

Case Study 10 Establishing PPAs: Lessons learnt from South Africa

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South Africa is recognised as one of the world's 17 mega-diverse countries, is home to approximately 60 million people, and faces a number of development needs and opportunities. Its diverse ecosystems underpin the health and well-being of its people and its economy. The South African Government's National Development Plan 2030 recognises the "need to protect the natural environment in all respects" (Government of South Africa, 2015a) and identified protected area expansion as a key tool to achieving this in the National Biodiversity Strategy and Action Plan (Government of South Africa, 2015b). South Africa's National Protected Area Expansion Strategy (Government of South Africa, 2010) notes that meeting national policy objectives, and international targets such as Aichi Biodiversity Target 11, requires the expansion of protected areas on state, private and communally owned land. The following case study examines how South African PPAs are established in light of the key principles listed in Part B: Section 3 of these Guidelines and takes a brief look at how both management best practice and innovative incentives are incorporated into this process.

Overview

South Africa provides for the formal declaration of protected areas through national legislation on state or privately-owned land, with the consent of the landholder, with no differentiation in the legal status, rights or responsibilities of the land on the basis of ownership. South Africa's protected areas on privately-owned land are first and foremost, protected areas, and are a clear example of credible and official recognition of a PPA (Best Practice 1.1.1). Currently, 35 per cent of the terrestrial protected area estate in South Africa is privately owned and 5 per cent communally owned (see Figure 2).

South Africa defines a protected area as a geographically defined area of land or sea that is formally protected in terms of the Protected Areas Act and managed mainly for biodiversity conservation (SANBI, 2016). Detailed spatial planning is used in South Africa to determine protected area expansion strategies at both national and local levels (Best Practice 1.2.1). South Africa's extensive policy and

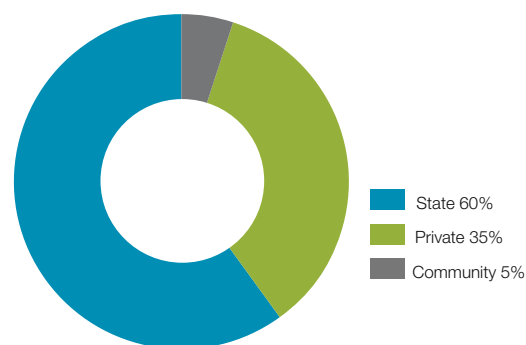


Figure 2: Ownership of protected areas in South Africa (%)



Landowners in the Sneeuwberg Protected Environment PPA constitute the management authority and formulate and implement the management plan © BirdLife South Africa

legislative frameworks illustrate the distinction between protected areas and conservation areas. Protected areas have nature conservation as their primary objective, whereas conservation areas as defined in South Africa do not (SANBI, 2016). Protected areas and conservation areas in South Africa are recognised and reported separately and provide a concrete example of the difference between a PPA and other effective conservation measures (see Appendix 1 and Mitchell et al., 2018).

Expanding protected areas through private and communal land stewardship

South Africa's primary tool for protected area expansion on private and communal land is the National Biodiversity Stewardship Initiative. Biodiversity stewardship is an approach to securing land in biodiversity priority areas through entering into agreements with private and communal landholders, led by conservation authorities and supported by conservation NGOs (SANBI, 2015). Biodiversity stewardship agreements provide for a hierarchy of agreements from formally declared protected areas as defined above, with durations from 30 to 99 years or in perpetuity, to non-binding agreements (see Figure 3 and Best Practice 3.1.2). This hierarchy demonstrates a variety of legal mechanisms that may be used to establish a PPA. Notably, increasing levels of legal protection and permanence correspond with increasing levels of land-use management restrictions and increasing landholder benefits and incentives, such as biodiversity tax incentives (see Box 3.2).

Biodiversity stewardship utilises three primary types of PPA to declare formally-recognised protected areas on privately or communally owned land at the voluntary election of the

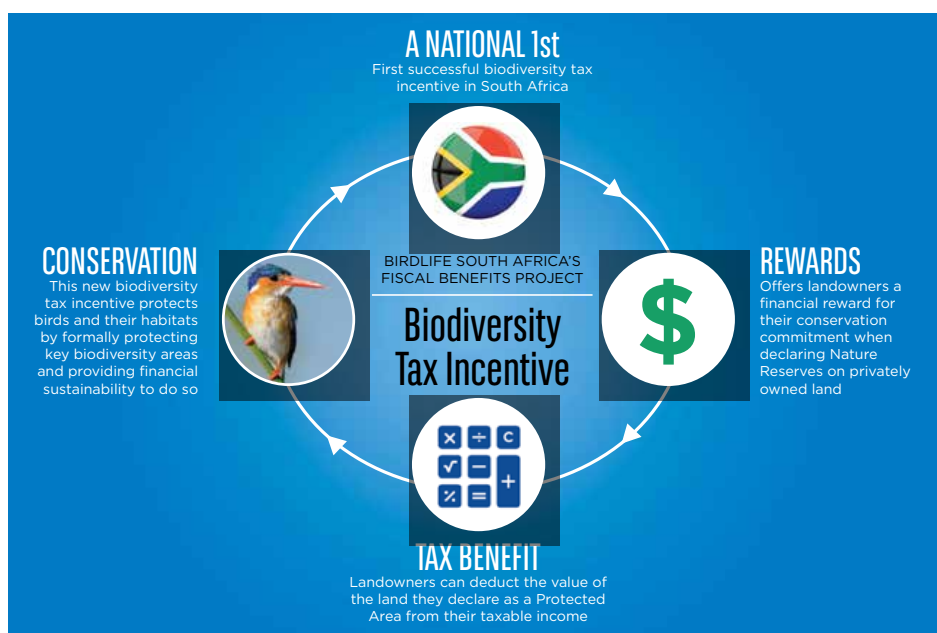


Figure 3: Hierarchy of biodiversity stewardship agreements. Biodiversity stewardship represents South Africa's detailed institutional structure and practical implementation framework that allows for the establishment of PPAs

landholder: National Parks (known as Contract National Parks), Nature Reserves and Protected Environments. Each of these types of PPA also require detailed management plans and annual management audits under the legislation (Best Practice 2.1.1).

Contract National Parks and Nature Reserves are geographic areas with the highest biodiversity value and ecological infrastructure and are formally declared primarily for biodiversity conservation (Best Practice 1.2.1). National Parks fall within the mandate of South African National Parks (SANParks), the body responsible for managing South Africa's national parks per the Protected Areas Act, and which engage in the declaration of this form of protected area on private or communal land in concurrent processes similar to those defined by the biodiversity stewardship approach. Best Practice in South Africa determines that the declaration term of these agreements requires a minimum of 99 years, or in perpetuity. The agreements involve more stringent management regulations, including prohibiting unsustainable land use such as extractive activities. This top category of PPA in South Africa also gains access to a dedicated biodiversity tax incentive through the Income Tax Act (see Box 3.2). Nature Reserves also require a mandatory title deed endorsement through property law, securing the land's protected area status regardless of subsequent changes to land ownership.

Protected Environments are protected areas that can be declared across multiple private properties. This form of PPA targets somewhat larger areas with biodiversity value and landscape level ecological functioning, and due to its slightly flexible nature has reduced management restrictions, allowing for biodiversity conservation to take place in production landscapes. Best practice dictates that Protected

Environments are declared for a minimum of 30 years up to 99 years, or in perpetuity. Management is developed for the area in conjunction with stakeholders and is implemented by landowners with support from conservation authorities and conservation NGOs (see Box 2.2).

Summary

The biodiversity stewardship community of practice, along with South Africa's legislative and policy frameworks, are the foundational and institutional structures that support the establishment of PPAs and have been key to the success of establishing robust PPAs in South Africa. The most notable lessons learnt from the South African biodiversity stewardship approach include the following:

- Protected areas whether on state, private or communal land in South Africa are all formally recognised by national legislation as protected areas and are reported on as such (Best Practices 1.1.1 and 7.1.2).
- PPAs in South Africa are established with their primary objective as nature conservation through voluntary and long-term commitments by landholders (Best Practices 1.2.1, 3.1.1 and 3.2.1).
- Biodiversity stewardship represents South Africa's most successful approach to PPA establishment, whereby PPAs are facilitated by an institutional framework and community of practice (Best Practices 3.4.1 and 3.7.4).
- PPAs require detailed management plans which are required to be audited annually (Best Practices 2.1.1 and 2.4.2).
- South Africa's PPAs receive access to innovative conservation finance through South Africa's first effective biodiversity tax incentive which directly aids financial sustainability (Best Practice 3.1.1, 3.1.2 and 3.2.1).