwide. While the concept and principles of shared governance are well established, changes to policy and laws has been slow, and progress towards the implementation of these has been slower (Kothari, Camill and Brown 2013). Explanations for slow progress vary from country to country, consistent problems include differing expectations as to what devolution is supposed to achieve and how, and a pervasive assumption by public officials that they have the knowledge and moral authority to make decisions (Shackleton et al 2002). However, as documented in the case studies in the following sections of this report, there are still some successful examples of shared PA governance in Africa which lead us to believe that there remains an important role for shared governance under certain conditions.

3. Country and PA case studies

Although two of the five countries studied do not have provisions for shared governance in their national legal framework (Namibia and Gabon) our analysis suggests that each of these has at least one PA that in reality confirms with the shared governance definition, i.e are de facto shared governance.

Country	Shared governance formalised in policy	No. of shared governance PAs (if known)	Number of case studies in this report
Tanzania	Yes	215	2
Namibia	No (but in process)	At least 2	2
Madagascar	Yes	144 (all PAs)	4
Gambia	Yes	2 (+ ? forest reserves)	1
Republic of Congo	No	1	1

3.1. Tanzania

3.1.1. Overview

Tanzania has a complex protected area network that includes National Parks, Game Reserves, Forest Reserves, Wildlife Management Areas, Nature Reserves, Marine Parks and Marine Reserves. The network of protected areas covers about 30% of its territorial area (land and aquatic). Though not all of these reserves were established strictly following the IUCN definition of PAs and PA management categories, the system has a good representation of the IUCN categories. This review of shared governance in Tanzania covered protected areas in all sectors – wildlife, forests and fisheries, all of which have a combination of conservation and sustainable development objectives.

Sector	**PA designation**	**Total number**	**Number in WDPA**	**Total Area**
Wildlife	Wildlife Management Area (WMA)	38	14	12,352km2
Forest	District Forest Reserves (DFR)	171	0	35,036
Fisheries	Collaborative Fisheries Management Areas (CFMAs)	6	0	2,498 km2

The general trend is to an increasing number of all three types of shared governance PA, particularly CFMAs where key elements of the enabling policy are relatively recent (2003 and 2009) and on-going revision of the fisheries policy is expected to give further encouragement to the establishment of CFMAs.

The above analysis relates to mainland Tanzania. Development of shared governance arrangements in Zanzibar has been slower with none yet formally establishment.

3.1.2. Case study 1: Mbarang'andu Wildlife Management Area

Established in 2010, Mbarang'andu Wildlife Management Area covers 2471 km2 of Miombo woodland. The state owns the area and maintains substantial governance authority but management has been devolved to a community based organisation which has rights to:

- define management zones within the PA and their management strategies
- arrest, or otherwise penalize, offenders
- establish subsidiary agreements and retain benefits
- define what PA fauna resources may be legitimately used and how
- use limited PA resources (for resident hunting).

Strengths of this PA vs governance principles

- This governance arrangement gives communities a direct stake in the PA
- Local stakeholders were involved in the planning and design of the WMA
- The WMA has achieved conservation success in terms of it having slowed the rate of biodiversity and habitat loss compared with that on similar village land elsewhere within the region where WMAs have not been established
- There is a management committee comprising representatives of every member village
- Traditional rightsholders have access to wildlife resources.

Weaknesses of this PA vs governance principles

- The transaction costs of establishing this PA type are very high and dependant on external donor funding, and the establishment process is very slow and cumbersome
- The process of WMA establishment has generally been led by outsiders with communities having a passive role
- The WMA has limited community support in certain areas, beyond those employed by it and who benefit directly. There is a lot of non-compliance - farming and livestock encroachment.
- Lack of formal, transparent reporting of PA income & performance, to ensure accountability
- Village communities who contribute more land and resources to the WMA do not benefit more than communities who contribute far less. Village communities that perform lower in terms of compliance to land use zoning and/or illegal resource use, are not penalised and enjoy equal access rights to finances and other benefits as do those who do comply.

Suggested best practice and/or lessons learned

- Costs of establishment of WMAs need to be substantially reduced
- Community leaders should be empowered to lead the process rather than have a process led by consultants and government officials
- Integrating community based forestry with community based wildlife management (WMA establishment) would make it more viable in terms of being able to compete financially with alternate land use models that are not conservation based (e.g. agriculture).
- Management effectiveness assessment, social assessment, and concessionaire performance evaluations, should be undertaken and reported on annually
- Provision of a generic, simple and effective WMA income, performance management and reporting system would help improve transparency and accountability

- Mechanisms to identify and reward village communities proportionally more for greater contributions of high conservation value land and for greater compliance to land use and wildlife protection legislation would improve fairness

3.1.3. Case study 2: Njianne-Somanga-Pombwe-Jaja Community Fisheries Mgt Area

NSPJ CFMA was only formally established in 2014 but work towards this started in 2008. This category VI PA covers a total of 844km2 of the Eastern Africa Coral Coastal Marine ecosystem. The institutional structure at village level is the *Beach Management Unit* (*BMU*), as per the Fisheries Act, 2003. BMU membership is open to any resident of the village. Adjacent BMUs whose fishers substantially share common fishing grounds join together to manage a defined *collaborative fisheries management area (CFMA).* Typically a CFMA has between 2-5 constituent villages/BMUs. The constituent BMUs develop a common management plan that is focused on fishing activities but may also include related provisions for habitat and species protection & management. Implementation of the plan is led by the BMU executive committees and their sub-committees, under co-ordination of a CFMA Co-ordination Committee (CCC) comprised of 5 people from each constituent BMU executive committee. While legal ownership remains with the State the BMUs have the following rights

- to define management zones and strategies
- to arrest offenders with support of district police and/or district fisheries officers.
- to establish subsidiary agreements and retain benefits. For example two villages/BMUs have secured the right from their district council (Rufiji) to collect fishing license revenue on behalf of the district, and to retain a proportion.
- to use resources within the PA. The CFMA management plan outlines conditions by which non-resident artisanal fishers may access fisheries resources in the CFMA. Right of access by industrial vessels licensed centrally (in particular prawn trawlers where relevant) is yet to be clarified as there is an ongoing moratorium at present.

Strengths of this PA vs governance principles

- This model, with emphasis on community taking the lead on planning and implementation, empowers fishing communities to take responsibility for local resources; to have an equitable role in management of the resources; and places management responsibility with those who are most highly motivated to manage the resources in question wisely
- Documented success in reducing illegal activities. There are anecdotal reports of increases in fish catches in the past 2-3 years though not yet substantiated in quantitative catch data
- Two BMUs have been empowered to collect fisheries license payments (from individual fishers) on behalf of their district council (Rufiji).
- Fishers resident four constituent BMU villages have priority access to fisheries resources, subject to provisions they themselves outline in the CFMA management plan.

Weaknesses of this PA vs governance principles

- Decentralisation to district-community level of leadership/responsibility for planning gives influence to local politicians and/or other influential local leaders which is often used to pursue party political or personal (financial) agendas and interests.

- BMU executive committees can be monopolized by interest groups in a given community. Currently there are no stipulations about representation other than a guideline that >30% should be women.
- Opportunities for revenue generation by BMUs are currently limited. Without sustainable funding, BMU members become de-motivated within 2-3 years or sooner. A villager's time needs to be compensated just as a Government-employed manager's or ranger's time, albeit at a lower cost..
- It's not clear how much say, if any, BMUs will have if and when the industrial prawn fishery is re-opened in terms of trawlers (which are centrally licensed by the Ministry) gaining access to the CFMA.

Suggested best practice and/or lessons learned

- More capacity-building and skills development in governance, financial management and relevant technical areas is needed for this kind of decentralized management to function in the longer term.
- Concerted mentoring and oversight (but with a light touch) by both national and district-level authorities (or NGOs on their behalf) to ensure co-management processes are not co-opted by interest groups and help resolve conflicts.
- Community-level co-management institutions (like BMUs) should be required to have equitable representation of different resource-user and/or other interest groups within the community.
- Need to ensure realistic revenue-generation mechanisms to sustain local co-management operations, and to incentivise participants.
- Reward good performance of BMUs, and generate peer-to-peer competition between BMUs.

3.2. Namibia

3.2.1. Overview

Namibia currently has a total of 270 registered protected areas, including 22 state governance, 153 private governance and 95 community governance (which have resource use rights but do not actually own the land and wildlife resources that they manage). In theory there are no PAs under shared governance as there is no legal provision for this. However, in reality, all four of the state governed PAs that were included in this study have institutional arrangements in place to build relationships with neighbours and are moving towards shared governance arrangements.

Although shared governance does not yet formally exist in Nambia, two of these state PAs (Bwabawata NP and Mangetti NP) have already move far enough in this direction to be considered shared governance in terms of the criteria used in other countries to distinguish state from shared governance. However although both display elements of shared management, and provision for stakeholder input into some decisions, ultimately *decision-making authority* rests with the state. For this reasons we classify these two PAs as being on the left hand end of the shared governance continuum i.e. collaborative rather than joint governance.

3.2.2. Case study 1: Bwabwata National Park

The Caprivi Game Reserve in north east Namibia was first proclaimed in 1968. It was re-proclaimed in 2007 as the Bwabwata National Park. The proclamation designates two core conservation areas and a multiple use zone (in which about five thousand mostly San people are living) with a total area of 6,100km2. The Kyaramacan Association (KA), which represents park residents, is involved in joint management activities such as wildlife and other resource monitoring, game counts, anti-poaching and fire management. The main focus of these activities is in the multiple use zone where people live but some activities such as joint game counts and joint anti-poaching patrols take place in the core areas. As opposed to PA residents, PA neighbours are not directly involved in PA management activities but the park is part of a larger landscape approach to conservation through cooperation with the KA, conservancies and community forests in the Mudumu North Complex and the Mudumu Protected Landscape Conservation Area. In these forums park staff, the KA, and neighbouring conservancies and community forests discuss management of a shared wildlife resource, discuss common problems, solutions and experiences, and share information (i.e. it could be said that there is also collaborative management and governance at a larger scale).

The State owns the park and retains the right to define management zones and strategies, arrest and penalise offenders, establish subsidiary agreements and the right to award tourism concessions in the park. Resident people has rights to:

- Harvest certain timber and non-timber forest products and graze small livestock.
- Manage some photographic and hunting concessions (sharing revenues with the State)

Strengths of this PA vs governance principles

- Although the Ministry of Environment and Tourism (MET) has not explicitly recognised the land rights of residents it has recognised the KA as a body representing residents that can speak on their behalf and receive hunting and tourism concessions on their behalf.
- PA has clearly articulated vision and objectives contained in the management plan and local stakeholders were consulted during the development of this plan. Regular monitoring takes place and adaptive management applied.
- There are clear policy guidelines for addressing contentious issues such as conservation priorities, relationships with commercial interests and extractive industries.
- The PA has achieved conservation success in terms of maintaining populations of large mammals and maintaining habitat.
- Increased human wildlife conflict as a result of improved conservation is being managed. Low poaching rates and absence of encroachment of the park on the eastern boundary indicate support from local community.
- There is transparency in award of tourism concessions to conservancies and Income from the concessions is shared 50/50 between the KA and the MET.

Weaknesses of this PA vs governance principles

- As yet there is no formal mechanism for co-management inside the park. A Park Technical Committee was appointed including KA representatives to make recommendations to the minister on key issues affecting people in the park. It is currently dormant but will be revived once the minister approves the recommendations.

- Although local stakeholders were consulted during development of the management plan more could have been done to enable local values/aspirations to be reflected in the plan.
- Education, health, and agriculture ministries often carry out activities in an arbitrary and uncoordinated way, undermining park conservation objectives.
- Accountability of park managers remains within government and is not broadened to include local stakeholders.
- There is a need to clarify the rights of residents in the multiple use area, particularly with regard to subsistence hunting.

Suggested best practice and/or lessons learned

- Although the proposed mechanism for collaborative management – the Park Advisory Committee – will not have full decision-making power – it will provide all stakeholders with a platform for raising issues, seeking solutions, sharing information and joint planning.
- The establishment of the KA as a representative community institution with a legally recognised constitution has enabled MET to engage with the resident community and given them a voice in the management of the multiple use zone.
- The establishment of conservancies adjacent to the park as community institutions with rights over wildlife and tourism has enabled the development of larger landscape conservation areas that bring communities and park staff together in co-management forums at a larger scale than the park.
- The proposed Park Advisory Committee needs to be used to help coordinate the activities of other ministries. There also needs to be a land use plan for the multiple use area that guides the activities of other ministries and zones specific areas for certain activities.
- Where people live in parks there needs to be a mechanism for agreeing with residents the criteria for other people to move into the park, and there needs to be a mechanism for control to prevent further in-migration.
- The mandate of the proposed park advisory committee should be expanded in order to help hold park managers accountable for decision-making and performance to a broader stakeholder group that is more representative of the Namibian society.
- MET should negotiate and sign an MOU with the KA that spells out goals, rights, mitigation measures for negative impacts, benefit sharing arrangements, roles and responsibilities with regard to PA management and institutional arrangements for collaborative governance.

3.2.3. Case study 2: Mangetti National Park

Proclaimed in 2008, the Mangetti National Park in north east Namibia is a category II protected area covering a total of 420km2. It was previously a government game breeding camp and because of the presence of rare and endangered species government decided to upgrade the conservation status to National Park run by the State, but with some involvement of local institutions as it is on communal land. MET signed a Memorandum of Understanding (MOA) with the Ukwangali Traditional Authority (TA) and the Kanvango Regional Council which covers benefit sharing and roles and responsibilities in park governance. A joint management committee has been established which includes representatives of all the signatories to the MOA. MET retains the mandate for day-to-day management of the park and approval of the management plan. The Kavango Regional Council is responsible for integrating the Park into regional development planning, supporting the maintenance and development of the Park, and integrating the Park into any future land utilization plan for the region. Among other things, the Ukwangali TA is responsible for administering income received from the park in the best interests of the community it represents; controlling of fire and help with implementing a burning programme, ensuring, that the Park is free from encroachment by local people or their livestock, and is otherwise secure for conservation purposes. Although formally community land the state how holds all rights. No consumptive or non-consumptive use rights have been allocated to neighbouring communities.

Strengths of this PA vs governance principles

- The Ukwangali TA and the Kavango Regional Council are represented on the park management committee, providing legitimacy for the park from key local institutions that are supposed to represent local communities.
- Accountability and transparency is achieved through the management committee and MET reporting to its members.

Weaknesses of this PA vs governance principles

- The main area of partnership is in sharing park income with a very low level of involvement of the other parties in park management and planning.
- CBNRM approaches in Namibia aim to involve and bring benefits to those who suffer the most costs of living with wildlife. It is not clear that this principle is being followed at the Mangetti NP because it is not clear that people living next to the park have a voice through the TA and the Regional Council. The seat of the TA is remote from the park itself.
- The roles and responsibilities ascribed to the TA and Regional Council on the management committee do not really provide for involvement in management even at the strategic level.
- Accountability is to institutions that are remote from the actual park neighbours and it is not clear how much feedback these neighbours receive. Experience elsewhere in Namibia suggests that the TAs and constituency councillors in regional development rarely keep villagers well informed and provide sufficient feedback on important issues.
- It is not clear the extent to which either the Ukwangali TA or the Kavango Regional Council use the income for the benefit of local communities, particularly those neighbouring the PA.

Suggested best practice and/or lessons learned

- There is a need for greater involvement in park management of the park neighbours who actually suffer the cost of living next to the NP.
- For park neighbours there need to be clear mechanisms (e.g. representation on the management committee) to ensure that they benefit from the co-management arrangement, as there appears to be no obligation on the TA or the Regional Council to spend its park income on those who are bearing the most cost of living close to the PA.
- The TOR for the roles and responsibilities for the TA and the Regional Council should be revised to include helping to give strategic direction to management.
- It is not sufficient to rely on unelected or elected institutions that are remote from communities to sufficiently represent them or keep them informed.

3.3. Madagascar

3.3.1. Overview

Madagascar has been undergoing a process of rapid evolution in protected area (PA) governance for more than a decade. Prior to this, all PAs within the national network were governed by the state, initially the Ministry of Waters and Forests until a parastatal association, ANGAP[7], was created in 1991 specifically to assume management responsibility. ANGAP was subsequently rebranded Madagascar National Parks (MNP). By 2003 this network consisted of 47 sites covering almost 1.7 million hectares comprising 'strict' protected areas in IUCN categories Ia (Strict Nature Reserve), II (National Park) and IV (Special Reserve). At the 5th World Parks Congress in 2003 Madagascar launched its Durban Vision to triple protected area coverage, precipitating the adoption of multiple-use categories (III, V and VI) and pluralistic governance models. Two major trends have subsequently developed, i) the establishment of a new generation of multiple-use protected areas, largely promoted by NGOs and administered with shared governance structures involving local community associations and regional authorities, and ii) the progressive transition of the original protected area network from state governance to shared governance between MNP and local community representatives. The two sub-networks (hereafter called MNP and non-MNP) together form the Madagascar Protected Area System (SAPM) which has the objectives of i) conserving Madagascar's unique biodiversity, ii) conserving the country's cultural heritage, and iii) promoting the sustainable use of natural resources for poverty alleviation and development.

Within the MNP PA network all 51 PA's are moving to shared governance in line with the provisions of the 2014 strategic management plan for the MNP network. At present shared governance arrangements within the MNP network are variable. For example, Beza Mahafaly has been co-managed by a University for many years (see case study), while the recently created Nosy Tanikely Marine National Park is administered in a three-way arrangement involving MNP, the Commune (municipality) of Nosy Be, and the Nosy Be Regional Tourism Office. In addition, MNP increasingly seeks to establish management partnerships with specialist institutions for the expansion and professionalization of key services, e.g. tourism infrastructure provision, applied research, and small-scale private sector enterprise development. More typically, however the principal stakeholders in governance are adjacent rural communities who are integrated into two forms of structure: Local Park Committees (CLP) and a Protected Area Orientation and Support Committee (COSAP). Each 'community' around a PA has a CLP, principally responsible for surveillance of their adjacent park sector, but also sometimes involved in ecological monitoring and PA maintenance: they additionally help prioritise development interventions and submit their proposals to the COSAP for approval/funding. The COSAP is an independent partner that lobbies for the interests of local communities and other stakeholders around a PA: it is largely composed of CLP members but may also include traditional leaders, and local authorities. MNP is not a member.

All protected areas in the non-MNP network – in theory 93 at the present time - have a legally recognised promoter, in most cases Malagasy or international NGOs, although mining companies, universities and private individuals have also taken the initiative to establish new sites. They are largely established as category V or VI, although some have embedded category III zones. Their governance structures have evolved through 'learning-by-doing' over recent years: early versions of the management plans of some sites proposed community-based management with the promoter

[7] *Association National pour la Gestion des Aires Protégées* or National Association for Protected Area Management

NGOs playing only a supporting role, however it was clear that these proposals concealed the reality of promoters as *de facto* co-managers/managers (providing the funds, technical capacity and most importantly driving force). In recognition of this, all new protected areas are now obliged to name the promoter as delegated manager with responsibility to the State for management. In general, non-MNP protected areas have a two-tiered governance structure based on i) an executive body or platform comprising the promoter and a community-based management committee, and ii) an orientation committee including local authorities, offices of national ministries, and private sector representatives (e.g. tourism operators).

Neither MNP nor the promoters of new protected areas have the authority to apply the law. When serious infractions are reported, the common strategy in both MNP and non-MNP sites is to launch a field mission of the 'mixed brigade/commission', which consists of members of the Gendarmerie, agents of the regional MEEF office ('Forest Service'), local and municipal authorities, and representatives of the protected area (co-)managers. In practice neither the Gendarmerie nor the Forest Service have the necessary funds, so missions must be catalysed and fully funded by MNP or the NGO promoter. However, a second form of regulation – *dina* – can be developed and applied by local community members. Traditional *dina* are locally-respected social norms that exist outside the formal legal system, but *dina* have also been used to govern management transfers since they were first implemented in the 1990s. In effect these are sets of laws regulating resource use within any designated space (such as a management transfer, a sector of a PA or a whole PA) that are agreed upon by the appropriate community-based structure. Once agreed they may be applied and enforced at a local level, and may be ratified in a regional court to assume the status of by-law.

3.3.2. Case study 1: Tsimanampesotse National Park

Established in 1927, Tsimanampesotse National Park covers 2037kn2 of 'Spiny forest' and other habitats of Southern Terrestrial Ecoregion. In terms of governance structures the PA is 'Co-managed' by MNP and local communities in the form of numerous local park committees (CLP) and an orientation committee (COSAP). The park is surrounded by a 'green belt' of management transfers, managed by local community associations as part of a contract with the state. MNP owns the PA and retains right to establish e.g. tourism concessions, research partnerships etc. Local communities have rights to:

- Use resources from within the PA but this is limited to just a few specified resources.
- Access all culturally and/or spiritually important sites in the PA.

Strengths of this PA vs governance principles

- CLP members must make up 65% of COSAP, which validates all park management activities and developing activities.
- Integration of CLP into participatory management structures allows MNP greater coverage for surveillance and monitoring.
- MNP is accountable to a broad-based general assembly and board of directors
- PA is legally required to develop social safeguards plan before definitive PA status granted.
- CLP members salaried, thus increasing trickle-down benefits of park into communities.

Weaknesses of this PA vs governance principles

- Given MNP's mandate to manage PAs, power relations within governance structures are highly skewed with true levels of participation open to question (e.g in developing rules).
- Power of COSAP limited by strict mandate of MNP and rules of category II PAs (i.e. they can approve conservation measures, but cannot propose anything incompatible with conservation goals).
- Neither MNP nor the CLPs have law enforcement authority, so law enforcement is a slow-moving and inefficient process.
- Neither CLPs or COSAP have an inherent interest in conservation.

3.3.3. Case study 2: Nose Ve Androka Marine Park

Established in 2010, Nosy Ve-Androka Marine Park, an IUCN category II PA, straddles the Southern Mozambique Channel Marine Ecoregion and the Southern Madagascar Marine Ecoregion, covering an area of 921km2 in 8 non contiguous blocks. In terms of governance the PA is 'Co-managed' by MNP and local communities in the form of numerous local park committees (CLP) and an orientation committee (COSAP). MNP owns the PA and retains right to establish e.g. tourism concessions, research partnerships etc. Local communities have rights to:

- Use resources from within the PA but this is limited by the conservation status of the PA (e.g. no extractive activities in core zones which cover 31 % of PA, and restrictions on gear types within remaining sustainable use zones) and is restricted to PA-adjacent communities.

Strengths of this PA vs governance principles

- PA zoning was negotiated in village-level meetings.
- MNP is accountable to its general assembly and board of directors.
- The PA oversight committee (COSAP) exists to represent the interests of local communities in PA decision-making.
- Although it is category II, 69% of the PA's area is zoned for sustainable use. Also the PA is divided into 8 non-contiguous parcels with open-access areas in between, therefore the negative impacts on fisher communities are expected to be small.
- The PA must develop a social safeguards plan (PSSE) to identify communities vulnerable to access restrictions and propose mitigation/compensation

Weaknesses of this PA vs governance principles

- True levels of participation in governance unclear, given strong mandate of MNP to establish protected area.
- 80% of the coastal population is Tanalana (farmers and herders), with 20% Vezo (fishers). Since Tanalana dominate local (formal and customary) political structures but the Vezo are most impacted by the PA, Vezo may have been under-represented in consultations.
- MNP remains the only stakeholder with a strong interest in biodiversity conservation and protected area management. However if the PA is effectively managed, anticipated fisheries spill-over effects may in future help build community buy-in and support for the PA.
- If the PA has negative impacts on local communities, those communities have little official recourse other than the COSAP.
- No clear obligation to implement the safeguards plan (PSSE).

Suggested best practice and/or lessons learned

- Clear understanding of the make-up of 'local communities' and their different cultural/socioeconomic interest groups in essential; mechanisms for participatory governance must be sure to integrate the relevant interest groups, not just the majority, the powerful, and those able to speak foreign languages.
- PAs must be considered by local stakeholders to generate benefits, e.g. productive fisheries. Without clear benefits arising from effective PA management, local resource users will always have a strong financial incentive to not respect PA rules.
- PA promoters must have sufficient finance to mitigate or compensate for opportunity costs arising access restrictions.

3.3.4. Case study 3: Bezà Mahafaly Special Reserve

Established in 1986 and extended in 2006, Bezà Mahafaly Special Reserve is a small PA covering 42km2 of Spiny forest' and other habitats of Southern Terrestrial Ecoregion with an IUCN category IV classification. The shared governance arrangement is between MNP, the School of Agronomy (ESSA) of the University of Antananarivo (and its collaborators Yale and Washington Universities) and the 'community' of Ankazombalala. The steering committee (COSAP) provides representation for local communities and municipal/regional authorities. Regulations applied at community level through a *dina*, with a village conservation committee (KASTI) responsible for surveillance. Local communities have rights to:

- Use certain resources in the extension zone while use rights in the core zone were voluntarily ceded by the community in return for development aid.

Strengths of this PA vs governance principles

- Strong legitimacy and direction, combining a solid (if largely informal) partnership with the 'community', the original managers University of Antananarivo and the expertise and legitimacy of MNP.
- Strong partnership with community based on 37-year reciprocal relationship which was extended to include MNP in 2005.
- Strong conservation and research direction led by universities since inception.
- Management committee integrates both formal (municipal authorities) and customary leaders of the community, helping to overcome the issues associated with bypassing either group in decision-making.
- Compliance with rules of dina has remained high since 2009 despite political crisis.
- Informal accountability mechanisms through personal and professional relationships between actors. Strength of partnership is evidenced by agreement of local communities to significant PA extension in 2006.

Weaknesses of this PA vs governance principles

- Although shared governance arrangements are more inclusive and effective, maintaining the complex web of relationships and structures is time-consuming, and decision-making is highly iterative.
- *Dina* is locally approved and has strong buy-in, but can only be applied against residents of the commune. People also reluctant to apply *dina* due to family ties and fear of reprisals.

- At various times the universities have struggled to deliver on the 'oral contract' agreed with neighbouring communities and successfully implement development interventions, weakening the partnership.

Suggested best practice and/or lessons learned

- Collaboration is a long, slow, political process based on shared goals, mutual benefit, perceived fairness and trust (cf. the hurried nature of new PA creation in the Durban Vision).
- Decision-making was preferentially made in discussions with the wider community rather than just the elected leaders. However bypassing formal structures is also problematic.
- Community-based and shared governance arrangements are inherently fragile, because they depend heavily on particular individuals and personal relationships. It is important to identify and groom leaders.
- Community user groups must have power of exclusion, i.e. their *dina* must be applicable against outsiders.
- The small size of the reserve and of its neighbouring communities (all within a single commune) reduced the complexity of the 'community', and allowed the PA promoters to focus their resources and efforts (cf. large new protected areas where promoters may be spreading themselves too thinly to have an impact).
- It was not necessary that the community were interested in conservation, merely that they perceived benefits from the partnership in other ways.

3.3.5. Case study 4: Ankodida Protected Area

Established in 2006 as part of Durban Vision, Ankodida is still waiting for definitive protection. A category V PA, Ankodida covers an area of 107km2 of 'Spiny forest' and other habitats of Southern Terrestrial Ecoregion. The PA consists of a strict conservation zone surrounded by six territories managed by local community associations through GCF management transfers. Each management transfer is administered by management committee responsible for the transferred territory. Elected representatives from the six associations come together in a Union, alongside clan leaders and respected elders: the Union is responsible for management of both the strict conservation zone and the PA as a whole, and for resolving conflicts arising between territories. Rules are established in the form of *dina*: one for each management transfer (administered by the management committee), and one for the strict conservation zone (administered by the Union). There is a steering committee comprising the promoters (WWF), regional authorities and a local academic institution. Local communities have rights to:

- Use certain resources but this is constrained by national law (e.g. shifting cultivation and hunting of protected species not permitted).

Strengths of this PA vs governance principles

- PA governance structures incorporate local customary institutions and the elders are responsible for their maintenance
- Governance structures also incorporate representatives of all communities through management transfer associations: structures therefore a hybrid of traditional and modern governance systems.
- PA has legally empowered local communities to protect their sacred forest and resources against migrants who do not respect local social norms.

- All zoning and management decisions, for both management transfer territories and the PA, were/are taken or validated during public meetings and village-level consultations.
- Existence of steering committee theoretically provides oversight and guidance on good governance.
- Stakeholders generally desire protection of the sacred forest.

Weaknesses of this PA vs governance principles

- Cultural norms may prevent some parts of society (women, youth, migrants) from expressing their interests during meetings and consultations
- Some stakeholders may be better placed to participate in management transfer/PA governance structures than others, e.g. educated men speaking a foreign language and/or experience of associative organisations/ability to write. These people may have different interests to others in the community, particularly if they are recent settlers/outsiders.
- Concern for the long-term robustness of community governance structures if WWF finance, drive and support were to end.
- Concern that implementation of external governance systems may erode local ownership and the power of customary institutions providing conservation services (sacred forest).
- Customary institutions may be vulnerable to erosion due to 'modernising' forces (Christianity, western healthcare etc), as well as immigration.
- Safeguards plan not implemented, and 'compensation' not paid, as costs too high.

Suggested best practice and/or lessons learned

- Particular attention must be paid to ensure that local 'ownership' of the forest is not reduced by the outside intervention.
- WWF have started using small, interest-based focus groups (e.g. of women, migrants) to improve participation.
- Sufficient, sustainable funding is required to finance appropriate development interventions and prevent the costs of PA establishment being borne by local communities

3.4. Gambia

3.4.1. Overview

The Department of Parks and Wildlife Management (DPWM) is the government agency responsible for the management of protected areas established under the Biodiversity/Wildlife Act 2003. The establishment of protected areas under this act dates back in 1968 when the famous Abuko Nature Reserve was established, as an important water catchment area, providing source of water to the capital, Banjul and its surroundings settlements. Government of The Gambia (GOTG) then developed legal and institutional frameworks necessary for the protection, conservation and sustainable use of biodiversity. To date, a total of seven wildlife PAs have been declared. Two of these can be classified as shared governance but only one of these (Tanbi) involves local communities in the governance arrangement.

In addition to PAs established by DPWM, there are PAs that are under the Department of Forestry (DoF). These are classified under three main categories – State Forests, Participatory Forest Management (PFM) and private forests (number unknown). As in Tanzania, the joint forest management sub-category of PFM is regarded as a form of shared governance, and all these forests have a protection objective alongside other objectives. However, it is not clear to what extent they conform with the IUCN and CBD definitions of a PA and therefore we do not include any as case studies though note that Gambia was for some years recognised as a leader in shared governance in the forest sector in Africa.

3.4.2. Case study 1: Tanbi Wetland National Park

Established on 2001, Tanbi Wetland National Park comprises an area of 63km of mangrove swamp which was gazetted as a Ramsar site in 2007. Within the park a special management area has been designated where oyster harvesting is permitted and communities have lead management responsibility. This area is managed by a community committee whose members are drawn from different oyster harvesting groups within local communities. This management committee reports to a cross-sectoral committee of government agencies who share authority for management and conservation on the PA (Parks and Wildlife, Fisheries, Forest). Local communities has rights to:

- Use of certain resources - collect oyster and cockles and to fish in some areas.

Strengths

- Different institutions and stakeholders working together improve effectiveness through synergy
- The co- management process has been hailed to have succeeded in enabling stakeholders to interact and communicate and improved transparency and accountability for their management actions and finance

Weaknesses of this PA vs governance principles

- Participating institutions often promote and protect their sector specific mandate
- The Acts and policies of these various government agencies with management responsibility in the park are not harmonized.
- Decision making is slow and there is ineffective weak communication between agencies.
- The PA management under the co-management process lacks monitoring capacity and it relies on resources of other institutions to enforce management measures

Suggested best practice and/or lessons learned

- Establish a mechanism for effective inter-institutional collaboration and coordination by developing new over-arching regulatory, policy and legal frameworks for the management of the PA.

3.5. Republic of Congo

3.5.1. Overview

In 2000, at the beginning of the decade, the Republic of the Congo, which is a member of COMIFAC, began a far reaching reform of the legal and institutional framework of the environment and forest sectors. In this process, the forest code and subsequent texts were revised several times, as was the law on wildlife and protected areas. The current strategy aims to balance ecological, economic and social objectives. In the social dimension there is a commitment to promoting participatory management to boost the involvement of all stakeholders and make the most of the artistic, artisanal, cultural and spiritual potential of local communities.

Of the total land area of the Republic of Congo 65% is covered by natural forest and a total of 17 protected areas make up 12% of the land area. The commitment to participatory management is reflected in the fact that 8 of these 17 PAs are now under shared governance following a major move to bring NGOs in the management, and to some extent the governance, of protected areas. In most cases this is based on 5 year renewable agreements, but in one case the agreement is for 25 years and we believe that this case (Odzala Kokoua NP) should be regarded as private governance according to the IUCN definitions of private governance and community governance which both imply that governance type is defined by where decision-making authority lies rather than ownership per se (all PAs in Congo being State-owned).

However of the 7 PAs that clearly conform to the definition and characteristics of shared governance only one (Lac Tele) has significant community participation in governance and thus only this PA qualifies as shared governance for the purposes of this analysis and report. Even in this case the governance type is borderline state/shared governance.

3.5.2. Case study 1: Lac Tele Community Reserve

Established in 2001, the Lac Tele reserve, as its name suggests, was intended to be established as a community managed PA. However the NGO leading this development, WCS, and the relevant government agency concluded after some time that the community did not have the capacity to take the lead in management and the PA became de facto shared governance. At the time, and even now, there is no provision for community governance in national policy although presumably it was assumed that the policy would be amended as necessary. The State owns the PA. Local communities have rights to use certain resources and engage in some cultural and ecotourism activities.

Strengths of this PA vs governance principles

- Creation of this Community Reserve was originally decided upon by local people;
- Rules in force compatible with and fully respect international commitments, particularly with reference to the landscape of which the Reserve is a part;
- Those in charge are honest and conscientious about responsibilities;
- Active commitment of stakeholders to respect laws and regulations in force

Weaknesses of this PA vs governance principles

- There is community representation in a “Steering Committee” but in reality local communities do not have access to decision-making;
- Insufficient circulation of information amongst stakeholders;
- Inappropriate responses to real needs of stakeholders and local communities
- Programmes to raise awareness and communicate are not strong enough

Suggested best practice and/or lessons learned

- Greater participation by local communities in PA activities (ecotourism sector in particular);

- Boost dialogue and mutual respect between stakeholders and local communities in particular
- Representatives of local communities should be fully and practically involved in process of managing Reserve.
- Consider local communities as serious, key partners;
- Plan to gradually change status of PA into real Community Reserve

4. Discussion

Shared governance means different things to different people. However with more than 20 years of efforts to promote different variants of shared governance in Africa we are now able to take stock of the different variants and begin to understand their inherent strengths and weaknesses and the external factors that affect the degree to shared governance meets the goals and aspirations of different stakeholders (opportunities and limitations), and make recommendations for strengthening shared governance arrangements in different contexts.

4.1. Shared governance: strengths and weaknesses

The following sections present an analysis of the strengths and weaknesses of shared governance that are evident from the cases studies that we have examined and also from our literature review with a focus on strengths and weaknesses that appear to be inherent to the governance type (i.e excluding those that are very site specific). As an analytical framework we are using the five PA governance quality principles that have been elaborated in the IUCN Best Practice Guidelines on Governance of Protected Areas (Borrini-Feyerabend et al 2013) – legitimacy and voice, direction, performance, accountability, and fairness. These governance principles are drawn from a framework developed by the Institute on Governance (Graham et al, 2003). This framework also includes sub-principles (see bow 1) and we use these as sub-headings for the sections that follow.

4.1.1. Legitimacy and voice

Participation
A fundamental characteristic of shared governance is the participation, to some degree, of other relevant stakeholders in decision making processes and platforms in addition to the managers of the PA. In this report we focus in particular on the participation of local stakeholders including indigenous and local communities. Across the case studies we see a wide variety of different arrangements. In terms of platforms, almost all cases have some kind of multi-stakeholder committee including local stakeholder representatives, but the decision-making authority devolved to this committee varies from almost nothing (i.e. in reality an advisory committee) to a genuine platform for shared decision-making. In terms of the wider engagement of local stakeholders in decision-making processes beyond meetings of a multi-stakeholder committee we also see major differences from very light (often tokenistic) consultation to genuine village-by-village negotiations. Another important variable is in what aspects of PA decision-making the stakeholder participate. In some cases shared decision making processes may be narrow in scope (e.g relating to sharing of tourism revenues) while in other cases most aspects of PA decision-making are covered.

Box 1: Five Principles of Good Governance	
The Five Good Governance Principles	**The UNDP Principles and related UNDP text on which they are based**
1. Legitimacy and Voice	**Participation** – all men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their intention. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively. **Consensus orientation** – good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures.
2. Direction	**Strategic vision** – leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.
3. Performance	**Responsiveness** – institutions and processes try to serve all stakeholders. **Effectiveness and efficiency** – processes and institutions produce results that meet needs while making the best use of resources.
4. Accountability	**Accountability** – decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external. **Transparency** – transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.
5. Fairness	**Equity** – all men and women have opportunities to improve or maintain their well-being. **Rule of Law** – legal frameworks should be fair and enforced impartially, particularly the laws on human rights.

Reproduced from Institute on Governance Policy Brief #15 (Graham et al, 2003).

The first question is which stakeholder groups should participate and who decides this. Few of the cases studies have much to say on this fundamental issue. That said, it is clear that the stakeholder analysis is most likely based on interests rather than rights since it is rare to find any recognition of community rights in shared governance arrangements that have mostly evolved from State governance (i.e. there are unlikely to be any recognised rights-holders). Geographic scale is a key issue in any stakeholder analysis at local level. Sometimes the rather arbitrary cut-off of 5km is used but this may hide significant variation within the 5 km (e.g. impacts of human-wildlife conflict affecting people closer to the PA). In contrast to the forest context where 5km may be more than far enough in many cases, in dryland savannahs there may be pastoralist communities who use, or used to use, the PA resources who for most of the year live 50km or more from the PA.

Once a thorough stakeholder analysis has been done the second question is how to ensure that social groups with a significant interest are effectively represented. The case studies document many challenges in this area - some related to domination by powerful elites (e.g. educated males) and other related to discrimination against social groups who may tend to be marginalised by gender or ethnicity. Many case studies report the benefits of involving customary institutions in shared governance arrangements but there are also potential pitfalls here in that traditional cultural norms may be inequitable in some respects, and also Madagascar raises a concern that customary institutions might themselves be weakened by their engagement with the State in shared governance.

Local stakeholders also include local government actors. Case studies from Namibia and Gambia call for more engagement of development sectors in local government such as agriculture, education and health but other case studies raise concerns over the high transaction costs of shared governance – inclusivity is generally a good principle but you have to draw the line somewhere.

In summary, a real strength of shared governance is the provision of opportunities for local stakeholders to participate in PA governance and thereby have significant influence over decision-making – in some cases across all aspects of PA management while in other cases limited to certain specific areas of PA management activity. This participation of local stakeholders should, if all goes well, improve both the effectiveness and equity of PA management. Furthermore, participation of local stakeholders helps to boost the legitimacy of the PA in the eyes of local stakeholders – increasingly important in an increasingly political debate on alternative forms of land use. Which local stakeholders are invited to participate and how they are represented in shared decision making platforms and processes is a critical issue and it is here that we see the weaknesses emerge. As with other local level decision making processes, PA governance is prone to domination by more powerful social groups and exclusion of other stakeholder groups that tend to be marginalised e.g. by gender and/or ethnicity. Engaging existing customary institutions is generally a good idea but it is important to keep in mind that these institutions may suffer from real governance problems of their own.

Consensus orientation

Good multi-stakeholder governance is characterised by consensus-based decision-making. While this is generally accepted to be best practice, decision-making by consensus can be more time-consuming and costly than might otherwise be the case. Also, although none of our case studies raised this issue, consensus-based decision-making presumably only works when there is some degree of trust between stakeholders, or, to put it another way, it is unlikely to work, and shared governance itself is unlikely to work, in situations of serious conflict between key stakeholders. Where a top down governance system evolves into shared governance, another key concern is how mind-sets of the past may continue to influence perceptions and attitudes, both on the government side and with local stakeholders who may find it hard to adjust to the idea that they can and should have real influence. In other words, consensus that gives the impression of a level playing field may in fact mask power relations that are, in reality, little changed.

4.1.2. Direction

Strategic vision

Shared governance should start with a shared vision, i.e. a clearly articulated vision for the PA is developed through a participatory, or at least consultative, process. Our case studies include such examples but also cases where participation of local stakeholders is, in reality, limited to the operational level – in other words participatory management but not true participatory governance. Even where there is genuine local stakeholder participation in the strategic level of PA management planning, a number of the case studies reveal a strong influence of powerful external stakeholders over the process.

At the level of strategic vision there is a very compelling argument for shared governance – if you accept that a PA is a multi-functional landscape (i.e. it must deliver on multiple objectives of the different legitimate stakeholders) then shared governance is simply an attempt to align the governance of the PA with this pluralistic vision. But what if the vision is predefined and cannot realistically be changed – for example, as illustrated by several case studies, where the PA management category implicitly prioritises the objectives of some stakeholders over the objectives of others. Then you may end up with the situation where the stakeholders whose interest are considered secondary feel that shared governance is little more than an attempt by the dominating stakeholders to co-opt them. Local communities engaged in joint forest management in Tanzania have found themselves in this situation which they describe as "doing the governments work".

4.1.3. Performance

Responsiveness

Responsiveness is about institutions and processes being responsive to the interests and concerns of all stakeholders, and providing effective and timely responses to reasonable demands. This is clearly an issue not just for shared governance but for all PA governance types. Recent research emphasises the importance of this issue not only in terms of the response itself, but also the fact that PA authorities have taken the trouble to recognise the issue and try to do something about it is important in its own right (Martin et al, 2013, Harrison et al, in press). To put it another way, a sense of injustice/inequity is fuelled as much by lack of recognition of a problem as by the actual cost of that problem. Since shared governance enables greater accountability it is likely to lead to more responsive PA management. On the other hand, participatory decision making can be a recipe for inaction – "participatory paralysis". With our case studies it is hard to tell which predominates but since participatory paralysis is one of the main causes of death of shared governance (along with high transaction costs) we might conclude that increased responsiveness is more common.

Effectiveness and efficiency

Effectiveness and efficiency relate to the impact achieved versus resource deployed. Impact will be a mix of biodiversity conservation and sustainable development depending on the situation, but generally more the former. Whatever the balance, shared governance clearly has strong potential to deliver more effective PA management given the potential synergy that can be derived from different stakeholders pooling their knowledge and expertise. However the potential synergies of shared governance can be seriously undermined by the high transaction costs of maintaining the platforms and processes associated with shared governance, and many of our case studies refer to this problem. Although this has not yet proved fatal to any of them, there are other examples of efforts to promote shared governance in Africa that have collapsed mainly due to transaction costs – notably Uganda which was at the forefront in developing shared governance in the 1990's but abandoned the key institutional arrangements that had been established with NGO support primarily due to the high cost of maintaining them. The up-front cost of establishing shared governance, in particular the investment in capacity building of all stakeholders, is also very high. One way of reducing these costs that is described in several of our case studies is to have localised shared governance arrangements nested within larger protected areas.

4.1.4. Accountability

Accountability[8]

A governance arrangement where local stakeholders participate in a governance institution at PA level – fundamental to stronger forms of shared governance – is clearly beneficial in terms of greater accountability to local stakeholders, but it also brings new challenges of accountability. Not only must stakeholders engaged in governance be upwardly accountable to the relevant bodies at higher levels, but also they must be downwardly accountable to the local stakeholders whose interests they seek to address, and, in some cases, represent. Many of our case studies report problems with this downward accountability. A common problem is with defining who the community representatives should be accountable to. This is especially the case where downward accountability relies on existing structures of local government, or existing customary institutions, which may not be well aligned spatially with the PA-adjacent communities that are the main focus. Another common concern is that mechanisms for downward accountability (e.g. regular meetings at village level) are not clearly defined and thus reliant on ad hoc arrangements which are prone to elite capture and/or tokenism. Thus we have a situation where, on the one hand, shared governance has the potential to increase accountability, especially to local stakeholders, but on the other hand, if poorly executed, may make little difference, or even make matters worse by confusing the division of responsibilities and authority and the crucial relationship between these two.

Transparency

While transparency (availability of necessary information) is a prerequisite for good governance and this applies to all PA governance types, shared governance presents an additional challenge in that information must be shared across boundaries where there are often barriers to information flow e.g. government to civil society. A number of the case studies report challenges of this kind particularly in relation to PA-related revenue and schemes to share part of this revenue with local communities. The key point here is that when government and local stakeholders commit to a shared governance arrangement for a PA they must understand the implications in terms of information sharing both in terms of what information needs to be shared and how it will be shared, i.e. be prepared to invest in effective communication with the key audiences.

[8] Definitions from the Business Dictionary

Accountability: A duty or obligation to satisfactorily perform or complete a task (assigned by someone, or created by one's own promise or circumstances) that one must fulfill, and which has a consequent penalty for failure.

Responsibility: The obligation of an individual or organization to account for its activities, accept responsibility for them, and to disclose the results in a transparent manner.

Authority: Institutionalized and legal power inherent in a particular job, function, or position that is meant to enable its holder to successfully carry out his or her responsibilities.

Transparency: the availability of full information required for collaboration, cooperation, and collective decision making.

4.1.5. Fairness

Equity

Equity means different things to different people. Unpacking what equity means in the context of PAs is work in progress (see http://www.iied.org/equity-justice-ecosystem-services-what-do-we-mean). For the purposes of this study we propose to use the following principle that is included in recommendation #29 of the 2003 World Parks Congress which seems to capture the essence of how equity is defined in the good governance framework that we are using: *Protected areas should strive to contribute to poverty reduction at the local level, and at the very minimum must not contribute to or exacerbate poverty.* This is often summarised as "do no harm and where possible do good".

With equity defined in this way (i.e. in terms of social impact on local stakeholders) it seems logical that shared governance arrangements that increase the influence of local stakeholders in PA management should be more equitable than state governance or private governance arrangements that don't. While we do see this in a number of our case studies, we also see evidence of problems that undermine the equity of shared governance, for example:

- Options for resource use by local people can be constrained by the PA management category
- High transaction costs to local stakeholders of participating in shared governance.
- PA benefits that can be targeted are not preferentially targeted at people who experience more PA-related costs

Social safeguards may be used to try to institutionalise equity provisions and Madagascar provides a good example of this where every PA is required by law to conducts a social impact assessment and develop a plan for mitigating any negative social impacts. This has been done in all of the Madagascar PAs included in this study but none has implemented these plans and indeed some aspects of the plans seem unrealistic (e.g. providing compensation for all negative impacts).

Equity is a critical issue for shared governance not only in terms of the ethical principle of do no harm/do good, but also in terms of the feasibility and sustainability of shared governance. If local stakeholders do not see a net benefit from shared governance then once initial expectations prove unrealistic they will drop out of the process. Reading between the lines of our case studies, this seems to be evident in several – notably in the Wildlife Management Areas of Tanzania (and the same has been reported from Tanzania's district forest reserves that are under PFM).

Rule of law

The rule of law (i.e. legal frameworks should be fair and enforced impartially) is clearly crucial for all PA governance types. This can be a strength of shared governance in terms of the increased accountability that shared governance may provide. On the other hand, shared governance may be more vulnerable than other governance types to rule of law issues as this will undermine trust between government actors and local stakeholders. Our case studies report several examples of this, including a case of powerful interests operating behind the scenes which may be less evident but very damaging to the success of shared governance. One strength of strong models of shared governance that include a joint decision-making platform is that such platforms provide a natural forum to discuss and resolve grievances. Our case studies of state and private governance types did not include any such grievance mechanism. Compared with these other governance types, another potential strength of shared governance with respect to the rule of law is that it may take advantage of customary law and institutions, for example the "Dina" in Madagascar.

4.2. Shared governance: opportunities and limitations

This section discusses key external factors that may determine the performance of shared governance in terms of good governance principles, i.e. opportunities and limitations (using the terminology of SWOT/SWOL analysis). They may also be seen as enabling conditions.

Long term commitment
Shared governance means that government agrees to share power (at least to some degree) with local communities and frequently with other local stakeholders such as local government. This requires political support at the highest levels within the PA Authority, its line Ministry (and beyond the ministry if changes in legal and policy framework are needed to implement shared governance). There is a very real risk that a country or particular PA may embark on shared governance only to find that the political climate changes and the necessary high level support evaporates. Amongst our case study countries Tanzania is showing signs of this problem – having strong policies and laws for shared governance already in place but, at least in some areas, lacking the political will necessary to implement the level of devolution of authority necessary, for successful shared governance.

Financial security
The high on-going transaction costs of shared governance is always going to be a limitation of this approach and a potential killer risk, especially where costs of establishing shared governance has been met by an NGO and then the on-going costs have been inherited by government. That said, if shared governance can deliver more effective and equitable PA management, then some increase in financial investment by government would seem to be warranted. However the reality is that the budget of the PA authority is often capped by factors beyond its control - for example if it is funded by tourism. Even if shared governance does deliver better results there simply isn't the finance to sustain this investment. If revenues decline then cuts will have to be made and the transaction costs of shared governance will be cut before law enforcement and other basic PA management functions. However, if shared governance could reduce the cost of law enforcement to government then we have a different scenario. This seems to be the case in Madagascar where the major expansion of the PA network announced in 2003 would not have been affordable without substantial cost-sharing with the NGO "promoters" and local communities. However, to what extent (i.e. at which sites) this will prove to be sustainable remains an open question.

Management flexibility
A flexible, adaptive approach to PA management is perhaps even more critical with shared governance than with other PA governance types because of the need to be responsive to a wider set of stakeholder interests, and the risk that a lack of response will undermine the trust on which the whole shared governance arrangement is built.

Local political support

Where local government is empowered to engage in shared governance this can be a strong enabling condition but at the same time poses risks. At least one of the case studies in Tanzania reports problems with local political agendas undermining PA governance. This may be an issue of specific local political issues playing out within PA governance or, more fundamentally, an issue of local government pushing for more pro-development strategies that may conflict with conservation objectives and, at times, the interest of some social groups within the local community. Although this may look like a limitation of shared governance in the short term, it is may be a strength in the medium to longer term as it is better to have a platform where conflicting interests can be openly discussed and negotiated, than to ignore them. But this will only work if the local stakeholders feel that the "rules of the game" are fair. This emphasises the critical importance of the enabling policy and legal framework in defining these rules and safeguards to protect key interests, and, most fundamentally, in defining the overall power balance within shared governance arrangements.

4.3. Recommendations for advancing shared governance

The following recommendations for extending shared governance to new PAs and strengthening existing shared governance arrangements are compiled from the case studies that we have analysed, focusing on those that are broadly applicable (rather than site specific).

Preconditions

- ***Institutionalisation***: shared governance needs to be institutionalised within the PA authority from the start. Experimenting with elements of shared governance in advance of policy development may be OK so long as there is strong political support for the necessary institutionalisation measures.
- ***Financial viability***: there must be a viable financial plan for sustaining shared governance platforms and process over the medium to longer term.
- ***Incentives for community engagement***: there must be sufficient incentive to motivate and sustain community engagement. Even if financial benefits are small or non-existent, non-financial benefits (e.g. ecosystem service values, sense of ownership) may be sufficient. Where incentives for effective community engagement are low explore ways to generate additional benefits (e.g. sharing revenues, payments for ecosystem services) and/or ways to reduce the transaction costs, e.g. simpler processes, more localised shared governance arrangements.
- ***Local ownership****:* Communities and other key local stakeholders must be actively engaged from the start to empower them and encourage ownership, i.e. avoid externally driven processes.
- ***Ambition***: the ambition for shared governance must cover longer term strategic decisions as well as operational decision-making.

Establishment

- ***Capacity building***: ensure the necessary investments in capacity building of both the PA staff local stakeholders
- ***Access to information***: ensure that all key stakeholders have the information they need to effectively participate in shared governance arrangements
- ***Good stakeholder analysis***: Ensure a robust and objective stakeholder analysis to identify the key stakeholders at all levels and their current and future level of interest and influence.

- ***Build on existing institutions*** of government and communities but beware of existing governance weaknesses in these institutions
- ***Downward accountability***: develop measures to promote and institutionalise downward accountability of community representatives to the people they are supposed to represent.
- ***Role of local government***: ensure that shared governance committees include representation from relevant local government agencies, especially those involved in land use e.g. agriculture.
- ***Formal agreements***: Formalise shared governance arrangements with agreements that clearly specify rights, responsibilities, rewards, grievance resolution arrangements etc.

Maintenance

- ***Adaptive approach***: ensure a flexible, adaptive approach to PA management planning that enables responsiveness to emerging issues and shared governance itself to evolve over time.
- ***Regular assessment***: conduct participatory social and governance assessment on a regular basis, even if only at a very basic level.
- ***Foster strong leadership***: identify and support good leaders
- ***Affirmative action***: provide specific support to social groups that may otherwise be excluded (e.g. women, minority ethnic groups).
- ***Recognise good performance***: look for ways to recognise and, where appropriate, reward good shared governance e.g. through competitions, positive media coverage

5. Conclusion

This report focuses on shared PA governance where authority and responsibility is shared between state actors and non-state actors at the local level, including indigenous and/or local communities. The overall picture emerging from our literature review and case studies of this form of shared governance in sub-saharan Africa study is one of very mixed results. There are clear examples of success and also of failure, and many sites where the final outcome remains unclear. Which of these end up successful and which fail will depend crucially on the perceived benefits of shared governance in terms of effectiveness and equity, and how the various actors respond to the weaknesses and limitations that we have documented.

There is a clear rationale for shared governance. As reflected in the visions of the PA authorities of our case study countries, a given PA has multiple conservation and sustainable development objectives. These multiple objectives reflect the interests of different stakeholders groups from global to local levels and it makes perfect sense to have the more significant of these groups engaged in PA governance both from the perspective of effectiveness and equity.

More equitable (i.e. fairer) PA management and governance is both a desired outcome of shared governance and also a condition for its success, i.e. local stakeholders will only participate if they feel that they are getting a fair deal, or at least moving towards a fairer deal. Fairness/equity is not only about the balance of financial benefits and costs. It is also very much about factors that cannot easily be valued such as ecosystem services, recognition of rights, sense of ownership, fair processes. A fundamental challenge for shared governance is where the potential to offer local stakeholders a fairer deal is constrained by the interests of more distant stakeholders e.g. in watershed protection, globally important biodiversity, carbon. In the case of PAs this may be reflected in the PA management category that, in effect, predefines some objectives and acceptable trade-offs. So although all PA governance types can, in principle, apply to all PA management categories, shared governance may be less likely to succeed where the objectives of the PA severely constrain the opportunity to address local stakeholder interests.

The success of shared governance is also very much dependent on the transaction costs related to participation of local stakeholders in shared governance – both to the PA authority and local stakeholders themselves. Where external actors such as NGOs have established high cost shared governance arrangements and then handed these over to government they have often collapsed. For local stakeholders another key cost issue is the time that they put into conservation activities (e.g. assisting with law enforcement) that is generally assumed to be a voluntary contribution.

Different approaches to PA shared governance lie on a power-sharing continuum (see fig 1). On the left side there are a large number of State governed PAs that are increasing adopting and institutionalising consultative approaches (i.e. moving into collaborative governance). This may involve creating new multi-stakeholder institutions (e.g. committees) but these are by no means essential in collaborative governance. The benefits to local stakeholders of this form of shared governance may be only modest but where transaction and conservation activity costs to local stakeholders are not high then there seems to be a good chance of success, especially where innovative approaches to enhancing local benefits can be devised, e.g. use of certain PA resources, sharing of revenues. As we have seen from our case studies in Namibia, Congo and the Gambia, there seems to be a real opportunity for many PAs that are currently under state governance to evolve in governance terms to this form of relatively light shared governance.

On the right hand side of the shared governance continuum which borders community governance we have situations where substantial authority has been given to local stakeholders (joint governance). A multi-stakeholder institutions (e.g. committee) where stakeholders make decisions collectively is essential in this stronger form of shared governance. The costs to local stakeholders of this form of shared governance will inevitably be higher and therefore the benefits must also be higher which generally means higher levels of sustainable use. However, non-financial benefits can also be very important in this respect, as illustrated by the success of many Indigenous and Community Conserved Areas (ICCAs) where non-financial benefits are often the main consideration.

While shared governance faces challenges right across the continuum it is arguably the middle ground where the problem really lies. Here the reality of shared governance is often the worst of both worlds – high transaction and conservation activity costs but insufficient authority and benefits to local stakeholders to justify their participation beyond a “honeymoon period” of unrealistic expectations. In conclusion, in the context of countries in sub-saharan Africa where resources for PA management are generally very constrained, the more fertile ground for shared governance seems to be on the left hand side of the continuum (authority largely with the PA authority with communities and other local stakeholders having substantial influence), or on the right hand side (authority largely with local stakeholders but with the PA authority retaining substantial influence and, on some issues, control).   The apparent asymmetry of this last statement – that government retains some control at the right-hand side of the continuum while local stakeholders may have no control as such on the left side - simply reflects the legitimate role of any State, in Developed and Developing Countries alike, to retain some degree of control over the use of land and natural resources which exists even in relation to private property (e.g. through planning regulations).

This review charts the rise, and in some case the fall, of shared governance in sub-saharan Africa over the last 25 years with a particular focus on five countries. Although there have been some notable failures, and the rate of growth in shared governance has fallen in the last ten years, there still seem to be many successful examples, and the recommendations from our analysis suggest how these might be further strengthened and effectively replicated.

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