

# “Who’s Doing the Protecting in Protected Areas?” A Global Perspective on Protected Area Governance

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AROUND THE WORLD, NATIONAL PARKS AND OTHER PROTECTED AREAS go by a lot of different names, including “park,” “reserve,” “seashore,” “site,” “landmark,” “nature park,” “sanctuary,” to give just a few examples in English. Or, even more to the point, many protected areas are different but go by the same name. (In the most common example, national parks in the U.K. are not publicly owned lands.) To quote the George Wright Society website, “Unless we can communicate with each other and with the rest of the world, protected areas will not be successful.” To illustrate how difficult that communication can be internationally, here is an example from outside of conservation. If you walk into any Starbucks in America and ask for a *café grande*, they will give you their medium-sized cup of coffee. If you ask for a *café grande* in Mexico, they may give you a bowl of coffee and a quizzical look. Ask for *caffè grande* in Venice, and they will direct you to a shop on the Piazza Indipendenza. To understand parks and protected areas globally, we have to have a common language. A loon to us is a diver to others, but is internationally understood as *Gavia* spp., at least to those who have studied the classification system.

To address this problem, IUCN–The World Conservation Union (IUCN) created a classification system for protected areas in 1994 (Table 1). Without changing national or local names, the IUCN categories attempt to address the labels issue by identifying protected areas by their primary management objectives. Of course, every park is unique, but many share similar management objectives, while others have different objectives. The categories are currently under review, following an important meeting held in Spain in May 2007.

While reviewing management categories, the same global organization, IUCN, is also looking at governance of protected areas. Generally speaking, here in North America and elsewhere, governments have been viewed as the primary and dominant

managers of parks and protected areas for about a century. The last World Parks Congress (2003 in South Africa) recognized that four general governance types exist today: government, co-managed, private, and community-conserved areas (Figure 1). This article focuses on private protected areas, as an example of how protected area management paradigms are expanding.

## **When is a protected area “officially” a protected area?**

The foundation of the categories system is the 1994 IUCN definition of a “protected area”:

An area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of

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Category IV	Habitat/Species Management Area: protected area managed mainly for conservation through management intervention
Category II	National Park: protected area managed mainly for ecosystem protection and recreation
Category V	Protected Landscape/Seascape: protected area managed mainly for landscape/seascape conservation and recreation
Category III	Natural Monument: protected area managed mainly for conservation of specific natural features
Category VI	Managed Resource Protected Area: protected area managed mainly for the sustainable use of natural ecosystems
Category Ia	Strict Nature Reserve: protected area managed mainly for science
Category Ib	Wilderness Area : protected area managed mainly for wilderness protection

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Table 1. The IUCN protected area management categories. Adapted (in order of listing only) from IUCN 1994. (The category system is currently under review.)

natural and associated cultural resources, and managed through legal or other effective means.

The categories system of IUCN (Table 1) has had some success in standardizing understanding of protected areas management, especially among more established park systems. However, there are a great many areas that are protected *de facto* or *de jure* (and often both) that meet the IUCN definition but have not been specifically recognized as protected areas and not listed in the World Database on Protected Areas. In the United States alone, there are thousands of private protected areas that satisfy the definition, yet only 23 are currently listed as private reserves in the database.

One of the purposes of the 1994 category guidelines was to alert governments to the importance of protected areas and

encourage development of systems of protected areas, and in that they have had demonstrable impact since that time. Though extra-governmental protected areas were never specifically excluded from consideration, in practice most governments focused on those areas over which they exercised direct management authority, through public ownership or other means.

Protected areas are also owned and managed through private mechanisms in most of the world, and their number and extent are growing fast. Often the result of local initiative and conducted without the direct intervention of government, they are not yet fully integrated in national conservation planning or reporting in many countries. As we have seen, the international system of protected area management categories historically emphasized the role of

A. Government managed protected areas

B. Co-managed protected area

C. Private protected areas —

D. Community conserved area



Figure 1. Protected area governance types.

governments. Reflecting this, private protected areas are not as well understood globally as their contributions warrant. The current review of the categories represents an opportunity to recognize the full spectrum of protected area governance (Mitchell 2007).

The history of protected areas in the U.S. is a good example. The U.S. system of national parks is well recognized around the world. But few people know that private protected areas have been established for nearly as long. Yellowstone National Park, often cited as the world's first national park, was created in 1872, but the second was not designated until 1890.<sup>1</sup> The Trustees of Reservations in Massachusetts, the first land trust, dates to 1891. Both the public and private protected area initiatives began as efforts to preserve special areas for the benefit of the public, and their purpose in land protection was likened to those museums and libraries: safeguarding great works of art and literature for the public to enjoy. Indeed, the original name of the first land trust was The Trustees of *Public Reserva-*

*tions*, though the legislative act creating it clearly indicates a private corporation:

All personal property held by said corporation, and all lands which it may cause to be opened and kept open to the public, and all lands which it may acquire and hold with this object in view, shall be exempt from taxation, in the same manner and to the same extent as the property of literary, benevolent, charitable, educational, and scientific institutions incorporated within this Commonwealth is now exempt by law; but no lands so acquired and held and not open to the public shall be so exempt from taxation for a longer period than two years. Said corporation shall never make any division or dividend of or from its property or income among its members.

(Technically, of course, government does not own land, but holds it in the public trust. The word public was removed from

the name of The Trustees of Reservations in 1954 to avoid confusion.)

Land trusts and related private conservation initiatives developed in parallel with public efforts, starting in the East, where most land was privately owned, while national parks and reserves were first formed primarily in the West, where a majority of land was held by government. However, the rate of development of private reserves was much slower than public counterparts for the first 50 to 75 years (Brewer 2003), which partly explains why they are less well recognized. Today there are over 1,500 land trusts in the United States (Aldrich 2003). They operate in all 50 states, with distribution quickly equalizing across the country (Figure 2). Similarly, the land trust movement has been growing in Canada, with a new national network estab-

lished, and the first national conference convened this year.

Privately run protected areas have been growing in extent and number in many parts of the world, particularly Latin America and the Caribbean, east and southern Africa, Australia, and Europe. An assumption underlying the recent growth in private protected areas is that management may be most effective when the managers have an interest in the land: a legal interest, an economic interest; interest as an individual, a group, or a corporation. But we must not be naïve. Though non-confrontational and (in most cases) apolitical, working willingly on a voluntary basis, not all landowners are motivated by altruistic intentions. As has been the experience with other conservation frameworks of great promise, realities have not always met expectations. Along

Figure 2. Land trust properties are perhaps the best-known examples of private protected areas in the United States. Wilson Salt Marsh, Essex County Community Greenbelt, Massachusetts. Photo by the author.



with great success there have been some disappointing outcomes and some abuses, and the international protected areas community should be prepared to respond appropriately.

### A unique governance type

The 2003 World Parks Congress identified four main protected area governance types: (A) government-managed protected areas; (B) co-managed protected areas; (C) private protected areas; and (D) community-conserved areas. Embedded in the private protected area type description (“C” in the typology above) are four ownership models:

- **Individual**, areas in which ownership is held by a single person or family;
- **Cooperative**, perhaps the rarest form; examples include the Ahuenco Conservation Community in Chile;
- **Non-governmental organization (NGO)**, private not-for-profit organizations operating to advance a specific mission and usually controlled by a board and specific regulations; and
- **Corporate**, a for-profit company or group of people authorized to act as a single entity, usually controlled by an executive, an oversight board, and, ultimately, individual shareholders.

Each of these general ownership models (and myriad variations on them) has particular implications for management. (For more on community-conserved areas, see Borrini-Feyerabend et al. 2004)

It is vitally important to avoid simplistic value judgments about which kinds of protected areas are more important, or what kind of governance model is better than another. We live in a complex world, and

the fact that we have many different flavors of protected areas reflects that. Some management categories are more suited to some locations than others, and some governance models are more suitable—or attainable—in some places than others. Furthermore, sometimes it may be beneficial to have the flexibility to change management or governance over time; in other circumstances it is better to “lock in” strong protection in perpetuity.

Governance is a cross-cutting descriptor of protected areas; that is, although historically developed with government primarily in mind, the categories can be applied irrespective of ownership. Private protected areas can and do fall into all of the 1994 IUCN categories, and presumably will apply in any future amendments. It would be incorrect to assume that private protected areas are better represented under categories IV–VI; many fit the management objectives of I–III, perhaps especially those owned or managed by NGOs.

Special reference to geographic scale may be necessary when considering governance, though it is equally important to consider in management categories. The geographic definition used to describe a protected area may affect the governance type that best describes it. While certainly there are large areas under single ownership/management authority, simply put the larger the geographic area the more likely it is to contain multiple owners/managers and, depending on the country, the more likely to include different governance types. This could lead to a large proportion of protected areas being assigned as co-management protected areas (“B”), even though this may not best represent the dominant power relationship affecting management objectives. On the other hand, a picture of

otherwise coherent landscapes, where a matrix of ownership patterns has evolved over time, may be obscured by piecemeal application of the categories by government type. Should IUCN pursue options for integrating government types with management objectives, considerable planning and testing would be required to find and establish protocols for application to complex protected areas. The problem is similar to that of applying management categories to protected areas with multiple management zones, but adds a dimension. Though challenging, the higher the resolution in applying the categories the sharper a picture of the state of protected areas will appear (Mitchell 2007).

### **Use and misuse of protected area statistics**

A full counting of the extent of private lands,<sup>2</sup> as well as community-conserved areas and co-managed protected areas, that satisfy the IUCN definition of a protected area would significantly expand the aggregate statistics for the area “protected” around the world. Broad statistics can be used inappropriately and, stripped of detail on the objectives and effectiveness of management designations, can give the impression that a very great deal of land and sea are already adequately conserved. Summary protected area totals can and have been used to argue against the designation of additional protected areas or commitment of resources for conservation work within them. To quote Andrew Land, there are those who would use “statistics as a drunken man uses lampposts—for support rather than for illumination.” As IUCN reviews definitions of and guidelines for protected area management categories, it may also need to establish or review internal policies

for the use of global protected area statistics.

But potential misuse of aggregate statistics should not restrict efforts to describe conservation work that is and has been done at local and national levels. The international system of protected area management categories was intended to provide a shared understanding of local and national protected areas at a global level, to reflect rather than direct national and local policies. A key point of contention about the categories system stems from a concern that recognizing the spectrum of management objectives and governance types that exist today might dilute the definition of a protected area and possibly divert attention from biodiversity conservation. Part of the issue derives from basic interpretations of what the “protected” in “protected area” means. In all three core languages of IUCN, the name implies a level of completeness—and a past tense—that belies the constant management and vigilance that true protection requires. Meeting the definition is not an endpoint, but only the beginning of management *to achieve specific conservation objectives*. (From the Convention on Biodiversity definition of a protected area as a *geographically defined area which is designated or regulated and managed to achieve specific conservation objectives*.)

### **“Effective means”**

The important point, of course, is not how many protected areas there are, what category they are described under, nor even who owns them, but how well they are managed for ecological and other public benefits. Private protected areas are as susceptible as government areas to being “paper parks,” designated or otherwise recognized as a protected area without having any sig-

nificant positive conservation impact. Or worse, having a *negative* impact.

All protected areas should be managed and understood according to their relationship to the IUCN protected area management categories. These universal guidelines apply without prejudice to size, geography, or ownership/governance status. Using universal categories is a first step to evaluating the effectiveness of park management across borders.

In the majority of cases, the creation of a private protected area—and management of the same for conservation objectives—is a voluntary act on the part of the landowners. A growing recognition of the opportunities for achieving conservation objectives on private land—and especially the proliferation of mechanisms and incentives for doing so—has resulted in a dramatic increase in the number and extent of private protected areas in the last century, and in some countries these increases have been logarithmic in scale in the past few decades.

## Motivations and incentives

If creating private protected areas is a voluntary act, what factors motivate landowners? These are generally more complex than they might appear, and probably few private reserves owe their origin to a single motive. Profit—especially tourism—is often cited, but may be the primary motivation in fewer cases than might be imagined. (Unfortunately, there is not enough reliable quantitative data on private protected areas to venture even an informed opinion on this point.)

Voluntary acts to create private reserves can be divided into intrinsic motivations (impelled by the essential nature of the actor; in this case, the landowner) and extrinsic incentives (incited by something outside of the actor; Table 2). Of the four groups identified in the private protected area definition, NGOs are assumed to be motivated by their mission to preserve biodiversity, nature, or heritage, as the case may be—intrinsic by definition. But some

Table 2. Examples of mechanisms and incentives for private land protection.

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- Systems of voluntary protected area designations, in which landowners agree to certain management objectives or restrictions in return for assistance or other incentives. (The private natural heritage reserves of Brazil—RPPNs, for Reserva Particular do Patrimônio Natural—are an excellent example.)
  - Voluntary surrender of legal rights to land use on private property, sometimes to realize advantages conferred by the theoretical loss in value, or to secure protection in perpetuity. (Conservation easements and related covenants and servitudes.)
  - Charitable contributions, in which NGOs raise funds privately or publicly for purchase of land for protection, or receive gifts of land directly from willing donors. (Large NGOs such as The Nature Conservancy, Conservation International, and World Wildlife Fund are familiar, but there are many national and local examples around the world.)
  - Corporate set-aside, donation, or management of an area for conservation, often for public relations purposes, as a concession or off-set for other activities, stipulation of “green” certification, or an investment in the future.
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NGOs derive profit from compatible activities in some reserves and apply the funds to conservation in less-visited reserves. Company protected areas are the least-well studied. According to Stolton and Dudley 2007, “It is clear that there is a wide range of quality in terms of company involvement in protected areas—some excellent examples exist but there are also cases where setting aside a reserve is little more than a publicity exercise.” Corporations are assumed to be profit-motivated of course, but this incentive may not always be the most immediate. For example, the public relations value of acting as a good corporate citizen may be motivation enough in the case of multinationals, or local corporations for whom product image is important. It is of course valuable for communities to protect their immediate surroundings, but they also may respond to government subsidies or preferential revenue sharing (see Rambaldi et al. 2005).

The motivations of individual landowners may be the most complex of all. Certainly many are personally concerned about nature (intrinsic motivation) but may need help (extrinsic incentive) to act on that concern. Incentives take many forms, from tax relief, compensation, and payment for ecological services (see Chacon 2005). But incentives need not be financial. Creating a private protected area may entitle the landowner to preferential technical or other assistance. Again, Rambaldi et al. (2005) cite reserve creation to enable landowners to prohibit hunting on their property.

In areas of high development pressure, landowners often face negative incentives for conservation. Creating a private reserve, or granting an easement, gives a landowner an option out of perverse economic or reg-

ulatory conditions that might compel him or her to act in ways contrary to personal convictions. This is clear in the United States, where high property taxes have forced landowners to develop land against their preference, just to meet their tax obligations.

Private reserves take many forms, and they reflect the social and economic conditions in which they are found. Generally they are most developed in countries with secure land tenure systems that allow private ownership. Though historical precedents are ancient, especially among the wealthy and powerful, *systems* of private protected areas are a relatively recent phenomenon, and it is logical to assume that private reserves will increase in number and geographic reach if land tenure systems continue to formalize and liberalize around the world. As Peruvian economist Hernando de Soto writes, “Contrary to popular belief, property systems open to all citizens are a relatively recent phenomenon—no more than two hundred years old—and the full implications of the transition have yet to emerge.”

### **A global trend**

Private protected areas are many, diverse, and proliferating around the world. Land trusts in the U.S. will be familiar to GWS members and readers, but almost all countries in the western hemisphere now have some form of private reserve system, many of them originating in the last decade. Safari tourism, among other factors, has contributed to the rise of private game reserves in eastern and southern Africa. A century after the creation of the National Trust in England, private land protection is growing across Europe. And it can be effec-



tive. The Foundation for Territory and Landscape has become the largest private landowner in Catalonia, Spain, in its first eight years of existence (Rafa 2005). Private reserves in the Atlantic Coastal Forest of Brazil have—along with an intensive captive breeding program—increased populations of the golden lion tamarin (*Leontopithecus rosalia*), the only primate species ever to be shifted into a lower threat category on the IUCN Red List of Threatened Species (Rambaldi et al. 2005).

From a governmental perspective, private protected areas (as well as community conserved areas and co-managed areas) can represent an “effective means” to achieving conservation objectives. (At the most recent George Wright conference, I heard a park superintendent say that the National Park Service is “stretched thin.” Stretched thin? The United States is one of the wealthiest countries in the world, with a premier protected area system, we think. If we are feeling stretched, where does that leave other countries?)

Private and community groups can sometimes be more efficient than government counterparts, and their contributions reduce the management burden on government authorities. Significantly, as protected area strategies grow in geographic scale, other governance types become necessary, as large landscape conservation projects overlay extensive areas of private lands or locally managed resources.

The category system holds the potential to assist governments in monitoring private conservation activities, evaluating both the management objectives of private protected areas and their effectiveness. There are, of course, local and national safeguards in place in some countries intended to

ensure that private protected areas are managed according to designation, regulation, or proclamation. The practical significance and implementation of these safeguards varies widely among countries. (There are also examples of self-regulation of private protected areas, such as the developing land trust accreditation program in the United States.) A standardized and verifiable management category system operating at an international level could provide governments with a comparative basis for monitoring private protected areas within their national conservation strategies.

## Conclusion

An understanding of the status of protected areas worldwide requires standards for describing their management objectives. The protected area management categories of IUCN provide a standard, but are currently under review. *The category system describes existing national and subnational management objectives but is not intended to dictate them.*

Private protected areas are a large and growing subset of the world’s protected areas, but are under-represented in the body of areas recognized by IUCN and reported in the World Database of Protected Areas. Integrating governance types with management categories in the future will enhance an understanding of the state of protected areas worldwide, and a binomial system is suggested. IUCN’s World Commission on Protected Areas could foster a science to measure effectiveness of protected areas globally, but only if criteria and guidelines are specific enough to allow objective application of the management categories.

## Endnotes

1. Sequoia was created in September 1890, followed closely by General Grant (later incorporated into Kings Canyon) and Yosemite. Technically, the second U.S. national park was Mackinac Island in Michigan. In 1875, most of the island, including Fort Mackinac, was designated as Mackinac Island National Park by Congress. When the fort was decommissioned in 1895, all the federal land on the island was transferred to the state of Michigan and is today a state park.
2. Private ownership rarely applies to the marine environment, though obviously protection of the terrestrial side of the land/sea interface is often a high conservation priority.

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