



UNDERSTANDING THE GREATER KRUGER / GLTFCA COOPERATIVE AGREEMENT

PURPOSE OF THE AGREEMENT

The Great Limpopo Transfrontier Conservation Area (GLTFCA) Cooperative Agreement seeks to address issues and capitalise on opportunities within the open system of the Great Limpopo Transfrontier Park (GLTP) and surrounding conservation and protected areas. The purpose of the agreement is to:

1. Address risks associated with a variety of entities, with different legal statuses, business models and management approaches being part of a single open system that constitutes a landscape-level conservation initiative.
2. Engender cooperation and collaboration in areas of common interest that include ecological management, socio-economic beneficiation, and safety and security.
3. Capitalise on opportunities that exist within the collective that include joint buying-power, lobbying for reasonable legislative and policy changes as part of a collective, joint destination marketing, and collective socio-economic beneficiation that efficiently maximises the benefits of the GLTFCA.

Within this context, the GLTFCA Cooperative Agreement seeks to address the following:

- The legal protected area status of the areas that form the open system of the GLTP, which focus on:
 - Ensuring that land in South Africa is protected in terms of the National Environmental Management: Protected Areas Act (NEMPAA), with a primary focus on national parks, nature reserve and protected environments.
 - Ensuring that there are appropriate legal protections for land in Mozambique and Zimbabwe that meet the IUCN criteria for categories of protected areas.
- The governance of the entities that constitute the GLTFCA, ensuring that there are appropriate institutional structures in place that enable effective protected area management, resourcing and oversight of the individual protected areas.
- A landscape-level approach to the management of key ecological issues that impact on individual protected areas and the entire open system, which would include issues such as water management, key species management, the ecological application of fire, bush encroachment and invasive alien plant control.
- The socio-economic benefits of the GLTFCA, which focus on the benefits to the regional and national economies, and socio-economic benefits to the communities within the GLTFCA related to issues such as poverty alleviation, job creation and the development of local capacity.
- Safety and security within the GLTFCA, with a strong focus on wildlife crime and the ability to cooperate and collaborate in addressing joint concerns related to safety and security.
- The future inclusion of land into the open system of the GLTP, ensuring that such inclusions do not pose a risk to individual protected areas and the open system in general, and that the ecological and socio-economic benefits of such inclusions are clearly defined and understood.

TANGIBLE OUTCOMES OF THE COOPERATIVE AGREEMENT

The tangible outcomes that will be achieved once the cooperative agreement has been signed and adopted by all parties are discussed below.

Regularisation in terms of NEMPAA

The cooperative agreement requires all areas within the open system of the GLTP within South Africa to be compliant with the provisions of the National Environmental Management: Protected Areas Act (NEMPAA). This will ensure minimum standards of legal protection for areas within the open system under the framework of NEMPAA. This requires that all areas must be legally declared as protected areas, as defined in terms of NEMPAA, and in the case of nature reserves, the following minimum requirements must be met:

- The land must be declared in terms of the requirements of Section 23 of NEMPAA.
- A written agreement must be formulated between the landowners and the relevant MEC, and this agreement must be endorsed on the title deeds, making it binding on successors in title.

- The management authority of the nature reserve must have been formally appointed by the relevant MEC in terms of Section 38(2) of NEMPAA.
- A management plan, prepared for the nature reserve in terms of the requirements of NEMPAA, must have been submitted and approved by the relevant MEC in terms of Section 39(2) of NEMPAA.

An inability to address the protected area status of the land within the open system will continue to pose a risk to the individual reserves, their neighbours and the open system of the GLTP in general. The legal protection created through the regularisation process will address risks such as those posed by potential future mining applications and new legislation that is being contemplated such as:

- The Preservation and Development of Agricultural Land Framework Bill, which proposes to regulate the use of land for any purpose other than agriculture and to ensure that the agricultural potential of land is unlocked and developed.
- The Regulation of Agricultural Land Holdings Bill, which intends to restrict the area of land a single person/entity may own and provide for a compulsory offering for land reform purposes of land owned in excess of the ceiling.

The management plan should form the basis for all development, management and operation of the nature reserve and should address issues that include legal compliance, ecological management, development and operation of the reserve, zonation and the provision of adequate resources and finance to manage the reserve.

Note on management authorities

During the process of developing and negotiating the cooperative agreement, various options and models for management authorities have been discussed. These include:

- Having reserves declared as additions to the Kruger National Park, which would require SANParks to be the appointed management authority but allows for the establishment of a co-management agreement that would define the management responsibilities of landowners.
- Having a central body, such as the Association of Private Nature Reserves (APNR), appointed as an umbrella management authority for a number of reserves.
- Having the existing management structures of each reserve appointed as the management authority, as part of the process of regularising the existing nature reserves in terms of NEMPAA.

The last option has been universally supported as the preferred option by the reserves. The reasons for this include:

- The reserves wish to largely maintain their autonomy in how they are managed and operated within the umbrella of the cooperative agreement and its associated protocols and guidelines.
- The adoption of another option would be unwieldy and administratively difficult as the reserves operate based on different forms of ownership (e.g. share-blocks, single landowners) and have different revenue models (e.g. hunting, tourism, levy systems).
- In almost all cases, the existing reserves would need to engage with their landowners in order to obtain their support to deviate from the existing structures. This would also require an amendment of all of the reserves' constitutions as most identify their EXCOs as the management authorities.
- The individual management authorities of each reserve would be responsible for the financial management of their reserves, oversight and ensuring compliance with the management plan by landowners, and issues such as reporting on compliance with the management plan and the operation of the reserve in terms of the Regulations for Nature Reserves and the Norms and Standards for Protected Areas.

A decision to deviate from this approach at this stage would undermine much of the effort that has been made to regularise the reserves in terms of NEMPAA, including:

- The considerable progress being made by all reserves to have their landowners sign resolutions, special powers of attorney and other documentation required for regularisation, including the endorsement of title deeds.
 - Some reserves are particularly far advanced in this process with submissions to MECs imminently expected (e.g. Sabi Sands, Timbavati, Balule)
- The revision and amendment of constitutions of some reserves to align them with the provisions of NEMPAA (Umbabat has appointed lawyers to re-draft its federal constitution).
- The completion of management plans for each reserve, which will be submitted to the relevant MECs for approval.

Ecological management

The cooperative agreement will, as a minimum, ensure that reserves meet their legal requirements, which would include:

- The submission and approval of a comprehensive management plan to the MEC for each reserve, as required by NEMPAA (Note: that there are clear monitoring and reporting requirements set for the management plan through the Regulations for Nature Reserves).

- The inclusions of Invasive Species Control Plan, in the reserve's management plan, as required in terms of Section 76 of the National Environmental Management: Biodiversity Act.
- The submission and approval relevant species control plans (e.g. elephant management plans prepared in terms of the Norms and Standards for Elephant Management).
- Compliance with the National Veld and Forest Fire Act and the Conservation of Agricultural Resources Act, which address issues related to fire management, the maintenance of firebreaks and use of fire for ecological management.
- Compliance with environmental authorisation processes required for activities that are listed in terms of the National Environmental Management Act.

In addition to these minimum requirements, the cooperative agreement will enable cooperation on more contentious issues such as catchment level water resource management and the management of species such as elephants at the landscape scale.

Socio-economic benefits

The cooperative agreement will establish minimum standards and criteria for the economic activities within the GLTFCA. For example, the existing APNR Hunting Protocol provides a sound basis for well-managed, ethical hunting that is based on scientifically determined limited offtakes. Similarly, the responsible tourism guidelines provide the basis for ethical and environmentally responsible nature-based tourism within the GLTFCA. A further aspect of the cooperative agreement will be the determination of broad benefits from these activities to neighbours and surrounding communities, ensuring that there are tangible benefits for communities living within the GLTFCA.

The cooperative agreement enables a stronger approach to collective action within the GLTFCA. This means that the collective can engage in dealing with issues such as municipal property rates but it also means that collective action can be taken in implementing joint social investment initiatives that may be more effective because of the economies of scale that are created. The ability of the collective to leverage finance for specific projects and programmes will be strengthened and the joint buying power of the collective will enable discounted rates to be negotiated for equipment, uniforms, materials, vehicles, consumables and a range of other items purchased by the reserves.

Safety and security

The cooperative agreement will entrench and solidify efforts related to safety and security that are being implemented through the Greater Kruger Environmental Protection Forum (GKEPF). It is essential that the efforts of GKEPF be consolidated and built upon through the cooperative agreement and that structures such as the Joint Committees and Joint Management Board entrench the work of GKEPF within them.

Land inclusion

All future additions to the open system of the GLTP will be undertaken in terms of the cooperative agreement and the accompanying land inclusion guideline that is being developed. This is essential to ensure that the additions contribute towards the values of the open system and that any potential risks associated with them are identified and managed.

CONCLUSION

The cooperative agreement is essential to ensure a uniform framework for the protection, management and socio-economic beneficiation of the open system of the GLTP. It will address a number of current and anticipated risks that the open system faces. Importantly, it will ensure that landowners within the open system are able to continue to enjoy the current use of the land in perpetuity, creating a legacy for their families and the region in general. It will address key risks, unlock significant opportunities and benefits for landowners, management authorities and communities living within the GLTFCA.

Broad overview of functions of Joint Operational Clusters (e.g. APNR)

The nature of the cooperative activities may include a range of activities of mutual interest to both Parties:

1. Collaboration in the development and review of the respective Management Plans and Elephant Management Plans;
2. Collaborate on key strategic and operational management priorities according to “best-practice” guidelines and high level protocols to inform decision-making and improve protected area management effectiveness, e.g. management of water resources and catchments, risk management, joint marketing and development opportunities, municipal land use matters, species management, safety and security, socio-economic investments, etc.;
3. Refer neighbouring land for inclusion to the Joint Conservation Committee for final approval (such an application should first be referred to the EXCO/Management Structures of the respective Parties, in compliance with the Management Plans and Constitutions);
4. Create an enabling platform for knowledge transfer and applied research;
5. Recommend sustainable and responsible resource use, e.g. animal off-takes;
6. Support and promote compatible activities adjacent to protected areas;
7. Support the development of community-based initiatives as part of a broader land-use planning and socio-developing strategies;
8. Promote the development of partnerships between conservation partners, community organisations, non-governmental organizations (NGOs), private entrepreneurs, and local communities;
9. Improve benefit flows to people in and around protected areas;
10. Develop joint communication strategies on themes of collective interest.

Broad overview of the functions of the Joint Management Committee (Executive committee)

1. To provide Oversight and Strategic Direction
2. Financial sustainability (all facts)
3. Seek external funding / fund raising
4. Land incorporation- final endorsement
5. Review conservation compatible revenue models, and diversification
6. Audits on revenue spent
7. Inform social investment priorities
8. Leverage Political/Strategic support
9. Seek legal support
10. Trust fund and approval processes
11. Pursue certification and incentive schemes
12. Responsible for Monitoring, evaluation, auditing
13. Coordinate branding and marketing
14. Develop joint communication strategy
15. Develop and monitor realistic Incentive Framework
16. Promote and monitor cooperative Governance
17. Monitor and implement Strategic Adaptive Management – Workplans and Strategies through JCC and conservation entities
18. Risk Management, audits, compliance, governance
19. Address and recommend actions wrt breach and disputes

Portfolios:

- I. Conservation and land use management (includes veterinary)
- II. Tourism, marketing and branding
- III. Safety and security
- IV. Research, training and capacity development
- V. Socio-economic (including financial sustainability, fund raising, social investment)
- VI. Governance, Risk, audits, arbitration
- VII. NOTE: One independent expert per portfolio will be appointed

Note: Draft document – refer to detailed draft SOPs, Guidelines and Protocols in development. JMB and JMC to guide review of these. Being developed in consultation with conservation areas and Conservation Agencies

Key issue	Open	Adjacent land use areas
Land use status		
Protected area / Conservation status	<ul style="list-style-type: none"> South Africa: formal NEMPAA Section 20, 23, 28 (SA) Mozambique and Zimbabwe: similar IUCN category (protected area I or II) 	Formal Stewardship/ Conservation Agreement for: community wildlife conservation areas; community rangeland/livestock areas; private game farms; conservancies
Governance		
Governance	<ul style="list-style-type: none"> South Africa: Comply with NEMPA (Act 57 of 2003) <ul style="list-style-type: none"> ➤ Constitution ➤ Management Authority/EXCO representing members ➤ Management Plan ➤ Zonation and land use Plan ➤ Elephant Management Plan (if relevant) ➤ Risk response strategy ➤ Annual monitoring and evaluation assessment (METT or similar) ➤ Financial reports/audited statements available Mozambique and Zimbabwe: Similar according to Country specific Protected area requirements 	Formal Governance structure: privately owned (e.g. Association, Company, Trust); community rights to land (e.g. CPA, Trust)
Further land inclusion/Area expansion	<ul style="list-style-type: none"> To comply with all categories Refer to the attached flow diagramme for approval processes 	<ul style="list-style-type: none"> To comply with all former categories Approval by current land right structure
Environmental management		
Species Management: Elephants	<ul style="list-style-type: none"> South Africa: NEMBA approved Elephant Management Plan Mozambique and Zimbabwe: Similar according to Country specific Protected area requirements 	<ul style="list-style-type: none"> South Africa: NEMBA approved Elephant Management Plan Mozambique and Zimbabwe: Similar according to Country specific Protected area requirements
Species Management: Rhino	Integrated rhino management Strategy (compliant with National standards and requirements)	Integrated rhino management Strategy (compliant with National standards and requirements)
Invasive alien species management	<ul style="list-style-type: none"> South Africa: NEMBA compliant <ul style="list-style-type: none"> ➤ IAS monitoring and Management Plans Mozambique and Zimbabwe: Similar according to Country specific requirements 	<ul style="list-style-type: none"> South Africa: NEMBA compliant <ul style="list-style-type: none"> ➤ IAS monitoring and Management Plans Mozambique and Zimbabwe: Similar according to Country specific requirements
Fire management	<ul style="list-style-type: none"> South Africa: Comply with the National Fire Act <ul style="list-style-type: none"> ➤ Member of the Greater KNP Fire Protection Association ➤ Formal fire management plan Mozambique and Zimbabwe: Similar according to Country 	<ul style="list-style-type: none"> South Africa: Comply with the National Fire Act <ul style="list-style-type: none"> • Member of the Greater KNP Fire Protection Association • Formal fire management plan Mozambique and Zimbabwe: Similar according to Country

	specific requirements	specific requirements
Fresh water management: rivers and wetlands	<ul style="list-style-type: none"> • Comply with National Legislation • Integrated water resource management plan as part of the Management Plan • Wetland management plan 	<ul style="list-style-type: none"> • Comply with National Legislation • Integrated water resource management plan as part of the Management Plan • Wetland management plan
Dam and bore-hole	<ul style="list-style-type: none"> • Integrated water resource management plan as part of the Management Plan • RODs • 	
Resource use (live off-takes/translocations commercial and non-commercial hunting)	<ul style="list-style-type: none"> • Formalised Hunting protocol and guidelines • Hunting protocol signed by Protected area, and by PH • Census reports • Specialist reports • Post-off take reports (demographics, photos, number of animals per species, permit numbers, name of PHs and client) • Pre-off take requests • Report on revenue spent • Comply with the relevant National and provincial/region-specific legislation 	<ul style="list-style-type: none"> • Formalised Hunting protocol and guidelines • Hunting protocol signed by Protected area, and by PH • Census reports • Specialist reports • Post-off take reports (demographics, photos, number of animals per species, permit numbers, name of PHs and client) • Pre-off take requests • Report on revenue spent • Comply with the relevant National and provincial/region-specific legislation
Environmental developments	<ul style="list-style-type: none"> • South Africa: Comply with NEMA <ul style="list-style-type: none"> ➢ Annual Environmental audits ➢ Record of all RODs • Mozambique and Zimbabwe: Similar according to Country specific requirements • 	<ul style="list-style-type: none"> • South Africa: Comply with NEMA <ul style="list-style-type: none"> ➢ Annual Environmental audits ➢ Record of all RODs • Mozambique and Zimbabwe: Similar according to Country specific requirements
Socio-economic		
Responsible Tourism	<ul style="list-style-type: none"> • South Africa: Comply with SANS • Concept development plan (part of Management and zonation plan) • Road development and maintenance plan • Mozambique and Zimbabwe: Similar according to Country specific requirements 	<ul style="list-style-type: none"> • South Africa: Comply with SANS • Concept development plan (part of Management and zonation plan) • Road development and maintenance plan • Mozambique and Zimbabwe: Similar according to Country specific requirements
Beneficiation framework	<ul style="list-style-type: none"> • Beneficiation framework indicating benefit-sharing • Annual report on revenue generation and spent 	<ul style="list-style-type: none"> • Beneficiation framework indicating benefit-sharing • Annual report on revenue generation and spent
Resource use (live off-takes, commercial and non-commercial hunting)	<ul style="list-style-type: none"> • Formalised Hunting protocol and guidelines • Hunting protocol signed by Protected area, and by PH 	

	<ul style="list-style-type: none"> • Census reports • Specialist reports • Post-off take reports (demographics, photos, number of animals per species, permit numbers, name of PHs and client) • Pre-off take requests • Report on revenue spent Comply with the relevant National and provincial/region-specific legislation 	
Human Wildlife Control (DCA management)	<ul style="list-style-type: none"> • South Africa: Comply with NEMBA Norms and Standards 	
Disease management	<ul style="list-style-type: none"> • As per Legislative framework - Veterinary 	
Animal introductions	<ul style="list-style-type: none"> • As per Legislative framework , including Veterinary 	
Safety and security		
Safety and security	<ul style="list-style-type: none"> • Comply with National Safety and security standards • Comply with GKEPF Norms and Standards 	