

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA

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Sixteenth meeting of the Conference of the Parties  
Bangkok (Thailand), 3-14 March 2013

Strategic matters

WILDLIFE TRADE POLICY REVIEWS

1. This document has been prepared by the Secretariat.

Background

2. At its 15th meeting (CoP15, Doha, 2010), the Conference of the Parties adopted Resolution Conf. 15.2 on *Wildlife trade policy reviews* in which exporting and importing countries are invited

*to carry out, on a voluntary basis, reviews of wildlife policy on the use of and trade in specimens of CITES-listed species, taking into account environmental, social and economic issues and relevant policy instruments, in order to facilitate a better understanding of the effects of wildlife trade policies on the international wildlife trade.*

3. Under the same Resolution, there is an invitation for Parties "to carry out, on a voluntary basis, regional or subregional wildlife trade policy reviews, in accordance with the realities of participating countries."
4. At CoP15, the Conference adopted as well Decision 15.8 on *National wildlife trade policy reviews*, which reads:

***Directed to the Secretariat***

15.8 *The Secretariat shall report at the 62nd meeting of the Standing Committee and at the 16th meeting of the Conference of the Parties on the progress made with regard to the implementation of Resolution Conf. 15.2 on Wildlife trade policy reviews.*

5. The Secretariat provided an oral report on wildlife trade policy reviews at the 62nd meeting of the Standing Committee (SC62, Geneva, July 2012). It advised the Committee that the Parties which had undertaken such reviews so far (Madagascar, Nicaragua, Uganda and Viet Nam) had either taken steps to implement certain recommendations contained in their reviews or expressed interest in implementing those recommendations, if necessary funds became available. The Secretariat noted that no additional policy reviews had yet been undertaken since CoP15, but that the proposed framework for national wildlife trade policy reviews had prompted interest from countries, intergovernmental organizations and academic institutions involved in national self-assessments of the implementation of multilateral environmental agreements (MEAs). The Secretariat informed the Standing Committee that a printed or electronic publication on wildlife trade policy reviews should be completed by March 2013. It mentioned that it still looked forward to receiving a copy of Jamaica's planned wildlife trade policy, once that document became publicly available.
6. The reviews undertaken by Madagascar, Nicaragua, Uganda and Viet Nam, using a proposed framework for national wildlife trade policy reviews, have provided useful background information for recent Secretariat missions to and meetings with those countries. In the margins of SC62, the Secretariat learned that Uganda was in the process of revising and adopting its *de facto* wildlife policy (i.e. never adopted by Cabinet), which was both one of the reasons it had undertaken a national wildlife trade policy review and

one of the recommendations in the review report. Some time earlier, Viet Nam had indicated an interest in undertaking a more detailed analysis of certain issues identified in its review.

7. The proposed framework for national wildlife trade policy reviews and the experience gained from its use were shared by the Secretariat during a meeting on the design of a methodology to review the effectiveness of MEAs, organized by UNEP at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO), in Paris (France) in November 2009. In April 2012, the Secretariat was contacted for additional information by the University of Massachusetts (United States of America) which was working with UNEP on a project to assess the extent to which MEAs (including CITES) are implemented at the national level.
8. The proposed framework and completed policy reviews have also been shared with Australian academic researchers undertaking a multi-year project on transnational environmental crime. The Secretariat was recently contacted to provide input on an component of the project which is looking at policy responses to transnational crime gathered from Australia, Fiji, New Zealand, Papua New Guinea, Thailand and Viet Nam.
9. A fair amount of interest has been expressed in the CITES website forum on wildlife trade policy reviews by government officials (including those in CITES Management Authorities, Scientific Authorities and Enforcement Authorities), academics, members of non-governmental organizations and private individuals. Other work priorities have made it difficult for the Secretariat to monitor and support the forum actively to date, but it will be given more attention later in the year.

#### Future work

10. A final version of the *Framework for reviewing wildlife trade policies* is contained in Annex 2 to this document and will be included in the published material mentioned in paragraph 5 above. If external funds available to the Secretariat are sufficient to both publish that material and support additional policy reviews, the Secretariat will contact those Parties which expressed earlier interest in undertaking such reviews.
11. In the context of its work under the CITES National Legislation Project, the Secretariat often receives from Parties copies of draft or adopted wildlife, forestry, fishery, trade and other policies. Perhaps those policies which are relevant to CITES should be considered for inclusion in the country factsheets which are to be added to the CITES website in the future and maintained by individual Parties. Information relevant to CITES policy content, operation and effectiveness is also provided in Parties' biennial reports. This includes information on legislation, relevant institutions, means and resources, implementation mechanisms, compliance and enforcement actions, and actual practice.
12. Objective 1.1 of the *CITES Strategic Vision: 2008-2013* is that "Parties comply with their obligations under the Convention through appropriate policies, legislation and procedures." This Objective and the newly established Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), reflect the importance of policy to States. The significant efforts of non-State actors to participate in and to influence policy-making are additional indicators of the significance of policy.
13. In Resolution Conf. 15.2, Parties are urged "to promote mutual understanding and support across the science-policy interface and ensure that biological and social scientists and policymakers work in a cross-disciplinary manner." Parties might therefore consider how the policy side of the science-policy interface could best be strengthened and more closely linked with the science side (including both natural and social sciences), through tools such as the *Framework for reviewing wildlife trade policies* and new bodies such as IPBES. Any future Standing Committee Working Group on IPBES (see the Annex to document CoP16 Doc. 17) might take into account draft or completed policy reviews during its deliberations (e.g. regarding how CITES Management Authorities, and other policymakers involved with CITES, might contribute to and benefit from IPBES).
14. In the same Resolution, Parties are encouraged "to take into account the needs of indigenous people and other local communities when adopting trade policies concerning wild fauna and flora". The identification and consideration of social impacts in future wildlife trade policy reviews should be facilitated by the work undertaken by the Standing Committee Working Group on CITES and Livelihoods to develop a toolkit for rapid assessment of the positive and negative impacts of CITES-listing decisions on the livelihoods of the poor, and voluntary guidelines for addressing the negative impacts. Similarly, future wildlife trade policy reviews should consider and contribute to enhancing the livelihoods of the rural poor.

15. A recent study undertaken by the International Trade Centre which, *inter alia*, mapped the value chain in the international trade of Appendix-II Asian python species, made a useful contribution to better understanding the content and operation of policy measures addressing legal and illegal trade in a particular CITES trade sector. More details on this study are provided in document CoP16 Doc. 57 on *Snake trade and conservation management*.
16. There is scope for using future wildlife trade policy reviews to build on earlier work done by the Secretariat to develop draft terms of reference for a cost-benefit analysis of alternative regulatory regimes to govern wildlife trade. Among other things, such an analysis could help Parties calculate how much it costs to undertake the scientific, technical, legal, administrative and enforcement activities needed to implement the Convention. It could also help Parties analyse the economics of illegal wildlife trade. Such an analysis would, in turn, provide a useful basis on which Parties could identify and use relevant cost-recovery mechanisms or successfully mobilize resources for effective CITES implementation. Future wildlife trade policy reviews could also draw on the December 2009 regional report prepared for the Central American Commission on Environment and Development (CCAD) on the “Economic valuation of the implementation process of the Convention CITES in Guatemala, El Salvador, Nicaragua, Costa Rica and the Dominican Republic”.

#### Recommendations

17. The Secretariat recommends that the Conference of the Parties adopt the draft decisions contained in Annex 1 to this document.
18. The Secretariat believes that Decision 15.8 has been implemented and recommends that it should therefore be deleted.

DRAFT DECISIONS OF THE CONFERENCE OF THE PARTIES

**Wildlife trade policy reviews**

***Directed to the Parties***

- 16.A As envisaged under Resolution Conf. 15.2, Parties that undertake wildlife trade policy reviews on a voluntary basis are requested to provide the Secretariat with relevant details of their reviews and lessons learned, so that these may be shared with other Parties.

***Directed to the Secretariat***

- 16.B The Secretariat shall:
- a) compile and make available on the CITES website information provided voluntarily by Parties on wildlife policies or wildlife trade policies they have adopted, and wildlife trade policy reviews they have undertaken;
  - b) subject to external funding, assist interested Parties in undertaking wildlife trade policy reviews and provide necessary technical cooperation to those Parties;
  - c) subject to external funding, organize a regional or subregional workshop in another region which builds upon the Regional Workshop for Arabic-Speaking Countries on Wildlife Trade Policy Reviews (Kuwait City, March 2009); and
  - d) report at the 66th meeting of the Standing Committee and at the 17th meeting of the Conference of the Parties on the work above and other progress made with regard to implementation of Resolution Conf. 15.2 on *Wildlife trade policy reviews*.



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## Framework for Reviewing Wildlife Trade Policies

Pre-publication version (October 2012)<sup>1</sup>

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<sup>1</sup> *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat, the United Nations Environment Programme, the United Nations Conference on Trade and Development or the University of Geneva's Graduate Institute of International and Development Studies concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The views and opinions expressed in this document do not necessarily reflect those of UNEP, UNCTAD, CITES or IHEID. The designations and terminology employed may not conform to United Nations or IHEID practice and do not imply the expression of any opinion whatsoever on the part of the publishing institutions..*

## ACKNOWLEDGEMENTS

This Framework was prepared in the context of a joint project among the United Nations Environment Programme (UNEP), the United Nations Conference on Trade and Development (UNCTAD), the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES Secretariat) and the University of Geneva's Graduate Institute of International and Development Studies (IHEID). The project was entitled 'Enhancing National Capacities to Assess Wildlife Trade Policies in Support of CITES' and was otherwise known as the CITES Policy Review or CPR project.

The project was launched in January 2006, and the first phase of the project was dedicated to the development of this Framework. The following individuals and institutions were involved in preparation of the draft Framework: Peter Bille Larsen (Researcher, IHEID), Sandra Gagnon (Researcher, IHEID), Marc Hufty (Professor, IHEID), Marceil Yeater (Chief, Legal Affairs and Trade Policy, CITES Secretariat), Juan Carlos Vasquez (Communications and Outreach Officer, CITES Secretariat), Benjamin Simmons (Legal Officer, UNEP Economics and Trade Branch), Fulai Sheng (Senior Programme Officer, UNEP-ETB), Sebastien Miazza (Intern, CITES Secretariat), Kristina Moeller (Intern, UNEP-ETB) and Katharina Peschen (Intern, UNEP-ETB).

Comments on draft versions of the Framework were provided by members of an International Advisory Group established under the project. During the second year of the project, the draft Framework was tested in four pilot countries: Madagascar, Nicaragua, Uganda and Viet Nam. These country projects were fundamental not only in testing the Framework but also in suggesting improvements.

Financial and technical support for development of the Framework were provided by GIAN (Geneva International Academic Network) [now the Swiss Network for international Studies], the UNEP-UNCTAD Capacity Building Task Force for Environment, Trade and Development (with funds donated by the European Commission), UNEP, CITES and IHEID.

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## 1. Introduction

This Framework was developed to provide CITES Parties with practical guidance and a methodology for reviewing existing wildlife trade policies and identifying opportunities to strengthen wildlife trade policy development and implementation. It is both a tool and a means for building capacity. Specifically, the Framework is designed to assist the professionals actually undertaking the reviews, whether they are staff within government ministries, national research institutions or other bodies. There is no connection between the Framework and compliance-related processes under CITES.

In Resolution Conf. 15.2 on *Wildlife Trade Policy Reviews*, adopted by the Conference of the Parties to CITES, Parties which decide to carry out Policy Reviews are urged to take into account the lessons learned and tools developed under the CITES Policy Review Project (2006-2008). This Framework is one of those tools. Other tools include the final reports of policy reviews undertaken by pilot countries (Madagascar, Nicaragua, Uganda and Viet Nam), a synthesis report based on those policy reviews and studies by IHEID on social dynamics and wildlife trade and lessons learned from the national wildlife trade policy review process.

Parties have been invited in Resolution Conf. 15.2 to replicate the Regional Workshop for Arabic-Speaking Countries on Wildlife Trade Policy Reviews (Kuwait City, March 2009) in other regions.

### Box 1. Core principles underpinning Wildlife Trade Policy Reviews:

- **Party-driven:** The review is a voluntary process conducted by the countries.
- **Capacity building oriented:** The review is neither prescriptive nor linked to compliance mechanisms.
- **Results oriented:** The review focuses on outcomes that will help the effective implementation of CITES
- **Interdisciplinary:** CITES-related policies and mechanisms are interdependent and involve different disciplines. It is useful, in a policy review to strengthen the links between science and policy by integrating different disciplines and types of knowledge, biology, law, economy, political sciences and other sciences and traditional knowledge.
- **Stakeholder-oriented:** Particular importance is attached to stakeholder participation as a crucial element to increase the likelihood of the recommendations arising from the reviews being accepted and implemented. The range of stakeholders includes rural poor organizations, cooperatives and community-level committees, representatives of indigenous people, as well as the private sector, professional associations, academic and research institutions, non-governmental organizations and government and intergovernmental bodies.
- **Partnership oriented:** A review is likely to be more balanced and thorough if several key institutions collaboratively undertake it.

This Framework contains two key elements.

- a) It combines a broad public policy review with the identification of a policy's impacts. The Framework involves the analysis of policies related to the conservation and sustainable use (including trade) of CITES-listed species, including policy measures beyond CITES that a country applies or is affected by. It also involves identification of the environmental and socio-economic impacts of selected key wildlife trade policy measures, building on UNEP's experience in this area. This integrated approach presented a methodological challenge in developing the Framework because of the differing emphases attached to public policy reviews and impact identification.
- b) The Framework also involves consideration of a policy's content and its operation. Determining the effectiveness of a policy requires that information be gathered on not only what is said in the policy but also on what is done to implement the policy (i.e. actual practice).

## 1.1 A few words about CITES

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES or the Convention) was adopted by governments in 1973 with a challenging mission: to bring under regulation the international trade in certain wild animal and plant species to ensure that such trade is legal, sustainable and traceable and, in the best-case scenario, generates incentives for species conservation.

About 35,000 species are covered by the Convention and they are listed in one of three Appendices, depending on the degree of protection that they require. Approximately 97% of CITES-listed species (i.e. those listed in Appendices II and III) are not necessarily now endangered and may be commercially traded. Approximately 3% of CITES-listed species are identified as endangered (i.e. those listed in Appendix I), which means they are generally prohibited from commercial trade but may be traded for non-commercial purposes. Moreover, captive bred or artificially propagated specimens of such species may be treated as specimens of Appendix II and commercially traded. A system of permits and certificates is used to authorize and track both commercial and non-commercial trade in CITES-listed species. It applies to all 'specimens' of those species, that is, live and dead animals and plants as well as their parts and derivatives.

The two principal pre-conditions for issuing a CITES permit are that trade should not be detrimental to the survival of the species concerned and that specimens of those species should be obtained in accordance with applicable laws for the protection of fauna and flora. To ensure the credibility of their non-detriment and legal acquisition findings, national Management and Scientific Authorities must act independently of the interests of traders, consumers, pressure groups and others who may seek to influence them.

The States, which are party to the Convention, contribute to the conservation and sustainable use of biodiversity through ensuring that any trade which occurs in CITES-listed species is responsibly managed. Conservation is not limited to absolute protection or non-consumptive use. It also includes consumptive use, which is sustainable. Economic and trade-related issues are therefore intrinsic to the Convention and trade measures are essential to achieving its objectives. Social and economic issues play a crucial role in the conservation and sustainable use of wild animals and plants. Understanding the relationships among the environmental, social and economic aspects of wildlife conservation and its sustainable use is therefore essential to ensure that the Convention achieves its objectives. It is also critical for 'mainstreaming' such conservation and sustainable use considerations into a country's broader programmes for development and trade.

One way to increase such understanding is through a review of the policies underlying a country's efforts to implement the Convention. Such policies may relate to biodiversity conservation, natural resource use or trade, socio-economic development or compliance and enforcement.

This Framework has been developed to enhance the capacity of countries to undertake a thorough, participatory and practical review of the policies which directly and indirectly affect legal and illegal wildlife trade and to use such a review to identify any steps that may be needed to better ensure their effective implementation of the Convention.

In paragraph 203 of *The Future We Want*, adopted at Rio+20 in June 2012, States have said:

*We recognize the important role of CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora), an international agreement that stands at the intersection between trade, environment and development; promotes the conservation and sustainable use of biodiversity; should contribute to tangible benefits for local people; and ensures that no species entering into international trade is threatened with extinction. We recognize the economic, social and environmental impacts of illicit trafficking in wildlife where firm and strengthened action needs to be taken on both the supply and demand sides. In this regard, we emphasize the importance of effective international cooperation among relevant multilateral environmental agreements and international organizations. We further stress the importance of basing the listing of species on agreed criteria.*

By undertaking wildlife trade policy reviews, countries can determine whether they are implementing and using the Convention as fully and effectively as possible to achieve the ends described above.

## 1.2 What is a wildlife trade policy review?

There is no definition of 'policy' in the Convention, but it might be broadly defined as a set of goals and objectives as well as the written instruments and institutional means used to achieve them. In reality, wildlife trade policy is composed of policies, strategies, plans and legislation as well as the decisions, actions and practices, which respond to CITES requirements. In some countries, there may not be a stated policy as such but rather a package of measures, which constitute a national policy. Policies that are not explicitly focused on wildlife trade may nonetheless impact on wildlife trade (e.g. policies related to customs, trade, environment or

biodiversity protection, land tenure, socio-economic development and poverty reduction), and should be included in the review.

A wildlife trade policy should reflect the actual context in which it is operating – including both external and internal processes. External ones would include the Millennium Development Goals [or future Sustainable Development Goals], Rio Principles, national poverty reduction strategies and wildlife trade dynamics. Internal processes would include various CITES processes which should be integrated such as: the regulation of wild harvesting or production systems; research and development; non-detriment and legal acquisition findings; permit issuance/acceptance; trade monitoring; the Review of Significant Trade; national reporting; awareness-raising and positive incentives that promote sound practice; and the enforcement of legislation. A number of these processes depend on good links between science and policy.

Overall, wildlife trade policy should aim to support effective implement of the Convention and thereby conserve biodiversity and contribute to its sustainable use by ensuring that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation through international trade. Sustainable and regulated international wildlife trade can also contribute to human well-being. Responsible, legal trade can be a driver for the conservation and sustainable use of biodiversity by providing a key source of income and employment. By contrast, unsustainable and illegal trade have accounted for a significant share of potential risks to species survival particularly as international illegal trade flows have grown. Existing policies and markets rarely exploit opportunities to strengthen the positive aspects of trade or to address negative aspects effectively. Furthermore, in relation to other drivers such as habitat modification, positive trade measures remain underutilized. Wildlife trade policies therefore can play a critical role in maximizing the positive impacts and mitigating the negative impacts of wildlife trade dynamics. They are an integral part of effective sustainable use policies, and can have a key role to play in terms of ecosystem management.

National policy is the foundation for effective implementation of CITES. It is therefore crucial that we better understand the nature of the problem being addressed and the logic behind national wildlife trade policies adopted to solve that problem. Four key questions need to be addressed:

- What are the main elements (the content) of the wildlife trade policy?
- What resources are allocated for its implementations?
- How are people involved?
- How well is this wildlife trade policy working?

The purpose of a policy review is essentially to answer these fundamental questions and to then pull all of the resulting pieces of information together. With this in mind, a 'wildlife trade policy review' involves several steps: a description of the policy-making context, a description of the policy's content; a description of the policy's operation; an overall analysis of the policy, including the identification of its environmental and socio-economic impacts; and recommendations as well as plans for related follow-up actions.

### **Box 3. Wildlife Trade Policy Review Steps**

Step 1 – Describe the policy-making context

Step 2 – Describe the policy's content

Step 3 – Describe the policy's operation

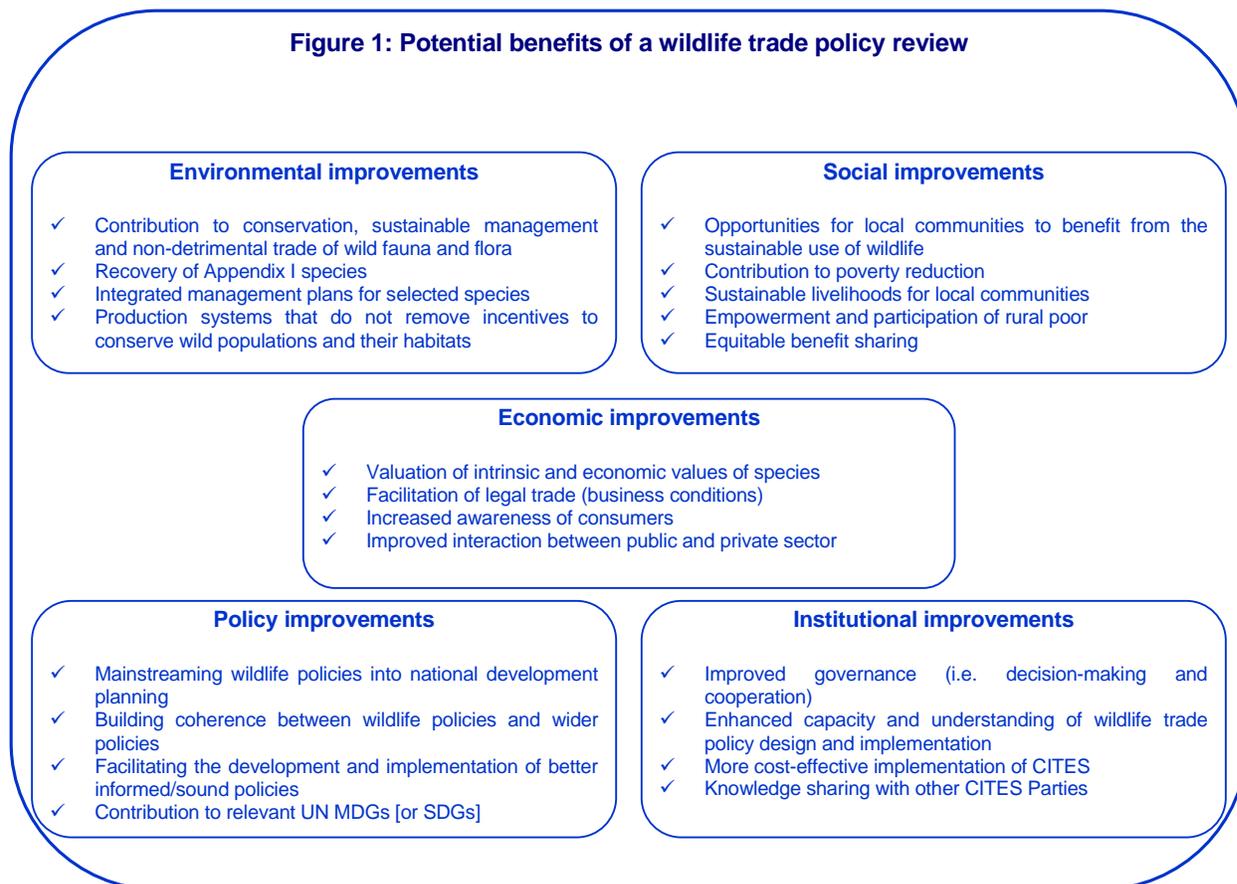
Step 4 – Gather field data, identify the policy's environmental and socio-economic impacts and make an overall analysis of the policy's relevance, coherence and effectiveness

## **1.3 What are the benefits for a country undertaking such a review?**

Wildlife trade policies need to be relevant, coherent and effective in order to ensure that they have positive impacts on the conservation and sustainable use of biodiversity and socio-economic development. A structured policy review provides the opportunity to determine what works well and to identify policy responses that may enhance positive and mitigate negative effects of wildlife trade and thereby better support wildlife management.

Policy reviews offer an opportunity to explore various aspects of a wildlife trade policy. In some cases, Parties may have only some of the elements necessary for an effective wildlife trade policy, or their wildlife trade policy may be contradicted by other policies. Such reviews also provide countries with a context in which to improve their understanding of environmental, social and economic dynamics that are critical to the development of

coherent, effective and equitable policies. A more elaborated set of potential benefits from wildlife trade policy reviews is provided in the box below.



## 1.4 How can this Framework help?

The Framework was conceived as experimental in that it attempts to combine different methods for policy analysis, including stakeholder engagement, impact identification and outcome-oriented approaches. This new approach, however, may not be the easiest or best way to do a policy review. Methods suggested here are taken from available literature and from the experience of various partners and were combined to suit the specific needs of this Framework. There are many others that can be used in that respect and each Party is encouraged to be creative and innovative in undertaking its own review. Pilot studies were undertaken in specific countries and that played a key role, not only in testing the Framework and methodologies presented here, but also in refining the Framework for wider use. The Framework, however, remains a work in progress and is likely to be revisited and adjusted in the future, after additional review experience has been gained.

Key aspects to any successful review are the process preceding and the process following the actual review. Given this, the Framework provides guidance on what activities should be undertaken before undertaking the review, such as identifying relevant stakeholders impacted by wildlife trade policies, establishing national-level bodies to coordinate the review, and developing a coordinated review process. The Framework also provides suggestions on how a country might decide to use and implement the recommendations resulting from the review.

**Box 4. This review process seeks to enable CITES Parties to:**

- Develop a systematic understanding of existing wildlife trade policies and practices and other relevant national policies that have an impact on wildlife trade;
- Assess the overall relevance, coherence and effectiveness of the different measures used to implement the wildlife policy and the coherence of these measures with those of other policies;
- Increase understanding of the environmental and socio-economic impacts of wildlife trade policies and identify measures to optimize the beneficial nature of those impacts; and
- Identify opportunities to improve the content and operation of wildlife trade policies.

## 2. Review preparations

This chapter contains some practical suggestions for the organizational aspects of the policy review, including: objectives of the review; the respective roles of institutions involved in the review; the identification and involvement of relevant stakeholders; and the timeframe for undertaking the review. Naturally, these elements may be adapted to the respective national context.

In general, the review should be a country-driven and participatory process that will ensure that its implementation and outcomes reflect actual needs and opportunities to strengthen wildlife trade policies.

### 2.1 Review objectives

Why might a country be interested in undertaking a wildlife trade policy review? This is an important question, as every response will help to determine the specific scope of the review and the policy elements to be analyzed. One country might wish to develop or finalize a draft wildlife trade policy while another might wish to assess and revise an existing wildlife trade policy. A third country might wish to use a policy review as a self-evaluation of the effectiveness of its overall implementation of CITES. It is also possible that several neighbouring countries, countries with a common language and culture or countries with shared species might wish to undertake a subregional or regional wildlife trade policy review to compare their respective policies. As mentioned in section 1 above, Arabic-speaking countries already organized a regional workshop on wildlife trade policy reviews.

Each interested institution might have a different 'agenda' and set of objectives for the review. It is important to identify these perspectives, concerns and interests during the initial scoping process, in order to successfully integrate them into the review. It is also important that interested institutions be open and clear about their objectives for the entire review process.

Reviews may be broad or narrow in scope. It could be useful to define the scope of the review according to a particular species or group of species in trade or subject to another type of consumptive or non-consumptive use; a certain wildlife commodity value chain; a geographic region (or even a specific ecosystem or vulnerable area); a particular timeframe (considering the short, medium and long-term impacts); or some other specific concern and focus.

### 2.2 Institutional roles

This section presents some of the actors involved in the policy review at the country level as well as their respective roles and responsibilities. The suggestions provided below can, of course, be adapted according to specific country situations.

It is recommended that a government ministry or agency take the lead in organizing the review. If this is not the same ministry or agency which houses the CITES Management Authority, it should work in close cooperation with the latter. The review can be conducted primarily by an independent research institution or body designated by the government, particularly one with experience in public policy analysis. The lead ministry, CITES Management Authority and research institution – together with any other key partners which might have been identified – might form a review team that provides technical input to the review. High-level representatives from the same institutions, plus several other institutions representing different disciplines and sectors, might comprise a steering committee which guides and oversees the review. These are only suggestions for countries to consider, as other organizational schemes are also possible. Whatever the composition of the "review team" and the "Steering Committee", it is important to ensure the objectivity of the review, its full endorsement by policy makers and the involvement of partners that have access to existing key information.

Here are some of the roles and responsibilities that can be looked at and attributed to the different institutions participating in the review:

- Overall guidance for and oversight of the review process
- Stakeholder identification and participation plan
- Organization of consultative workshops and other meetings
- Collective analysis of the existing situation regarding wildlife trade and related policies
- Identification of review focus and specific questions

- Carrying out of the review
- Preparation of relevant documents, including the review report
- Quality control of review outputs
- Communication of the results
- Feedback on conclusions and recommendations
- Obtaining high-level endorsement of the review process and results
- Incorporating review results into future planning processes
- Securing of commitments from planners and decision-makers

### **2.3 Stakeholder identification/involvement**

In the context of CITES, a number of actors are involved in either developing, financing, implementing or enforcing related policies and a number of other stakeholders benefit from, affect or are affected by wildlife trade policy measures. Wide stakeholder participation in the review is crucial to ensuring that the most complete information is gathered about the content and implementation of the wildlife trade policy being reviewed. It is also advisable for ensuring a successful policy review, the development of realistic suggestions for policy improvement and the acceptance of resulting policy responses. Public participation is essential as well to making sure that the review is seen as legitimate, credible and independent.

As a consequence, many qualitative techniques for analyzing policies (and for interpreting data from quantitative techniques) rely heavily on robust stakeholder participation. Such participation requires some consideration, however, in terms of who will be involved, how and when it will be organized and what it is expected to produce.

Stakeholders are characterized by the fact they have something to lose or gain in relation to the wildlife trade policy, or they have an influence on the decision-making process. They can be individuals or groups, including: CITES management, scientific and enforcement authorities; agencies responsible for natural resource management; representatives of national, provincial or local government; agencies; advisory or other committees in charge of conservation or trade issues; harvesters and hunters, such as indigenous peoples and local communities; producers, dealers or traders; academic institutions; professional associations; non-governmental organizations concerned with wildlife conservation or animal welfare, etc. It is not enough to include supportive individuals and organizations in the analysis of stakeholders, actors perceived to be antagonistic to the development and operation of wildlife trade policies should be included as well.

In addition to being identified, stakeholders might also be classified with respect to their influence and role in policy development and operation. Classification could be based on their importance in relation to a given issue, which depends on four variables: the resources they control (economic, social, cultural, symbolic); their will and capacity to mobilize these resources; their effective mobilization of resources on a specific issue; and their strategic interaction with other actors. Stakeholders can also be divided into three categories: strategic, significant and secondary, according to their degree of influence on the formulation and operation of policy.

Annex 1 of the Framework contains one possible means of identifying and mapping stakeholders. Using a matrix, like the one below, to present various stakeholders can also be helpful.

Actor	Actor 1	Actor 2	Actor n
Who? How to get in contact?			
Status? Official, association, private...			
Resources controlled (economic, cultural, relational, symbolic...)? Overall power?			
Perception of the issue?			
Modes of action regarding the issue? Function in the policy process?			
Impact on the issue?			
Network?			
Others			

In order to obtain the participation of these actors, one or more national workshops can be organized or other consultative mechanisms used. This should allow them to articulate their specific views and concerns, to explain how they act and interact, to contribute to the different parts of the review (i.e. description of policy content and operation, identification of impacts, overall analysis and recommendations) and to give general inputs to the Steering Committee or review team. The workshops should be very interactive in nature, with stakeholders being encouraged to freely share their needs or expectations as well as the constraints that they are facing.

## 2.4 Timeframe

Once the review objectives, institutional roles and relevant stakeholders are identified, attention can be focused on how best to organize the work that needs to be done. In general, the policy review proposed in this Framework can take place at any moment a country or group of countries considers it useful. A policy review could be valuable prior to the implementation of a proposed or agreed policy reform (*ex ante*), during (concurrent) or after (*ex post*) experience has been gained in the operation of a policy. Reviews could also stretch over more than one of these time periods, or could even be conducted as a continuous process. For instance, the results of a particular *ex post* review could be used as the baseline for a future *ex ante* review.

In general, the time needed for this kind of review depends on different factors, such as:

- Already existing knowledge about wildlife trade dynamics and policies;
- Data availability;
- Degree of priority of the review for the relevant actors;
- Resources available;
- Scope of the review (overall policy or only selected policy measures); and
- Variety of policy responses suggested and analyzed.

### 3. Review Process

This section of the Framework deals with the substantive aspects of the review. It is divided into four parts: a description of the policy-making context; the policy's content; the policy's operation; and an overall analysis of the policy (e.g. its impacts, relevance, coherence and effectiveness). The review should result in a description of the policy and the existing practices related to wildlife trade policy, and should enable an analysis of the policy and its operation.

#### **Methodological note**

A list of the sources placed at the end of each section (including the exact citations for any documents used for the review and where to find them) would be an invaluable tool for anyone wishing to research the wildlife trade policy.

#### 3.1 Policy-making context

The context in which a wildlife trade policy is developed and implemented includes the broader national situation, as well as the nature of wildlife trade in general. It is important to determine the major wildlife trade characteristics and dynamics in the country (nature, volume and types of trade as well as consumption patterns and species and regions concerned). The country profile anticipated in this section need not be extremely comprehensive and might be limited to a few pages. Emphasis should be placed on identifying characteristics of a country's environmental, social and economic situation, relevant to wildlife trade.

Objective: To have an overview of the context in which a wildlife trade policy takes place (national situation, wildlife trade sector).

Key questions: What are the general conditions under which the policy has been developed and is being operated? What species are present in the territory and which species are being traded?

Relevant environmental characteristics might include:

- Ecosystems and eco-regions, and general environmental characteristics;
- The type and abundance of wild animal and plant species;
- The ratio of protected areas to overall land area; and
- Existing protected areas or species shared with neighboring countries.

Relevant social characteristics might include:

- The overall size of the population and its general characteristics (ratio of rural to urban dwellers, rate of activities per economic sector, unemployment level; percentage of people living below the poverty line, etc.); and
- Interaction with and cultural values concerning wildlife and typical income-generating activities (indigenous and local communities).

Relevant political characteristics might include:

- Organization of the government, of the CITES management, scientific and enforcement authorities, and of other relevant agencies; and
- Political divisions, degree of decentralization and relative competencies.

Relevant economic characteristics might include:

- Main areas of economic activity involving wildlife (including fish and timber);

- Key export products and trade relations; and
- Ratio between raw material and value-added exports.

### 3.1.1 Wildlife trade chains and trade drivers

CITES is mainly about regulating interlinked 'trade chains', which have an impact on the status of wild species. The terms 'value chain', 'commodity chain' or 'production-consumption chain' are also used. A trade chain encompasses the whole range of actors and activities involved in the management, production, and marketing of a wildlife product. It also refers to relationships established between actors involved directly and indirectly in each stage of the chain (e.g. producers, processors, distributors, traders, regulatory and support institutions). One important advantage of describing chains is that it helps to understand not only formal institutional arrangements but also informal relationships among various actors.

The structure of wildlife trade chains is often pyramid-shaped with a few actors controlling exports and a range of intermediary traders connecting them to the much larger base of grassroots level producers and harvesters where collection takes place. There is a need to describe not only the flow of 'tangibles' (e.g. resources and money) within the chain, but also the flows of intangibles such as information, knowledge, and power. Research has documented how local producers are rarely aware of the different values attributed to a product at different points in the chain. Furthermore, wildlife trade chains may involve various forms of social coercion and control, affecting the distribution of costs and benefits.

Wildlife trade enterprises are generally small to medium-sized. Many belong to the informal economy, yet some of them operate as members of "industry associations" and these associations are at the core of many successful initiatives under CITES -- e.g. the sustainable use of crocodilians<sup>2</sup>. There are several examples of mature industries and markets for products and services derived from wild fauna and flora (e.g. food supply, healthcare, fashion, collecting, ecotourism, pets, trophy hunting, traditional medicines, fisheries, aquaculture, handicrafts and an array of other species uses). Many others are growing, offering opportunities for generating alternative sources of income and for production processes based on sustainable use of CITES-listed species. Exploiting such opportunities, by promoting tailored incentives, requires a differentiated understanding of policy impacts on the economy.

Learning more about the social and economic drivers that push or influence trade is essential to designing and implementing effective wildlife trade policies.

Some questions, which might be considered, include:

- What types of supply and demand characterize the wildlife trade sector, including both legal and illegal trade?
- What are the major factors or dynamics and drivers of change (both direct and indirect) affecting wildlife trade?
- What is the comparative significance of wildlife trade compared to other positive or negative drivers affecting the sustainable use of wildlife?
- Where are the major knowledge gaps in terms of the nature, dynamics and drivers of wildlife trade?

## 3.2 Policy-content

In this section, the content of the wildlife trade policy itself, and related policies, is addressed. The purpose of this step is to provide a snapshot of the existing wildlife trade policy in a country. A policy description or profile helps to clarify the nature and scope of the wildlife trade policy issues that prompted the review in the first place.

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<sup>2</sup> In developing countries, many of these enterprises face huge challenges in accessing international markets. Quality and safety standards are increasing constantly and small and medium sized companies in developing countries often lack adequate infrastructure, managerial skills, and insight in the market structures.



### 3.2.2 Instruments

Policy instruments and measures are the means used to achieve the goals of a policy, and they may take different forms. This Framework groups such instruments into two main categories: regulatory instruments and non-regulatory instruments.

Regulatory policy instruments include: formal written policy documents; national strategies, action plans and programs; constitutions, treaties, laws and regulations; and administrative decrees or directives or procedures. Such instruments may be aimed at articulating the entire wildlife trade policy or they may contain only one or more elements of the policy. In the latter case, the whole policy can only be seen when the relevant elements are identified and put together. Most regulatory policy instruments reflect a command-and-control approach to wildlife trade, which involves wild harvesting controls, the registration and monitoring of production systems, CITES documentation schemes and the use of offences and penalties as disincentives for non-compliant behaviour. Some regulatory policy instruments include incentive measures as well (e.g. market access strategies, price structures, taxation and subsidy schemes, property rights, mechanisms for benefit sharing and reinvestment in conservation).

Economic incentive measures are generally considered more flexible than command-and-control measures. Examples of regulatory incentive measures include:

1. Property rights (e.g. ownership rights, conservation easements, user rights to particular species, communal property rights, tradable quota systems, private reserves, hunting licenses and concessions);
2. Legal certification schemes;
3. Fiscal instruments (e.g. user fees, payment for services, tax exemptions or deductions, differential taxation practice);
4. Liability systems (fines, environmental performance bonds and deposits).

Non-regulatory policy instruments include: voluntary certification schemes; financial assistance (to promote sustainable production (e.g. captive breeding/artificial ranching/artificial propagation, research and development); and export/import oriented promotion programs. They also include awareness-raising and educational instruments, such as: brochures; posters; videos; press releases and other materials; curricula; school materials; training materials; reference materials; and guidance materials.

It may be useful to synthesize the information on policy instruments in a matrix. Such a matrix may allow visualizing the overall policy and to explore overlaps and inconsistencies among the different policy instruments in terms of goals, specific objectives, target audiences and implementation responsibilities.

Policy instrument	Goals	Specific objectives	Target audience	Implementation responsibility
1.				
2.				
N				

### 3.2.3 Wider policies

Since the distinction between wildlife trade policies and other types of policies is increasingly difficult, policy elements may appear in different types of policy instruments. In practice, developing or revising incentive measures may likely involve reforming other policies.

Regulatory and non-regulatory instruments in the following sectors could be relevant to wildlife trade policy: macro-economic policies; environmental services policies, biodiversity or conservation strategies (including National Biodiversity Strategies and Action Plans or NBSAPs); forest or fishery governance regimes; agricultural policies; livestock or phytosanitary control; animal welfare; socio-economic development; sustainable development; decentralization; poverty reduction strategies; structural adjustment; growth with equity; trade; land (allocation, use and tenure); transport; and customs. International and regional policy developments that are directly concerned with or affect trade should also be considered in the review.

One of the main challenges in dealing with national wildlife trade regulation is that it is generally applied at the technical or operational level and issues are therefore addressed on a case-by-case basis rather than holistically. For example, national officials often address specific, technical questions arising at the 'bottom' of the policy chain (e.g. what should we do about regulation of quotas or what should we do about enforcement measures), when there is not necessarily a very strong policy direction from the 'top' (i.e. the source of the regulation or the policy behind it). This means that it is frequently unclear, where or how wildlife policies fit into wider government policy, economic policy, environmental policy, etc. A lack of strong overview from the top often leads to a lack of direction and to incoherence among different government policies. Governments need to find or establish the common denominator that links wildlife trade policies and other policies at the highest possible level. They also need to build coherence between the various government agencies with regard to the handling of wildlife trade issues or questions.

### 3.3 Policy operation

The term 'policy operation' refers to the process and practices through which the content of a policy is put into effect. A description of policy operation will typically refer to the resources and activities made available to put policy instruments into effect: financial allocations, institutions, personnel, technical and scientific equipment and systems, coordinating mechanisms, control mechanisms, etc.

Objective: To describe the operation of the wildlife trade policy (actors, resources, mechanisms and actual practice).

Key questions: What resources and mechanisms are available and mobilized to put the policy into operation? How do actors behave in relation to wildlife trade (collection, trade, control and application of the policy measures)? What are the real roles and practices (in contrast to formal roles)? What are the actors' experiences and perceptions?

Countries are fairly good at creating policies, but face significant challenges in operating those policies because this requires resources. In the context of CITES, operational activities generally include the: enactment and implementation of adequate legislation; registration of production facilities and traders; issuance and acceptance of permits or certificates; management of information; preparation and submission of reports; conducting of scientific research; raising of awareness and building of capacity; use of social or economic incentives to promote compliance; and detection and penalization of violations.

Like the process of describing a policy's content, a description of its operation may also be conducted as a desk review relying on existing sources of information. Where information is not available through documentation, selected stakeholders may be interviewed or asked to complete a questionnaire.

This aspect of the review is likely to involve the gathering of information through field work, interviews and direct observation. Specific questions that might be answered include:

- Which institutions are responsible for implementing what element of the wildlife trade policy?
- What is the composition of these institutions (how many people, sectors, specialty, organization, etc.)?
- What are the resources at their disposal to enact their tasks (financial, human, material, technical, etc.)?
- What are the interrelations between the institutions? Are there institutionalized coordination / consultation mechanisms?
- Is there outsourcing of wildlife trade responsibilities and functions?
- Are there consultants, national or international partners (e.g. governmental bodies or non-governmental organizations) involved?
- What are the mechanisms and practices through which the policy is made operational?

It may be useful to synthesize institutional information in a matrix. Such a matrix could show the division of responsibilities among different institutions, and help reviewers explore overlaps or gaps among the different mechanisms and practices for policy operation.

Institution	Implementation responsibility	Financial and technical resources	Personnel	Mechanisms or practices for policy operation	Coordinates with ?
1.					
2.					
N					

### 3.3.1 Relevant institutions and actors

Relevant institutions and actors should be clearly identified, with their respective responsibilities. A number of governmental institutions and personnel are involved in the implementation of wildlife trade policy, with various roles and responsibilities. At the national level, administration and management functions are usually vested in a lead CITES Management Authority, responsible for issuing and accepting CITES documents, allocating quotas, coordinating national implementation of the Convention, communicating with other countries and reporting to the CITES Secretariat.

The CITES Management Authority plays a key role in developing wildlife trade policy and ensuring its effective operation. There may be additional Management Authorities responsible for permit issuance at national or subnational level or in certain sectoral areas (e.g. terrestrial animals, plants or fish).

Scientific and technical functions are assigned to one or more independent Scientific Authorities. They are responsible, *inter alia* for monitoring the population status and exports of indigenous CITES species, in order to provide advice on quota setting and the granting of permits, which ensures that trade is not detrimental for the survival of the species concerned.

CITES-related enforcement functions are often fulfilled or overseen by the CITES Management Authority, with the support of various enforcement authorities endowed with either a specific law enforcement mandate (e.g. wildlife or forestry or fishery officers) or a general law enforcement mandate (e.g. police, customs, judiciary, military). The international dimension of wildlife trade means that customs plays a key role but other agencies are also needed, particularly in dealing with illegal possession and relevant domestic markets.

Other national government agencies responsible for natural resource management, environment, agriculture, trade, development and other sectors are usually involved in policies related to wildlife trade. In addition to institutions at the national level, there are often sub-national institutions responsible for wildlife trade policy implementation (e.g. at the state or provincial or regional and local levels).

Other actors may play a role in the formulation and implementation of the wildlife trade policies: indigenous and local communities, individual producers and traders as well as related associations, research and academic institutions and international actors (e.g. intergovernmental, private sector or non-governmental organizations as well as the donor community and looser networks or associations).

### 3.3.2 Means and resources

The resources available to a particular organizational actor determine its ability to ensure or affect the operation of a particular policy. Thus, it is important to look at the human, technical and financial resources, which are at its disposal in order to understand the full extent to which a policy is being implemented. Institutions and organizations with more resources, whether governmental or non-governmental, frequently have more political 'weight' and influence. Indeed, perhaps they receive more resources because of their political influence.

Overall, the resources allocated for the operation of wildlife trade policies are often minimal or insufficient. There is a need, however, for countries to find innovative solutions for dealing with this situation rather than becoming or remaining inactive because of frustrations regarding the inadequacy of funds and staff.

Beyond identifying the individual actors who put a policy into operation, it is useful to consider their knowledge, skills and experience. The full nature and scope of human capacity in a country may not be well-known or well-utilized, and countries should make a serious effort to better catalogue, use and coordinate such existing capacity. It is important as well to consider the programme and budget under which individuals work, the availability and usability of information management systems or other necessary technical equipment and support, their training or education opportunities, etc.

### 3.3.3 Implementation mechanisms

Several categories of standard policy implementation mechanisms may exist in an organization or across a national system. These include recordkeeping, reporting, meetings, consultations, coordination, compliance monitoring, enforcement and training or education.

Periodic reporting (e.g. annual, biennial and special reports under CITES or reports on implementation of the Strategic Plan for Biodiversity: 2011-2020 and its Aichi Targets or the Millennium Development Goals (or future Sustainable Development Goals), or 'State of the Environment', environmental performance and government audit reports offers government actors the opportunity to review and show the extent to which their wildlife trade policy is achieving its objectives. Such reports may also be used to identify operational needs or problems. Some governments occasionally assess the effectiveness of specific policy instruments (e.g. legislation) rather than the policy itself. Other actors may have additional ways of reflecting their contribution to delivery of the policy's objectives or pointing out weaknesses in policy implementation (e.g. brochures, newsletters or special reports to their constituents).

Regular meetings of relevant government authorities (perhaps with the involvement of other stakeholders) allow them to assess whether the objectives of the wildlife trade policy are being met and to identify specific aspects of policy operation, which seem to be working well. Conversely, such meetings may help authorities to determine that policy objectives are or not being met and may lead to adjustments in relevant policy instruments, processes or procedures.

Policy operation also depends upon consultative processes, which may be used within relevant institutions (e.g. involving different units or divisions or stakeholders) as well as the coordination and cooperation mechanisms or bodies (e.g. periodic meetings or an inter-ministerial committee) used between those institutions. Such coordination is particularly important in avoiding the duplication, conflict or inaction, which might result from shared responsibility for the policy's operation.

Ensuring the effective operation of a wildlife trade policy and associated instruments – particularly legally-binding ones – requires a compliance and enforcement scheme for addressing weaknesses, gaps or violations. Such a scheme can be used to promote more or better implementation efforts by concerned actors (e.g. traders), perhaps through awareness-raising and education. Compliance monitoring at various stages of a product chain (e.g. harvesters, producers, traders, shippers), makes it easier to determine whether everyone is acting in accordance with the policy. This process generally involves some form of recordkeeping, reporting and spot checks (e.g. of production facilities and markets). Any operational problems detected through compliance monitoring (that is, improper actions or omissions to act) could be addressed through administrative or civil or criminal enforcement procedures. The results of these procedures (and other elements of the compliance and enforcement scheme) can be helpful in identifying aspects of the policy or its operation which need to be revised, so it is more effective.

### 3.3.4 Actual practice

An explanation of relevant policy instruments and their content, as well the formal means by which they are implemented, is not sufficient to provide the full and accurate picture of a policy. It is only by adding an explanation of existing, related practices that one can get a thorough understanding of the national wildlife trade policy. A description of actual practice can also assist in identifying the impacts of a policy and analyzing its effectiveness.

Wildlife trade policies, and the government agencies in charge of implementing or monitoring them, do not operate in a vacuum. The development and operation of wildlife trade policy is influenced by the day-to-day activities of various stakeholders, such as collectors, producers, transporters, exporters, sellers, consumers, researchers, non-governmental organizations or the public. Policies may therefore fail to have their desired impact because of certain action (or inaction) by government agencies or other stakeholders.

Beyond identifying the actors who put a policy into operation, it is useful to describe the type of work they do and how they do it. For government administrators this might involve: standard operating procedures; the soundness and timeliness of decision-making; the specific activities undertaken; capacity building efforts; regular monitoring of policy implementation; receipt or absence of political support; coordination with others; ethics, etc. For other actors, this might involve a description of their interests, oral or written communications and specific activities affecting wildlife policies, such as the collection and trading of species or their lobbying of government authorities.

The type and degree of interest which a particular actor brings to the practical functioning of wildlife trade policy will vary. Government actors are generally expected to act in accordance with applicable rules and on behalf of the public interest and to balance various competing, special interests. Other actors usually act in accordance with their special interest, perception of applicable rules and informal values.

An analysis of actual practice might involve looking at the interactions within and results stemming from formal or informal 'arenas' where actors discuss and negotiate issues, take decisions and conclude agreements (e.g. consultations, meetings, workshops, etc.). It might also involve consideration of the interactive process through which an issue passes over a period of time. Finally, it might seek to identify the formal and informal rules under which various actors operate. All of these tools may help reviewers to get a clearer picture of what is actually happening with regard to the operation of a policy, as distinguished from what was expected to happen.

#### **Methodological note**

1. The research team has a crucial role to play in this study. The inclusion of a researcher trained in social sciences and especially in qualitative methods is highly recommended (see Annex 2 for data collection tools). The choices made by the team regarding the questions asked as well as the capacity to conduct an independent survey will determine the quality of the results.
2. It might be useful to consider a first quick overview and discussion during a workshop (objective: identify some central issues, strategic stakeholders, product chains, etc), followed by in-depth systematic interviews and fieldwork.
3. A central tool in any qualitative research is the 'triangulation' of information, that is, to obtain confirmation of a fact or information from different sources.

### **3.4 Overall analysis of the policy**

On the basis of the description of the policy's context, its content and its operation, it should be possible to undertake an overall analysis of the policy and to provide a set of findings and conclusions as to 'how the policy is doing'. This analysis should summarize the results of the desk studies (as well as other data-gathering) done under sections 3.1, 3.2 and 3.3, identify the possible environmental and socio-economic impacts of the policy and make key findings and conclusions as to the relevance, coherence, and effectiveness of the policy. The summary, impact identification and related findings, will form the basis for reaching conclusions as to whether the existing wildlife trade policy is performing well and why. External factors, which might be affecting the policy's performance, should also be identified. If there are aspects of the policy or its implementation, which need improvement, they should be clearly indicated. This will determine the follow-up actions (e.g. policy reform process), anticipated in the next section. The conclusions of the review should be independent and objective, and it should be possible to trace them back to earlier findings in the review. During this step, it could be helpful to bring a wide range of stakeholders together again to analyze the policy from as many perspectives as possible.

Countries may wish to use this review step to address and provide responses to other questions raised by stakeholders about the overall performance of the policy. Such questions may concern the positive and negative factors influencing the policy's performance or the challenges that the policy must face.

**Objective:** To identify the observable impacts the policy has on actors' behaviour and on environmental and socio-economic variables. To build a better understanding of the causes and effects which characterize wildlife trade. To identify the potential requirements and constraints for any policy change.

**Key questions:** Has the policy's operation changed actors' practices? How? What are the impacts of these changes on the species, on livelihoods and on other variables? To what extent are policy measures having positive or negative environmental, social and economic impacts? To what extent do the goals and principles of the wildlife trade policy reflect the particular conditions, pressures and drivers of wildlife trade in the country? To what extent are wildlife trade policy measures coherent with each other, in line with the overall goals and principles of the wildlife trade policy and in line with other policies? To what extent are policy measures achieving what they were intended to achieve?

### **3.4.1 Policy impacts**

The aim of this section is to identify the observable impacts that a wildlife trade policy may have had at two levels: (1) the behaviour of various actors, which changed as a result of the policy; and (2) environmental and socio-economic variables, which changed as a result of changes in actors' behaviour. Given resource constraints and the difficulty of isolating impacts, it is likely that the identification of these impacts will reveal indications or tendencies and build on perceptions rather than present 'solid' conclusions. Pilot countries in the CITES Policy Review Project found this aspect of the policy review particularly challenging, so careful thought might be given to simplifying or otherwise adjusting the guidance provided below. Annex 3 of the Framework contains a matrix of possible positive and negative environmental, social and economic impacts within certain parameters as well as possible mitigating measures.

#### **Data gathering**

The identification of behavioural changes and environmental and socio-economic impacts of the policy should be based on existing data, available knowledge, stakeholder discussions, previous or new field studies and other data gathering processes. Annex 2 of the Framework contains additional information on data collection methodologies and tools.

Data for carrying out the identification of impacts can be obtained firstly by drawing on the knowledge and expertise of CITES Management and Scientific Authorities. These exercises can be enriched by involving outside species experts (university departments, specialized scientific or research institutes, associations or networks of scientists, specialized national or international agencies, individual natural and social scientists and field biologists or social researchers), by conducting desk reviews of existing traditional knowledge and scientific research (unpublished or published literature, scientific journals, the internet, CITES trade and species databases), population and distribution surveys as well as related extrapolations, management plans, export quotas and by utilizing the results of consultations with stakeholders. CITES has created two mechanisms to assess the impact of a trade decision on the survival of the species that should serve as important pillars for this exercise: the non-detriment finding and the Review of Significant Trade. For the socio-economic impacts, the knowledge of rural poor organizations, cooperatives and community-level committees, representatives of indigenous people, as well as private sector actors, professional associations, non-governmental organizations, and government or intergovernmental bodies is crucial. Future CITES tools which should be useful for identifying socio-economic impacts are the toolkit for rapid assessment of the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor and associated voluntary guidelines to address the negative impacts. The review team should determine whether core baseline data is available and whether further data gathering can be undertaken within the given financial and human resources.

#### **Change in behaviour**

A wildlife trade policy, that is aligned with CITES, generally prohibits international commercial trade in wild animals and plants that are threatened with extinction and authorizes international commercial trade in wild animals and plants not now threatened with extinction, if the specimens were legally acquired and their trade will not be detrimental to the survival to the species in the wild. The achievement of these objectives is a task

that implies compromises among multiple, contradictory demands. Implementing a wildlife trade policy is a rather complex process through which government aims to modify the daily practices of those involved in wildlife trade in order to achieve sustainable development. This is done by using a combination of consensus-building techniques, persuasion and threats, and by mobilizing the resources at its disposal. Government knows that it has succeeded when, *ceteris paribus* (all other factors being isolated), people behave differently than before.

Observing and documenting these changes can be difficult, unless past studies allow a comparison of actors' behaviour (or trends in certain variables) before and after the adoption of the policy. Another difficulty involves isolating the impact of a given policy measure from other factors.

#### **Methodological note**

Care must be taken to distinguish between the general change observed in a particular sector and the actual impact of a particular policy measure. An environmental or socio-economic change may be taking place, which coincides with a policy change, and yet it can be attributed to external factors. "*Deadweight effect*", for example, involves changes that would have taken place even in the absence of the policy measure/intervention. Another dimension to take into account involves the presence of *displacement effects*. This has been observed with certain prohibitions on wildlife trade. For instance, such a prohibition may displace harvesting and trade to another species, or another area of the country with less control, thus having a positive environmental impact in one case but creating a negative environmental impact elsewhere.

Behavioural impacts can be 'identified' by detecting certain tendencies. Objective data can be used in some cases, such as the number of permits or certificates issued for CITES trade, the types and quantities of specimens exported legally, the types and quantities of specimens seized by Customs, the number of meetings between different types of actors, an increased presence of private sector actors in government-organized seminars or activities, etc. In other cases, it might be best to ask various stakeholders whether and how specific policy measures changed their behaviour.

#### **Environmental impacts**

As CITES is a species-focused convention, the most relevant conservation impact concerns changes in the status of wildlife populations, e.g. in terms of population size, structure and distribution. Identifying wider environmental impacts, in turn, involves identifying changes taking place for other species, species composition as well as changes at the habitat and landscape level. These changes are assumed to be indirect consequences of the changes in behaviour introduced by the policy and its operation. Here again, there is a challenge in establishing a causal link or a correlation between the impacts identified and changes in policy measures or their implementation as distinguished from other variables.

In understanding environmental impacts, it is important to identify whether a particular policy measure (e.g. quotas, trade restriction or moratorium, sustainable use and trade programmes for Appendix II species, ranching programs for Appendix I species, hunting trophy programs, etc.) has an impact on the population status of one or more CITES-listed species and whether that impact is generally beneficial or detrimental to the conservation of that species. This identification process could make use of existing biological baselines and indicators such as the biological characteristics, the national distribution, abundance and population trend of the selected species, the capture-effort, etc. Basically, an indicator should be simple, easy to interpret and able to show trends over time. The guidance developed under CITES for the making of non-detriment findings by Scientific Authorities offers a wide range of indicators that may be used in the impact identification.

It is important to bear in mind when doing impact identification that there is currently a lack of complete quantitative information for a vast majority of CITES-listed species. Good data exists for only a few species on each continent. Coping with uncertainty and determining risk are daily challenges for wildlife managers and CITES authorities. Many of their decisions cannot be based on the weight of scientific evidence and research but must instead be based on their best knowledge of a particular species (best guess) or another kind of empirical knowledge. Other stakeholders may also have useful expert or empirical knowledge about particular species. The figure below contains examples of specific questions and associated indicators related to environmental impacts.

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**Environmental impacts: has the wildlife trade policy benefited the conservation status of CITES-listed species or related ecosystems?**

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Questions	Criteria (indicators)
Have wildlife populations increased, remained stable or declined after introduction of the policy and to what extent is this related to the policy? (Which policy measures contributed the most?)	Population status before/ after (Number of specimen, number of breeding females, number of species, forest cover etc.) Distribution (area of distribution, size of habitat...)
Has the illegal trade in wildlife decreased, remained stable or increased after the adoption of the wildlife trade policy and to what extent is this related to the policy? (Which policy measures contributed most)	Estimated illegal volume levels before/ after introduction of trade regulations  Seizures/confiscation/prosecutions data  Perceptions of government authorities, academic or technical experts, harvesters and traders, NGOs and other stakeholders
Have species management practices improved or worsened after introduction of the policy?	Species management plans  Harvest based on a system of quotas
Has the policy led to environmental impacts on other species and the wider ecosystem?	State of the ecosystem or environmental condition over time  Perceptions of authorities, local communities, harvesters and traders, scientists, non-governmental organizations concerned with conservation and other stakeholders

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**Socio-economic impacts**

Socio-economic impacts can be defined as the consequences to people of any proposed action that changes the way they live, work, relate to one another, organize themselves and function as individuals and members of society.

How are different stakeholder groups affected by wildlife trade policies? How are the costs and benefits of wildlife trade policy measures distributed? Do harvesters, for example, benefit from or bear the burden of sustainable harvest and trade regimes? Putting people at the core of CITES and understanding social impacts, requires moving beyond traditional approaches that mainly assess changes in cash income. Social impact identification approaches have evolved considerably within the last decades and cover a range of aspects such as rights, equity, poverty, health, culture, livelihoods, quality of life and participation. The focus increasingly not only looks at mitigating negative impacts, but promoting better development outcomes. One way is to observe changes in different types of “assets”.

Assets in socio-economic impact identification				
Natural assets	Physical assets	Human assets	Financial assets	Social assets
e.g. access and property rights to natural resources	e.g. production, communication transportation means	e.g. skills and information	e.g. income, savings and credit	e.g. participation, and representation

This approach by assets can be tested for different classes of stakeholders: indigenous and local people, specialized harvesters, traders, exporters, government officials, etc.

***Indigenous, local people and harvesters***

A number of variables may be considered in identifying socio-economic impacts. These include: the dependency of the rural poor on wildlife use for subsistence survival; the access to species; the incomes obtained from direct trade in species; the benefits perceived for services provided by the community as the

main custodians of their wildlife; the participation of local communities in the management and use of the species; and the resettlement of communities owing to the creation of concessions or hunting areas.

There are both positive and negative socio-economic impacts of wildlife trade policies. For example, some policies provide for a fair distribution of benefits among harvesters, local traders, exporters and local or provincial or national government agencies. Without adequate policy intervention, local harvesters are likely to only reap minimum benefits from wildlife trade. With regard to possible negative impacts, the adoption of a moratorium on previously legal trade could lead to lost income and employment opportunities. A longstanding moratorium which fails to provide alternatives for continuing, underlying demand may lead to increasing levels of illegal trade.

Questions and indicators for identifying socio-economic impacts might be derived from Millennium Development Goal 1 on poverty reduction and Goal 7 on environmental sustainability (or future Sustainable Development Goals) as well as work being undertaken within and outside CITES on improving the livelihoods of the rural poor. The latter includes the development of a toolkit for countries to rapidly assess the positive and negative impacts of implementing CITES listing decisions on the livelihoods of the poor and voluntary guidelines for Parties to address the negative impacts. The sustainable livelihoods approach does not capture well social aspects such as power relations, village politics, etc., but a 'rights-based' approach (e.g. which looks at property rights and relevant human rights) might be useful in such cases. The figure below contains examples of specific questions and indicators.

<b>Socio-economic impacts: on indigenous, local people and harvesters</b>	
<b>Questions</b>	<b>Indicators</b>
Has the wildlife trade policy affected the property (access, use and tenure) rights of indigenous and local communities engaged in harvesting?	Physical access to target resource
	Legal access (rights) to target resource
	Legal use and property rights over resource
	Control over resource/ ability to exclude others
	Equitable access to target species among households
Has the wildlife trade policy affected the financial assets of harvesters?	Changes in production/ harvesting costs
	Changes in income levels
	Changes in access to credit
	Changes in savings
Has the wildlife trade policy affected harvesters' ability to engage in and benefit from sustainable trade?	Out-grower schemes
	Changes regarding access to information, production means, tools and equipment
	Transportation and communication
	Participation in community-based associations
Has the wildlife trade policy contributed to human development of the rural poor?	Perceptions of harvesters
	Living conditions
	Training and education
	Health

## ***Trade chain actors***

Wildlife trade enterprises are generally small to medium-sized. Many belong to the informal economy, yet some of them operate as members of 'industry associations' and these associations are at the core of many successful initiatives under CITES, e.g. the sustainable use of crocodilians. There are several examples of mature industries and markets for products and services derived from wild fauna and flora (e.g. food supply, healthcare, fashion, pets, trophy hunting, fisheries, handicrafts, etc.). Many others are growing, offering opportunities for alternative sources of income and for production processes based on sustainable use of CITES-listed species. Exploiting such opportunities, by promoting tailored incentives, requires a differentiated understanding of policy impacts on the economy.

At the micro-economic level, policies may affect the competitiveness / profitability, levels of investment in and levels of economic risk associated with wildlife trade. The industry structure may be affected in terms of changes in the supply chain, market concentration and the distribution of power between different actors, e.g. the entry of illegal traders leading to the exit of legal traders from the market. Supply side changes may include changing production costs and shifts to other supply sources. Demand-side changes may include changes in the quality of demand as well as changing retailer/ consumer prices.

At the macro-economic level, policies may have critical impacts related to changes in export earnings, tax revenue, employment generation, private sector investment, import substitution and government expenditure. There is a substantial difference between the costs and benefits of wildlife conservation and use facing range States and the costs and benefits facing other countries. Here are some examples of questions and indicators related to trade chain actors.

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**Socio-economic Impacts: on the trade chain actors**


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Questions	Indicators
Has the wildlife trade policy caused a change in the supply structure?	Structure of the supply chain before/after
	Market concentration (number of sellers and buyers at different stages in the supply chain)
	Supply chain relationships (levels of control through vertical integration or through contractual arrangements)
Has the wildlife trade policy caused a change in the demand structure?	Distribution of values within industry before/ after
	Volume changes
	Quality of demand
	Preferences of consumers
Has the wildlife trade policy affected the competitiveness of legal traders?	Retailer/ consumer prices
	Changes in compliance costs/ administrative procedures
	Changes in price levels
	Changes in income
	Levels of investment in innovation/ technology
	Access to market information
	Levels of economic risk
Has the wildlife trade policy created positive incentives for, or stimulated, private investments in the sustainable management of resources?	Levels of investment
	Perceptions regarding incentives and investments
Has the wildlife trade policy created jobs and incomes for more people?	Changes in export earnings
	Changes in tax revenues
	Changes in no of jobs linked to trade
	Perceptions regarding the sustainability of trade-related employment

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### 3.4.2 Relevance, coherence and effectiveness

To a certain degree, the characterization of a particular wildlife trade policy as a 'good' one depends on who is making the judgment. An individual may prefer one type of policy to another depending on his or her interests and the role he or she plays *vis-à-vis* the policy.

Determining whether a policy has been demonstrably successful, however, should be a less personal or subjective matter. It can be objectively evaluated through the use of recognized criteria such as relevance, coherence and effectiveness. There are other possible criteria as well. A growing number of countries have begun evaluating the cost-effectiveness of their policies, though this criterion can sometimes be difficult to measure. Still others have used various 'good regulation' criteria (e.g. simplicity, ease of understanding or application, legitimacy, support from stakeholders, etc.) to assess the performance of their policies. The paragraphs below provide a brief explanation of three common criteria, followed by a set of related questions that could be asked and answered by the review team.

Countries undertaking a wildlife trade policy review should feel free to use whichever criteria they consider to be appropriate and practical under their circumstances. Alternatively, they might avoid the use of criteria altogether and focus instead on using the data and information collected to identify fundamental problems, figure out their causes and propose possible solutions.

## Relevance

The description of the policy's content and operation in sections 3.2 and 3.3 above can be used to analyze the relevance of the policy to the context in which it is applied. This kind of analysis primarily involves matching or comparing the policy's content with wildlife trade 'reality' on the ground. It should help determine whether a policy is outdated or inconsistent or insufficient in relation to the current nature of wildlife trade (either legal or illegal).

The sample questions provided below may help to focus the analysis:

- Are existing policy goals and principles fully and adequately articulated in policy instruments?
- To what extent do the goals and principles of the wildlife trade policy reflect the particular conditions, pressures and drivers of wildlife trade in the country?
- What are the strengths and possible weaknesses of or gaps in the policy in terms of its goals and principles?

## Coherence

One of the main challenges in dealing with wildlife trade regulation at the national level is that it often works from bottom to top and issues are therefore addressed on a case-by-case basis (e.g. what should we do about regulation of quotas or what should we do about enforcement measures?) rather than holistically. When there is not necessarily a very strong nexus between the wildlife trade regulation policy and higher-level decisionmakers, it may be difficult to know where wildlife policies fit into wider government policy, economic policy, biodiversity policy, etc. In such a situation, coherence between these policies may be weak or non-existent.

A lack of strong overview from the top often leads to a lack of direction and to incoherence among different government policies. Governments must find or establish the common denominator that links wildlife trade policies and other policies at the highest possible level. They must build coherence between the various government agencies.

The results of the policy description step can also be used to analyze the **coherence** of the wildlife trade policy. This kind of analysis involves determining whether policy content and implementation are in line with the objectives of the policy, analysing if there is any inconsistency or conflict between one policy measure and another, and comparing different policy measures both within the wildlife trade context and the wider context to assess whether they are consistent. In other words, it consists in looking at a policy instrument and see if it matches, first the objectives and second other instruments, as well as looking if, taken all together this policy and its instruments and objectives are consistent with other policies.

Again, the sample specific questions provided below may help to focus the analysis:

- To what extent are different wildlife trade policy measures coherent with each other and in line with the overall goals and principles of the wildlife trade policy (internal coherence)?
- To what extent are wildlife trade policy content and implementation consistent with and mutually supported by other policies (external coherence)?

## Effectiveness

The results of the policy description steps (i.e. context, content, operation) and the identification of possible impacts can be used to analyze the effectiveness of the policy. The analysis of the effectiveness of the policy goes beyond the policy's operation and looks at its performance. It involves assessing if the policy and its operation are achieving the objectives of the policy.

The content of a wildlife trade policy is one thing and its operation is another. Determining the effectiveness of a policy requires that information on both its content and operation be reviewed. After all, operational weaknesses or problems can render even a good policy ineffective.

Once more, the following specific questions can be used:

- To what extent are policy measures actually being carried out as intended?
- What are the major factors enhancing or impeding policy operation or causing it to have certain results?

## 4. Recommendations and follow-up

This section focuses on: making recommendations for follow-up actions; preparing the final report of the review; and monitoring the follow-up actions. It will involve evaluating, comparing and prioritizing various findings or options and taking related decisions. Stakeholder consultation would therefore be useful at this point to ensure that the review's conclusions are validated and that its recommendations are translated into action on the ground.

Recommended policy reforms and follow-up activities might generally be aimed at ensuring policy coherence, streamlining operational procedures, reducing duplication of efforts and maximizing the limited resources available for conservation, sustainable use and human well-being.

Having a structured discussion of the review's recommendations could be extremely useful for further action planning processes. Complementary consultation approaches could be used to get feedback from actors who are likely to be absent or "mute" in a national workshop. This could involve targeted feedback sessions with informal traders, and region-specific sessions with indigenous and local community representatives. It is important that such discussions and the opinions expressed be recorded and put in an annex to the review report.

### 4.1 Recommendations

Based on the review's findings and conclusions, a set of recommendations for future action can be formulated. The aim of the recommendations should be to: support or enhance positive aspects of the policy's performance; to correct any problems or omissions in policy content or operation; and remove or revise any aspects of the policy's performance which are dysfunctional or harmful. Recommendations should be as specific and targeted as possible, taking into account any weaknesses and gaps identified in the review's conclusions. They should also be realistic in terms of available resources, the current political situation and other enabling conditions and may include proposals for improving those enabling conditions. They may cover a variety of aspects including actions to: keep the *status quo*; revisit and perhaps revise policy objectives; amend existing policy instruments (including primary or secondary legislation) or develop and adopt new ones; strengthen the operation of existing policy instruments (including through administrative procedures or information guidance/guidelines); or make institutional changes.

A review might recommend the adoption of new integrated and coherent wildlife policies that reduce the burden currently placed on governments and non-State actors and that make better use of the existing capacity and strengths of different stakeholders to contribute to effective CITES implementation. By focusing on outcomes (e.g. positive environmental and socio-economic impacts) rather than outputs (e.g. meetings, reports and recommendations), such policies should improve governance over wild fauna and flora.

Policy recommendations may reflect different approaches such as command-and-control, socio-economic incentives and institutional restructuring or strengthening. The suggested timing of particular responses should be taken into account and, particularly, it should be indicated where policy intervention is urgent. Finally, care should be taken to indicate whether a policy recommendation is aimed at the local, provincial, national or supra-national level.

When developing recommendations, it is important to:

- Consider feasibility, resource and efficiency concerns and implications.
- Assign clear responsibilities for implementing policy recommendations.
- Consider consistency with wider policy environment, sustainable development priorities and contribution to mainstreaming of wildlife trade.
- Consider concerns and implications related to equity and vulnerable groups/communities.
- Consider implications for valuation of wildlife resources and ecosystem services.
- Consider implications for property rights.
- Consider uncertainties, allowing for policy corrections as new information becomes available or interests or positions of stakeholders change.
- Consider cross-scale effects, which take into account constraints at higher decision-making levels or needs at lower decision-making levels.

- Consider lessons learned from policy measures used in other fields (e.g. experiences with various national certification and other trade schemes, which may provide immediate lessons).
- Think in a “step-by-step” fashion by identifying short, medium and long-term opportunities for policy change.
- Promote an adaptive approach to policy development which builds in opportunities to learn and change along the way e.g. through policy evaluations, feedback structures etc.
- Make recommendations for incorporating complementary changes in other relevant policies.

## 4.2 Evaluation of policy options

Providing an evaluation of different policy response options could enhance the conclusions and recommendations of the policy review. This evaluation should include a “no-action” or status quo scenario, if existing policy measures are determined to be effective.

Important questions at this stage include:

- What is working well in regard to the existing policy or policy measure?
- If improvements are needed, which part of the policy’s content or its operation should be reformed?
- What alternative policy measures are most likely to bring about the desired change in an effective and efficient manner?
- To what extent is it feasible to introduce the measure? Do national institutions have the human, technical and financial resources in place to implement the measure?
- Would it be complicated or costly, from a technical or administrative perspective, to introduce and implement a particular policy measure? Would such a measure be cost-effective?
- What are the possible pros (benefits) and cons (costs) of different policy responses? Should an ex ante review be undertaken to identify likely impacts and possible mitigating measures stemming from a new policy response?
- Would a specific policy measure bring about a more equitable distribution of costs and benefits of wildlife trade? Would it affect harvest and trade economies?
- Would the new policy measure be in line with CITES, the Millenium Development Goals (or future Sustainable Development Goals) and other international commitments such as the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity?

The evaluation of identified policy options, through this type of questioning (see Annex 4 for a related matrix) can also be useful for policy-makers and stakeholders to make informed decisions about where to start and how to prioritize. Policy makers might also like to know not only how much a particular policy option will cost and whether it is feasible but also whether constituents will support it.

The process of formulating recommendations is likely to involve balancing the needs of various stakeholders and proposing certain compromises or trade-offs. It should therefore focus on identifying the ‘winners’ and ‘losers’ under the various policy options - as well as possible environmental and socio-economic impacts - and determine whether proposed actions are likely to result in a satisfactory outcome. That said, some recommendations may be fairly neutral and acceptable to most or all stakeholders (e.g. capacity-building, better technology or techniques, improved research or data collection). For a number of proposed policy measures, the expected effects may remain unknown and require further research. An economic incentive measure, for example, may show high potential. In such cases, this should be noted and further ex-ante assessments of particular measures may be recommended as follow-up.

Countries might engage expert panels in making judgments about different policy options. For example, a panel of local community representatives and traders would be of particular relevance for measures aiming to generate positive socio-economic incentives. A panel of social scientists and economists may be useful to generate a preliminary assessment of different socio-economic incentives proposed.

The results of a process for identifying policy options should be summarized in a comparative analysis outlining the pros and cons of different policy response options. This analysis would serve as a critical basis

for justifying the review's recommendations. A policy measure may be recommended, for example, which is not necessarily considered the most effective but which has a high feasibility rating.

### 4.3 Follow-up and monitoring

The objective of this part of the review process is to highlight the importance of planning how the policy review recommendations will be implemented. In other words, how will they be translated into action? A number of decisions, whether institutional or financial, need to be taken to ensure effective follow-up and monitoring. As a first step, a review report can be disseminated as widely as possible to high-level policy makers, local communities, other interested stakeholders and the public at large. It may also be shared as an example of national experience in relevant sub-national national, regional and global fora, such as meetings organized by national authorities, UNEP, UNCTAD, CITES and IHEID. Proposals for a sub-regional or regional policy review could be made within such fora.

The aim of a policy review is to influence policy-making, policy operation and future policy review. In order for policy recommendations to be effectively implemented, efforts should be made to ensure that there is a positive and supportive enabling environment. A range of government departments are likely to be concerned, at both sub-national and national levels.

Monitoring requirements should be considered at an early phase in the planning process because the collection of baseline information can be more easily focused if clear indicators have been identified and it is known what information will be needed to support monitoring in future. Recommendations for monitoring and ex-post evaluation should be an integral component of the final policy proposal, which is submitted to the authority responsible for its approval and subsequent implementation.

A feedback mechanism allows for results of an established monitoring programme to contribute to future policy decisions, and aids in building the overall capacity for policy review within a country. Feedback mechanisms should therefore be identified in the monitoring framework.

There are different ways to establish a monitoring and feedback mechanism:

- One option is to identify current government initiatives already in place such as the preparation and submission of CITES national reports (annual, biennial, species-specific and other special reports) and the national-level reports on implementation of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Targets or the 'State of the Environment'.
- Another option would be to initiate a second phase to the policy review which would focus on the implementation of its recommendations. If the country lacks sufficient funds for this, a donor roundtable could be organized to seek the necessary funds.
- A third option would be to establish an independent commission of specialists and stakeholders to report on the efforts made to implement the recommendations of the policy review and the impacts of those efforts.

Whatever the option chosen, the monitoring scheme should identify key indicators and clearly set out responsibilities, timeframe, resources, and reporting procedures.

In the longer term, a second type of monitoring scheme could be put in place which focuses on the effects and effectiveness of policy responses which were implemented. This monitoring process could be based on a set of indicators, chosen during the policy review, which can be assessed over time to determine whether adverse environmental or socio-economic impacts are occurring. It would also show how actual impacts of implementing the policy are tested against those predicted (i.e. indicators). It should therefore focus on:

- Issues/areas where risks and uncertainty are high (precautionary approach).
- Likely significant impacts identified during the review.
- Mitigation measures.

Such a monitoring scheme allows for an analysis of the effectiveness of the policy responses that were developed and implemented following the policy review. A report on the monitoring outcomes could identify the need for any follow-up action. This may include:

- Revising initial policy recommendations made during the review process.
- Modifying complementary environmental or socio-economic policy measures implemented following the wildlife trade policy review.
- Introducing a set of new policies.
- Developing a mechanism for using the monitoring outcomes to provide baseline information for future policy decisions.

## 5. Conclusion

Countries may decide to undertake a wildlife trade policy review for various reasons (e.g. absence of a comprehensive, written policy or many overlapping policy instruments). Whatever their reasons and wherever their starting point, it is hoped that users find this Framework to be helpful, technically sound, politically relevant and above all practical.

The Framework is designed to promote thoughtful and evidence-based (rather than opinion-based) policymaking. Policies decided in a rushed, ill-informed and non-consultative manner to alleviate a problem in the short run are often incomplete and unsuccessful in the long-run. These policies are frequently based on perceptions that are not backed by evidence and may generate perverse, undesirable or displacement effects (e.g. negative impacts on the livelihoods of the rural poor, an increase in illegal activities, heightened pressure on other species, etc.). Policy reviews under the Framework may provide useful recommendations for concrete ways (e.g. the increased use of social scientists and economists) in which to bridge the gap between biological science and public policy and, in so doing, contribute to the conservation and sustainable use of biodiversity, socio-economic development and more effective generation, management and use of scientific information. In this connection, wildlife trade policy reviews could be useful contributions to and beneficiaries of the newly-established Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

To the degree possible, this Framework should be used to identify a country's fundamental problems (not derivative or symptomatic ones), understand their root causes and address them. Otherwise, countries undertaking reviews may continue recommending the same remedies with little effect (e.g. more workshops, meetings, studies and reports that are rarely used or implemented). An effort should also be made to develop 'home-grown' solutions in the light of existing problems and constraints. These can draw on the formal science, hard data, traditional knowledge, skills, memories/histories, mechanisms and examples of good practices that already exist in a country, albeit in a dispersed state.

As mentioned above, national and international partners involved in the development of this Framework learned that it is difficult to identify the environmental and socio-economic impacts of wildlife trade policies. They nevertheless recognized the value and importance of trying to detect those impacts and to use them in assessing the effectiveness of a particular policy. To facilitate the impact identification process, countries undertaking reviews might consider introducing some flexibility in the degree of sophistication and scientific rigour used to identify policy impacts.

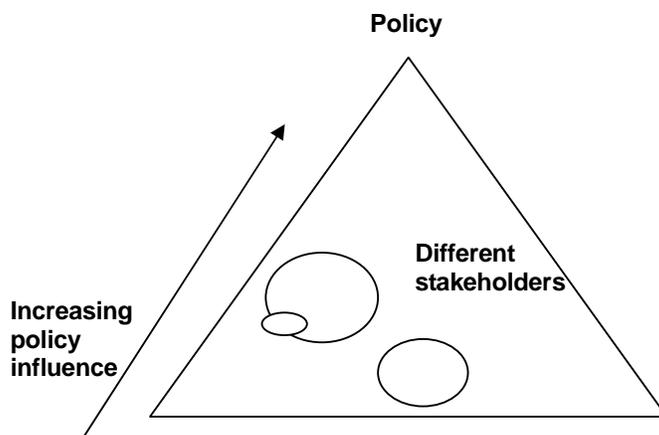
The Framework has benefited from contributions by governments (including sub-national offices), intergovernmental organizations, the private sector, academia, independent think tanks, NGOs, and other individuals with relevant expertise. The very purpose of this partnership was to take an integrated approach to wildlife trade policies, which considered the various dimensions of longstanding problems in the regulation of wildlife trade in order to suggest and promote the best possible overall solutions.

The focus in the Framework on policy content, policy operation and overall analysis, including impact identification and an assessment of policy effectiveness, should assist countries in understanding the discrepancy between formal expectations (the ideal world of written policy instruments) and actual practice (what is really happening on the ground) regarding national wildlife trade policy. Such improved understanding of the policy itself, its application and its results should help to attract the attention and involvement of high-level policymakers as well as local people who are so critical to the lawful, sustainable and beneficial management of a country's wildlife resources.

## Annex 1 - Means for identifying stakeholders

In the context of CITES, a number of actors are involved in either developing, financing, implementing or enforcing related policies and a number of other stakeholders benefit from, affect or are affected by wildlife trade policy measures. Different stakeholders will not necessarily have the same degree of participation in the review process, and their effective involvement requires careful planning and appropriate tools. The review team may want to map out all relevant stakeholders early on and chart how these different types of actors will be engaged in the review, based on the nature and importance of their interest. One possible tool for doing this is provided below.

### Stakeholders influence mapping



## Annex 2 - Data collection: methodology and tools

Rapid identification of possible environmental and socio-economic impacts should guide countries in determining which data should be gathered. The review team then needs to identify where such data might be found and whether or how it can be obtained within the time and resources available. During this data-identification process, it should take into account other assessments or baseline surveys on natural resource use and local communities that have been undertaken by other organizations.

### BOX A: Criteria for the selection of data

- ✓ Credibility
- ✓ Independence
- ✓ Responds to analysis needs
- ✓ Allows for sound analysis and impartial conclusions

Both primary data (collected in the field as part of the review process) and secondary data (such as existing reports, evaluations, statistics, policy documents and baseline and monitoring data from CITES authorities) will be required.

Once the field of observation has been narrowed down, the review team should customize data collection tools to fit identified questions/ indicators.

### BOX B: Tools for collection of data

- ✓ Individual interviews with a wide range of stakeholders
- ✓ Group discussions (focus group and market chain)
- ✓ Participant observation
- ✓ Case studies
- ✓ Questionnaires
- ✓ Expert and citizenship panels

## Tools

### Individual interviews

Individual interviews are important to collect qualitative information such as opinions regarding policy context, implementation effectiveness or impacts. In the context of wildlife trade, a number of different actors may be targeted for individual interviews. Scientists may have expertise regarding the environmental impacts of various policy measures on particular species. Traders may have opinions and ideas, which are not captured through questionnaires or group discussions regarding the effectiveness and impacts of certain policy measures. Seeking the opinions of such actors is important. Various types of interviews exist such as semi-structured interviews (conducted with a fairly open framework), as well as structured interviews (where specific questions are identified beforehand). Very often semi-structured interview techniques are used in assessment approaches.

### Group discussions

Focus-group discussion (FGD) is an excellent tool to bring together a group of actors, facilitate their interaction and encourage the expression of opinions regarding different aspects of the wildlife trade policy. They are often used to bring together different stakeholders either simultaneously or sequentially to generate opinions about what is being reviewed. The tool is often useful to complement existing data and furthermore may enhance the

credibility of the review results. Key aspects of FGDs involve selecting participants, having at least 2 FGDs per stakeholder group, establishing interview guides for each group and training facilitators.

“Market chain workshops” involve bringing together representatives of different groups involved in the market chain focusing on a particular species or group of species. The approach may be of interest as an alternative or complementary tool to focus group discussions depending on the information needs and sensitivities involved (Le 2005). For example, market chain workshops may be of less relevance if non-commercial scientific trade in Appendix I species is being discussed, compared to commercial trade in captivity bred or artificially propagated specimens.

### **Participant-observation**

Direct participation in and observation of particular situations or events (encounters, meetings, enforcement situations) by the review team in particular situations or events may be an important source of information in understanding relationships and observing practices (as opposed to only having verbal or written accounts).

### **Case study**

Using the case study tool is particularly appropriate as it allows reviewers to link up different actors (e.g. those involved in policy implementation and those involved in the supply chain) and to generate in-depth data on different aspects of policy measures (e.g. implementation experience and social impacts. In the wildlife trade context, this may involve observing particular institutions or groups of actors. The case study approach typically involves both qualitative and quantitative data collection methods. It can be used to illustrate particular points (such as good practice), verify or validate a hypothesis (e.g. concerning the impact of a measure), examine implementation in different contexts and generate a better understanding of the different factors enhancing or impeding a particular impact. The following criteria are useful to guide the choice of different case studies:

**Contrasting cases:** choosing “positive” and “negative” cases to help clarify what triggers differences (e.g. contrasting cases where impact has been positive vs. other cases where impact has been negative)

**Best/ good cases:** help in illustrating e.g. what constitutes an effective policy measure

**Worst cases:** help understanding why a policy measure does not function

**Typical cases:** help generate an understanding of what takes place in a “typical” wildlife trade situation

Case studies are generally presented in a narrative form and are generally considered of important pedagogical value because they provide a real-life picture of what is working and where gaps exist. They are, however, not sufficient by themselves. Hypotheses generated (inductively) through case studies need to be substantiated through other data.

### **Questionnaires**

Questionnaire surveys involve asking a specifically defined group of individuals a number of identical questions. They may be considered in the context of generating primary data regarding traders, harvesters, enforcement agents and others particularly to collect opinions. It is generally only recommended for use when the target group is relatively homogenous and of a sufficient size. Given the characteristics of wildlife trade, it is generally unlikely that surveys are a useful stand-alone option

### **Expert and citizen panels**

Experts often possess a good amount of relevant information/ data, which can be accessed either individually or collectively. Panels bringing together several recognized experts can be used to generate a collective assessment of a particular review question or aspect. As a flexible tool, it can be introduced at various stages of the review to estimate effects or assess different response scenarios. It may be particularly relevant in cases where it is difficult to obtain data otherwise.

Citizens likewise have a good sense of how policies work in practice. If there is, for example, a sense that a variety of social impacts are being experienced across different regions, different forms of citizen panels may be considered useful.

### Annex 3: Suggested method for presenting the environmental, social and economic impacts of a wildlife trade policy<sup>3</sup>

Impact	Parameter	Positive	Negative	Mitigation Measures
Environmental Impacts	Biodiversity	Trade could induce good practices that may support conservation of biological diversity.	Potential loss of key biodiversity resources driven by unscrupulous business practices.	Regulation of trade  Assessment of harvesting  Promote breeding and propagation programs.
	Species Diversity	Regulated harvesting of species could accelerate regeneration of traded species and promote species balance.	Potential depletion of selected species could undermine species diversity.	Regulation of trade
	Genetic Erosion		Wildlife imports or imports for re-export could lead to introduction of invasive species	Strengthen customs control, sanitary and phytosanitary inspection, etc
	Ecosystem integrity	Wildlife trading opportunities could enhance partnerships that will encourage the ecological and legal integrity of wildlife ecosystems.	Rush for resource capture could undermine conservation efforts and hence the integrity of key ecosystems.	Increase awareness among wildlife traders
	Wildlife crimes	Legal trade could act as a disincentive for illegal wildlife trade.	Legal trade could incentivize illegal trade giving advantage to organized crime.	Deterrent criminal regime
Social Impacts				
	Poverty	Wildlife trade can help reduce poverty among traders and participating communities.		
	Social equity	Revenue sharing helps communities to appreciate the value of conservation		

<sup>3</sup> Assessment of Environmental, Social and Economic Impacts of Wildlife Trade in Uganda

	Community empowerment	Participation in trading activities helps build confidence and civic competence of participating communities.
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Health

Tradable species can become carriers for diseases (e.g. Avian flu).

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Economic Impacts

	Household incomes	Wildlife trade increases household and community incomes.
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Community projects

Community projects get funding from trading initiatives.

	Enterprise opportunities	Wildlife trade provides opportunity as alternative business enterprise.
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## Annex 4 – Matrix for assessing policy response options

<b>Matrix for assessing policy response options</b>		
<b>Parameters</b>	<b>Option review (High/ low/unknown)</b>	<b>Key questions</b>
Projected effect on wildlife trade (and wider environmental impact)		To what extent is a policy measure expected to have a positive effect on rendering trade more sustainable?
Level of complexity		Does the measure involve highly complex technical or administrative aspects in terms of introduction and implementation?
Cost of implementation and operation		This is needed to assess to assess cost-effectiveness
Expected positive social impacts		To what extent would the policy measure generate a more equitable distribution of costs and benefits of wildlife trade?
Expected positive economic impacts		To what extent will a measure affect harvest and trade economies?
Feasibility		To what extent is it feasible to introduce the measure?
Coherence with international environmental and development commitments		Would the policy measure be in line with international commitments such as the Addis Ababa Principles?
Institutional capacity to implement		Do national institutions have the knowledge, human resources and institutions in place to implement the measure?
Powerful opposition/ ease of introduction		Would policy measures be easy to introduce or what it generate opposition from powerful stakeholders?
Other factors of interest		What other factors would influence the choice of measure?