



Essential Readings in Environmental Law
IUCN Academy of Environmental Law (www.iucnael.org)

PROTECTED AREAS AND ENVIRONMENTAL LAW
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OVERVIEW OF KEY SCHOLARSHIPS

1. Borrini-Feyerabend, G., N. Dudley, B. Lassen, P. Neema, and T. Sandwith, *Governance of Protected Areas: From Understanding to Action* (Gland: IUCN, 2013)
2. Lausche B., D. Farrier, J. Verschuuren, A. La Vina, A. Trouwborst, C. Born, and L. Aug *The Legal Aspects of Connectivity Conservation Law: A Concept Paper* (Gland: IUCN 2013)
3. Lausche, B., *Guidelines for Protected Areas Legislation* (Gland: IUCN, 2011)
4. Worboys, G., W. L. Francis, and M. Lockwood, (eds) *Connectivity Conservation Management: a Global Guide* (Earthscan, 2010)
5. Stolton, S., and N. Dudley, (eds.) *Arguments for Protected Areas : Multiple Benefits for Conservation and Use* (Earthscan, 2010)
6. Nelson, F., (ed.), *Community Rights, Conservation and Contested Land: The Politics of Natural Resource Governance in Africa* (Earthscan, 2010)
7. Dudley, N., S. Stolton, A. Belokurov, L. Krueger, N. Lopoukhine, K. MacKinnon, T. Sandwith, and N. Sekhran, (eds), *Natural Solutions: Protected Areas Helping People Cope with Climate Change* (2010) IUCN-WCPA, TNC, UNDP, WCS, World Bank & WWF; Gland, Switzerland, Washington DC & New York
8. Dudley, N., (ed.), *Guidelines for Applying Protected Area Management Categories* (Gland: IUCN, 2008)
9. Gillespie, A., *Protected Areas and International Environmental Law* (Leiden: Martinus Nijhoff Publishers, 2007)
10. Hanna, S. K., D. A. Clark, and D. S. Slocombe, (eds) *Transforming Parks and Protected Areas: Policy and Governance in a Changing World* (Routledge, 2007)
11. Lockwood, M., G. Worboys, and A. K. Lockwood, *Managing Protected Areas – A Global Guide* (IUCN, Earthscan, 2006)
12. Emerton, L., J. Bishop, and T. Lee, *Sustainable Financing of Protected Areas: A Global Review of Challenges and Options* (GLAND: IUCN,2006)

1. **G. Borrini-Feyerabend *et al.***, in *Governance of Protected Areas: From Understanding to Action*, provides a comprehensive overview of the notion of protected area governance. It is divided into two parts. Part 1 offers concepts and tools to understand the four main protected area governance types and the set of principles of good governance recognised by the IUCN, on the basis of examples from all over the world. Part 2 offers practical guidance for those willing to embark on the process of assessing, evaluating and improving governance for their systems of protected areas or for individual protected area sites. Given that governance is invariably underpinned by or influenced by law, these Guidelines are an essential read for those seeking to develop, amend or understand protected areas legislation.
2. With the increasing international recognition of the need to promote “effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures, integrated into the wider landscape and seascape” much attention has shifted to promoting connectivity within and between protected areas. In *The Legal Aspects of Connectivity Conservation Law: A Concept Paper*, **F. Lausche *et al.***, provide the first innovative attempt to explore legal aspects of connectivity conservation for achieving biodiversity conservation and supporting the goals of protected areas. The scope of the Concept Paper spans both terrestrial and marine environments with its content cover covering legal tools for promoting connectivity conservation in international law, regional law and domestic law (including conservation and sustainable use legislation, land-use planning legislation, development control legislation, marine legislation and fiscal legislation). Accompanying the Concept Paper is a set of case studies spanning several jurisdictions which reflect on the practical operation of the legal tools discussed in the Guidelines.
3. In *Guidelines for Protected Areas Legislation*, **B. Lausche** provides the most comprehensive and contemporary overview of international, regional and domestic laws of relevance to the protected areas. The scope of the Guidelines similarly covers both terrestrial and marine protected areas and the content extends to the law relating to the following elements embedded in protected areas legislation: basic principles and legal obligations; governance approaches; institutional arrangements; planning; establishment; management; the regulation of activities; EIA; compliance and enforcement; and financing mechanisms. The Guidelines also contain chapters dedicated to marine protected areas and transboundary protected areas. Accompanying the Guidelines is a set of case studies spanning several jurisdictions which similarly reflect on the practical operation of the legal tools discussed in the Guidelines.
4. The book by **G. Worboys, W. Francis and M. Lockwood**, titled *Connectivity, Conservation Management: a Global Guide*, provides an excellent context to the above

volume on *The Legal Aspects of Connectivity Conservation Law: A Concept Paper*. It contains a comprehensive introduction to the science underpinning the rationale for, form of and principles governing connectivity conservation. It furthermore provides an analysis of several relevant case studies from around the world through which connectivity conservation is sought to be promoted through management practices, law and policy.

5. Contributions to **N. Stolton** and **N. Dudley's** *Arguments for Protected Areas: Multiple Benefits for Conservation and Use* provide an excellent overview of the benefits accruing from protected areas in the context of resource conservation, climate adaptation and mitigation, food security, ecosystem protection, human and cultural wellbeing and peace and security. Whilst not a book about law, it is an excellent resource for those seeking to understand the context for seeking to protect protected areas through the law.
6. **F. Nelson et al.**, in *Community Rights, Conservation and Contested Land: The Politics of Natural Resource Governance in Africa* examine the political dynamics of natural resource governance processes through a range of comparative case studies across east and southern Africa. These cases include both local and national settings, and examine issues such as land rights, tourism development, wildlife conservation, participatory forest management, and the impacts of climate change, and are drawn from both academics and field practitioners working across the region. Many of the case studies include protected areas and provide excellent illustrations of the challenges and opportunities facing those seeking to develop protected areas regimes in Africa and beyond.
7. The report by **N. Dudley et al.** titled, *Natural Solutions: Protected Areas Helping People Cope with Climate Change*, outlined the ways in which protected areas can help mitigate (through carbon capture and storage) and adapt (through protecting human communities and providing basic livelihood needs) to climate change. Whilst not a legal text – it provides important insights for those seeking to develop, reform and/or evaluate protected areas legislation.
8. The collective essays in **N. Dudley's** *Guidelines for Applying Protected Area Management Categories* contain the most contemporary distillation of the IUCN's Management Categories for Protected Areas and Governance Categories for Protected Areas, together with the intersection between the two in the form of the Protected Areas Matrix. These categories should inform those developing, reading and evaluating any protected areas legislation, and is therefore a key text to read.

9. **A. Gillespie's *Protected Areas and International Environmental Law*** provides a comprehensive overview of the way protected areas are created, listed and managed in international law. It also provides a complete overview of the primary international and regional conventions governing terrestrial protected areas (namely the World Heritage Convention, the Ramsar Convention and the Convention on Migratory Species) and the decisions and resolutions that have come from them. The regimes governing international maritime protected areas, and Antarctica, are also dealt with.
10. **K. Hanna, D. A. Clark and S. Slocombe's book *Transforming Parks and Protected Areas: Policy and Governance in a Changing World*** comprises a collection of articles that critically analyse the theories, practices, and philosophies relating to the design and operation of parks and protected areas. It covers a broad array of themes including protected areas governance, managing conflict in the establishment of protected areas, indigenous peoples in protected areas, and political ecology perspectives on ecotourism in protected areas.
11. **M. Lockwood, G. Worboys, and A. K. Lockwood's *A Managing Protected Areas – A Global Guide*** constitutes the first attempt to prepare a compilation and synthesis on protected areas management. Not a law book, it nonetheless provides an invaluable overview of key thematic areas impacting on protected areas management which should inform and be regulated by protected areas law. The thematic areas canvassed in the book include: an overview of the global protected areas framework; governance of protected areas; planning for protected areas; management of protected areas; finance and economics; and regulating activities and incidents in protected areas.
12. In their book titled, ***Sustainable Financing of Protected Areas: A Global Review of Challenges and Options***, **L. Emerton, J. Bishop, and L. Thomas** outline a set of Guidelines to unpack the complex issue of financing protected areas. Drawing from the experience gained in many protected areas across the world, the Guidelines provide recommendations for a range of readers including governments, NGOs and protected area managers.