**DEPARTMENT OF INTERNATIONAL CONSERVATION AFFAIRS**

Zimparks created the International Conservation Affairs department in 2021 with the ultimate objective of facilitating international cooperation between the organisation and similar agencies and stakeholders throughout the world. Information on the purpose and work of the International Affairs Department as well as both international and domestic activities and events can be found here.[International Activities and Events Update][link]. The International Conservation Affairs department intends to have International Affairs bulletin in the form of a periodic newsletter sharing information or briefs on significant international activities by Zimparks in general and by staff in the department in particular. The International Conservation Affairs department is both a technical and information management department which continuously explores ways of improving Zimbabwe’s conservation efforts and sharing the same with both the local and international communities. Sharing correct information on Zimbabwe’s rich wildlife enables the Zimparks to attract new audiences, correct circulating public false or wrong information, provides a platform for community engagement and useful information to those who want to learn more about conservation.   
  
**Role and Purpose of the International Conservation Affairs** **Department**

The department contributes to Zimparks’ mission by leading and coordinating the implementation of conservation or environmental related international conventions, Trans- frontier conservation areas programmes, commitments by Zimbabwe in Joint Commissions and other international agreements hence contributing to Zimbabwe’s foreign policy commitments in as far as wildlife conservation is concerned. The expertise in the department enhances Zimparks’ ability to interpret international legal instruments and participate in the development of the same, collaborate with international partners on conservation projects and other areas of mutual interest as well as initiation and evaluation of such projects. The ICA department enhances the Authority's capability to deliver on its mission through regular participation in international events and global discussion forums on conservation. The Authority’s vision is “To be a world leader in sustainable conservation by 2030”. The ICA department leads the way in setting standards, studying global best practices in conservation and implementing international obligations. As part of doing its duties to service the Authority, the department has a framework constituted of a team of dedicated staff with a wide skills portfolio, domestic and international laws and policies, a wide network of partners and collaborates closely with other departments and stakeholders in carrying out Zimparks’ international activities.[ICA staff and structure][link]. The department is headed by a director who is supported by four managers and other support staff.

**Republic of Zimbabwe**

Zimbabwe is a unitary, democratic and sovereign republic. In May 2013, Zimbabwe promulgated its current democratic Constitution characterised by a republican form of government, a presidential system of government and an organisation of powers consistent with the classic tripartite powers theory of Montesquieu, that is, executive, legislative and judiciary, independent and harmonious among themselves. The Republic of Zimbabwe is a landlocked country situated in Southern Africa and its spatial extent is 390,757km2. Zimbabwe is a former British colony previously administered by the British South Africa Company from 1890 to 1923. In 1923, Rhodesia was annexed as Crown colony by the UK Government from 1923 to 1980 by an Order in Council. It was known as Southern Rhodesia from 1890 to 1965, Rhodesia from 1966 to 1978, Zimbabwe-Rhodesia in 1979 and Zimbabwe since 1980. From 1953 to 1963 it was also became part the Federation of Rhodesia and Nyasaland.

**Implementation of International Wildlife Law in Zimbabwe**

**Zimparks**

Zimbabwe parks and Wildlife Management Authority (ZPWMA or Zimparks) is a parastatal which has its source of authority in the Parks and Wildlife Amendment Act of 2001. Section (3) of the Act reads as follows, “There is hereby established a body corporate, to be known as the Parks and Wildlife Management Authority, which shall be a body corporate capable of suing and being sued in its corporate name and, subject to this Act, of performing all acts that bodies corporate may by law perform.” Section (4) of the Act states all the functions of the Authority whilst section (5) gives guidelines on how the Parks and Wildlife Management Authority Board should be established. Zimparks ia an executive government institution with a statutory existence, that is, it came in to existence through an establishment Act.

In terms of section 129A of the Parks and Wildlife Amendment Act, 2001, as read with subsection (1) of section 97 of the Parks and Wildlife (General) Regulations, 1990, published in Statutory Instrument 362 of 1990, the Minister of Environment is the confirming authority of ZPWMA by-laws. The area managed by Zimparks alone is about 13% of Zimbabwe’s total land area. The Zimparks estate include national parks, sanctuaries, botanic gardens, botanic reserves and recreational parks. Zimbabwe's protected area system includes rich biodiversity and world heritage sites like Mana Pools and Victoria Falls National Parks.

Zimparks is the implementing agency for a number of MEAs particularly the Convention on International Trade in Endangered Species (CITES) (1973) and the Convention on the Conservation of Migratory Species (CMS)  (1979) and other closely related agreements specific migratory species like the African-Eurasian Migratory Waterbird Agreement (AEWA)

Zimparks is also a key player and participates actively in the implementation of other international agreements. Zimparks has a good number of wetlands listed as Wetlands of International Importance under the Ramsar convention, the majority of which are Important Bird Areas according to Birdlife International criterion.

**Domestic and International Wildlife Law in Zimbabwe**

The history of formal legislative enactments aimed at regulating wildlife conservation in Zimbabwe dates way back to the colonial era. The major sources of law in Zimbabwe include the constitution, common law, domestic legislation, international law and writings of jurists. The legal framework includes the following laws and policies: the Constitution of Zimbabwe Amendment (No.20) Act, 2013. The Parks and Wildlife Act [Chapter 20:14] as amended in 2001. This Act is Zimbabwe’s framework legislation regarding wildlife protection, that is, it is the apex Act regulating wildlife conservation. This act is administered by the minister of Environment, Climate, Tourism and Hospitality Industry. This Act consolidates two previously separate laws, that is, the National Parks Act of 1965 (Chapter 159) and the Wildlife Conservation Act of 1960 (Chapter 135). There are several Statutory Instruments (SI) enacted under it, especially Statutory Instrument 362 of 1990. Other notable Statutes include Criminal Procedure and Evidence Act [Chapter 9:07], The Criminal Procedure and Evidence Amendment Act, 2016 (No. 2 of 2016) [Chapter 9:07], Criminal Law (Codification and Reform) Act [Chapter 9:23], Traditional Leaders Act, the Rural District Councils Act, Firearms Act and the Communal Lands Act. It is generally noted that in the overall effort to reverse the global biodiversity crisis, law is a crucial instrument, including international wildlife law. Wildlife treaties recognise the transboundary nature of many wildlife populations and of some of the threats they face. Treaties established in response to the need for wildlife conservation include (1) the 1992 Convention on Biological Diversity (CBD)[www.cbd.int], the overarching legal frame-work for global biodiversity conservation, (2) the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) [https://www.cites.org], (3) the 1971 Convention on Wetlands of International Importance (Ramsar Convention)[] , and (4) the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, November 16, 1972, 1037 U.N.T.S. 151 [WHC] and (5) the 1979 Convention on the Conservation of Migratory Species of Wild Animals (CMS)[www.cms.int] Revised African Convention on the Conservation of Nature and Natural Resources, revised July 11, 2003 [Revised African Convention], the 1999 Protocol (to the 1992 Treaty of the Southern African Development Community) on Wildlife Conservation and Law Enforcement (SADC Protocol), United Nations Convention to Combat Desertification (UNCCD) [UNCCD website: [www.unccd.int](http://www.unccd.int)] and several treaties establishing transfrontier conservation areas (TFCAs).[Learn more about Conservation Law in Zimbabwe] [link]

The Constitution of Zimbabwe Amendment (No. 20) Act, 2013 is the supreme law of Zimbabwe, meaning laws which are contrary to its provisions are void to the extent of the inconsistency. The Constitution of Zimbabwe Amendment (No. 20) Act, 2013 makes international law part of Zimbabwean law. There is firstly, an acknowledgement in the Constitution, Section 12 (1) paragraphs (b) to (d), Constitution of Zimbabwe Amendment (No. 20) Act, 2013, that the foreign policy of Zimbabwe must be based on principles that promote and protect the national interests of Zimbabwe; respect international law; peaceful co-existence with other nations; and the settlement of international disputes by peaceful means. Secondly, section 34 of the Constitution now provides in quite clear terms for the domestication of International Instruments; “The State must ensure that all international conventions, treaties and agreements to which Zimbabwe is a party are incorporated into domestic law.” States basically follow two doctrines on the legal effects of international commitments, that is, either monist or dualist. Zimbabwe is a dualist legal system with reference to the legal effects of international commitments, that is, it requires domestication of international law. This creates a direct legal duty on the state to domesticate all international law that the country has subscribed to. Sections 46 (1) c) of the Constitution of Zimbabwe Amendment (No. 20) Act, 2013 states that "When interpreting this Chapter, a court, tribunal, forum or body…**(c)** must take into account international law and all treaties and conventions to which Zimbabwe is a party.” In an effort to halt biodiversity loss, the potential role of international wildlife treaties is significant. These treaties also acknowledge that biodiversity conservation is a common concern of mankind. Zimparks discharges its mandate in line with international laws, national laws and regulations as well as policies and directives from legal sources like the Director General, the responsible Ministry or Government. .[Zimparks publications] [link] [Also access our translated fact sheets about Zimparks – for those English is not a native language]

**Summaries of International Legal Instruments**

**CITES**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed on 3 March 1973 in Washington (‘CITES’) and entered into force on 1 July 1975. Its aim is to protect wild fauna and flora threatened with extinction, principally by limiting or regulating trade in those species.

The CITES is a trade and conservation agreement whose primary establishment aim is to control international trade of rare and endangered species as well as facilitating sustainable trade of listed species. It is thus both a conservation and trade agreement. The convention includes three categories of protection, that is, Appendix I, Appendix II, and Appendix III. Listed species number more than 34,000 species of wild animals and plants. [https://www.cites.org] It regulates the export, import and re-export of animals and plants, parts and derivatives through the use of a licenses, certificates and permits only issued upon satisfactory meeting of certain requirements. It plays a part in ensuring sustainable development by controlling trade, ensuring sustainable harvesting or exploitation hence protecting biodiversity.

Since joining CITES, Zimbabwe has autonomously adopted measures designed to implement the CITES obligations. The CITES compliance system is based on self-reporting by parties using standard reporting formats. Zimbabwe has always submitted its reports on time. CITES compels parties to prepare and implement domestic CITES enabling legislation. In compliance, the Parks and Wildlife Act [Chapter 20:14] is Zimbabwe’s framework legislation regarding wildlife protection. In order to implement and comply with CITES, Zimbabwe uses a number of different legislative provisions and has specific CITES enabling legislation, namely, Parks and Wildlife Regulations (Import and Export Control)- Statutory Instrument 76 of 1998. In addition to SI 76 of 1998, Zimbabwe’s existing laws prohibit illegal harvesting or killing and unregulated trading of wildlife species. Some of the distinct laws underpinning CITES implementation include: SI 362 of 1990, SI 76 of 1998, SI 11 of 1990, SI 114 of 1993, SI 26 of 1998, Traditional Leaders Act, the Rural District Councils Act, Firearms Act and the Communal Lands Act. Criminal Procedure and Evidence Amendment Act, 2016 (No. 2 of 2016) [Chapter 9:07], the Forest Act, Criminal Law Codification and Reform Act, and The Environmental Management Act and many more.

Article XIV of CITES requires members to adopt domestic measures to enforce and protect wild life according to rules set by the CITES. Zimparks is responsible for wildlife law enforcement, particularly anti-poaching operations and other Law Enforcement Agencies like ZRP -responsible for fighting crime, including wildlife crime. CITES also requires Membercountries’ to designate a management authority and a scientific authority. Zimparks houses both the management authority and a scientific authority hence is in full compliance with CITES. The International Conservation Affairs department is coordinates CITES implementation for the Authority.

Currently there are several meetings being held as the country prepares for the CITES CoP in Panama from 14 to 25 November 2022. Zimbabwe is cooperating with other SADC and African countries to come up with a common position with respect to proposals and interventions. Top of the list are the issues surrounding ivory and live elephant trade.

**The World Heritage Convention**

Zimbabwe plays its part in identifying and protecting its key natural and cultural sites as part of the heritage of humanity. The Operational Guidelines for the Implementation of the World Heritage Convention facilitate the implementation of the World Heritage Convention by describing the procedures for: the inscription of properties on the World Heritage List and the List of World Heritage in Danger; the protection and conservation of World Heritage properties and the granting of International Assistance under the World Heritage Fund. There are 5 World Heritage Sites in Zimbabwe (1) Mosi - oa - Tunya/ Victoria Falls World Heritage Property, (2) Mana Pools National Park, Sapi and Chewore Safari Areas, (3) Matopos, (4) Khami Ruins and (5) Great Zimbabwe Ruins. Of the 5 the first 2 are under the management of Zimbabwe Parks and Wildlife Management Authority and later 3 under National Museums and Monuments of Zimbabwe. The Middle Zambezi MAB Reserve has areas that are partly under the management of Zimparks, (1) Mana Pools National Park, Sapi and Chewore Safari Areas and (2) Matusadona National Park.

1. **Mosi oa Tunya/ Victoria Falls World Heritage Property**

Is a transboundary property managed jointly by Zimbabwe and Zambia and was inscribed onto the World Heritage Properties list in 1989. The property straddles between the two State Parties (SPs) and extents over 3 National Parks which are namely Victoria Falls and Zambezi National Parks in Zimbabwe and Mosi – oa – Tunya National Park in Zambia.

**The Mana Pools National Park, Sapi and Chewore Safari Areas and Middle Zambezi MAB Reserve**

This was inscribed as a WHP in 1984. The MAB Reserve was inscribed in 2010. Plans are underway to update the General Management Plan of the WH Site courtesy of the GEF 6/ UNDP. The blue print is expected to be out by end of September 2022. The Mana Pools National Park, Sapi and Chewore Safari Areas is another core area and part of the greater MAB Reserve that covers 6 Districts and 3 Provinces in 2010. The other core area for the same Reserve is centered around Matusadonha National Park.

**Proposed Chimanimani Man and Biosphere Reserve**

This was submitted to the World Heritage Committee for review and consideration in October 2021. Currently, we are waiting for consideration of the proposed Biosphere Reserve on the 34th MAB General Conference in Paris, France from the 1st to the 15th of June 2022.

**The Convention on Biological Diversity (CBD)**

The Convention on Biodiversity (CBD) is an international agreement adopted at the Earth Summit in Rio de Janeiro in 1992 and entered into force on 29 December 1993. It covers ecosystem, species and genetic biodiversity of organisms and microorganisms.

Zimbabwe signed the CBD in 1992 and ratified it in 1995.

The objectives of the CBD as provided for in its article 1 are: (i) The conservation of biological diversity, (ii) The sustainable use of its components and (iii) The fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies. Zimparks has several programmes and activities which directly implement oblogations and provisions of the convention, namely, Invasive alien Species control, park protection and anti poaching patrols, community focused conservation education programmes, fire management programmes especially veld fire management, vegetation, wildlife and fisheries research, wetlands management activities, park/estate management activities like land reclamation and anti-erosion measures.

More information can be obtained from the CBD website: [www.cbd.int]

**Convention on the Conservation of Migratory Species of Wild Animals and the African-Eurasian Migratory Waterbird Agreement (AEWA).**

Article II of the CMS convention states in its fundamental principles that members should promote, co-operate in and support research relating to migratory species; shall endeavour to provide immediate protection for migratory species included in Appendix I; and shall endeavour to conclude agreements covering the conservation and management of migratory species included in Appendix II. Article V of the treaty states that the object of each agreement shall be to restore the migratory species concerned to a favourable conservation status or to maintain it in such a status. All Range States of identified species can accede to the agreement whether or not they are Parties to CMS. AEWA is an intergovernmental treaty specifically dedicated to the conservation of migratory waterbirds and their habitats across Africa, Europe, the Middle East, Central Asia, Greenland and the Canadian Archipelago and forma part of the family of agreements established within the framework of the Convention on Migratory Species (CMS) and is administered by the United Nations Environment Programme (UNEP).  Of particular interest is the AEWA action plan which has the obligations each party is supposed to meet. The obligations include a development of a clear species and habitat protection regime, management of human activities, research and monitoring, education, and capacity building activities.

TFCAs

JOINT COMMISSIONS