



Protected Areas Management Planning

Principles of Planning Protected Areas in Georgia and Corresponding Legal framework

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I. General background

The Transboundary Joint Secretariat (TJS) for the Southern Caucasus was set up on the initiative of the Government of Germany with the aim of implementing the Ecoregional Nature Conservation Program in the Southern Caucasus. The Ecoregional Nature Conservation Program is part of the Caucasus Initiative started by the German Ministry of Cooperation and Development (BMZ). The TJS is a mechanism of the German Government; its successful operation fully depends on the support of the three Governments for its work programme, working methods and logistical issues. One of the main objectives of the TJS is to support the establishment of three new National Parks, one in each of the three countries. In order to implement the national parks it is necessary among other things to prepare a concept for planning the management of protected territories. One of the preconditions of preparing such a concept is the revision of the principles of planning protected territories and the corresponding legal framework.

II. Legal Framework

Management planning regulates management approaches and objectives; it also creates the basis for making decisions appropriate to the protected territories during a certain period of time. The legal framework (laws and by-laws) related to management planning of protected territories consists of the following legal acts:

1. Law of Georgia on "System of Protected Areas" March 7,1996

Article 14 of the Law. Creation, Development and Abolition of Protected Territories.

1. The decision on the creation, territorial registration and on increasing the category of protection is made by the Parliament of Georgia.

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Article 15 of the Law. Management Plan of the Protected Territories

1. Management of protected territory by national and regional bodies must be carried out in accordance with an obligatory management plan.
2. In the course of establishing a protected territory the Department of Protected Areas develops and submits to the Ministry of Environment Protection and Natural Resources a management plan, outlining the development of, and budget for, setting precise boundaries of the protected territory, its zones, territorial organization, support zone (buffer zone) and protection, scientific research and monitoring, education, recreation, tourism, administration and an integrated programme of other activities. On an exceptional basis the above tasks may be carried out over a period of 3 years after establishing the protected territories (following the amendment of the law 27.04.2007 N 4683). (Such exceptions include: advisability of establishing the protected areas; lack of guaranteed budget finances for this purpose; when it is necessary to attract other sources of finance from non-budgetary organizations.)
3. The management plan defines concrete measures for generating local financial resources to make the protected territory fully operational taking into account the specific characteristics of the individual protected territory. The plan is developed for various time periods; when the period expires a renewed plan is developed.
4. The Management Plan is approved by the Minister of Environment Protection and Natural Resources (the renewed plan is approved following the same procedures). The statute of the Protected Areas Department is attached to the Plan.

Article 18 of the Law. Management of the Protected Territories

2. The Georgian Ministry of Environment Protection and Natural Resources under its competences is responsible for carrying out the following:
 - g) Develop, agree and approve normative-technical and methodological documentation related to the protected areas (but not specifically the Management Plan) (Under the above it is meant that the Ministry has to agree the draft plan presented by the Department of Protected Areas) (**remark – so the Ministry is responsible for agreement and approval of the plan and not for its development**)
 - v) Plan and coordinate activities related to conserving and increasing the populations of species present in the PA and reestablishing species that have been lost from the PA (**remark – it means planning of the activities related to the restoration of the number of species that are recorded on a level of methodological and normative-technical documents**) and later:
 - a) **Their consideration in the management plan presented by the Department, or**

b) carrying out separate planning of these activities for the purpose of including them in the approved management plan by amending it, or issuing a separate order for the purpose of approving plans of these activities and their coordination.);

T) coordinate discussion of management plans of Protected Territories.

3. The Department of Protected Areas under its competences is responsible for the following:

e) Develop and submit to the Ministry of Environment Protection and Natural Resources for approval the Management Plans of protected territories.

Article 20 of the law. Activities on Protected Territories

2. Organization of the activities related to the protected territories is carried out:

a) Inside the territory

b) Outside the territory

g) By temporary regulations

3. The way in which activities are regulated is defined in detail by individual, concrete charters and management plans developed for the protected territories.

7) Protected Territory is controlled by temporary regulations:

a) Before legalizing the category and approving the first management plan.

Article 21. Cooperation of Intergovernmental structures with local bodies.

1. The Department of Protected Areas cooperates closely with the representatives of governmental and non governmental organizations while planning, implementing and managing various projects.

3. The administrations of individual protected territories carry out cooperation with intergovernmental organisations and local authorities through the Consultation Board:

- In the field of protected landscapes, and on an exceptional basis sanctuaries, national parks, biosphere reserves and world heritage sites;

- In the field of control and regulation of territories of multiple use (buffer zones).

Article 22. Cooperation with the Population and Non-governmental Organisations

Representatives of the population and public units have the right to participate:

a) In the process of reviewing and amending documents, such as establishment of protected territories, their development, reducing or abolishing such

territories, management plans, administrative regulations, etc: (**remark – representatives of the population (under this term is meant the local population though the law does not make this clear) and public units have the right to participate in a process of discussing and amending the management plans, though it is not mentioned anywhere whether the Ministry is obliged or not to take into consideration their views, positions, requirements, even though the Ministry has an exclusive right to develop, agree and approve management plans and even though there is no normative act saying that it is not the obligation of the Ministry to take into consideration the positive or negative views of the above mentioned individuals.**)

2. The issue of cooperation with the public and public units is also regulated by Order N 9 of the Minister of Environment Protection and Natural Resources dated January 11, 2006 on "Approving the Charter of the Department of the Protected Areas as a State sub-agency body of the Ministry of Environment Protection and Natural Resources"

Article 3. Authority of the Department of Protected Areas

Legal body of public law

3. The authority of the Department towards the administrations of protected areas set up as legal bodies of public law is as follows:
 - v) Development of management plans for state reserves, national parks, natural monuments and sanctuaries and monitoring their implementation

Article 7. Competences and functions of the Structural subdivisions of the Department

The functions of the Planning Department are as follows:

- a) Coordination of the development of management plans;
- d) Evaluation of programmes related to management issues, coordination of the development of management plans;
- e) Participation in planning ecological and social programmes in the support zones of state reserves, national parks, natural monuments and sanctuaries;
- i) Planning resource utilization on the territories of national parks and sanctuaries.

The functions of the Department of Development are as follows:

- a) In accordance with the legislation in force, manage the natural resources of state reserves, national parks, natural monuments and sanctuaries and prepare plans for the use of resources on protected areas;
- e) Within its competences carry out control of the implementation of programmes in accordance with management plans;

- z) Conduct objective orientated processing of data obtained from scientific research, and based on that develop a strategy of ecosystem restoration and conservation.

Bringing together all the above procedures we arrive at the following steps in the preparation of management plans:

1. The Planning Division, which is a structural sub-unit of the State sub-agency body of the Ministry of Environment Protection and Natural resources - the Department of Protected Areas - coordinates the development of management plans (including the assessment of the programmes related to the mentioned plan);
2. The Protected Areas Department develops the management plans of the Boards and Administrations established as legal bodies of public law (particularly – state reserves, national parks, nature monuments and sanctuaries)
3. The Department of Protected Areas submits the Management Plan to the Ministry of Environment Protection and Natural Resources.
4. The Ministry coordinates public discussion of the Management Plans, including dissemination of information to all stakeholders. As the decision on approval of the management plans for state reserves, national parks, nature monuments and sanctuaries, is in effect a State level decision in the field of Environment Protection, these procedures follow those defined by the Aarhus Convention concerning the right of public participation in decisions concerning the environment.
5. Representatives of the population and public units familiarise themselves with this information if they wish (it is their right and not their obligation), and participate in discussion of the draft management plan, at a place and time declared by the Ministry.
6. The Ministry accepts or rejects written comments, proposals and ideas received after the discussion.
7. The Ministry (Minister of Environment Protection and Natural Resources) approves the management plan. The charter of the protected territory is attached to the Plan. The procedure is the same for approving the updated management plan.

Besides the normative-legal framework mentioned above, the management of protected territories is addressed by the law of Georgia "On Environment Protection", "Forest Code of Georgia" and law "On wildlife"

According to the Forest Code of Georgia, article 7, item 1, in legal interaction related to Georgian forest fund, the Georgian Ministry of Environment Protection and Natural Resources, Forestry Department, Department of Protected Areas and their territorial units participate on behalf of the State. In addition chapters 14, 18, 20, 28, 33 and 34 of the Forest Code address protected territories.

Chapter 19 of the law of Georgia on "Wildlife" addresses the protection of wildlife on the areas of protected territories. Chapter 62 of the same law mentions State control and supervision of wildlife protection and utilization of their areas. The rights of the Department of Protected Areas in the course of carrying out practical measures for protecting wildlife are also mentioned. Implementation of the above will be feasible only if the Department of Protected Areas has full power over the territory under its jurisdiction (the same issue is discussed in chapter V of this report "Recommendations regarding legislation").

III. Management planning

At present there are no guidelines or instructions for management planning. The Department of Protected Areas and protected areas administrations follow the guidelines for management planning published by the International Union for the Conservation of Nature (IUCN).

A management plan is the product of a planning process by which management approaches, decisions, and the basis and guiding principles for future management are documented.

Main Principles used while Management planning:

- Identification of the problem takes place by taking into consideration the state of natural resources and biodiversity; accordingly alternative ways for the future are defined.
- A mechanism for considering the threats, opportunities and other important issues is created; the mechanism helps to solve problems and facilitates discussions between the parties.
- The approach to planning is systematic. In most cases it is carried out by following the steps foreseen in advance. This kind of approach guarantees that decisions are based on deep knowledge of the issue.
- It is important to be fully aware of the cost of implementing the management plan, as what is planned and what can be implemented in practice should correspond to each other.

Process of Management planning:

A management plan is a well formulated document that defines the main characteristics and values of a protected territory.

Management planning is a cyclical process that includes the following elements:

1. Management plan development
2. Management plan implementation
3. Monitoring of management plan implementation and revision of the management plan

The planning process can be divided into the following main stages:

- a) **Pre-planning period** - making the decision to develop the management plan, selection of the planning group, formulation of the task, defining the approaches to be used while planning;
- b) **Data collection**, which means defining the issues that have to be solved as well as carrying out consultations;
- g) **Assessment of the information, data and resources which are obtained**
- d) **Identification of weaknesses, opportunities and threats**
- e) **Formation of managerial vision and tasks**
- v) **Development of alternatives in order to achieve a goal**
- z) **Preparation a draft management plan**
- T) **Public discussion of the draft management plan** (public consultations)
- i) **Evaluation of submitted comments and proposals, amending the management plan and preparing a final version**
- k) **Agreement/approval of the management plan**
- l) **Implementation**
- m) **Monitoring of implementation and evaluation**

Let's discuss each of them in detail:

a) Pre-Planning Period

The pre-planning period is one of the most important stages during the planning process. At this stage must be defined: what we can achieve, how the process will develop, how much time will be required, and who will be involved in the process.

This process covers the following steps:

1. Definition of purpose of the protected territories and management goals.
2. Definition of stages, their sequences and methodologies used while management planning.
3. Definition of the audience for whom the plan is designed.
4. Ensuring that the protected territory will be discussed in accordance with the "complex approach" as one unified object.
5. Application of intersectoral approaches – attraction of the joint efforts of experts and other stakeholders to discuss the future issues of the protected territories.
6. Selection of the planning group. Of course management planning is a process involving team work, though responsibility is delegated to one concrete individual. In cases where the management plan is developed by entering into a contract, a written agreement is made between the contractor and the responsible organization on the development of the management plan for the protected territories.
7. The time schedule for management planning is prepared.

8. At a later stage it is defined who will participate in the planning process in addition to the planning group (i.e. experts, civil servants, communities, etc)

b) Data collection

Formulation of management goals takes place during data collection and data analysis. As soon as the data is collected management goals are defined and agreed.

Sometimes protected territories are established based on already existing initial data that helps to define the management goals (e.g. protection of rare habitat or species).

So the following stages are defined:

- 1) Collection of existing background information;
- 2) Conducting field inventory with the purpose of double checking the data and in case of necessity collecting additional data;
- 3) Documenting the collected data following the format prescribed by the administration of the protected territory.

The management plan should be integrated into a unified system of socio-economic development of the region. Therefore the collected information includes data about the territory in its present state, also factors and tendencies influencing it. In addition it includes data about the main directions of socio-economic development of the territory and its cultural importance. Based on all the above the programme for developing the support zone is prepared.

The list of information that has to be collected:

- Natural resources and their state
- Cultural resources and their state
- Physical infrastructure (among them roads, buildings, accesses, energy and water supply networks)
- Key features of the social – economical environment
- Capacity of infrastructure of protected territories and surrounding regions to provide services now and in the future
- Characteristics of visitors and visitors' impacts on protected territories
- Forecast of the development of the above listed factors
- Utilization of land resources and planning status of the surrounding territories, also description of occupied and leased areas (Obtaining the detailed information on territories that are leased is very important).

Informative material of the descriptive part:

- Location (latitude and longitude)

- Area
 - IUCN category
 - legal form of ownership, name, accessibility, other conditions and restrictions;
 - present pattern of land use;
 - historical information (data on land use and landscapes, archaeology, buildings)
 - information on biological resources (biomes, flora, fauna)
 - data on physical factors (climate, geology, geomorphology, hydrogeology, soil characteristics)
 - information on cultural and aesthetical values (landscapes and their peculiarities)
 - socio-economic information (basic data on local communities and tendencies)

g) **Assessment of the information obtained about data and resources**

During this stage it is defined why the territory is important and what benefit can the territory bring to the society.

While assessing the values, we take into consideration those indicators that should be protected and conserved for the purpose of conserving the importance of the protected territory.

In order to assess the value of protected territories we are guided by the following principles:

- Does the object have a special value due to its naturalness, view, geology, scientific value, ecology, flora, fauna and recreation?
- Does it have a special biological attributes, types of vegetation and forms of landscape (if yes, what type)?
- Are there habitats which are necessary for the conservation of the ecological entirety of the protected territories?
- Are there habitats and resources of vital importance for local communities (economical, cultural or others)?
- Are there habitats and resources that provide important services to the population outside the protected territories, especially when those services have important political and economical value
- Rare and endemic species of flora and fauna;
- Are there rare or endangered representatives of flora, fauna and habitats;
- Are there resources that are particularly sensitive to human consumption;
- Are there special archeological or historical objects;
- Are there rare rocks of geological importance;
- Are there special cultural monuments;
- Is it a place of world-wide recognition (e.g. in the field of cultural heritage).

d) **Identification of weaknesses, opportunities and threats**

Before defining the concrete management purposes of protected territories weaknesses and threats towards the value of the territory are determined.

Some of the weaknesses and threats could be caused by the natural environment. Restrictions could be revealed in other forms as well, e.g.:

- legal obligations;
- land use restrictions;
- history of services (e.g. already established practice of resource utilisation, extraction the minerals)
- demands from the point of view of health and safety;
- management restrictions;
- consumption and activity priorities ;
- obligations towards neighbours, visitors and others (how these correspond to the weaknesses should be defined)

Threats to protected territories and their pressures on resources may have an anthropogenic character or could be created by natural processes that are revealed as social or economic pressure towards the protected territories.

e) **Formation of management vision and tasks**

During the management planning process the future ideal state of the protected territory is established. In some management plans this is defined under the goals and significance of the protected territories, in others, they are referred to as "vision". This covers the desirable or possible outcome as a result of conservation policy of the protected territory. Vision takes into consideration some assistance for the development of the support zone. While formulating the vision the focus is moved onto what kind of protected territory will be established by implementing management and what activities will be carried out for this purpose. The Goals are established according to the following themes;

- Habitat and species (treatment, protection, restoration, multiplication)
- Research and monitoring;
- Sustainable limited use of renewable resource
- Infrastructure;
- Possibilities of visitors' service;
- Education and skill development;
- Social-cultural characteristics;
- Income generation;
- Administration

v) **Development of alternatives in order to achieve the goal**

After the management goals have been defined, it should be determined how these goals can be achieved, i.e. scenarios of management activities will be defined and the desirable one will be selected. In order to achieve the management goals, so called zoning is used.

In the management plans of protected territories, various management zones are defined, i.e. geographical areas on which similar management accents are made. According to the zoning, it is easy to define what can and what cannot be done on different plots of the protected territory with regard to natural resource management, cultural resource management, types of resource usage by humans, consumption, educating visitors, accessible ways and park development.

z) **Preparation of a draft management plan**

At this stage all of the above documents are combined into one, producing a draft management plan. Though there is no standard format for the management plan (as we have already mentioned it is stipulated by various factors), it still covers standard elements. By using the main principles of management planning the management plan may have the structure shown in the Annex (modification is acceptable).

T) **Public discussion of the draft plan (public consultations)**

At this stage all stakeholders and wider society are made aware of the draft management plan. The process of public discussion is determined in advance and the procedure follows the agenda. An advertisement is placed for the attention of the interested parties, stating that a draft plan is ready for public discussion and the place is indicated where it is possible to review the draft or make a copy. The advertisement also mentions the deadline for receiving comments and proposals, the place where they have to be submitted, the contact person and his/her telephone number.

i) **Evaluation of submitted comments and proposals, amending the plan and preparing a final version**

During this stage the draft of the management plan is revised taking into consideration the comments received from stakeholders and the wider population.

k) **Agreement/approval of the plan**

At this stage the management plan is submitted to the appropriate Governmental bodies for approval.

l) **Implementation**

In most cases there is an annual breakdown of financial and operational information. This information includes the time schedule, necessary human and financial resources. In addition, during implementation the annual operational plan is prepared giving a clear picture of the activities that have to be carried out during a year. The operational plan is not a constitutive part of the management plan; rather it is a management tool.

m) **Monitoring of implementation and evaluation**

While implementing the management plan, it is essential to monitor how effective this process is. In case there are some problems, resources have to be reallocated in order to

improve the implementation process. In order to assess the implementation of the management process the following six elements established by IUCN are used:

- at which level are we regarding implementation?
- at which level we should be?
- what do we need? (Resources)
- what should we do in order to improve the present situation?
- concrete activities
- what we have achieved in reality (have we achieved the desirable level/how close we are to the desirable level).

IV. Recommendations for improving planning and management processes.

1. We should not focus just on conservation purposes. We should also consider social and economic aspects.
2. We should not plan and manage anything ignoring the public will. Public will and ideas should be taken into consideration. As mentioned above, representatives of society participate in the process of management planning. But in reality this mechanism needs to be refined and improved. More flexibility is required towards the population; this kind of relationship should be adapted to the local population. Good educational programs have to be developed.
3. Management should have an integrated character. Not only experts should participate in a process, but others as well; local people who express some interest and are able to present some good ideas, knowledge and experience should be taken into consideration.
4. It should be oriented towards future. It should identify problems and define the opportunities for future development. The management plan should be flexible in order to allow its revision towards new goals.
5. Attached to the management plan should be other supportive documents, e.g. operational plans, business plans.
6. Lack of qualified staff is a problem. Trainings are considered in management plans but it is necessary that these programmes be more productive, practical and adapted to the living style of the local population.
7. When people living on the territory of one of the protected areas are restricted in their use of resources (as a consequence of the protection regime), it is essential to consider alternative means of income generation.
8. During the process of developing management plans the issue of resource utilisation has to be studied carefully so that no mistake is made while zoning.

9. There are problems related to grazing:
 - Leasing the grazing areas under the zone of traditional use is carried out by the Government
 - There are no norms of how many cattle should graze certain areas
10. People living in the areas surrounding protected territories should be given certain privileges when tendering for the provision of visitor services or any other employment on the territory.
11. In order to support the development of the support zone it is desirable to promote the concept of eco-labelling.

V. Recommendations related to the legislation

In order to improve the process of planning and management plan implementation it is desirable that the following changes be incorporated in present legislation:

1. Acceptable and restricted activities have to be clarified according to the categories of protected areas and their zones.
2. The administration of the protected territory under the area of its jurisdiction should be given strong powers to deal with violations of the law with regard to the protected territory. According to the law on Protected Territories rangers do not have such power, though according to chapter 18 – “management of protected territories” the Department of Protected Territories is responsible for the above power on the territory of its jurisdiction. Even here though, the responsibilities of the rangers are not quite clear. According to the Forest Law of Georgia, chapters 108 and 109, the Ministry of Environment Protection and Department of Protected Areas carry out control and supervision of wood utilisation. Under chapter 48 of the Georgian Criminal law, the penalties for damaging the environment are listed. However the concrete cases for protected territories are not mentioned; is essential to defined them.
3. The issue of income on the area of protected territories requires some refining.
4. The rules for setting up transboundary protected territories need to be defined, and during this the questions of agreement with other countries will also have to be taken into consideration.
5. The format and standard of the national planning system has to be developed together with the management plan and annual work plan/operational plan.
6. The legal norms for leasing the provision of various services to visitors on the area of protected territories should be developed.
7. Corresponding legal rules should be developed for registering visitors on the boundary zone of protected territories.

I. Preamble

II. Strategic Vision

Chapter 1 Review

Chapter 2 Description

2.1. General Information

- 2.1.1. Location and boundaries
- 2.1.2. Juridical status and rights
- 2.1.3. Institutional arrangements
- 2.1.4. Administrative structure
- 2.1.5. Main means and equipments

2.2 Physical-geographical description

- 2.2.1 climate
- 2.2.2. Hydrology
- 2.2.3. Geology and Geomorphology
- 2.2.4. Soil

2.3. Biological Information

- 2.3.1 Landscapes and habitates
- 2.3.2. Flora and vegetation
- 2.3.3 Fauna

2.4. Socio-cultural information

- 2.4.1. settlements and population
- 2.4.2. local culture and traditions
- 2.4.3. traditional land use and grazing system
- 2.4.4. Economic activity

2.5. Historical review of protected territories

- 2.5.1. Archeological and historical-cultural monuments
- 2.5.2. Short history of the protected territories (establishment, , scientific research and monitoring)

Chapter 3. Evaluation

3.1. Ecological importance

- 3.1.1. Size, Format and ecological location
- 3.1.2. Species variety
- 3.1.3. Naturalness
- 3.1.4. Rarity
- 3.1.5. Fragility of ecosystems and their separate components
- 3.1.6. Uniqueness

3.3 Threats and Obstacles

- 3.3.1 Natural factors
 - 3.3.2. Anthropogenic factors impact on protected territories
- Chapter 4 – Concept

4.1 General objectives

4.2. Strategic objectives

4.3. Territorial planning

Chapter 5 – Field of activities and strategic directions of

5.1. Protected area administration

5.2. Infrastructure

- 5.3. Increase of possibilities and training**
- 5.4. Public Relations (including business relations)**
 - 5.4.1. PR Program
 - 5.4.2. concession
- 5.5. Program of protected landscape and support zone**
- 5.6. Visitors Service**
- 5.7. Habitat and species**
- 5.8. Protection (protective measures, searching and rescuing services)**
- 5.9. Scientific research, monitoring and social survey**

Chapter 6 – Programs

- 6.1 program of administration**
- 6.2. Program of Infrastructure development**
- 6.3 Increase of possibilities and training**
- 6.4 Program of PR**
- 6.5 Program of developing the support zone**
- 6.6 Visitors service**
- 6.7 Habitat and species (including resource)**
- 6.8 Environment protection (law enforcement, searching-rescuing service)**
- 6.9. Scientific sociological research, monitoring**

Chapter 7 – Environment impact assessment

- 7.1. Impact of Infrastructure construction/ arrangement on environment**
- 7.2. Impact of tourism and recreation on environment**
- 7.3. Socio-economical impact**
- 7.4. Review of natural and social impacts**