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DRAFT FRAMEWORK FOR REVIEWING NATIONAL WILDLIFE TRADE POLICIES

The attached information document has been submitted by the United Nations Environment Programme (UNEP), United Nations Conference on Trade and Development (UNCTAD), Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES Secretariat) and University of Geneva's Institute for Development Studies (IUED).



Draft Framework for Reviewing National Wildlife Trade Policies

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1. Introduction

This Framework has been developed under the CITES Policy Review (CPR) project 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.

Box 1. Core principles underpinning the CITES Policy Reviews:

- **Party-driven:** The review is a voluntary process conducted by the countries.
- **Capacity building oriented:** the project is neither prescriptive nor linked to compliance mechanisms.
- **Results oriented:** the project focuses on outcomes that will help the effective implementation of CITES
- **Interdisciplinary:** CITES-related policies and mechanisms are interdependent and involve different disciplines. In this project there is an effort to strengthen the links between science and policy by integrating different disciplines and types of knowledge, biology, law, economy, other social 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 non-governmental organizations, the private sector, individuals, relevant national and multilateral organizations and government bodies
- **Partnership oriented** – involving the coordinated participation of different actors from government, academy and international organizations.

This draft framework underwent extensive revisions during 2006, and the final draft contains the following elements:

a) Combination of broad policy review and identification of impacts. One methodological challenge in developing the framework was related to the differing emphasis attached to, on the one hand, conducting a policy review by analysing all the elements mentioned in paragraph a) of Decision 13.74, and on the other, identifying the environmental, social and economic impacts of selected key wildlife trade policy issues building on UNEP's experience in this area. An integrated approach is taken forward in the present version of the framework by the combination of both.

b) Split between policy content and policy implementation elements. To ensure that the review covers not only the wildlife trade policy as written, but also the effectiveness of its implementation, the framework distinguishes between the content of the wildlife trade policies themselves, as well as related policies, and its implementation. Determining the effectiveness of a policy requires that information on both its content and implementation be reviewed.

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 legal trade is sustainable, illegal trade is prevented or punished and, in the best-case scenario, both generate incentives for species conservation.

About 30,000 species are covered by the Convention and they are listed in one of three Appendices, depending on the degree of protection that they require. The vast majority of CITES-listed species (i.e.

those listed in Appendices II and III) are not endangered and may be commercially traded. Species identified as endangered (i.e. listed in Appendix I) 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 legally acquired. 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 biodiversity conservation 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 biodiversity conservation. Understanding the relationships among the social, economic and environmental aspects of biodiversity conservation is therefore essential to ensure that the Convention achieves its objectives. It is also critical for 'mainstreaming' biodiversity conservation 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 or natural resource use or trade or socio-economic development. This Draft 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 wildlife trade.

1.2 Mandate and background

The importance of and need for reviewing national wildlife trade policies was recognized in Decision 13.74 adopted at the 13th meeting of the Conference of the Parties to CITES (CoP13, Bangkok, 2004) which directed the Secretariat to:

"conduct, in cooperation with the Parties, a review of their national policies regarding the use of and trade in specimens of CITES-listed species, taking into account economic incentives, production systems, consumption patterns, market access strategies, price structures, certification schemes, property rights, mechanisms for benefit sharing and reinvestment in conservation, as well as stricter domestic measures that Parties apply or are affected by."

In January 2006, the UNEP-UNCTAD Capacity Building Task Force on Trade, Environment and Development (UNEP-UNCTAD CBTF), the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES Secretariat), and the University of Geneva Graduate Institute of Development Studies (IUED) launched a joint project for 'Enhancing National Capacities to Assess Wildlife Trade Policies'. The project, known as the CITES Policy Review or CPR project, responds to the mandate contained in Decision 13.74. It aims to help countries review, assess, design and implement effective and sustainable national wildlife trade policies which support CITES implementation and promote sustainable development. The project partners bring together varying expertise and specialized networks which will help to ensure the project's success.

Box 2. Specific objectives of the CPR project include:

- Refining a general review framework and developing a toolkit of methodologies that can be used by countries to review their wildlife trade policies.
- Exchanging national experiences among participating countries on best practices for the development and implementation of national wildlife trade policies.
- Assisting countries to better implement CITES by developing wildlife trade policies that incorporate environmental, social and economic considerations (CITES CoP Decision 13.74).

1.3 What is a wildlife trade policy review?

To understand the concept of a 'wildlife trade policy review', it is helpful to look at the separate components which comprise it. In the context of CITES, 'wildlife' refers to all wild species of animals and plants including fish and timber. The term 'trade', as used in CITES, covers four specific transactions: export, import, re-export and introduction from the sea. 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. A 'review' is understood to be an examination of the wildlife trade policy.

In reality, wildlife trade policy is composed of written policies, strategies, plans and legislation as well as the decisions and practice 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 which 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).

A wildlife trade policy (or CITES policy) should reflect the actual context in which it is operating – including both external and internal factors. Relevant external factors would include the Millennium Development Goals, Rio Principles, national poverty reduction strategies and wildlife trade dynamics. Internal factors would include various CITES processes which should be integrated such as: the regulation of wild harvesting or production systems; non-detriment and legal acquisition findings; permit issuance/acceptance; trade monitoring; significant trade review; reporting; and the enforcement of legislation. A number of these processes depend on good links between science and policy.

Overall, national wildlife trade policy should aim to conserve biodiversity and promote human development through sustainable and regulated international wildlife trade.

National policy is the foundation for effective implementation of CITES. It is therefore important to understand the nature and scope of the wildlife trade policy which exists, why it was chosen and how well it is working. For purposes of this Draft Framework, a 'wildlife trade policy review' is composed of several steps: a description of the existing policy context, content and implementation; an assessment of the policy's impacts to date; and an overall analysis of the policy and its impacts.

Box 3. Wildlife Trade Policy Review Steps

Step 1 – Describe the existing situation (wildlife trade context, policy content, policy implementation)

Step 2 – Identify the policy's impacts (environmental, social and economic)

Step 3 – Analyze the policy and its impacts (relevance, coherence, effectiveness)

1.4 What are the benefits for a country undertaking such a review?

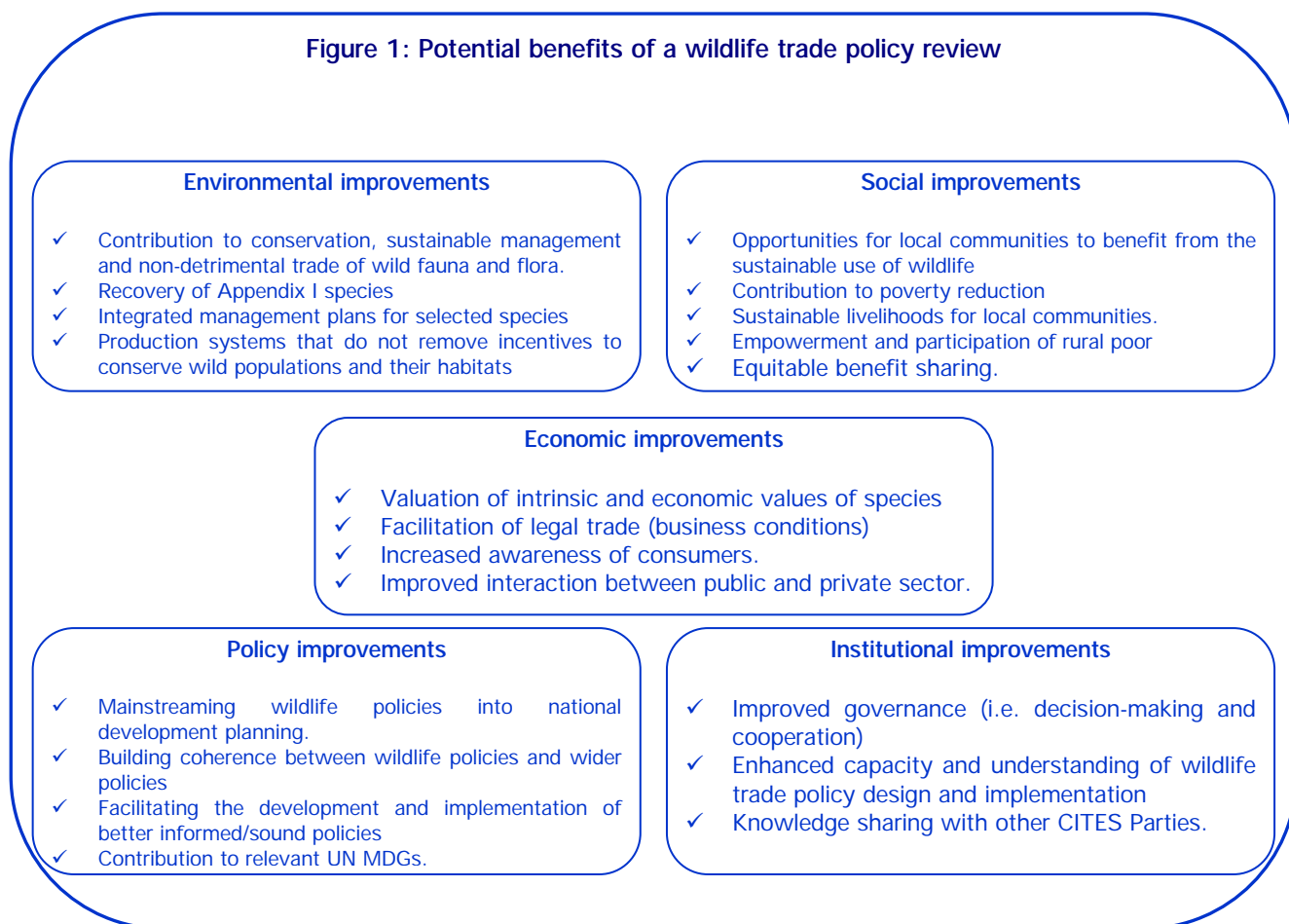
Given the importance of wildlife trade both for biodiversity protection and human well-being, it is essential that wildlife trade policies are relevant, coherent and effective. A structured policy review provides the opportunity to determine what works well and to identify policy responses which may

enhance positive and mitigate negative effects of wildlife trade and thereby better support wildlife management.

Trade can be a driver for protecting biodiversity by providing a key source of income and employment, but it has also accounted for a significant share of species threats particularly as international trade flows have grown. Markets alone, and many existing policies, rarely exploit opportunities to strengthen the positive aspects of trade or to address negative aspects effectively. Furthermore, in relation to other drivers as habitat modification, positive trade measures remain underutilized as a positive driver. Wildlife trade policies therefore 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 have a key role to play in terms of ecosystem management.

Policy reviews offer an opportunity to explore other aspects such as policy coherence. 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 conservation, social and economic dynamics which 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.

Figure 1: Potential benefits of a wildlife trade policy review



1.5 How can this Draft Framework help?

The Draft Framework is both a tool and a means for building capacity. It has been developed under the CPR project 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. Specifically, the Draft 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 Draft Framework and compliance-related processes under CITES.

The Draft Framework is experimental in that it attempts to combine different methods for policy analysis, including stakeholder engagement, integrated impact assessment and outcome-oriented approaches. This new approach, however, may not be the easiest or best way to do a policy review. It has been conceived as part of an on-going project and is considered a “work in progress”. Pilot studies undertaken in specific countries will play a key role, not only in testing the framework and methodologies presented here, but also in refining the Framework for wider use.

Key aspects to any successful review are the process preceding and the process following the actual review. Given this, the Draft 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 Draft 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, social and economic impacts of national wildlife trade policies and identify measures to optimize the beneficial nature of those impacts; and
- Identify opportunities to improve the content and implementation of national wildlife trade policies.

2. Review preparations

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

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

2.1 Institutional roles

This section presents the various 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. Such adaptations should be useful in refining the Draft Framework.

It is expected that a government ministry or agency will 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 should be conducted 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 – should form a national steering committee (NSC) which will guide and oversee the review.

Broad participation in the review is crucial to ensuring that the most complete information is gathered about the content and implementation of the national wildlife trade policy. Such participation should also contribute to the development of realistic suggestions for policy improvement. Accordingly, national stakeholder workshops and other forms of engagement are recommended throughout the process.

In the context of the CPR project, the International Steering Committee and members of the International Advisory Body will provide technical support to the national project partners and any national steering committee. Additional details on institutional roles are contained in Annex 1.

Table 1: Potential roles and responsibilities		
National Steering Committee	National stakeholder workshops	National research institution
Overall guidance and oversight of the review process	Collective situation analysis	Implementing agency for review
Quality control of review outputs	Identification of impact focus and questions	Preparation of interim documents and final report
Stakeholder participation plan	<i>Feedback on conclusions and recommendations</i>	Organization of national stakeholder workshops
Securing commitment from planners and decision-makers		
Steps for incorporating review results into future planning processes		

2.2 Legal and financial arrangements

Before undertaking the review itself, certain legal and financial arrangements may need to be put in place. At a minimum, institutions involved in the review should formally agree to cooperate in the review, to undertake specific tasks within the review and to provide or identify and obtain any resources (human, technical or financial) that will be required for the review. More details on the legal agreements, terms of reference, and resources which may be needed for the review are contained in Annex 2.

2.3 Stakeholder analysis/involvement

Wide stakeholder participation is indispensable for a successful policy review and the acceptance of resulting policy responses. Indeed, 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.

Once the stakeholders have been identified, one or more national workshops should be held to 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. policy description, impacts and analysis) and to give general inputs to the NSC. The workshops should be very interactive, so stakeholders may share their needs or expectations as well as the constraints that they are facing.

More details on and tools for the identification of stakeholders are contained in Annex 3.

2.4 Planning

Once the legal and financial arrangements and institutions are in place, attention can be focused on how best to organize the work that needs to be done. This involves identifying both the actions that need to be taken as well as the timeframe in which they should be completed. More details on the steps or actions and timeline for undertaking the review are contained in Annex 4.

3. Review

The preceding section dealt with the procedural aspects of preparing for a policy review, and this section of the Framework deals with the substantive aspects of the review. It is divided into three main parts: a description of the context, the policy content and its implementation; an identification of the policy's impacts; and an analysis of the policy and its impacts.

3.1 Describe the context, the policy content and its implementation

The purpose of this step is to provide a snapshot of the existing wildlife trade policy situation in a country, that is, the context around the policy as well as its content and implementation. 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.

As distinguished from the process of identifying the policy's impacts, which is discussed later, a policy description should generally be conducted as a desk review relying on a number of existing sources. This includes past or current policies, programmes, and operational documents, information from existing monitoring systems, available reviews, evaluations and academic analyses. The description process should aim to identify and explain the characteristics of the policy itself as well as the way and circumstances in which it is implemented.

3.1.1 Context

The context in which a wildlife trade policy is developed and implemented includes the broader national situation, the nature and drivers of wildlife trade in general and the value chains which characterize that trade.

3.1.1.1 Country profile

It is important to determine the major wildlife trade characteristics and dynamics in the country (nature, volume and types of trade as well as species and regions concerned). The country profile anticipated in this section need not be extremely comprehensive or detailed and might be limited to one or two pages. Emphasis should be placed on identifying characteristics of a country's environmental, social and economic situation which are relevant to wildlife trade. Relevant environmental characteristics might include the ratio of its protected areas to overall land area, the type and abundance of the wild animal and plant species within its borders and the existence of any protected areas or species which might be shared with neighbouring countries. Relevant social characteristics might include the overall size of the population, the ratio of rural to urban dwellers, degree of decentralization, interaction with and cultural values concerning wildlife and typical income-generating activities. Relevant economic characteristics might include the main areas of economic activity involving wildlife (including fish and timber), key export products, ratio between raw material and value-added exports, trade relations, national employment versus unemployment levels, and the percentage of people living below the poverty line.

3.1.1.2 Value chains

CITES is mainly about regulating a chain of interlinked "trade" processes and events which have an impact on the status of wild populations. The term value chain, also called the commodity chain or production-consumption chain, encompasses that 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 value chain (e.g. producers, processors, distributors, traders, regulatory and support institutions). One important advantage of

describing value chains is that it helps to understand not only formal institutional arrangements but also highly complex informal relationships in the policy process.

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 crocodilians¹. 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 market, 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.

3.1.1.3 Wildlife trade drivers

Learning more about the social and economic drivers that push or influence a particular behavior is essential to designing and implementing effective wildlife trade policies. In this sub-chapter, the review will try to figure out what motivates wildlife trade in a given context.

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 is known about other major factors or dynamics and drivers of change (both direct and indirect) affecting wildlife trade?
- Where are the major knowledge gaps in terms of the nature, dynamics and drivers of wildlife trade?

The "Pressure-State-Response model" may be useful to structure this analysis. It involves identifying trends, pressures, driving forces and responses. An important dimension of this analysis involves clearly "weighting" the role of wildlife trade among other positive or negative drivers affecting sustainable use of wildlife. This also provides a good entry-point for the next section on wildlife trade policy.

Table 2: Pressure-State-Response model			
Trends	Pressures	Driving forces	Responses
How have CITES species conditions evolved in recent years?	Which pressures are generating these trends? Specifically, what role does wildlife trade have compared to other drivers?	What produces the pressures (drives the changes)?	What have been the individual, organizational and institutional responses?
<i>(based on IUCN 2004b & MA 2004)</i>			

3.1.2 Policy content

Following a consideration of the national context for the wildlife trade policy, the content of the wildlife trade policies themselves, as well as related policies, should be considered. This aspect of the review will provide information about the: evolution of wildlife trade policy; goals and principles; types of policy instruments (e.g. regulatory, voluntary, promotional); and the link to wider policies.

¹ *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.*

Some overall questions which might be considered are:

- Does a unified wildlife trade policy as such exist?
- If so, is it expressly articulated or implied from practice?

3.1.2.1 History

Wildlife trade policy generally evolves over time. A brief summary of this evolution could provide useful information about the individuals or organizations, factors and ideas which influenced the initial formulation and any later revision of the wildlife trade policy. The chronology of national wildlife trade policy development, perhaps shown by a timeline like the one below, might also provide a useful picture of how the policy has evolved.



3.1.2.3 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 programmes; 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 the use of offences and penalties as disincentives for non-compliant behaviour. Some regulatory policy instruments include incentive measures as well (e.g. 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. clear ownership rights, conservation easements, user rights to particular species, communal property rights, tradable quota systems, private reserves, hunting licences and concessions)
2. Regulatory certification
3. Charges and fiscal instruments (e.g. user fees, payment for services, tax exemptions or deductions, high levels of taxes on unsustainable harvest, 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 (ranching/artificial propagation, research and development) and export and import oriented promotion programmes. 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.

Regulatory and non-regulatory instruments in the following sectors could be relevant to wildlife trade policy: wildlife; forestry; fisheries; agriculture; biodiversity; livestock or phytosanitary control; animal

welfare; socio-economic development; sustainable development; decentralization; poverty reduction; structural adjustment; growth with equity; trade; land (allocation, use and tenure); transport; and customs.

3.1.2.2 Goals and principles

Policy goals generally refer to the stated objectives contained in policy documents. The goals of a wildlife trade policy may vary considerably from country to country. Some countries have said that it is their policy to sustainably harvest and use wildlife resources in order to ensure their conservation and to reduce poverty. Other countries have expressed a preference for non-consumptive uses of wildlife resources. Some countries have banned trade in wild-taken animals but allow trade in captive-bred specimens. A number of countries give more protection to domestic as distinguished from exotic species.

Policy principles are broad rules or notions which underlie and guide the policy's application. Typical principles found in wildlife trade policies include: legal acquisition; non-detriment; sustainable use; user pays; reinvestment into conservation of proceeds from legal trade or fines from illegal trade; and the precautionary principle. Annex 5 provides a matrix for identifying policy objectives and principles.

3.1.2.4 Wider policies

The wider policy environment may serve as a sort of indirect policy instrument because the distinction between wildlife trade policies and other types of policies is increasingly blurred. Wildlife trade policy elements may appear in different types of policy documents and a broad range of other policies may be identified as important drivers for or barriers to sustainable wildlife trade. In practice, developing or revising incentive measures may likely involve reforming other policies.

The policy areas to be considered include conventional trade policy measures as well as policies which affect trade such as macro-economic policies, poverty reduction policies, constitutional provisions, biodiversity or conservation strategies, forest or fishery governance regimes, trade in environmental services, agricultural policies or property rights regimes. 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 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 rather than holistically: what should we do about regulation of quotas or what should we do about enforcement measures, when there is not necessarily a very strong point from which the regulation policy hangs from the top, where does wildlife policies fit into wider government policy, economic policy, conservation 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 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.

3.1.3 Policy implementation

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

The term 'policy implementation' refers to the process by which policy instruments are put to work. A description of policy implementation will typically refer to the institutions, personnel, decision-making processes, coordinating mechanisms, activities and resources that are made available to put the policy instruments into effect. It is important to keep in mind the concept of 'governance' as well. As defined by the World Bank, this is the 'exercise of political authority and the use of institutional resources to manage society's problems and affairs'.

Countries have been fairly good at creating all sorts of policies, but have faced significant challenges in implementing those policies because implementation requires resources.

Two overall questions might be kept in mind during this section of the review:

- What is already known about the extent to which policy measures are being implemented as intended?
- What is already known about the factors which facilitate or constrain wildlife trade policy implementation?

3.1.3.1 Actors

A number of governmental and other actors are involved in the implementation of a wildlife trade policy, with various roles and responsibilities. At national level, administration and management functions are usually vested in a lead CITES Management Authority (MA), which is 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 MA plays a key role in not only developing wildlife trade policy but also implementing it. There may be additional MAs responsible for permit issuance in certain sectoral areas (e.g. plants or fish).

Scientific and technical functions are assigned to an independent Scientific Authority (SA). It is responsible 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.

General enforcement functions are often fulfilled or overseen by the MA, with the support of various enforcement authorities 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). 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). Moreover, the trade community, research and academic institutions, members of civil society and the public play a role in wildlife trade policy implementation. A range of international actors (e.g. intergovernmental, private sector or non-governmental bodies as well as the donor community and looser networks or associations) also participate in the implementation of wildlife trade policy.

Policy implementation cannot be seen in isolation from the wider arena of stakeholders, which may seek to influence or have a positive or negative impact on implementation. Wildlife trade policies, and the agencies in charge of implementing them, do not operate in a vacuum. Policies may fail to have their desired impact because of external factors in the policy context or certain action (or inaction) by other stakeholders.

3.1.3.2 Means and resources

Beyond identifying institutional actors involved in policy implementation, it is useful to describe the experience they bring, the work they do and how they do it. This involves matters such as the: knowledge and skills of staff members; availability and usability of information management systems as well as standard operating procedures; soundness and timeliness of decision-making; specific activities undertaken; capacity building efforts and the regular monitoring of policy implementation. This last item is discussed in more detail in the next section on compliance and enforcement.

CITES implementation activities generally include the: enactment of adequate legislation; registration of traders and production facilities; 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; and detection and penalization of violations.

The resources available to a particular actor determine its ability to ensure or affect the implementation of a particular policy. Thus, it is important to look at the human, technical, financial and political support

which is at its disposal in order to understand the full extent to which a policy is being implemented. The remuneration for and other conditions of public sector work may be significant factors as well.

Effective implementation also depends upon consultative processes which may be used within relevant institutions (e.g. involving different units or divisions or external 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 implementation.

The type and degree of interest which a particular actor brings to wildlife trade policy implementation will vary. Government actors are generally expected to act in accordance with applicable norms 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 norms and informal values.

Ensuring implementation of a wildlife trade policy and associated instruments – particularly, legally-binding ones - requires a compliance and enforcement scheme for tracking implementation efforts and addressing any weaknesses, gaps or violations that might be found. Such a scheme could be used to promote more or better implementation efforts by the public at large or particular actors (e.g. traders), perhaps through policy instruments concerned with awareness-raising and education. By undertaking compliance monitoring at various stages of the value chain (e.g. harvesters, producers, traders, shippers), government can 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 implementation 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) could be helpful in identifying aspects of the policy or its implementation which need to be revised, so it is more effective.

On a more general level, countries may vary in their ability to ensure respect for the rule of law and to minimize corruption. They may also experience problems with political stability which could make it difficult or impossible for government to function fully and to exercise control over the entirety of the country and its borders.

3.1.3.3 Delivery of the policy and reasons for delivery

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

Periodic reporting (e.g. annual, biennial and special reports under CITES or State of Biodiversity reports or State of the Environment reports) offers government actors the opportunity to review and show the extent to which their wildlife trade policy has achieved its objectives. Such reports may also be used to identify implementation 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).

Both periodic meetings and reports can help to identify and address any internal or external constraints which are hampering achievement of the policy's objectives.

3.2 Identify the policy's impacts

The aim of this section is to identify the observable impacts that a wildlife trade policy may have on the environment, human society and the economy. Given resource constraints and the difficulty of isolating impacts, it is likely that the identification of these impacts will reveal indications, tendencies and/or build on perceptions rather than present "solid" conclusions. The findings which result from such impact identification will be incorporated into the final country analysis and report.

The approach proposed consists of two parts. The first part involves compiling an inventory of key policy measures (e.g. regarding species listed in CITES Appendix I or II or III or some combination of those Appendices; regarding a particular species; regarding wild-taken or produced specimens; related to sharing benefits with local communities; related to captive-breeding operations; regarding specific value chains; regarding the access to species inside or outside protected areas; etc.) The second part involves identifying the environmental, social and economic impacts of those measures based on existing data, available knowledge, stakeholder discussions and other data gathering processes.

The description of the context for the policy as well as its content and implementation may already have revealed a number of key policy measures and potential impacts. National stakeholders could bring additional measures and perceived impacts to the table, which should be taken into account.

3.2.1 Environmental impacts

As CITES is a species-focused convention, the most relevant environmental impact concerns the changes in the status of wildlife populations, e.g. in terms of population size, structure and distribution. Identifying wider conservation and environmental impacts, in turn, involves identifying changes taking place for other species, species composition as well as changes at the habitat and landscape level.

3.2.1.1. Identification of environmental impacts

In understanding environmental impacts, it is important to identify whether a particular policy measure e.g. quotas, trade bans, sustainable use and trade programmes for Appendix II species, ranching programmes for Appendix I species, hunting trophy programmes, 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 for CITES Scientific Authorities compiled by the IUCN (2002) offers a wide range of indicators that may be used in the impact identification.

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

Conservation impact: has the wildlife trade policy being beneficial to conservation?

Questions	Indicators
Have wildlife populations increased, remain stable or decline after introduction of the policy and to what extent is this related to the policy? (Which policy measures contributed most?)	Population status before/ after (time series/ trend data) Perceptions of government authorities, academic or technical experts, harvesters and traders, NGOs and other stakeholders
Has the illegal trade in wildlife decreased, remain 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 trade regulations led to conservation impacts on other species and the wider ecosystem?	State of the environment and ecosystem condition over time Perceptions by authorities, scientists, conservation NGOs, producers Perceptions by ecosystem and protected area managers in harvesting areas
Has the species management practices improved or worsen after the introduction of the policy?	Species management plans Harvest based on a system of quotas

3.2.2. Social impacts

Social 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".

Table 3: Assets in social 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
Adapted from Kusters et al 2005				

3.2.2.1. Identification of social impacts

The social impacts identified should be carefully reviewed for their relevance to the wildlife trade policies in a given situation or country. A number of variables may be considered for the social impacts. For example, the dependency of the rural poor on wildlife use for subsistence survival, the access to the species, the incomes obtained for their direct trade, or the benefits perceived for services provided by the community as main custodians of their wildlife, the participation of local communities in the management and use of the species, the resettlement of communities owing to the creation of concessions or hunting areas, etc.

Literature reveals both positive and negative social impacts of wildlife trade policies (see e.g. Roe et al 2002). There may be immediate negative social impacts of trade regulations distributed differently among harvesters, artisans and local traders in terms of lost income and employment opportunities due to the disappearance of the (legal) market².

Without adequate policy intervention, local harvesters are likely to only reap a minimum benefits from wildlife trade. In a Madagascar policy discussion, inequitable benefit sharing at the community and harvest level was identified as a clear problem prompting a need for policy change (TRAFFIC 2003)

The questions and indicators for identifying social impacts can be derived from international and national development goals and sustainable livelihoods objectives. In the category of development goals, we can include the relevant Millennium Development Goals (MDGs 1 and 7) and the poverty reduction strategies. In the second category, it is recommended to use the sustainable livelihoods framework. This is a tool developed by several agencies to improve understanding of the livelihoods of the poor. It enables researchers to develop a more complete picture of poor people's livelihoods and the factors, challenges and the macro level issues than affect them.

It is important to bear in mind that the sustainable livelihoods approach does not capture well social aspects such as power relations, village politics etc. We will need additional tools to capture higher-level phenomena. Rights-based approach can be useful in this case. A rights-based approach to development is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights.

² Such impacts may be further exacerbated, where an export ban, for example, is accompanied by protected area establishment, harvest or local trade ban, leading to further human-wildlife conflicts (crop-damage, loss of livestock etc), food insecurity, loss of local markets or even loss of rights over natural resources.

The figure below contains specific questions and associated indicators related to social impacts.

Social impacts: has the wildlife trade policy had positive social impacts on harvesters?	
Questions	Indicators
Has the wildlife trade policy affected 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 Perceptions of harvesters
Has the wildlife trade policy contributed to human development of the rural poor?	Living conditions Training and education Health

3.2.3 Economic impacts

Economic impacts can be defined as the market (supply/demand) effects of a policy measure. It also encompasses the distribution of the costs and benefits of wildlife trade and conservation and the value of the species. Economic impact identification helps answer the questions, "who are the losers and gainers from a policy?" and "by how much do they lose or gain?"

Referring to biodiversity, Barbier *et. al.* (1994:72) writes:

"Market failure occurs if markets fail fully to reflect biodiversity values. This may result from the presence of open access resource exploitation and public environmental goods, externalities (for example, non-market environmental services), incomplete markets, uncertainty, the distribution of income and assets, and imperfect competition. Government or policy failure occurs when the policy interventions necessary to correct market failures are not taken. It also arises when government decisions or policies are themselves responsible for worsening allocation failures that lead to excessive biodiversity loss."

3. 2.3.1. Identification of economic impacts

Identifying economic impacts, involves understanding impacts at both the micro and macro-level. At the micro-level, policies may affect the competitiveness/ profitability, levels of investment in and levels of economic risk associated with wildlife trade. Furthermore, 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 (e.g. through different consumer preferences) as well as changing retailer/ consumer prices.

At the macro-level, it involves understanding economic impacts in terms of changes in export earnings, tax revenue, employment generation, private sector investment, import substitution and government expenditure are also critical. There is, for example, a substantial difference between the costs and benefits of wildlife conservation / exploitation facing "range" States and the costs and benefits facing other countries.

The figure below contains specific questions and associated indicators related to economic impacts.

Economic impacts: has the wildlife trade policy had a positive economic impact?	
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) Distribution of values within industry before/ after
Has the wildlife trade policy caused a change in the demand structure?	Volume changes Quality of demand Preferences of consumers Retailer/ consumer prices
Has the wildlife trade policy affected the competitiveness of legal traders?	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 wildlife trade policy created positive incentives for, or stimulate private investments in sustainable management of resources?	Levels of investment Perceptions regarding incentives and investments
Has 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

3.2.4 Data-gathering

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 (individual scientist, field biologists, members of IUCN specialist groups), by conducting desk reviews of existing research (published literature, scientific journals, the internet, CITES trade and species databases), population and distribution surveys (TRAFFIC surveys),

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-detrimental finding and the significant trade review. For the social and economic impacts, the knowledge of rural poor organizations, cooperatives and community-level committees, representatives of indigenous people, as well as non-governmental organizations, the private sector, individuals, relevant national and multilateral organizations and other government bodies is crucial. 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.

Box 5: Have we got what it takes?: a methodological reality check

Before a final data-gathering methodology is decided upon, it is critical to assess whether the review team has the sufficient means to undertake it in practice. Is there sufficient time available to undertake suggested activities? Is the socio-cultural and political environment conducive for undertaking identified types of data collection? Are sufficient financial resources available to hire expertise, undertake suggested data collection and analysis activities (if not, what can be scaled down or where can additional resources be found)? Does the review institution have the technical capacity to use the tools suggested (if not, can additional training or expertise help or is there a need to scale down)? Given the global learning objectives of the exercise, it is recommended that a short training session is held with the review team back-to-back with the national stakeholder workshop to discuss the review framework, methodological aspects and identify capacity needs.

3.3 Analyze the policy and its impacts

On the basis of the policy description and impact identification, it should be possible to undertake an overall analysis of the policy and its impacts. The policy description step looked at what has been done in relation to wildlife trade policy. The policy impact step considers the environment, social and economic effects from the adopted policy. Now, it is time to explain the results of those two steps and to provide an analysis of "how the policy is doing." This analysis should summarize the data that was gathered to this point and make key findings as to the completeness, relevance, coherence and effectiveness of the policy. The summary, and related findings, will form the basis for reaching the conclusions and recommendations – and determining the follow-up actions (e.g. policy reform process) – anticipated in the next section. 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.

Overall, the analysis of the policy and its impacts will be very helpful for:

- ✓ Building a better understanding of the causes and effects which characterize wildlife trade
- ✓ Identifying the potential requirements and constraints for any policy changes

3.3.1 Completeness and relevance

The results of the policy description step (i.e. context and content) can be used to analyze the **completeness** of the policy content and its **relevance** to the context in which it is applied. 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?

This kind of analysis 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).

3.3.2 Coherence

The results of the policy description step can also be used to analyze the **coherence** of the wildlife trade policy. Again, the sample 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)?

This kind of analysis involves comparing the content and implementation of different policy measures both within the wildlife trade context and the wider context. It should help to determine whether there is any inconsistency or conflict between one policy measure and another which needs to be addressed.

3.3.3 Effectiveness

The results of the policy description step (i.e. content and implementation) and the impact identification step can be used to analyze the **effectiveness** of the policy. This analysis goes beyond the policy's implementation and looks at its performance. Once more, the sample questions provided below may help to focus the analysis.

To what extent are policy measures being implemented as intended? To what extent are policy measures having positive or negative environmental, social and economic impacts? What are the major factors enhancing or impeding implementation or causing it to have certain impacts?

This kind of analysis involves matching the data on policy content with the data on policy implementation and policy impact to determine whether the policy's goals are being fully and efficiently achieved. It should help to determine whether the policy is working well or not. If it is determined that the policy is not working well, the analysis should also help to identify whether that is due to problems with the policy's content or with the policy's implementation or a mix of both - or even external factors of some kind.

Distinguishing between change and impact

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, social or 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 trade bans. For instance, such a ban 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 (EC 1998).

4. Conclusions, recommendations and follow-up

This section focuses on: reaching conclusions based on the summary and findings from the previous section; 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.

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 Conclusions and recommendations

The major analytical findings from the previous section should be used to develop concrete and specific conclusions as to whether the existing wildlife trade policy is performing well and why. If there are aspects of the policy or its implementation which need improvement, they should be clearly indicated. External factors which might be affecting the policy’s performance should also be identified. 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.

Based on the review’s conclusions, a set of recommendations for future action would be formulated. The aim of the recommendations should be to: support or enhance positive aspects of the policy’s performance; to correct any omissions in policy content or implementation; 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 revisit policy objectives, strengthen the implementation of existing policy instruments, develop additional policy measures and make institutional changes.

Typically, policy recommendations will reflect different approaches such as command and control, market-based incentives and institutional policies (UNEP, 2001). 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 values or positions of stakeholders change.
- Consider cross-scale effects, allowing for incorporation of constraints from higher decision-making levels and for exploring decision needs at lower decision-making level.
- 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 such as those related to Non-Timber Forest Products or Forest Certification).
- Think in a “step-by-step” fashion by identifying both immediate 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(ies) content or its implementation should be reformed?
- ✓ What alternative policy measures are most likely to bring about the desired change in an effective and efficient manner?
- ✓ What are the pros (benefits) and cons (costs) of different policy responses?

The evaluation of identified policy options (perhaps using a matrix like the one contained in Annex 7) could 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 how much a particular policy option will cost, whether it is feasible and 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, social and 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 consider undertaking a SWOT analysis that examines the strengths, weaknesses, opportunities and threats which implementing agencies face in relation to a proposed policy measure. Alternatively, they might engage expert panels in making judgments about different policy options. A panel of economists may for example be useful to generate a preliminary assessment of different economic incentive measures proposed. Panels of traders and community representatives are also of particular relevance for measures aiming to generate positive social and economic impacts.

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 policy decisions, whether institutional or financial, need to be taken to ensure effective follow-up and monitoring. As a first step, the review report needs to be disseminated as widely as possible to 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 IUED.

The review report will also be used by CPR project partners (at the international level) to prepare a general comparative report, which will summarize the review process and results for all of the project countries.

- The aim of a policy review is to influence policy-making. In order for policy recommendations to be effectively implemented, actions are required to ensure that there is a conducive policy environment and policy-making context in support of implementation. 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 aid 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 mandate a competent research institution to design an indicator-based monitoring programme which could be overseen by an intersectoral advisory body or committee.
- A second 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 'State of the Environment'.
- A third option would be to initiate a second phase to the policy review which would focus on the implementation of its recommendations.
- A fourth 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 economic, environmental and/or social 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 principle).
- Likely significant effect identified during the assessment.
- 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 social and environmental policies 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.

Annex 1 – Institutional roles

National review institution

During the application phase of the global project, a national review institution was designated by the government of each project country and this designation was incorporated into the agreement between the government and UNEP.

The responsibilities of the national review institution are to: serve as the implementing agency for the review; participate in and follow the guidance of the national steering committee; complete the various steps of the review process; prepare written outcomes for each of those steps, which will be consolidated to form a final review report; and organize national stakeholders consultations or workshops. Additional responsibilities may be added during the review process, depending on the specific needs of a country, including those needs which may emerge during the review process.

It is likely that more than one person from the national review institution will be involved in doing the review. The institution should therefore designate a review team as well as a team leader, preferably someone who has experience in conducting policy analyses and facilitating stakeholder consultations, and who can ensure that the institution fulfills its responsibilities.

Steering committee

It is recommended that a national steering committee (NSC) be established among the key stakeholders in the review (i.e. those who have a significant interest or stake in the development and implementation of wildlife trade policies). The NSC should be small with balanced representation and should be able to meet frequently and to take quick decisions in order to avoid delays during the review process. It is suggested that NSC include the lead ministry or agency, the CITES Management Authority and the national research institution. It might also include representatives of the CITES Scientific Authority, the ministry or agency for trade and/or development, the trade community, local government and a non-governmental conservation organization. Ultimately, however, each country should determine for itself the composition of the NSC.

The responsibilities of the NSC are to: support the lead ministry or agency responsible for the review; direct and oversee the work of the national research institution in implementing the review and producing the final report; ensure the timeliness and quality of the review process; identify and involve other potential stakeholders in the review and chair stakeholder workshops; raise awareness about the review and obtain commitments to the process from high level planners and decision-makers as well as local communities; and serve as the national counterpart to the International Steering Committee formed under the global project.

The NSC should clearly identify the benefits and expected outcomes of the review as well as how its results might feed into existing policy decision-making or reform processes. It would be useful for the NSC to spell out how the review process will be launched and communicated and how "change makers" will be engaged in the policy reform process.

NSC meetings should take place as needed and may occur back-to-back with stakeholder consultations or workshops.

Annex 2 – Legal and financial arrangements

Legal agreements/Terms of Reference

For the present pilot project, Letters of Agreement (LoAs) and Memoranda of Understanding (MoUs) with attached project proposals have already been signed by UNEP, the government and the nationally designated institution. They include binding commitments regarding activities to be undertaken by the national institution as well as a timeline, set of outputs and budget – with the latter to be specified according to the national context. Moreover, the LoAs detail the roles and responsibilities of the engaged parties (lead government ministry, national steering committee, project partners) and specify the disbursement of funds.

With regard to future reviews that are undertaken, similar LoAs or MoUs and Terms of References (ToRs) may be needed in order to obtain institutional commitments and internal or external funds for the review.

Human, technical and financial resources

The review will require identification of individuals with expertise and experience in policy analysis as well as supportive personnel. The need for technical resources, other than computers, may be minimal.

Within the pilot projects, financial provisions are fixed in the LoAs and MoUs and provide for 40,000 CHF (US\$ 30,300³) to be disbursed to each nationally designated institution. Additional funds in the global project will support the participation of international experts in the national level meetings and there will also be certain in-kind contributions by the international project partners.

As in every policy review, future wildlife trade policy reviews will require a realistic estimation about funding needed and available resources – as a necessary condition for credibility and the successful completion of the review. Although it is not possible here – in isolation from a specific national context – to indicate concrete amounts for the necessary expenses, several basic items should generally be taken into account:

- conclusion of a contract with a national research institution to be in charge of the review;
- organization of meetings of the established committees on the national level (such as the national steering committee in the pilot project);
- organization of at least one training workshop concerning policy review methodologies; and
- organization of stakeholder consultations (workshop or other)

As far as financial sources are concerned, the funds for a policy review in developed countries will normally be provided by the responsible government agency or ministry. However, where global environmental, social and economic issues are involved, there are capacity building justifications for co-funding by international organizations including, among others, UNEP. Developing countries could search for external project funding. They might also think about integrating this particular review project into other (broader) review projects/programmes or to use the respective information from those projects which may be relevant for the wildlife trade context.

Further recommendations and guidance with regard to financial considerations will be incorporated later on the basis of experience gained by and feedback from the pilot countries.

³ Official UN exchange rate of March 2006 from Swiss Franc to US\$: 1.32

Annex 3 - Means for identifying stakeholders

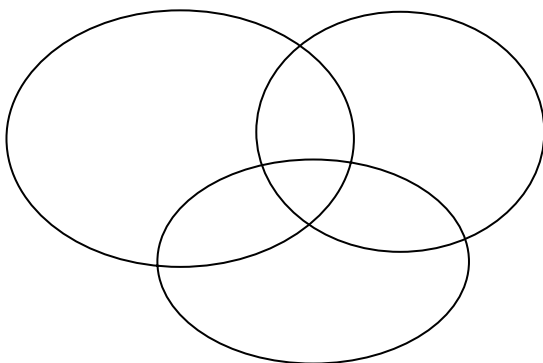
In the context of CITES, a number of actors are involved in either developing, financing, implementing or enforcing related policies and a number of other stakeholders benefit from, affect or are affected by wildlife trade policy measures. Different stakeholders will not necessarily have the same degree of participation in the review process, and their effective involvement requires careful planning and appropriate tools. The NSC 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.

Table 4. Identifying stakeholders	
1. Which institutions are responsible for wildlife trade policy measures?	CITES Authorities, enforcement agencies, other government agencies
2. Which other institutions have an impact on wildlife trade policy?	Ministries in charge of natural resource management, economic, trade and development policies
3. Which other actors can contribute to policy reform?	NGOs, lobbies, parliamentary groups, scientific community, experts
4. Who has an economic stake in wildlife trade?	Private sector (organized and informal economy)
5. Who has a social stake in wildlife trade?	Local harvesters and producers

Wildlife trade policy stakeholders map/ Venn diagram

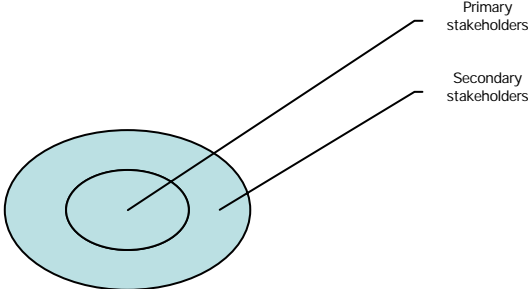
Public authorities

Operators

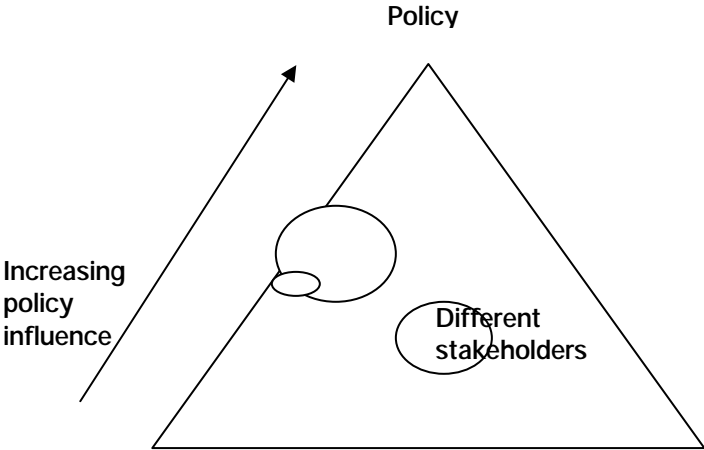


Target population/ users

Using concentric circles



Stakeholders influence mapping



(based on Mayers & Vermeulen 2005)

Annex 4 – Planning

Steps or actions

In order to understand the strengths and weaknesses of the national wildlife trade policy, a comprehensive overview of the national wildlife trade context and existing policy content and implementation is indispensable. In view of possible policy reform, it is very valuable as well to identify the environmental, social and economic impacts of the policy.

Timeline

In general, the policy review proposed in this draft Framework can take place at any moment a country considers it useful. A policy review could be valuable prior to the implementation of such a reform (*ex ante*), during (concurrent) or after (*ex post*) its implementation⁴. 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.

Countries participating in the CPR project aim – once the biological, economic and social impacts of their wildlife trade policy are evaluated – to identify measures or recommendations to improve the content or the implementation of their wildlife trade policy. Some of them plan to update their CITES legislation or the adoption of revised and/or formulation of new policies. Participating countries are supposed to realize the policy review in approximately one year (from the establishment of a national steering committee to the development of a country project report).

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.

⁴ For more information, advantages and disadvantages of *ex ante*, concurrent or *ex post* integrated assessment, cf. UNEP 2001 p. 15ff (context: trade negotiations).

Annex 5 – Policy content

A. Identification of policy objectives and principles

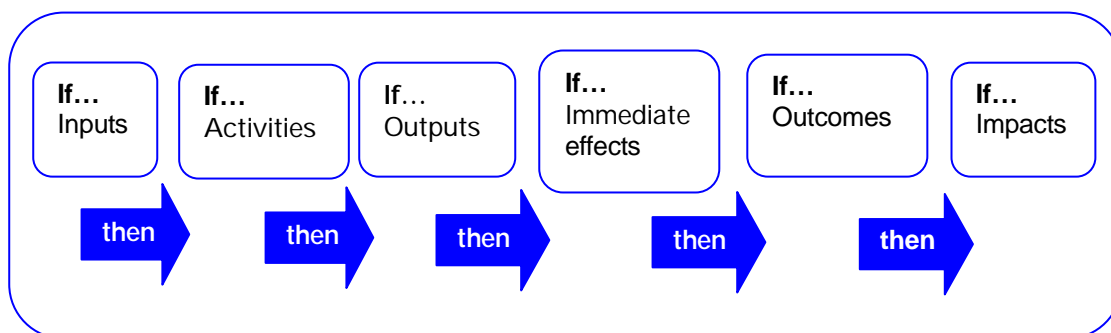
It may be useful to synthesize the following information in a matrix.

Laws, decrees and policy instruments	Objectives	Rationale	Target audience	Implementation responsibility

Such a matrix may allow for visualizing the overall policy and to explore overlaps and inconsistencies among the different policy instruments in terms of objectives, rationales, target audiences and implementation responsibilities.

B. Visualizing the policy “model of change”

A wildlife trade policy often operates with an internal “model of change”. This “logic”, which may be more or less explicit, represents how the policy is intended to work. Policy measures may be designed to change certain types of behavior, which in turn are expected to achieve policy objectives. It may be useful to visualize how the policy intends to work as a series of if-then relationships. For example, if economic incentives are provided for legal traders (activity), production costs will be reduced (output), legal traders will earn more and the benefits of trading legally increase (immediate effect), more illegal traders will shift to legal trade (outcome), reduction of trade in unsustainably harvested specimens (impact).



Annex 6 - Data collection: methodology and tools

Identification of the environmental, social and 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 national institution should customize data collection tools to the identified questions/ indicators.

BOX B: Tools for collection of data (Annex 3)

- ✓ 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 conservation 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 will be of less relevance if commercial trade in Appendix I species is being discussed, compared to 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) (see e.g. Johnstone et al 2005)

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 (see e.g. Borrini-Feyerabend et al. 2004, chapter 11).

For further information see:

EC (1998/1999), "The MEANS Programme", European Commission, DG XVI/G2.

UNEP (2005c). "Integrated Assessment and Planning for Sustainable Development. Key features, steps, and tools", Volume 1 and 2, Economics and Trade Branch.

Annex 7 – Matrix for assessing policy response options

Matrix for assessing policy response options		
Parameters	Option review (High/probably low/not known)	Key questions
Projected effect on wildlife trade (and wider conservation 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 conservation 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?

Annex 8 - Action planning

Identifying concrete action points is an important part of the policy review process. How do policy makers and key institutional actors envisage following-up on the review's conclusions and recommendations? It is recommended that the National Steering Committee hold an action-planning meeting shortly after completing the final draft review report.

What needs to happen for initiating the reform and strengthened implementation? Who should be involved and take the lead? The National Steering Committee has a key role to play in terms of ensuring that key "change makers" are on board and participate in the process. An action plan would ideally respond to review recommendations, identify what can be done, who will do it and when it is planned for (the format below could be used for this purpose)

Recommendation from the review	What? Action steps to be implemented	Who?	Milestones	When? Time frame
1.	Action 1 Action 2 Action 3	Who takes the lead?	What are the key products or changes that will help track progress in implementation?	When will these milestones be achieved (adapted from IUCN 2004)

A number of aspects are critical for effective action planning.

Firstly, "policy action" will typically require action at different levels. Some decisions at the operational level may be directly taken by a Management Authority, while others will require higher-level decision-making e.g. in terms of changing policy objectives, fund allocations etc. The latter decisions may be beyond the immediate scope of NSC action, but will generally require pro-active efforts by NSC members in terms of sharing review results, campaigning and building a momentum for policy change.

Secondly, actions have different timeframes. The action plan should as far as possible link up with "normal" policy planning cycles and specific policy opportunities as well as setting time targets for action points.

Thirdly, some actions are likely to require further negotiations and compromise. The action plan could address how further coalitions and awareness will be built to promote follow-up and change. This may also involve a participatory policy-making process seeking further inputs, support and grassroots validation of identified policy responses.

Fourthly, official validation of the action plan is key. The national action plan should be approved at highest level of government such as the Prime Minister's Office. Such validation is critical to mobilize other line-agencies and pursue implementation in the long-term.